**Political roundup: Bill would scrap state ballast water rules, which help keep out invasive species**

By [STATESIDE STAFF](http://michiganradio.org/people/stateside-staff) *•* NOV 3, 2017

More than 185 species of foreign fish, algae, plants, insects, and viruses have been brought into the Great Lakes. Many of them are invasive species that are damaging the lakes, such as zebra mussels, quagga mussels, round gobies, and Phragmites.

About a third of those invasive species were brought here in the ballast water of ocean-going ships. As they picked up their ballast water in foreign ports, they sucked up aquatic life along with it.

For decades, that ballast water and the things that lived in it were simply pumped out into the Great Lakes ports as the ships adjusted to loading and unloading cargo.

In 2005, Michigan [passed a law](http://www.michigan.gov/deq/0%2C4561%2C7-135-3313_71618_3682_3713-153446--%2C00.html) requiring those ocean-going ships to obtain a state permit before docking in Michigan's ports. The permit certified the ships would either not discharge ballast water, or that they'd treat ballast water to kill off foreign critters. Michigan passed that law because it felt the federal government wasn't doing enough to stop invasive species from getting to the Great Lakes.

Now, however, some Michigan legislators want to get rid of the state law, and just follow the U.S. Coast Guard's regulations. The state House passed [HB 5095](http://www.legislature.mi.gov/%28S%28x4htgujq1jtprmbotgudgiw4%29%29/mileg.aspx?page=BillStatus&objectname=2017-HB-5095)yesterday. This sort of bill has been sponsored, or co-sponsored, by Representative Gary Glenn repeatedly. He argues the Michigan ballast water restrictions are blocking development of Bay City as a deep water port.

We discussed the issue in our weekly [political roundup](http://michiganradio.org/term/political-roundup) with **Vicki Barnett**, a former mayor of Farmington Hills and a former Democratic legislator, and **Ken Sikkema**, senior policy fellow with Public Sector Consultants and a former Republican majority leader in the state Senate.

Listen to the full conversation with Stateside host Lester Graham above, or read highlights below.

**On the law passed in 2005 and what's happened since**

**Barnett**: "The idea when we originally passed the law in 2005 was we were assuming – wrongly so, apparently – that other Great Lakes states would jump on board and also require treatment facilities onboard ships to treat ballast water. That didn’t happen."

"In fact, all of the other states to which we are a party of the Great Lakes Compact have decided to do what they call ‘harmonization’ with the EPA and with the Coast Guard standards. So, Michigan is out there with higher standards, and yet the lower standards are still in effect for most of the other states and the two provinces that feed into the Great Lakes, which makes Michigan’s law basically untenable..."

"...and had [the other states and provinces] all come aboard, no pun intended, we could have protected the Great Lakes with a much stronger law that would have been in effect for all of the Great Lakes ports. What's happened though is that our agriculture growers have to ship their products much further because they can't load onto ships in Michigan. So it's hurting our agricultural development and it's hurting the development of our port. And it's not just for the Bay City port. It's also for the Detroit port."

**On the new bill**

**Barnett:**"[[The bill] passed out of the House yesterday](http://www.legislature.mi.gov/%28S%28x4htgujq1jtprmbotgudgiw4%29%29/mileg.aspx?page=BillStatus&objectname=2017-HB-5095)and it passed with a major amendment put on by Representative Andy Schor. That amendment still holds to higher standards should the federal standards, or the Coast Guard standards, be diminished."

**On the "race to the bottom"**

**Sikkema:** “Lester, I think this has become a race to the bottom."

"You know... actually about 17 years ago this debate began in earnest. As you mentioned, Michigan passed its stricter law in 2005. At that time, Michigan was leading the charge to protect the Great Lakes from invasive species, and now, we’re in retreat."

"This has become, like I said, a race to the bottom where the floor becomes the ceiling, meaning that because you have so many jurisdictions – federal, Canadian, many states – whoever has the lowest standard kind of sets the ceiling. That’s what I see happening."

"I think it’s unfortunate, because Michigan has more to lose than any other of the Great Lakes states. We have more Great Lakes shoreline, we’re more dependent economically and recreationally than other states have. But where at one point we were leading the charge to deal with this issue, we're now in retreat.”

UPDATE:

November 10: The state House voted 66-42 last week in favor of the bill, and the state Senate passed it today in a 25-11 vote.