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10TH DISTRICT, MICHIGAN



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Congress of the United States
House of Representatives
Washington, DC 20515-2210
November 1, 2012

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:

As you know, the water levels on all the Great Lakes are lower than average this year. It has been predicted that levels are expected to remain near record lows for the immediate future on Lakes Michigan, Huron, Erie and St. Clair. A variety of explanations have been provided that include the dry weather, lack of snow, warm air temperatures, and resulting increased evaporation. However, I am concerned that one theory that has not been given sufficient review is the inter-basin diversion of water from the Great Lakes through the Chicago Sanitary and Ship Canal and down the Mississippi River. I write to request the Army Corps of Engineers (ACOE) provide additional information on this practice of water diversion as it relates to the impact it is having on the water levels in the Great Lakes and provide an update on the latest available data collected from the Corps' Lake Michigan Diversion Accounting Program since the last published release from Water Year 2009.

Since 1900 water has been diverted from Lake Michigan and the Great Lakes system in Chicago, Illinois, for a variety of reasons such as sewage disposal and commercial navigation. Water from Lake Michigan enters the Chicago Sanitary and Ship Canal, which links the lake through the Illinois Waterway and Des Plaines River to the Mississippi River. 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 U.S. Supreme Court decree, Illinois was limited to diverting no more than 3,200 cubic feet of water per second each year. Illinois was required to further reduce its annual diversion over the following 14 years to restore to Lake Michigan the excess amount of water it has withdrawn since 1980. Yet, despite these efforts, the water levels of the Great Lakes continue to remain below normal levels.

I have been a vocal opponent of all diversion of Great Lakes water out of the Great Lakes Basin, including through the Chicago Sanitary and Ship Canal, for more than 30 years due to the dramatic negative impact this diversion has on not only our water levels, but also the threat presented by the introduction of invasive species like the Asian Carp. While a great deal of attention has rightly been given to the threat of the Asian Carp in recent years, far too little has been given to the threat posed

by the diversion of water out of the Great Lakes Basin. The fact of the matter is that currently more than 930 million gallons of water is diverted each day down the Chicago Diversionary and Ship Canal or around 340 billion gallons each and every year. While some may believe this is helpful in promoting trade in Chicago or floating barges on the Mississippi River, it is becoming ever clearer that continuing this practice is detrimental to shipping on the Great Lakes. My constituents and I are becoming greatly concerned that on issue after issue, including the threat posed by the Asian Carp or the diversion of water, the Great Lakes are continually forced to take a back seat to the needs of others on nearly every important issue that comes forward.

These low water levels are having a drastic negative impact on navigation in the waters along Michigan's 10th Congressional District and throughout the basin. Recreational boating is a huge economic driver for my district. Shallow draft harbors are the focal points of the in communities across my district. Boaters spend the weekend in towns like Lexington, Port Sanilac, Port Austin, and many others. When boaters do so, they use the harbor and spend money on harbor fees. In addition they also spend money in the shops and restaurants in these towns whose economies are dependent on tourism. Without the full use of the harbors, local economies suffer, and jobs are lost. Low water levels, coupled with the lack of federal support for the needed dredging for recreational harbors, create a dire situation for the Great Lakes – both environmentally and economically.

The Great Lakes also are a superhighway for the transit of goods like iron ore to steel plants in the lower Great Lakes, coal to power electricity across the Great Lakes region, and a myriad of other goods that add tremendously to our national economy. The low water levels in the lakes are now forcing lake going freighters to carry far less than full loads which raises the cost of shipping goods on the lakes which also has a dramatic impact on our economy.

As a lifelong resident of Michigan who has lived along the shores of the Great Lakes, I have a deep understanding of the challenges we face. I have heard from my constituents whose livelihoods are dependent upon the ability to transit goods and services on the lakes in addition to tourism. They are demanding that further action must be taken to protect this vital national treasure and I have a duty as their voice in Washington to answer their call. I share their concern that for far too long the Great Lakes have been neglected by the actions of the federal government and that must change. With the pervasive threat of Asian carp, low water levels and lack of funding for harbor maintenance, this is a critical time for the Great Lakes. I look forward to hearing from the ACOE about its plans to address this additional threat to our region.

Should you have any questions, please contact Dena Kozanas with my office at (202) 225-2106.

Sincerely,



Candice S. Miller
Member of Congress