



Great Lakes Legislative Caucus

December 8, 2017

U.S. Army Corps of Engineers
Chicago District
ATTN: GLMRIS-Brandon Road Comments
231 S. LaSalle St., Suite 1500
Chicago, IL 60604

To Whom it May Concern:

As the leaders of the Great Lakes Legislative Caucus (GLLC), we are writing to submit comments on the U.S. Army Corps of Engineers' (USACE) draft report entitled "The Great Lakes and Mississippi River Interbasin Study – Brandon Road Draft Integrated Feasibility Study and Environmental Impact Statement – Will County, Illinois" (GLMRIS-BR), published for comment in the *Federal Register* on September 1, 2017. The GLLC is a nonpartisan, binational organization of 238 state and provincial legislators in the eight U.S. states and two Canadian provinces that share the Great Lakes.

One of the GLLC's principal goals as an organization is the protection and restoration of the Great Lakes. Protecting the lakes from the threat of aquatic nuisance species (ANS) – particularly Asian carp – is among our highest priorities. As noted in the GLMRIS-BR, the environmental, economic, and sociopolitical impacts of the introduction of ANS are well documented. We face an unacceptably high risk to our \$7 billion Great Lakes fishery should we fail to stop Asian carp from entering Lake Michigan. Because of our concern, in 2012 and again in 2014, we corresponded with Assistant Secretary Darcy to express our desire to see the USACE take swift action on GLMRIS to prevent the transfer of Asian carp and other ANS between the two basins. The live capture of a silver carp well past the Chicago Sanitary and Ship Canal Electric Dispersal Barrier System this past June heightened our concern about the potentially devastating impacts on our Great Lakes ecosystem and our regional economy if Asian carp succeed in entering and establishing themselves in the lakes.

We appreciate the USACE's completion of the GLMRIS-BR as part of its four-pronged strategy for keeping Bighead and Silver Carp from entering the Great Lakes. We also appreciate the USACE's thoroughness in identifying, evaluating, and comparing the options for enhanced measures to prevent the upstream transfer of ANS into Lake Michigan and, from there, into the other lakes. The Tentatively Selected Plan (TSP) identified in the GLMRIS-BR would involve the construction of an electric dispersal barrier, engineered channel, mooring area, flushing lock, and boat launches, as well as the use of water jets and complex noise to deter Asian carp and other ANS. These would be important defense-in-depth measures that have the potential to augment the protection afforded by the existing dispersal barriers. Nonstructural measures – such as education and outreach, monitoring, and overfishing – would also continue or increase.

The estimated cost to implement the TSP is \$275 million in construction-related costs, over \$11 million annually for nonstructural measures, and over \$8 million annually for operation, maintenance, repair, rehabilitation, and replacement (OMRR&R) costs. The USACE is obligated to

pay 65% of the construction costs, with a non-federal sponsor responsible for 35% of those costs, including 35% of the design costs. The non-federal sponsor would also have to bear nearly 100% of the annual OMRR&R costs, or \$7.95 million. The USACE has not yet recruited a non-federal sponsor.

Given the threat that Asian carp and other ANS pose to the Great Lakes, it is concerning that 2025 is the earliest timeframe for fully implementing the TSP. We urge the USACE to expedite, to the extent practicable, the remaining milestones for completing the GLMRIS-BR and implementing the TSP. It is also concerning that the project cannot proceed to the preconstruction engineering and design stage until a non-federal sponsor is identified and enters into an agreement with the USACE to, among other things, share the costs. It will be a challenging and time-consuming process to secure such a sponsor given the estimated cost of over \$96 million in construction-related costs and almost \$8 million annually for OMRR&R. We urge the USACE to evaluate and present in its final report the option of implementing the TSP without any financial commitment from a non-federal sponsor.

As representatives of our states' citizens, businesses, and industries, with responsibility for appropriating funding, state legislators have a unique perspective that could inform and facilitate the USACE's efforts to implement the TSP. We request that any meetings of the GLMRIS-BR Interagency Coordination Committee be webcast so that the GLLC and its members may participate and provide input.

We thank you for the opportunity to provide comments on the GLMRIS-BR and the Tentatively Selected Plan. If you have any questions about our comments, please contact Ms. Lisa Janairo, Program Director at The Council of State Governments Midwestern Office, at ljanairo@csg.org or 920.458.5910.

Sincerely,



Senator Darwin Booher, Michigan
Chair



Representative David Maturen, Michigan



Representative Dan Ramos, Ohio



Representative Nick Milroy, Wisconsin



Representative Robyn Gabel, Illinois



Representative Jennifer Schultz, Minnesota



Representative Curt Sonney, Pennsylvania



Senator Ann H. Rest, Minnesota
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