

Regional Citizens' Advisory Council / "Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers."

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September 19, 2003

MEMBERS

Alaska State  
Chamber of  
Commerce

Senator Ted Stevens  
United States Senate  
522 Hart Building  
Washington, DC 20510-0201

Re: National Aquatic Invasive Species Act of 2003

Dear Senator Stevens:

We are writing to express our support for the passage of the National Aquatic Invasive Species Act of 2003 (NAISA). It is our understanding that movement on the bill has stalled. We are anxious to see NAISA adopted and implemented. We believe the bill is an essential step in the right direction, although we still have some concerns about the effectiveness of the bill for Alaskan waters with respect to ballast water exchange. We reviewed the bill and offer a few thoughts for your consideration.

The potential for invasion by non-indigenous marine species into Prince William Sound and other Alaskan waters through crude oil tanker ballast water discharges has been a priority issue for PWSRCAC since 1996 when we first commented on the National Invasive Species Act of 1996. In other regions like the Great Lakes and the Black Sea, it has been well documented that invading organisms have caused economic chaos and destroyed commercial and recreational fishing economies.

PWSRCAC, in partnership with governmental agencies and industry, has been supporting invasive species research conducted by the Smithsonian Environmental Research Center for the last several years. This research has shown that at least 15 non-indigenous species have already been introduced into Prince William Sound.<sup>1</sup>

Commercial fishing is one of the most important economic sectors in Alaska. Approximately 4.5 billion pounds of seafood were harvested from Alaskan waters in 2000, comprising 48 percent of the entire U.S. seafood harvest.<sup>2</sup> Last year, the total harvest increased to 5.0 billion pounds with an estimated value of \$955 million.<sup>3</sup> The PWSRCAC region contains some of the most important Alaskan ports in terms of seafood value.

Sport fishing and eco-tourism are other economic industries important to Alaskans. To be successful in the industries mentioned, a healthy ecosystem free of invading

<sup>1</sup> *Biological Invasions of Cold-Water Coastal Ecosystems: Ballast-Mediated Introductions in Port Valdez/Prince William Sound Alaska*, Smithsonian Environmental Research Center, 2000.

<sup>2</sup> National Marine Fisheries Service, 2000

<sup>3</sup> Alaska Department of Fish and Game 2003

species is essential. That is why we offer our support of the National Aquatic Invasive Species Act of 2003 (S. 525; H.R. 1080), a bill that re-authorizes the National Invasive Species Act of 1996 and attempts to fill in gaps in that original bill. It is our goal that national and regional approaches will prevent invasions of aquatic nuisance species in Prince William Sound and the Central Gulf of Alaska.

### **Program Coordination**

We fully support the provisions outlined for program coordination contained in Title V of the Senate bill. We are pleased to see the addition of the Smithsonian Environmental Research Center and the United States Geological Survey to the Aquatic Nuisance Species Task Force. These two entities already play vital and important roles in nuisance species issues.

### **Prevention of Introduction of Aquatic Invasive Species into Waters by Ships**

One of the most disappointing aspects to the passage of the National Invasive Species Act of 1996 was the exemption from voluntary ballast exchange/mandatory reporting requirements given to crude oil tankers in the coastwise trade. This was very alarming to us, given that Port Valdez is frequented on a regular basis by oil tankers and is the recipient of the third-largest volume of ballast water of any U.S. port.

This exemption ignored two important possibilities: 1) that organisms indigenous to other U.S. ports could invade Prince William Sound through ballast water with potentially detrimental effect; and 2) that many domestic U.S. ports are thoroughly invaded by exotic organisms from foreign countries, allowing ample opportunity for exotic species to be introduced into Prince William Sound by tankers sailing from these domestic ports.

We are pleased to see this exemption has been dropped from the Act of 2003. However, coastal voyages will be subject to the same limitations and requirements on transoceanic voyages imposed under the final standard, including mandatory ballast water exchange, only if the ship goes beyond the Exclusive Economic Zone (EEZ). The definition of the EEZ in the bill includes the waters of Canada and Mexico. Because the tankers in the TAPS trade do not generally go outside the EEZ as they travel up the West Coast, they will still not fall under the ballast exchange requirements of the bill. Therefore, the bill, as currently drafted, will not provide any more protection to Alaskan waters from aquatic nuisance species invasions than the bill did in 1996. We recognize the harm that could be caused by ships discharging ballast water close to the coast on their voyages northbound to Alaska, but exempting them from the ballast exchange requirement if they stay within 200 miles of the coastline will not provide adequate protection to our waters and we believe this requirement needs to be more stringent.

### **Interim Standards for Ballast Water Exchange**

In reading some of the testimony this bill has received, we understand there is controversy around the interim standard of using ballast water exchange or technology to reduce the number of living organism by 95 percent. It has been pointed out by various government officials that the rate would be difficult to

monitor and enforce and it would not guarantee that harmful organisms would not be transferred in ballast water.


However, we support adoption of an interim measure until the implementation of the final standard, which could be as much as four years after the enactment of this Act. We do not want to wait any longer to attempt to stop harmful invasions from happening in our region, invasions of organisms that could forever alter or decimate our ecosystems. We have not heard that any viable alternatives to the 95 percent interim standard are being proposed. Additionally, we hear from oil industry representatives in Alaska that they are also anxious for an interim standard to be adopted sooner rather than later so that they will at least have a starting point.

### **Prevention of Introductions of Aquatic Invasive Species in Waters of the United States by Other Pathways**

PWSRCAC fully supports this section of the Act. Our contract with Alyeska limits us in that we can only address aquatic invaders as they relate to the Trans Alaska Pipeline (TAPS) trade and Alyeska Marine Terminal (i.e. ballast water) using their tankers. However, our constituents are concerned about the other pathways that might facilitate harmful invasions in Alaska. We are pleased that this Act includes analysis looking at the other pathways.

We strongly encourage you to support this bill, and we hope that you will work to try to move it along. We welcome any opportunity to discuss these issues with you. Please feel free to contact Deputy Director, Marilyn Leland, in the PWSRCAC's Anchorage office at 907-277-7222.

Sincerely,



John S. Devens, Ph.D.  
Executive Director

Cc: Richard Ranger, Alyeska Pipeline Service Company