



STATE OF MICHIGAN  
OFFICE OF THE GREAT LAKES  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

KEN DEBEAUSSAERT  
DIRECTOR

October 19, 2006

Commander  
Ninth Coast Guard District  
1240 E. 9<sup>th</sup> Street, Room 2069  
Cleveland, Ohio 44199

Dear Commander:

SUBJECT: Docket Number CGD09—06-123

We have great respect for the historic lifesaving work of the U.S. Coast Guard (Coast Guard) and deep appreciation for the significant new homeland security responsibilities the Coast Guard has assumed in recent years. However, legitimate questions arise about the manner in which the Coast Guard formulated and announced its rulemaking to allow live-fire testing at 34 locations in the Great Lakes.

We appreciate this opportunity to offer comments following the intervention of Members of Michigan's Congressional Delegation, including Congressman Peter Hoekstra, who persuaded the Coast Guard to extend the public comment period, and Congressman Bart Stupak, who collaborated with his colleagues to put in place additional public notice requirements in Fiscal Year 2007 appropriations law that ensure open government and public safety.

The state of Michigan supports measures to ensure and enhance our nation's security as well as related measures to improve military preparedness. We are keenly aware of the challenges to our security and we appreciate the difficulty of maintaining a consistently high state of vigilance and readiness. It is recognized that ongoing training by the Coast Guard is critical to ensure homeland security and readiness.

While implementing robust measures to ensure security, we also support protection of our Great Lakes, Michigan citizens, and the thousands of visitors we welcome each year who use and enjoy them. Toward that end, military and related training should be conducted in a manner that protects all those who use the lakes for recreational and commercial purposes, is consistent with ecosystem health and minimizes or eliminates harmful ecological impacts.

At this time we have three significant concerns for the Coast Guard to address:

1. When exercises are conducted that could pose a potential threat to the public, we support advance public notice that includes, at a minimum: the time and location of the exercise; guidance on safe zones; and, other information that may be needed by the

public to ensure their safety. We recommend that the Coast Guard notify relevant Port Captains and state agencies at least 48-72 hours in advance of any training exercises so that they may assist in communications to notify anglers and boaters.

What steps will the Coast Guard undertake to achieve adequate public notice given obvious public safety concerns with live-fire exercises? While it may be true that there are existing public notice protocols in place, our intent is to ensure adequate public notice is ultimately provided.

2. Of course, the timing of exercises has a role in determining the significance of their impact. Therefore, we recommend further discussion with state agencies to assure that activity within safety zones doesn't occur at times which could have negative impacts on aquatic species. Additionally, holding the training exercises in early spring (before April 15) or late fall (after November 1) would reduce the impact to recreational boating navigation.

What specific actions will the Coast Guard undertake to address the concerns of sportsmen and women, boaters, and other users to protect fish, water, and wildlife?

3. The Federal Register Discussion of the Proposed Rule says:

"these safety zones are located in places known not to be heavily used by the boating public."

How were these 34 zones created and how were zones determined not to be "heavily used"? What data support those conclusions and the Coast Guard's subsequent recommendations on the proposed rule? Could the mission be accomplished with fewer sites?

In light of the concerns raised and the value that could be gained by additional dialog, we would urge the Coast Guard to strongly consider withholding judgment on making these zones permanent until such discussions are concluded and until there is some experience with the temporary designations. We also recommend that the Coast Guard coordinate with Canadian federal government, the governments of Ontario and Québec, and tribal governments regarding the proposed measures. Further dialogue, as appropriate, should also be initiated in advance of future exercises.

The state of Michigan continues to review the full proposal as outlined in the Federal Register/Vol. 71, No. 147 dated August 1, 2006, and reserves the right to submit additional written comment on environmental impact or other points during this comment period. The Michigan Department of Environmental Quality has not completed its review of the report entitled, "Preliminary Health Risk Assessment for Proposed U.S. Coast Guard Weapons Training Exercises" but notes a few apparent omissions, including an evaluation of the potential risk associated with components of the propellant, use of risk assessment benchmarks consistent with the surface water criteria and exposure scenario used by the Great Lakes states as mandated in the Great Lakes

Initiative, and an analysis of whether the specific areas targeted for weapons training exercises contain sensitive or special habitats. And the Michigan Department of Natural Resources is seeking additional information to determine possible impacts on migratory bird routes.

We appreciate the extended opportunity to comment and urge full and careful consideration of these comments as the Coast Guard undertakes the public hearings associated with this comment period.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken DeBeaussaert', with a long horizontal flourish extending to the right.

Ken DeBeaussaert  
Director  
517-335-4056

cc: United States Representative Peter Hoekstra  
United States Representative Bart Stupak  
Ms. Rebecca Humphries, Director, Department of Natural Resources  
Mr. Steven E. Chester, Director, Department of Environmental Quality  
Mr. Michael McDaniel, Military and Veterans Affairs  
Mr. Dan Beattie, Governor's Washington Office  
Ms. Dana Debel, Governor's Office