Hearing of the
House Transportation and Infrastructure Committee
Subcommittee on Water Resources and Environment
and
Subcommittee on Coast Guard and Maritime Transportation
on
Implementation of the National Invasive Species Act of 1996
May 15, 2002

Members Attending
Rs: Duncan (TN, chair WR &E Subcomm); Gilchrest (MD); Ehlers (MI); Coble (NC); Simmons (CT); Rehberg (MT); Shuster (PA).

Ds: DeFazio (OR, Ranking WR & E Subcom.); Brown (FL, Ranking CG & MT Subcomm); Taylor MS); Barcia (MI); Baird (WA).

Witness List
Timothy R.E. Keeney, Deputy Assistant Secretary of Commerce for Oceans and Atmosphere
Captain Michael W. Brown, US Coast Guard
Jack Robinson representing Chamber of Shipping of America
Richard Steinke, representing American Association of Port Authorities
George Ryan, Lake Carriers Association
Allegra Cangelosi, Northeast-Midwest Institute
Linda Sheehan, the Ocean Conservancy

Opening Statements

Ch. Duncan noted that aquatic nuisance species can damage marine ecosystems and infrastructure. He stated that invasive species cause an estimated billions of dollars of losses a year to the US economy. He observed that ship's ballast water is the primary means by which non-native species are introduced in US waters and that while vessels traveling to the Great Lakes are required to perform ballast water exchange, other US waters are only protected by the Coast Guard's voluntary ballast water exchange programs. He concluded by saying that using technology to eradicate non-native species found in ballast water is at least as effective as ballast water exchange.

Rep. DeFazio expressed his concern with the pace at which the Coast Guard has moved to propose and implement mandatory ballast water regulations.

Rep. Ehlers also expressed concern about the progress of both ballast water regulations and ballast water technology research efforts. He stated that the agencies tasked with taking action against invasive species under the National Invasive Species Act have not aggressively moved to implement the Act. He said that he was opposed to the Administration's efforts to zero fund the ballast water demonstration program within NOAA. He noted hat he will soon introduce an invasive species bill to codify the Invasive Species Council.

Rep. Baird expressed his concern about the possibility of zebra mussels spreading to the West Coast.

Rep. Gilchrest said that the Chesapeake Bay is besieged by invasive species and stated that Congress needs to pass stringent regulations to prevent the introduction of invasives.

Rep. Simmons stated that he was glad to see Tim Keeney testifying today and that he hoped the members of the Committee are aware of Keeney's distinguished record on military and environmental matters.

Testimony
Deputy Secretary Keeney testified about the scope of the aquatic invasive species problem and highlighted NOAA's aquatic invasive species research and control programs, particularly NOAA's ballast water technology program. He described NOAA's interagency efforts as co-chair of the Aquatic Nuisance Species Task Force. A copy of Keeney's full statement can be found at http://www.legislative.noaa.gov/

The testimony of the other 6 witnesses can be found at http://www.house.gov/transportation/

Questions asked to Keeney (condensed and paraphrased)

Ehlers asked: Any final ballast water standard that the Coast Guard develops must be based on science. What specific ballast water technology research needs still exist and what other agencies should be involved in developing this standard?
–**Keeney:** Some areas where additional research is still needed include ballast water dynamics and continued monitoring of the effectiveness of ballast water technology systems that are currently in place on board ships. NOAA through Sea Grant and other programs has already done a significant amount of research on the ballast water issue and if the proposed transfer of that program to NSF occurs, then NSF will obviously be involved as well.

Gilchrest asked: I know NOAA doesn't always get everything you ask for in your budget submission to OMB, but I want to work with you to find programs within NOAA in which we can provide additional funding support for these important invasive species research and control efforts. Can you work with me on this? Also, could you describe this rapa whelk that you mentioned is invading the Chesapeake Bay?
–Keeney: I'm happy to work with you Congressman on this issue. And a rapa whelk is basically an invasive species that resembles a conch.

Baird asked: As I mentioned, I'm concerned about the westward migration of zebra mussels. Can you describe what steps are being taken to prevent the overland migration of this species?
–**Keeney:** Zebra mussels are slowly making their way West via the movement of recreational boats. Local, state and federal agencies are working together in a coordinated effort directed by our federal partner, the US Fish and Wildlife Service, to slow the westward migration of zebra mussels. This effort is known as the 100th Meridian Initiative. Eradication of zebra mussels is not

likely, but we can take proactive steps to slow the spread.

Brown asked: Can technology solve the ballast water problem alone or are mandatory ballast water standards necessary?
–Keeney: We at NOAA believe that ballast water standards are needed because technology alone won't solve this problem.

Taylor asked: How do we know that ballast water was the means by which zebra mussels were introduced to the Great Lakes since ships have been carrying ballast water into the Great Lakes for over 100 years and zebra mussels have only shown up in the last couple of decades? Couldn't someone have dumped them from their aquarium into the Lakes?
–Keeney: All of our evidence points to the fact that ballast water is the vector by which zebra mussels were introduced to the Great Lakes, but environmental conditions may not have been ripe until recently that would allow the species to take hold and reproduce. We continue to believe that the focus now should be on ballast water standards.