

Alliance for the Great Lakes * Bolte Real Estate * Citizen Science Community Resources, Inc.*
Citizens Campaign for the Environment * Clean Water Action Minnesota * Decatur Audubon
Society * Environment Michigan * Environmental Law & Policy Center * For Love of Water
(FLOW) * Green-Rock Audubon Society * Illinois Council of Trout Unlimited * Illinois
Environmental Council * Izaak Walton League of America - Minnesota Division * Izaak Walton
League of America - Great Lakes Committee * Lake Erie Foundation * Lakeshore Natural
Resource Partnership * Michigan Steelhead and Salmon Fishermen's Association * Michigan
United Conservation Clubs * Milwaukee Riverkeeper * National Wildlife Federation * Nature
Abounds * New York State Division - Izaak Walton League of America * Ohio Conservation
Federation * Ohio Environmental Council * Onondaga Audubon * Religious Coalition for the
Great Lakes * River Alliance of Wisconsin * Save Lake Superior Association * Save Our Sky
Blue Waters * Save The River Upper St. Lawrence Riverkeeper * Sierra Club * Sisters of St
Joseph in Canada * Tip of the Mitt Watershed Council * Wisconsin Metro Audubon Society

October 28, 2020

Submitted electronically to docket

Administrator Andrew Wheeler
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Request for EPA to For an Extension of the Comment Period and Appropriate Public
Hearings for the proposed Vessel Incidental Discharge National Standards:
EPA-HQ-OW-2019-0482

Dear Administrator Wheeler,

The undersigned Great Lakes groups respectfully request that EPA extend the comment period to at least 90 days to afford groups adequate time to comment on the proposed Vessel Incidental Discharge National Standards. While the proposal indicates EPA will hold public meetings “to provide an opportunity for stakeholders to ask questions and describe procedures for submitting formal comments on the rule,” we request EPA hold public hearings to allow the public the opportunity to comment on the proposed standards themselves. We request that one of these hearings focus on the Great Lakes.

These standards are of vital interest to the Great Lakes, an international treasure, with huge ecological, cultural, recreational and economic values. The Great Lakes comprise the largest freshwater ecosystem on Earth, containing 20% of the world’s freshwater supply. They provide drinking water to over 40 million people and support a \$7 billion fishing industry and robust recreation and tourism economies. Aquatic invasive species pose an enormous threat to the Great Lakes. Movement of species within the Great Lakes remains a concern and threat to

the overall health of the Lakes and the economies they support.

Providing only a curtailed 30-day comment period is untenable under any circumstances, and even more so as the public continues to confront the enormous COVID-19 crisis. Several Great Lakes states are experiencing increasing cases and continued disruption. Executive Order 12866 suggests that a 60-day comment period is the minimum necessary to afford the public a meaningful opportunity to comment during normal times. This is especially true for a rule that would have significant impact on the Great Lakes and the ongoing effort to address invasive species. We request at least a 90 day comment period.

In addition to an extended comment period, EPA must hold public hearings. At this time, virtual hearings continue to be appropriate. These virtual hearings, however, should include both the option for video conferencing and call in. The technology is readily available to ensure the public has the same opportunity as in an in-person hearing to testify face-to-face with EPA's experts and "see" the other witnesses offering testimony. Call-in only hearings are an inadequate substitute for a public hearing. Even as we ask for virtual hearings for this proposal due to COVID-19, virtual hearings are not a replacement for in-person hearings and should not become the norm for EPA rulemakings once the pandemic is over. As noted above, public hearings, including one focused on the Great Lakes, should complement EPA's public meetings.

In sum, a 30-day public comment period is wholly inappropriate under any circumstances for a rule of this importance to the Great Lakes. We request EPA extend the comment period to at least 90 days and offer meaningful public hearings, including a hearing focused on the Great Lakes, with video conferencing.

Sincerely,

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