

Invasive Species

T E X A S



Finding Solutions: Protecting Our Nation's Waters - The National Aquatic Invasive Species Act (NAISA)

When ships arrive from foreign ports and empty their ballast water in the Gulf of Mexico, they are potentially introducing thousands of alien organisms. The total estimated volume of ballast water exchanged at five Gulf ports—Houston, New Orleans, Gulfport, Mobile, and Tampa—was 7.7 billion gallons in 1997.

A broad group of stakeholders has been working with members of Congress for months to draft and revise a new law, the National Aquatic Invasive Species Act (NAISA). NAISA would replace the National Invasive Species Act, or NISA, one of the country's main defenses against inadvertent invasions by harmful aquatic species, especially those that travel in ships' ballast water.

NISA, the current law, originated as the 1990 Nonindigenous Aquatic Nuisance Prevention and Control Act, passed in response to the invasion of the zebra mussel and other species that damaged the Great Lakes. The new law brought much-needed attention to the global

movement of aquatic species. Initially, the law required that only ships headed to the Great Lakes exchange their ballast water at sea. The law was reauthorized and renamed in 1996. Then all ships arriving from outside the 200-mile US Exclusive Economic Zone were encouraged to exchange their ballast water, but required to report whether they had. NISA also authorized important research and linked its results to decisions about whether further ballast water regulation was needed.

NISA has a number of features that help states like Texas:

- The law established a federal interagency Aquatic Nuisance Species Task Force, which in turn set up regional groups to share information and develop cooperative plans. Texas is a member of both the Western Regional Panel—formed in 1997—and the Gulf of Mexico Panel—formed in 1999.
- The law promoted the use of comprehensive state management plans. It provided federal funds (up to 75%) for implementing Task Force-approved plans. States have successfully used these plans to identify their worst problems and to marshal the resources to address them. Texas has such a plan underway.

Despite its successes, NISA has many critics.¹ They say that federal agencies have ignored important provisions; that the law neglects important pathways of introduction other than ballast water; that all the nation's waters deserve protection equal to the Great Lakes'; and that reliance on ballast water exchange to reduce organisms in ballast water doesn't work—even in the Great Lakes.

NISA expired in September 2002 and it is up for reauthorization. Its critics see this as an opportunity for the law to address these and other concerns. Texas would be a major beneficiary of these improvements.

Mrs. Marge Beaver, Photography Plus, National Oceanic & Atmospheric Admin., Central Library



Ships entering Houston's port discharge vast volumes of ballast water originally taken from other ports.



Riparian woodlands in the Texas Hill Country represent one of the state's special ecosystems.

How Can Strengthened National Aquatic Invasive Species Legislation Help Texans?

NAISA, the proposed reauthorization of NISA, offers protections to all US waters and authorizes additional federal work in key areas: identifying and limiting all high priority pathways of aquatic introductions; monitoring for invasive species new to the United States; and providing the means to respond quickly to such newcomers. Each is particularly important to a state like Texas with an international border. State officials rely on federal help to stretch their own limited resources and to bring additional pressure to bear on Mexico for consistent approaches across borders.

Much of the new bill's focus remains on strengthening ships' management of their ballast water. For example, NISA does not require that ships traveling along US coastlines either exchange or treat their ballast water. Since most ships that travel the Gulf of Mexico never leave US waters, the Gulf has never benefited from NISA's strongest features. NAISA changes this—a move that would better protect Texas' vast coastline. The new bill also requires that ships eventually meet objective standards for reducing the number of organisms removed from their ballast water.

In the new bill, states can receive federal matching funds to develop or expand, as well as implement, their state management plans. Texas officials found that their state plan could not be completed without this change. The bill authorizes the Task Force to increase its spending—from \$4 million to \$30 million—on state grants.

Also, NAISA lays out a timetable and a process for developing a program to "screen" first-time intentional introductions of species. The public often assumes that this is routinely done before species are allowed into the country.

In fact, this will be the first instance that federal officials have attempted such an approach. Several of Texas' worst invasive species were intentional imports. By more carefully weighing species' risks before they enter the country, the bill's new provisions would prevent additions to that list.

What's at Risk?

Texas has a wealth of aquatic habitat and wildlife that can be protected with stronger legislation:

- Texas has 191,000 miles of streams and rivers. Those watersheds flow into 212 major reservoirs and eventually empty into seven major estuaries.
- Texas has over 7,000 miles of shoreline.

Texas industries rely upon healthy aquatic ecosystems:

- **Fishing:** The Gulf of Mexico provides over 75% of the national commercial fish and shellfish landings. This generates \$25 billion in economic activity for the coastal region, providing \$2 billion in revenues. Recreational fishing provides \$17 billion of the Gulf states' economies.
- **Tourism:** Coastal tourism is the state's second-largest industry.
- **Mariculture:** Texas leads the country in production acreage of shrimp, with five times more than the second ranked state. The industry accounts for \$600 million of economic activity per year and provides jobs for 15,000 Texans.

¹ The National Invasive Species Act, August 2002. On the Union of Concerned Scientists website at <http://www.ucsusa.org> (under "Invasive Species").



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