



December 12, 2005

The Honorable George W. Bush
The White House
1600 Pennsylvania Avenue NW
Washington, D.C.

Dear President Bush:

Again, thank you for your continued leadership in our shared efforts to protect and restore the Great Lakes. As a direct result of your Executive Order creating a federal Great Lakes Interagency Task Force and promoting a regional collaboration of national significance, we have made significant strides that could help to protect this national treasure.

We are pleased that, thanks to the dedicated efforts of more than 1500 stakeholders and experts from across the region, we now have a comprehensive assessment of Great Lakes restoration and protection needs. We also have a clear set of consensus recommendations for meeting these needs. And, the Collaboration's recommendations illustrate that some of these needs can only be addressed through new or additional resources at the federal, state, tribal or local levels.

As we stated in our November 1 letter, we share the goal of accomplishing greater results with existing resources. We also share the overwhelming view of our Collaboration partners that federal resources must be increased in the FY2007 budget to better restore and protect Great Lakes.

Please find attached a proposed list of near-term action items that, if implemented, could substantially improve our long-term ability to protect and restore the Great Lakes. This list has been developed by our region's Governors and Mayors in consultation with members of the Great Lakes Congressional Task Force and representatives of Great Lakes Tribes.

Serious problems continue to negatively impact the region's health and welfare. The ecological stability of these unique world class resources and the strength of this nation's economy cannot be resolved by maintaining the status quo. We must make additional

investments in the short term and build on these commitments over time. Above all, we agree that there will be an ongoing need to continue working together.

Your Executive Order has helped to bring us together as never before. We have renewed our region's optimism and believe that we can work together to overcome our shared challenges. We ask that you help us deliver on the promise of our shared efforts by partnering to support these near-term actions. We look forward to a continued dialogue with you and your staff to move these ideas into action.

We would ask that a meeting be scheduled among our staff and yours in order to develop a workplan toward our shared goals. Our staff contacts are David Naftzger, Executive Director of the Council of Great Lakes Governors, at (312) 407-0177 and David Ullrich, Executive Director of the Great Lakes and St. Lawrence Cities Initiative at (312) 201-4516.

Sincerely,

Handwritten signatures of Jim Doyle, Bob Taft, and Michael J. Daley.

Governor Doyle
Co-Chair
Council of Great Lakes
Governors

Governor Taft
Co-Chair
Council of Great Lakes
Governors

Mayor Daley
Chair
Great Lakes and
St. Lawrence Cities
Initiative

Great Lakes Regional Collaboration Near Term Action Items

Invasive Species

Invasive species pose one of the most serious threats to the stability of 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 impossible. Prevention is vital to stemming ecosystem impacts from the introduction of new invasive species.

Federal: 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 ask that injurious carp species be listed under the Lacey Act.

Congress should pass and the President should sign the National Aquatic Invasive Species Act (Senate Bill 770/HR 1591 and 1592). Enactment of NAISA is one of the key legislative objectives of the Great Lakes Regional Collaboration. Passage of comprehensive federal legislation such as NAISA would address many of the key recommendations developed by the participants in the Collaboration, and is critical to our overall restoration goals. The bill should include:

- \$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 FWS.
- \$11.25 million to prevent introduction of AIS by vessels (includes \$6 million to USCG Sec 1101, \$2.5 million to EPA Sec 1101, \$2.75 million to Task Force Sec 1101).
- \$6 million to the US Army Corps of Engineers to complete and operate permanent dispersal barriers in the Chicago Sanitary and Ship Canal.
- \$1 million for model regional, state, and local rapid response contingency strategies.

State/Tribe/Local: The States will continue to implement state-specific plans, approved under the Non-indigenous Aquatic Nuisance Prevention and Control Act, to prevent and control invasive species. Tribes will also implement control measures within areas of their authority. States, Cities and Tribes will implement

educational and regulatory efforts relative to invasive species targeted to those entities whose activities are most likely to pose a risk of AIS introductions.

The States estimate that they are devoting more than \$3.5 million annually to the control and prevention of invasive species in the Great Lakes. Industry and municipalities in the Great Lakes basin spend roughly \$70 million annually on removing zebra mussels from water intakes.

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

Federal: CSOs and 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 five years and are making adequate progress in implementing it.

The cost of correcting CSOs and SSOs is burdensome to local communities and to the ratepayers who support their wastewater infrastructure. We ask that Congress provide a total of \$50 million in the FFY 2007 budget to provide interest rate subsidies or other forms of assistance for CSO/SSO projects in the Great Lakes basin. The Council of Environmental Infrastructure Financing Authorities supports interest rate subsidies over direct grant funds.

The Collaboration asks 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.

State/Tribe/Local: We note that SRFs include a state match requirement, and that local governments will incur billions of dollars in costs to address CSOs and improve infrastructure.

Areas of Concern

Passage of the Legacy Act provided for the first time a dedicated source of funding for remediation of contaminated sediments in the Areas of Concern. However, appropriations have never reached authorized levels.

Federal: The Collaboration asks that the FFY 2007 budget contain the authorized funding level of \$54 million, an increase of \$24 million over the current appropriation. Congress should reauthorize the Legacy Act and include in it the

provisions recommended by the Collaboration to make use of the Act's funding more efficient and effective.

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 NGOs have continued to support Remedial Action Plan groups, federal support has dwindled, with negative effect. The Collaboration requests 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. and that GLNPO receive \$1.7 million for program administration, of which \$1.2 million exceeds the current appropriation.

State/Tribe/Local: The Collaboration notes that all Legacy Act projects require a non-federal cost share, to which States and local governments often contribute. For example, Ohio is prepared to contribute \$7 million to the Ashtabula River project currently under consideration for Legacy Act funding.

The States will take the lead on the establishment of a State-Federal-Local-Tribal coordinating Committee.

Toxic Pollutants

Progress in protecting and restoring the Great Lakes will only be achieved and maintained to the extent that the introduction of toxic pollutants is controlled. While certain persistent toxic substances (PTS) have been significantly reduced in the Great Lakes Basin ecosystem over the past 30 years, they continue to be present at levels that pose threats to human and wildlife health and 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.

Federal: 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 2007 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 2007 in ongoing funds to support the continuation of tribal fish tissue contaminant analysis programs and related community education programs. Congress is asked to appropriate an additional \$100,000 in the FFY 2007 budget to facilitate tribal participation in the mercury stewardship program described below.

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

State/Tribe/Local: States, Tribes, and local governments recognize that much of the work to reduce toxic pollutant loading into the Great Lakes will necessarily occur at the local level. The Great Lakes and St. Lawrence Cities Initiative will work with tribes and others on toxic reduction efforts, including such things as household hazardous waste collections, pesticides and fertilizer use reduction, and mercury product and waste collections.

The Great Lakes States, Cities and Tribes will develop a basin-wide mercury product stewardship strategy, aimed at managing mercury wastes and reducing the use of mercury-containing products. The Great Lakes Pollution Prevention Roundtable will lead this effort.

States, Tribes and municipalities will identify garbage burning practices in their jurisdictions and through education and regulation seek to reduce the incidence of this practice, which is the primary source of dioxins and furans into the Great Lakes ecosystem.

The Collaboration recognizes the need to protect human health through consistent and easily accessible messages on fish consumption. The States and Tribes will improve their fish consumption advisory programs, particularly regarding sensitive populations such as tribal communities.

Habitat and Species

Preservation of the diversity of species in the Great Lakes basin can be significantly advanced through protection and restoration of wetlands and restoration of the Great Lakes tributaries. These activities are also key to the full implementation of international agreements on management of migratory birds and of the Great Lake fisheries resources.

Federal: The Collaboration asks that the FFY 2007 budget provide \$28.5 million to existing Fish and Wildlife Service programs to restore 100,000 acres of wetlands, toward the Collaboration goal of eventual restoration of 550,000 acres. States, Tribes, 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 Collaboration proposes that the Federal Interagency Task Force review all federal agencies' wetland management programs and develop a consolidated approach.

Because Great Lakes tributaries are key spawning and nursery areas for

Great Lakes fish populations, 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 Collaboration has set a near-term protection and restoration goal of ten tributary streams. We ask that Congress pass the Great Lakes River Restoration Act and appropriate \$40 million in the FFY 2007 budget for Fish and Wildlife Service programs to be directed to key tributary stream restorations.

State/Tribe/Local: The Collaboration recognizes the importance of preserving existing wetlands, and recommends that each State review its existing wetland management programs to determine (1) their effectiveness in preserving existing high-quality wetlands in the basin and (2) the success of mitigation projects in the basin. States, Tribes, and local governments will continue to use existing authorities to preserve wetlands, in particular high quality wetlands in the near shore areas of the Great Lakes.

As noted above, States, Tribes, local governments and NGOs would raise an additional \$28.5 million in non-federal matching funds to achieve the target of restoring 100,000 acres of wetlands in FFY 2007 and an additional \$10 million in non-federal match for tributary restoration.

Nonpoint source pollution

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

Federal: Although there are existing programs to deal with sedimentation and nutrient enrichment, the current needs outstrip existing program capacity. The Collaboration asks that the FFY 2007 budget include an additional \$66 million to increase enrollment in buffer strip programs.

Urban streams are particularly vulnerable to nonpoint source pollution impacts. The Collaboration asks that Congress appropriate \$18 million in the FFY 2007 budget for hydrology improvement projects in urbanized areas where runoff from development and the associated impairments directly affect natural waterways and their confluence with the Great Lakes or connecting waters.

State/Tribe/Local: The States estimated their spending on nonpoint source pollution control programs at nearly \$1.4 million annually in 2004.

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).

Federal: 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 this Strategy. The Collaboration asks that \$800,000 be provided in the FFY 2007 budget toward this end. A “top ten” list of indicators should be developed and reported to the public on an annual basis.

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

State/Tribe/Local: The States estimate their annual spending on monitoring and analysis in the basin at \$525,000. They stand ready to review these programs with the federal government to eliminate duplication of effort and maximize the scope of the data gathering and reporting effort.

Sustainability

The philosophy of sustainability overlays all the recommendations developed through the Collaboration 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 Collaboration's Strategy reflect a sustainable approach.

Federal: In the near term, the Collaboration suggests that federal agencies and the States review their prioritization formulas for brownfield grant and loan programs and for SRF loan programs to determine whether projects that reflect sustainable practices or advance sustainable principles can be awarded a higher priority for funding and/or a more favorable interest rate. In addition, Congress should earmark \$50 million in USEPA's brownfield grant program for waterfront brownfields.

State/Tribe/Local: Michigan, Pennsylvania, Ohio and New York have created environmental bond funds that provide hundreds of millions of dollars for brownfield restoration and other sustainable practices.

States, local governments and Tribes have many programs which promote sustainable practices. These activities should continue, and be supplemented over the long term by the sustainable development approach contemplated in the Strategy. For example, local governments should be encouraged to adopt plans for growth that incorporate sustainable practices.

Tribal Overarching Issues

There are 35 federally-recognized Indian Tribal Nations whose reservations are located in the Great Lakes Basin and/or who may retain treaty guaranteed rights to hunt, fish or gather within the Great Lakes Basin in areas ceded to the United States in various treaties. Tribal communities rely upon healthy, fully-functioning Great Lakes ecosystems to meet subsistence, economic, cultural, spiritual and medicinal needs.

The Tribes count upon the United States to honor its treaty obligations and trust responsibilities to adequately fund tribal natural resource and environmental management programs. Tribal environment and natural resource management programs are particularly vulnerable to budgetary reductions. The loss of what might be considered a small amount of funding to others usually constitutes a large percentage of a particular tribal program and results in a correspondingly large reduction in services to tribal communities, if not *de facto* elimination of the program involved.

The Collaboration asks the Administration and Congress to maintain base funding levels for tribal programs to ensure that the Tribes are able to provide for the health and welfare of their communities as well as to remain effective partners in Great Lakes protection and restoration efforts. Such funding should ensure tribal capacity to undertake research and monitoring that takes into account the consumption patterns and risk exposures of tribal members who engage in subsistence life ways, who use natural resources for medicine and in ceremonies, and whose livelihood is based upon natural resources.

Collaboration member Tribes also have identified the prevention and control of invasive species, the reduction and prevention of toxic pollutants (particularly mercury), and habitat protection and restoration as both near term and long term priorities.