



Position Statement

HB 4326 – “No Stricter than Federal”

Sierra Club urges legislators to vote NO on HB 4326, a bill that would weaken protection for the Great Lakes and all aspects of Michigan’s environment.

Votes pertaining to this bill will be included in the Sierra Club’s legislative scorecard.

Issue Background

States like Michigan which are authorized to run federal environmental programs are required to comply with the federal minimum requirements, but their environmental agencies are also allowed to adopt stronger protections that are tailored to the concerns of that state. Michigan’s unique location in the middle of the Great Lakes has convinced our Governors to lead the country in key resource and health protections for this magnificent resource and for the well-being of our citizens.

Governor William Milliken directed his environmental agency to adopt controls on the amount of phosphorous in detergents when it became clear that this pollutant was contributing to killing Lake Erie. Scientists, sportsmen and community leaders throughout Michigan clamored for action, and the state’s professional agency staff worked with those stakeholders to develop and adopt those controls. Lake Erie’s amazing recovery is largely due to Michigan’s leadership role.

More recently, Michigan’s environmental agency increased controls over mercury emissions to reduce the mercury contamination of fish in every lake in Michigan. Mercury contamination has led to health warnings for all people to severely limit the consumption of all of Michigan’s sports and commercially caught fish. While federal regulations are now being discussed, Michigan’s foresight promises quicker results for our anglers and all citizens.

HB 4326 and a similar Senate Bill, SB 272, would prohibit the Governor or his/her agencies from issuing any regulation that contains a standard more stringent than federal law unless specifically authorized by the legislature. In effect it says there is nothing special about Michigan compared with any other state in the union. Federal standards to protect environmental quality are designed to be a minimum standard below which states are not allowed to drop. They are intended to be a foundation which scientists, stakeholders and citizens can shape to meet that state’s needs. Federal regulations are written as “one size fits all”, with no particular accounting for the sensitivities and fragility of the world’s most important freshwater resources: the Great Lakes.

Sierra Club urges a NO vote on HB 4326 and all legislation to prohibit stronger protections than under federal minimum requirements.