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Congress of the United States
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WATER RESOURCES
AND ENVIRONMENT

January 6, 2014

The Honorable Jo-Ellen Darcy
Assistant Secretary of the Army
Department of the Army, Civil Works
108 Army Pentagon
Washington, DC 20310-0108

Dear Secretary Darcy:

I am writing about the Great Lakes and Mississippi River Interbasin Study (GLMRIS) Report released today, a seven-year study on how to manage invasive species in the Great Lakes. I applaud the efforts of the Army Corps of Engineers (Corps) in completing this important study but I would like to express my ongoing concerns with the threat of Asian carp to the Great Lakes ecosystem.

The GLMRIS report was originally authorized in the Water Resources Development Act of 2007 and accelerated through MAP-21, the Surface Transportation Act passed in 2012. The goal of the report was to analyze the potential pathways between the Great Lakes and the Mississippi River Basins where invasive species could transfer and offer recommendations on how to combat this threat.

The final report released today identifies eight alternatives to address this issue, including permanently separating the Chicago Sanitary and Ship Canal from Lake Michigan – a key pathway for Asian carp. Any of these alternatives would require Congressional authorization. While I recognize the significant investment required for complete separation, the entire nation must realize the significant negative impact to the entire Great Lakes Basin if we do not find the collective political will to fund complete separation.

Invasive species, particularly Asian carp, threaten to destroy a \$7 billion Great Lakes fishing industry. Because the study has taken many years to complete, we find ourselves in an extremely dire situation with the livelihood of our fisheries, waters, economy and way of life at stake. There is a sense of urgency now more than ever with preventing the introduction of Asian carp into the Great Lakes and I am disappointed that the GLMRIS report does not go far enough to address that. The Administration must take the threat seriously now because once Asian carp makes its way into the Great Lakes Basin it would be extremely costly, if not impossible, to permanently eradicate. In fact, a 2012 study by Canada's Department of Fisheries and Oceans found that it would take as few as 10 male and 10 female Asian carp to establish a reproducing population in the Great Lakes. The cost of inaction would be devastating to the ecosystem and it would change the economic and social dynamics of the Great Lakes.

I believe the only solution at this time is to permanently separate the Chicago Sanitary and Ship Canal from Lake Michigan. A permanent separation is the only way to assuredly prevent the introduction of Asian carp into the Great Lakes. While some may argue that this solution would disrupt a billion dollar shipping industry, I would like to point out that even Illinois Governor Pat Quinn, a once vocal opponent of hydrologic separation, has expressed support for such a proposal. During a meeting of the Council of Great Lakes Governors in June 2013, Governor Quinn stated: "Ultimately, I think we have to separate the

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basins...I really feel that is the ultimate solution.” This change in position demonstrates the increasing concern from all opinions on the spectrum that keeping Asian carp from overrunning into the Great Lakes starts with making difficult decisions.

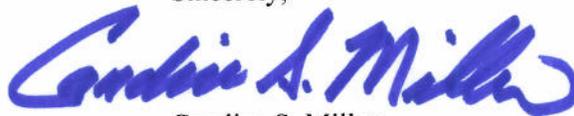
The hydrologic separation of the Great Lakes Basin and the Mississippi River Basin would not only help prevent the spread of Asian carp, but it would also help remedy the problem of historic low water levels witnessed as of late in the Great Lakes. As you may recall, in November 2012, I submitted a letter to the Corps regarding my concern with the low water levels in the Great Lakes and the inter-basin diversion from Lake Michigan to the Chicago Sanitary and Ship Canal. Moreover, I specifically requested an updated Lake Michigan Diversion Accounting Report because the last report was released in 2009. To date, there is no new report accounting for the water that is diverted. It is unacceptable that an annual report has not been completed in five years. I respectfully request an explanation as to why an updated report still has not been published and ask for a timeframe as to when the next report will be produced.

Since 1900, water has been diverted from Lake Michigan and the Great Lakes system to Chicago, Illinois for a variety of reasons. Diversion of the Lake Michigan waters has varied substantially over the years and has been the source of controversy, including a case before the U.S. Supreme Court and a subsequent consent decree with the State of Michigan. Under the consent decree, Illinois was limited to diverting no more than 3,200 cubic feet of water per second each year. In 1995, a dispute arose between Michigan and Illinois because more water was being diverted than permitted in the consent decree. Further inquiries found that Illinois was exceeding the agreed upon amount by nearly 15%. While Illinois did take actions to remedy this situation, it is concerning that almost five years has passed since an accounting of the water diversion. Without timely accounting, it is difficult to ensure transparency and accountability in a process that has endured controversy in the past. This is yet one more reason to implement strict hydrologic separation mechanisms.

For far too long, the citizens of the Great Lakes have stood by patiently waiting for the Corps and other bureaucratic entities to conduct study after study on how best to manage Asian carp and other important environmental issues. The time has come for the studies to turn into actions – but they must be reasonable, results-oriented actions. GLMRIS takes a step in that direction but it does not go far enough. I urge the Corps to focus on the only solution that will yield the result that is warranted – preventing the spread of Asian carp – and focus its efforts on permanent hydrologic separation of the Great Lakes and Mississippi River Basins.

Your prompt attention to this would be greatly appreciated.

Sincerely,



Candice S. Miller
Member of Congress