

Statement to APHIS on behalf of the CLC¹:

The Council of Lake Committees is a committee comprising senior-level fishery managers from the eight Great Lakes states, the province of Ontario, and the U.S. tribes, and was created by, and functions as a support mechanism for, *A Joint Strategic Plan for Management of Great Lakes Fisheries*. That plan provides many mechanisms through which Great Lakes resource managers and other interested parties cooperate on various efforts to protect, enhance, and restore Great Lakes fisheries. Furthermore, the plan has effectively served as a framework for engaging a wide array of agencies, including federal, on common environmental and ecological challenges. It is disappointing that the Department of Agriculture did not take advantage of these mechanisms when addressing the current VHS issue.

Key Points:

- Framework for collaboratively and effectively engaging a wide array of agencies, including federal, on common environmental and ecological challenges like this in the Great Lakes has been in place for more than 25-years. We do this kind of thing well.
- Department of Agriculture did not take advantage of these mechanisms when reacting to the current VHS issue.

The Council is united in its concern over recent actions by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA-APHIS) intended to prevent the spread of the fish virus known as viral hemorrhagic septicemia (VHS) in the Great Lakes basin. Those actions raise serious questions about the commitment of USDA-APHIS to collaborate effectively and transparently with state and tribal resource agencies in the region. The federal action taken by USDA-APHIS has important ramifications for the Great Lakes region and, therefore, should have been implemented with much more sensitivity to the concerns of regional resource agencies and the public.

Key Points:

- This federal action raises serious questions about the commitment of USDA-APHIS to collaborate effectively and transparently with state and tribal resource agencies in the Great Lakes.
- Should have been implemented with much more sensitivity to the concerns and authorities of regional resource agencies and the public.

The VHS fish disease issue is, indeed, of great concern to fishery managers in the Great Lakes region. When, however, the USDA-APHIS issued the emergency Federal Order related to VHS, it disregarded the ongoing processes related to fish disease management in the Great Lakes region. Furthermore, the Council believes that the USDA-APHIS may have overstepped its authority in attempting to regulate various aspects of Great Lakes fisheries. It is extremely important that the USDA-APHIS and other federal agencies work very closely with all of the management agencies and affected parties to develop the interim rule that will replace the emergency order.

Key Points:

- CLC representative agencies are very concerned about the occurrence of VHS in the Great Lakes region.

¹ Prepared by K. Newman, Chair of the Council of Lake Committees, January 9, 2007

- USDA-APHIS disregarded ongoing coordination and processes amongst the CLC, the Great Lakes Fish Health Committee (GLFHC) and the Great Lakes Fishery Commission (GLFC) related to fish disease management in the Great Lakes region, and specifically in regards to current efforts targeting the spread of VHS.
- USDA-APHIS appears to have disregarded management authorities of the CLC management agencies to respond to such issues.
- It is paramount that the USDA-APHIS and other federal agencies integrate their processes with those already in place in the Great Lakes and work very closely with all CLC management agencies and affected parties to develop the interim rule that will replace the emergency order.
- Any mutually agreed-upon course of action with regard to VHS must be accompanied by sufficient Federal funds to allow the states to properly implement and enforce any regulations.

Currently, many of our representative agencies are working directly with the USDA-APHIS with the intent that our input is relevant to the resolution of this issue. The Council believes that successful resolution of the current issue will help (re)create a collaborative and transparent relationship between state and federal agencies as we face Great Lakes resource challenges together in the future.

Key Points:

- Taking such reactive steps as the USDA-APHIS did to slow the spread of VHS in the Great Lakes region without giving existing processes and authorities due diligence only creates chaos and additional complexity when dealing with such a serious issue. At a minimum it leads to significant inefficiencies and lost time and resources for dealing with the issue at hand. At worst it has created long-lasting ill will with the states.
- USDA-APHIS has an opportunity to change the course of their action.
- USDA-APHIS must make every effort to now take full advantage of and include the CLC processes and expertise to resolve the current issue and avoid further risk to the resource.
- USDA-APHIS must begin by adopting the recommendations of the Great Lakes Fish Health Committee as the most appropriate response to VHS.

Currently, CLC representative agencies are collaboratively working to implement the recommendations of the Great Lakes Fish Health Committee. Several states have redirected significant agency resources to fully implement those recommendations, and all are implementing considerable effort to address the issue in some way. Collaboration among the CLC, GLFHC and GLFC will ensure coordinated regional management of the threat to the Great Lakes.