

ASIAN CARP REGIONAL COORDINATING COMMITTEE
PUBLIC MEETING

In Re: ASIAN CARP CONTROL STRATEGY FRAMEWORK

February 17, 2010
3:00 p.m.

PROCEEDINGS HAD in the above-entitled matter before the Asian Carp Workgroup, Ann Arbor Marriott Ypsilanti at Eagle Crest, 1275 S. Huron Street, Ypsilanti, Michigan, on February 17, 2010, commencing at or about 3:00 p.m.

APPEARANCES

WORKGROUP PANEL MEMBERS:

Charles Wooley - Midwest Deputy Regional Director of
U.S. Fish and Wildlife Service

Lorne Thomas - Commander, 9th Coast Guard District,
U.S. Coast Guard

Jo-Ellen Darcy - Assistant Secretary of the Army, U.S.
Army Corps of Engineers

Lindsay Chadderton- Great Lakes Aquatic Invasive Species;
Director, The Nature Conservancy

Cameron Davis - Senior Advisor to the Administrator,
U.S. Environmental Protection Agency

Irene Brooks - Commissioner, Internation Joint
Commission

ALSO PRESENT:

Dr. David Homer, Facilitator, Tetra Tech
Congressman John Dingell
Senator Debbie Stabenow
Mayor George Heartwell
Gale Govaere, representing Senator Levin
Members of the Public and Others

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Ypsilanti, Michigan
February 17, 2010
3:00 p.m.

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MS. BROOKS: Good afternoon ladies and gentlemen, and welcome to the public meeting on Asian carp control efforts. I wish to thank each and every one of you for taking the time to come and to discuss this very important issue.

My name is Irene Brooks and I am the US co-chair of the International Joint Commission. We are very happy to host this meeting today. The IJC is an independent advisor to the governments of Canada and the United States under the Boundary Waters Treaty.

We are pleased that representatives from the agencies are here to discuss the Asian carp Control Strategy Framework, to answer questions and to listen to the public.

Asian carp threaten the ecosystem and the economy that depend on the Great Lakes. This is an international issue, as these waters are shared by Canada and the United States. The IJC has a long history of working to focus governments' attention to the need to prevent more invasive species from

1 entering the Great Lakes.

2 We have been working since 2002 to focus
3 attention on the need to prevent the introduction of
4 the Asian carp. We are alarmed to learn that DNA of
5 Asian carp is being found above the electric barrier
6 in the Chicago Sanitary and Ship Canal. While the
7 Asian carp issue has confronted us for some time
8 now, it's now time that we have reached a critical
9 stage. Decisive action is needed in the short-term
10 to slow the spread of Asian carp, and creating an
11 ecological separation between the Great Lakes and
12 the Mississippi River systems is needed as soon as
13 feasible.

14 Before the hearing begins and we hear from
15 the agencies and what actions they are proposing and
16 taking, I would like to recognize some key
17 representatives who are present or will be present
18 before the end of the meeting - Congressman
19 John Dingell; George Heartwell, the Mayor of
20 Grand Rapids; Gale Govaere on behalf of Senator
21 Carl Levin; Senator Debbie Stabenow, who is to
22 arrive around five p.m., and Congresswomen Biggert
23 and Halverson, both who have written statements read
24 by EPA staff.

25 And now we'll get on with our meeting and I

1 will recognize David Homer, who will conduct the
2 meeting for us. Thank you.

3 MR. HOMER: Thank you. Again, my name is
4 David Homer and I'll be the facilitator for the
5 meeting today. I just want to kind of go over some
6 of the purposes of the meeting, a little bit about
7 the agenda. Obviously, we're here to discuss the
8 Asian carp.

9 The purpose really is to provide an
10 overview of the Draft Asian carp Control Strategy
11 Framework, give you an opportunity to ask technical
12 questions on the Draft Framework to the Regional
13 Coordinating Committee, who is here, provide you an
14 opportunity to make comments on the Draft Framework
15 so that they can be taken into consideration by the
16 committee in any future revisions of the Framework.
17 We want this to be as productive as possible. I
18 want to also kind of go over how the agenda is set
19 up first.

20 As I mentioned, the committee will provide
21 an overview presentation of the Draft Framework
22 followed by statements from elected officials and
23 state agency representatives. Next we're going to
24 have technical questions. We'll have some time for
25 you to ask very specific questions about the

1 Framework itself so you can better understand and
2 better clarify in your mind exactly what the
3 Framework is all about and what's being proposed.
4 Following that, you'll have an opportunity to
5 provide your comments on the plan.

6 Due to the number of people we have here
7 and the number of people who want to be able to
8 provide the comments, we are going to ask you to
9 limit your comments to one minute. It's very
10 possible that you came armed with a 10-page list of
11 comments on this Draft Framework. We'd ask you to
12 summarize those and we'll give you a website at the
13 end of the presentation as to where you can submit
14 these comments on an electronic basis.

15 And we also understand that there are a lot
16 of wide variety of issues that the committee is
17 wrestling with. We know closing of the locks is one
18 issue. There are a number of other issues out
19 there. So we're looking for comments on all aspects
20 of the Framework to help them better put together a
21 Framework that will work as we go forward.

22 The other thing to keep in mind is we need
23 to be respectful of everybody's opinions. I know
24 opinions are going to be widely varied and very
25 passionate, so we ask you to please respect each

1 other and your opinions if you don't necessarily
2 agree or do agree, but let's conduct this in as
3 professional a manner as we possibly can.

4 With that, I'm going to turn it over to
5 Cam Davis, who's the advisor to the US EPA
6 administrator for the Asian carp issues.

7 MR. DAVIS: Well, good afternoon everybody.
8 I'm Cam Davis, senior advisor to the administrator
9 of the US EPA on Great Lakes issues, Lisa Jackson.
10 So on behalf of Administrator Jackson, thank you for
11 being here today.

12 And Commissioner Brooks, thank you to the
13 International Joint Commission for hosting as well.
14 We do share the Great Lakes with Canada. We do have
15 eight states. We have dozens and dozens of
16 municipalities and tribes and first nations.

17 And so by having the International Joint
18 Commission host today, it's really helped in terms
19 of bringing more people in with more opinions and
20 more constructive thoughts, and we can all use those
21 because at the end of the day we want to beat back
22 Asian carp. And we're all here for that very
23 reason.

24 The US EPA's role in this is twofold;
25 No. 1, to coordinate, and No. 2, to help with

1 funding. The EPA has under its authorities under
2 the Clean Water Act and the Presidential Executive
3 Order has brought together the participating
4 agencies to try to facilitate the integration of
5 actions for Asian carp and to help develop this
6 Framework.

7 We also have a role to play with funding
8 under the President's Great Lakes Restoration
9 Initiative, and we have already seen how that
10 funding can be put to use and will continue to be
11 put to use on Asian carp in the future.

12 John Carson, chief of staff with the White
13 House Council on Environmental Quality, sends his
14 regrets. He was going to be here today but his
15 plane had a mechanical problem in Washington D.C.,
16 so we do know that the White House Council on
17 Environmental Quality is joining us by webcast
18 today. They're watching the proceedings and
19 listening to the proceedings, and I think it's
20 really important for all of us to know that the
21 attention on this issue is coming from the CEQ,
22 which is great to know.

23 I also want to introduce a few other folks
24 very quickly. Leon Carl with the US Geological
25 Survey. Leon, right here, one of our imminent

1 scientists on the Asian carp issue. Leon, thank you
2 for joining us and representing your agency.

3 For those of you who were in Chicago on
4 Friday of last week, you also know that the Illinois
5 Department of Natural Resources is playing a very
6 significant role in the development and the
7 execution of elements of the Framework. Illinois
8 Department of Natural Resources could not be here
9 today because they're undertaking some activities
10 out on the waterway that we'll hear about from
11 Charlie Wooley later on during the presentation.

12 And then why don't we go ahead and just
13 very quickly run down the line here and introduce
14 our folks at the table. All of you already know the
15 great Irene Brooks who kicked us off today. We have
16 Lindsay Chadderton, who is with the Nature
17 Conservancy and University of Notre Dame will chat
18 a little bit later on the science and ins and outs
19 of things. Then we have Jo Ellen Darcy who is the
20 Assistant Secretary of the Army for Civil Works
21 who's in charge of the Corps of Engineers, so
22 Jo Ellen, thanks for joining us.

23 We have Captain Lorne Thomas with the Coast
24 Guard out of Cleveland. The Coast Guard has played
25 a very valuable role in our efforts today,

1 especially those during what we called the rapid
2 response action in early December. And at the end
3 of the table we have Charlie Wooley with the US Fish
4 and Wildlife Service. He's the Midwest Deputy
5 Regional Director, and we're going to be hearing
6 from Charlie a little bit later on as part of our
7 introduction of the Framework.

8 I wish you could say that you're getting
9 rid of me this quickly but you're not, I'll be back,
10 but first I'm going to kick it over to
11 Dr. Chadderton who's going to talk a little bit
12 about eDNA and some of the biology and the science
13 of this issue. Thanks, Lindsay.

14 DR. CHADDERTON: Thanks, Cam. So just to
15 reiterate, I'm with the Nature Conservancy. I'm
16 based again at the University of Notre Dame, and I'm
17 part of the environmental DNA team who has
18 essentially developed this surveillance tool.
19 And what I want to briefly run through today is I'm
20 going to talk about the method and what the major
21 results are and how we took them and what we think
22 they mean.

23 So my collaborators in this are Dr. David
24 Lodge, who I think many of you have seen speak, and
25 Dr. Andy Mahon and Christopher Jerde. It's

1 essentially the four of us that have developed this
2 tool. So on the focus, first of all, on how close
3 bighead and silver carp are to Lake Michigan, I'm
4 going to talk briefly about how many carp might
5 attempt to launch an invasion and then what are some
6 of the other species we may want to be concerned
7 about.

8 So DNA is commonly used by the criminal
9 justice system to place the perpetrators of crimes
10 at the crime scene. And essentially we're using the
11 same technology and the same sorts of ideas to
12 essentially try to identify where, in this instance,
13 Asian carp are with regards to the invasion of the
14 Chicago waterway system and potentially the Great
15 Lakes. We know that all species, all creatures
16 release DNA in the environment and what we try to do
17 is protect that environment. So in this instance
18 fish releasing cells off their scales and their
19 feces and urine and maybe just shedding scales or
20 cells on their gills. The nice thing about Asian
21 carp is that their feces float, so it makes it
22 easier for us to recover -- potentially easier for
23 us to recover their DNA. Also, because they consume
24 such high amounts of (indiscernible), between 10 and
25 20 percent, they are producing a lot of feces and

1 urine, so there's a potential for a lot of cells to
2 be released in the environment.

3 And what we're essentially doing is we're
4 taking water, filtering that water and then
5 detecting the presence of their DNA, of their cells
6 within that water. This is the first time the
7 technique has been used on this sort of approach but
8 clearly it's an idea that has been applied to a
9 range of other creatures throughout the
10 environmental sciences, and this is just another way
11 of trying to answer this question.

12 How reliable is the technique? This is the
13 first time it has been applied. And we have gone
14 through some pretty extensive peer-review processes.
15 We haven't published a subject paper but that's
16 simply because things have been happening too
17 quickly.

18 The EPA carried out a very thorough order
19 of the large laboratory, all of their procedures
20 from the starting point of cleaning and sterilizing
21 equipment to that data rate analysis and all of the
22 genetic tools that we are using. To take that
23 message from there is that they basically said the
24 method is reliable and is sufficiently robust for
25 the results to be -- for us to take action on those

1 results.

2 I'll let you read exactly what they said
3 but the take on this was they have high confidence
4 in what we're doing and they believe the method is
5 reliable and we should be taking the action on the
6 basis of these results. The report is available is
7 my understanding. It is publicly available now if
8 you want to look at the details.

9 Now, I want to go into detail about just
10 where exactly we believe the carp are within the
11 system. I want to start at the bottom of the
12 waterway and work our way up, just to orient people.
13 Okay. So in terms of this is Chicago. We all know
14 where Chicago is in terms of the upper corner of the
15 system. There are five potential entrances to the
16 lake. We have the Wilmette pumping station in the
17 northern part of the system up here, and we have the
18 Chicago Lock around downtown Chicago City. We have
19 the area around Calumet Harbor and then two other
20 entrances down here.

21 About a year ago the carp populations were
22 thought to be basically down in this lower part of
23 the Illinois River and Des Plaines River. We
24 essentially started sampling from here and worked
25 our way up through the system. We were able to show

1 where carp were known to be present, so there's
2 bighead and silver carp. We were able to reliably
3 detect the DNA in these reaches. We then moved up
4 to the ports directly below the barrier, which is
5 here, and we detected both the presence of bighead
6 and silver carp, and subsequently the Fish and
7 Wildlife Service and other agencies have
8 demonstrated those fish were present in those areas
9 with the observation of the silver carp in the
10 Brandon Road Port and the collection of a bighead
11 carp here in the Lockport Port.

12 Following up on there, we've essentially
13 sampled pretty much throughout this water system
14 here and the main water system here. We have not
15 collected any samples from the Little Calumet River
16 or the Grand Calumet River or any of these other
17 major tributaries here.

18 What the DNA evidence has shown is that we
19 are detecting DNA largely throughout the Cal-Sag
20 Channel and the areas that are marked in red. In
21 these areas here, we've detected DNA on at least one
22 occasion -- I'm sorry, on two or three occasions.
23 So directly below the O'Brien Lock we picked up DNA
24 of bighead and silver carp on two or three
25 occasions, and then most recently we've picked up

1 DNA of silver carp directly -- well, essentially at
2 the entrance of the Calumet River and the Calumet
3 Harbor at the entrance of Lake Michigan.

4 So we picked up DNA in this area and then
5 in addition they also picked up silver carp DNA in
6 an area directly below the Wilmette Pumping Station
7 and along the shores of Lake Michigan. We believe
8 on the basis of the fact that we are able to
9 repeatedly detect DNA on a number of occasions, and
10 if we look at the broader picture that the most
11 plausible explanation for the presence of those DNA
12 is the presence of live fish. And to us it
13 indicates that at least some silver carp have
14 probably entered Lake Michigan.

15 How many carp does it take to launch an
16 invasion? I guess the simple answer there is we
17 don't actually know. The key though really is the
18 fact that some carp have reached Lake Michigan does
19 not mean to say that we will get a significant
20 population or it will become self-sustaining. But
21 clearly the more fish that enter the lake, the
22 higher the likelihood is that we will get a
23 self-sustaining population.

24 The reason I say that is that the simple
25 reality is for a population to establish and become

1 self-sustaining, the fish need to find themselves,
2 they need to find suitable spawning habitat, they
3 need to be able to successfully spawn, those eggs
4 need to be able to hatch, the larvae need to be able
5 to survive and then make their way through to the
6 point that they can reproduce again.

7 And at each stage in the process there is
8 potential for this to essentially not work, I guess
9 is the easiest way to put it. So the fact that the
10 fish have made it into the lake doesn't mean to say
11 that we will get an established population but the
12 more fish that get into the lake, the higher the
13 likelihood will be that we will get an established
14 population and it will become self-sustaining and
15 increase.

16 We know that the canal is a pathway for
17 invasion and there's lots of examples, and probably
18 the one that is best known is the zebra and quagga
19 mussel movement from the Great Lakes into the
20 Mississippi basin. So it is the pathway in which
21 this invasion is occurring is a two-way pathway, so
22 we're seeing in the Great Lakes contributing
23 invasive species to the Mississippi and in this
24 instance we're seeing a potential movement of Asian
25 carp from the Mississippi into the Great Lakes.

1 The initial barrier that was originally
2 developed or put in place to try and stop the round
3 goby from getting into the Mississippi system, but
4 by the time it was finally up and operational they
5 had already moved past the barrier and had
6 successfully established within the Mississippi.

7 Now we know there are a number -- we're
8 focusing here on Asian carp, but we know there are a
9 number of species poised to use the canal to invade
10 one or the other waterway systems. So we have
11 things like the fishhook, and these are plankton,
12 plankton species that are in the Great Lakes and
13 haven't got into the Mississippi Basin. We have a
14 bunch of aquatic plant species and diseases like
15 (indiscernible) that potentially can use the canal
16 to invade the lower Mississippi. And of course we
17 have used it much now which has recently turned up
18 in Lake Michigan which again is likely to move
19 through into the Mississippi and increase the rate
20 of spread throughout the Mississippi system. And
21 then of course and then last is the (indiscernible).

22 Heading downstream we have both the bighead
23 and silver carp. We also had black carp. In
24 addition to that, there are a number of waterway
25 plants that potentially could use watercraft to

1 enter the Great Lakes through the canal and then of
2 course we have (indiscernible) now in the lower
3 Mississippi, all of which can potentially use the
4 canal to invade the Great Lakes system.

5 I guess the message here is it's a pathway
6 for invasion, and currently we are considering the
7 life expectancy of invasive species, but clearly
8 this is a bigger problem that we need to work
9 through. So let me say I think the key we really
10 face here is that this is a pathway for invasion and
11 we need to come up with some solutions to try and
12 prevent invasion and try to develop some common
13 ground on these issues.

14 MR. DAVIS: Well, while Mark's loading up
15 the Power Point presentation, I want to cover two
16 things right now before we turn it back over to
17 Charlie Wooley of the Fish and Wildlife Service.
18 Mark, why don't we get the next -- that's the slide
19 we want. Actually, one more I think. There you go.

20 I want to give you a little bit of an
21 overview of the Framework that you're going to hear
22 more about in some detail to follow, and I also want
23 to talk a little bit about the topography of the
24 area because it is important to understand what the
25 layout of the northeastern Illinois, northwest

1 Indiana area looks like.

2 The Framework itself has one unifying goal
3 and that is to beat Asian carp back to keep Asian
4 carp from establishing themselves in the Great
5 Lakes. As we just heard from Dr. Chadderton about,
6 that's not a foregone conclusion that the carp have
7 established themselves. We want to make sure that
8 that doesn't happen and do so in the most feasible
9 and best way possible, and that goal underpins the
10 actions in the Framework. This is the first
11 statement in this Framework by all of the
12 participating agencies that they agree that this is
13 their commitment in terms of what we're trying to do
14 moving forward from here.

15 Second point is that it's really taken a
16 team approach to get to where we are today. We
17 really -- if we're going to beat back carp, we need
18 to make sure that we're coordinating, we're working
19 together to put our best ideas forward. That's why
20 all of us wanted to host and have the meeting today
21 to make sure that the best ideas are coming forward,
22 and these agencies that are listed have been
23 absolutely vital to getting us to where we are
24 today.

25 But these agencies that are listed are not

1 the only ones that we hope will take ownership over
2 this Framework. We're hoping that all of you will
3 take ownership over the Framework as well. We want
4 to make sure there is a space in this document for
5 the kinds of activities that you would like to bring
6 forward to help in terms of beating back Asian carp.

7 Another aspect to the Framework that's
8 really important is that it provides a
9 multidimensional defense against the fish. Right
10 now a lot of the debate centers around the use of
11 structures, and it has over the years. Many of our
12 management options have been -- discussions have
13 centered around the use of electric barriers and
14 locks and things like that.

15 I think one of the conclusions that all of
16 the participating agencies have come to is that if
17 we do want to be successful in the effort to beat
18 back carp, it is going to take a multitiered
19 multidimensional defense. That means the use of
20 engineering, the use of chemical actions, biological
21 actions, operational actions, managerial actions and
22 the like. No one of those is going to be good
23 enough to beat back Asian carp by themselves. We
24 need to make sure that we have a multitiered defense
25 for the ecosystem.

1 And the other thing I want to emphasize too
2 is that this is an iterative document. This is a
3 draft, and the reason it's a draft is because we
4 want to make sure that you have the opportunity to
5 offer up your ideas for how we can keep Asian carp
6 from wreaking havoc on the Great Lakes. After all,
7 we do, all of us, care about the ecosystem that is
8 so unique in our region.

9 I'm going to turn to the topography of the
10 area because I think it's very important to
11 understand it underpins the Framework itself.
12 Unlike other places around the Great Lakes or even
13 other parts of the country, the northeastern
14 Illinois, northwest Indiana region is very flat.
15 What that means is that there are not valleys and
16 gulleys for water to automatically and quickly move
17 to and then leave the region.

18 What it means is because it's flat, water
19 tends to fall on the area and stay in the area,
20 which is part of why the Chicago -- greater Chicago
21 region and northwest Indiana region has been
22 plunged, if you will, or redirected the way it has
23 to help move water. And that's one of the very
24 important historical things to know about this area,
25 why it's laid out the way it is, why there's been

1 engineering that has taken place in this area,
2 perhaps much more so to a greater extent than any
3 other parts of the country.

4 With that, I think I will turn it over to
5 Charlie Wooley at the US Fish and Wildlife Service
6 to talk a little bit about some of the things that
7 the Fish and Wildlife Service are doing in the short
8 and long-term.

9 I should mention before Charlie comes up
10 that the Framework is divided into more than two
11 parts, but the two critical parts for the next
12 segment of our discussion is that the Framework has
13 short-term actions. Those are things that the
14 participating agencies want to do within about the
15 next 90 days because we realize that this situation
16 is urgent, and then after that long-term actions
17 because we know that there needs to be a longer term
18 solution to the effort that we've all been
19 undertaking up until this point.

20 So with that, Charlie, over to you.

21 MR. WOOLEY: Mark, can we go to the next
22 slide? Thank you.

23 Good afternoon everybody. Charlie Wooley,
24 Deputy Regional Director of the Fish and Wildlife
25 Service up in Minneapolis. Native carp or Asian

1 carp are native to Eastern Asia. They were imported
2 in the early 1970s to the southern United States.
3 They're used for biological control of plankton in
4 hatchery ponds and they were imported to improve
5 water quality in sewage treatment plants in the
6 south.

7 The first record in natural US waters was a
8 silver carp found in 1975 in the White River in
9 Arkansas and a bighead carp found in 1981 in the
10 lower Ohio River. These fish eat zooplankton, final
11 plankton, algae and nitribus and they're often
12 described as aquatic vacuum cleaners. We are very,
13 very concerned that if they get into the Great Lakes
14 they would outcompete our native fish, our important
15 commercial score fish.

16 We have seen this type of biological impact
17 as native carp have moved up the Mississippi River,
18 the lower Missouri River and Illinois River. They
19 have left a trail of tremendous destruction and
20 negative impacts on our native fish in the heartland
21 of the United States. This has been their legacy as
22 they have expanded their artificial range into the
23 Midwest, and we certainly do not want to see that
24 happen in the Great Lakes.

25 Now, there has been a little confusion as

1 we've talked about this issue over the last couple
2 of months. To date, we have not seen a live Asian
3 carp above the Corps' electrical barrier in Chicago.
4 We have eDNA evidence that there might be carp above
5 this barrier. But we have seen since 1995 through
6 2003 five Asian carp, bighead carp that were found
7 in Lake Erie, the only documented carp in the Great
8 Lakes that we as biologists and scientists both on
9 the US and Canadian side of the border are aware of.
10 Again, five bighead carp in Lake Erie and we have
11 not seen one since 2003. This is significant.
12 Because rules and regulations went into place in the
13 early 2000s that made it illegal to transfer these
14 carp, transport these carp and serve them as food in
15 restaurants. So some of that law enforcement work,
16 some of that state work has played big dividends
17 already to date with this endeavor.

18 With that, I'm going to turn it over to
19 Jo Ellen Darcy. She's the assistant secretary of
20 the Army for Civil Works. She's going to talk about
21 Army Corps of Engineers' activities in this basin.

22 MS. DARCY: Thank you, Charlie. Again, I'm
23 Jo Ellen Darcy. I'm the Assistant Secretary of the
24 Army for Civil Works, and what I'd like to talk
25 about is some of the short-term actions that the

1 Corps of Engineers is taking in order to help with
2 the federal families' Asian carp problem, battle
3 against keeping the Asian carp out of the Great
4 Lakes.

5 As you all are probably aware, we have fish
6 barriers, two of them, currently operating in the
7 Chicago Sanitary and Ship Canal. Charlie referred
8 to those and referred to the fact that we have not
9 found a live fish above the barrier. That's great
10 news. But the fact that there's eDNA evidence that
11 there is a possibility of carp above the barrier
12 doesn't sit well, so we need to do more.

13 What we are planning to do are several
14 things. First, we're going to expedite the
15 construction of a third fish barrier, it's called
16 fish barrier IIB, in Chicago Sanitary Ship Canal.
17 With the help of ERA money, which is the stimulus
18 funding, we're going to be able to finance that and
19 be able to construct that this year ahead of
20 schedule.

21 In addition to that, the Congress had
22 directed us to conduct an efficacy study to see how
23 the fish barriers were working and what other kinds
24 of things we should be doing in order to battle the
25 Asian carp. We are going to undertake some

1 additional construction in the area. We are going
2 to construct what are called barricades and fencing
3 between the Des Plaines River and the Chicago
4 Sanitary Ship Canal so that in the event that there
5 is flooding and if there's a possibility of fish
6 being in the Des Plaines River, we will have erected
7 a barrier between that river and the Chicago
8 Sanitary Ship Canal that will prevent carp if they
9 are there from getting into the ship canal above the
10 barrier.

11 In addition to that, we are continuing our
12 work with the University of Notre Dame. We have a
13 memorandum of understanding with them continuing to
14 sample for eDNA, working with them to hopefully
15 double, if we can, the numbers of processed samples
16 that we get. Sometimes it takes a long time. You
17 take a sample and a couple months later is when you
18 get the results. We're hoping to speed that up so
19 we'll have more information to help us inform the
20 decisions we're making.

21 In addition to that, we're looking at
22 possibilities again with the -- you've all heard
23 about the lock operations. We're looking at what
24 the impact would be of modified lock operations.
25 Currently, the locks at both O'Brien and Chicago

1 open and close when a ship comes along and needs to
2 pass through the lock. We're looking at the
3 possibility of modifying that operation, possibly
4 looking at a varied schedule for opening and closing
5 those locks. We are currently looking at all the
6 possibilities out there including what the impacts
7 would be both on the fishery, on the workers and all
8 of the impacts within the Great Lakes basin. We're
9 looking to hopefully have those results and some
10 recommendations about whether or not that's a path
11 forward within a month or so.

12 That's some of the short-term actions we're
13 taking. Again, we're working with Dr. Lodge and his
14 folks in using this sampling as helping to give us
15 an indication of exactly what it is we're going to
16 be dealing with. I'm going to turn it back to
17 Charlie for some more long-term actions.

18 MR. WOOLEY: The Illinois Department of
19 Natural Resource biologists, scientists and their
20 state director, Mark Miller, are engaged in some
21 activities in Illinois today so they're not able to
22 be here.

23 I'm going to cover perspectives that relate
24 to the Fish and Wildlife Service activity and the
25 Illinois DNR activity that has occurred over the

1 last couple of months and, most importantly, started
2 again today as (indiscernible) field activities.

3 Illinois DNR, Fish and Wildlife Service,
4 all the partners here at the table were involved in
5 a rapid response activity in the Chicago Sanitary
6 Ship Canal in December. This was because the
7 electrical barrier that the Corps was operating
8 needed to be -- to have some routine maintenance
9 conducted on it. It was going to be off line for
10 about two days.

11 We wanted to ensure at that point in time
12 that there was not a single possibility for an Asian
13 carp to get past that barrier. The State of
14 Illinois had the lead on a massive Rotenone project
15 that killed approximately seven miles of river below
16 the electrical barrier while the maintenance was
17 occurring so that no fish moved through that barrier
18 towards Lake Michigan during this critical juncture.

19 The State of Illinois did a wonderful job.
20 There were more than 300 people involved in this
21 endeavor, and we had biologists from United States
22 and Canada working side by side. We came up with
23 one Asian carp in this process that validated the
24 eDNA work that showed that there might be some Asian
25 carp right below this barrier. We came up with

1 thousands and thousands of pounds of common carp and
2 other species but it was a success because nothing
3 moved through that barrier while the maintenance was
4 ongoing.

5 Since then there have been two other
6 activities that have occurred in this watershed.
7 Two weeks ago, Fish and Wildlife Service biologists
8 got access to a US Coast Guard helicopter, were able
9 to fly this area. As everybody knows, it's cold up
10 in Chicago. It was ice covered but we wanted to get
11 biologists out on the ground immediately looking for
12 live Asian carp to go hand-in-hand with positive
13 eDNA tests that occurred in this area.

14 The Fish and Wildlife Service biologists
15 were out on the ground for about four days electro
16 fishing, gill netting, did not come up with a single
17 Asian carp. Fast forward to this week. Today,
18 Illinois DNR crews, Fish and Wildlife Service crews,
19 four boats from the state of Illinois, three boats
20 from the Fish and Wildlife Service are out on this
21 waterway as we speak gill netting, electro fishing,
22 again looking for live Asian carp in areas where we
23 have open water. Again, following the eDNA trail.
24 I have not heard of a single Asian carp being found
25 today.

1 We are focusing on warm water discharge
2 areas with this kind of sampling technique and we
3 also, compliments of the Illinois DNR, have
4 commercial fishermen who are used to commercially
5 fishing for these fish in the lower part of their
6 range out there helping us with our techniques
7 today.

8 So we're not resting on any kind of samples
9 that occurred in December. This activity will occur
10 for the next week. We'll be poised working
11 hand-in-hand with Illinois DNR to continue moving
12 further towards Lake Michigan as the waterway opens
13 up and in the Calumet Harbor as the ice disappears
14 and we can get sampling crews out there to also look
15 out in the harbor. So that concludes some of the
16 short-term activities that the Service in concert
17 with our partner the Illinois DNR are involved in.
18 Cam?

19 MR. DAVIS: Okay. That I guess does it for
20 the presentation for the committee and we'll now --
21 our next agenda item is to allow for our elected
22 officials to make statements on behalf, and our
23 first official is Congressman Dingell. Is he here?

24 Okay. I guess when the Congressman gets
25 here we'll put him up and he'll make his statement.

1 Next is Mayor George Heartwell of Grand Rapids,
2 Michigan. And when you're speaking, if you could
3 kind of turn so the camera can pick you up so that
4 the webcast can get you as well so we're not looking
5 at the back of your head.

6 MAYOR HEARTWELL: Well, thank you very
7 much, first of all, to the IJC, the EPA and the
8 other agencies for hosting this opportunity for
9 public comment, a very important piece.

10 I am George Heartwell, Mayor of
11 Grand Rapids, Michigan. But more to the point
12 today, the Chairman of the Great Lakes St. Lawrence
13 Cities Initiative representing the 70 plus US and
14 Canadian cities that are all deeply engaged and
15 concerned about the viability of the Great Lakes as
16 a natural and recreational resource as well as an
17 economic asset guaranteeing our futures.

18 A Framework to address the control of Asian
19 carp is a major step in the right direction and we
20 appreciate all the work that has gone into its
21 production. We must keep in mind the critical
22 importance of keeping the carp from establishing
23 populations in the Great Lakes. We must maintain
24 the sense of urgency that surrounds this issue, and
25 we simply must remain unified in our efforts. So

1 longer term there needs to be a commitment to
2 eliminating the pathways that allow invasive species
3 to move between the Great Lakes and Mississippi
4 River basins.

5 With respect to short-term actions in the
6 Framework, significantly increased and more targeted
7 surveillance and monitoring is we believe needed
8 immediately. That appears contemplated in the
9 Framework but there needs to be more information
10 about location, frequency, type of monitoring as
11 that becomes available. It's not clear in the
12 short-term actions what numbers of Asian carp and
13 what size area will trigger a response nor is it
14 clear what actions might be triggered in response.

15 Many potential new control techniques are
16 contemplated in the Framework along with refinement
17 of the eDNA research. We suggest that this research
18 be identified not only as a short-term but also mid
19 and long-term and that field testing and full scale
20 use be included as well in the short, near and
21 long-term plans depending on when those results are
22 obtained and the techniques are available. We would
23 also include intensive fishing with possible
24 commercial marketing for areas downstream of
25 Lockport and the Illinois River to be a short-term

1 action continued into the mid and long-term.

2 With respect to long-term actions,
3 increased frequency of Lacey Act violation for
4 interstate transport of Asian carp is listed as a
5 long-term action. There's no reason in our opinion
6 that this could not be done in the short-term.
7 Likewise, there should be short-term restrictions on
8 ballast water exchanging from one side of the
9 barrier to the other.

10 Also, it appears that a large majority of
11 the money for the Asian carp work is coming from the
12 Great Lakes Restoration Initiative. Wider sources
13 of funding need to be found for this work as it
14 moves forward. The Restoration Initiative funding
15 is critical to addressing other Great Lakes needs
16 across the entire basin.

17 The feasibility study for the long-term
18 solution to this problem is probably, in our
19 opinion, the most important part of the Framework.
20 It refers to reducing the risk of aquatic invasive
21 species transfer. A much stronger commitment to
22 this result with an emphasis on physical separation
23 is needed.

24 Also, for a project of this magnitude,
25 there must be a much broader set of interests

1 included in both the development and the execution
2 of the study so that the full range of economic,
3 social and environmental factors are incorporated
4 into coming up with a solution. We don't want to
5 send our grandchildren's children down this same
6 road again in the future.

7 With respect to the formatting of the
8 report itself, I think rather than read that
9 through, I've left a copy for the panel and we'll
10 just refer you to that. Finally, there are many
11 places within the Framework where reference is made
12 to state and tribal efforts. Those references
13 should also include local efforts. Cities are
14 deeply concerned about the threat that's represented
15 by this new aquatic invasive species.

16 For many of us throughout the Great Lakes
17 basin, our economies depend on the lakes and their
18 ongoing viability as a tourist and recreation
19 resource. We are paying a high price for --
20 associated with other invasives such as zebra
21 mussels that clogs our water intake pipes or the
22 quagga mussel that had reintroduced bluegreen algae
23 blooms to the system.

24 Every year Great Lakes cities invest over
25 15 million dollars cumulatively in water quality in

1 the Great Lakes, and so we call on the EPA and other
2 agencies to act swiftly and decisively to eliminate
3 this threat and to protect our precious waters.

4 Thanks again.

5 MR. DAVIS: Okay. Thank you, Mayor.

6 Gale Govaere is going to speak on behalf of
7 Senator Levin.

8 MS. GOVAERE: Good afternoon. It's a
9 pleasure to be here on behalf of Senator Levin. He
10 would have very much liked to be here himself but
11 unfortunately he had some previous commitments here
12 in Michigan that he could not dismiss himself from.
13 He has asked that I read a statement on his behalf.

14 The Great Lakes are one of our nation's
15 greatest natural resources and ensuring the
16 protection and restoration of this treasure must
17 continue to be a top priority. Our fisheries are
18 valued at 7 billion dollars per year. Asian carp,
19 which consume 40 percent of their body weight every
20 day and grow up to 100 pounds, are a significant
21 threat to the Great Lakes fisheries and we must do
22 all that we can to prevent them from being
23 introduced into the Great Lakes.

24 I have long supported the construction of
25 the electric dispersal barrier in the Chicago

1 Sanitary and Ship Canal through legislation and
2 appropriations. We have secured authority for the
3 Corps to implement emergency measures to prevent the
4 Asian carp from bypassing the barrier.

5 We introduced the Asian carp Prevention and
6 Control Act which would list Asian carp as injurious
7 under the Lacey Act so that no one could import or
8 sell in interstate commerce live Asian carp. In
9 various meetings with federal officials, they have
10 assured our delegation that they have the necessary
11 funding to address the situation and that they have
12 the authority to close the locks.

13 While I am pleased that federal agencies
14 are engaged in preventing the Asian carp from
15 entering and establishing a population in the Great
16 Lakes, I am discouraged that the actions identified
17 in the Asian carp Control Strategy Framework are not
18 more aggressive.

19 First, agencies should be acting faster.
20 Fish are not active in the winter months; however,
21 if we wait until warmer whether to take action it
22 may be too late. Second, the Framework does not
23 have clear factors for triggering specific action
24 such as lock closure. Third, the agencies with
25 authority continue to fail to budget adequately.

1 The administration is relying on funding from the
2 Environmental Protection Agency's Great Lakes
3 Restoration Initiative to supplement Asian carp
4 control efforts. This was not the purpose for that
5 long fought-for initiative.

6 Invasive species are a very big problem in
7 the Great Lakes. They cause significant
8 environmental and economic harm. Prevention is the
9 best solution. So I hope the federal agencies
10 understand the threat of Asian carp and will act
11 with urgency to prevent Asian carp from entering the
12 Great Lakes. On behalf of Senator Levin, thank you
13 very much.

14 MR. DAVIS: Thank you. Congressman
15 Dingell?

16
17 CONGRESSMAN DINGELL: Good afternoon
18 everybody. I want to thank our panel for being
19 here. We need your help. I want to thank everybody
20 else for being here because we have a big problem.
21 If these carp get into the lakes, we have a fine
22 mess on our hands.

23 Now, I know that there is a system of
24 electric weirs, which I hope will be helpful. I
25 know one of them is I believe down for maintenance

1 and one of them is less than full power. I know
2 also that we had found carp DNA at the south end of
3 Lake Michigan, and this is a matter I think of
4 genuine concern to us all.

5 Having said this, it's my view that the
6 very best thing that we can do is to see to it that
7 we close the locks so that they no longer are a
8 point of access for the carp into the Great Lakes.
9 I would point out that whatever we do, carp are not
10 going to go away, and they're going to be a
11 long-term and continuing problem to all of us here.

12 I'm particularly troubled about the fact
13 that we have allowed them to get this far north
14 before we began to take action to see to it that
15 something was properly done. I think that that has
16 now placed us in a position where we are at a
17 greater threat than we would have been had we
18 proceeded with more vigor at a proper time.

19 Having said this, there are certainly two
20 phases of what it is that is before us. The first
21 is a short-term approach to the problem and the
22 second is the long-term approach. We need to
23 recognize that this goes beyond just a problem with
24 carp. Because if you look at the Great Lakes you'll
25 find that they have been infested by all kinds of

1 invasive species beginning with the lamprey, which
2 is a curse and, of course, the different quagga
3 mussels and zebra mussels and the certain small fish
4 that are coming in from ballast and through other
5 mechanisms.

6 This being so, we have to address the
7 concern that is properly before us, and that is that
8 we're not controlling the entry of these kinds of
9 species. And it's not just the Great Lakes but
10 almost every water system we have in this country
11 and a large number of other environmental concerns
12 that we have and other types of dangers to us.

13 Having said this, I'm delighted to see that
14 we are doing what we're doing today. My hope for
15 this would be closing the locks, but beyond that I
16 hope that a short-term control program will take
17 place. I think we're going to have to use a little
18 bit of Rotenone and perhaps other pesticides if we
19 can do so safely without threatening water quality,
20 the environment and public safety.

21 Having said that, we do still confront the
22 nasty problem of dealing with these carp over the
23 long haul. Obviously, eradication won't work, but I
24 had a colleague in the Congress who was a Cajun who
25 one time observed that we could handle a problem in

1 Vietnam very nicely by telling the Cajuns that the
2 Viet Cong were illegal, out of season and good to
3 eat. And he said if we sent a few of them over
4 there they would dispose of that problem very
5 quickly.

6 I'm not saying that that's going to work
7 here but I think it's very clear that from this
8 meeting and from our collective efforts, we're going
9 to have to come to a long-term approach to this
10 matter beginning with, as I mentioned, short-term
11 approach I'd suggest by the closure of the locks.
12 But going down that, seeing to it that the repair of
13 the electric weirs goes forward with all speed. And
14 beyond that, that if additional mechanisms of this
15 kind are required, they are put in place.

16 Beyond that, I would suggest that a
17 long-term program is going to require some advice of
18 my Cajun friend, and that is we have to convert
19 these things into something of value; in other
20 words, we have to find a way of creating an industry
21 to make them the object of a fishery which can be
22 directed at using them for fertilizer or for food
23 for animals or people, or putting them to some other
24 kind of constructive use like making fertilizer out
25 of them or something of that kind or animal food.

1 Having said these things, I hope that we
2 will proceed with all vigor and speed. As a member
3 of Congress, I look forward to finding what the
4 recommendations of this panel might be and I look
5 forward particularly to seeing to what regulatory
6 action you suggest so that we can see to it that
7 those recommendations are implemented with proper
8 levels of enthusiasm of the administration.

9 Having said that, I also look forward to
10 seeing what recommendations are made by the panel
11 and by others of concern to see to it that we take
12 the necessary steps that we have to in the field of
13 legislation and with funding and appropriations or
14 what other steps must be taken that are necessary to
15 assure that we can protect the Great Lakes from a
16 particularly obnoxious species which might enter and
17 which might be impossible to eradicate with all the
18 unfortunate costs that intend that with a risk to
19 fish, wildlife, environment and to about a six to
20 seven billion dollar fishery, which is of enormous
21 value to the entire Midwest and to not only
22 Americans but to our Canadian neighbors.

23 Having said these things, I thank you. I
24 will have some additional suggestions for the
25 record, and I wish you great success in your

1 undertakings today. I urge great vigor and I thank
2 you for your presence.

3 MR. DAVIS: Okay. Next Ken DeBeaussaert
4 from the Office of Great Lakes with the State of
5 Michigan, Michigan Department of Natural Resources
6 and Environment now.

7 MR. DEBEAUSSAERT: Good afternoon and
8 thanks to all the panel for hosting today's
9 opportunity for the people of Michigan to speak out
10 about the imminent threat posed by Asian carp. It
11 is always a challenge to have to follow the Dean of
12 The House in making a presentation but I take some
13 comfort in the fact that I'm bringing the message
14 from the government that is largely in line with the
15 comments that he has just made.

16 The fact is that Michigan has a long
17 history of supporting actions to protect our lakes
18 from the threat of Asian carp to providing direct
19 financial support for the electrical barrier in the
20 past and providing staffing and equipment and
21 supplies for the assembling of emergency response
22 action. And we've had along the way broad
23 bipartisan support not only from state legislature,
24 our various branches of state government and, of
25 course, the great leadership of our Congressional

1 delegation.

2 So we appreciate the fact that a lot of
3 effort has gone into developing this Framework and
4 there are significant portions of it that we
5 support, and I will be providing some more detailed
6 comments for the record, both in terms of the areas
7 where we have that agreement and also those areas
8 that I'll touch on briefly here where we think the
9 Framework could be improved.

10 It's no surprise to the people on this
11 panel the comments I'll be making, as you heard from
12 Governor Granholm during her -- a meeting at the
13 White House on the Carp Summit last week and as the
14 Department of Natural Resources and Environment
15 Director Rebecca Humphries testified before Congress
16 last week, we think that the Framework lacks both
17 the short and the long-term actions that are
18 necessary to address the threat.

19 From the meetings and from other actions
20 you know that Michigan believes that closing the
21 O'Brien and Chicago locks are necessary to protect
22 the Great Lakes, but to do so until a more permanent
23 physical separation of the Great Lakes and
24 Mississippi watersheds can be achieved. The
25 Framework doesn't include the emergency measures

1 related to locks which I think are necessary and
2 promises only to study the physical separation on a
3 timeline that we think can be improved upon.

4 So rather than go through the details of
5 all the areas of agreement and challenges that we
6 see in the document, I would just like to emphasize
7 a question that the Governor I think raised in her
8 meetings and that you've heard from others here
9 today. It's obvious it appeared from the Framework
10 that federal agencies at this point at least have
11 not invoked all of the emergency powers that might
12 be available in a situation if you felt the facts
13 warranted them.

14 Beyond the closure of the locks, there are
15 other activities and reviews that could be expedited
16 if an emergency situation were to be declared. If
17 it is your collective view today that there is not
18 sufficient amount of facts available to warrant
19 those kinds of triggers, what would the facts need
20 to be to lead to those conclusions to expedite the
21 process that you have before you?

22 You've heard that question from others, and
23 as you may not be able to answer it here today, I
24 would urge that as you move forward in the
25 development of the Framework that you develop some

1 sound answers to that important question. I think
2 again the Great Lakes needs action today to provide
3 the best short-term solutions available, and the
4 Mississippi watershed and the Great Lakes both
5 deserve the kind of long-term framework that
6 provides permanent solutions to this problem by
7 physically separating the watersheds.

8 I ask that you move forward in this process
9 and fairly consider the input you'll be receiving
10 today. You've heard it, as I said, from our
11 governor and lieutenant governor in the past and our
12 attorney general, a broad bipartisan coalition of
13 Michigan elected officials as well as our
14 congressional delegation. I hope you'll use that
15 input to improve the document as we move forward.
16 We look forward to working with you to provide the
17 best possible defense for the Great Lakes and ask
18 that as we move forward, we also keep in mind as
19 others have suggested that Asian carp are an
20 imminent threat, but they're not the only threat to
21 the Great Lakes. In fact, we've had already great
22 harm caused by invasive species from other pathways
23 that need to be addressed. As we move forward in
24 solving this problem, we need not lose track of the
25 fact that we need to address issues like ballast

1 water and other pathways for introduction.

2 Thank you very much for your patience in
3 listening to this brief repetition of Michigan's
4 position, and I hope you will fairly listen to the
5 rest of the citizens who have come here today.

6 Thank you.

7 MR. WOOLEY: Next there's two
8 Congresswomen, Congresswoman Biggert and Halverson,
9 who are not able to be here, and we will have their
10 statements read.

11 MS. SPEIZMAN: Debbie Halverson is
12 a Congresswoman from Illinois. She is a
13 Congresswoman from the 11th District. She writes:
14 Supporting Illinois businesses so that they can
15 create jobs is one of our top priorities and I've
16 been proud to stand by the Illinois Chamber of
17 Commerce and the businesses they represent in
18 protecting the jobs our families rely on. I applaud
19 the Illinois Chamber in calling for a balanced
20 approach to stopping invasive species from entering
21 our fragile environment. The eight-point plan put
22 forth by the Illinois Chamber should be considered a
23 common-sense roadmap to addressing a serious problem
24 without putting Illinois jobs and Illinois
25 businesses at risk, and should be put into

1 consideration.

2 While there are multiple calls to close the
3 O'Brien and Chicago locks, we need to make sure the
4 economic impact that any potential lock closure
5 would have is well known. There are Illinois jobs
6 and families that depend on our waterways, and
7 closure of the locks is an unproven option that
8 isn't guaranteed to keep carp out of the lakes.
9 Even reduced operation of the locks will have a
10 devastating impact on our region's economy and
11 result in a loss of jobs and higher prices for
12 consumers.

13 These locks help us move a lot of goods - a
14 study showed that if the corn industry alone had to
15 begin shipping their products on highways instead of
16 our waterways, it would cost an additional 500
17 million dollars a year. That's unacceptable, and
18 those are costs that would be passed down to
19 consumers.

20 On behalf of my district, I want to thank
21 Jim Farrell and the Illinois Chamber for their
22 leadership on this issue, and for their advocacy on
23 behalf of Illinois jobs and businesses.

24 The next statement is from Congresswoman
25 Judy Biggert. She's from the 11th District in

1 Illinois.

2 Thank you for holding today's public
3 hearing on the Asian carp prevention framework for
4 the Great Lakes. I commend your efforts to convene
5 all important stakeholders interested in balancing
6 the mission of the waterway system with that of
7 Asian carp mitigation efforts.

8 In recent weeks, efforts to litigate and
9 legislate Chicago-area lock closures as a means of
10 keeping Asian carp out of Lake Michigan have reached
11 nightmarish proportions.

12 Just think for a moment about what has
13 prompted this hysteria. A dead Asian carp was found
14 below the electronic barrier, and a tiny bit of eDNA
15 was found above the electronic barriers. What is
16 eDNA? It could be fish feces, a fish scale or a
17 fish egg discharged by ballast water. Are there
18 pools of Asian carp swimming above the electronic
19 barriers? Of course not. The only breeding
20 population remains 42 miles away from Lake Michigan,
21 in what some believe to be an ideal habitat for them
22 in the Peru flats of Illinois.

23 While we all agree that Asian carp must be
24 kept out of the Great Lakes, some have proposed we
25 take the "act now-think later" approach of closing

1 Chicago-area locks.

2 This proposal fails to realize that lock
3 closure is likely to increase the risk of Asian carp
4 entering the Great Lakes, not decrease it. The
5 Metropolitan Water Reclamation District of Chicago
6 manages wastewater and storm water for Chicago and
7 124 municipalities through an intricate
8 system of sluice gates, tunnels and reservoirs that
9 have taken decades to construct. Closing the locks
10 would overwhelm that tunnel system and cause massive
11 flooding affecting more than three million people
12 and 1.4 million structures in Chicago and 51
13 surrounding suburbs.

14 If the locks were to remain closed, as
15 litigation and proposed legislation would call for,
16 excess flood water could no longer be released into
17 Lake Michigan and could flow over the top of the
18 lock - creating more avenues for carp to migrate
19 into the lake - just as flooding in the south
20 allowed them to enter the Mississippi River to start
21 with.

22 Not only would lock closure not work, the
23 interruption of lock traffic would be absolutely
24 devastating to our local, state and national
25 economy.

1 A 2007 study commissioned by our friends at
2 the Illinois Chamber suggests that lock and dam
3 closures could diminish the shipping and receiving
4 of over 29 million dollars worth of petroleum,
5 chemicals, building materials and farm products.
6 The Midwest depends on Illinois waterways to receive
7 road salt, coal and asphalt to thrive.

8 There's no viable alternative to rerouting
9 that commerce. According to the American Waterways
10 Operators, a single barge can carry the amount of
11 liquid cargo - like asphalt - that would fill 144
12 semi-trailer trucks or 46 rail cars. Our rail and
13 highway routes are simply not equipped to make up
14 that difference.

15 Now is a time to work together to address
16 these, and other important questions to combat Asian
17 carp and protect jobs and commerce. But I will not
18 allow those who harbor an "act now-think later"
19 approach to solving this problem, flood our
20 basements and kill our jobs for a quick fix that
21 won't work. Closing our locks and dams is not the
22 answer.

23 DR. HOMER: Okay. I think that's the rest
24 of the -- that's all of the elected officials at
25 this time. We're still waiting for -- is it Senator

1 Stabenow to get here. And now we what we'd like to
2 do is to allow for technical questions specific to
3 the Framework.

4 If you would like to please line up on the
5 far wall. These are just -- these are not comments,
6 these are specific questions you have about the
7 Framework. If you want to make just general
8 comments, we would ask you to please wait until that
9 period of time comes. But if you have specific
10 technical questions about specific issues within the
11 Framework itself, that's what this purpose is for.
12 And our panel, the committee here, will attempt to
13 answer your questions. Okay? And again, as you can
14 see, there are a number of people who want their
15 questions to be answered so if you can be as brief
16 and succinct as you can, we'd much appreciate it.

17 Okay, first. Yes, please state your name
18 and what organization you represent or if you're
19 just a general citizen.

20 MR. KINDRA: Hi, my name is John Kindra.
21 I'm here with Kindra Lake Towing. We're a tug and
22 barge operation in Chicago. My question is for
23 Cameron Davis.

24 In the Framework on page four it states
25 that the Chicago area waterways have been improved

1 over the last 30 years as a result of all the
2 different infrastructures, I guess they're saying
3 laws and regulations, and that has -- the water has
4 improved the habitat of -- the fish habitat in the
5 waterways there.

6 My question is that I'd like to see the
7 aeration stations shut off in Chicago to stop adding
8 oxygen to the cause so that we can reduce the oxygen
9 in there and stop this habitat improvement for the
10 fish. Any fish.

11 MR. DAVIS: That wasn't really a question
12 but I got your comment, though.

13 MR. KINDRA: Okay. Well, is that -- I
14 guess I'm being told that that's a Clean Waters Act
15 and we can't change that, and since you're from the
16 EPA can we get that changed so that we can shut
17 those aeration stations off?

18 MR. DAVIS: It's in the Framework which --
19 let me make sure I'm speaking in the mic. It is in
20 the Framework which means that it's something that
21 we do want to talk about and want to have a
22 deliberation about whether or not we can do that.

23 But the fact that it's in the Framework
24 means that it's on the map, so to speak, in terms of
25 a consideration.

1 MR. KINDRA: Okay.

2 DR. HOMER: Thank you. Just also to remind
3 you guys that this is being done via webcast and so
4 there are people who are online that will be also
5 asking questions and we'll try to take those
6 when we can.

7 MR. WAGNER: Hello, my name is Ken Wagner.
8 I'm with Shoreline Sightseeing out of Chicago.

9 My question to you -- I'd like to first
10 thank the committee for holding this and letting us
11 voice our questions -- deals with the eDNA testing.
12 Can it tell how fresh the sample is, whether it was
13 from a bird dropping, ballast water or how many fish
14 caused this sample, and also other than the Cal
15 Harbor, have any of the other harbors along the
16 Chicago lakefront been tested?

17 DR. CHADDERTON: In response to the first
18 question, laboratory studies indicate that DNA lasts
19 somewhere between six and 48 years and that's in
20 standard environmental conditions. So any DNA that
21 we detect we think is probably less than two days
22 old, we cannot tell how many fish, how recently that
23 DNA was released. In terms of other alternative
24 sources, while there are possibly other sources, as
25 you've indicated, we don't believe any of those

1 plausibly explains the presence that we are seeing
2 in the waterway system. And our advice to the
3 agencies is that the most plausible explanation for
4 the presence of this DNA is the presence of live
5 fish.

6 In terms of the second question, we have
7 taken a small number of samples outside of the
8 Chicago lock in the harbor area, not actually in
9 Burns Harbor but certainly in the area around there,
10 and the only other area that we have sampled is
11 within the Calumet Harbor, and we're talking a very
12 small number of samples. Thank you.

13 MR. WOLAK: Good afternoon, Kurt Wolak and
14 I'm with Carp Are Crap. Thank you to the panel.
15 One of the reasons that carp overwhelm populations
16 in waterways is by sheer numbers. A single female
17 can produce millions of eggs compared to other fish
18 which produce thousands. Also, these eggs must --
19 they're semi warm, and they must remain so until
20 they hatch. Carp tend to spawn in waters that are
21 somewhat turbulent like around openings of rivers
22 and islands and around piers.

23 So my question is also the electronic
24 barrier itself distributes a charge that is
25 proportional to the size of the fish, so there's

1 been some concern that waterable fish would not
2 receive as much of a charge and thereby be able to
3 actually transverse the barrier. I would also
4 assume this is would be the same for fertilized
5 eggs.

6 Rotenone, the poison that is used to
7 control carp, controls carp and all other fishes by
8 cutting off their ability to uptake oxygen. I don't
9 know if this would actually have the same effect on
10 fertilized eggs. So my question is, A, is there
11 some inert material, a vibrational technique that we
12 might be able to employ during spawning season that
13 would cause these carp eggs to sink and therefore
14 not be able to hatch and then also have the effect
15 that the material or technique would not have any
16 injurious effects on any of the desirable species
17 that are currently in the waterway.

18 I also would like to add that the Rotenone
19 poisoning technique has some real liabilities with
20 it and is best used in closed water systems or
21 closed waterway systems, industrial canals that
22 controls can be set in place and also that don't
23 have desirable fish populations. Poison is not an
24 answer for the Great Lakes water region. Thank you.

25 I was wondering about a technique to sink

1 the carp eggs.

2 DR. HOMER: Leon Carl is our USGS scientist
3 who's here in the room. His scientists are starting
4 to look at options of attracting pheromones,
5 attracting repellants, biocides along the line of
6 what you've just recommended. So we have some
7 premier imminent scientists in the federal
8 government starting to look at some of these
9 options. That's probably the best way to answer
10 your question. It is not lost on us that there are
11 other tools out there that we need to get into our
12 tool box.

13 MR. DAWIDOWICZ: Hi, I'm Brian Dawidowicz
14 with Shoreline Sightseeing in Chicago. What's being
15 communicated through what I understand from the
16 presentation today is that there's a race against
17 time with these carp and I'm hearing the short-term
18 plan being around -- I heard 90 days was one of the
19 time frames I heard. So that correlates directly
20 with my industry and when my industry begins their
21 season.

22 So I guess my question is how much
23 consideration can be weighed into how this will
24 directly affect industries that will be restricted
25 and will have to come up with ways to let their

1 businesses survive? How much time can be allowed
2 for that or does the threat of the carp outweigh
3 that type of consideration?

4 MR. DAVIS: Thank you, Brian. It kind of
5 depends on what you're talking about. For
6 short-term actions, you know, some of the things
7 that we've heard about today from Charlie at Fish
8 and Wildlife Service are netting and shocking and
9 things like that. I wouldn't anticipate that those
10 would have any major ongoing impacts on navigation
11 but we have the Coast Guard here who could probably
12 speak better to that in case there might have to be
13 temporary suspensions or safety zones I think as
14 they call them.

15 CAPTAIN THOMAS: The Coast Guard would
16 implement any necessary safety zones or regular
17 navigation areas to support any of the short-term
18 actions such as a fish kill or a targeted fishing.
19 However, I think the question may have been directed
20 towards modified lock closures which I guess is
21 still under consideration, and the Secretary of the
22 Army could speak to that. I think she'll be giving
23 some recommendations here in the next month or so
24 and determine a way to head with respect to those.

25 MS. DARCY: The modified lock operations is

1 part of the short-term consideration, so that would
2 be something we'd be considering within the next 90
3 days.

4 DR. HOMER: Okay. Just an oversight on my
5 part, I forgot to mention that Don Brown is a
6 representative of Congresswoman Candice Miller whose
7 office is here monitoring this on behalf of the
8 Congresswoman, and he's there in the back, just so
9 if you're within that district there's somebody you
10 can talk to.

11 Okay. All right. Question, please.

12 MR. HOLINGER (ph.): Hi, Michael Holinger.
13 I'm representing the Cool Blue Five, Great Lakes
14 Lovers. You can call me Captain Nemo.

15 I was at the Chicago meeting. I mentioned
16 that this fence sounds like an improvise. We need
17 to work on this together to make this fence a little
18 bit more not appealing for the fish to go around it.

19 This fence and this poison that you put in
20 the river, the poison has been done already and you
21 came up with fish. Okay? It would make a heck of a
22 lot easier scenario of events for the shipping
23 industry and commerce in Chicago if not putting this
24 new fence within a 60-mile area of the fence that is
25 operating right now and moving it downstream further

1 so that we can have a buffer zone between the Great
2 Lakes and where this new fence that you say you're
3 going to put practically close up to the next one.
4 And then after the fence is constructed, poison the
5 river so that we have this buffer zone so that the
6 fish -- so that it can be monitored and the fish be
7 controlled in a more controlled manner.

8 DR. HOMER: Sir, do you have a question?

9 MR. HOLINGER: Yes. My question is I would
10 like to have an answer in regards to what is the
11 native fish decline in the river since this fish has
12 been introduced into it from the catfish farmers?

13 MR. WOOLEY: In the lower Missouri River
14 we've seen impacts to catfish, largemouth bass,
15 probably some impacts on paddle sturgeon and lake
16 sturgeon. Middle Mississippi River we've seen
17 impacts on bluegills and sunfish. Illinois River,
18 same kind of species, particularly largemouth bass,
19 valuable sport and commercial fisheries in those
20 body of waters.

21 MR. HOLINGER: Okay. So you're basically
22 saying that it's the same outcome. Like you had
23 mentioned, it's a vacuum cleaner.

24 MR. WOOLEY: That is correct.

25 MR. HOLINGER: Okay. Why are we not moving

1 this protective prison fence further south to keep
2 them away from the lakes as much as possible and
3 then monitor the situation from that new fence
4 further south on the Illinois River?

5 You could put it all the way to the
6 Mississippi River and make it an Illinois barrier
7 and not allow these fish to enter the state of
8 Illinois, the great Land of Lincoln. Friday was
9 Lincoln's birthday, and everybody from the shipping
10 industry basically crapped on Lincoln that day from
11 Chicago. Okay. I'm done. Thank you.

12 DR. HOMER: Thank you. Next question,
13 please. If you have comments, please save them for
14 the comment section. We're going to just specific
15 technical questions.

16 MR. LUDVIK: My name is John Ludvik. I'm a
17 captain at Shoreline Sightseeing and with Chicago
18 Tall Ships. I'm sort of reiterating what my
19 predecessor just was asking. I'd like to articulate
20 it out a little bit better. This is directed
21 towards Charlie Wooley.

22 There have been noticed that there are no
23 live fish in between the barrier and Chicago. We
24 have not found any. Seven miles south of that we've
25 only found one fish. Is the panel looking at

1 targeting farther down the river rather than waiting
2 until the last point of entering the lake?

3 Is that part of the panel looking to go
4 down the river, maybe put another electrical barrier
5 and adding something there or are you just looking
6 from that barrier towards the river?

7 MR. WOOLEY: Well, the electrical barrier
8 is probably a better question for the Corps, but as
9 it relates to other populations of Asian carp, yes,
10 the Illinois Department of Natural Resources is
11 looking at hiring commercial fisherman to go
12 downstream of where we treated with Rotenone in
13 December and start intensive fishing activities to
14 rid that area of the Chicago Sanitary Ship Canal or
15 reduce it significantly of Asian carp. So that
16 activity is being considered by the Department of
17 Natural Resources, yes.

18 DR. HOMER: Okay. Next question.

19 MR. MELVIN: All right. Thank you. Darrin
20 Melvin with -- the owner of (indiscernible)
21 Association. Curious about the eDNA testing with
22 the recent positive samples that have been found and
23 just how that compares with the previous baseline
24 samples that you've had and what the time frame
25 difference was between the two.

1 DR. CHADDERTON: The latest eDNA results
2 that were reported for the area directly above and
3 below the O'Brien Lock were obtained on the eighth
4 of December. We've only sampled that area above the
5 locks, so from O'Brien Lock to Calumet Harbor on one
6 other occasion.

7 The previous occasion we failed to detect
8 any DNA. So the only time that we have detected DNA
9 in the region from the O'Brien Lock to the Calumet
10 Harbor is from the samples we collected on the
11 eighth of December.

12 From the area directly below O'Brien Lock,
13 we have recorded DNA in a stretch of about four and
14 a half miles of river below the O'Brien Locks. This
15 is moving towards the Chicago Sanitary and Ship
16 Canal, and we recorded that on I think all three
17 occasions that we've sampled in that region.

18 MR. MELVIN: So were there any negative
19 tests going back two or three years?

20 DR. CHADDERTON: So this was only applied
21 over the last eight months. So the first time that
22 was used was in June 2009.

23 DR. HOMER: Next question.

24 MR. WILKINS: Thank you. Del Wilkins,
25 Canal Barge Company at (inaudible) operations in

1 Chicago and Ontario.

2 This question is for the assistant
3 secretary, and the question basically is what is
4 your confidence of the existing Barrier IIA?

5 MS. DARCY: I have confidence in Barrier
6 IIA. We have taken down the barrier and maintained
7 it. We have continued to have the electric charges
8 going through there that we think are at a rate that
9 will continue to keep carp away. And so I have
10 great confidence in Barrier IIA.

11 MR. WILKINS: So if I could follow up. So
12 by adding the second barrier as planned for October
13 it will only reinforce what's already in place?

14 MS. DARCY: That's our goal.

15 MR. WILKINS: Okay. Thank you.

16 DR. HOMER: Okay. Next question.

17 MR. RYZUK: Hello, I'm Paul Ryzuk. I work
18 for Shoreline Sightseeing. I was wondering if
19 anybody considered using a hot water barrier. Isn't
20 there a power plant located just south of -- well,
21 the electric barrier. And I was wondering if you
22 could create -- use the wastewater from the nuclear
23 power plant to create an effective barrier to keep
24 the fish from swimming upstream.

25 Can I submit this?

1 DR. HOMER: Yeah, sure. We're in the
2 process of convening what we're calling our risk
3 assessment panel, 12 biologists, scientists,
4 engineers, they started their work today to look at
5 every possible option within this section of the
6 Chicago Sanitary Ship Canal to assure us that carp
7 cannot get into Southern Lake Michigan.

8 So all options are on the table for this
9 risk assessment panel. Some of those, as you
10 mentioned could possibly be in the mix.

11 MR. RYZUK: I think it would be a good idea
12 anyway. I don't want to lose my job.

13 DR. HOMER: Next question.

14 MR. MC ELROY: Good afternoon, ladies and
15 gentlemen. My name is Mike McElroy. I'm chief
16 engineer and captain at Mercury Sightseeing Boats of
17 Chicago, Illinois.

18 My question is more of a regulatory
19 question. The Framework specifically indicates that
20 modified structural operations or lock closures and
21 the impacts of this will be evaluated pursuant to
22 applicable laws such as NEPA, National Environmental
23 Policy Act. NEPA calls for the creation of
24 environmental assessment or for required
25 environmental impact statement.

1 I guess my question is, we've gone over
2 this before with Colonel Quarrels. I'm unsure
3 exactly where we are in the formulation or scoping
4 process for an environmental impact statement. I'm
5 concerned -- maybe you can answer this question --
6 that there's potential for bypassing the normal
7 legal policies here utilizing Section 126 of the
8 2009 Appropriations Act.

9 I guess this is a question for the council
10 on the environmental quality. Is there an intent to
11 bypass the laws that were put here to establish good
12 scoping, best practices and research?

13 MR. DAVIS: I think the answer is no, there
14 is no intent to bypass the laws. They're there for
15 a reason and they need to -- all of the agencies
16 here need to live by those laws.

17 MR. MC ELROY: Excellent. So EIS will be
18 formulated then?

19 MS. DARCY: In our considerations of
20 modified lock operations, we're doing an
21 environmental assessment and that will help to drive
22 the recommendations that will be made as to whether
23 the locks should be modified or closed.

24 MR. MC ELROY: So EIS will not be
25 formulated? I guess that's my question: Will there

1 or will there not be an EIS, environmental impact
2 statement?

3 MS. DARCY: There will be an environmental
4 assessment.

5 MR. MC ELROY: No EIS. Very good. Thank
6 you.

7 DR. HOMER: Okay. Next question.

8 MR. AGRA: Thank you. My name is Captain
9 Bob Agra from Chicago First Lady Cruises in Chicago.

10 In your proposed plan to modify the
11 structural operations at the Chicago locks, do you
12 plan on closing the Chicago River to navigation? If
13 so why? How much the river and for what periods of
14 time?

15 MS. DARCY: I guess that's for me. And
16 we've said in the short-term strategy what we're
17 looking at is possibilities of modified lock
18 operations. And as I explained earlier, those would
19 be having scheduled openings and closings of the
20 locks.

21 You heard from many people here that we
22 should just close the locks right now. We need to
23 consider all the implications of closing the locks,
24 both on the community, on the ecosystem and on the
25 environment.

1 MR. AGRA: Have you considered what that
2 catastrophic lock closure will do to the tour boat
3 industry in Chicago?

4 MS. DARCY: We are considering that.

5 MR. AGRA: Thank you.

6 DR. HOMER: Okay. Next question.

7 MR. WONOKUL: Hello, I'm Craig Wonokul from
8 the Chicago Water Taxi. And despite what
9 Mr. Chadderton says, General Peabody in his
10 testimony to Congress said that eDNA is not fully
11 tested and still being reviewed. That said,
12 Mr. Wooley described three instances where eDNA has
13 indicated carp exists. In all three instances guys
14 in the field that go and don't find any fish.

15 So my question is when does the committee
16 start saying, hey, maybe the guys from eDNA got it
17 wrong and why was there no members of northern --
18 the stakeholders from Northern Illinois Commercial
19 Industries.

20 UNIDENTIFIED SPEAKER: Are not technical
21 questions. This is just blogging.

22 DR. HOMER: Technical, please.

23 DR. CHADDERTON: I'll answer from a
24 technical point of view.

25 UNIDENTIFIED SPEAKER: Give us a break.

1 DR. CHADDERTON: To answer in terms of the
2 eDNA detectability, it is a new technique. There
3 are new things to learn here. I think that's what
4 the general was getting at.

5 In terms of the reliability of the tool,
6 the simple reality is that we can detect fish at
7 lower levels than standard tools are able to do. We
8 know that electric fishing and (indiscernible) are
9 not particularly good tools at detecting low numbers
10 of fish. That is why we are -- and it's quite
11 common for these other individuals to go into areas
12 where we are detecting fish and they're not able to
13 pick them up. Equally, the conditions in which they
14 are doing this fishing, because it's deep water,
15 it's fast flowing, it's not suitable for these other
16 tools.

17 So I think I guess -- I think our advice to
18 you and to everybody here is that we believe the
19 most plausible explanation for the presence of this
20 DNA is that there are live fish, and I think what we
21 should be focusing on what is the common ground, can
22 we move forward, how do we get what we all need?
23 And I think you can continue to detect the
24 (inaudible) but I'm not sure it's actually doing
25 anything.

1 MR. WONOKUL: Plausible to me sounds like
2 gosh, I think.

3 DR. HOMER: Next question.

4 MR. PUPECKI: Thank you very much. Gregg
5 Pupecki, Wendella Boats.

6 Speaking to the Framework here, directly
7 quoting part of it, it says capture and/or direct
8 observation is the most solid confirmation of
9 presence of Asian carp.

10 So I guess my question also is with -- also
11 stated in the Framework is that even if you were to
12 lock the lock gates closed and threw away the key,
13 according to the same Framework, the carp can still
14 find their way into the lake through the unregulated
15 access points in the Grand Calumet and the Little
16 Calumet and the Indiana Harbor.

17 So taking that into account, how here --
18 what would justify an emergency lock closure at this
19 point within a few months if all the evidence is not
20 in yet? We poisoned carp. Today we also went out
21 and tried to catch carp. We couldn't find any carp.
22 We've been looking for carp. We can't find any
23 carp.

24 So I'm just curious, what would be the
25 reason and the evidence to justify an emergency lock

1 closure at this point? There's no evidence. And
2 there's also in the Calumet River, the Little
3 Calumet River and the Grand Calumet River, according
4 to your own Framework they'll get in that way. So
5 I'm a little confused.

6 MS. DARCY: At the moment we are relying on
7 as one of our tools in indicating whether there is
8 an emergency is the eDNA evidence, but it's just one
9 scientific tool that we're relying on.

10 In any consideration of closing the locks,
11 we have to consider more than the eDNA evidence. We
12 have to consider the impact on the whole ecosystem,
13 as I said earlier. It would be all the science that
14 we could possibly consider and weighed against the
15 economic impact that would have to inform the
16 decision of whether this is an (indiscernible).

17 MR. PUPECKI: What about the Little
18 Calumet; is that -- and the Grand Calumet, because
19 it says in here that the fish can get through that
20 way. I'm just curious.

21 MS. DARCY: They could get through that
22 way. The Corps of Engineers does not have lock
23 operations or any closure structures in that
24 pathway.

25 MR. PUPECKI: Okay.

1 MR. CROWTHER: Jim Crowther from Mercury
2 Sightseeing Yachts. I have a question of your eDNA
3 testing. And you're laughing, but I'm just a common
4 man.

5 DR. CHADDERTON: I'm sorry, I'm not
6 laughing. I'm sorry.

7 MR. CROWTHER: It sure seems like you're
8 smirking and laughing and I don't appreciate it.

9 DR. CHADDERTON: I was not laughing at you.
10 My apologies.

11 MR. CROWTHER: How accurate is your test
12 and has somebody else tested to see the accuracy of
13 it because you're saying there's eDNA everywhere
14 along this river but no fish. No fish has been seen
15 there. How accurate is your test?

16 DR. CHADDERTON: Okay. So the method has
17 been authored by an independent group at the EPA.
18 They have went through the entire process. They
19 have looked at the species specificity of the DNA
20 testing and shown that it is only detecting silver
21 and bighead carp. They have -- we have run some
22 blind samples for them that they knew what was in
23 them and we didn't. We've been able to demonstrate
24 that we are showing what they know was present.

25 And then in terms of the last part of this,

1 we have consistently been able to show that where
2 fish are known to be present we are detecting
3 bighead silver carp. We have shown where fish were
4 not known to be present below the electric barrier,
5 so this is in Brandon Road and Lockport Port. We
6 were detecting bighead and silver carp, and
7 subsequent fishing efforts in those areas have
8 detected bighead and silver carp. We are now
9 detecting DNA in areas above the barrier and there
10 has been very little fishing effort put into those
11 areas. (Inaudible) some amount of effort required
12 using traditional tools to detect these fish, seven
13 days of fishing were put into the area around the
14 confluence of the Des Plaines River or the Chicago
15 Sanitary Ship Canal where we detected DNA took seven
16 days of electric fishing to observe a single fish.

17 And in addition to that, there was
18 something like six boats operating for a full six to
19 eight-hour period in the Lockport Port below the
20 electric barrier. They failed to detect any fish.
21 But, subsequently, with the Rotenone treatment, a
22 bighead carp was collected.

23 The point I'm trying to make is that the
24 DNA detection tool is highly sensitive. We can pick
25 up probably what a lot of these other tools cannot.

1 MR. CROWTHER: It doesn't sound like it's
2 that accurate. The percentage of it being, you
3 know, how good is this test? A hundred percent
4 effective to show me where fish are or are not?

5 DR. CHADDERTON: In fact, it's probably the
6 reverse. Where we are detecting the presence of
7 DNA, what we would argue is it's likely that fish
8 are present. Where we are failing to detect the
9 presence of DNA, we cannot confirm that fish are
10 present or not.

11 MR. CROWTHER: So how accurate is your
12 test?

13 DR. CHADDERTON: We are not going to be
14 able to give you those numbers until we can run the
15 trials. I think they're --

16 MR. CROWTHER: You're running trials,
17 though, right? For a couple of years, correct? How
18 accurate is your test?

19 DR. CHADDERTON: We've been using this tool
20 for less than 12 months.

21 MR. CROWTHER: You must have a percentage
22 of how accurate it is.

23 DR. CHADDERTON: No. With any tool -- I
24 guess we are attempting to run a set of trials that
25 will give us some idea of what detection means in

1 terms of the amount of fish that are getting into --

2 MR. CROWTHER: So I'm supposed to take your
3 word for it that this actually works.

4 DR. HOMER: Okay. Next question.

5 MS. RUSSO: Thank you very much for the
6 opportunity to ask this question. My name is
7 Captain Regina Russo. I'm with Wendella Boats.

8 On page seven of the Framework in regards
9 to closing the Chicago locks and the lock system, it
10 says here that closing the locks do not completely
11 stop the flow of water. There is leakage through
12 and around the gates and that it means that it's
13 possible for fish to swim through the lock into the
14 lake even when the locks are closed.

15 Your draft, as I said, it says it is
16 possible for the fish to swim through the lock into
17 the lake when the locks are closed. Why would
18 closing the lock even be a consideration and why are
19 you considering closing the lock, especially with
20 the economic impact that it would have not just on
21 the city of Chicago but on the surrounding areas
22 with the cargo and the commercial vessels that
23 travel through.

24 The Chicago Harbor lock is the second
25 busiest lock in the United States with over 60,000

1 vessels through its chamber every single year. So
2 if it says in your own Framework that closure of the
3 locks would not be -- is not an efficient mode of
4 stopping the fish, why is it on the table? Why is
5 it a consideration?

6 MS. DARCY: It's a consideration because I
7 think, as Cam and others have said earlier, we want
8 to not disregard any possibility of trying to keep
9 the fish out of the lake. That said, the lock gates
10 at Chicago are designed for lockage and not keeping
11 fish out. So when the lock gates close, there is
12 still water that comes in and out of that
13 passageway.

14 If indeed a lock had to be closed and the
15 purpose was to make it water tight, we would have to
16 do additional structural additions to that lock in
17 order to make it water tight.

18 MS. RUSSO: So you're saying that it's an
19 ineffective barrier to fish but yet you're
20 considering closing that and disrupting 17 billion
21 dollars worth of commerce.

22 MS. DARCY: We are considering every option
23 and, as I said, if they were to be closed for the
24 purpose of keeping the fish out of the lake,
25 currently that's not their operation purpose. Their

1 purpose is for navigation and flood control.

2 So there would be an additional purpose for
3 that lock which would need to have a different
4 structural makeup in order to have it be efficient
5 to keep water out.

6 MS. RUSSO: So for your Framework, the goal
7 for closing the lock within 90 days, it would not be
8 affected?

9 MS. DARCY: Our 90-day goal, what we're
10 looking at is modifications to closing the locks, to
11 operating the locks. And those modifications would
12 be more of a timing than an actual physical
13 permanent closure.

14 DR. HOMER: Okay. We've got a number of
15 people still wanting to ask questions so try to keep
16 things short and to the point, please, so everyone
17 has a chance to ask those technical questions.

18 MS. PERRY: Good afternoon. My name is
19 Captain Jennifer Perry. I work for Wendella Boats
20 and Chicago Water Taxi in Chicago and I'm originally
21 from Saginaw, Michigan.

22 I'd like to -- my question is regarding
23 Section 2.1.1 of your action plan. And it's been
24 documented correctly that there have been no live
25 carp found within 40 miles of Chicago; is that

1 correct? That's what you had stated. Okay.

2 So my question is referencing 2.1.1 that
3 fish are being driven with electrofishing gear and
4 light/sound systems against lock and dam structures.

5 Why would you take carp from where you know
6 they are and push them up against a lock where you
7 know they're not, right up against Lake Michigan,
8 and then having the threat of the river flooding or
9 an emergency lock opening for the police boats or
10 fire boats and putting those carp into Lake
11 Michigan.

12 MS. DARCY: I'm not sure I understand your
13 question but --

14 MS. PERRY: Well, 2.1.1 states that fish
15 would be driven with electro fishing and light/sound
16 system against lock and dam structures.

17 MS. DARCY: It's a way of capturing fish.

18 MS. PERRY: My question is why would you
19 drive them from an area where you know they are to
20 an area where you know they aren't, which would be a
21 bigger threat to Lake Michigan than where they are
22 right now?

23 MR. WOOLEY: I can assure you that -- there
24 might be some slight misinterpretation here, but I
25 assure you that from Illinois DNR's perspective,

1 Fish and Wildlife Service's perspective, we would
2 not be driving them towards Lake Michigan.

3 Our responsibility here is keep them out of
4 the Great Lakes. We may utilize techniques like
5 that to help succeed in our sampling if there are
6 fish around but we would never ever use that
7 technique to drive them towards Lake Michigan.

8 MS. PERRY: But it says right here that
9 that's a consideration.

10 MS. HOMER: I think the point's been made,
11 ma'am. So next.

12 MS. PERRY: Okay. I was just asking a
13 question.

14 DR. HOMER: All right. Next question.

15 MR. POPPE: Kris Poppe with the Illinois
16 River Association. Mine is a Framework question.

17 Why is there no representation on the Asian
18 carp Regional Coordinating Committee from commercial
19 passenger vessels and/or the commercial towing barge
20 industry?

21 MR. DAVIS: Thank you, Kris. I think we
22 are interested in looking at how to bring
23 representation into the relevant decision-making
24 structure for execution of the Framework. I have to
25 confess that we've been really busy getting the

1 Framework together. We're looking at how to
2 solidify the right decision-making structure and how
3 to bring people in and outreach in an appropriate
4 way. So the question is well taken.

5 DR. HOMER: Okay. Next question.

6 UNIDENTIFIED PERSON: I had a question
7 that relates to the eDNA testing, PCR testing.
8 Already we found that -- you've said that you've
9 tested southern Lake Michigan and had some positive
10 tests in the lake.

11 Do you have standards set up for how many
12 fish per acre it takes for you to get a positive
13 test? Have you tested this in other areas, ponds,
14 tanks, something like that how much eDNA per acre?

15 How many fish does it take to actually get
16 a positive reading?

17 DR. CHADDERTON: No, we haven't run those
18 trials. We're in discussions with the Army Corps of
19 Engineers to run some trials where we can look at
20 the relationship between the numbers of fish and
21 detection rates. So if we detect DNA we know it's
22 coming from at least one fish.

23 DR. HOMER: Okay. Next question. Thank
24 you.

25 MR. BECCHETTI: I'd like to have a couple

1 of quick questions, no comments. Fred Becchetti,
2 lifelong Michigan sort of resident and fisherman. I
3 seem to be a minority here so maybe I can speak for
4 some of the others. So we have concerns, of course.

5 Has the Navy been brought into this to
6 maybe employ their hydrophone technology to look for
7 sonar signatures of moving carp?

8 Next question, do these carp interbreed
9 with other carp and are they sterile or not? If so,
10 what's being done to control the eggs across state
11 lines if they are, in fact, fertilized by
12 run-of-the-mill carp?

13 And is there any thought of implementing
14 sterilization processes that would sterilize these
15 fish in the river? There are methods to do that.
16 Have those been looked at? Sterile carp don't
17 reproduce as far as I know.

18 MR. DAVIS: As far as one goes, we'd like
19 to learn more about that technique if you have
20 information on it.

21 MR. BECCHETTI: They can detect whales.

22 MR. DAVIS: No, I'm talking about your
23 first question. In terms of detection and some of
24 the other methodologies, I'd have to defer to some
25 of the scientists and others on the panel.

1 MR. BECCHETTI: Yes.

2 MR. WOOLEY: Yes, we're in the process,
3 again, working with our research arm, US Geological
4 Survey, to start to looking at those options. Very,
5 very important. There is some radar that we're
6 looking at right now and we've used in the middle
7 Mississippi River to identify large schools of Asian
8 carp. We are in the process of bringing that tool
9 up to this part of the country.

10 So to answer your question, yes, we are
11 aware of it and we're going to try to employ it here
12 in Chicago.

13 MR. BECCHETTI: Sterilization issues?

14 MR. WOOLEY: We have not explored that for
15 the moment. We've spent a lot of time and energy
16 and effort doing that with grass carp but that's for
17 a separate and defined purpose. We don't
18 necessarily view that as an option right now with
19 Asian and bighead carp and silver carp, but it may
20 be something down the road we start to explore. We
21 have more short-term issues that we feel are more
22 pressing at this point in time.

23 MR. BECCHETTI: Do these carp interbreed?

24 MR. WOOLEY: Not to our knowledge, they
25 don't.

1 MR. BECCHETTI: Would they be sterile?

2 MR. WOOLEY: Don't know.

3 DR. HOMER: Okay, come on. Next.

4 MR. KEIFER: My name is Dan Keifer. I'm
5 here on behalf of my affiliations to Michigan Trout
6 Unlimited, Metro Steelheaders Club and Clinton River
7 Watershed Council.

8 My question has to do with the Framework
9 and its accountability. Obviously, the whole goal
10 of this Framework is very action-oriented, and it
11 has a lot of good information, good plans in it both
12 short-term and long-term. So two questions.

13 What agency and what individual in that
14 agency owns the implementation of this plan? And
15 secondly, what is the reporting timetable of the
16 Framework and this committee both to the public as
17 well as the Congress?

18 MR. DAVIS: Those are great questions and
19 thank you for asking them. In terms of the
20 accountability piece, one of the things that we've
21 tried to do in this is to make sure that agencies
22 are listed in terms of what they're committing to
23 do, by when, how they're going to be funded to do
24 those things so that the public has some sense of
25 accountability.

1 In terms of your second question on
2 reporting, just last week Chairman Overstar on the
3 House of Transportation Infrastructure Committee
4 asked for a report back by sometime around mid-May
5 in terms of how things are going under this plan.
6 So we already have at least one report out that
7 we're looking to do.

8 MR. KEIFER: Are there plans for similar
9 reporting to the public?

10 MR. DAVIS: Again, please?

11 MR. KEIFER: Are there plans for similar
12 reporting to the public as well as the Congress?

13 MR. DAVIS: Well, I think that the
14 reporting that can be done to Congress can be, you
15 know, viewed and consumed by the public as well.

16 MR. KEIFER: I see. Thank you.

17 DR. HOMER: Okay. We have some questions.
18 Okay. Go ahead.

19 When these three folks are done, we have
20 questions that have come in from the webcast and
21 we'll have those next. That will be the last of the
22 questions.

23 MR. MARKS: Okay. Thank you very much. My
24 name is Tom Marks, New York director for Great Lakes
25 Sports Fishing Council. We represent sports

1 fisherman as well as recreational fisherman
2 throughout the Great Lakes.

3 The effectiveness of the electric barrier
4 at best, early on it was determined that it was
5 going to be less than 100 percent. And under their
6 current operating parameters, I don't think it's
7 going to reach a hundred percent.

8 And I'll fire out a couple of more
9 questions here and then you can respond to them.
10 Emergency response was due to the positive eDNA test
11 results. Why was no Rotenone used above the
12 electric barrier up near O'Brien lock as promised by
13 the Illinois DNR before they did the Rotenone
14 treatments? And then what happens to the Asian carp
15 when they're poisoned? And why are there no fish
16 charter representatives on this planning process?

17 MR. WOOLEY: I can take a crack at two of
18 those.

19 MR. MARKS: Okay.

20 MR. WOOLEY: The reason there wasn't a
21 Rotenone treatment above O'Brien is that water
22 temperatures dropped. The area below O'Brien where
23 we did the rapid response had warm water influences.
24 That means the temperature was above 50 degrees, we
25 could use Rotenone. It would kill fish and we could

1 detoxify it because of those water temperatures.

2 Above the O'Brien lock we did not have
3 those kind of conditions. That's the answer. Plus
4 we just were looking at decreasing water
5 temperatures in cold air that was coming in after we
6 did the rapid response, and it was just going to be
7 impossible to use Rotenone in any other areas.

8 The second part is we had done lab work
9 where Asian carp are exposed to Rotenone. They will
10 fall into a tank as they die, and about 24 hours
11 later they will come back up to the surface. So we
12 are very cognizant of the fact that if we were going
13 to use Rotenone we have the lab data that proved
14 that they would float within about 24 hours in the
15 same water temperatures we were working in in
16 December.

17 DR. HOMER: Okay.

18 MR. MARKS: Okay. And the effectiveness of
19 the electric barrier? I know it's not a hundred
20 percent; is that correct? Or never will be a
21 hundred percent; is that correct?

22 MS. DARCY: I guess I can't say a hundred
23 percent but I can say that it's been very effective,
24 and we have not found a carp above the barrier.

25 MR. MARKS: We did have the positive eDNA

1 testing.

2 MS. DARCY: They're eDNA positive
3 samplings, correct.

4 MR. MARKS: That eDNA test, even though
5 it's new, there's a high level of confidence that
6 there's actually fish above the electric barrier; is
7 that correct?

8 MS. DARCY: It's one of the scientific
9 tools that we're relying on in making the
10 determination of whether the fish are there.

11 MR. MARKS: Okay. Thank you.

12 DR. HOMER: Okay. Thank you. Next
13 question.

14 MR. GARVETT: Good afternoon, Jason
15 Garvett. I'm with Mercury Sightseeing Cruise Lines
16 in Chicago. My question is a really quick one.
17 First of all, thank you for having us here because
18 this is a chance for the people of Chicago and
19 Illinois to express our belief system and let you
20 guys hear what's going on with us.

21 As the representative from Congresswoman
22 Biggert's office said earlier, lock closure, it's
23 going to do a lot to our local economy in Chicago,
24 but it trickles out everywhere.

25 What you didn't really touch on though is

1 also the environmental impact that it will have if
2 we close the lock. A barge can carry 47 truckloads
3 worth of material. This is putting 47 more trucks
4 on the road creating more emissions destroying our
5 environment.

6 DR. HOMER: What's your question?

7 MR. GARVETT: So the question is who on the
8 council is there for the people of Illinois,
9 Chicago, just the people in general to give you that
10 information about what closing the lock will do to
11 our environment?

12 MR. DAVIS: And this is why we're having
13 the forums in Chicago and here is to make sure that
14 we do hear from everybody that we possibly can about
15 the impacts of the Framework. So this is perfect
16 that you're stating those things.

17 MR. GARVETT: Thank you. And when we all
18 leave here today, just who on the council represents
19 all of that information for us? Who gets -- when
20 you guys go home and you talk to the US Army Corps
21 of Engineers and you come up with your plans, who is
22 there to remind you of that information such as the
23 amount of emissions that closing the lock will cause
24 and all of that?

25 MR. DAVIS: I think one of the jobs that

1 we'd like you to take is to be able to submit those
2 kinds of things in writing to provide your comments
3 like you're doing here today in order to make sure
4 we have that information. We can factor that into
5 our decisionmaking. So I think we see it as all of
6 our jobs.

7 MR. GARVETT: One more quick one. Is there
8 any way to get somebody on the council to do that,
9 represent that, to give you guys information? I
10 know it's a short period of time. Is there any way
11 we could get someone on the council to give you guys
12 information on a constant basis?

13 MR. DAVIS: I think we're hearing your
14 points loud and clear here today, which is what
15 we're after.

16 DR. HOMER: Okay. Next question.

17 MS. RADCLIFFE: Hello. Cynthia Radcliffe,
18 regular citizen and recreational user of the Great
19 Lakes. I have three very short questions.

20 The Framework has a lot of good information
21 in it; however, some of the technical things that
22 people want to know aren't in there and so I want to
23 ask these questions.

24 First of all, we've heard that there's no
25 carp within 40 miles the Great Lakes, so my first

1 question is how far is the lock directly below the
2 fish barrier from the Great Lakes? How many miles
3 is that?

4 MS. DARCY: Which lock, the O'Brien lock or
5 the Chicago lock?

6 MS. RADCLIFFE: I don't know the names.

7 MS. DARCY: The Lockport lock?

8 MS. RADCLIFFE: Yes.

9 MS. DARCY: Lockport is seven miles.

10 MS. RADCLIFFE: Okay. So how many locks
11 are there between the seven miles and where we know
12 the carp are?

13 MS. DARCY: We have only seen one carp and
14 that has been below the barrier.

15 MS. RADCLIFFE: No, no, no. I just want to
16 know how many locks from where you know the fish are
17 to the Lockport lock. How many locks are there in
18 between there? Or are you saying there's no locks
19 below the Lockport lock?

20 MS. DARCY: There are locks below the
21 Lockport lock.

22 MS. RADCLIFFE: Right.

23 MS. DARCY: And is your question --

24 MS. RADCLIFFE: Are you saying you know
25 there's fish 40 miles away? How many locks are in

1 between that seven mile lock and the 40 miles where
2 we know the fish are?

3 MS. DARCY: Between -- I'm trying to --
4 between the Lockport lock going up the Chicago
5 Sanitary Shipping Canal?

6 MS. RADCLIFFE: No, no, going down. Down
7 stream.

8 MS. DARCY: Oh, down.

9 MS. RADCLIFFE: Down. Down where the fish
10 are.

11 UNIDENTIFIED SPEAKER: There's none.

12 UNIDENTIFIED SPEAKER: There's three.

13 UNIDENTIFIED SPEAKER: There's a couple
14 locks. You talking about the sustainable edge
15 population?

16 MS. RADCLIFFE: No, I'm talking about where
17 we know there are fish. Didn't you say there is no
18 fish within 40 miles of the Great Lakes? So that
19 would mean another 30, 33 miles below the Lockport
20 lock. There's three locks.

21 MS. DARCY: No. The Lockport lock is 40
22 miles from Lake Michigan.

23 DR. HOMER: My suggestion is maybe you can
24 talk to somebody.

25 MS. RADCLIFFE: Wait. So now you're saying

1 that the Lockport lock is 40 miles. I thought you
2 just said it was seven miles.

3 MS. DARCY: No. You asked me the distance
4 from the Lockport lock to the barrier and that
5 was --

6 MS. RADCLIFFE: No, no, no. Okay.
7 So from Lake Michigan to the Lockport lock is 40
8 miles. Okay. So then the question is how far is it
9 from the Lockport lock to where you know there's a
10 sustainable population of fish, because someone said
11 somewhere there was a sustainable population of
12 fish. How much farther down the stream is that?

13 MS. DARCY: I would have to check because I
14 don't know. Fifteen or 20 miles but I don't want to
15 say that and not be certain.

16 MS. RADCLIFFE: Because people want to know
17 that. People want to know are the fish, you know,
18 two miles, are the fish 15 miles, are the fish 40
19 miles? We want to know how imminent is this
20 problem. And if you don't know right now we wish
21 you would tell us because it's a key thing and
22 people want to know. Okay. Thank you.

23 MR. VOGT: My name is David Vogt. I'm a
24 member of the Paw Paw Conservation Club for Paw Paw,
25 Michigan; a member of the Illinois Salmon Unlimited;

1 a member of the Illinois Salmon Sports Fishing Club.

2 My question is what voltage is Barrier 1
3 now and why hasn't B2 barrier been hooked up?
4 Here's a couple of pictures that I'd like to turn in
5 to you.

6 Eddie Landmichl and I took these pictures
7 about three or four years ago, and Eddie checked a
8 week ago. The wires are still hanging there for B2.
9 It was never hooked up. So I wanted to know why
10 hasn't B2 been hooked up?

11 MS. DARCY: Do you want me to answer your
12 question? B2 is being constructed.

13 MR. VOGT: Yes, but that picture is I think
14 five years ago that those wires have been hanging
15 there. Why hasn't it been hooked up in five years?

16 MS. DARCY: Are you talking about -- we've
17 got two barriers operating.

18 MR. VOGT: B2, ma'am.

19 MS. DARCY: Okay. IIB. Barrier one is
20 operational. Barrier IIA is operational. Barrier
21 IIB is under construction still and will be
22 completed this fall.

23 MR. VOGT: The question again was for the
24 last five years that I know, Barrier II wasn't
25 completed. Those pictures there show the wires

1 hanging there for five years. Why hasn't the Corps
2 of Engineers or anybody done anything about hooking
3 up that other barrier so we have more protection?

4 It's been 10 years since you are started these
5 barriers and that third one or the B2 is not hooked
6 up. Look at those pictures, all of them.

7 MS. DARCY: B2 just got seven million
8 dollars in the president's stimulus budget. That's
9 why it will be completed this year.

10 DR. HOMER: Okay. Last question.

11 MR. ARCURI: Hi, Don Arcuri. I'm Ohio
12 advisor at large to the Great Lakes Fishery
13 Commission.

14 Is there any hard numbers on the actual
15 risk of fish penetrating the locks when they're
16 closed or is it just an assumption since water can
17 get through, fish can get through?

18 And what is the logic behind the modified
19 closure plan put forth in the Framework?

20 MS. DARCY: The logic behind the modified
21 closures is that if you have less openings, openings
22 of the locks, that you will reduce the passage of
23 fish; however, if you close the locks you would have
24 to prepare -- and in consultation with the Fish and
25 Wildlife Service and Illinois DNR you would have to

1 do some kind of suppression treatment in that part
2 of the waterway that's on the other side of the lock
3 so that when you open the lock there will not be any
4 possibility of fish coming through. That's the
5 logic in that.

6 MR. ARCURI: Hence the expression if you
7 implement, modify.

8 MS. DARCY: Correct. It would have to be a
9 combination or otherwise it wouldn't work.

10 MR. ARCURI: Is there anyplace you can
11 steer me to get information on actually why you
12 think fish would get past the locks when they're
13 closed?

14 MS. DARCY: As I explained before, the way
15 the locks are designed right now, the gates, they're
16 not water tight so when they close there's water
17 coming through.

18 MR. ARCURI: Okay. Thank you.

19 DR. HOMER: Okay. That ends our technical
20 questions. We have at least 70 plus people who want
21 to make comments. Oh, take that back.

22 MS. SPEIZMAN: There were a number of
23 questions as well as comments.

24 DR. HOMER: Okay. We have some comments or
25 some questions -- to just a small sampling of those.

1 And I will be calling names for comments and
2 remember to keep it to a minimum of a minute,
3 please. A maximum of a minute.

4 MS. SPEIZMAN: People have been submitting
5 comments and questions via the web since this began,
6 so I'm just going to do a few of the specific
7 questions this time.

8 This one from Jim VanderRose (ph.) It
9 says: Wouldn't it make sense to relieve the
10 population pressure on the fish in the Illinois
11 River. What is being done to lower carp
12 populations?

13 MR. WOOLEY: Illinois Department of Natural
14 Resources is in the process of letting some
15 contracts with commercial fisherman to commercially
16 fish to reduce numbers in the middle section of the
17 Illinois River.

18 MS. SPEIZMAN: Bill Richardson asks what
19 does it mean that Asian carp DNA has already been
20 found in Lake Michigan?

21 DR. CHADDERTON: And interpretation of that
22 result is that some fish, some silver carp, have
23 made it to Lake Michigan.

24 MS. SPEIZMAN: Denise DeBrook (ph.) wants
25 to know is there any way a nitrogen barrier could be

1 established to find whether you have sufficient
2 blockage for several distances along the waterways
3 so as to use the shortest successful distance to
4 design a barrier.

5 MR. WOOLEY: We're in the process of
6 developing a risk assessment. That may be an issue
7 that comes to light during our risk assessment
8 process.

9 MS. SPEIZMAN: David Reese (ph.) asks if
10 sampling in the coming weeks finds living Asian carp
11 above the electric barrier, how will the committee
12 react? Will the agencies involved alter their
13 action from the status quo? Are there specific
14 plans.

15 MR. WOOLEY: Specific plans are to hit them
16 and hit them hard with every available tool,
17 techniques we have.

18 DR. HOMER: Okay. Last question.

19 MS. SPEIZMAN: Last one is from
20 Merlin Favor (ph.) Nope. Charles Derringer (ph.)
21 wants to know whether -- he says: The Corps is
22 considering separating two of the world largest
23 watersheds. Have any of the water science-trained
24 individuals been involved.

25 MS. DARCY: Was it have science trained

1 individuals been involved?

2 MS. SPEIZMAN: Water science.

3 MS. DARCY: We're currently undergoing
4 (indiscernible) water transfer study. We're just
5 beginning that and we are going to be in
6 consultation with scientists from watersheds all
7 around the basin.

8 DR. HOMER: Okay. Now we'll start just the
9 comment period. And again, try to keep your
10 comments short, to the point. You have the ability
11 to submit any written comments to Asian carp dot org
12 backlash rapid response backlash contacts.

13 That site will be put up here on the board
14 if you didn't get it down quick enough. So, again,
15 you have lengthy comments, we will take those
16 lengthy comments, you can give them to Bill here,
17 but please just spend a minute to summarize.

18 And I'll be calling you up based on the
19 cards that you've submitted. And first is going to
20 be Dennis -- is it Schornech? He's the former US
21 Chair of the IJC, and then after Dennis will be
22 Lia Montgomery.

23 MR. SCHORNECH: Good afternoon. My name is
24 Dennis Schornech and I'm currently the Executive
25 Director for the Michigan Recreation and Park

1 Association. Many of my 1700 members have public
2 parks located directly on Great Lakes shorelines,
3 tributary rivers and inland lakes.

4 Let me begin by saying thank you to the
5 panel and the coordinating committee and especially
6 to the IJC and my good friend Irene Brooks for
7 hosting today's meeting and for the opportunity to
8 make this brief statement.

9 Fishing, swimming and boating are key
10 recreation activities that make our communities in
11 Michigan attractive places to live, work and raise a
12 family. They're essential to the high quality of
13 life that we've come to enjoy in the Great Lakes
14 basin and they're essential to our economic future.
15 They are also the precise human uses of water that
16 would be most directly harmed if the invasion of
17 Asian carp succeeds. Make no mistake, we want this
18 invasion to fail. And the success of this committee
19 depends on it.

20 I'm also, as mentioned, a former chair of
21 the International Joint Commission for the United
22 States and a former chair of the Great Lakes
23 Protection Fund. Over the past decade, I've had the
24 opportunity to learn a great deal about the carp and
25 the Chicago canals that connect these two basins and

1 the electrical barriers designed to prevent their
2 passage.

3 And let me say that everything I've learned
4 over these past 10 plus years bodes ill for the
5 Great Lakes water basin recreation and our hearts if
6 these carp get into the Great Lakes.

7 The electrical barriers and their
8 management have not inspired public confidence that
9 they can stop the carp from getting into the Great
10 Lakes. Physical, not electrical barriers, are
11 preferred because any water connection is an open
12 pathway for this powerful swimmer.

13 I once witnessed I believe with Cam Davis
14 down at the Romeoville barrier a barge tender moving
15 through the barrier pushing a five-foot bow wave
16 that could easily pick up and move a carp through
17 the electrified zone.

18 Several years ago Chicago Mayor Daley
19 convened a prestigious panel of nearly 50 scientists
20 from around the basin to determine the best way to
21 stop the carp. After two days of discussion, a
22 consensus was reached. The only sure way to stop
23 the carp was to physically separate the basins.

24 Now, basin separation sounds like a radical
25 solution that would disrupt commerce and displace

1 workers. These are obviously serious concerns that
2 require serious study and not some of the wild
3 rhetoric I've heard here today. Some of that work
4 has already begun, and I want to commend to this
5 panel work recently done by Dr. John Taylor, a
6 transportation logistics expert from Wayne State
7 University, and I'm just going to briefly summarize
8 his comments. It will take me less than 30 seconds
9 here.

10 Dr. Taylor's study concludes that the
11 annual cost of using transportation alternatives to
12 the canals is the 70 million dollars or less for the
13 seven million tons of cargo that would be affected
14 by closing the O'Brien and Chicago locks, equivalent
15 of two daily trains in a region that sees 500 trains
16 a day. Even if only trucks were used to transport
17 this cargo, truck traffic in the Chicago area would
18 only increase one-tenth of one percent.

19 So put the regulatory costs into
20 perspective. Consider the billions of dollars of
21 costs imposed upon the auto industry in this state
22 alone; safety, corporate average fuel economy,
23 regulations and so forth. I hope you agree that
24 protecting fishing, swimming, boating in the Great
25 Lakes is worth that cost. It's not too late, and I

1 would just say in closing that stopping the Asian
2 carp is all about not having to say you're sorry.
3 Thank you.

4 DR. HOMER: Thank you. One moment.
5 Senator Stabenow has arrived. She would like to
6 make a comment.

7 SENATOR STABENOW: Well, thank you very
8 much. Thank you for being here. And we appreciate
9 very much your time and focus on this, and I
10 appreciate being able to take a moment. I know a
11 lot of people have been waiting and I will be very
12 brief.

13 First, let me say it is important that
14 agencies are here working together. I appreciate
15 the focus of the administration on the Great Lakes
16 and understand the commitment of the President and
17 the White House to the Great Lakes.

18 I'm here today to reemphasize what I'm sure
19 you have heard about the sense of urgency on this
20 issue. I don't come today thinking that this is
21 easy or that there aren't complicated issues that
22 have to be addressed. And I understand when we are
23 talking about cargo moving or when we are talking
24 about potential flooding of neighborhoods, that's
25 serious, I understand that, as we talked about

1 whether or not the locks should be closed even
2 temporarily.

3 But I would suggest to you that there are
4 solutions and there is Congressional support on a
5 bipartisan basis to help fund those solutions.
6 There is not a good solution to Asian carp getting
7 into the Great Lakes. There just isn't. We cannot
8 afford to have not only a multibillion dollar, 16
9 billion dollar recreational boating industry, seven
10 billion dollar fishing industry along with
11 everything else that we love and cherish about our
12 way of life with the Great Lakes, we cannot have
13 that compromised and potentially destroyed by the
14 Asian carp.

15 So I come today (applause). I want to
16 thank Cam, who has been meeting with us and
17 understands. We met in December with the Army
18 Corps. Cam, thank you for your ongoing efforts, and
19 we said to the Army Corps at that time what do you
20 need right now to put up additional barriers? They
21 indicated 13 million dollars. What, it took us a
22 week to reallocate funds.

23 That's the sense of urgency that I bring
24 today. It is not that you are not moving forward
25 with proposals that are bad. There are good

1 proposals. There is good progress. But I'm here
2 today to say that is not enough and it's not fast
3 enough for what we are concerned about. We cannot
4 find ourselves in a situation where we look down the
5 road and say, oh, if only. If only we had acted
6 sooner. And so that is my main message.

7 Again, let me reiterate, I understand the
8 challenges. I do not minimize challenges to
9 commerce or to communities or neighborhoods. But I
10 also know from asking questions of the Army Corps
11 that there are ways, if we put some intensity on it,
12 that we can redirect water and we can address these
13 issues. That is the reason why I've joined with
14 Congressman Dave Camp on a bipartisan basis to
15 introduce bills in the senate, he in the house to
16 temporarily close the locks until we have permanent
17 solutions in place.

18 That is the reason we have done that.
19 Again, not minimizing the challenges but to say we
20 believe that we need to take that action now, given
21 the circumstances, and then work with everyone to
22 figure out the resources and what needs to be done
23 as quickly as possible.

24 I also just want to bring to your attention
25 that as chair of a Senate Energy Committee,

1 Subcommittee on Water and Power, next Thursday the
2 25th I will be convening an oversight hearing on
3 this very topic to focus on what we need to be doing
4 in terms of Congress. I also sit on the Budget
5 Committee and stand ready, willing and able to put
6 forward what we need in terms of resources.

7 So again, I want to thank you for what you
8 are doing but I would urge you to come up with
9 urgent deadlines, clear deadlines and a focus and
10 understanding of what is at stake here. What is at
11 stake for the region, what is at stake for the
12 country. We're dealing with something very, very
13 serious and we need to act as quickly as possible
14 with a sense of urgency so that we are not the ones
15 who on our watch saw a serious and potentially fatal
16 threat to the Great Lakes enter the Great Lakes. So
17 thank you very much.

18 DR. HOMER: Lia Montgomery and Melissa
19 Damaschke, D-A-M-A-S-C-H-K-E, is next and followed
20 by Ben Hirsch.

21 MS. MONTGOMERY: Good afternoon. I would
22 like to thank our Great Lakes water for being here.
23 Our small community on the shore of Lake Michigan
24 and Wisconsin has always been closely connected to
25 the water. So were the Padawadame (ph.) before us.

1 No one swims in the water anymore or walks on the
2 beach. Green slimy algae floats on the water and
3 rocks on the shore, all because of mussels. The
4 Canadians warned us about the mussels 30 years ago
5 but we let them come in.

6 We still don't have a strong ballast water
7 policy and now we spend millions of dollars every
8 year on maintenance. Even Lisa Jackson is willing
9 to admit that mistakes were made.

10 It took one flooded summer in 1993 to
11 create this current Asian carp crisis and we now
12 know that they will survive and thrive in cold
13 water. We are on the verge of yet another
14 ecological disaster and our beautiful national
15 treasure will simply become a giant man-made coy
16 pond. God never imagined our Great Lakes full of
17 Asian fish.

18 I don't trust that you've learned from the
19 mistakes that you've made because you're trying to
20 solve the problem with the same old thinking and the
21 same endless talking. And as Professor Lodge said
22 at the Congressional hearing: As we are talking,
23 they are swimming, even in February. Thank you.

24 DR. HOMER: Darrin Melvin is next.

25 MS. DAMASCHKE: Hello. My name is

1 Melissa Damaschke. I am speaking here today on
2 behalf of Sierra Club's Great Lakes Program and our
3 200,000 members and supporters within just the Great
4 Lakes region.

5 While the Framework is a step in the right
6 direction, it is not aggressive enough. Sierra Club
7 boldly supports immediate emergency closure of the
8 locks except in cases of flooding or other serious
9 emergencies.

10 We must then do everything necessary to
11 push the fish back below the electric barrier while
12 moving quickly on the plan for permanent hydrologic
13 separation. The stakes are too high to do anything
14 less. We should be doing absolutely everything in
15 our power to prevent these fish from entering the
16 Great Lakes. We have but one chance to get it right
17 and we have wasted too much time already. We need
18 to act now before it is too late.

19 We have known that these fish are coming
20 for many years but we did not take advantage of that
21 window of time to develop proactive plans and
22 strategies to prevent their entry. Now we are left
23 with what Sierra Club considers emergency measures
24 of last resort; lock closure, Rotenone application,
25 etcetera. Yes, these measures will impose a cost on

1 the region but we cannot afford to wait and find out
2 what the cost would be if we do not act because
3 there will be no recourse if the carp become
4 established in the Great Lakes. Thank you.

5 DR. HOMER: Next.

6 MR. MELVIN: Members of the panel, I want
7 to recognize that you've got a tough job ahead of
8 you. So tough, as a matter of fact, that half the
9 panel quit since last week. It looks like we got a
10 bunch of new faces up there.

11 But bottom line is everybody in this room,
12 we want the same thing. We want to keep the carp
13 out of the Great Lakes but we also want the
14 decisionmaking to be based on fact rather than fear.

15 If I was just reading the newspapers alone,
16 I'd be terrified of what's going on, and I think
17 that's what's brought all the citizens and the Great
18 Lakes folks out here for today, because the media is
19 blowing this out of proportion.

20 We know and you guys know this sustainable
21 edge of this population is down somewhere between
22 Dresden Island and Brandon Road lock or maybe below
23 Dresden Island lock. The fight should be down
24 there. Acoustical barriers should be placed
25 immediately at the Brandon Road lock lower gates and

1 the Dresden Island lock lower gates and possibly
2 even the Lockport lock lower gates. That will
3 prevent a lot of fish from making their way north.

4 DR. HOMER: Darrin Melvin.

5 MR. MELVIN: That was me.

6 DR. HOMER: Okay. Then Regina Russo Davis
7 and then Bill Russell is next followed by
8 Jason Garvett.

9 MS. RUSSO DAVIS: Again, I'd like to thank
10 you for the opportunity to speak. It was stated
11 that the economic impact would be considered with
12 regard to the measures taken in thwarting the Asian
13 carp infestation. I'd like to say I'd have to
14 differ with the numbers that were given earlier.

15 The US Solicitor's Office is quoted as
16 saying 17 billion dollars worth of the commerce that
17 travels on the Illinois waterways and there is 16.9
18 million tons of cargo that traverses the Chicago
19 waterways just in Chicago. This is not the Illinois
20 waterways. This is Chicago.

21 Now, that is the equivalent of 1.3 million
22 truckloads of commerce that goes -- that would need
23 to take up the slack of what that was on the
24 waterways. To give you an idea of what that is, if
25 you were to line up 1.3 million trucks it would

1 reach from the Pacific Coast to the Atlantic Coast
2 and back again.

3 The carbon footprint that's emitted by the
4 trucks is 72 tons of carbon dioxide per million ton
5 miles. The carbon footprint of barges in the marine
6 industry is 19 tons of CO2 per million ton miles.
7 That is almost four times more using trucks rather
8 than barges.

9 And that's just the commerce. And not to
10 put a human face on this, if you were to close the
11 locks, you would damage a 12 billion dollar tourist
12 industry in the city of Chicago. My husband and I
13 are both captains. We have over 40 years on the
14 river. That would devastate our family. We would
15 have no income. We need to take those kind of
16 economic impact statements into consideration before
17 doing something as drastic as closing the lock,
18 which in your Framework says would not be an
19 effective barrier.

20 DR. HOMER: Okay. Bill Russell.

21 MR. RUSSELL: Good afternoon. My name is
22 Bill Russell. I'm a retired marine science
23 technician after 20 years of service in the United
24 States Coast Guard. I'm an employee of a marine
25 transportation company, a part-time vessel captain

1 and a recreational boater on southern Lake Michigan.
2 I have a high stake of all portions of keeping the
3 fish out of the lake and I wholeheartedly support
4 aggressive measures to accomplish that. I'm also
5 the chairman of the AS Barrier Safety Committee in
6 Romeoville.

7 The Framework provides many tools that can
8 be used to prevent the fish from getting into the
9 lake. All of them can be used well below the lock
10 barriers. We should not use those as a means at
11 this point in time to get there.

12 As far as the science goes, you said that
13 we shouldn't continue to challenge the science but I
14 think we need to for several reasons. One, one of
15 my colleagues tried to get an answer to what I think
16 if he communicated it would be the P value, a
17 probability that your results are by chance rather
18 than by empirical evidence. If you don't know the
19 answer to that -- he didn't give us the answer. If
20 you don't know the answer you need to know it
21 because you're making decisions or other people are
22 making decisions that could literally destroy the
23 passenger industry, the marine transportation
24 industry and the recreational boating industry in
25 Chicago. And if you don't know that answer you got

1 to have it before you do something like closing the
2 locks. Thank you.

3 DR. HOMER: Okay.

4 MR. GARVETT: Jason Garvett from Mercury
5 Cruise Lines. I have a two-year-old son but I don't
6 want you guys to worry about him because if the
7 locks close and I can't work, I'm going to get a job
8 at Burger King and he's going to be fine. That's
9 not a problem.

10 But you guys probably have kids too and we
11 probably share this. One of the most important
12 things with me for my son is his education. I truly
13 believe that 90 percent of the problems on this
14 earth could be solved if we had properly educated
15 our youth.

16 For example, several years ago a group of
17 catfish farmers from Arkansas thought it would be a
18 good idea to bring an invasive species of fish to
19 the US. They didn't have the foresight to think
20 about what would happen if they got out into our
21 waterways.

22 So I say this with the fact that as of
23 yesterday for our tour boats we have over 10,000
24 students that are booked to travel from a river
25 through the Chicago lock and out into Lake Michigan

1 for this coming year. These kids will be boat
2 captains in the future, they'll work for the Army
3 Corps of Engineers. And my peers are not going to
4 care as much about the Great Lakes and the
5 waterways. When they're younger, they get that
6 firsthand experience of getting to go out onto the
7 water.

8 We offer a tour now where we can teach them
9 about both bodies. The school system doesn't have
10 money to do a river tour and pay double again for
11 the lake tour. So please think about our youth and
12 our students.

13 DR. HOMER: Wrap it up.

14 MR. GARVETT: Yes, thank you.

15 Please think about them. Closing the lock is
16 closing off educational opportunities for them.
17 Thank you very much.

18 DR. HOMER: John Kindra is next. He
19 passed?

20 UNIDENTIFIED SPEAKER: I work for Mercury
21 Cruise Lines, Chicago's First Lady Cruises in
22 Chicago. On page seven of Asian carp Control
23 Strategy Framework document that was distributed
24 last week it states, and I quote: "It is possible
25 for the fish to swim through the lock and into the

1 lake even when the locks are closed." It also
2 states and I quote: "There are other ways that fish
3 can get into the lake." Closing the locks in
4 Chicago will not stop the Asian carp but it will
5 destroy the Chicago tour boat industry. We need to
6 focus on enhancing the measures that will stop the
7 carp and not the ineffective act of closing the
8 Chicago locks, which will not stop the carp.
9 Please. Thank you for saving our jobs.

10 MR. KINDRA: Thank you, panel, for being
11 here today. My name is John Kindra and I have a tug
12 boat operation in Chicago. I was born in
13 Mt. Clemens, Michigan, about 50 miles from here. I
14 was raised in Michigan. I went to Michigan State
15 University, and we're a property holder up in Grand
16 Traverse County.

17 We really have a vested interest in
18 Michigan. I'm amazed at the lawsuit, that just
19 floors me, but that being said, we think that we
20 have to have a concerted, well-rounded effort. I'd
21 like to see -- as a suggestion for the panel, I'd
22 like to see you get some other scientists besides
23 Dr. Lodge. There's got to be other scientists,
24 other professors, other universities that would be
25 interested in getting government money and doing

1 this kind of eDNA testing.

2 I'd also like to see somebody besides
3 professor John Taylor. Anybody that says that seven
4 million tons is insignificant and they want to move
5 it in trucks can't be a good source. I think we
6 need other universities, other professors to give us
7 the impacts of moving cargo on the waterway.

8 I do not support closing the locks either
9 temporarily, modified or ever. I do not support and
10 I don't think it's a good idea to do the ecological
11 separation. Finally, I'd like to see members of our
12 industry, the tug boat industry and the passenger
13 vessel industry get on your panel so that you can
14 have some firsthand input. Thank you.

15 DR. HOMER: Thank you. Jaqueline Kindra.

16 MS. KINDRA: Pass.

17 DR. HOMER: Kris Poppe?

18 MR. POPPE: Mine was a question.

19 DR. HOMER: Del Wilkins? And after that
20 Bob Badalini (ph.).

21 MR. WILKINS: I'd like to make a statement
22 on behalf of American Waterways Operators and the
23 International Trade Association for the tug boat and
24 barge industry. First and foremost again I'd like
25 to thank the panel for being here and listening to

1 the commentaries and your willingness to be able to
2 come up with an effective solution for our long-term
3 problem and a short-term problem.

4 We'd like to say to the AWO and members of
5 the AWO fully support the robust measures to protect
6 the Great Lakes from the spread of Asian carp.

7 Our fundamental message is the choice of whether to
8 protect the environment to insure the continued flow
9 of the maritime commerce and one to protect the
10 environment itself is an unnecessary choice and one
11 quite frankly our nation can ill afford to make.

12 We cannot take that decision. There has to
13 be a valid solution and we look forward to having a
14 valid solution. Let me state that while the Chicago
15 waterway system is open and operating, it's
16 effective and certainly a means of transporting our
17 commerce. And it's not a provincial issue. It's a
18 national issue. We look forward together working
19 with Congress, working with the administration,
20 working with the state voters to come up with a fair
21 and balanced solution.

22 We too presented our facts of nine
23 alternative solutions at the Congressional hearing
24 on February 9th, and I won't go through and repeat
25 those, but again I direct you to take into

1 consideration those nine key points. Again,
2 balanced solution. We stand ready to support the
3 team and state voters. Thank you.

4 DR. HOMER: David Nyberg is next.

5 MR. BADALINI: Well, thank you very much
6 for giving us the opportunity. I'm a life-long
7 Chicagoan. I'm a life-long employee on the river,
8 and one of the things I'd like to say is being
9 environmentally conscious about the river and the
10 lake is not mutually exclusive to our livelihood.

11 Many years before anybody gave a damn about
12 the Chicago River, we were out there in boots and
13 gloves cleaning up along the shoreline with The
14 Friends of the River. I would like to make a
15 statement or comparison, an analogy, if you will,
16 and please excuse me, but to consider the most
17 drastic step doesn't have to be the first step.

18 I saw our attorney -- the Secretary of
19 State, who I greatly respect, Colin Powell, give a
20 speech one time that certainly convinced me, and our
21 nation went to war for a long time and we're still
22 there.

23 I hate to make that analogy but in the
24 sense we don't have to take the most drastic step
25 first. I certainly hope you consider these other

1 alternatives before the drastic step of closing the
2 locks and the effect it will have on us and the
3 people of Chicago.

4 DR. HOMER: Next.

5 MR. NYBERG: My name is David Nyberg. I'm
6 here today representing the 45,000 members of 500
7 affiliated clubs of Michigan United Conservation
8 Clubs. MUCC is an organization that's been around
9 since 1937 that represents the sportsmen and women
10 of the state primarily and conservationists.

11 I'd like to first applaud the committee for
12 a lot of great ideas outlined in the Framework.
13 We're pretty satisfied and very excited to see a lot
14 of diverse solutions identified in the long-term
15 action plan. Our members are very concerned about,
16 however, some of the shortfalls in the near term
17 action plan. I'd like to echo some of the concerns
18 brought up earlier by Congressman Dingell and saying
19 that it's probably the most prudent action to ensure
20 that we are establishing a temporary ecological
21 separation between the Great Lakes and the
22 Mississippi River in order to study and to implement
23 these long-term plans that we have in place.

24 Another consideration is the Great Lakes
25 Restoration Initiative. We're spending and

1 investing all this money on all these other aspects
2 of the Great Lakes outside of the invasive species
3 and other invasive species beside Asian carp. And
4 it's counterintuitive not to act immediately in a
5 way that would be the best solution to ensure that
6 carp do not get in the lakes in the near term in
7 order to implement a lot of the goals that are
8 outlined in the GLRI that we're spending hundreds of
9 millions of dollars on.

10 I had the opportunity to listen to
11 Mr. Davis when he visited the Michigan legislature a
12 few weeks ago to talk with our state legislators
13 about what Michigan can do to provide the best
14 support to implement a lot of the recommendations
15 identified in the GLRI. And when Mr. Davis
16 presented this very articulately, he's very familiar
17 with the carp issue, he has been for years, he said
18 we've studied the Great Lakes to death and it's time
19 to act now. I think that comment couldn't be more
20 prudent now. It's time to act to make sure that we
21 have permanent ecological separation between the
22 lakes while we study and implement these long-term
23 measures. Thank you.

24 DR. HOMER: James Crowther.

25 MR. COOPER: Captain Tom Cooper. I work

1 with Wendella Boats in downtown Chicago. I'm a tour
2 boat captain and I rely on the Chicago lock on a
3 daily basis in order to make my livelihood. I just
4 hope that no rash decisions are made on inconclusive
5 evidence such as eDNA testing to take away jobs and
6 end businesses in downtown Chicago. Thank you very
7 much.

8 DR. HOMER: Thank you. Okay. Mike McElroy
9 is next.

10 MR. CROWTHER: James Crowther. My concern
11 is No. 1 losing my job because I work for a tour
12 boat company. I think everybody's making a rash
13 decision in not focusing on, you know, they want to
14 just shut the locks down. I think we should be
15 focusing more on down the river more towards
16 Lockport or below Lockport first and if -- you know,
17 and then move on from there. It seems like
18 everybody just wants to start at the last step and
19 work to me backwards at the first step. I say start
20 at the first step, at least explore it, not just
21 shut everything down so you can put thousands out of
22 work. Thank you.

23 DR. HOMER: Jennifer Perry is next.

24 MR. MC ELROY: Initially, I was going to
25 read --

1 DR. HOMER: State your name first.

2 MR. MC ELROY: Captain Mike McElroy,
3 Mercury Boats. Initially I was going to read this
4 page that tells you I've been working on boats since
5 I was a kid for 22 years, but in lieu of that,
6 wasting time, give people in Michigan a chance to
7 talk some more after me, what I would like to ask
8 this panel is if they'd consider operating a Chicago
9 lock and the O'Brien lock in the method that's
10 sympathetic to the delicate economy that we have now
11 in the Midwest. Any change or alteration to the
12 lock structure in its operations will have untold
13 environmental and economic impacts on the marine
14 community, and everyone here is connected to the
15 marine community, I'm sure. No one wants to lose
16 their job. We don't want to see anyone here lose
17 their job either so we keep this battle further down
18 south. Let's head the fish off there and finish the
19 job.

20 DR. HOMER: Thank you.

21 MS. PERRY: Thank you once again. Jennifer
22 Perry. Captain Jennifer Perry, Wendella Boats and
23 Chicago Water Taxi. It's stated that silver carp
24 have been here since 1975. That's 35 years. And
25 the bighead carp since 1981. That's 29 years.

1 As a single mother of three, I rely on the
2 Chicago River and the lock, that's my job, to
3 support my family. And before you stop commerce and
4 cause thousands to lose their jobs, cripple an
5 already struggling economy, I think it's incumbent
6 upon you as a panel to do better, to not close the
7 lock. Go to another plan but keep the lock open so
8 that we can keep our lives moving as they should be.
9 Thank you.

10 DR. HOMER: Gregg Pupecki, P-U-P-E-C-K-Y
11 (sic).

12 MR. MC ARDLE: I thought you called my
13 name, Ed McArdle.

14 DR. HOMER: No, I didn't but that's okay.

15 MR. MC ARDLE: I should be in there. All
16 right. Well, I'm sorry to see pitting one country
17 against another for jobs but, you know, when you
18 consider the fisheries and tourism industry of the
19 Great Lakes, I think it far outweighs some of the
20 jobs in the Chicago area because I don't believe
21 that the jobs in the Chicago area will actually go
22 away. I mean, there's a lot of tourism along Lake
23 Michigan, I think, opportunities.

24 The two billion dollars worth of freight
25 that goes through the canals or the locks aren't

1 going to go away if the locks are closed, they're
2 just going to go to different modes. And some of
3 the modes, for instance, like rail is far more
4 ecologically preferred than trucks. But if you go
5 to trucks to transload, I think that would create
6 more jobs than there are now. After all, you have
7 to have jobs to go to the different modes, so you're
8 not shutting down the shipping like these people
9 from Chicago believe.

10 And I'd like to refer to Mr. Schornech's
11 mention of Dr. John Taylor's study at Wayne State
12 which I heard on the radio this morning. The cost
13 of shutting the locks he determined would be 70
14 million dollars a year. That's a small price to pay
15 to save the whole Great Lakes ecosystem.

16 DR. HOMER: Sir, you're running out of
17 time.

18 MR. MC ARDLE: Okay. What we're talking
19 about is 2 billion dollars worth of the really low
20 value freight such as scrap metal, all commodities
21 such as sand, etcetera, coal. And it's just for the
22 last five to six months that we're talking about.

23 DR. HOMER: Time's up.

24 MR. HELD: Good afternoon. My name is
25 Frank Held. I'm with Wendella Boats. I'm also a

1 diver and I'm also a photographer and a volunteer
2 for institutions throughout the city of Chicago. I
3 have been involved with aquatic life all my life.
4 I've worked on numerous ecological programs.

5 I think today it was shown that closing the
6 locks obviously is not an answer. If the locks are
7 closed the fish will still get through. It's not a
8 silver bullet. In any event, that should be a very,
9 very, very last resort. There are other
10 alternatives. If we look for a study, the oceans
11 are being overfished. If estimated we can overfish
12 the river, fish these animals out of the river.
13 Last year 50 million sharks were decimated in the
14 ocean just for their dorsal fins. We can do the
15 same thing with these carp. It's an answer. We
16 should try long before we close these locks down.
17 It seems to close the locks down is just a PR ribbon
18 and it won't solve the problem right now. Thank
19 you.

20 DR. HOMER: Michael Borgstrom? Gregg?
21 Okay, you're up.

22 MR. PUPECKI: Thank you. Gregg Pupecki
23 with Wendella Boats. First off, I mean, I think the
24 issue here is we hate the carp. We want to kill
25 them. I think we should go to where they are and

1 just kill them. Get a fleet of boats from Michigan
2 and we'll team up with you and let's go and find
3 them and kill them. Thank you.

4 I grew up in Massachusetts. I make my
5 living on the Chicago River and in the Chicago
6 waterways. My family still lives back east.
7 Modifying lock operations will ultimately lead to my
8 layoff. My father worked for General Motors his
9 whole life. He was laid off as many thousands of
10 people were by General Motors.

11 I do not want the government to make a
12 decision based off of fear and politics costing me a
13 job, my family a job, and the family that I support.
14 I hope your decision will be based off of facts,
15 facts and not politics, and science. And one fact
16 listed here in your Framework is that even closing
17 the Chicago lock and the O'Brien lock with a key,
18 locking it with a key making it water tight will not
19 prevent Asian carp from getting into the Great
20 Lakes.

21 So it's even right here. And I hope you
22 will move on to other measures, more effective
23 measures, less invasive measures. To me, my family
24 and thousands of other people will be affected next
25 month by job layoffs in the Chicago area. Thank

1 you.

2 MR. BORGSTROM: Mike Borgstrom, Wendella
3 Boats, Chicago. You might notice a theme here; a
4 lot of us here are from Chicago because we do care
5 about our jobs. We came all the way here today and
6 took time out of our day to be here because this is
7 an important issue to us.

8 The gentleman earlier discounted the fact
9 we can just find jobs elsewhere, we can set up shop
10 elsewhere is completely false and entirely his
11 opinion. We're all at risk here. So I want to make
12 that point clear.

13 And now, to get to my comment. Obviously,
14 you know since 2009 we've been doing this eDNA
15 sampling in the Sanitary Ship Canal and the
16 waterways adjacent to Lake Michigan and of course we
17 know positive Asian carp eDNA results have been
18 obtained in the Chicago area; however, to clarify,
19 these results merely indicate the presence of Asian
20 carp eDNA.

21 These results do not indicate how the eDNA
22 got there and does not positively confirm the
23 presence of live Asian carp. Could be, I think or
24 this is the most plausible explanation is not
25 evidence that the Great Lakes are under siege by

1 Asian carp.

2 EDNA is a unpublished science that has not
3 been tested in any other waterways. According to
4 the US Army Corps of Engineers, Chicago District
5 Command to remind everyone to date there have been
6 no visible carp seen or captured above the barrier
7 system 33 miles from Lake Michigan south.

8 The US Geological Survey and the US Fish
9 and Wildlife Service have documented evidence of
10 Asian carp populations living in Lake Erie and
11 rivers and tributaries throughout the United States,
12 many of which connect to the Great Lakes.

13 In response to these few positive eDNA
14 results in a laboratory, the Asian carp regional
15 coordinating committee was formed to address this
16 alleged threat to the Great Lakes. The Great Lakes
17 Fishery Commission is part of this committee.

18 DR. HOMER: Sir.

19 MR. BORGSTROM: Yes.

20 DR. HOMER: Wrap it up, please.

21 MR. BORGSTROM: I am.

22 UNIDENTIFIED SPEAKER: He came a long way.

23 MR. BORGSTROM: Yeah, I came a long way.

24 It's a public meeting. Let me finish. The
25 commercial fishing and sport fishing industries are

1 the only industries represented on this committee.

2 The commercial passenger vessel, commercial
3 towing and barge industries have been excluded from
4 this process. There must be representation of
5 commercial stakeholders from American Waterways
6 Organization and the Passenger Vessel Association
7 whose livelihoods also depend on any proposal or
8 plan this committee has been tasked to develop.
9 Thank you.

10 DR. HOMER: Just a reminder. If you have
11 written statements you'd like to submit to the
12 committee, you're more than welcome to do it. We've
13 asked you to kindly -- in order for more people to
14 have a chance to speak, if you kind of summarize
15 your written statements in approximately a minute
16 period of time, I'd appreciate that going forward.

17 MR. WONOKUL: Craig Wonokul. I am a
18 citizen of Illinois, and as requested I have
19 submitted my written comments so I'll be very brief.

20 Very quickly, I just want to say talking
21 about closure of the modified structure of the
22 Chicago locks without the second sentence which is
23 and we're also closing the Chicago River is a bit
24 disingenuous because it's a very important
25 distinction.

1 Speaking as a tour boat operator, it
2 changes the game from gosh, how we going to make it
3 without the locks to hey, we're closed. I also want
4 to say that we would like some representation on the
5 committee. You said you were looking for ways to
6 find us. Well, call the Passenger Vessel
7 Association, they're in the book, in Washington.

8 For Assistant Secretary Darcy, I want to
9 thank you for coming. We appreciate you being here
10 and listening to us. And I just want to tell you I
11 don't think the locks need to be closed. Your guys
12 are doing a great job. There has been no fish found
13 near the lock. Keep up the good work. There's no
14 reason to jump ahead to def com four when everything
15 you're doing, you should be very proud of, is
16 working. Thank you.

17 DR. HOMER: And then after that, Gabe
18 Argumedo.

19 MR. NOORLAG: Hello, my name is Dave
20 Noorlag. Earlier during some of the science that we
21 heard I asked a question about how few fish per acre
22 could be found with his DNA test. He told me one.
23 One fish per acre. We ran a quick little bit of
24 math down there. In the watershed where we have
25 positive results, it appears that we could have as

1 many, at one fish per acre, as 2 million fish in
2 this river where he's tested positive if there's
3 only one fish per acre. These fish school. Why
4 can't we find any --

5 MR. ARGUMEDO: Gabriel Argumedo. I'm a
6 captain on the Chicago River for Chicago's First
7 Lady and Mercury Sightseeing Boats.

8 Unlike the people my age, I did not expect
9 to find myself in the position I am in and most
10 definitely did not expect to be in Michigan five
11 hours away fighting for my livelihood that now is in
12 jeopardy along with my coworkers, bosses and fellow
13 companies.

14 Mr. Wooley said earlier in his presentation
15 that EPA evidence is validated when a carp dead or
16 alive is found or eDNA tested positive, but I'm
17 curious what the panel had to say in the coming
18 weeks if no Asian carp is found in the area that is
19 tested eDNA positive.

20 Wouldn't this invalidate eDNA evidence as
21 they are so quick to validate eDNA when a carp is
22 found. There is other effective technologies to use
23 in order to stop this invasion. The Army Corps of
24 Engineers stands strongly behind their electric
25 barrier, and closing the doors for the locks is not

1 a solution in itself.

2 And just one more comment for the ones who
3 say that jobs will not be lost. They will be lost.
4 If locks are closed, boats can't go in, there's no
5 work. Okay? That is all.

6 MR. GRINOLD: Thank you for being here
7 today. I applaud the administration for
8 coordinating the Asian carp --

9 DR. HOMER: Name?

10 MR. GRINOLD: Denny Grinold. I'm a charter
11 boat captain and in the state Federal Affairs Office
12 of Michigan Charter Boat Association and chair of
13 the US Committee of Advisors to the Great Lakes
14 Fishery Commission.

15 Thank you for being here. Michigan's
16 17-and-a-half-million dollar tourism industry is
17 supported primarily by the Great Lakes. That's
18 people coming into the Great Lakes. Anglers reel in
19 4 billion dollars annually. Boating and marine
20 operations are in the billions of dollars.

21 A hundred years ago the Wheeling Canal was
22 completed. By the 1940s, natural lake trout were
23 extricated in the Great Lakes. Soon after, alewives
24 showed up at beaches. Since then, over 185 invasive
25 species in the Great Lakes. Only two are managed.

1 Just two. The sea lamprey from treatments of
2 streams and trapping by the Great Lakes Fish
3 Commission and the alewives by planting the salmon
4 and trout.

5 As a charter boat captain I can tell you,
6 also 37 years of fishing on Lake Michigan, it's
7 getting worse. Both Lake Michigan and Lake Huron
8 bottoms are covered by quagmosis completely.
9 Techniques that we used to use fishing off the
10 bottoms is impossible. During certain times of the
11 year spiny water fleas will collect on our lines and
12 our downriggers to a point they jam fishing reels
13 and lines. People can no longer fish for perch.
14 They catch as much goby as they do perch.

15 Once the species enter the system, it
16 becomes established. Few tools, if any, exist to
17 manage them and to manage is expensive. Since 1956,
18 300 million dollars alone has just been used for sea
19 lamprey control. Billions of dollars or more have
20 been lost to commercial tribal sport fishermen for
21 the loss of a fishery and billions more have been
22 spent by state and federal agencies to rehabilitate.

23 Do not waste any more time. Urgency is
24 crucial, and conducting more studies may be too
25 late. Prevent irreversible ecological tragedy by

1 blocking immediately the path of Asian carp into
2 Lake Michigan until a permanent ecological
3 separation can be achieved between Lake Michigan and
4 the Mississippi River system. Thank you.

5 DR. HOMER: We have some comments read from
6 the internet first and the webcast.

7 MS. SPEIZMAN: I'm not going to read
8 most of these. I'm just going to summarize that we
9 had -- the following people have sent messages
10 saying they want to close the locks, separate the
11 waterway one way or the other: Ted Farris (ph.);
12 M. Oteran (ph.); Jeffrey Cobachik (ph.); Robert Gake
13 (ph.); Merlin Farber (ph.); Captain Art Miller (ph.)
14 with Walleye Charters; Mac Robility (ph.); Cynthia
15 Leet (ph.); Steve Hamilton (ph.), and Captain Robert
16 Sonjen (ph.) from Lake Ontario.

17 The following people have commented on the
18 economic impact of lock closure: Robert Davis;
19 Steve Pettume (ph.); and two weren't named. The
20 following people said closing the locks is not the
21 solution: G. Jackson; Tom North and Sarah Poisey
22 (ph.). And the following people that said we need
23 to take action now, without being specific: Sally
24 Elminger (ph.) and Allen Landowski (ph.).

25 And I'm going to read one comment. This is

1 from Mike Ripley (ph.). He's on writing on behalf
2 of the Chippewa Ottawa Resource Authority. I would
3 like to say that we respect the concerns of the
4 shipping and barge industry that may be
5 inconvenienced during the emergency measures to
6 prevent Asian carp from entering Lake Michigan but
7 we would like to make it clear that if the Asian
8 carp enter the Great Lakes, our industry, the tribal
9 commercial fisheries in the Great Lakes, could be
10 destroyed forever. Not only do hundreds of native
11 American families in Michigan depend on fishing to
12 make a living, but many other native Americans
13 depend on fishing in the Great Lakes to feed their
14 families, and the loss of the culture of native
15 Americans throughout the Great Lakes would be
16 tragic.

17 The city of Chicago breached the natural
18 divide to separate the Mississippi and the Great
19 Lakes watershed over 100 years ago, and this divide
20 must be resolved to prevent this disaster from
21 happening. The CORA tribes have issued a resolution
22 demanding that all measures including the closing of
23 any locks be instigated immediately and that the
24 natural barrier between the Mississippi and the
25 Great Lakes be restored. Our resolution is

1 available at Asian carp dot org.

2 MR. ARCURI: Don Arcuri, Ohio advisor at
3 large to Lake Michigan. I commend the committee for
4 its foresight in repeatedly and identifying and
5 emphasizing the gravity of the Asian carp problem;
6 however, as the good Congressman Dingell pointed
7 out, it's very disconcerting that this fish got this
8 far north and we're all put in this situation which
9 I think we can all agree we'd rather not be in.

10 I would like to point out that the first
11 barrier was built to keep the Round Goby from
12 getting into the Mississippi River system. And
13 because of seemingly valid delays, the barrier was
14 not turned on in time. I blame a predominantly
15 reactive attitude for this. I was there. I saw it.
16 I know. It was reactive. Basically don't do
17 anything until you can prove that there's a problem.

18 What we need is immediate proactive action.
19 This means using whatever tools we may have now and
20 committing, and I emphasize committing, to nothing
21 less than ecological separation as soon as possible.
22 I would ask Mr. Davis, Mr. Wooley and Ms. Darcy to
23 carry the political will that Congresswoman Stabenow
24 talked about that they have on capital hill to the
25 White House, and let's get this job done. Thank

1 you.

2 DR. HOMER: John Ludvik.

3 MR. LUDVIK: Yes.

4 DR. HOMER: And then after that is Brian
5 D-A-V-I-D-O-W --

6 MR. DAVIDOWICZ: I'm here.

7 DR. HOMER: Okay.

8 MR. LUDVIK: My name is John Ludvik. I'm
9 taking my stripes off. I'm speaking to everybody in
10 this room as a taxpayer. A quote from the Army
11 Corps of Engineers said with the carp that it's --
12 they're at war. Well, from what I understand a war
13 is, you go to where your enemy is. You don't lock
14 your back gate when the enemy is coming down the
15 block. You go confront them where they are. And my
16 taxes I want to be fought where the enemy is. Thank
17 you.

18 MR. DAVIDOWICZ: Brian Davidowicz,
19 Shoreline Sightseeing. I just wanted to make one
20 final point about short-term plans and that our
21 industry is just as threatened with temporary, the
22 word temporary, temporary closures. That's not any
23 less threatening.

24 Our season is very short. We rely on
25 weather, we rely on a good economy. If even for a

1 short-term locks are closed or part of the river is
2 closed, it could really, really hurt us. Thanks.

3 MR. RIECKHOFF: Hi, my name is Conrad
4 Rieckhoff. I'm a boat captain in Chicago. I just
5 would like some of the people who made comments
6 about the locks and the Chicago River who haven't
7 been there to come see it. Come to Chicago and see
8 what it's like. See how beautiful of a city it is.
9 See how great our lake is. We don't want to have
10 these fish invade our lake. We don't want them in
11 our river. Let's take the fight to the fish.

12 MR. WAGNER: Hi, my name is Ken Wagner.
13 I'm with Shoreline Sightseeing. I'd like to thank
14 the committee for being here today, listening to us,
15 listening to all our different opinions. I think
16 one thing we all can agree on in the room is we
17 don't want the fish in Lake Michigan.

18 The place that we differ on is where to
19 fight them. Rather than the Colonel in the Chicago
20 airport, the Colonel said we are at battle, this is
21 war. You guys are predicting that the locks which
22 your own statement says will not stop them. You
23 have the canals. The Grand Canal, the Calumet
24 Canal. Poison the river. Just go ahead and poison
25 the river. It's already by the EPA considered

1 polluted. Poison the river down to the electric
2 barrier. Fight your battle down there where it's
3 only a couple of hundred feet of a battle front.
4 You can spend your money better wisely. You can
5 have more access to what you need to do, and that
6 way you're not temporary closing the locks which
7 will economically impact a lot of people, just even
8 for temporary. But most of all, once again, thank
9 you very much for listening to us. Thank you for
10 putting up with all of our different opinions.

11 DR. HOMER: Thank you.

12 MS. DOWEL: Hello, I'm Terry Dowel from
13 Calumet River Cleaning. We are a tug boat river
14 company out of Chicago, Illinois.

15 To close the locks will force our business
16 to go out of business. A partial closing will
17 seriously hurt our business and all the industry on
18 the river. It's been stated already that closing
19 the locks will not stop the Asian carp, so closing
20 the locks is not the answer. According to the EPA's
21 own website, one fifth of the population on the
22 Great Lakes live in the southwest corner of Lake
23 Michigan, which is Chicago, its metropolitan area
24 and northwest Indiana. So how is it possible to
25 even consider closing the locks at this time.

1 We seem to have the technology to put a
2 room edition on the space station while it's
3 orbiting in outer space, so please find the
4 technology to contain the Asian carp and do not shut
5 down the Chicago lock or the O'Brien lock. Thank
6 you.

7 DR. HOMER: Ed Landmichl.

8 MR. LANDMICHL: I pass.

9 DR. HOMER: Okay. Peter Benz and
10 Russ Reister is next.

11 MR. BENZ: Hello, my name is Peter Benz. I
12 am a water pollution inspector. I am the vice
13 chairman of the Friends of the Detroit River.

14 I want to point out, it has not been
15 pointed out that Congressman Conyers does have a
16 representative at the meeting and is monitoring the
17 meeting and Jane McIncarney (ph.) is here. The
18 Congressman is in favor of the permanent separation
19 of the Great Lakes from the Mississippi watershed.
20 He understands the protection of both ecosystems.
21 Also as in the economic matter here in the Great
22 Lakes area, of course you're talking like seven
23 billion dollars, and this is a problem that has been
24 40 years in coming. It only takes 15 hours to drive
25 from Chicago to New Orleans yet it's taken 40 years

1 for these fish to make it to where we're having this
2 meeting today.

3 And I think that the idea that this is some
4 kind of an emergency that has not been forecast or
5 that these fish aren't going to make it the rest of
6 the way is just some kind of a smoke screen. I'm
7 hoping that we can deal with this in a way that will
8 ameliorate some of the local problems created in the
9 Chicago area. But when these fish make it into the
10 Great Lakes, we're going to have this seven billion
11 dollar problem every year.

12 DR. HOMER: Thank you.

13 MR. BENZ: Thank you.

14 MR. REISTER: I'm Russ Reister. I'm a past
15 president of the Michigan United Conservation Clubs.

16 We've been told that the Chicago Canal
17 shipping business is an annual 1.7 billion dollar
18 industry. We've heard some other numbers thrown
19 around and I think they were talking about the value
20 of the cargo. But the value of the industry as
21 we've been told is 1.7 billion.

22 We also know that the fishing industry in
23 the Great Lakes brings in seven billion dollars
24 annually. It would seem to be a no brainer as to
25 which problem -- which one of these things you

1 should protect - Lake Michigan.

2 Closing the canal will disrupt the movement
3 of cargo; however, in a reasonably short time the
4 shipping can be transferred to trucks and trains and
5 it will create a lot of jobs. If the carp get into
6 the Great Lakes it will do irreparable damage to the
7 fishing industry. Irreparable means that it cannot
8 be repaired, the damage is permanent.

9 We can live with the short-term disruption
10 of canal traffic. Several years from now no one
11 will remember the change. If the Great Lakes
12 fishery is destroyed, it will haunt us forever.

13 Thank you.

14 DR. HOMER: Thank you.

15 MR. MARKS: My name is Tom Marks. I'm a
16 captain. I'm also New York director for the Great
17 Lakes Sports Fishing Council. I do have a copy of
18 my comments. I'm not going to read them verbatim.

19 But my job is at risk as well. I just want
20 everybody to know that I'm a charter captain. I
21 depend on the fishery out in the Great Lakes, and
22 anything that happens to that fishery is going to
23 affect my livelihood and the welfare and well-being
24 of my family. Okay?

25 Everybody talks dollars and cents here.

1 Well, I'll talk dollars and cents. The Great Lakes
2 are priceless. We lose the Great Lakes to the Asian
3 carp, you're not going to get them back. Enough
4 said about that.

5 There's enough about the failures for the
6 last eight years trying to stop the Asian carp from
7 moving up to Lake Michigan. We know the electric
8 barrier is not very effective. We know that it's
9 not a hundred percent effective, and that's what we
10 need. But I won't dwell on the past.

11 There are two basic problems here. First
12 is we have to protect two very valuable ecosystems,
13 the Great Lakes and the Mississippi. And the only
14 way to protect that, and I think everybody agrees,
15 most the scientists do anyways, is that we need
16 hydrological separation. I know the barge operators
17 worry about that. They talk about the locks but
18 that's a temporary fix. But what about the
19 hydrological separation? Is that going to stop
20 shipping? No, it doesn't have to.

21 Hydrological separation, you build a
22 barrier. It's easy to lift barges over the
23 hydrological separation to continue the valuable
24 commerce. I worry about your jobs. Jobs are
25 important. Your families, the livelihood of that

1 region is very important. So whatever we use in
2 there, the hydrological separation, we need to lift
3 the barges over that.

4 And I have a lot of other items I'm not
5 going to address right now. They're on my paper.
6 Thank you very much.

7 DR. HOMER: Thank you very much. Henry
8 Nabors is next.

9 MR. KEIFER: My name is Dan Keifer. I'm
10 with the Michigan Trout Unlimited, Metro West
11 Steelheaders Club, River Watershed Council. I want
12 to thank you for your all hard work on the Framework
13 and for being here today.

14 My comment is with regard to the economics
15 of this and to reinforce things that have already
16 been said.

17 To those in the Chicago area, this issue
18 may be something new. As the point has been made,
19 controlling invasive species in the Great Lakes has
20 been with us for 50 years. I won't go down the list
21 of all of the species we're dealing with now. Their
22 cost to us is obvious. The greater cost and loss of
23 revenue, jobs around the Great Lakes that the Asian
24 carp present ought to be obvious too.

25 This is an opportunity to finally get this

1 right. There will be another invasive species after
2 Asian carp. We need to close the Great Lakes, once
3 again, hydrologically.

4 I would feel a lot better if the Framework
5 were called the Asian carp Prevention Strategy. I
6 applaud your efforts at increased surveillance,
7 monitoring, catching these fish, finding out where
8 they are, but we need to focus on the true solution
9 which is to restore the separation of the Great
10 Lakes and finally get this right. That's what we
11 need to do.

12 We are within probably 60 days of the first
13 big rain in Chicago. The obvious challenges of
14 getting this right between stormwater management,
15 operating the locks, finding out where these fish
16 are make it real clear that the short-term action
17 plan is just as important.

18 DR. HOMER: Okay.

19 MR. KEIFER: And I applaud you for a
20 proactive plan.

21 DR. HOMER: Thank you.

22 MR. NABORS: My name is Henry Nabors. I'm
23 from Birmingham, Michigan. I'm a member of the
24 Metro West Steelheaders and the Michigan Salmon and
25 Steelheaders Association. We have thousands of

1 members here in Michigan and we spend many, many
2 hours on the lakes.

3 My main concern is the emotion from both
4 sides and the numbers that are thrown out by every
5 speaker. There needs to be a independent financial
6 analysis. Put the facts down on a piece of paper so
7 that the public knows what the real cost is for this
8 issue instead of having everybody come up here and
9 it's, quote, their million, their 300 million, their
10 number of jobs. There are jobs in Michigan and all
11 around the Great Lakes in addition to the ones in
12 Illinois. Thank you.

13 DR. HOMER: Judy Ogden is next.

14 MR. SABINA: John Sabina, Michigan
15 resident, Trout Unlimited member, and a man who has
16 just completed reading a very interesting book.
17 It's entitled Pandora's Locks, The opening of the
18 Great Lakes, St. Lawrence Seaway, by a gentleman by
19 the name of Jeff Alexander who I believe is from
20 Muskegon, Michigan. It's a very scholarly
21 treatment. I would recommend that our good folks in
22 Chicago pick up a copy and read it.

23 What it is is a very, very sad, dismal
24 treaty, quite factual, quite academic, footnoted,
25 etcetera on what a total failure the same

1 organizations represented by this panel and others
2 have been in trying to keep invasive species out of
3 the Great Lakes.

4 I recognize that, you know, no one
5 individual is responsible. I'm not trying to cast
6 blame. But I'm trying to make a point very clearly,
7 ladies and gentlemen, is that once the invasive
8 species gets in, there is no solution. There's all
9 kind of facts in here. People have died. Botulism
10 poisoning, dead family pets, hundred thousand birds
11 including loons from zebra mussels. We're going to
12 control that. Guess what? Zebra mussels are now in
13 the state of California's water system. No one can
14 believe it happened that quickly. This is a big
15 snowball rolling towards us and it's not going to
16 melt.

17 What this book shows very clearly is that
18 business as usual won't work. You can't just talk
19 about it, okay? This is our chance to take a stand
20 and we've got to get it right. And I would urge you
21 for one simple clean solution, zero tolerance.

22 DR. HOMER: Thank you.

23 MS. OGDEN: My name is Judy Ogden. I'm
24 from Port Huron, Michigan. I'm also a Lake Huron
25 advisor to the Great Lakes Fishery Commission.

1 My statement is we need to focus on the
2 problem, speed of response, the short-term actions
3 and a long-term solution. The problem is we may
4 potentially, since we've been talking a lot about
5 war, be dealing with a carpageddon.

6 That is we are in a great and decisive
7 battle to keep the Asian carp and other invasive
8 species out of the Great Lakes and also we don't
9 want to give an exchange with the Mississippi River
10 system.

11 We have talked about short-term solutions
12 and we've kind of talked them to death. I'd like to
13 talk about a long-term solution that has been
14 mentioned before; that is we need to have ecological
15 separation between the Great Lakes and the
16 Mississippi River system. This would provide better
17 protection for both systems. The goal would be zero
18 movement of live organisms between systems.

19 It is important that the Army Corps of
20 Engineers complete their engineering analysis of
21 this ecological separation without delay.

22 DR. HOMER: Time to wrap it up.

23 MS. OGDEN: Congress will need to provide
24 the funding and authority to the Corps to achieve
25 separation of the systems.

1 DR. HOMER: Thank you. Just to let you
2 know, we still have a large stack of cards we're
3 trying to get through, so if everybody can be as
4 quick and concise and you possibly can. We'd like
5 to have everybody an opportunity to talk, and if not
6 we may have to cut this off and we have to have
7 information submitted via website.

8 MR. HIGELMEIER: Good afternoon. I'm
9 Captain Denny Higelmeier. I run a charter boat on
10 the Great Lakes and I also run a guide service on
11 the Great Lake rivers.

12 And this fall I had an opportunity to fish
13 with the doctor that created all our industry as we
14 know it today, the salmon and the steelhead fishery
15 industry. And this wise old man at 87 years old was
16 quite a good fisherman as well as he gave me some
17 good advice about the Asian carp, because we talked
18 about it.

19 He said there's two solutions to it. One
20 is that we have to kill everything all the way back
21 to the Illinois River, and that sounds harsh but we
22 do. We have to Rotenone the river and keep that
23 carp from moving. The second thing is we got to
24 separate the system. That's the only way. There's
25 no other way of keeping the carp out of that system,

1 period. Thank you.

2 MR. WALLINE: My name is Eric Walline. I
3 own Golf Course Charter Service and a member of the
4 Michigan Charter Boat Association.

5 And I just wanted to say after hearing the
6 presentation today, I am very skeptical and continue
7 to be very concerned about the carp issue. I've
8 heard a lot of comments regarding the economic
9 impact of closing the system off in Chicago. And we
10 need to remember about 80 percent of the people that
11 would be affected by carp getting into the Great
12 Lakes are away from Chicago. Chicago and Indiana
13 just control a small part of the Great Lakes system.

14 Some of the skepticism about the DNA
15 science reminds me of back in the early nineties the
16 OJ Simpson trial where people squawked. We had
17 people that just stuck their head in the sand.

18 This is a problem that can't be ignored,
19 and I think that the two systems need to be
20 separated. Thank you.

21 DR. HOMER: Jeffrey Wolsick (ph.). Okay.
22 Mike Mroz, M-R-O-Z. Gone. Jackie Rosinski.
23 Kurt Wolak.

24 MR. WOLAK: Pass.

25 DR. HOMER: Jason Tafilowski? And then

1 after that is Greg Peter.

2 MR. TAFILOWSKI: Hi, I'm Jason Tafilowski.
3 The federal plan of action assumes that we have
4 plenty of time to develop and negotiate a plan when
5 the reality is this should have taken place a long
6 time ago. The proposed Framework indicates that
7 rational emergency measures to temporarily close the
8 locks will not happen and is not even an option.
9 Our only hope at this point is that somebody figures
10 out a way to miraculously biologically or chemically
11 control the Asian carp or that the Asian carp
12 decides it does not want to live in Lake Michigan.

13 As with ballast water regulation, federal
14 officials are failing us again. Thirty-seven years
15 after the ballast water exception that exempted
16 ballast water from being regulated under the Clean
17 Water Act, the Great Lakes continues to be held
18 hostage by narrow economic interests and political
19 red tape.

20 DR. HOMER: Dennis Fijackowski.

21 MR. PETER: Hello. My name is Greg Peter.
22 I'm a citizen of Chelsea, Michigan. I serve as the
23 Wildlife Disease Policy advisor of the UCC and I'm a
24 veterinarian by training. I've taken a look at the
25 problem as a disease problem, and to prevent the

1 disease problem you need quarantine and isolation.
2 That's pretty simple. But more importantly, I think
3 you need to look at the historical perspective of
4 the canal systems. Over a hundred years ago, over
5 110 years ago this canal was built to reverse the
6 flow and divert the Great Lakes basin water to
7 change the course of the Chicago River. It was for
8 sewage and sanitation measures and that was very
9 quickly preempted and became a clean drinking water
10 source allowing the expansion by the turn of this
11 century of 170 communities and 7 million people
12 living outside the Great Lakes water basin diverting
13 2.1 million gallons of water a day for their use as
14 drinking water.

15 Now, I would hope our Chicago residents at
16 least appreciate the fact that they are getting an
17 exception to the rule in the diversion of the Great
18 Lakes waters, but that's going to be a problem
19 legally. Five times this has been in the Supreme
20 Court over the past hundred years. St. Louis was
21 the first one to bring suit because they didn't want
22 the sewage flowing down the Mississippi River;
23 however, they opened the canal before it got to
24 court during the early morning hours.

25 Very quickly then, this is a diversion of

1 Great Lakes basin water. That's a greater problem.
2 It's going to present the opportunity for not only
3 Asian carp but other species to go both ways. So to
4 hydrologically separate two bodies of water has been
5 something that's been waiting for 110 years. Thank
6 you.

7 DR. HOMER: All right, next.

8 MR. FIJACKOWSKI: Thank you. My name is
9 Dennis Fijackowski and I represent the Michigan
10 Wildlife Conservancy.

11 We can't believe that this discussion is
12 even taking place. It's an example of government by
13 special interest rather than governing for the
14 public interest. You're balancing 18 thousand
15 recreational boating trips and seven million tons of
16 cargo annually against a system with seven billion
17 dollar fishery and the additional boating recreation
18 on the Great Lakes. We get as many recreational
19 boating trips in a month at some of our Lake
20 Michigan ports as the entire Chicago waterway
21 system.

22 Comparing the value of this water system to
23 the Great Lakes just doesn't compute. Your plan is
24 wholly inadequate. It doesn't guarantee a solution
25 that is acceptable to the people of the Great Lakes.

1 Opening and closing the locks and dripping Rotenone
2 periodically is not a solution at all.

3 The only foolproof way to stop the invasion
4 is to immediately start planning for the physical
5 separation of the Great Lakes from the Mississippi
6 River. Nothing short of a separation is a
7 guarantee, and we demand a guarantee. To
8 accommodate continued barge and boat traffic
9 downstream of the barriers, we should build pumping
10 capacity that will fill the waterways with Lake
11 Michigan water. Taking water over the barriers will
12 ensure that aquatic organisms cannot enter the big
13 lake through discharge pipes. While barriers and
14 pumps are being installed, we need to continue to
15 kill all carp in the system.

16 DR. HOMER: Okay.

17 MR. FIJACKOWSKI: Let me say one last
18 thing. As inadequate as your plan is, the public
19 outreach is worse. You have two public meetings
20 both within 150 miles of Chicago and 80 percent of
21 the people in this basin, 43 million in fact, live
22 north or east of here.

23 Why don't the people of Buffalo, the people
24 of Sault Ste. Marie have an opportunity to comment
25 on this plan? How about the Canadians? Canadians

1 own half of the Great Lakes. Are any of them here?

2 DR. HOMER: Okay. Andrew Buchbaum is next
3 followed by Ed McArdle.

4 MS. HARLEY: Good evening. My name is
5 Susan Harley, and I represent Clean Water Action and
6 Clean Water Fund in Michigan.

7 First, I'd like to thank the
8 representatives from the IJC, the EPA, the US Army
9 Corps of Engineers and other agencies for coming to
10 our state to hear Michigan's grave concerns about
11 Asian carp.

12 On behalf of the Clean Water Action and
13 over 235,000 members in Michigan, I join the chorus
14 of those people here today such as our elected
15 officials who are calling for full closure of the
16 locks that connect the Chicago River to Lake
17 Michigan.

18 This Draft Control Strategy Framework shows
19 a myriad of well-thought-out short and long-term
20 options to study and control the carp population but
21 there is no time to, quote, assess ecological
22 separation. The fact remains that until the carp
23 are physically separated from the Great Lakes, our
24 Great Lakes are left open to the threat that is
25 posed by these carp.

1 Until a long-term plan is in place, the
2 locks must be shut. Protecting narrow shipping
3 interests cannot outweigh saving the Great Lakes
4 from economic and ecological disaster. Thank you.

5 DR. HOMER: Thank you.

6 MR. BUCHBAUM: Hi, I'm Andy Buchbaum,
7 director of the Great Lakes Office of National
8 Wildlife Federation. It was good seeing all of you
9 from Chicago in Michigan. Welcome to our fair
10 state, our Great Lakes state.

11 I want to first -- I'm not going to repeat
12 what I said last time. I want to first thank and
13 give appreciation to the folks of the Illinois DNR
14 Fish and Wildlife Service who are doing very
15 difficult and dangerous work, really doing the kind
16 of sampling that you're doing right now over those
17 warm water effluents in the Chicago area. You don't
18 get appreciation that you deserve because we're
19 focused on a plan and we're focused on a threat.
20 There's a lot of concern there. But thank you for
21 the work that you are doing and I'll give you
22 applause for that.

23 You know, I've been critical of the efforts
24 to date and we remain -- there's progress in the
25 plan but we remain somewhat critical of the plan.

1 There's a short-term component and a long-term
2 component. The short-term component, the electric
3 fence, is not a hundred percent effective. Rotenone
4 is not a hundred percent effective. Lock closure is
5 not a hundred percent effective. Electrofishing is
6 not a hundred percent effective.

7 Everybody's agreed on those points. So
8 when people say focus just on lock closure, we're
9 kind of missing the big picture. And that is that
10 it's up to you guys to figure out the combination of
11 things to do with all of those things, none of which
12 are fully effective, to preserve Lake Michigan from
13 the Asian carp and see if we can get a long-term fix
14 on the place. Nobody can disagree with that logic.
15 We urge you all to maintain the path you're doing to
16 figure that out while emphasizing the health of the
17 Great Lakes. Yeah, you got to weigh everything else
18 but emphasize the health of the Great Lakes.

19 It's too bad the Assistant Secretary Darcy
20 left because a lot of these comments were actually
21 aimed at her in that the Army Corps of Engineers,
22 their mission is primarily for over a century has
23 been about navigation. You have a new mission. I
24 know you already have one and you're trying to
25 embrace it. You need to embrace it faster in this

1 regard.

2 DR. HOMER: Okay.

3 MR. BUCHBAUM: The new mission for the Army
4 Corps of Engineers needs to be about environmental
5 protection and restoration as well. That's where
6 the future of that agency is. And when I hear the
7 responses to the questions here, particularly today,
8 I heard differences between the Army Corps of
9 Engineers and the other responses to these
10 questions. You all need to be on the same page, and
11 I urge the Army Corps of Engineers to be the agency
12 that leads us into the 21st century for
13 environmental protection restoration starting with
14 the Asian carp. Thank you.

15 DR. HOMER: Sir. Come on. Please.

16 Ed McArdle?

17 MR. MC ARDLE: I already spoke.

18 DR. HOMER: You already spoke?

19 Fred Becchetti.

20 MR. BECCHETTI: Becchetti.

21 DR. HOMER: Becchetti, sorry. If you've
22 already spoke, please just summarize.

23 MR. BECCHETTI: I had some questions and I
24 have comments.

25 So I'm a fisherman and a resident, engineer

1 and scientist. So in my 45 years of working with
2 scientific apparatus, etcetera, any human device
3 that is designed that can fail will fail. Ask a
4 NASA engineer about that. So your barriers will
5 fail. Not if, just when.

6 Okay. Secondly, I really believe mothers
7 and nature know best. Again, from my years of
8 experience. And nature did not have the Illinois
9 River connected to the Great Lakes. And you're
10 using Great Lakes restoration money for this, so
11 this would be a great way go back to nature. Nature
12 knew how to do it. It kept them separated. Let's
13 do that.

14 Also, as implied in my questions, this is a
15 war. Let's use as much of the military's technology
16 as we can, particularly the Navy border patrol,
17 whatever. This is a war. These are invaders. We
18 have technology to divert them, stop them, kill
19 them. Thank you.

20 DR. HOMER: We have run out of time. I
21 know that there's some cards here still. What I
22 would like to be able to do -- could we have the
23 website? There is a Asian carp dot org slash rapid
24 response slash contacts.

25 And if you have additional comments if you

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would like to make, if you could please provide
those comments in writing to the committee and they
will take those under advisement.

(Proceedings concluded at 6:22 p.m.)

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CERTIFICATE

STATE OF MICHIGAN)
) SS:
COUNTY OF OAKLAND)

I, LAUREL A. JACOBY, Certified Shorthand Reporter, a Notary Public, hereby certify that I recorded in shorthand the foregoing proceedings; and that the foregoing is a true, correct and complete transcript of the foregoing proceedings.

I also certify that I am not a relative or employee of a party or an attorney for a party; or financially interested in the action.

LAUREL A. JACOBY, CSR-5059, RPR
Notary Public, Oakland County, Michigan
My commission expires: 9/1/11
Dated: This 5th day of February, 2010.