

Law Enforcement Committee

COORDINATING LAW ENFORCEMENT ACTIVITIES OF THE GREAT LAKES JURISDICTIONS

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RESOURCE AUTHORITY

DEPT. OF FISHERIES
AND OCEANS, CANADA

GREAT LAKES INDIAN
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UNITED STATES
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UNITED STATES FISH AND
WILDLIFE SERVICE

WISCONSIN DNR

September 05, 2003

Mr. Everett Wilson, Chief
Division of Environmental Quality
U.S. Fish and Wildlife Service
4401 North Fairfax Drive, Suite 322
Arlington, VA 22203

Dear Mr. Wilson:

We are writing on behalf of the Great Lakes Law Enforcement Committee to **strongly support** the U.S. Fish and Wildlife Service's proposal to list the silver carp (*Hypophthalmichthys molitrix*) as an injurious species of wildlife under the federal Lacey Act. We would also like to thank you for proposing this listing, as requested in the Law Enforcement Committee's letter of September 22, 2002 supporting the listing of black carp (*Mylopharyngodon piceus*). The Law Enforcement Committee is composed of representatives of the eight Great Lakes states, the province of Ontario, tribal groups, and the United States and Canadian federal governments. The committee functions to protect, enhance, and promote the safe and wise use of the natural resources in the Great Lakes.


During the previous year, the Law Enforcement Committee has been working with the jurisdictions within the Great Lakes basin to develop and promulgate state and provincial legislation to list or classify snakeheads (Channidae), and all forms of Asian carp as injurious species and to ban the importation, possession, transportation, purchase, sale, release, and export of live Asian carp. To this end, regulations have been passed in Illinois, Indiana, Michigan, and Ohio and are pending in New York and Ontario. Further, the Law Enforcement Committee contracted with the Environmental Law and Policy Center to document the legal, legislative, and regulatory gaps relating to the importation, rearing, and trade of exotic live fish – particularly Asian carp species – into the Great Lakes basin.


As you know, silver and bighead carp (*Hypophthalmichthys nobilis*) that escaped from aquaculture facilities in the south have become established and abundant in the Mississippi River and are now within striking distance of the Great Lakes. Fisheries management agencies in the Great Lakes and the federal government will be spending \$10 million this year to construct a second barrier to prevent further upstream migration of silver and bighead carp and expect ongoing operation costs of \$0.5 million each year. In addition, the agencies have developed a rapid response plan involving the application of piscicides, should the silver and bighead carp advance upstream to the existing barrier. It is a certainty that if the bighead and silver carp successfully invade the Great Lakes, they will become established and drastically alter the Great Lakes ecosystem.

In summary, Mr. Wilson, the Great Lakes Law Enforcement Committee strongly requests that the silver carp be listed as an injurious species of wildlife under the federal Lacey Act. Further, the committee requests that the bighead carp be similarly listed.

Thank you very much for considering our request.

Sincerely,


Bill Lafferty, OMNR
Chair
Law Enforcement Committee


Robert Nestor, PAFBC
Vice-chair
Law Enforcement Committee

Cc: Mr. Steve Williams, Director, U.S. Fish and Wildlife Service
Hon. Carl Levin, Co-Chair, Great Lakes Task Force
Hon. Mike DeWine, Co-Chair, Great Lakes Task Force
Hon. John Dingell, Co-Chair, Great Lakes Task Force
Hon. Vern Ehlers, Co-Chair, Great Lakes Task Force
Hon. Steve LaTourette, Co-Chair, Great Lakes Task Force
Hon. James Oberstar, Co-Chair, Great Lakes Task Force
Dr. Jack Wingate, Chair, Council of Lake Committees
Mr. David McLeish, Vice-Chair, Council of Lake Committees
Ms. Joy Mulinex, Director, Great Lakes Task Force
Mr. Rob Graham, Chair, Canadian Committee of Advisors
Mr. Mike Ryan, Chair, U.S. Committee of Advisors