

1 PREYED UPON NATIVE PLANTS, FISH AND WILDLIFE, RESULTING IN DRAMATIC
2 DECREASES IN POPULATION, COMPROMISED SPECIES VIABILITY, AND SERIOUS
3 ALTERATIONS TO THE ECOSYSTEM. THESE IMPACTS MAY BE IRREVERSIBLE.

4 THE LEGISLATURE FURTHER FINDS THAT AQUATIC NUISANCE SPECIES HAVE
5 HARMED THE GREAT LAKES' COMMERCIAL AND RECREATIONAL FISHING INDUSTRIES
6 AND DAMAGED WATER SUPPLY AND ENERGY PRODUCTION INFRASTRUCTURE. THESE
7 DAMAGES HAVE RESULTED IN BILLIONS OF DOLLARS OF ECONOMIC DISRUPTION,
8 INCLUDING MORE THAN 1.5 BILLION DOLLARS EXPENDED TO ADDRESS THE IMPACTS
9 OF THE ZEBRA MUSSEL IN THE GREAT LAKES BASIN.

10 THE LEGISLATURE FURTHER FINDS THAT THE THREAT OF NEW INTRODUCTIONS OF
11 AQUATIC NUISANCE INVASIVE SPECIES IN THE GREAT LAKES IS REAL AND GROW-
12 ING. INTRODUCTION OF A NEW AQUATIC NUISANCE SPECIES ANYWHERE IN THE
13 GREAT LAKES POSES A THREAT TO THE ENTIRE GREAT LAKES ECOSYSTEM, INCLUD-
14 ING THE WATERS OF THE STATE.

15 THE LEGISLATURE FURTHER FINDS THAT IN TWO THOUSAND FIVE THE STATE OF
16 MICHIGAN CREATED THE GREAT LAKES AQUATIC NUISANCE SPECIES COALITION TO
17 BRING STATES TOGETHER TO COLLABORATIVELY DEVISE CONSISTENT STATE REGU-
18 LATIONS TO MANAGE AQUATIC NUISANCE SPECIES DISCHARGED FROM OCEAN-GOING
19 VESSELS' BALLAST WATER TO PROTECT THE GREAT LAKES BASIN.

20 THE LEGISLATURE FURTHER FINDS THAT BECAUSE ALL OCEAN-GOING VESSELS
21 MUST PASS THROUGH NEW YORK STATE'S GREAT LAKES WATERS, REGARDLESS OF
22 WHETHER THEY STOP AT NEW YORK STATE PORTS, NEW YORK STATE CARRIES A
23 SINGULAR OBLIGATION TO ACTIVELY PARTICIPATE IN THE GREAT LAKES AQUATIC
24 NUISANCE SPECIES COALITION.

25 S 17-2105. DEFINITIONS.

26 AS USED IN THIS TITLE:

27 1. "AQUATIC NUISANCE SPECIES" MEANS A NON-INDIGENOUS SPECIES, EITHER
28 ALREADY ESTABLISHED OR NOT YET ESTABLISHED IN THE REGION, THAT THREATENS
29 OR COULD THREATEN THE DIVERSITY OR ABUNDANCE OF NATIVE SPECIES, THE
30 ECOLOGICAL STABILITY OF INFESTED WATERS, CONSUMPTIVE USE OF THE INFESTED
31 WATERS, OR COMMERCIAL, AGRICULTURAL, AQUACULTURAL OR RECREATIONAL ACTIV-
32 ITIES DEPENDENT ON SUCH WATERS.

33 2. "BALLAST WATER" MEANS ANY WATER AND SUSPENDED MATTER TAKEN ON BOARD
34 A VESSEL TO CONTROL OR MAINTAIN TRIM, DRAUGHT, STABILITY, OR STRESSES OF
35 THE VESSEL, REGARDLESS OF HOW IT IS CARRIED, INCLUDING RESIDUAL WATER
36 AND SUSPENDED MATTER IN VESSELS DECLARING NO BALLAST ON BOARD.

37 3. "GREAT LAKES" MEANS LAKE ONTARIO, LAKE ERIE, LAKE HURON (INCLUDING
38 LAKE ST. CLAIR), LAKE MICHIGAN, LAKE SUPERIOR, AND THE CONNECTING CHAN-
39 NELS (SAINT MARY'S RIVER, SAINT CLAIR RIVER, DETROIT RIVER, NIAGARA
40 RIVER, AND SAINT LAWRENCE RIVER TO THE CANADIAN BORDER), AND INCLUDES
41 ALL OTHER BODIES OF WATER WITHIN THE DRAINAGE BASIN OF SUCH LAKES AND
42 CONNECTING CHANNELS.

43 4. "NON-INDIGENOUS SPECIES" MEANS ANY SPECIES OR OTHER VIABLE BIOLOG-
44 ICAL MATERIAL THAT ENTERS AN ECOSYSTEM BEYOND ITS HISTORIC RANGE,
45 INCLUDING ANY SUCH ORGANISM TRANSFERRED FROM ONE COUNTRY INTO ANOTHER.

46 S 17-2107. PARTICIPATION IN GREAT LAKES AQUATIC NUISANCE SPECIES COALI-
47 TION; OTHER COOPERATIVE AND COORDINATED EFFORTS.

48 1. THE DEPARTMENT IS AUTHORIZED AND DIRECTED TO PARTICIPATE IN THE
49 GREAT LAKES AQUATIC NUISANCE SPECIES COALITION AS ORGANIZED BY THE
50 MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF DEVISING
51 BASIN-WIDE REGULATIONS TO ADDRESS THE DISCHARGE OF AQUATIC NUISANCE
52 SPECIES IN THE BALLAST WATER OF OCEAN-GOING VESSELS.

53 2. TO THE EXTENT CONSISTENT WITH NEW YORK'S SOVEREIGN RIGHTS AND
54 RESPONSIBILITIES, THE DEPARTMENT SHALL ALSO CONTINUE TO ACTIVELY PARTIC-
55 IPATE WITH ENTITIES CONCERNED WITH AQUATIC NUISANCE SPECIES INCLUDING,
56 BUT NOT EXCLUSIVE TO, THE INTERNATIONAL JOINT COMMISSION, THE GREAT

1 LAKES COMMISSION, THE GREAT LAKES PANEL ON AQUATIC NUISANCE SPECIES, THE
2 GREAT LAKES FISHERY COMMISSION, THE UNITED STATES COAST GUARD, THE
3 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND THE NEW YORK STATE
4 INVASIVE SPECIES TASK FORCE.

5 3. THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND TO THE LEGISLATURE
6 AT LEAST ANNUALLY ON GREAT LAKES AQUATIC NUISANCE SPECIES COALITION
7 ACTIVITIES.

8 S 2. This act shall take effect immediately.