

From: BoatUS Government Affairs [PubAffairs@BoatUS.com]
Sent: Monday, July 23, 2007 3:59 PM
To:
Subject: BoatUS Alert: Contact Your Members of Congress!

July 23, 2007

Dear BoatUS Member,

For 34 years the federal Environmental Protection Agency (EPA) has exempted discharges from recreational boats from the Clean Water Act permit system. Regrettably, a recent court ruling cancelled this permit exemption. EPA is required by the court decision to develop and implement by September 30, 2008 a national permit system for ALL vessels in the United States for a variety of normal operational discharges.

We have been working behind the scenes with other boating organizations to get the exemption reinstated for recreational boats. Fortunately, the Recreational Boating Act of 2007 (H.R. 2550) has been introduced by Representatives Gene Taylor (D-Miss) and Candice Miller (R-Mich) which would protect recreational boats from being swept into this unnecessary and expensive permitting system.

It is critically important that H.R. 2550 be passed and your support is essential. Please contact your Congressman and Senators TODAY and ask that they co-sponsor or support H.R. 2550.

If the permit system becomes a reality, you will be required to pay for a state permit for each of your boats. EPA will be monitoring your deck runoff, grey water, bilge water, engine cooling water, and the use of copper bottom paints.

The original lawsuit that led to this court decision sought to address ballast water discharges from large ocean-going ships, which can introduce damaging aquatic invasive species into U.S. waters. Keeping our waterways clean and preventing the spread of invasive species is of utmost importance to the future of boating. But taking a complex permitting system designed for industrial dischargers and applying it to recreational boats will not yield significant environmental benefits and it will come at a very high cost. Requiring recreational boaters to purchase a permit would not prevent the spread of invasive species.

BoatUS has been a leader in educating boaters about Clean Boating practices for more than a decade. Our nonprofit Foundation has funded local education projects on invasive species prevention, helped develop voluntary Clean Marina programs, and authored much of the country's Clean Boating outreach. These positive education efforts are making a difference.

Please ask your elected federal representatives to support H.R. 2550. It is common-sense legislation. As you send your emails to your Members of Congress, please copy

7/23/2007

BoatUS at [GovtAffairs @ BoatUS.com](mailto:GovtAffairs@BoatUS.com) . We'd also like to ask you to send a copy of your correspondence to the EPA, so they can see how this will affect citizens. However, please know that if you choose to send it to EP A, it will become a part of the public record. EPA's email is ow-docket@epa.gov , and your email needs to have a subject line with Docket 10 No. OW-2007-0483.

For More Information:

[Click here for Frequently Asked Questions](#)

[Click here for a sample emailletter](#)

[Click here to easily send an email to your Members of Congress.](#)

[Forward this Action Alert to your friends, your fishing and boat club, your marina neighbors, and your local press!](#)

Thank you for your help.

Sincerely,

Margaret Podlich

BoatUS Government Affairs
GovtAffairs@BoatUS.com 703-461-
2864 or 703-461-2878 x8363

PLEASE NOTE: This email was sent to . If you prefer not to receive information such as this in the future, [click here](#) to unsubscribe.

@ 2007 Boat Owners Association of The United States
880 S. Pickett St.
Alexandria, VA 22304

All Rights Reserved

July 2007

Frequently Asked Questions: The EPA Boat Discharge Permit and H.R. 2550 "The Recreational Boating Act of 2007"

Due to a September 2006 court decision, the EPA is now required to develop a discharge permit system for all vessels in the U. S. This permit will cover normal operational discharges from ships and boats of all sizes.

Where did this decision come from?

In 1999, environmental groups filed a lawsuit against the federal Environmental Protection Agency in an attempt to control the spread of aquatic nuisance species by mandating the treatment of ballast water in large commercial ships. A number of parties have participated in that lawsuit, including Northwest Environmental Advocates, The Ocean Conservancy, Waterkeepers Northern California (San Francisco Baykeeper, Deltakeeper), and the Stanford and Lewis and Clark Law Schools. In 2005, the states of Illinois, New York, Michigan, Minnesota, Pennsylvania, and Wisconsin joined in, concerned about the spread of invasive species in the Great Lakes.

What does this decision have to do with the importation of aquatic nuisance species?

The original lawsuit was aimed at the unintentional introduction of invasive species from large international commercial ships using ballast water. These large ships need ballast water for stability and have to discharge the water before taking on cargo. But that's not us, 99% of recreational boats do not use ballast water. Unfortunately, the judge's decision mandating permits applies to recreational boats too.

Preventing the introduction and spread of invasive species is vital to the health of our waterways. Most boaters are aware that invasive species like zebra and quagga mussels have invaded many parts of our country, and the Asian Carp has invaded the upper Mississippi River.

There are simple steps you can take to prevent the spread of invasive species from one waterway to another. Always inspect your boat when leaving a waterway. Drain the boat and all wells of water. Remove any mud, plant, or animal life from your boat, gear and trailer. Rinse your trailer boat thoroughly and allow it to dry completely before visiting another waterbody. To learn more about preventing the spread of invasive species visit <http://www.boatus.com/foundation/cleanwater/invadespecies.asp>

What could the permit cover?

EPA is currently developing the parameters of the permit. They are considering discharges that are normal while operating: grey water from sinks and showers, deck runoff, engine cooling water, as well as discharges that are already regulated (garbage, oil, fuel, and sewage). The permit might require boats to be built differently, boaters to retrofit with new equipment to treat discharges, or to stop using copper bottom paint.

Once you start operating under a permit, you could be required to submit regular written reports to the government, quantifying your boat's discharges.

Would it be a national permit?

No. As currently outlined, you would need a permit for each state where you boat.

Could I get one permit for all five boats?

No. Currently, EPA would require that every boat in the water would need a separate permit.

This includes your inflatable dinghy, your cruising boat, and everything in between.

Would there be a cost associated with this permit?

Yes. EPA doesn't yet know the cost, but said in May 2007 that each permit might cost a few hundred dollars. That permit would be valid for 1-5 years.

Where would the permit funds go?

That is not yet defined. There may be a requirement that the money generated by the permit fees covers the cost of the permit administration. The states could feasibly increase the permit fee to help pay for other state budget shortfalls.

What would happen if the permit system wasn't set up by September 30, 2008 or I didn't buy a permit by then?

If the court decision remains, every boater on the water after September 30, 2008 without a permit will be operating illegally. You could be subject to a citizen lawsuit for operating without a permit.

Who would enforce this requirement?

State natural resource police would most likely be the primary permit enforcement on the water. These folks are already very busy keeping our waters and waterfronts safe.

So what's going on now?

EPA has appealed the District Court decision, and an amicus brief was filed by the National Marine Manufacturers Association on behalf of the boating industry. Both papers asked for reconsideration of the breadth of the court's decision and the imposed timetable. The case will be heard in August in the U.S. Court of Appeals for the 9th Circuit. The court does not have a deadline for a ruling.

EPA is currently researching boat discharges and outlining what discharges are of concern and potential methods to reduce them. EPA is in the process of outlining what should be included in the permits.

H.R. 2550, the "Recreational Boating Act of 2007" has been introduced by Representatives Gene Taylor (D-Miss) and Candice Miller (R-Mich). This bill is designed to give recreational boats a permanent exemption from the permit requirement.

So if H.R. 2550 passes, what would it do?

The Recreational Boating Act of 2007 would allow you to boat and fish the same way you did last year. It would turn the 34 year EPA exemption for "normal operational discharges" from recreational boats into permanent law. It would not turn back any existing environmental controls.

I care about the environment. Does supportinG H.R. 2550 mean I don't want cleaner water?

No. Clean Water is a critical ingredient in our ability to enjoy boating, fishing and our nation's waters. We are active supporters of voluntary Clean Boating and Clean Marina education programs all around the country.

The fact is that the main sources of potential pollution from boats (oil, fuel, sewage, and trash) are already regulated and restricted. And these restrictions will not change under H.R. 2550. No current environmental regulations on boating will be weakened or reversed.

The proposed permit system will be costly and cumbersome for citizen boaters, the boating industry, state law enforcement and permit personnel, and the federal government, without any significant benefits.

What's the current status of the H.R. 2550?

As of 7/23/07 the bill has been introduced, and is referred to the House Subcommittee on Water Resources and the Environment. It is not yet scheduled for a hearing.

Who is currentlu co-sponsorinG H.R. 2550?

Representative Gene Taylor (D-MS) and Representative Candice Miller (R-MI) introduced the legislation. As of 7/20/07, here are the co-sponsors:

Rep Richard H. Baker (R-LA), Rep Vern Buchanan (R-FL), Rep Thelma D. Drake (R-VA), Rep John J. Duncan, Jr. (R-TN), Rep Vernon J. Ehlers (R-MI), Rep Bob Filner (D-CA), Rep Peter Hoekstra (R-MI), Rep Thaddeus G. McCotter (R-MI), Rep Jeff Miller (R-FL), Rep Adam H. Putnam (R-FL), Rep Charles B Rangel (D-NY), Rep Pete Sessions (R-TX) and ReI Zachary T. Space (D-OH), Rep Aderholt, Robert B. [R-AL], Rep Bartlett, Roscoe G. [R-MD Rep Camp, Dave [R-MI) and Rep Paul, Ron [R-TX).

Just because your Member of Congress is listed above, please don't ignore them. Thank them for supporting boating!

For the most current list of co-sponsors, click here: <http://thomas.loc.gov/cgi-bin/bdQuerv/z?d110:HR02550:~P>

I want to do more. I'm an avid boater and can't bear the thoUGht of this. Tell me everuthin! I can dol

1. Email your Representative and Senators today, with a copy to govtaffairS@boatus.com. Ask them specifically for their support of H.R. 2550. Personalize your letter so they understand how important this bill is for boating, and particularly for you and your family.
2. If your Representative is not yet co-sponsoring H.R. 2550, ask them to conside it. If they are sponsoring H.R. 2550, thank them for their support of boating and ask them to continue.
3. Email EPA so they understand how this permit can impact citizens. If you cho to contact the EPA, know that your email will become public information on the internet. EPA's email is ow-docket@epa.gov, and you need to use the subject line of "Docket ID No. OW-2007-0483."

4. Encourage your Senator to support passage of H.R. 2550 and companion legislation.
5. Follow up your email with a call to their Washington or district office. (<http://www.boatus.com/gov/contact.asp> for the number.)
6. Set up a meeting with your Members of Congress when they are home August recess. Even better, take them boating!
7. Talk about this topic with your friends, family, and boating and fishing. Share the BoatU.S. Action Alert email with them (<http://www.boatus.com>). Post this information at your boat club or marina and enlist their support. We need to turn up the heat on this topic, and increase support for H.R. 2550 and this pro-boating legislation.

Where can I learn more?

For articles from the March 2007 and July 2007 BoatU.S. Magazine:

<http://www.boatus.com/gov/Idischargepermits.asp> <http://www.boatus.com/gov/Idischargepermits.asp>
<http://www.boatus.com/gov/ballast0207.asp>

For more information from BoatU.S.:

<http://www.boatus.com/gov/>

For information from a coalition of boating groups and industry:

<http://www.boatblue.org>

For information from EPA:

<http://epa.gov/owow/invasive-species/IVesselFactSheet.pdf>

For more legal background: <http://epa.gov/owow/invasive-species/ballast-water.html>

For the exact text of H.R. 2550:

<http://www.boatus.com/gov/hr2550.asp>

To contact BoatU.S.:

Email: govtaffairS@boatus.com

AsoafUS Government Affairs

Representing The Interests Of America's Recreational Boaters

Sample Email on EPA Boat Discharge Permit

Newsroom & Articles July 24, 2007

Federal News & Alerts For Senators:
Dear Senator
State & Regional [Urge Senators to support passage of bill and companion legislation.]

Grassroots Tool Kit
Resources For Representatives:
Dear Mr./Mrs./Ms.
More Information [Urge Representatives to co-sponsor and support H.R. 2550.]

Gov't Affairs Home I am writing to urge you to support H.R. 2550 "The Recreational Boating Act of 2007." This legislation would allow boating to continue in this country as a viable, healthy, family pastime, instead of being saddled with new regulations and permit requirements intended for commercial ships with ballast water tanks.

In 2006, a U.S. District Court decision struck down the 34-year permit exemption for recreational boats within the Clean Water Act. As a result, unless H.R. 2550 is passed, the EPA is required to develop and implement a permitting system for all boats in the U.S. (no matter the size or type) by September 30, 2008.

H.R. 2550 does not weaken or reverse any current environmental regulations. It simply allows boats to be operated the same way they are being operated this year, without an onerous and costly permit system.

[Insert something about your boating and how important it is here, and what this permit might do to your boating.]

There are an estimated 18 million recreational boats in the country, offering a great way of life to boaters and more than 850,000 jobs nationwide in the marine industry. H.R. 2550 is legislation that will keep boating intact. I urge you to actively support this legislation.

Thank you for your time and attention to this matter.

Sincerely,

[Government Affairs Home](#): [BoatU.S. Home](#): [Online Store](#): [Insurance](#): [Site Map](#)