



March 2, 2007

The Honorable Carl Levin
269 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Levin:

As Governors of the Great Lakes region, we want to share with you our joint agenda for restoring the Great Lakes and ask for a significant improvement in federal investment to improve a watershed that is home to more than 30 million Americans.

In December 2005, the Governors joined with representatives of the Bush Administration, Congress, and regional mayors and tribes to unveil a strategy to restore and protect the Great Lakes. This Strategy was developed as a result of a Presidential Executive Order establishing the Great Lakes Regional Collaboration (GLRC), a process that included over 1500 stakeholders from across the spectrum. We are mindful of intense federal budgetary constraints and the need to address environmental concerns from coast to coast. However, we believe that further delays in true federal engagement will further imperil the lakes and exponentially raise long-term restoration costs.

Our list of near-term action priorities remains unchanged from last year. Our long-term goal remains to secure large-scale, long-term funding to implement the Strategy's recommendations and to enact management reforms to ensure that resources are efficiently used to address our highest-priority needs.

We continue to recognize that specific actions can and must be taken now to advance the GLRC Strategy. Therefore, we ask you to support the attached series of near-term actions to protect and restore the Great Lakes in FFY 2008, which include:

- Achieve broad, national protection against the introduction and spread of aquatic invasive species through Congressional passage of a *National Aquatic Invasive Species Act* (as reflected in S.B. 770, H.R. 1591 and H.R. 1592 as introduced in the 109th Congress.) In addition, authorize funding and direct the U.S. Army Corps of Engineers to spend such funds as are necessary to upgrade, complete construction, operate and maintain a permanent, two-dispersal barrier system in the Chicago Sanitary and Ship Canal at full federal cost in order to prevent the Asian carp and other invasive species from entering the Great Lakes.
- Appropriate funds in the amount of at least \$54 million annually in support of the Great Lakes Legacy Act. Furthermore, the Legacy Act is expiring and needs to be reauthorized as soon as possible.

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- Appropriate \$28.5 million to begin restoration work immediately of 200,000 acres of wetlands in the Great Lakes Basin. The States remain committed to working with other non-federal partners to provide an additional \$28.5 million cost-share toward this end.

We also want to ensure that existing and proven core programs, such as the Clean Water State Revolving Loan Fund; the Coastal Zone Management Program; and, the Great Lakes Fishery Commission's Sea Lamprey control program are fully funded. Continuing programs like these is critical to maintaining the gains made through past investments.

In the coming weeks you will be hearing and seeing much more from our States' constituents who believe the time for planning has passed, and that critical remedial and preventive actions are overdue. In partnership with your States, we hope you will consider the attached list of near-term action priorities we have assembled, and urge you to consult with our offices to address outstanding issues or concerns.


Sincerely,



Rod Blagojevich
Governor of Illinois



Mitch Daniels
Governor of Indiana



Jennifer M. Granholm
Governor of Michigan



Tim Pawlenty
Governor of Minnesota



Eliot Spitzer
Governor of New York



Ted Strickland
Governor of Ohio



Edward Rendell
Governor of Pennsylvania



Jim Doyle
Governor of Wisconsin

Attachment

**COUNCIL OF GREAT LAKES GOVERNORS
GREAT LAKES RESTORATION AND PROTECTION
NEAR TERM ACTION ITEMS
FFY 2008**

General

The Great Lakes Governors express strong support for the *Great Lakes Collaboration Implementation Act* (S. 2545 and HR 5100 as introduced in the 109th Congress), to implement the recommendations of the Great Lakes Regional Collaboration (GLRC) Strategy.

Aquatic Invasive Species

Aquatic invasive species (AIS) continue to pose one of the most serious threats to the Great Lakes ecosystem. An average of one new species is discovered in the Great Lakes ecosystem every eight months, and once present, eradication is often impossible. Prevention is vital to stemming ecosystem impacts from new invasive species. And, because AIS easily transfer from watershed to watershed, it is absolutely critical that comprehensive national action be taken to combat the spread of AIS.

Therefore, the federal government must move swiftly under its existing authorities to require improvement for ballast water management including practices for those ships declaring no ballast on board to forestall the introduction of new invasive species to the Great Lakes.

We continue to ask that injurious carp species be listed under the Lacey Act to limit the spread of the carp to the Great Lakes and other watersheds.

In addition, Congress should pass and the President should sign a *National Aquatic Invasive Species Act* (NAISA) that contains the components in S. 770, H.R. 1591 and H.R. 1592 as introduced during the 109th Congress. Enactment of such a NAISA is one of the key legislative objectives of the Great Lakes Regional Collaboration's (GLRC) Strategy. Passage of comprehensive federal legislation such as NAISA would address many of the key recommendations developed by the participants in the GLRC and is critical to our overall restoration goals.

To combat AIS, funds should be authorized and appropriated via the passage of the NAISA, the Water Resources Development Act or other legislation as follows:

- It is critically important that Congress authorize and direct the U.S. Army Corps of Engineers to spend such funds as are necessary for them to complete construction of the permanent dispersal barrier in Chicago Sanitary and Ship Canal, make permanent the temporary dispersal barrier, reimburse the Great Lakes States for the costs incurred to date associated with completing both, and maintain and operate both dispersal barriers at full federal cost.
- \$8 million for Great Lakes State-specific management plans. It is vital that these funds be distributed to the States and Tribes to implement existing plans approved by the U.S. Fish and Wildlife Service.

- \$11.25 million to prevent introduction of AIS by vessels (includes \$6 million in support of the U.S. Coast Guard's Section 1101 program, \$2.5 million for the U.S. Environmental Protection Agency's Section 1101 program, and \$2.75 million to Task Force Section 1101).
- \$1 million for model regional, State and local rapid response contingency strategies.

Coastal Health

Elimination of sewage overflows to the Great Lakes and their tributaries is a region-wide need and the most direct means of improving coastal health. Beach closures are one of the most obvious markers of degraded coastal conditions.

Combined Sewer Overflows (CSOs) and Sanitary Sewer Overflows (SSOs) are the greatest impediment to improving coastal health. The federal government, in cooperation with the States, should ensure that all CSO/SSO communities have completed a long-term control plan (LTCP) within the next four years and are making adequate progress in implementing these plans.

The cost of correcting CSOs and SSOs is burdensome to local communities and to ratepayers. The Clean Water State Revolving Loan Fund (SRF) has served as a critical tool for updating the sewerage systems in the Great Lakes. Unfortunately, recent and ongoing major cuts to this program have resulted in a loss of hundreds of millions of dollars for the Great Lakes States. It is essential that the historical full-funding of \$1.35 billion again be appropriated in support of this program.

In addition, we again ask that an additional \$2 million be provided under the Beach Act to enable Great Lakes States and Tribes to standardize, trial, and implement a risk-based approach to beach/coastal assessment. Beyond that, we seek to maintain current funding levels: \$1.75 million for the Great Lakes States and \$50,000 for eligible Tribes.

Areas of Concern

Passage of the Great Lakes Legacy Act provided for the first time a dedicated source of funding for remediation of contaminated sediments in the Areas of Concern (AOC). However, appropriations rarely approached the authorized levels during the life of this program. Therefore, at least \$54 million should be appropriated for FFY 2008. Furthermore, the Legacy Act is expiring and needs to be reauthorized as soon as possible to address these ongoing problems.

Restoration of the AOCs is necessarily driven at the local level, through plans developed by States, Tribes, local officials, and concerned citizens. Unless this capacity is nurtured at the local level, progress on AOC restoration will be limited. While States and non-governmental organizations have continued to support Remedial Action Plan (RAP) groups, federal support has dwindled with negative effect. Accordingly, we again request that \$10 million be appropriated to support State and local AOC/RAP programs in the Great Lakes States, an increase of \$8 million over the current appropriation. We also request that USEPA's Great Lakes National Program Office (GLNPO) receive \$1.7

million for program administration—an increase of \$1.2 million over the current appropriation.

Toxic Pollutants

Progress in protecting and restoring the Great Lakes will only be achieved and maintained to the extent that toxic pollutants are controlled. Certain persistent toxic substances have been significantly reduced in the Great Lakes Basin ecosystem over the past 30 years but they continue to be present at levels that pose threats to human and wildlife health. These substances also warrant fish consumption advisories in all five lakes. More recently, researchers have documented the presence of additional chemicals of emerging concern that may also pose threats to the Great Lakes.

The federal government should restate its commitment to implement the Great Lakes Bi-national Toxics Strategy and should evaluate its implementation schedule for opportunities to accelerate its efforts.

We ask that the FFY 2008 budget include an additional \$2 million to be distributed to the States to expand the toxics reduction program in the Great Lakes Initiative.

The Administration and Congress are asked to provide \$1 million in FFY 2008 in ongoing funds to continue Tribal fish tissue contaminant analysis programs and related community education programs. Congress is again asked to appropriate an additional \$100,000 in the FFY 2008 budget to facilitate Tribal participation in a mercury stewardship program.

Emerging chemicals of concern are little understood but pose a potentially serious threat to aquatic life and wildlife in the Basin. We ask that Congress provide \$100,000 for monitoring these new chemical contaminants.

Habitat and Species

Protecting and restoring wetlands and Great Lakes tributaries can significantly advance the preservation of species diversity in the Great Lakes Basin. These activities are also key to the full implementation of international agreements on management of migratory birds and Great Lake fish.

The Great Lakes Governors applaud the reauthorization of the Great Lakes Fish and Wildlife Restoration Act of 2006. Fully funding this program would help address one of our greatest challenges--protecting and restoring fish and wildlife habitat. If fully funded, GLRC members will have increased capacity to implement specific recommendations of the GLRC Strategy. While specific project objectives may vary among jurisdictions, the composite results will help attain the regionally important Strategy goals. We ask that the fully authorized \$16 million be appropriated for FFY 2008.

We also continue to ask that \$28.5 million be provided to existing Fish and Wildlife Service programs to restore 200,000 acres of wetlands, toward the GLRC Strategy's goal of eventual restoration of 550,000 acres. States, local governments and NGOs would

raise an additional \$28.5 million in non-federal matching funds.

To maximize the use of existing funding for wetlands protection and restoration, the GLRC strategy proposes that the Federal Interagency Task Force review all federal agencies' wetland management programs and develop a consolidated approach. We applaud the U.S. Army Corps of Engineers' new Great Lake Habitat Initiative and ask that the Great Lakes Federal Interagency Task Force complete a review of all federal agencies' wetland management programs to develop a consolidated wetlands restoration and protection approach.

Great Lakes tributaries are key spawning and nursery areas for Great Lakes fish. Species recovery plans are dependent on protecting existing high quality tributaries and restoring other tributaries with the potential to support targeted species. These activities are site-specific, based on watershed hydrologic and physical habitat needs. The GLRC Strategy set a near-term protection and restoration goal of ten tributary streams. We ask that Congress pass a Great Lakes River Restoration Act and direct \$40 million in the FFY 2008 budget for Fish and Wildlife Service programs to be directed to key tributary stream restorations.

Nonpoint source pollution

Nonpoint source pollution impacts vary greatly in frequency and severity across the Great Lakes. Impacts have been particularly severe in coastal wetlands and tributaries that once buffered the Lakes from environmental damage.

Although there are existing programs to deal with sedimentation and nutrient enrichment, the current needs outstrip existing program capacity. We ask that the FFY 2008 budget include an additional \$66 million to increase enrollment in buffer strip programs.

Urban streams are particularly vulnerable to nonpoint source pollution. We request \$18 million in FFY 2008 for hydrologic improvement projects in urbanized areas where runoff from development directly affects natural waterways and their confluence with the Great Lakes or connecting waters.

Indicators and Information

Accountability demands that the Great Lakes restoration effort be able to determine baseline conditions and assess the results of restoration projects and investments. In addition, the capacity to assess trends is needed to observe long term change and detect the emergence of new issues (e.g. new exotic species).

The SOLEC process to develop indicators should be completed for a full suite of 80 indicators, with particular attention to the use of indicators that will measure the success of the measures recommended in the GLRC Strategy. We ask that \$800,000 be provided in FFY 2008 toward this end. We continue to believe that a "top ten" list of indicators should be developed and reported to the public on an annual basis.

The Great Lakes Federal Interagency Task Force should review monitoring programs among its member agencies to ensure effective and efficient gathering and reporting of data. The Task Force should coordinate with the States and Tribes to optimize the effectiveness of monitoring investments throughout the region.

Sustainability

The philosophy of sustainability overlays all the recommendations developed through the GLRC process. The positive result of investment in restoration projects can only be maintained over time if sustainable practices become more widespread. Many of the recommendations in the GLRC's Strategy reflect a sustainable approach.

In the near term, we suggest that federal agencies review prioritization formulas for brownfield grant and loan programs, and for State Revolving Fund loan programs, to determine whether projects that reflect sustainable practices or advance sustainable principles can be awarded a higher priority for funding or a more favorable interest rate.