

**66th Annual Meeting
of the Midwestern Legislative Conference
of
The Council of State Governments**

The Westin Indianapolis
Indianapolis, Indiana

July 17 – 20, 2011

Resolution on Combating Aquatic Invasive Species

- WHEREAS,** the introduction and rapid spread of aquatic invasive species (AIS) is a very serious environmental and economic threat facing our country and our region today; and
- WHEREAS,** an “invasive species” is defined as a species: (1) that is not native, and (2) whose introduction causes, or is likely to cause, harm to economies, ecosystems or human health (United States Federal Executive Order 13112); and
- WHEREAS,** the history of invasive species in the Great Lakes and Mississippi River watersheds shows that AIS can devastate local ecosystems, out-compete local species, spread over vast distances, and cause widespread economic damage; and
- WHEREAS,** some AIS, such as zebra mussels, quagga mussels and round goby entered the Great Lakes because of discharges of untreated ballast water from ocean-going ships and then spread into the Mississippi River basin and beyond through canals such as the Chicago Area Waterway System (CAWS); and
- WHEREAS,** other AIS, such as bighead carp and silver carp (Asian carp), were imported for use in aquaculture and wastewater treatment, but then escaped into, and widely spread within, the Mississippi River basin, and now threaten to enter the Great Lakes through the CAWS; and
- WHEREAS,** the national scope of the AIS problem demands urgent and concerted action by the federal and state governments to: (1) prevent any new introduction of AIS into the waters of the United States; (2) stop the further spread of already established AIS within or through waterways and between watersheds while maintaining or enhancing existing beneficial uses of affected waterways; and (3) control AIS populations to the fullest extent possible through aggressive monitoring, rapid response and eradication efforts; and
- WHEREAS,** Congress has empowered the U.S. Environmental Protection Agency, under the Clean Water Act, and the U.S. Coast Guard under the National Invasive Species Act, to regulate and require treatment of

ballast water discharges from vessels to prevent the introduction and spread of AIS; and

WHEREAS, the U.S. Congress in 2007 authorized the U.S. Army Corps of Engineers to conduct, and in 2009 provided funding for, “a feasibility study of the range of options and technologies available to prevent the spread of aquatic nuisance species between the Great Lakes and Mississippi River Basins through the Chicago Sanitary and Ship Canal and other pathways” (Pub. L. No. 110-114, § 3061(d)), but the Corps has publicly stated that it does not intend to complete even an initial version of the study – which it refers to as the Great Lakes Mississippi River Interbasin Study (GLMRIS) – until 2015 at the earliest; and

WHEREAS, a broad consensus has emerged among many scientists and stakeholders, including the multistate Great Lakes Commission, that “the best permanent solution for the long term health of both the Mississippi River and Great Lakes watersheds is ecological separation, with the goal being to prevent all interbasin movement of AIS while maintaining and enhancing existing beneficial uses of the affected waterways,” (March 18, 2011 resolution); and

WHEREAS, the federal government has convened an Asian Carp Regional Coordinating Committee, comprised of the Corps, other federal agencies, and representatives of Illinois and other Great Lakes states, that has developed and is implementing with federal funds an Asian Carp Control Strategy Framework comprised of various actions intended to reduce the risk that Asian carp will invade the Great Lakes; and

WHEREAS, confronting the challenge of AIS in the Great Lakes basin is a matter of binational concern shared by the Government of Canada and provincial governments, and the subject of a binational risk assessment being developed in collaboration with the Great Lakes Fishery Commission; and

WHEREAS, the Mississippi Interstate Cooperative Resource Association – a partnership of 28 state natural resource departments dedicated to improving aquatic resource management in the Mississippi River basin – has developed the Action Plan to Minimize Ecological Impacts of Aquatic Invasive Species in the Mississippi River Basin that includes, among other priority recommendations: developing enforceable ballast-water treatment standards to prevent introduction of new AIS; enacting measures to prevent the movement of AIS through canals and waterways; and funding and implementing science-based monitoring, rapid response, and control programs for the most troublesome AIS, such as Asian carp; now therefore be it

RESOLVED, that the Midwestern Legislative Conference urges the U.S. EPA and the U.S. Coast Guard to expedite the development and enforcement of appropriate, science-based standards to prevent the introduction and spread of AIS through ballast water discharges in the waters of the United States; and be it further

- RESOLVED,** that the Midwestern Legislative Conference urges the U.S. Army Corps of Engineers to expedite – and urges Congress to require that the Army Corps expedite – that portion of the Great Lakes and Mississippi River Interbasin Study addressing options to prevent the movement of all AIS, in either direction, through the Chicago Area Waterway System, including permanent ecological separation of the watersheds at strategic locations in the Waterway, while maintaining and enhancing existing beneficial uses of the affected waterways; and be it further
- RESOLVED,** that dialogue must continue with appropriate Canadian federal and provincial authorities on measures considered or undertaken to confront the challenge of AIS in the Great Lakes basin; and be it further
- RESOLVED,** that the Midwestern Legislative Conference urges Congress to authorize and fund the U.S. Army Corps of Engineers and other appropriate federal agencies to undertake and prioritize science-based measures to control and prevent the spread of populations of Asian carp and other AIS in the Mississippi River and Great Lakes watersheds; and be it further
- RESOLVED,** that this resolution be submitted to appropriate federal, state and provincial officials.