

NEPA Public Scoping Meeting

Please note this document is a compilation of two transcripts, the afternoon session followed by the evening session of the NEPA Public Scoping meeting. Please use the Acrobat "Find" tool to perform key word searches within this document.

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GREAT LAKES AND MISSISSIPPI RIVER

INTERBASIN STUDY

NEPA SCOPING PUBLIC MEETING

At the Great Lakes Science Center

Thursday, January 13, 2011

2:00 p.m.

Public Meeting at 601 Erieside Avenue,
Cleveland, Ohio, Moderated by KENDALL ZABOROWSKI,
and stenographically taken and transcribed by
Julieanne Ross, RPR, and Notary Public in and for
the State of Ohio.

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1 NEPA SCOPING PUBLIC MEETING PANEL:

2 JOHN GOSS, Asian Carp Director, White House
Council on Environmental Quality

3

4 LT. COLONEL DAVID BERCEK, Deputy Commander,
U.S. Army Corps of Engineers, Chicago District

5 DAVE WETHINGTON, GLMRIS Project Manager

6 MIKE SAFFRAN, Other Pathways Project Manager

7 JOHN ZIMMERMAN, Chief of Planning & Policy
Great Lakes & Ohio River Division

8

9 HIROSHI ETO, Interim Programs Director
Great Lakes & Ohio River Division

10

11 C O M M E N T A T O R S

12 Mike Mahoney 42

Michael Durkalec 45

13 Herb Imondi 48

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1 P R O C E E D I N G S

2 MR. KENDALL ZABOROWSKI: Good afternoon,
3 ladies and gentlemen. I would like to welcome you to
4 today's Great Lakes and Mississippi River Interbasin
5 Study for GLMRIS, the NEPA Public Scoping Meeting.

6 My name is Ken Zaborowski, I'm with the U.S.
7 Army Corps of Engineers, Chicago District, and I will
8 be moderating today's meeting. Before we begin the
9 meeting I would like to tell everyone that the
10 bathrooms are located in the lobby just across from the
11 welcome and registration table.

12 When you arrived today the following
13 materials were available at the welcome and
14 registration table: The green meeting agenda, the
15 Study Overview or blue book, the GLMRIS trifold
16 brochure, the GLMRIS business card, the written comment
17 forms that also have instructions on mailing in written
18 comments for the study, this purple sheet which has
19 frequently asked questions about GLMRIS, this peach
20 sheet that has frequently asked questions about other
21 aquatic nuisance species efforts undertaken by the
22 Corps of Engineers and other project organizations, a

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1 copy of the presentation, this yellow form, which is
2 the oral comment registration form, if you wish to
3 speak today and you did not register on the project
4 website you would have been asked to fill out one of
5 these forms, and then lastly, this blue form, and this
6 is if you prepared any statements or additional
7 documents that you wish to submit today.

8 If you have preregistered to give an oral
9 comment today on our project website and have not yet
10 registered at the registration table in the lobby,
11 please do so when you get a chance. Also, if you would
12 like to make an oral comment and did not preregister on
13 the project website and have not registered at the
14 registration table in the lobby, please do so when you
15 get a chance.

16 Our GLMRIS team has organized this public
17 meeting to accomplish two goals. First to present
18 information about GLMRIS and, second, to solicit your
19 comments on the significant issues that should be
20 included in GLMRIS and on the insignificant issues that
21 can be eliminated from further study.

22 The Corps of Engineers is hosting twelve

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1 public meetings throughout the study area in an effort
2 to provide opportunities for those within the study
3 area to learn more about GLMRIS and to provide oral
4 comments.

5 Please note that the NEPA public scoping
6 period ends on March 31st, 2011. As indicated on the
7 green agenda, this public meeting is organized in two
8 sessions. An identical presentation will be given at
9 the beginning of each session followed by an oral
10 comment period.

11 The first public comment period is scheduled
12 to end at 5:00 p.m. and the second session is scheduled
13 to begin at 5:30 p.m. There will be a 30-minute break
14 between the two sessions. Study staff will be
15 available during the break for informal questions and
16 answers.

17 The second public comment period as well as
18 the meeting is scheduled to end at 8:00 p.m.

19 tonight. If you have questions or concerns,
20 study team members will be available again during the
21 30-minute break and there are staff out front at the
22 welcome and registration tables to help you with any

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1 questions you might have.

2 Please note you are welcome to speak to our
3 panel and staff members during the scoping meeting, but
4 any comments not given during the formal oral comment
5 period, submitted as a written comment or submitted as
6 a web comment, will not become part of our NEPA
7 documents.

8 Now I would like to introduce our panel.
9 First, moving from left to right is Mr. John Goss, the
10 Asia Carp Director from the White House Council of
11 Environmental Quality. Next to him is Lieutenant
12 Colonel Berczek, Deputy Commander U.S. Army Corps or
13 Engineers, Chicago District. Then is Mr. David
14 Wethington, the GLMRIS Project Manager.

15 Next is Mike Saffran, the other half of the
16 Project Manager. Next to Mr. Saffran is Mr. John
17 Zimmerman, he is Chief of Planning and Policy of the
18 Great Lakes and Ohio River Division. Then lastly is
19 Mr. Hiroshi Eto, the Interim Programs Director for the
20 Great Lakes and Ohio River Division, with oversight
21 over military programs and civil works programs. He
22 will be taking comments back to the Division Commander

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1 for consideration.

2 Now I'm turning the microphone over to Mr.
3 Goss to begin the presentation portion of today's
4 meeting.

5 MR. JOHN GOSS: Good afternoon. Thanks
6 everyone for taking the time to join us on a winter
7 day. I am the Asian carp coordinator. It's a new
8 concept that we would have somebody work full-time to
9 stop an invasive species.

10 That is because it is a unique opportunity
11 before Asian carp become established in the Great Lakes
12 that we are here, that we are working all around the
13 Great Lakes with all states and with the federal
14 agencies. We have a team effort that is currently
15 doing a job I think of containing the carp threat for
16 the Great Lakes in the short-term while we work on the
17 longer term solutions.

18 The real purpose today is to talk about the
19 process that we have to go through to come up with a
20 long term solution to the Asian carp challenge. What
21 I'm going to do first is give you an overview of the
22 status of some of the projects that are in motion and

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1 to tell you that there are a lot of coordinated ways
2 we're doing our best to make sure we do not have a
3 problem in the Great Lakes.

4 In fact, when it comes to protecting our
5 Great Lakes from the spread of Asian carp, the Obama
6 administration has taken an unprecedented, proactive
7 and aggressive approach. We have for the past year
8 been operating on a strategic plan called the Strategic
9 Framework and we now have over 45 different federally
10 funded actions in the strategy.

11 We will be focusing quite a bit on the Asian
12 carp, but also the project today is dealing with all
13 aquatic invasive species, the most serious right now is
14 the threat of the Asian carp coming into the Great
15 Lakes. We know they left a trail of some destruction
16 in the Mississippi River where they are crowding out
17 native fish, moving up into the Ohio tributaries, and
18 certainly they are present in my home state in Indiana
19 all the way up to Ft. Wayne.

20 We are also going to be concerned as we look
21 at all of the options we're dealing with this about
22 what is the impact on the ecosystem, the economy,

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1 recreational, commercial, fishing industry and all the
2 communities around the Great Lakes.

3 We have put together this team, you can't
4 probably see all of the agencies that are named up
5 there, but in addition to the Corps of Engineers that
6 are here today, we also have U.S. Fish and Wildlife,
7 U.S. Geological Services, the Coast Guard and the State
8 Department of Natural Resources from each of the
9 states, plus the City of Chicago, working together on a
10 team to come up with the full strategy.

11 The other project that is just about to start
12 is the technical and policy group. And this would be
13 for all the other stakeholder groups, the
14 nongovernmental people. So as you can see, industry,
15 environmental groups, fishing interests, other
16 recreational boating people, academics, experts in
17 technical areas, and certainly people that know a lot
18 about Great Lakes water and Great Lakes fish will be
19 part of this advisory group that will be continuing to
20 provide on all the projects.

21 I would just very briefly add, the biggest
22 area of concern which you are probably somewhat

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1 familiar with is on the south side of Chicago where we
2 have electric barriers, you can see in the center where
3 the star is. The electric barriers were originally
4 funded about ten years ago for the first ones, the
5 second one has been operating for about three or four
6 years, and the third barrier is going online in just a
7 few weeks.

8 That is the primary choke point and the main
9 line of defense keeping Asian carp that are in the
10 Illinois River System down through the State of
11 Illinois from moving on up into Lake Michigan at the
12 various points on the lake. The barriers are
13 functioning. We are going to be turning on the third
14 barrier very soon. And that electric barrier system is
15 holding fish back.

16 Also in that same area, if you can see just
17 above the electric barrier where it says the Des
18 Plaines River, then there is a box on the left for the
19 Chicago Ship Canal, the Old Ohio -- excuse me, the
20 Illinois Ship -- the old canal there on the right, then
21 the Des Plaines River. There is a new fish fence 13
22 miles long for flood water previously moving from the

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1 river into the Chicago Ship Canal. And that was the
2 pathway that we were very concerned about that carp
3 would get north of that electric barrier and come in
4 through flood water. So that is now protected as of a
5 couple months ago with that 13 miles of fence.

6 Also in Indiana we have found that there is
7 an area near Ft. Wayne where a flood plain called Eagle
8 Marsh, the headwaters of the Wabash and the headwaters
9 of the Maumee intersect. And there have been several
10 times in recent years with three or more feet of water
11 over that area.

12 So also this past fall this area has been
13 sealed off with a fence that will keep adult carp from
14 getting through and will be an effective block for any
15 fish population to move into the Maumee or over into
16 Lake Erie.

17 Just a few other accomplishments I want to
18 mention more recently with projects. We have out on
19 the Chicago Ship Canal constant monitoring by U.S. Fish
20 and Wildlife, Illinois DNR, Coast Guard, fish
21 biologists, and they are electroshocking, netting and
22 identifying fish. And in the time period this fall from

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1 mid-October to early December over 10,000 fish were
2 shocked, brought up, identified and put back -- just
3 stunned, not hurt. And in that process we did not find
4 one single Asian carp. So they were covering all of
5 those areas on the map that you saw between the
6 electric barrier and those points where those waterways
7 go out into Lake Michigan and could not find any Asian
8 carp at all.

9 That will continue and will be back in action
10 as soon as the weather breaks March or April. And
11 we'll continue to watch very closely that no Asian carp
12 are getting beyond those electrical barriers.

13 The framework for this coming year has an
14 additional \$40-plus million that we just announced a
15 few weeks ago. It's going to be funding a number of
16 research and development projects for long-term
17 management and reduction of the Asian carp population.
18 We have them in our river systems, we're going to have
19 to work to reduce those populations and certainly we'll
20 be spending a significant effort on that.

21 Also there will be a project to refine the
22 eDNA testing processes so that we can learn more from

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1 those eDNA tests. Right now all we can get is an
2 indication that we have a trace from carp, and we don't
3 know if that's fish feces, scales, live fish, a number
4 of live fish, one fish swimming around through the area
5 causing these traces to be picked up. So that research
6 is going to be very important in the coming years so
7 that we know what an eDNA sample has actually
8 indicated.

9 Additional projects coming on this year is
10 going to include improving commercial fishing, reducing
11 the number of fish in the Illinois River and in our
12 other rivers. By commercial fishing it's going to
13 bring the numbers more into our favor. They are not
14 going to be such a large population pressing to get up
15 into the Great Lakes.

16 Also looking at other possible tests for
17 detection that might be quicker turnaround than the
18 eDNA, which takes currently two weeks or so to run
19 through the lab process. And we'll also going to be
20 studying what's happening in the Chicago Ship Canal as
21 far as fish going through the electrical barrier.
22 There are some concerns that some fish might pass

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1 through when you have steel voltage arches in the
2 electric barrier, that's another evaluation that's
3 going to be done this spring.

4 We'll continue to work on the areas in what's
5 called the other pathways, and Mike Saffran will talk
6 about that a little later. But certainly this is where
7 I'll be spending some time in the next few weeks and
8 months with state people in each of the states as we
9 examine any other possible areas that would be like the
10 Ft. Wayne area where flood waters could connect the
11 rivers to the lakes.

12 And we've got some other key ongoing projects
13 that we're going to be working on. I think looking
14 with research into ways that we might interrupt the
15 reproduction process. Finally, sea lamprey were brought
16 under a manageable level by finding ways to interfere
17 with their reproduction. Hopefully that could be
18 discovered as effective also with the reproduction of
19 Asian carp, and also looking at other ways that we can
20 work with them.

21 The last thing I want to mention is we're
22 going to continue to do monitoring of eDNA. And since

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1 the fall in October there were in fact 2,230 water
2 samples taken from the ship canal in that area between
3 the electric barrier and the lake. Out of the 2,200
4 samples that were taken, we found really less than 60
5 that were positive. So that's about less than two
6 percent.

7 But there is an indication that there's some
8 traces of Asian carp there, so we're going to stay very
9 closely on top of that and continue to do very
10 effective and intensive water sampling, again,
11 beginning next spring. But we cannot locate a single
12 live fish in that area.

13 eDNA is an early indicator that something
14 needs to be worked on, that's what we're using it as,
15 giving us the incentive to continue very intensive
16 monitoring in that area to make sure that we don't have
17 a population of Asian carp that are going to become an
18 established reproducing population in the Great Lakes.

19 So that is the overall purpose of the united
20 front, the organized effort, federal, state and local
21 people working together. As I mentioned, there are
22 over 40 different projects that are in motion on this.

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1 Certainly the Great Lakes Mississippi River Interbasin
2 Study is the largest going forward of those projects
3 and will be a very significant focus for the coming
4 year.

5 And we're looking forward to in the future
6 there where will be some other opportunities for the
7 public and for interested organizations to comment on
8 interim reports and interim projects and
9 recommendations coming out of this basin study.

10 So thank you again for your interest. I just
11 want to close by saying I like to fish. I've enjoyed
12 fishing out of Port Clinton many times. I know the
13 importance of the fishing industry to this side of Lake
14 Erie and we certainly will be doing our best to protect
15 that. Thank you.

16 Dave, you're going to have to introduce
17 yourself.

18 LT.COLONEL BERCZEK: Good afternoon everyone.
19 Thank you for coming here today.

20 My name is Lt. Colonel David Berczek, I'm the
21 Deputy Commander for the Chicago District of the Army
22 Corps of Engineers. I want to take a few minutes of

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1 your time today, and we're really glad that you're here
2 to share with us your thoughts and your comments in
3 helping us to define the scope of this feasibility
4 study that we're doing. And I would like to take a
5 little bit of your time if you would allow me to share
6 with you what this study is about and what it is we're
7 looking at.

8 I'm going to use a couple of acronyms that I
9 think people already use. It's a little bit easier to
10 say GLMRIS than Great Lakes Mississippi River
11 Interbasin Study. So if you don't mind I'm going to
12 refer to it as GLMRIS. When we talk about the Chicago
13 Area Waterway System I'm going to say CAWS, C-A-W-S.
14 When we talk about the Chicago Sanitary and Shipping
15 Canal I'm going to say CSSC. I will try to stay away
16 from all other acronyms. Being in uniform we have a
17 tendency to swim in them and I won't subject you to
18 that same type of environment.

19 The GLMRIS study was authorized by the Water
20 Resources Development Act of 2007. The Congress
21 authorized the Corps of Engineers to conduct a
22 feasibility study. The feasibility study is a very

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1 robust study to look at a number of options and
2 technologies to prevent the spread of aquatic nuisance
3 species through the waterways, primarily through the
4 Chicago Sanitary Ship Canal, CSSC, and other aquatic
5 pathways.

6 Special considerations about this project
7 that make it somewhat unique a little bit is it is a
8 100 percent federally-funded study. That is not always
9 the case with feasibility studies. So Congress in that
10 there is telling us that there is an emergency to it,
11 it is a priority and we're treating it as such.

12 Some of the recommendations that we looked at
13 include looking at impact analysis on the CSSC and we
14 will look at various aquatic nuisance species control,
15 including hydrologic separation.

16 There is one bullet up here that talks to the
17 word prevent, and we have modified that a little bit.
18 You may have seen that a little bit in some of the
19 Project Management Plan, where we kind of defined a
20 little bit as a kind of guidance to our team and our
21 folks, not to limit looking at options and technologies
22 that may add to and may assist in preventing the spread

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1 of aquatic nuisance species. And don't eliminate ideas
2 that have some promise that could be brought into the
3 fight earlier that might not be 100 percent effective,
4 but of course the cumulative effect of what we all as a
5 group want to attain is 100 percent effectiveness in
6 preventing the spread of aquatic nuisance species.

7 The area is very large, the primary study
8 area. You can see up here a little bit on the map and
9 you can see in the book, too -- and that blue book, the
10 study guide is a very good book to talk about the
11 study. It explains a little bit of the process, what a
12 feasibility study is, how it goes through and what are
13 the next steps beyond a feasibility study, then making
14 other recommendations to Congress or other authority.

15 The study area is primarily focused on the
16 eight Great Lakes states and the additional nine and
17 the upper Mississippi River drainage states. Looking
18 at what we'll start to talk about is looking at a type
19 of a separation between the watershed, you see that
20 roughly 1500 miles of Continental Divide so to speak,
21 the water to the north of that goes to the Great Lakes,
22 water to the south of that goes to the Mississippi

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1 River, except for in that area there in the Chicago
2 Sanitary Ship Canal. Again, that is a man-made channel
3 that reverses the flow of the Chicago River away from
4 Lake Michigan and into the Mississippi River.

5 What is it we're looking at? We're looking
6 at aquatic connections. We're looking at swimmers,
7 floaters and hitchhikers. You can see up there it's
8 very broad, it's not just Asian carp, it's not just
9 fish, it includes the plants and parasites and other
10 types. It does not include on the right-hand side
11 human release and human activities. We're looking how
12 to prevent those species that may make it through the
13 water that would be transferred over land or through
14 the air.

15 I mentioned quite a little bit there earlier
16 for the map, the location, you can see the portions of
17 the 17 states. As we start looking and start
18 uncovering technology and start looking at our
19 inventory of aquatic nuisance species, that could
20 potentially grow even larger into the watershed area
21 that contributes to the lower Mississippi. So it could
22 include up to 33 states. So it's a very large scope

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1 area, a very complex problem. It does not include
2 looking at the St. Lawrence Seaway and, of course,
3 Canada.

4 You can see some of the elements there, the
5 analysis of options and technologies to prevent/reduce
6 the spread of aquatic nuisance species. We'll evaluate
7 hydrologic separation, conduct economic modeling to
8 look at and identify the current and future uses of the
9 waterways, identify the impacts and some mitigation
10 measures. And we will produce not only a feasibility
11 report, but also an Environmental Impact Statement out
12 of this study.

13 Because of the focus and because we already
14 know that the Chicago Sanitary Ship Canal -- I was
15 going to say CSSC, but I keep saying it -- anyway,
16 because we know that that is an always open pathway,
17 that has a primary director, and so we split into two
18 different teams. We mentioned the project manager
19 early on.

20 In looking at the other pathways, we have had
21 some early success already in the other pathways. Mr.
22 Goss mentioned the installation of the fence in the

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1 Eagle Marsh area. And we're looking for other
2 opportunities to go ahead in each area to further
3 address the risk that we perceive and what we can do to
4 reduce the risk of transfer.

5 We have organized for success, we had a good
6 framework to begin with out of the Asian Carp Regional
7 Coordinator. Mr. Goss showed you that there with the
8 little line diagrams and the bubbles, that drawing
9 across all partners that would have some assistance in
10 providing information in helping to work through the
11 problem. We have an executive steering committee to go
12 ahead and guide the efforts of the agencies to work
13 through the areas that need additional coordinating.

14 We are looking at cycling out interim
15 products and reports. This is a long-term study that
16 will take a number of years to get through, the
17 feasibility report. We are looking to as data is
18 collected and analyzed to the point where it can be
19 released and sent out, we will keep people informed as
20 to those types of products and also along with the
21 other pathways in particular, if there are some short-
22 term gains that are to be made, more rapidly

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1 implementible solutions from the military, we will be
2 informed of those as well.

3 The key of this study, as with all studies
4 that we conduct with the Army Corps of Engineers is we
5 must abide by all legal and regulatory guidance. That
6 does have some play in the team effort as we go through
7 this study that we are conducting.

8 As we go through this study we are looking
9 at, and that's the purpose of scoping meetings, to get
10 input from yourself and other groups, people that will
11 show up and let us know things that ought to be
12 considered and maybe things that shouldn't be
13 considered to help. So when we start looking, we want
14 to adapt and have some flexibility in our study
15 process, so if something shows up that we hadn't
16 anticipated, then we can adapt properly and bring that
17 information in to bear.

18 I mentioned already about the two focus
19 areas. And you can see here just some pictures of what
20 is being considered. Algae, dotted duckweed, spiny
21 water flea, microorganisms, as well as the 40-60 pound
22 jumping silverhead carp. We want to analyze possible

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1 controls available for the transfer between the basins
2 via these aquatic pathways. I mention, again, we are
3 looking at evaluating hydrologic separation.

4 This is the Chicago Area Waterway System.
5 And on this map it identifies certain pathways of
6 consideration and concern. And I will let Dave
7 Wethington, the Project Manager for the overall study
8 and also project manager for this portion of it to talk
9 to you about that.

10 DAVE WETHINGTON: Thank you. Again, I'm Dave
11 Wethington, I'm the Project Manager with the U.S. Army
12 Corps of Engineers, the Chicago district.

13 The slide before you has two features I'd
14 like you to take a look at. The first one on the
15 right-hand side of the map is the Chicago Area Waterway
16 System. There are numbers one through five on the map
17 and those list the five locations that the Great Lakes
18 Basin and the Mississippi River Basin have the
19 opportunity to meet.

20 What's unique about the Chicago Area Waterway
21 System is that they all funnel into a single choke
22 point which you see designated by that number seven,

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1 it's kind of a yellow hexagon I believe. And that is
2 the location of our current fish barrier. So all the
3 water at all the release points, they all come together
4 into one stream point. There are three points in the
5 State of Illinois that we do have both water control of
6 some kind, whether they are a pumping station or a lock
7 and dam structure, but there's also two open unconfined
8 structures or unconfined pathways in Indiana. Those
9 are four and five.

10 On the left-hand side of the screen is kind
11 of an outline of the Army Corps of Engineers' planning
12 process. And these are the steps we're going to take
13 towards answering the question of what to do about
14 preventing the volumes of species transferred between
15 the two basins.

16 What you see in the first two points is
17 really what we're here doing today is getting comments
18 from you as part of our specifying our problems and our
19 opportunity, what's significant to you, what's
20 important to you and maybe what is not as significant.

21 The other thing that we're doing right now so
22 to speak is collecting data to kind of identify what

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1 are all the uses of the Chicago Area Waterway System.
2 What you hear a lot about is commercial navigation, but
3 that's one small part of what the Chicago Area Waterway
4 System is used for. There is recreational use, there
5 is use for water supply, water discharge. 70 to 80
6 percent of Chicago water is made up of municipal
7 wastewater discharge, but it's treated, but it is
8 municipal wastewater discharge.

9 Additionally, the Chicago Area Waterway
10 System serves as a floodgate and helps manage our flood
11 risk in the City of Chicago. We occasionally under
12 large rain storms are able to release amounts of water
13 that would otherwise flood the downtown area of Chicago
14 and potentially flood basements throughout the Chicago
15 area.

16 What this study will do is identify all those
17 waterway uses and evaluate what potential impacts would
18 be to those waterway uses by implementing some type of
19 ANS control. You know, what can we do to prevent the
20 transfer of ANS that will have an influence through
21 control. And if there's some sort of adverse impact to
22 those waterway users, we have to identify means toward

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1 mitigation. So if we can't release water to Lake
2 Michigan to relieve the potential of flooding to
3 downtown Chicago, what do we do to mitigate for that
4 adverse impact.

5 Again, as what was stated before by both Mr.
6 Goss and Lt. Colonel Berzcek, we are coordinating not
7 only the federal family, but outside with the Native
8 American tribes, nongovernmental organizations and
9 private industry. Thank you, sir.

10 LT. COLONEL BERZCEK: This next slide shows
11 you other pathways. You can see there there's been
12 some work done in the characterization of those areas
13 and we have numbers here. And I will let Mr. Mike
14 Saffran who did the study talk to this slide for you.

15 MR. SAFFRAN: Thank you, sir. Good afternoon
16 everybody.

17 Going into the GLMRIS there was a lot known
18 about the Chicago Sanitary Ship Canal, not very much
19 was known about other aquatic pathways where aquatic
20 pathways form across the drainage basin. We started
21 the first of July with a very strong casting from the
22 Division Commander to complete a risk characterization

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1 that included inventory, development of an inventory of
2 all potential aquatic pathways that form along the 1500
3 mile length of the drainage basin that separate the
4 basins and to identify any significant -- any location
5 where there was a significant risk of aquatic species
6 transfer at those locations.

7 The results of it were identified in a poll
8 of about 36 locations that appear to be a significant
9 probabilities that aquatic pathways have formed. We
10 did find a couple locations where we actually do have a
11 perennial connection where there is water that does
12 flow continually across the basin. One of those
13 locations is here in Ohio associated with the Portage
14 Lakes and is used in part with the balance of the water
15 diversion issue flowing in and out of Lake Erie.

16 The most significant location we found around
17 this study is number six. Let me back up. Out of those
18 36 we identified 18 locations where we thought there
19 was significant risk. And a lot of the risk that we
20 identified were relatively minor risks, there was a lot
21 of uncertainty relative to hydraulics and hydrology.
22 This is a very, very flat area that extends over much

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1 of the divide.

2 But of those 18 locations there was one that
3 really jumped out as posing a very near-term risk and
4 that was the Eagle Marsh in Ft. Wayne. At that location
5 the largest storm that you would expect to occur in any
6 given year, an annual storm event generates a flow
7 across the basin divide, the USGS who helped us study
8 that, indicated that anything approaching a ten-year
9 level storm, which is derived from a storm you'd expect
10 to occur in any given ten-year period, generates up to
11 four-and-a-half feet of water flowing across the
12 drainage divide.

13 So that in conjunction with the fact that we
14 had observations of Asian carp in the Wabash River
15 about 22 miles downstream of that location made this
16 really jump out as a very high risk location. We
17 worked with the state of Indiana and Indiana DNR
18 stepped up to the plate and very rapidly, in literally
19 less than 60 days got that fence in place. And that
20 represented a big step for the State of Indiana, a step
21 forward to do that.

22 And it really did get us a long ways towards

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1 being able to develop a more long-term fix with that
2 fence. So we are in the process right now for the
3 Eagle Marsh in doing a separate, individual, a stand-
4 alone feasibility study to look at the options on how
5 to either separate the basins there or fully eliminate
6 the risk for the Asian carp and other aquatic nuisance
7 species who make the migration across that location.

8 The other 17 locations, we are in the process
9 of completing the risk characterization, if you will,
10 getting the hydraulic and hydrology information and the
11 other species information that helps us to clearly
12 delineate if there is a significant risk or not. And
13 that is expected to be completed this year.

14 LT. COLONEL BERZCEK: So what's been done so
15 far. We heard about some of the other pathways and you
16 can see down on the left side there is develop a
17 Project Management Plan. Simultaneously we have been
18 gathering some of the information and data that's very
19 voluminous out there to help us identify the uses, what
20 the challenges are and learning more about Asian carp
21 and other aquatic nuisance species, working to identify
22 the species of concern and looking at the means to do

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1 that, and start characterizing those as well. And Mike
2 just mentioned a little bit about Eagle Marsh. So a
3 lot of work has been done to get to this point and a
4 lot of work to be able to step up the guide to scope
5 this study.

6 Project schedule, you see here it says fiscal
7 year 15, but out into the winter/fall of 2014, winter
8 of 2015, you see a draft recommended plan and a
9 finalized report and a draft report out for public
10 review.

11 You see the asterisk there, it talks to
12 Schedule B in the best case scenario. We mentioned
13 earlier, too, that this study is 100 percent federally
14 funded. That doesn't necessarily mean that we have all
15 the funding right now. It will come as federal budgets
16 are approved through that whole cycle and process. So
17 we have to keep on track of what we're doing with the
18 study and make sure we have identified what is needed
19 next and that we obtain that and keep things moving
20 along.

21 It's also great that we're able to rely on
22 the help of our partners. Both project managers have

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1 talked about Fish and Wildlife, the state DNR, USGS,
2 who helped categorize and characterize some of the
3 things that are out there and then identifying
4 appropriate technologies and methods to control
5 transfer of those species.

6 But we're not going to go ahead and work,
7 what this slide shows you is we're not going to go
8 ahead and work in a vacuum, we're not going to go ahead
9 and sit there and wait and you'll be sitting here
10 waiting to hear something from us for four or five
11 years, that we would plan as we mentioned already,
12 spinning out some of those reports, some of the other
13 interim products and as we identify solutions from
14 other pathways. And other things that could be brought
15 into the fight, if there is a type of authority or a
16 state that can do it or some other agency with
17 authority, then we'd definitely go ahead and seek
18 implementation of those types of solutions.

19 I mentioned again, and I think David
20 mentioned as well, some of these interim products and
21 what you can expect to see there. An inventory of the
22 aquatic nuisance species being considered and their

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1 transport mechanisms. To help go ahead and illustrate
2 a little bit, it's a very large volume of information
3 that we're looking at. And as we start to shape that
4 and everything we would release those types of products
5 to keep everyone informed of what it is we're
6 discovering.

7 And then also look at uses of the waterways,
8 both recreation and industrial type and emergency
9 response, that type of activities, and the fisheries
10 and look at the value of all those, look at the
11 impacts, any possible solutions you may have on those
12 activities and look at the mitigation, so that we can
13 come up with a report suitable enough to present for a
14 chief decision to come through some authority for
15 implementation.

16 Kendall mentioned about a lot of the
17 resources and information and ways to help. How to get
18 stakeholder input, how to get input to accelerate
19 GLMRIS. And you see in the next slide a number of
20 websites and a number of technologies, related avenues
21 to go ahead and provide comment, as well as being here
22 today physically.

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1 And then below there are some of the ways
2 we're looking to bring the study along to make sure we
3 stay on track and if possible even collaborate in
4 looking at the expertise of others to help guide us in
5 this effort to help the drive along.

6 Other ways of providing input, as I
7 mentioned, physically being in one of these meetings.
8 And here you can see the list of other locations that
9 we're planning to go to. This changes a little bit,
10 when we started out in Chicago there were two less
11 cities. So we are listening to what people are saying,
12 would you like to consider another meeting here to let
13 other people hear this and also to provide input. So
14 this may fluctuate a little bit as well. But we're
15 trying to get out as much as possible to go ahead and
16 have this interaction and this dialogue and this
17 discourse with you.

18 And then, again, as I mentioned earlier, here
19 are some of the websites and locations. And everything
20 we're trying to do, almost a little bit of grand
21 recognition, everything with GLMRIS looks like this
22 business card and logo. When you go to the Chicago

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1 District website there is a button that would take you
2 to the GLMRIS web page that looks like this GLMRIS
3 business card, this logo. So we're trying to keep in
4 touch with what's going on. When you see that, it
5 guides you in that direction.

6 Thank you very much for being here today.

7 KENDALL ZABOROWSKI: Before proceeding we
8 want you to know that the GLMRIS website is a good
9 source of study information. Interested persons can
10 subscribe to the study's email list through the project
11 website.

12 The Corps of Engineers will use the GLMRIS
13 email list to distribute updates on such things as
14 documents that have been added to the project website,
15 interim products, opportunities for public involvement
16 and other important GLMRIS events.

17 The GLMRIS Project web address can be found
18 on the study brochure, written comment form, and also
19 on the GLMRIS business card. The GLMRIS business card
20 will also once again show how to follow us on social
21 media, such as Facebook and Twitter.

22 Now moving into the oral comment period of

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1 this meeting. Those who indicated on their
2 registration form that they wanted to make a brief
3 three-minute statement or ask a question will have an
4 opportunity to do so. If a person wants to ask a
5 question in addition to making a comment, we request
6 that you manage your three minutes to allow for
7 comment, question and Corps of Engineers response. The
8 Corps of Engineers will answer questions that are
9 answerable.

10 Again, in order for everybody to have the
11 opportunity to speak, we ask that everyone abide to the
12 three-minute limit. After everyone has had an
13 opportunity to address the panel and if time permits,
14 those who have additional comments or questions will be
15 given the opportunity to address the panel again.

16 If time does not allow those who wish to
17 address the panel a second time, please note that you
18 can enter any comments on the written comment forms
19 that were provided or on laptops that are provided in
20 the back of the room.

21 Just to note, all forms of comments received
22 during the scoping period will be weighted equally. I

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1 have a visual set of slides that will be used to help
2 manage our time while you are speaking. When you begin
3 your statement the time on the projector will show a
4 green box for the first two minutes, after the two
5 minutes the box will change to a yellow color and every
6 15 seconds it will update the remaining time. I will
7 announce to you that there are 30 seconds left to make
8 a concluding statement.

9 At the end of your three minutes the box will
10 turn to a red color and I will ask that you conclude
11 your statement. We feel that this procedure is the
12 most fair and will give everybody an equal opportunity
13 to be heard.

14 I'd like to mention that we have a
15 stenographer. She will be recording your comments and
16 questions. When you came to the microphone to make an
17 oral comment and/or ask a question, please state your
18 first name, your last name, any organization you may
19 represent and your zip code. If you do not do these
20 things we cannot formally include your comments in the
21 scoping document. Please speak into the microphone and
22 speak slowly and clearly. Thank you.

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1 We'll now hear from those who pre-registered
2 to speak on the project website and those who indicated
3 on the registration form that they wanted to make oral
4 comments. Those that pre-registered on the project
5 website, I ask that you come to the microphone colored
6 coded blue, which is in the center aisle. For those
7 that did not pre-register on the project website, I ask
8 that you go to the microphone color coded yellow, which
9 if you're facing the panel on the right-hand side of
10 the room.

11 You received a numbered index card when you
12 registered. I will be calling that number and your
13 last name to come to the microphone. I will recognize
14 you and alternate as needed to accommodate for the pre-
15 registered person as they arrive. For those that did
16 not pre-register on the project website, please come to
17 the microphone when I call your name.

18 At this point in time anybody that pre-
19 registered, that means you have a blue numbered index
20 card, I invite you to come to the microphone and show
21 me your number, then I will announce your name. I
22 can't say that one. All right, Mr. Mike Mahoney,

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1 please state your name and then begin your comment.

2 MR. MIKE MAHONEY: Is this working?

3 KENDALL ZABOROWSKI: I'm not sure. Tap on
4 it. Is it working now?

5 MR. MIKE MAHONEY: All set.

6 Good afternoon. My name is Mike Mahoney and
7 I live at -- or my zip code is 44023. I'm from Chagrin
8 Falls, Ohio, and a summer resident on Michigan's Les
9 Cheneaux Islands on Lake Huron's north shore. I'm also
10 the 2010 past president and current board member of the
11 Les Cheneaux Island Association which is a 500-family
12 island cottagey group representing 36 islands on Lake
13 Huron.

14 I'm also a board member for an environmental
15 group known as Les Cheneaux Islands Watershed Council.
16 Collectively we have been addressing Great Lakes' low
17 water level since 2004. We're keeping our members up-
18 to-date regarding the International Joint Commission's
19 progress relative to the International Upper Great
20 Lakes study of which is, as you know, the U.S. Corps of
21 Engineers and National Oceanic and Atmospheric
22 Administration is a significant part.

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1 We also want a critical focus on basin
2 species such as durageon mulpol aquatic
3 liding(phonetic) to Asian carp and their combined
4 dramatic impact on our interbasin stock, wetlands,
5 waterfalls and fisheries, actually the economic engine
6 of the Great Lakes.

7 My represented comments are twofold. Being at
8 the risk of being broadly redundant today, involved, we
9 all need to address what I believe common, and I'll say
10 that again, common denominator between the
11 International Upper Great Lakes Study and the Great
12 Lakes and Mississippi River Basin Interbasin Study.

13 First, in our opinion permanently seal off or
14 sever the artificial connection between the Mississippi
15 and the Great Lakes. More specifically, close the
16 Chicago Sanitation and Shipping Canal, also known as
17 the 9,000 cubic feet per second Great Lakes freshwater
18 basin diversion created by the reversal of the Chicago
19 Rivers back about 100 years ago to correct what I
20 believe was a product of the Chicago sewage system at
21 that time.

22 KENDALL ZABOROWSKI: 30 seconds.

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1 MR. MIKE MAHONEY: Second, with the
2 convenient closing of the Chicago diversion, work on
3 parallels studying alternative ways to reduce the risk
4 of the Asian carp propagating in the Great Lakes should
5 immediate prevention initiatives fail to a greater or
6 lesser degree in the future.

7 The potential impact on the Great Lakes'
8 economy, world's largest freshwater supply, is far too
9 extensive for a five-year study objective as provided
10 by GLMRIS' recommendation. I thank you for this time.

11 KENDALL ZABOROWSKI: Thank you for your
12 comments. I would, again, like to remind everyone
13 after everyone has had an opportunity to speak, you may
14 be given an opportunity to address the panel a second
15 time.

16 At this point blue number two, will you
17 please come to the microphone, please state your name
18 and your zip code before you begin.

19 MR. MIKE DURKALEC: My name is Mike Durkalec,
20 zip code 44126. I'd like to start by first thanking
21 the committee for allowing us the opportunity to
22 comment on this issue. I'm here on behalf of a number

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1 of different groups.

2 KENDALL ZABOROWSKI: Sorry, sir, can we ask
3 you to lower the microphone, and for the benefit of the
4 court reporter I'll ask you to, and I'll restart the
5 time for you, ask you to begin again.

6 MR. MIKE DURKALEC: Okay, my name is Mike
7 Durkalec, zip code 44126. And I do want to thank the
8 committee for allowing public comment here today. I'm
9 here representing different groups from multiple
10 perspectives. I'm employed by Cleveland Metro Parks as
11 an aquatic biologist, a local community college biology
12 professor, acting chair of the local Watershed Council
13 of Rocky River and also I'm on the Board of Directors
14 for our local sportsman's group. But I'm here foremost
15 giving my opinions and comments as an objective
16 scientist, distancing myself as a passionate
17 conservationist.

18 And with that said, what do we or what don't
19 we know about this whole situation, even though it's
20 easy to jump in and imagine what we're going to do
21 about these nuisance species. We really don't know
22 even as biologists what the consequence would be if

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1 Asian carp entered the Great Lakes. We do know the
2 worst case scenario could be devastating.

3 Why don't we know? It's a bit of a mystery
4 and hard to predict these things. Asian carp, it's
5 such a complex system. Emerald Ash Borer that
6 devastated our local forest is a perfect example, it
7 wasn't even on our radar screen and you see the damage
8 it has done.

9 So what do we know? We do know locally we
10 have a \$7 billion fishery at stake in this situation.
11 Put that in perspective, that's about even with the
12 deficit for the State of Ohio that's getting so much
13 news.

14 I do know electric barriers and fences are
15 not failsafe. And while an effective tool in the right
16 hands, electric barriers are not going to be 100
17 percent failsafe. I mean, you know that. We know that
18 these fish eggs escape from southern fish farms even
19 though they assured regulators they wouldn't. At least
20 to the point they were brought to this country, as far
21 as I know dikes and fences were the main supposedly
22 fail-safe method employed.

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1 And shipping and infrastructure played a huge
2 role in bringing the approximately, well, almost 200
3 species into Lake Erie alone. So I think it's safe to
4 say that you know our past regulations --

5 KENDALL ZABOROWSKI: 30 seconds.

6 MR. MIKE DURKALEC: -- have not been
7 completely effective.

8 So in summary I would lobby that we really
9 can't wait until 2015 to take appropriately corrective
10 actions in this case and make a hydrologic operation at
11 least temporarily until the study is finalized. And I
12 just urge you that we learn from our past mistakes and
13 take aggressive action in this case. Thank you.

14 KENDALL ZABOROWSKI: Thank you, sir.

15 Again, please, when you come to the
16 microphone adjust it as needed so we can make sure the
17 stenographer can hear you. Blue number three, please.

18 MR. HERB IMONDI: Yes. My name is Mike
19 Imondi and I represent steelheadquarters.com which is a
20 website that generates approximately 45 million
21 visitors every other year.

22 Gentlemen, as I mentioned, my name is Herb

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1 Imondi, and I thank you for giving me the opportunity
2 to speak about something I feel so passionately about,
3 my Great Lakes.

4 I say my Great Lakes only because I moved
5 here back in the '80s due to the fantastic sport
6 fishery Lake Erie has. I've raised my family here, I
7 pay my taxes here, I've worked and been employed here
8 like everyone else. And most of all I came here to
9 provide a better life for my family and also to enjoy
10 my hobby or obsession for steelhead fishing. And I've
11 done this all by choice.

12 I support my community through my website and
13 blog because of the fish in Lake Erie. And to see that
14 threatened by Asian carp, it's totally beyond my
15 comprehension. Back in the '80s I put up with a lot of
16 ridicule from family and friends of mine all over the
17 country for moving to what they considered "the mistake
18 on the lake." And to be honest with you, you have to
19 want to live here to appreciate what others take for
20 granted. And I just so happen to love this town. This
21 is my town and my Great Lake.

22 But here's the situation, and it's all boiled

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1 into one simple question, gentlemen, what can be done
2 after Asian carp enter the Great Lakes? I'll tell you
3 humbly, nothing. And also to quote Dr. Michael Hanson,
4 who is the chairman of the Great Lakes Fishery
5 Commission in Michigan, he also recently commented on
6 this to the Committees on Transportation and
7 Infrastructure, the Subcommittee on Water Resources and
8 Environment before the Honorable Edie Bernice Johnson,
9 who is the chairwomen, he told her the same thing, not
10 much.

11 Thankfully President Obama just signed into
12 law in December the Asian Carp Prevention and Control
13 Act which was authored by Senator Carl Levin of
14 Michigan. That bipartisan bill was also introduced by
15 Governor Voinovich of Ohio, both of whom chaired the
16 Great Lakes Task Force Subcommittee. And if I may, I'd
17 like to quote Senator Carl Levin who said, "The U.S.
18 Congress took an important step today in the effort to
19 keep Asian carp out of the Great Lakes."

20 These fish pose a real clear and growing
21 threat to the Great Lakes. The devastating effect that
22 Asian carp could have on the Great Lakes are not fully

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1 known and I want to make sure they are never realized.

2 You guys are engineers, the Army Corps of
3 Engineers, right? Didn't engineers put man on the
4 moon? Guys, this isn't rocket science, we're talking
5 about fish and invasive species. We already know there
6 is over 185 invasive species in the Great Lakes. If
7 they get into our Great Lakes system within five to ten
8 years, our fishery will be destroyed.

9 You guys talk about the study for eDNA. The
10 proof is in the pudding. EDNA showed up in Lake
11 Calumet Harbor. Asian carp are already here,
12 gentlemen. Asian carp already showed up in Lake
13 Calumet. What are you waiting for?

14 Thank you for your time.

15 KENDALL ZABOROWSKI: Mr. Imondi, could you
16 please state your zip code into the microphone.

17 MR. HERB IMONDI: 44060.

18 KENDALL ZABOROWSKI: Thank you, sir. Next,
19 blue number four, sir.

20 MR. TOM MAYHER: My name is Tom Mayher.

21 KENDALL ZABOROWSKI: Excuse me, sir.

22 MR. DON ARCURI: I've got four.

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1 KENDALL ZABOROWSKI: Is yours a yellow
2 number, sir?

3 MR. TOM MAYER: Yes.

4 KENDALL ZABOROWSKI: I will call you in a few
5 minutes, sir. Blue number four, please? State your
6 full name and zip code.

7 MR. DON ARCURI: Don Arcuri, I'm a U.S.
8 Advisor for the Great Lakes Fishery Commission, have
9 had that position 16 years now, and zip
10 44074.

11 I really don't want to talk about
12 specifically Asian carp today or how to separate the
13 Great Lakes basin from the Mississippi Basin at this
14 time. I do want to talk about when it will be done.
15 It's all about time and a race against time, if you
16 will. Perhaps a race against the inevitable, but a
17 race that if not run with passion and fervor it's lost
18 at the start.

19 And I would also like to cite what I see as
20 one of the great teachers in life: History and lessons
21 of the past. Food for thought.

22 Way back in 1887 Chicagoans officially

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1 acknowledged that they had a serious problem with the
2 way sewage was handled in that area. It only took two
3 years to get governmental approval to start what was
4 the largest earth moving operation undertaken in North
5 America at that time. And then only about a year to
6 start water flowing in the Chicago Sanitary Canal,
7 reversing the flow of the Chicago River.

8 Now jump forward to 1969, the Cuyahoga River
9 catches fire just a few miles from where we are right
10 now. Not really an environmental disaster, not even
11 close, but it became the catalyst that brought public
12 awareness of the environmental disasters to a peak.

13 A year later we observed the first Earth Day
14 in our country and by 1972 we have the U.S. EPA, Ohio
15 EPA, the Great Lakes Water Quality Agreement and the
16 Clean Water Act.

17 Jump forward to 2005, over a hundred Great
18 Lakes stakeholders and experts come together in the
19 Great Lakes Regional Collaboration to identify problems
20 and to formulate solutions. In less than a year a
21 framework, if you will, was drafted that is currently
22 the major guidance for the Great Lakes Restoration

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1 Initiative. Hundreds of millions of dollars are being
2 spent on an annual basis on dozens of projects to
3 restore and recruit the largest freshwater supply in
4 the world.

5 What is my point? In this nation when we see
6 a pressing need or an imminent threat, we have the
7 capacity to move very quickly and decisively. The
8 history of the Corps of Engineers is filled with
9 examples of this.

10 But wait a minute, back in the '70s some
11 suspected green populations of Asian carp study showing
12 up in some southern rivers. There was some headlines
13 and some state's resource managers pushed for laws
14 governing intentional reproductions.

15 KENDALL ZABOROWSKI: 30 seconds.

16 MR. DON ARCURI: It is not until the mid-'90s
17 that -- I'm just going to push forward.

18 It was agreed that they must stop, oh, I'll
19 skip over, I'm sorry. Some may ask is there an
20 imminent threat concerning Asian carp. That is a valid
21 question. But dare we wait for that conclusive answer?
22 What about the 20 invasive species that are in the

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1 Mississippi system that are identified --

2 KENDALL ZABOROWSKI: Time.

3 MR. DON ARCURI: -- in the Great Lakes that
4 are identified in the Mississippi system, do we wait
5 until a dozen or so pass over? I think not. The time
6 to be quick and decisive is now. Thank you.

7 KENDALL ZABOROWSKI: Thank you, sir. All
8 right. At this point in time we will move to the
9 yellow line. I would ask that yellow number one, two
10 and three line up. And if we have yellow number one at
11 the beginning. Sir, please, again, please remember to
12 state your full name and zip code before you start your
13 comment.

14 MR. JIM WHITE: Thank you. I'm Jim White,
15 the Executive Director of the Cuyahoga River Remedial
16 Action Plan here in Cleveland and the zip code in our
17 office is 44114. Thank you for coming. It's an
18 important process that we're all engaged in as part of
19 our effort to restore the Great Lakes.

20 Quick comment, the whole concept of aquatic
21 invasive species has been certainly on the plate of the
22 Great Lakes Restoration community, a major chapter of

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1 the Great Lakes regional strategy that was developed in
2 2006 and it continues to be a major priority. During
3 those discussions of which we were heavily involved in,
4 there was a lot of discussion about vectors or
5 pathways, about how invasive species get into the Great
6 Lakes, ballast water and canals, waterways are a major
7 part of that, but also airborne terrestrial concerns
8 were also stated.

9 So by way of comment, I'm very concerned that
10 the study you're involved in and you've scoped out does
11 not include terrestrial and airborne pathways, I think
12 it's a flaw in the science. Because the birds pick up
13 sticky fish eggs and then fly to other waterways and
14 usually transfer a variety of fish populations,
15 including Asian carp in that method, and as well as
16 other forms of human behaviors.

17 So I'm very concerned in the absence of real
18 interventional strategies or real prevention strategies
19 in dealing with airborne and terrestrial pathways, that
20 we are going to effectively see Asian carp get into the
21 Great Lakes, and certainly in Lake Erie that's a
22 concern.

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1 The principal concern there is they are algae
2 eaters among other things. And there's huge algae
3 populations certainly plaguing the Great Lakes. And
4 the concern there is will the nutrient-rich environment
5 of Lake Erie in its current state of affairs accelerate
6 the expansion of these populations as a result of that.
7 So I don't know where you are in these kinds of studies
8 and stuff like that. But it's a concern in how rapid
9 the population may expand in Lake Erie as a result of
10 that.

11 So having said that, I believe given the
12 scope of your study that there needs to be way more
13 attention, as some other people have pointed out, on
14 the intervention strategies. One of you commented I
15 believe early, sir, on the Council of Environmental
16 Quality about reproduction interventions. There's been
17 some discussion in the science community about Trojan
18 genes, ways to intercept reproduction capability and
19 turn all the fish into little boys or something like
20 that. I don't know where the emphasis is --

21 KENDALL ZABOROWSKI: 30 seconds.

22 MR. JIM WHITE: -- but I would say in our

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1 Cleveland region we have enormous biomedical
2 capability. And I think that should be an asset that
3 you may want to consider harvesting as far as
4 assembling teams of researchers and biomedical
5 strategies, because I believe sooner or later the fish
6 are going to be in Lake Erie.

7 Also I mentioned I'm Director of the RAP.
8 The Cuyahoga River is a Continental Divide river.
9 Please be sure to include us however we can to assist
10 you in the effort here for that. So thank you very
11 much for your time.

12 KENDALL ZABOROWSKI: Thank you, sir. Yellow
13 card number two, please state your full name and zip
14 code before you comment.

15 MR. HARVEY MIERKE: My name is Harvey Mierke.
16 I live in 44106 zip code in Cleveland Heights, Ohio.
17 I'm here representing the Georgian Bay Association,
18 which is headquartered in Toronto Ontario. I'm the
19 U.S. Director of that organization which represents
20 some 5,000 property owners along the eastern and
21 northern shore of Georgian Bay in the north channel.

22 Georgian Bay as those of you here know is

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1 part of Lake Huron and is often known as the sixth
2 great lake. Our association along with several
3 associated associations headquartered in the Georgian
4 Bay area spends a lot of time, money and effort trying
5 to protect that ecosystem.

6 I'm here to tell you, as some of my
7 colleagues passed on to you at the Buffalo hearing,
8 that Canadian residents, of the 5,000 people I
9 represent, approximately 40 percent of those are U.S.
10 residents who own property up in that area. But that
11 the Canada people, the people of Ontario, both
12 individuals and government people, are very much
13 concerned about this. They have been conducting some
14 of their own studies and I would be very surprised if
15 there hasn't been some interaction between the two. So
16 I will go no further than that.

17 My main point is basically the gentleman who
18 is the representing the steelheaders has got it right.
19 I commend you for all these other things that you're
20 studying. And we run into terrific invasive species
21 problems from the fish and the plants and all those
22 sort of things, but this is the most serious thing.

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1 When these carp come in, it's all over.

2 We have just here in Lake Erie a terrific
3 steel heading, perch, walleye fishery, to say nothing
4 of the commercial fishery which the Canadians run on
5 the other side of the lake. All that's going to be
6 destroyed unless something is done and done quickly.
7 I'm terribly afraid that you have watered down your
8 direction to prevent this from happening by going to a
9 risk reduction.

10 KENDALL ZABOROWSKI: 30 seconds.

11 MR. HARVEY MIERKE: And I think that that is
12 a mistake, that you should close the canal in Chicago
13 and then figure out how to work around the problems
14 from there. But to cut it off and close this up and
15 then work on the other details and obviously continue
16 working on the other invasive species problems and the
17 problems of the other pathways. All of those are very
18 important, but --

19 KENDALL ZABOROWSKI: Time.

20 MR. HARVEY MIERKE: -- but if the carp get
21 into Lake Michigan, gentlemen, it's all over. Thank you
22 very much for your attention.

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1 KENDALL ZABOROWSKI: Thank you, Mr. Mierke.
2 Yellow number three.

3 MR. JIM WERLEG: Yes, my name is Jim Werleg,
4 my zip code is 44145. My organization institute, which
5 I founded, is called the Lake Erie Sport Institute for
6 Angling and the mission is for sport quality fishing.

7 I, first of all, want to thank you for the
8 opportunity to speak here and thank you for this
9 meeting. You have no idea how important this is for
10 the watershed of Lake Erie and its rivers and so forth.

11 The one thing that I'd like to -- my mission
12 is for preservation of habitat and the enhancement of
13 the habitat specifically for species such as small
14 mouth bass, walleye and perch, which is probably the
15 finest fishery in the world for small mouth bass, which
16 I think should be noted here.

17 The thing that bothers me the most in reading
18 about the Asian carp and its problems that it can bring
19 to Lake Erie is why are we still in a study mode? I
20 don't think we should be in a study mode anymore. The
21 mode we should be in is the elimination of this species
22 from where it's coming from.

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1 My question to you is why haven't we
2 eliminated this Asian carp in the Mississippi watershed
3 by now? We know where it's coming from and why haven't
4 we implemented a program to eliminate this invasive
5 species down there so it will not reach the Great Lakes
6 and ultimately Lake Erie?

7 Again, I'd like to emphasize that this fish
8 should be eliminated. It will severely impact the most
9 shallow lake of the Great Lakes, Lake Erie. And if it
10 gets to this lake it will be out of control and it will
11 be the worst invasive species we ever had.

12 We've had many other invasive species come
13 here, zebra mussels, the goby, et cetera, and we have
14 seen the impact it has had on the fisheries,
15 specifically small mouth bass, walleye and perch, and
16 it's impacted terrible. And if we are going to
17 continue to make this lake the greatest pearl of all
18 lakes in the world, and I repeat the world, we've got
19 to stop this species before it even gets near Lake Erie
20 or the Great Lakes.

21 And, again, my question is why we haven't
22 eliminated this fish where it has come from, the

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1 source, which is the Mississippi River.

2 KENDALL ZABOROWSKI: Time.

3 MR. JIM WERLEG: Thank you.

4 KENDALL ZABOROWSKI: Thank you, sir. Yellow
5 number four, please go to the microphone. Again, please
6 state your name and zip code before you comment.

7 MR. TOM MAYHER: My name is Tom Mayher,
8 44109, Cleveland. A bunch of years ago we met with the
9 Commodore of the Coast Guard when the zebra mussel was
10 new. And he said the shipping industry is going to
11 win, you fishermen will lose. I have very little
12 confidence that we will do anything about the Asian
13 carp.

14 I belong to the Cleveland Fishing Association
15 and also the West Cleveland Walleye Association. My
16 wife and I have been fishing Lake Erie for -- I've been
17 over 60 years, she's been fishing there for 60 years,
18 this includes our family. We're deeply rooted in Lake
19 Erie.

20 I've been on the Ohio Sea Grant Advisory
21 Commission for the Central Basin for 32 years. My wife
22 also is on the advisory committee. During my tenure

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1 around here I've seen a lot of changes in Lake Erie.
2 Quite sometime ago we had a mercury scare. We shut
3 down our walleye fishery. This is something we did and
4 we eliminated he problem. Our fish are safe to eat now.

5 We believe that the government should have a
6 new law that to possess a live Asian carp be a federal
7 crime. We've got to stop this right now. We have to
8 stop transporting Asian carp over land. If we do
9 nothing real quick -- we have to have a sense of
10 urgency, it is inevitable that this fish will be
11 everywhere in the country.

12 We heard it before that Lake Erie is the
13 number one fishery in the world. We produce more fish
14 than all the other Great Lakes combined. This is a very
15 serious problem for us. We are the greatest of the
16 Great Lakes. We are going to take a beating if you
17 people don't do something soon.

18 And as far as the Asian carp being used to
19 eat algae, there are other carp that could be used.
20 Get rid of the Asian carp and get these fish that will
21 not reproduce. Thank you.

22 KENDALL ZABOROWSKI: Thank you, Mr. Mayher.

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1 At this point in time, aside from yellow
2 number five, are there any comment cards I have not
3 called to the microphone? Before we open the
4 microphones back up for a second round of comments and
5 questions for the panel, we had a request by one person
6 that they would like to address the panel with two
7 slides that they prepared. And, Colonel, I believe
8 there is a request to borrow your laser pointer if you
9 don't mind as well.

10 Sir, is this the correct file?

11 MR. DEAN DABSON: Yeah, that will work. I'm
12 hoping it does work. It's on a Mac. If it doesn't
13 I'll have to ad lib on the slide.

14 KENDALL ZABOROWSKI: Yeah, I'm not sure if it
15 will work, this is a PC.

16 MR. DEAN DABSON: Okay, so much for
17 technology, right?

18 KENDALL ZABOROWSKI: Please state your full
19 name and zip code.

20 MR. DEAN DABSON: Sure. I'm Dean Dabson, zip
21 code 44060, Mentor, Ohio.

22 I've been a member of the United States Coast

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1 Guard auxiliary at Fairport Harbor for the past 25-plus
2 years and I was former Commander out there. I have a
3 great love for the Great Lakes. I'm also for the past
4 six years have been a conceptual artist and advisor to
5 Godfrey Reggio, who is an art film producer well known
6 in art film circles, and he's very much interested and
7 has been in the unintended consequences of the
8 technological environment which we're all a part of.

9 The slides that I had up there, which
10 hopefully they can be translated over into PC format,
11 came from the Ronkiers and Kline Plain in Belgium.
12 It's a system where large rail cars, I mean enormous
13 rail cars, you can barely imagine looking at them. If
14 you go on YouTube you can actually see one in
15 operation. But they actually transport over land
16 barges. And you could feasibly fill the barge with
17 rotenone or, you know, whatever, to kill the fish
18 rather than poison the entire waterway.

19 So the Ronkiers and Kline Plain actually
20 eliminates 39 locks in their waterway system. It goes
21 a considerable assistance distance. But the point is
22 here you could probably have it go a short distance,

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1 you probably wouldn't have to eliminate the whole nine
2 yards, and you could poison what's in that tank car.

3 So that's basically my idea that would
4 basically, you know, give time for some of these other
5 measures to work. And, you know, attacking the fish in
6 the entire Mississippi Basin is going to take perhaps
7 years and we really don't have years. So in this way
8 you're not going to go loggerheads with the shipping
9 industry and they will delay things in the courts for
10 years and there may be, you know, some vital interest
11 there.

12 So to give an example would be the locks, the
13 levy system down in New Orleans. They had Dutch
14 engineers come over and talk about the fact that you
15 could, you know, build dikes that would hold up for 500
16 years.

17 KENDALL ZABOROWSKI: 30 seconds.

18 MR. DEAN DABSON: And that was turned down at
19 the last minute because a couple of officials at the
20 Governor's office said, you know, basically let's
21 forget this plan.

22 So we don't want to do things for maximum

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1 profit, we want to do them for maximum value and we
2 want to do them for the viability of the environment
3 over the years. So thank you very much.

4 KENDALL ZABOROWSKI: Thank you, sir. At this
5 moment -- just one moment, sir. At this moment I would
6 like to take the opportunity to remind everyone, if you
7 have any additional documents, statements or files,
8 that you have the opportunity to upload them to our
9 project website. So if you get that working, please
10 feel free to visit our website and upload the files
11 there.

12 MR. DEAN DABSON: Yeah, we can send them over
13 the Internet to you, you know, that will work, and they
14 have automatic translators. But unfortunately how to
15 work it out between your system, I'm not sure. So
16 thank you.

17 KENDALL ZABOROWSKI: Next time we'll work on
18 that.

19 At this point in time it is 3:19. Are there
20 any additional cards I have not called? If not, we
21 will open up the microphones to general comments and
22 questions for the panel. Please proceed to the

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1 microphone closest. I believe yellow number four, if I
2 can call your name, Mr. Mayher. I saw your name go up
3 first, so if you would like to step to the microphone.

4 MR. TOM MAYHER: I'd like to make one quick
5 comment. We went to bed one night and we woke up in
6 the morning and we found there were zebra mussels in
7 the lake. Within two breaths the whole lake was
8 covered with zebra mussels.

9 Along the line here we went to bed one night
10 and we woke up and they find out that tiger mussels
11 covered all the zebra mussels in the lake. We found the
12 gobies over in Fairport Harbor. Within one year they
13 covered the whole bottom of my fishing area 90 miles
14 away.

15 We have to have a sense of urgency about this
16 Asian carp. Start killing them. You can't rely on
17 getting rid of the sewage canal, we have to attack the
18 carp. Whoever was up here before me had the right
19 idea. Thank you.

20 KENDALL ZABOROWSKI: Excuse me, Mr. Mayher,
21 could you again state your full name and zip code?

22 MR. TOM MAYHER: Again, Tom Mayher,

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1 44109.

2 KENDALL ZABOROWSKI: Again, I would ask that
3 when you approach the microphone, please state your
4 full name and zip code so we can keep track of all the
5 comments as we go. Sir, you can begin.

6 MR. JIM WERLEG: Jim Werleg, zip code 44145
7 representing Westlake and Huron, Ohio.

8 One thing I'd like to say is that there are a
9 lot of stakeholders in the Great Lakes and specifically
10 Lake Erie. And when I say stakeholders, I mean both
11 industry and also other industries like myself,
12 sporting angling, which I represent a lot of the
13 equipment manufacturers.

14 The thing I don't think people realize is
15 that the combination of sport angling, manufacturing
16 and boating and other recreational equipment
17 encompasses a \$25 billion industry, \$25 billion, folks,
18 versus other industries that have stronger lobbies in
19 Columbus, Washington, D.C. and other capitals in Ottawa
20 Canada that represent much smaller numbers, such as one
21 or two billion, if that. And here we have \$25 billion
22 that could be lost if this species, Asian carp, is

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1 allowed into the Great Lakes and specifically Lake
2 Erie. I just want to make that issue.

3 KENDALL ZABOROWSKI: Thank you, sir. Mr.
4 Imondi, I believe you've been waiting patiently.

5 MR. HERB IMONDI: My name is Herb Imondi and
6 I'm representing steelheadquarters.com, 44060. I would
7 just like to leave off, or actually start where I left
8 off when I was often given three minutes.

9 Gentlemen, I had mentioned to you about
10 Senator Carl Levin and George Voinovich doing the Great
11 Lakes Task Force. And I had mentioned that you guys
12 are the Army Corps of Engineers. We're not talking
13 about rocket science, as I reiterated, we're talking
14 about one of the greatest sport fisheries in the world
15 that generates over \$7 billion annually.

16 I'm not even from here and I don't ever want
17 to see this happen in my lifetime or my children's
18 lifetime. Time to act is quickly passing us by. And
19 to be perfectly honest, it may already be too late and
20 you guys already know about this.

21 The scientists at Notre Dame along with the
22 Nature Conservancy and funded by the Army Corps of

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1 Engineers did that environmental DNA study. What you
2 guys found was that there was some eDNA in Lake Calumet
3 and also in Calumet Harbor in Chicago, which has proven
4 Asian carp have made it beyond your electronic
5 barriers.

6 These DNA studies have been published in the
7 Society For Biology Magazine and it's pretty clear,
8 gentleman, that they are getting too close for comfort.
9 I don't care what studies are needed first, this is our
10 town and our lake. And we need to act now to stop this
11 voracious invasive species or lose the valuable
12 resource that we call our Great Lakes.

13 We already have over 185 invasive species
14 that's documented in the Great Lakes. Do we really
15 need to tip the scale with this one? Don't do what
16 Lebron James did to Cleveland fans and quit on us
17 little guys. Act now before the whole world laughs at
18 just how ridiculous the United States of America is for
19 importing a fish over 30 years ago to control algae and
20 now we can't even stop or manage them?

21 They are knocking on our back-door. You have
22 to close the canal and find an alternative method for

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1 bringing cargo into the Great Lakes. The electronic
2 barriers that you put up are doing absolutely nothing.
3 There was a silver and a bighead Asian carp caught in
4 June of 2010 in Lake Calumet. That's way beyond the
5 barriers, gentlemen. You guys know this.

6 What are we going to do, continue to waste
7 taxpayers' money, taxpayers' time to look back in
8 retrospect one day and to say, you know what, we had
9 the opportunity, but we decided to study what would
10 happen first.

11 Take a look at the Illinois River, just take
12 a look at some of the video online. I mean, there is
13 no more fishery on the Illinois River. There is no more
14 fishery on the Mississippi River, except for catfish.
15 And to be perfectly honest with you, I'm not a catfish
16 man, I'm a steelhead fisherman, I'm a sport fisherman.
17 And if we don't do something now to stop this species,
18 you guys are going to be looking in retrospect saying,
19 wow, we had the opportunity, we just forgot to fail.

20 Again, gentlemen, I thank you very much for
21 the opportunity to speak with you today. And I hope we
22 do something to stop this invasive species. Thank you.

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1 KENDALL ZABOROWSKI: Thank you, sir.

2 MR. DON ARCURI: My apologies, I've been
3 known to be a long-winded person and a very difficult
4 person to shut up. If you'll indulge me I'm going to
5 repeat the paragraph that I didn't finish. It started
6 what is my point -- oh, Don Arcuri, 44074.

7 What is my point? In this nation when we see
8 a pressing need or an imminent threat we have the
9 capacity to move very quickly and decisively. The
10 history of the Corps of Engineers is filled with
11 examples.

12 But wait a minute, back in the '70s some
13 suspected green populations of Asian carp started
14 showing up in some southern rivers. There was some
15 headlines and some states' resources managers pushed
16 for laws governing the intentional introductions.

17 But it was not until the mid-'90s that large
18 breeding populations in the Mississippi started people
19 talking. To my recollection at that time these
20 conversations in both basins would always turn to zebra
21 mussels and how they likely moved from the Great Lakes
22 to the Mississippi via barge traffic, and that another

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1 Great Lakes invader, round goby, was knocking at the
2 door.

3 It was agreed that they must be stopped, but
4 surprisingly hydrological separation would not be
5 considered. After what seemed like an eternity of
6 studies in 2002, the first electric barrier, an
7 experimental prototype was turned on. Oops, too late,
8 the gobies had already moved and had ultimately
9 established themselves in the Mississippi system.

10 I need not rehash the Asian carp even
11 timeline that brings us to this point in 2011 to talk
12 about hydrological separation. This is not a good
13 example of the speed and decisiveness we are so proud
14 of. I finish with the time to be quick and decisive is
15 now. Thank you.

16 KENDALL ZABOROWSKI: Thank you, sir. Please
17 say your name and zip code before you begin.

18 MR. BILL GINN: Yes, my name is Bill Ginn and
19 I'm 44026, and I'm an Honorary Trustee of the Nature
20 Conservancy. And I'm involved with virtually every
21 environmental type organization that there is in
22 Cleveland and in Ohio.

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1 I'm here to tell you gentlemen that you are
2 in an enviable position in that you have been given a
3 charter which you're spinning out on a time line of
4 five years, but there is nothing to prevent you from
5 taking the wisdom that you heard and the concern that
6 you've heard today in this room and that you heard and
7 will hear every place else that you go and applying
8 that in such a way that a decision to prevent
9 permanently the invasion that is about to occur on Lake
10 Erie and Lake Michigan of Asian carp.

11 This is the year when I reach 88 years of
12 age. And I've been around Cleveland since 1950 and
13 involved in many ways in the civic fabric of this
14 community as well as in practicing law. And I
15 challenge you to find a way in which to shorten the
16 time line. I don't want to be -- I want to see this
17 thing happen that the Asian carp gets stopped in my
18 lifetime. And you're forcing me to stick around much
19 too long.

20 And on top of it, once you come with -- and
21 this is very critical to your responsibilities -- that
22 once you come to a conclusion, it's only the beginning

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1 of what has to be done then. And all the conservation,
2 millions of dollars that is being spent right now by
3 the Corps of Engineers up and down Lake Erie and around
4 the Great Lakes on saving the lands and waters that
5 feed into this basin and those lands and waters, much
6 of that effort will be wasted if the carp arrive on our
7 doorstep and are permitted entry.

8 So I urge you to use your vision and your
9 imagination and your sense of responsibility to listen
10 to the message that time is running out. And we need
11 your help in order to accomplish what is readily
12 accomplishable but at a cost. The cost of not
13 accomplishment is far greater. Thank you.

14 KENDALL ZABOROWSKI: Thank you, sir. Is
15 there anybody else in the audience that would like to
16 come to the microphone and make a comment or ask a
17 question of our panel? Please, sir, just remember to
18 state your name into the microphone.

19 MR. GARY SICILIANO: My name is Gary
20 Siciliano, 44067. I'm a boater and I keep my boat in
21 the (inaudible).

22 The question I have is I think we need an

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1 intermediate step before you finish your study. The
2 thing that comes to my mind with all the expertise we
3 have here is why couldn't we put in a canal system --
4 not canal system, but a lock system specifically
5 designed just to kill the species. Close the locks,
6 the fish are poisoned. That would not disrupt the
7 commercial traffic and it will accomplish something
8 until you get the study complete. If you want an
9 opportunity to ask a question, if not, just take it as
10 a recommendation. I guess it's a recommendation.

11 MR. KENDALL ZABOROWSKI: All right, sir.
12 Thank you.

13 MR. DAVE WETHINGTON: The purpose of the
14 study that we're implementing at this point is
15 prevention of transfer of species from either
16 direction. The idea that you provided of having a lock
17 system where you could disinfect the water is an
18 excellent idea.

19 In Chicago we're dealing with a very unique
20 situation and that I mentioned during my slide, is that
21 we use the Chicago Area Waterway System and the Chicago
22 River not only for waste water, but for stormwater

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1 discharge. The way the entire city of Chicago and the
2 Chicago area is basically the way it's piped, that
3 necessitates that during certain rainfall events we
4 must be able to discharge water very quickly, both down
5 towards the Mississippi River Basin and back out to
6 Lake Michigan.

7 It doesn't happen very often, but if we did
8 not have the ability to do that, there would be
9 significant flooding in the City of Chicago and damage
10 in the downtown area as well as backup water throughout
11 the entire suburban areas.

12 The City of Chicago is the third largest city
13 in the nation and the amount of impact and destruction
14 would be at a very high dollar level. But your solution
15 is potentially a step towards, you know, what will be
16 many we'll look at in terms of correcting this issue.
17 Thank you.

18 MR. GARY SICILIANO: What you got -- my
19 question is, you say this is all a system and if you do
20 have large rainfall, go ahead and discharge it. The
21 temporary situation I assume is better than what you
22 have now because apparently it's getting in there, you

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1 know. So if you have to get the water out, you know,
2 so be it, until you can take definitive steps.

3 MR. DAVE WETHINGTON: We do believe that our
4 barriers system, the initial penetration barrier, 2A
5 and 2B which is now coming online, we believe through
6 our studies that those barrier systems do repel
7 effectively the Asian carp, which really are the
8 species of concern today. Granted, we've heard today
9 about the zebra mussel, the tiger mussel and the goby,
10 and there will be future aquatic species. But really
11 this study is going to address with the Army Corps of
12 Engineers, we feel that we're doing an appropriate job,
13 an effective job of holding at bay the Asian carp.
14 Thank you.

15 MR. KENDALL ZABOROWSKI: Yes, sir. Again,
16 state your name and zip code.

17 MR. JIM WURLEG: Jim Wurleg, 44145, Westlake,
18 Huron, Ohio.

19 First thing I'd like to emphasize again, I
20 get very concerned when I hear the word studies. And I
21 just want to emphasize that as a user, sport angler, I
22 truly get scared when you say studies. What we've got

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1 to do right now, we have to implement a solution.

2 But another thing I'd like to recommend, and
3 maybe you've already gone this direction, is that with
4 our new governor, Governor Kasich, who's a strong
5 believer in some of this concept, is we need
6 partnership, too, with the private sector in regard to
7 the Army Corps of Engineers and other government
8 agencies to work with the private sector. That in my
9 opinion can provide billions of dollars needed for the
10 solution of this problem that needs to be done on an
11 immediate basis. That's the comment I'd like to make.
12 Thank you.

13 MR. KENDALL ZABOROWSKI: Yes, sir, Mr.
14 Mayher, please.

15 MR. TOM MAYHER: Tom Mayher again,
16 44109.

17 It seems to me that all you people are doing
18 are looking at the carp. I've heard nothing about
19 trying to diminish their numbers. I think trying to
20 get rid of a million is a heck of a lot better than a
21 billion, massive trolls, netting, something could cut
22 them down.

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1 MR. JOHN GOSS: Thank you for making that a
2 priority in your mind, and I think it is a priority in
3 Illinois for the coming year.

4 It started in 2010 by hiring commercial
5 fishermen to go out and aggressively take as many as
6 possible. I think they took about three million pounds
7 out of the Illinois River in the vicinity close to the
8 barrier.

9 In the coming year there will be an expanded
10 effort to train and recruit more commercial fishermen
11 to specifically attack Asian carp in the Illinois
12 River. So reducing the numbers is one of the
13 strategies. Back at the beginning of what we have to
14 look at in the rest of our rivers, the Mississippi has
15 a very large population, Ohio River has a large
16 population and they are coming up into our other
17 states.

18 We don't have commercial fishermen in place
19 in those areas right now. So that is a question about
20 whether that's going to be a growing industry or not,
21 is that something that could take off.

22 Actually to make all this work, Asian carp

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1 needs to have a market, rather than just killing fish.
2 Ideally it would be a food fish or would be used for
3 other purposes, fertilizer and other useful purposes.
4 There are a couple companies in that business in
5 Illinois, but I think there is room for more across the
6 Mississippi River Basin to look at how could they take
7 advantage of the surplus of fish, how can they create a
8 business model that would encourage fishermen to get
9 out there and take them.

10 I have talked with some of the DNR people
11 down in the south. They have absolutely concluded that
12 the only way to deal with the population in the
13 Mississippi River is to fish them out and they are
14 putting their efforts to commercial fishing and taking
15 the number down.

16 So I totally agree with you, we need to pick
17 up the pace and find more people who want to create a
18 business model that's going to make this take off. We
19 cannot subsidize it enough to make it effective in
20 reducing that population that's already out there in
21 the rivers, it's going to have to be a business model
22 that takes off. But thank you.

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1 MR. KENDALL ZABOROWSKI: Thank you, Mr. Goss.
2 Sir, state your full name and zip code.

3 MR. JIM WHITE: I'm Jim White again, Director
4 of the Cuyahoga River Remedial Action Plant. I asked
5 you a question earlier that I'd like to encourage you
6 to answer about the intervention strategies for the
7 Asian carp in its nonadult phase, either as eggs,
8 planktonic or juvenile phase, because we see in the
9 Cuyahoga River a lot species that we need to plan for
10 their habitat, both as eggs and plankton, planktonic
11 juveniles, then adult species as they move through into
12 the various habitats.

13 And for the current strategy, any of you that
14 read those reports you may remember there was a lot of
15 discussion about what's the plan for terrestrial and
16 patterns of movement in the invasive species both
17 coming and going. It's not all ballast water.

18 Then my other comment was sort of tongue in
19 cheek. I'm sure if you report one day, just insert
20 some language to suggest that Asian carp meat is an
21 aphrodisiac, it would immediately fix the population
22 and reduce it pretty quickly. So something to think

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1 about. Thank you.

2 MR. JOHN GOSS: Now you're talking.

3 MR. MIKE SAFFRAN: Sir, I'll try to answer
4 that. Our grant study plan, which is still in the
5 grant stage right now, but it's got an element in there
6 where we're considering the culpability of species,
7 Asian carp, using purely aquatic pathway, to get to the
8 aquatic pathway across the divide, as well as other
9 means and things like plankton, which could be
10 airborne, terrestrial, natural means. So we are going
11 to consider that. But our direction from Congress was
12 aquatic pathways. So aquatic pathways will be on
13 there, but it won't be what Congress authorizes.

14 MR. JIM WHITE: If I might very quickly, I
15 think the direction from Congress didn't really in our
16 view look at really what the life cycle of these fish
17 are and how most of the Great Lakes are fresh water
18 fish and they actually disburse their population.
19 There is a very close inter-dependency between weaning
20 birds and juvenile fish picking up fish eggs and
21 carrying them to other water bodies. If we don't look
22 at that I think it will ultimately lead to the presence

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1 of Asian carp within the Great Lakes. So political
2 rules versus scientific (inaudible).

3 MR. JOHN GOSS: There is another project
4 which actually was initiated by Ontario and now is a
5 bi-national risk assessment for all the Great Lakes to
6 look at a lot of other possibilities which would be
7 outside the GLMRIS jurisdiction project that the Corps
8 is working on. So we do have fish on both sides of the
9 lake that we'll be focused on that in the coming year
10 and it's funded, so it's already started. So if you
11 want to go through the Great Lakes Fisheries
12 Commission, they have the information on that.

13 MR. KENDALL ZABOROWSKI: Mr. Mierke, I
14 believe, please state your name and zip code.

15 MR. HARVEY MIERKE: Harvey Mierke, 44106. My
16 wife, who is an excellent fisherman, fisher lady and
17 cook has just announced to me that we are starting
18 Grandma Lorna's Carp burger drive-in. So there will be
19 new outlet for these carp. And my recollection is the
20 last time I made carp burgers, if you put enough
21 ketchup on them they go down pretty well. Anybody who
22 would like to get in on the ground floor of this new

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1 business, please see my wife.

2 KENDALL ZABOROWSKI: Thank you, sir.

3 Would anybody else in the audience like to
4 make another comment or ask a question, anybody else at
5 all?

6 Would anybody from the panel like to make any
7 additional comments or statements?

8 MR. MIKE SAFFRAN: One thing I forgot to say
9 when it was my turn about the Other Pathways
10 Preliminary Risk Report, it's on the Chicago District
11 website. The appendix matter to that was too large to
12 easily download, so anybody that would like to receive
13 a CD like this that has all the backup material to that
14 preliminary report, if you'll come up and see me, what
15 I'll do is give you a card and if you could email me
16 I'll make sure you get a copy of it.

17 KENDALL ZABOROWSKI: This is the last call
18 for any comments or questions for this period for our
19 panel. It is now 3:45 p.m. and we're going to close
20 the first oral comment period.

21 We would like to remind everyone that at 5:30
22 p.m. we will be giving the same presentation and

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1 following that presentation there will be a second oral
2 comment period.

3 I would like to add that would you please
4 help us recycle our materials. If you have anything
5 with you that you do not wish to take home, please turn
6 it in to the welcome registration tables so we may
7 redirect them. And lastly, I would like to thank
8 everybody again for attending this meeting and your
9 continued interest in GLMRIS. Thank you very much.

10 Lastly, the study panel and team will be
11 available for informal questions and answers. Thank
12 you.

13 (NEPA Scoping Public Meeting.

14 Concluded at 3:46 p.m.)

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1 CERTIFICATE

2 I, Julieanne Ross, do hereby certify that as such
3 Reporter I took down in Stenotypy all of the
4 proceedings had in the foregoing transcript; that I
5 have transcribed my said Stenotype notes into
6 typewritten form as appears in the foregoing
7 transcript; that said transcript is the complete form
8 of the proceedings had in said cause and constitutes a
9 true and correct transcript therein. I am not, nor is
10 the court reporting firm with which I am affiliated,
11 under a contract as defined in Civil Rule 28(D), or
12 otherwise interested in the outcome of this action.

13

14

15 Julieanne Ross

16 Notary Public within and for the State of Ohio

17

18 My commission expires 11-11-14.

19

20

21

22

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GREAT LAKES AND MISSISSIPPI RIVER

INTERBASIN STUDY

NEPA SCOPING PUBLIC MEETING

At the Great Lakes Science Center

Thursday, January 13, 2011

5:30 p.m.

Public Meeting at 601 Erieside Avenue,
Cleveland, Ohio, Moderated by KENDALL ZABOROWSKI,
and stenographically taken and transcribed by
Julieanne Ross, RPR, and Notary Public in and for
the State of Ohio.

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1 NEPA SCOPING PUBLIC MEETING PANEL:

2 JOHN GOSS, Asian carp Director, White House
Council on Environmental Quality

3

4 LT. COLONEL DAVID BERCEK, Deputy Commander,
U.S. Army Corps of Engineers, Chicago District

5 DAVE WETHINGTON, GLMRIS Project Manager

6 MIKE SAFFRAN, Other Pathways Project Manager

7 JOHN ZIMMERMAN, Chief of Planning & Policy
Great Lakes & Ohio River Division

8

9 HIROSHI ETO, Interim Programs Director
Great Lakes & Ohio River Division

10 C O M M E N T A T O R S

11	John Brown	34
	Gina Milite	40
12	Bill Bruml	48
	Tim Baker	50
13	Mike Manion	53
	Rick Unger	63
14	John Babroski	69
	Jeff Grimes	74

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1 P R O C E E D I N G S

2 KENDALL ZABOROWSKI: Good evening, ladies and
3 gentlemen. I would like to welcome everyone to
4 tonight's Great Lakes Mississippi River Interbasin
5 Study for GLMRIS, NEPA Public Scoping Meeting. My name
6 is Kendall Zaborowski, I work with the U.S. Army Corps
7 of Engineers, Chicago District, and I will be this
8 evening's moderator.

9 Before beginning the meeting I would like to
10 tell everyone that the bathrooms are located in the
11 lobby across from the welcome registration tables.

12 When you arrived here today the following
13 materials were available at the welcome registration
14 tables: The green meeting agenda, the study overview
15 or blue book, the trifold GLMRIS brochure, the GLMRIS
16 business card, the white written comment form that also
17 contains instructions on how to mail in any comments,
18 this purple sheet which contains frequently asked
19 questions about the GLMRIS, this peach sheet which
20 contains frequently asked questions about other aquatic
21 nuisance species, aquatic nuisance species efforts
22 undertaken by the Corps of Engineers, a copy of the

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1 presentation that will be given shortly, and if you
2 wish to speak and did not register online you would
3 have filled out one of these yellow oral comment
4 registration forms, and then lastly, if you have any
5 prepared statements or documents that you would wish to
6 submit tonight, we ask that you fill out one of these
7 light blue forms also available at the welcome
8 registration table.

9 If you have preregistered on the project
10 website to give an oral comment and have not yet
11 checked in at the register to speak table in the lobby,
12 please do so. Similarly, if you would like to make an
13 oral comment, have not preregistered online and have
14 not registered at the register to speak table, please
15 do so now.

16 Our GLMRIS team has organized this public
17 meeting for two purposes. First, to present
18 information about GLMRIS and, second, to solicit your
19 comments on the significant issues that should be
20 included in GLMRIS and on the insignificant issues that
21 can be eliminated from further study.

22 The Corps of Engineers is hosting twelve

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1 public meetings throughout the study area in order to
2 provide those within the study area to learn about the
3 study and to provide oral comments. Please note, the
4 NEPA public scoping period ends on March 31st, 2011.

5 As indicated on the green agenda, this is the
6 second of two sessions. An identical presentation is
7 about to be given as was given at the 2:00 o'clock
8 session this morning. After the presentation the floor
9 will open for a period of public comment. The public
10 comment period is scheduled to end at 8:00 o'clock
11 tonight.

12 If you have any questions or concerns, staff
13 will be out in the lobby to address them. Please note
14 that you're welcome to speak to our panelist and staff
15 members after the open comment period, but if you do
16 not register your comments formally during the oral
17 comment period through our written comment forms or
18 through our website, they will not be included in the
19 NEPA scoping process.

20 Now I'd like to introduce the members of our
21 panel. Going from left to right if you're facing the
22 screen, first is Mr. John Goss, Asian carp Director of

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1 the White House Council on Environmental Quality. Next
2 to him is Lieutenant Colonel David Berczek, he is the
3 Deputy Commander of the U.S. Army Corps of Engineers,
4 Chicago District.

5 Next is Dave Wethington, the GLMRIS Project
6 Manager. Next is Mike Saffran, the Other Pathways
7 Project Manager. Then we have John Zimmerman, Chief of
8 Planning and Policy from the Great Lakes and Ohio River
9 Division. And then last is Hiroshi Eto, the Interim
10 Programs Director of the Great Lakes and Ohio River
11 Division with oversight over military programs and
12 civil works programs. He will be taking comments back
13 to the Division Commander.

14 Now I would like to turn it over to Mr. Goss
15 to begin the presentation portion of this evening.

16 MR. JOHN GOSS: Thank you. I think we
17 probably only have a half dozen people that are new
18 that weren't here also this afternoon. So I am not
19 going to do the full Power Point, I'm just going to
20 make a few comments so that we can get on to the
21 outline of the Great Lakes and Mississippi River Basin
22 Study and have some discussion with you folks that came

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1 out for this.

2 Just in a quick overview, I'll just give you
3 a few points that I would like you to understand, that
4 this project is one of over 40 that are federally
5 funded to deal with the carp challenge that we have in
6 the Great Lakes. We have a team of federal agencies
7 that came together early in 2010, including the Corps
8 of Engineers, the U.S. Fish and Wildlife, Geological
9 Services, Coast Guard and also the DNR from Illinois
10 where most of the activity is taking place in the
11 Chicago Ship Canal.

12 In November we added to this team
13 representatives from each of the states. So the
14 governors have appointed representatives to be on this
15 team and be part of the communication, advisory roles
16 for each of the projects that we're working on. And
17 that I think has been a good addition, a good
18 innovation and that means that there are Ohio DNR
19 people and possibly somebody from the new governor's
20 staff that will be involved working on each of these as
21 we go forward.

22 The things that have happened this fall, let

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1 me just give a very quick overview. In the Chicago
2 Ship Canal a third electric barrier has been
3 constructed and that barrier is going to be fully
4 operational just in a few weeks. So the protection
5 mechanism in the ship canal, and the way it works it
6 puts out two volts per square inch. If a fish comes
7 into that area they are stunned and very, very
8 difficult for a fish to swim through. However, we're
9 doing some studies to make sure that none are getting
10 through when the locks are open, when barges are in the
11 locks and so forth. There's going to be some addition
12 work on that to really closely work on that.

13 Also they are tagging fish below the barrier
14 and so forth. No tagged fish have crossed the barrier
15 because they are monitoring where those fish are, that
16 will be continuing.

17 And between the barrier and Lake Michigan and
18 the canals and in the Calumet area and bodies of water
19 there is an ongoing monitoring by professional
20 fish/biology people. We have teams out there every
21 week that are netting fish, electro fishing and
22 stunning them and identifying what fish that they are

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1 pulling up in the nets.

2 From October through December there were
3 10,000 fish pulled out in that area above the electric
4 barrier and there were absolutely no Asian carp taken.
5 So 10,000 fish, zero Asian carp.

6 Also continue the water samples and the eDNA
7 monitoring. And the results through the fall were
8 consistent with what had been found in the water
9 samples for the previous year in that area, that there
10 are some traces of eDNA but in very low numbers.

11 So I think the conclusion is that we don't
12 have an established population of fish that have moved
13 beyond the barrier. We have a lot of Asian carp that
14 are below the electric barrier in the Illinois River.
15 Commercial fishermen this year have taken some very
16 large quantities of Asian carp out of the Illinois
17 River. And we're going to increase that effort in 2011
18 to just bring the numbers down as far as the number of
19 fish that would be in that area with the potential to
20 try to make a pass through the electric barrier and get
21 out to the lakes.

22 A couple of other things that have been

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1 completed this fall. There is going to be a fish
2 fences between the Des Plaines River at the Chicago
3 Ship Canal that's 13 miles long and it's three feet
4 higher than a hundred year flood. And that is going to
5 take care of a number of spots where we know there were
6 flood waters coming from the river into the ship canal.
7 And it will take care of the concern that carp in the
8 future are going to be able to get around the barrier
9 and the river and come into the ship canal.

10 Likewise, in Ft. Wayne, Indiana, Mike Saffran
11 can explain the details, but a block in the Eagle Marsh
12 in Ft. Wayne, after it was discovered that certainly
13 flood waters there in the last few years have connected
14 between the Wabash River and the Maumee. And we now
15 have a fish barrier there also that we believe will be
16 effective at stopping during flood times stopping any
17 carp from transferring into the Maumee and having a
18 potential route to Lake Erie.

19 So that's just a quick overview. I think the
20 most important thing tonight is for your comments and
21 for your understanding and your questions. We'll be
22 taking questions at the end. So if you have any

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1 questions about the things I've talked about, we can
2 save those until the end.

3 And I think I'll stop now and we can move
4 right on into the basin study. And I will ask Lt.
5 Colonel Berczek to come up and take off with that.

6 LT.COL.BERCZEK: Again, good evening,
7 everyone. I'm David Berczek with the Chicago District,
8 and we thank you for taking your time today to come and
9 listen a little bit about what the study is about, the
10 Great Lakes Mississippi River Interbasin Study, but
11 also more importantly to provide us your comments and
12 your input as we shape this today and make you aware of
13 a variety things of significance to you.

14 The GLMRIS Study is a feasibility study
15 authorized by Congress and the Water Resources
16 Development Act of 2007. And you can see there, the
17 wording of what the Corps of Engineers was directed by
18 Congress to do. We are to look at the options and
19 technologies available to prevent the spread of aquatic
20 nuisance species between the Great Lakes and
21 Mississippi River basins through the Chicago Sanitary
22 Ship Canal and other aquatic pathways.

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1 Down below the special considerations you can
2 see, some of what we're looking at, we'll be looking at
3 a range of options, technologies, structures,
4 procedures, to include hydrologic separation.

5 The study is 100 percent federally funded.
6 And I highlighted a little bit there, we talk about
7 prevent. In the Project Management Plan which is the
8 document that gives direction to our team in the
9 conduct of the study, we also put in there to include
10 the reduction of risk to the maximum extent possible.

11 Part of the goal of GLMRIS is to study the
12 range of options and technologies, and as such we have
13 to analyze each technology on its risk reduction
14 potential. So there might be some things that are 100
15 percent effective potentially, or 100 percent effective
16 solution but may not be technologically feasible.

17 So for that reason there we're not
18 eliminating things because they might not right off the
19 bat show not to be 100 percent effective. We will
20 continue to apply measures as needed to continue to
21 draw down that risk until we get to that 100 percent
22 effective goal.

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1 The GLMRIS study area encompasses a very
2 large area. And this map indicates the primary study
3 area, principally up in the Great Lakes states and in
4 these states down here in the upper reaches of the
5 Mississippi River Watershed. That constitutes roughly
6 about 17 states.

7 When we start looking at points where it
8 talks about the two water basins come together, you see
9 about a 1500 mile line there that is pretty much a flow
10 divide. Water to the north of that constitutes the
11 Great Lakes basin, water to the south of that
12 constitutes the Mississippi River basin and flows in
13 that direction.

14 What we'll be looking at in the study. We
15 were directed to look at aquatic connections and
16 aquatic nuisance species. So they are not just fish,
17 not just Asian carp, but floaters, algae and plants and
18 hitchhikers, parasites.

19 Beyond the scope of the study are things such
20 as human release and airborne terrestrial pathways as
21 well as migration. The locations I mentioned up there,
22 you saw on the map the portions of the 17 states that

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1 are included. It does not include looking at the St.
2 Lawrence Seaway, Atlantic Slope and Canada.

3 You can see there listed under the elements,
4 we will be looking at conducting analysis of options
5 and technologies to prevent the transfer of aquatic
6 nuisance species, we will be looking at hydrologic
7 separation as one of those options. We will conduct
8 regional economic modeling to look at impacts of some
9 of the recommendations, then also come up and not only
10 produce a feasibility report with recommendations for
11 Congress to enact, but also an Environmental Impact
12 Statement.

13 The GLMRIS Study covers such a large area and
14 having so many things to look at, we took a look at
15 first of all in looking at those two, the primary
16 effort being the Chicago Sanitary Ship Canal. That is
17 the only continually open waterway water pathway
18 between the two basins. Then we have the other two
19 pathways outside of Chicago, the Chicago Area Waterway
20 System.

21 So we organized the team for success, pulling
22 in the expertise of the Corps of Engineers in both the

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1 Lakes and Rivers Division and the Mississippi Valley
2 Division, as well as centers of expertise and other
3 federal, state and local partners and utilizing their
4 expertise and their knowledge as well to help with the
5 study.

6 Looking at when you jump down to the bullet
7 about the stakeholders. The stakeholders we have
8 listed here, federal, tribes and state and local
9 groups. Stakeholders include all of you in this room,
10 your interest, your concerns to help guide us in this
11 study.

12 It is a rather long-term study. Feasibility
13 studies by nature do have a number of reviews required.
14 They do have some time associated with them. So what
15 we want to do is not just be acting in a vacuum or in a
16 black hole once you hear from us today or as we study
17 direction, but be able to cite and provide some minimum
18 products report. As data is collected and analyzed and
19 gets to the point where it can be released to inform,
20 we will do those, we'll make efforts to do that.

21 Part of one of the things, too, in looking at
22 this study is we're looking at current and future uses,

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1 potential uses of waterways. We're also looking at
2 aquatic nuisance species trying to look at current
3 species of concern, but then also what can have a
4 potential to show up on that list.

5 So there's a lot of things that we know
6 today, there's a lot of things that we don't know today
7 that we may uncover as we look. So that's why we want
8 to adapt to the new and evolving information as much as
9 possible. And it is like all of our studies, we are
10 required to abide by all regulatory and legal
11 guidelines.

12 Just a little bit here, this slide is to show
13 a picture of what it is we're looking at, not just
14 Asian carp, although that is the primary species of
15 concern today, but we're also looking at things like
16 the dotted duckweed and sea lamprey, spiny water flea.

17 This map shows you a little bit of the area,
18 the primary focus area, the Chicago Area Waterway
19 System. And this map shows a little bit of some of the
20 locations where water enters into Lake Michigan, and
21 then some of the focus areas. And I'm going to let Dave
22 Wethington, the Project Manager, to talk to this line.

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1 He'll be able to explain to you about this slide a
2 little bit.

3 MR. DAVE WETHINGTON: Thank you, sir.

4 Good evening, everyone. Again, my name is
5 Dave Wethington, I'm a Project Manager with the Army
6 Corps of Engineers in Chicago. I'm going to spend a
7 couple minutes talking about this slide that Lt.
8 Colonel Berczek mentioned.

9 This is a -- on the right-hand side you'll
10 see this is a representation of the Chicago Area
11 Waterway System, you may not be familiar with it.
12 There are five points numbered from one to five
13 starting from the top and working your way down that
14 have the potential to interact with the waterways of
15 the Great Lakes Basin and the Mississippi River Basin.

16 All five of those control points or all five
17 of those mouth of waterways eventually flow down
18 through to a single waterway, that is the Chicago Ship
19 and Sanitary Canal. Point number 7 is where we have
20 the electric barrier which is being utilized to prevent
21 the spread of Asian carp into Lake Michigan.

22 There's a couple neat things about this.

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1 There are control structures on numbers 1, 2 and 3 with
2 a lock and dam structure or the water pumping station.
3 But numbers 4 and 5 which are in the state of Indiana
4 are fully uncontrolled pathways into Lake Michigan.

5 On the left-hand side is basically kind of a
6 road map for how the Corps of Engineers approaches a
7 planning process. What we're doing are steps number
8 one and two right now. The first one you notice is
9 specify problems and opportunities. That's part of why
10 we're here today listening to you to tell us, you know,
11 what you think is significant in this study and maybe
12 what is not as significant.

13 We're also pulling together data to help
14 perform the rest of the process. The purpose of the
15 study is to look at what kind of aquatic nuisance
16 species control, so what kind of control technologies
17 can be implemented to prevent transfer of ANS between
18 the two basins.

19 In order to do that we have to fully evaluate
20 what the waterway uses are. And in the Chicago area
21 you might have heard a lot about how it's used for
22 Navy, commercial navigation, barges, et cetera. The

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1 Chicago Area Waterway System has a number of other
2 waterway uses, including but not limited to recreation,
3 water supply, water discharge.

4 About 70 to 80 percent of the volume in the
5 Chicago River is made up of municipal waste water
6 discharge. It's also used as a tool for flood risk
7 management in the Chicago area. It doesn't happen very
8 frequently, but every couple years or five years there
9 is a significant enough rainfall event such that we
10 have to open up the locks at point number 2 there and
11 empty the Chicago River into Lake Michigan.

12 This alleviates flood risks to the entire
13 City of Chicago, not just for over bank flooding into
14 downtown Chicago, but also widespread basement flooding
15 as sewers back up throughout the Chicagoland area.

16 So it's a very complex problem and we're
17 using these steps to basically evaluate the waterway
18 uses and look at potential ways to mitigate for adverse
19 impact to these waterway uses.

20 Again, as Lt. Colonel Berczek mentioned,
21 we're collaborating with not only our federal family,
22 but with state organizations, native American tribes as

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1 well as other organizations such as industry.

2 With that said, I thank you for your
3 attention. I'll turn it back to Colonel Berczek.

4 LT.COL.BERCZEK: Thanks, Dave.

5 This next slide illustrate a little bit the
6 other pathway, the second focus area, and shows some of
7 the areas being considered. And also down at the
8 bottom you'll see there is a short-term success story.
9 And I will let Mike Saffran, the Project Manager,
10 explain this to you.

11 MR. MIKE SAFFRAN: Thank you, sir.

12 The focus area we're on is the Chicago
13 Sanitary Ship Canal. In reference to the star, when it
14 was started there was a lot already known about that
15 location. Not much was known about other aquatic
16 pathways.

17 And we've got significant investments in the
18 Chicago Sanitary Ship Canal which was of significant
19 concern that Asian carp or other aquatic nuisance
20 species could be making an in-around, if you will,
21 getting into the Great Lakes through other means.

22 So in July General Peabody, the Commanding

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1 General of the Division, cast us with putting together
2 a report in 60 days, a draft report, that basically
3 identified all of the potential aquatic pathways
4 outside of focus area one that could form and to form a
5 preliminary risk characterization to identify any
6 really significant risks that may occur from the other
7 aquatic pathways that are out there.

8 This was a big endeavor. I mean, you have a
9 1500 mile long drainage divide over very flat
10 topography. So there was a lot of complexities in
11 being able to put that together.

12 The way we did it was, number one, we
13 contacted the state DNRs and the Water Science Centers,
14 USGS and Science Centers and enlisted their help in
15 helping us identify potential locations where the
16 aquatic pathways can form. And we asked for their help
17 to help us evaluate the risk for species transfer.

18 Through that process we identified a total of
19 36 potential aquatic pathways throughout the rest of
20 the basin. And of those 36 there were 18 that we
21 identify that there was significant risk or there was
22 risk with enough uncertainty that we couldn't really

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1 say that it's acceptable.

2 So of those 18, one though really kind of
3 jumped off the page at us as being a really significant
4 potentially near-term risk and that was at the Eagle
5 Marsh location at Ft. Wayne.

6 At the Eagle Marsh, it was kind of a natural
7 overflow point from the glaciers, ancient Lake Maumee.
8 But the Maumee River forms in Ft. Wayne from the St.
9 Josephs and the St. Marys coming together right there.
10 And when you have significant rainfall that gets in
11 those basins, those two rivers coming together
12 generally create a back flow and it goes back across.
13 Some of the water flows east northeast into the Maumee
14 River and toward Lake Erie, that's where most the water
15 goes. The back flow goes through a series of ditches
16 there and into the Eagle Marsh and across the basin
17 back.

18 And that occurs actually from the typical
19 large storm you expect to occur in any given year,
20 that's when that back flow is an issue. When you have
21 something of up to the ten-year level event the records
22 indicate that you have up to four-and-a-half foot depth

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1 of flow across at that location.

2 So that was number one, we had a potentially
3 significant aquatic pathway that is intermittent, it's
4 not always there, but it can form. But then we also
5 had observations and collections of Asian carp within
6 20 miles or so of that location. And without any
7 significant obstruction other than very shallow water
8 for them to be able to navigate that additional final
9 20 miles.

10 So we got together with all the other
11 stakeholders in the area, the Indiana DNR stepped
12 forward and basically helped us -- well, they were the
13 ones that implemented the construction of a barrier
14 across, a temporary barrier across the Eagle Marsh.
15 Essentially a chain linked fence designed to stop adult
16 Asian carp, which are the only ones that had the
17 capability of being able to migrate that far up.

18 We are in the process right now of -- well,
19 that fence was put up less than 60 days after
20 identifying the risk. So that was a very good success
21 story and we're very thankful for the Indiana DNR for
22 stepping up there.

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1 Right now the Corps of Engineers is
2 conducting, if you will, a separate feasibility study
3 within GLMRIS authority to specifically look at the
4 options of technologies to prevent the species transfer
5 there. The fence is a temporary measure, we're looking
6 at a more permanent measure. And we intend to have
7 that complete, that study completed before the end of
8 this year.

9 The rest of the other pathways pose
10 significantly less risk because they are generally
11 intermittent, locations where there is an intermittent
12 water pathway that forms. There is a couple locations
13 where there's actually agricultural ditches that flow
14 across the drainage of that.

15 And there's a circumstance, for instance,
16 like we have here in Ohio near Akron with long lakes
17 where there is constant flow of water across the divide
18 that occurs related to balancing the water diversion
19 requirements as well as for water quality. So that is
20 a location that was really on the second highest risk
21 of the ones we located.

22 There was a total of eleven locations within

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1 the state of Ohio that we looked at in some depth.
2 Four of them are going forward into a more thorough
3 risk characterization. And all of the 18 locations
4 where we identified if there was significant risk are
5 being subjected to -- we're going to complete the risk
6 characterization at those locations and that's
7 scheduled to be completed before the end of this year.
8 Colonel?

9 LT.COL.BERCZEK: So what's been done so far?
10 2007 the study was authorized, 2009 received funding,
11 and you can see the list down the left-hand side to go
12 ahead and develop the Project Management Plan which
13 guides the study so we could get to the point where we
14 are today, soliciting your input and moving forward
15 with it.

16 Simultaneously with that, you see on the
17 right-hand side, what's been sitting waiting for this
18 thing to occur. Mike mentioned about the Eagle Marsh
19 solution and then also looking at identifying what
20 aquatic nuisance species are out there and trying to
21 gather up as much literature as possible on the Asian
22 carp so we can start to have a better idea of options

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1 and technologies to look at.

2 Project schedule listed here is a best case
3 scenario. You see in the fall 2014, winter of 2015,
4 the draft recommended plan and public review/comment
5 period for a feasibility report. Because of the length
6 of that timeline we mentioned as well spinning out some
7 of these interim products, trying to keep people
8 apprised of what's going on and keep you involved with
9 the process. Let you know what we're finding out, what
10 we've been studying and so on.

11 The other pathways focus, you heard Mike talk
12 about the schedule there with those reports coming out
13 and looking at some alternatives and options. This is
14 a good partnership with the state Department of Natural
15 Resources where they can use their funding and their
16 authority to come to solutions such as what we saw at
17 Eagle Marsh. So we're not just sitting back and
18 studying, we're continuing along with the efforts that
19 are ongoing such as that, along with the electric
20 barrier and other risk reduction measures.

21 I mentioned again a little bit about I showed
22 the slide that talked about the interim products. And

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1 here's an example of some of the products that come
2 out. Identify what nuisance species we're looking at,
3 their transport mechanism, looking at some sort of
4 control technologies we're looking and then looking as
5 well at some of these surveys and the value of those
6 commercial, recreational, boating, looking at the value
7 of the fisheries in the Great Lakes and Mississippi
8 Rivers. And then go ahead and start spinning out those
9 products so that you can see what's being looked at and
10 see what we're coming up with, so that feeds the
11 decision process.

12 How can we help? This process today, these
13 meetings are your opportunity to help us to look at the
14 scope, make sure we're catching the right ideas,
15 looking at the right areas. And also if there is
16 something that is not necessarily of significance, that
17 we're not focusing a lot of energy on that. Kendall
18 mentioned about how to put your comments either
19 submitted orally today or in writing, either on the
20 website or other areas.

21 And down below, this is some example input,
22 some of the information we're after as far as

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1 biological input, as far as some of the other cultural
2 resources, other controls out there, fisheries,
3 response measures, things like that. What we have to do
4 to have available to us so that we can analyze each of
5 these options and technologies and understand what it
6 is that they do, what it is that they may be impacting
7 should they be on the table for implementation.

8 It does take a large effort. You see in here
9 a number of the same players from where we have been
10 working the last number of years with the Asian Carp
11 Regional board meeting, with the fish barrier and other
12 types of co-action efforts.

13 Other ways to stay in touch. You see there
14 the list of the cities scheduled to date. I say to
15 date, because at the Chicago meeting we were requested
16 to add a couple additional cities and we have done
17 that. And we've had some requests now to add some
18 other locations as well. So this may change a little
19 bit, but that's where we are today with these schedules
20 meetings.

21 And again here, just other ways to stay in
22 touch. We're making use of the technology available to

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1 us, posting as much information on the Chicago District
2 website or you see the GLMRIS website. So you can
3 submit comments electronically. You don't have to show
4 up at one of these, you can use our computers here, you
5 can log in from home if you think about something after
6 you leave, so on and so forth.

7 And also we're taking advantage of the fact
8 that the social media now the way it is today and has
9 developed, so if you want to keep up with what's being
10 done and what's being said, you see the methods there
11 with Facebook or Twitter.

12 Thank you for your time. We look forward to
13 hearing from you and your comments and receiving your
14 comments and concerns.

15 MR. KENDALL ZABOROWSKI: Before proceeding I
16 would like to follow-up with Colonel Berczek's last
17 comment. The GLMRIS website is a good source for study
18 information. Interested persons can subscribe to the
19 study's email list through the project website.

20 The Corps of Engineers will use the GLMRIS
21 email list to distribute updates on such things as
22 documents, interim reports, other opportunities for

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1 public involvement and important nuisance events. The
2 GLMRIS project web address can be found on the study
3 trifold brochure, the written comment form and, again,
4 on the GLMRIS business card.

5 And again, as Colonel Berczek mentioned, we
6 are trying to use social media to keep people abreast
7 and updated on the issues. And again, those addresses
8 can be found on the GLMRIS business card.

9 Now moving into the oral comment period of
10 the meeting. Those who indicated on their registration
11 form that they wanted to make a brief three minute oral
12 statement or ask a question will have an opportunity to
13 do so. If a person wants to ask a question in addition
14 to making a comment, we request that you manage your
15 three minutes to allow for your comment, question and
16 the Corps of Engineers' response. The Corps of
17 Engineers will answer questions that are answerable.

18 Again, in order for everyone to have the
19 opportunity to speak, that we ask everyone to abide by
20 the three minute limit. I'm being signalled that
21 nobody has actually registered to speak at this point.
22 So.

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1 UNIDENTIFIED VOICE: Can we still register?

2 MR. KENDALL ZABOROWSKI: Yes, at this point
3 if we do not have anybody that is formally registered,
4 then we're just going to invite people to come up to
5 the microphone that is convenient to them. We ask that
6 you state your name and zip code clearly when you come
7 up to the microphone and any organization that you may
8 represent and then address the panel.

9 And, please, at this point we will kind of
10 loosen the three minute time limit, but please be aware
11 that there are other people in the meeting and they may
12 wish to speak as well.

13 So at this point would anybody like to come
14 to the microphone and make a comment or ask a question?
15 Yes, sir.

16 MR. JOHN BROWN: Yellow line?

17 MR. KENDALL ZABOROWSKI: Your choice.

18 MR. JOHN BROWN: My name is John Brown, I'm a
19 long time resident of the Cleveland area. And as far as
20 I'm concerned it's one of the greatest places on earth.

21 Now, I think Chicago people think they have
22 the monopoly on that because of their position on the

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1 Great Lakes. I think we do. We live in a great place,
2 both the resource of the Great Lakes because of the
3 fresh water we can use for human consumption, for
4 commercial development and so forth, it's truly great.
5 I don't need to tell you this, you know all this.

6 What you may not know is that this is a
7 sportsman's paradise right here. It's not only a
8 sportsman's paradise, it is a solace and treasure for
9 millions of people who live here and travel here as a
10 destination.

11 Now, I watch these TV programs which show
12 what these silver carp, Asian carp, bighead carp are
13 doing. If that's here, we're dead. We're just dead.

14 This is a great place we live in. This is
15 incredible, this is a wilderness out here. We don't
16 need the Rocky Mountains, we have Lake Erie as a
17 resource. It's just an incredible place.

18 If what we see on TV, and remember, that's
19 the only evidence I have in terms of these carp, if
20 that happens here, it's destroyed. We've got to stop
21 that. We can't let that happen. I know that's your
22 purpose here, okay. I'm adding to that. I'm a

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1 stakeholder. I'm saying we need to do this.

2 And by the way, the way I look at it is
3 probably more simple than the way you look at it.
4 Because the way I look at it, we have two man-made
5 situations here. We have -- and I always called it the
6 Chicago Sewer Canal, I assume we have to use a
7 different name here, the CAWS, okay. But it's a man-
8 made feature. It's a man-made feature that reverses
9 the flow. It takes water from the Great Lakes Basing
10 and puts it in the Mississippi River watershed.

11 And when it does that -- again, you know all
12 this -- but it takes the watershed, the impact of the
13 Mississippi watershed and it adds 0.3 percent, I don't
14 know, because it adds the entire Great Lakes watershed
15 and puts that at risk as well. A man-made situation,
16 you've got that canal, the thing goes right into the
17 Mississippi River.

18 You have another man-made situation, we have
19 the introduction of the carp. Man-made situation
20 number two, the failure to control the carp, okay.
21 Seems to me -- now, I'm a simple person -- we can
22 eliminate the second one by eliminating the first. At

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1 least insofar as the risk to the Great Lakes.

2 We cut off those -- I think it was number
3 three and four if I'm not mistaken, the two
4 uncontrolled on the screen earlier. The two
5 uncontrolled access to the Mississippi watershed
6 through the various canals.

7 By the way, are those shipping -- that's why
8 it's uncontrolled, is that shipping ingress/egress?

9 MR. DAVE WETHINGTON: No, sir, it's not.
10 Those two waterways were historically connected for
11 transportation of goods, but currently they are not
12 being used for shipping.

13 MR. JOHN BROWN: But it's uncontrolled
14 nonetheless?

15 MR. DAVE WETHINGTON: Correct. I mean, there
16 are no water control structures on there. So by not
17 being controlled it means we have not engineered some
18 sort of feature like a lock or a dam at the end of
19 those waterways.

20 MR. JOHN BROWN: Seems to me pure and simple,
21 cut those off and virtually eliminate it. And I did
22 hear everybody talk about the other risks and so forth.

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1 But this is the clear, the big one, this is a way to
2 handle it in my judgment. Again, simple thinking,
3 clear-cut way to fix it.

4 I would like to also while I commend you for
5 being here, the program for being here, slight
6 spanking. Two days' notice in the media is not enough
7 notice. For purposes of if you want to identify
8 stakeholders, give about a month's notice so the
9 boating groups, fishing groups and so forth can have
10 meetings and so forth and this room would be full I
11 guess. I think it would be. Because just in a short
12 period of time there weren't that many people that knew
13 about it. I saw it in the paper this morning or
14 noticed a little article the other day on it. But we
15 need more notice. So I would hope that you come back
16 to another Ohio Great Lakes site giving better
17 opportunity for people to appear.

18 With that being said, can I ask one question?
19 Am I way over time?

20 MR. KENDALL ZABOROWSKI: No, sir, please ask
21 your questions.

22 MR. JOHN BROWN: Okay, thank you.

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1 Because when you look at the Great Lakes you
2 know that what we just looked at here is the southern
3 part of the Great Lakes, and of course there is Canada.
4 So my question is if Canada will be as involved as we
5 are if there is this great negative impact, if they get
6 in and breed up north.

7 Is there any official involvement with the
8 Corps and the GLMRIS Study of Canada, any official
9 involvement with that.

10 MR. WETHINGTON: Yes, sir, we have a partner
11 with the International Joint Commission. And we have
12 also through these scoping meetings actually developed
13 a pretty good rapport maybe and kind of some new leads
14 of which different Canadian organizations may be
15 interested in this. We also have been partnering
16 actively with the Canadian government, keeping them
17 read into what the Corps of Engineers is doing as part
18 of this study.

19 You know, granted we have limited authority
20 to implement anything in Canada, but you're very
21 correct that what we do implement or what we try to
22 prevent will have impacts across the border and we do

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1 recognize that. Thank you.

2 MR. JOHN BROWN: Thank you for the
3 opportunity.

4 MR. KENDALL ZABOROWSKI: Thank you, sir. We
5 ask that you please state your name and zip code before
6 you begin.

7 MS. GINA MILITE: Hello, my name is Gina, the
8 zip code is 44114.

9 I'm a very staunch, proud environmentalist
10 person and very concerned about species because we're
11 such an international culture. I believe we're a
12 smaller world than ever, everything is travelling
13 further and faster and we do more global trading. The
14 fact that the carp made it here is due to the fact of
15 all of the trade of the world going on now and the
16 global economy. That part is good.

17 I'm very scared for local and very sensitive
18 species like wild salmon and the smaller fish. I
19 wonder if this carp has any natural predators, if so,
20 who and what? And if they are stopped by fences, why
21 not make an incentive to the local sports fishermen and
22 people that like to hunt and enjoy it and make a bounty

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1 on it where people can make a little incentive by
2 cleaning up their local areas with the carp population
3 and be giving them money to go out and hunt and fish
4 these carp, maybe turning them into food for other
5 needy animals.

6 And isn't part of the problem, too, because
7 of the dams and the way the rivers are flowing now and
8 the locks and the canals, so when the ebb and flow of
9 the water changed and it's creating -- they can breed
10 faster maybe than our fish, are more ferocious and they
11 are stronger. So they in essence they are carnivores.
12 So that's what I'd like to ask.

13 And I would like to get involved for all
14 inter invasive species because I think it's very
15 important. Because if this problem happens, it will
16 devastate the Great Lakes and it's only going to get
17 worse. It will just travel. And if it's that strong to
18 kill fish in the Great Lakes it will probably go global
19 and overrun the world.

20 Like when we control things, things have a
21 tendency to get out of control. So that's my concern.
22 Thank you.

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1 LT. COLONEL BERCEK: I'm going to try to
2 answer a little bit, talk to you a little bit about the
3 fish from what I've learned from biologists with the
4 USGS, and I heard it mentioned one time in a meeting
5 that if these fish weren't so much of a concern that
6 they would overrun everything else you would say they
7 are wonderfully made, because they are such an
8 adaptable fish. I think that's one of the challenges
9 to us. Some of these fish, specifically the silver and
10 the bighead carp, though they might eat primarily
11 phytoplankton or the zooplankton, one or the other,
12 they will eat anything.

13 One of them, and I can't remember now whether
14 it's the bighead or silver head, has a bacteria in its
15 stomach that will if it eats something that's not
16 nutritious, that bacteria will convert to nutrients it
17 eats. So that's what she was talking about with that.

18 So they are very adaptable fish. In their
19 home environment they are a lake fish. And here they
20 have been thriving in our rivers. One thing we do know
21 about them is, and that's why some of the focus is on
22 rivers and tributaries, the USGS is looking at those so

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1 that we can look at maybe their typical spawning areas,
2 that it would be unsuitable for them. Put devices in
3 there to kind of change the flow a little bit. We
4 talked a little bit about the change of flow. They are
5 talking about modifying some flow in some of these so
6 the eggs aren't free floating and the fish can't breed.

7 MS. GINA MILITE: So they don't like salt
8 water? Could they handle the ocean or not?

9 LT. COL. BERCEK: I don't know about that.
10 The fish grow rapidly. Within about the first year
11 they grow eight inches. So they quickly outgrow fish
12 that can eat them. So that's the challenge. It's like
13 letting loose, you know, a boa constrictor or a python
14 that you get in the Everglades or something, nothing
15 else is there to combat it.

16 So it is well worth the effort what we're
17 doing right now to try to keep the fish out. There are
18 other efforts that are being made by other agencies
19 looking at biological-type control, genetic control.
20 The Illinois Department of Natural Resources is very
21 interested in fishing the Illinois River and removing
22 thousands of Asian carp. And they want to step up

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1 those efforts this year as well. So we're trying to do
2 as much as we can to keep them away.

3 MS. GINA MILITE: How many are here do you
4 think now estimated in the northeast area or this
5 region, what are they saying?

6 LT.COL.BERCZEK: I don't even know that
7 number.

8 MS. GINA MILITE: It could be millions even?

9 LT. COL. BERCZEK: Potentially, yes.

10 MR. JOHN ZIMMERMAN: Let me try to address
11 this. I'm John Zimmerman once again out of our
12 Cincinnati Division Office with the Corps of Engineers.
13 Let me address some of your questions specifically just
14 to be clear and since we're on the record.

15 You asked if there are any predators of the
16 Asian carp species specifically. None that we know of
17 other than man. And as the Colonel mentioned, part of
18 the reason for that is the fish grows extremely fast
19 and is capable of reaching really large size en masse
20 very quickly. So, therefore, there are not any known
21 predators.

22 Part of another question you asked and I

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1 think you referred potentially that this fish might be
2 carnivorous in nature. And the answer to that is no,
3 they are strictly algae to plankton and feeders of that
4 nature, the filter feeders primarily. Although the
5 bighead carp does have some characteristics
6 occasionally that it can be a tritus feeder also, but
7 it prefers also to be a filter feeder, plankton, small
8 plankton.

9 And you asked also about local incentives I
10 think with regard to suppression of fish population.
11 And I would refer you to Mr. Goss' statements early on,
12 as he referred to a lot of the issues that are being
13 done in the state of Illinois and also quite frankly in
14 other Mississippi River regions. And we see that kind
15 is beyond the scope of the Corps of Engineers'
16 authorities and actions. But we're seeing a number of
17 the states stepping up and doing things that would
18 create those incentives within the marketplace to
19 improve on fish suppression issues that are out there.

20 I think I answered most of your questions,
21 I'm not sure, between the Colonel and myself.

22 MS. GINA MILITE: Oh, one more thing. Does

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1 that affect the wild salmon?

2 MR. JOHN ZIMMERMAN: Well, the mechanism is
3 the fish is ahead. It's a plankton eater, it's not
4 carnivorous. And how it affects the fish population in
5 those areas it invades is that it eats up all the
6 available food at the lowest level of the food chain.
7 Then what happens then if it does that, the mechanism
8 is the other fish that would feed upon plankton and
9 zooplankton don't have food, then they die out. So
10 it's not a question of competition in terms of feeding
11 on one fish or another. It's just this particular fish
12 has a mechanism of removing the lowest part of the food
13 chain and, therefore, it has an impact.

14 The last question that you had or the
15 question you had with regard to the population of them.
16 In the Mississippi River right now, and especially in
17 the northern reaches of and in the Illinois River, the
18 current estimation by most biologists is that it has
19 replaced most of the aquatic species that were present
20 beforehand and it's approximately 90 percent in the
21 total biomass on those rivers that we spoke of before.

22 However, in the Great Lakes there have been

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1 isolated incidents of some fish being seen over the
2 years, but very, very limited. One here, one there,
3 that kind of stuff, and most cases were years between.
4 So we have every reason to believe that there is no
5 sustainable population in the Great Lakes right now.

6 MR. DAVE WETHINGTON: One housekeeping thing,
7 I'm sorry, ma'am. If you would like to have your
8 statement in the public record would you please state
9 your first and last name and your zip code? I don't
10 think we caught your last name.

11 MS. GINA MILITE: Milite, 44114.

12 MR. DAVE WETHINGTON: Thank you.

13 KENDALL ZABOROWSKI: At this point is there
14 anybody else from the audience that would like to come
15 to the microphone to make a comment or address the
16 panel to ask a question?

17 MR. BILL BRUML: My name is Bill Bruml, zip
18 code 44118.

19 I've lived here all my life except like the
20 fellow from Vermont said, not yet I haven't. Is it on?
21 Sounds like it's on.

22 I guess my take on this, well, I can't add

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1 anything to the urgency thing other than it would be a
2 shame to lose lake perch. And since there are a bunch
3 of Chicagoans here, there used to be a great restaurant
4 with pan fried perch and my wife has picked up on that
5 and she does it even better than they did. And that
6 would be a big loss.

7 So my other comment was I looked at this map
8 that gets published and I looked at that and I think
9 we're talking about this, that and the other thing we
10 might do. And when I look at the map I think we used
11 to hear that story about a fellow by the name of
12 Cincinnatus. And as I remember he stood on the bridge,
13 you know, just keeping the invading army from coming
14 in.

15 And that's a little like what we're facing
16 here. And, boy, it looks to me like, you know, you
17 stand back off the bridge and let them come through.
18 You got a hard job. You know, you don't get a second
19 chance at that one, you know.

20 I know the courts have stepped back from it
21 now and there's economic effects of that. But that's
22 the place, you can stop it cheaply every place else,

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1 you know that, too. The chance of really stopping it
2 once you get past that type of choke point is pretty
3 slim.

4 Doesn't sound like if they establish a
5 population there isn't much you can do with it. Lake
6 Michigan is a hard place to try to stop them, viable
7 fish population. We need to be serious about getting
8 through with those canals, we've had it. It's over at
9 that point. That's all I've got to say.

10 MR. KENDALL ZABOROWSKI: Thank you. I would
11 just like to remind anybody else that comes up to the
12 microphone to please do your best to speak in the
13 microphone. We have a stenographer here tonight that's
14 recording everything that's being said.

15 Again, is there anyone in the audience that
16 would like to come to the microphone and make a comment
17 or question?

18 MR. TIM BAKER: My name is Tim Baker, my zip
19 code I guess you want, 44264. I'm a fourth generation
20 island owner in Georgian Bay, Canada. And I don't know
21 the habitat of this fish. I would imagine it's similar
22 to regular carp in that they like quiet waters,

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1 secluded pools or ponds. I don't know anything about
2 the fish other than the videos that I've seen.

3 And all I have for you is the story of a
4 child paddling into a secluded pond area or swamp area
5 in Georgian Bay, and most of the -- I'm in an
6 archipelago there in the eastern coast of Georgian Bay
7 and I've run into schools of carp. And when you spook
8 them, when you've got 200 carp, underwater carp in
9 about a foot deep of water and you spook them, it's a
10 scary thing. And I can just imagine the videos of
11 these carp, that I may not be here today if I run into
12 some Asian carp rather than the regular carp. They can
13 be lethal I would think.

14 And they school like the regular carp. And
15 you'd have two or 300 in a small area, in a weedy area
16 in shallow water, the shallow, quiet water. And this
17 archipelago that we're in, many people canoe and I
18 think it just creates a danger.

19 I don't know that you're going to get in
20 areas like this in Lake Erie, but where people spend a
21 lot of time in canoes exploring shallow waters, so
22 that's my own point.

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1 And I agree with the gentleman that spoke
2 before, that once you let this loose it's going to be
3 hard to stop them. All the areas, I'm sure our
4 archipelago is not the only archipelago in the Great
5 Lakes. There are areas like this all throughout the
6 Great Lakes where people like to canoe and be in small
7 boats.

8 Certainly it's not going to impact you so
9 much driving in a motor boat, but there are times where
10 we will go in quiet bays in a motor boat. Just imagine
11 these things taking you out as you're cruising through
12 that area. So it's a scary thought for me.

13 Like I said, I'm fourth generation and I hope
14 that many generations will follow me, my kids can go
15 safely in quiet water in the canoe and not have to
16 fear. But we deal with what we have to deal with.
17 Hope that never happens. Thank you.

18 MR. KENDALL ZABOROWSKI: Thank you, sir.
19 Would anyone else like to come to the microphone?
20 Please, sir.

21 MR. MIKE MANION: Thank you. Mike Manion, M-
22 A-N-I-O-N, just to help you out there,

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1 44139.

2 Just a couple comments. First one is more of
3 a piling on of passion, which I'm sure you guys fully
4 understand. The second one is really looking for some
5 feedback on a couple points that were made.

6 I'm a life-long resident of the Cleveland
7 area. I certainly agree with the gentleman who came up
8 first. This area is without question a gem, a gold
9 mine for us. Speaking from an area that certainly gets
10 beaten down a lot, even from the sports teams or all
11 the forum studies or different writings that occur, it
12 gets demoralizing a little bit. But those that have
13 been here for a long time, we don't give up. We stay
14 persistent.

15 So Lake Erie, that's a huge, huge area of
16 pride for us. We travel around the country, you look
17 at Cape May, New Jersey, the Florida Keys, there is a
18 certain passion of fisheries, sport fishing nature,
19 that really defines the area and allows for a huge
20 commercialization from tourism and really brings pride.
21 So an area of the Great Lakes I think we would hate to
22 lose, again piling on some passion.

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1 But the question that I have for you, guys,
2 is there appears to be some evidence of you being able
3 to take action, but when I see plans that talk about
4 studies that will come to conclusion in 2015 -- which
5 by the way, I'm very impressed with the work that's
6 been done. I didn't realize the extensive nature of
7 what's been done to date, so I'm very pleased by that
8 and I commend you for those efforts.

9 But looking at 2015, I get very concerned,
10 it's a huge gap of time and leads me to believe what
11 if, what if it's not enough time. You know, nature
12 always tends to find a way. Going back to the Jurassic
13 Park movie, nature will find a way.

14 There appears to be evidence of a ranking
15 order of risks and probabilities, that if there is
16 going to be a leakage where it could come from. Do we
17 have monitoring in place that continues to watch for
18 the advance? And prior to the conclusion of the study
19 in 2015 is the group in power to take decisive action
20 if we see one of these high risk areas becoming
21 increasing vulnerable that would allow for penetration
22 in the Great Lakes? Is the group empowered to take

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1 action to stop that before the conclusion? You know,
2 before the conclusion of the 2015 study.

3 So that's what I'm looking for, a little bit
4 of discussion, a little bit of feedback. Because I like
5 the comprehensive nature. I just don't know if time is
6 on our side. We hope it is, but if one of those flash
7 points occur are you empowered and financially
8 empowered to take decisive action?

9 MR. JOHN ZIMMERMAN: Once again, I'm John
10 Zimmerman. I'll attempt to answer most of your
11 questions. I'm not sure if I can get them all, but I
12 tried to scribble them down here.

13 One was is there any monitoring going on with
14 regard to the advance of this species and where they
15 are at right now so that we can measure and react to
16 that.

17 The answer to that is, yes, on a lot of
18 different levels. We mentioned earlier that we have a
19 number of tools in our toolbox to do that. One of the
20 things somebody mentioned was eDNA issue, which is
21 somewhat of an indicator, although there is some
22 questions about what that really means. And that's a

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1 cutting edge technology that we're using.

2 There are other means that we have for
3 monitoring. There is netting, electro fishing that's
4 going on, there is actual commercial fishing that we
5 have under contract that Mr. Goss mentioned also.
6 There is a number of activities.

7 And it's a multi-tiered effort to get that
8 data so that we can get an accurate depiction of what
9 the Asian carp population is doing and where they are
10 at any given time and the numbers.

11 We had taken some steps in the past, too, in
12 response to that, and Mr. Goss also mentioned the Asian
13 carp framework that we have which we revise
14 periodically. We have a new one which has just been
15 renewed for this year and it spells out certain actions
16 that are taken upon triggering moments.

17 The discovery of fish and other things, those
18 are in place and we are fully working there. It's a
19 joint endeavor by a number of federal, state and local
20 agencies and entities that are involved in carrying out
21 all those actions and the framework.

22 You asked another question about are we

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1 empowered to take action. And I'm going to try to
2 answer that as best I can. In general I would tell you
3 that we are authorized at this point in time under the
4 GLMRIS Study to perform this study and make
5 recommendation and ultimately it would be acted upon by
6 Congress as to whether or not they want to implement
7 any physical features that might be in place or be
8 placed.

9 We currently have no authorization, nor do we
10 have the fiscal dollars on hand to implement physical
11 alterations and changes to the region. That's not to
12 say that if we discover things that can be done by
13 other folks who may have a different authority and
14 sources of funds that are different from the federal
15 government, i.e., the states or other agencies that are
16 out there that can act appropriately on those features
17 of those things, then we cycle those out and tend to
18 have them done.

19 But currently with regard to the efforts that
20 we're doing right here, we have no authorizations from
21 Congress, nor do we have dollars associated with any of
22 those to implement any features that may come out of

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1 this study. But that is something that's a constant,
2 ongoing issue for us. Obviously as we produce these
3 studies we do so not in a vacuum, not just the general
4 public, but there is daily conversations with your
5 Congressional constituency as there is through our
6 representation directly to the White House. And I said
7 enough. Did I answer most your questions? Thank you.

8 MR. MIKE SAFFRAN: I'd like to add one thing
9 relative to monitoring. The Indiana DNR and Ohio DNR
10 worked together to develop an eDNA sampling plan for
11 the Maumee River and for the Eagle Marsh. I'm not sure
12 of the total number of samples that they collected, but
13 all of those have come back negative for eDNA.

14 So there is a plan for them to go back early
15 in the spring as soon as water starts rising again to
16 implement more from that same plan analysis.

17 As far as authorities, at Eagle Marsh we are
18 going forward on a feasibility study to look at what
19 might be able to be built there. And we hope to have a
20 recommendation on that before the end of this year. We
21 have a couple standing authorities that could
22 potentially be applied. We don't have any

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1 appropriation at this point. And standing authorities
2 require local sponsors as well. So we have some
3 hurdles there, but we're working that very diligently
4 relative to the Eagle Marsh.

5 GINA MILITE: You mean getting release of
6 money or funds locally?

7 MR. JOHN ZIMMERMAN: Mike is referring to the
8 standing authorities which have some specifically rules
9 attached to them. And the beauty of them is that it is
10 comparatively to the other features out there it's
11 relatively easy to obtain funds to put it the best way.

12 But there are hitches with everything that
13 you do unfortunately. And there is a requirement that
14 we find somebody who has a local authority and
15 jurisdiction to be partners with us or has financially
16 long-term ability for projects. So that's something
17 that is potential for us and we're working on it.

18 I would say that any time we identify a
19 feature and it is an approvable feature, we immediately
20 start pursuing the dollars necessary and the budgeting
21 with our relationship with directly with Congress
22 and/or any authority around there.

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1 GINA MILITE: How much carp do you feel you
2 killed off, any percentages.

3 MR. JOHN ZIMMERMAN: Well, in one of the
4 earlier sessions i know, John, you made mention of the
5 fact that the commercial fishing activity pulled
6 roughly three million pounds out of the Illinois River
7 last year.

8 MR. JOHN GOSS: Right, that's a concentrated
9 area south of the electric barrier, so the Illinois
10 River.

11 GINA MILITE: What do you do with all that.

12 MR. JOHN GOSS: Some of them have gone to
13 make products like fertilizer.

14 GINA MILITE: Good.

15 MR. JOHN GOSS: We need to make sure that
16 they are all going to some beneficial use.

17 GINA MILITE: Absolutely.

18 MR. JOHN GOSS: I might mention that there's
19 going to be a significant effort also in this coming
20 year to get the private sector involved in processing
21 and marketing Asian carp. It is a high protein white
22 fish that is a very popular eating fish in Asia. It's

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1 the number one fish eaten in central Asia.

2 So first of all, there is a project that has
3 a contract to ship processed carp to China. And the
4 contract is in place, but the facilities to quick
5 freeze, all that stuff, put it into containers, have
6 not all been built yet.

7 There are other fish processing people though
8 that are doing smaller volumes of marketing Asian carp
9 around the world. There are some going from Illinois
10 around the world already.

11 And I think there is a real potential for
12 that to take off, because as I mentioned earlier, the
13 Mississippi River, the Missouri River and the Ohio
14 River, even in my home area in the Wabash have such a
15 high volume now, that there is a --

16 GINA MILITE: They'd feed a lot of poor
17 people or people who don't get healthy protein.

18 MR. JOHN GOSS: It is a good source of
19 protein. And I think with some assistance in
20 incentives we could get people looking at getting in
21 the fish processing business, and hopefully the market
22 for it will take off, too.

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1 KENDALL ZABOROWSKI: Would anyone else like
2 to come to the microphone? Please, sir, we just ask
3 that you state your name and zip code before you begin.

4 MR. RICK UNGER: Good evening. My name is
5 Rick Unger, I'm president of the Lake Erie Charter Boat
6 Association. My last name is U-N-G-E-R and my zip code
7 is 44105.

8 To the panel, to Mr. Goss, thank you for
9 coming into Cleveland. It's pretty this time of year,
10 isn't it?

11 MR. JOHN GOSS: It's wonderful. I'll be back
12 later to fish though.

13 MR. RICK UNGER: Well, as president of the
14 Lake Erie Charter Boat Association, I'm sure the panel
15 knows these numbers, fishing brings \$7 billion to Ohio
16 ever year. It's a huge industry. And that's not what
17 the charter boat captains make, that's when the money
18 comes in and feeds families for tackle shops and bait
19 shops and gas stations and restaurants, motels, hotels.
20 But all that money comes in because of fishing. More
21 fish are caught in Lake Erie than all the other Great
22 Lakes combined.

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1 We've been devastated with zebra mussels,
2 quadra mussels, round goby. We didn't see those
3 coming, we had to react to them. There is no eraser
4 for them. Once they get here we can't get rid of them.

5 But it costs our state, you know, millions
6 and millions of dollars a year because of those
7 invasive species, as well as the aquatic plants that
8 are coming in. We have one right at our doorstep that
9 we know we can stop.

10 There is another problem with these
11 particular fish, the silver head and the bighead carp.
12 They eat plankton and phytoplankton respectively. And
13 there is no better breeding ground on all of the Great
14 Lakes than the western basin of Lake Erie, that's where
15 our walleye population comes from.

16 These fish, these carp, they need long, fast
17 moving rivers to breed. Well, the Maumee River is an
18 incubator for that, it's exactly what they need. When
19 the Ballville Dam comes out on the Sandusky River, that
20 will add another 27 miles of water there and that will
21 become another breeding ground for these fish.

22 The predominance of plankton and

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1 phytoplankton on Lake Erie are on that western basin.
2 The plankton and phytoplankton, they feed our perch,
3 they feed our walleye, we have to keep them. If these
4 things get in -- and, you know, I'm sure I'm preaching
5 to the choir here -- but you know this. You know once
6 these fish get in, they dominate the ecosystem. They
7 will take over that food. They will basically kill off
8 our perch and walleye which we rely on.

9 If we don't have that, we're out of business.
10 We went from 1400 captains at one time, we're down to
11 800 captains now. A lot of that was the economy and a
12 lot of why we lost a lot of those captains was because
13 we had to change the way we did business. A lot of us
14 went from casting to trolling because of zebra mussels,
15 now quadra mussels and gobies. The guys that used to
16 bass fish primarily are out of business now because of
17 the gobies.

18 So going from drifting and casting to now
19 where everybody is trolling, it's a huge investment for
20 us as captains to switch over to that type of
21 equipment, plus there is a learning curve. A lot of
22 captains don't know how to do that. And, therefore, we

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1 lost a lot of captains over the last several years
2 because of invasive species. This is one species that
3 would put all of us out of work.

4 If those monies dry up because we're not
5 working, because people aren't safe on the water,
6 because these things are dangerous, if they can't come
7 out there and enjoy that water for water sport, for
8 water-skiing, for swimming, for bathing, scuba diving
9 or for fishing, if this lake dries up and that \$7
10 billion goes away from Ohio, that would devastate this
11 state.

12 So that's where I stand, that's where my
13 association stands, that's where the Charter Boat
14 Captains on this lake stand. It would just -- of all
15 the Great Lakes this is the one that is most wonderful,
16 this is the one it would hurt the worst. We can't
17 afford to let these guys in. We know where they are,
18 we know we can stop them. We spent lots of time and
19 lots of dollars to do what we can. We need your help
20 also. Thank you.

21 MR. KENDALL ZABOROWSKI: Thank you, sir. At
22 this point in time would anybody else like to come to

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1 the microphone and make a comment or address the panel?

2 Sir?

3 MR. JOHN BROWN: May I make a 60-second
4 supplement to my remark earlier?

5 I would just like to speak to the issue of we
6 have to be unafraid of change. Coming in here the
7 general media has made a lot of you can't close the
8 Chicago canals, and I actually don't know all the
9 details and I don't know the full extent of those ports
10 or canals through Chicago and through the Chicago Water
11 Sanitary Canal and so forth.

12 But affecting those and closing those, that
13 really doesn't resonate with Clevelanders so much.
14 Because the beginning of Cleveland coming into the
15 Industrial Revolution, we had our canal, we had the
16 Ohio and Erie Canal which connected Cleveland and
17 Portsmouth on the Ohio River.

18 And I think if anybody would have said during
19 the construction of that canal or during the early
20 years, oh, we can't close it, it can't be closed, it
21 would be economic devastation here. It closed. It
22 certainly wasn't technology that closed it, but the

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1 railroad came. Nonetheless, it closed.

2 And I think the importance of this story if
3 you will is let's use technology. If that's what we
4 have to use, let's use technology, but let's not be
5 afraid to change. Sure, we have these economic
6 arguments. Let's work around them. Let's use
7 technology and not be agreed.

8 We are going to have economic consequences,
9 but I suggest that everything you've heard here from
10 these folks, plus what you know, the economic
11 consequence of those carp getting into the Great Lakes
12 will be far worse. Thank you.

13 KENDALL ZABOROWSKI: Sir, quickly, I just
14 need you to state your name and zip code again.

15 MR. JOHN BROWN: John Brown, 44107.

16 MR. KENDALL ZABOROWSKI: Thank you. We ask
17 that everybody do this so we can keep track of things
18 and track the issues in the areas.

19 Please, I believe the gentleman in the black.

20 MR. JOHN BABROSKI: John Babroski, I'm with
21 the North Coast Charter Boat Association.

22 KENDALL ZABOROWSKI: Would you mind moving

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1 the microphone a little closer? Sorry.

2 MR. JOHN BABROSKI: My name is John Babroski
3 -- okay, stay there -- my name is John Babroski, area
4 code is 44147. I'm the President of the North Coast
5 Charter Boat Association and we support Mr. Unger and
6 the Lake Erie Charter Boat Association with this issue.

7 The question that I have or I heard you
8 mention is that you're using the fish for fertilizer;
9 correct?

10 MR. JOHN GOSS: Some.

11 MR. JOHN BABROSKI: Somewhat. Now, that DNA
12 that's inside that fertilizer, when you have the water
13 runoff and it comes into the rivers, is that eventually
14 going to be getting into the lake system?

15 MR. JOHN GOSS: I need a biologist.

16 MR. JOHN BABROSKI: Second of all, another
17 question, I looked at the Plain Dealer this morning,
18 just like the gentleman said, and I got kind of the
19 wrong idea on the timing of this. It was very unique.

20 Is there any way possible to do this again?
21 I'm sure that between North Coast and Lake Erie we can
22 have this room with charter companies filled with

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1 concerns. So out of consideration --

2 MR. JOHN GOSS: I don't doubt that.

3 MR. JOHN BABROSKI: Right.

4 MR. DAVE WETHINGTON: I guess I want to
5 apologize on behalf of our organization if we didn't
6 give you enough time to respond, to come out in person.

7 Your comments, whether they are voiced to us
8 here in person or whether they are submitted in writing
9 to an address that's listed on our website or submitted
10 electronically on our website, and there is a way to do
11 that, they will be taken at equal weight. So by you
12 speaking here doesn't give any more weight than to
13 maybe your colleague entering a comment on our web
14 site.

15 So I would encourage you to if you would like
16 to, and this goes to anybody that is here today, if you
17 would like to engage your colleagues, if you would like
18 to engage your friends, your family to comment on this
19 study, visit our website. Make sure you pick up some
20 materials that we have up front today.

21 And if you don't have access to the Internet,
22 we do have a mailing address that you can hand write a

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1 comment and send it to us and we would be able to
2 incorporate it into the public record.

3 MR. JOHN BABROSKI: All right, thank you very
4 much.

5 MR. DAVE WETHINGTON: Thank you very much.

6 MR. JOHN ZIMMERMAN: Before we go on, do you
7 want me to try to address the other question, the DNA?

8 I'm not a biologist, I didn't even stay in a
9 Holiday Inn last night. I am associated with a number
10 though, so I think I can answer basically your
11 question.

12 And I would tell you first off that DNA being
13 present anywhere with regard to it being a threat,
14 that's not a case at all. The DNA is not a threat.
15 There is within the biological community a belief that
16 --and once again as I said earlier, this is cutting
17 edge technology that is still being developed -- there
18 is a belief that DNA, eDNA associated with any fish
19 species, but Asian carp in particular, has a capability
20 of surviving within the water column intact before it
21 starts to break down and no longer be recognizable is
22 approximately 48 hours.

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1 So from the standpoint of, you know, if it
2 gets into a waterstream how long -- is it any hazard?
3 The answer is no. If it gets in how long is it
4 detectable? Well, we believe it's detectable for about
5 48 hours. And this means things like fish entrails and
6 scales and other things that may be put back into the
7 water system and escape the sewage treatment facility
8 that would directly dump back into the water, would
9 probably exist for about 48 hours.

10 And this goes to the heart of the reasons
11 why. We have some concerns about what eDNA means in
12 terms of when you get a positive hit. It doesn't tell
13 us whether you have a live fish or not. If, for
14 example, there is a restaurant that specializes in
15 serving Asian carp and they prepare it and place the
16 entrails back into either a sewage system or directly
17 into a waterway, then you may in fact get the results
18 on eDNA testing.

19 So I'm trying to clarify some of the issues
20 that I know are out there that maybe are not as clear
21 as they should be. And hopefully that does that. Did
22 I answer your question for you, sir? Thank you.

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1 MR. KENDALL ZABOROWSKI: Please, I would
2 remind you to state your name and zip code.

3 MR. JEFF GRIMES: My name is Jeff Grimes, G-
4 R-I-M-E-S, zip code 44113.

5 I live here in Cleveland and like most
6 Clevelanders I enjoy using Lake Erie, whether it be for
7 swimming, boating, fishing. And I'm just a resident
8 here tonight, I came out because I'm really concerned
9 about this issue.

10 Looking through the materials one of the
11 things that concerns me the most is the time line for
12 the overall study process. I believe it's not
13 projected to be completed until 2015. And I realize
14 that the NEPA process is a very complicated one. I've
15 seen NEPA done before. I used to live in New Orleans
16 after Hurricane Katrina. I've seen the NEPA process,
17 for example, on the Mississippi Coast after Hurricane
18 Katrina, what was done in a much shorter timeline.

19 I know they are not the same, but I have to
20 think there are some ways we can speed up this process,
21 whether it's relying on information that's already out
22 there or putting more resources into it. I would hate

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1 to see this issue already determined by the carp before
2 the study is complete.

3 So that is my biggest concern. I don't want
4 to see this issue studied to death where we have such a
5 potential concern. So thank you.

6 MR. KENDALL ZABOROWSKI: Thank you, sir.
7 Would anybody else like to approach the microphone and
8 make a comment or ask a question of our panel? Yes,
9 ma'am.

10 MS. GINA MILITE: In the last analysis, the
11 study, the final part of it --

12 KENDALL ZABOROWSKI: Ma'am, would you please
13 mind coming to the microphone so everybody can clearly
14 hear you? And, again, I'll ask you to state your full
15 name and zip code.

16 MS. GINA MILITE: Gina Milite, 44114. The
17 final analysis of the study, are they trying to just
18 figure out like the reproductive cycle of the carp, its
19 life cycle so they can interfere with it or, I mean,
20 what is the long-term need to have a study go on that
21 long, its feeding habits, its lifestyle, being in North
22 America, its lifestyle, how often it breeds. And can

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1 you interrupt it by any chance? Is there any
2 possibility of, you know, making it sterile?

3 MR. DAVE WETHINGTON: There are two kind of
4 separate studies that you're kind of referring to here.
5 What Mr. Goss was saying, his agency and the EPA and
6 the U.S. Geological Survey, Fish and Wildlife Service,
7 they are conducting a number of smaller individual
8 studies and research projects specifically toward the
9 Asian carp. And I know Mr. Goss can speak more to that
10 if you wish.

11 But the purpose of the Interbasin Study in
12 GLMRIS is to look at all aquatic species. We want to
13 not look at only Asian carp, but we want to look at
14 five years, ten years down the road, what is the next
15 Asian carp, what can we do right now to ensure that
16 this problem isn't a problem for my children or their
17 children's children.

18 So what can we do to implement a preventative
19 solution towards the transfer of invasive species.
20 Because as we're all aware here, Asian carp is not the
21 first species to affect the Great Lakes Basin or affect
22 the Mississippi River Basin.

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1 So the magnitude, the scale of the project
2 that we are looking at for the GLMRIS Study is why it's
3 going to take a more significant time. What we're
4 doing in the interim though is addressing the immediate
5 issues. The immediate concern is Asian carp, so we're
6 doing a number of things. We have electric barriers,
7 we're doing fishing, the monitoring, using the new
8 tools in the toolbox to make sure that they do not go
9 into the Great Lakes, while this other study happens
10 concurrently to look at the future, recognizing that
11 it's a much larger issue than just Asian carp.

12 MS. GINA MILITE: One more comment or
13 question to add. Isn't part of the problem also the
14 way people trade wildlife in the world and bring it
15 into this country through illegal means through black
16 markets for making money. They come from all over the
17 world, all these exotic species that get here and they
18 overwhelm our native species to the point that you
19 can't control it.

20 So they are smuggled in or brought in. And, I
21 mean, they will tie a parrot and put it in a sock.
22 They don't care if it survives, the point is to make

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1 money on it. So it's so hard to control all humanity
2 because you have human nature working against you.

3 So when you have check points at like
4 airports and the custom agencies, sometimes things get
5 through even at their best methods or measures because
6 of people try to smuggle them in. And that's another
7 problem I think, too, that's how things get here that
8 should never be to begin with. Thank you.

9 MR. JOHN GOSS: Good point. As we know, many
10 species have travelled from one body of water to
11 another because somebody thought it would be cool or it
12 would be neat to have that fish in another body of
13 water. So, for example, if European common carp were
14 brought here 150 years ago and now we have them in
15 every body of water because everybody thought, oh, that
16 would be neat. So yes, there is a danger that they will
17 be transported.

18 On the enforcement side, the federal
19 government did in December and Congress passed a ban on
20 shipment of any live bighead carp. Previously silver
21 carp had been banned for live shipment. And actually
22 until very recently they were being shipped from fish

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1 farms as far away as Toronto to the fish farms and
2 other markets where live fish were being sold.

3 So crossing state lines is illegal. Within
4 the states we do not have federal jurisdiction, so
5 that's something the states could look at if they want
6 to do, you know, another step.

7 Also bait buckets are another worry. And
8 Michigan just did a really excellent brochure to
9 identify what do minnows look like, what do carp
10 minnows look like. Because as we know, a lot of people
11 still like to live bait fish and like the same minnows.

12 So, for example, in my area in Indiana where
13 there are carp in the Kankakee, which is up close to
14 Lake Michigan, it very easily could happen where people
15 would be say in the Kankakee and go 10 or 15 miles and
16 be fishing with those minnows that are going to into
17 the lake, in Salt Creek or Trail Creek or another
18 creek.

19 So bait buckets are a big concern. Illinois
20 DNR has a project in all of their bait shops. So we've
21 got to get it down to the fishermen level, the average
22 people level, you know really check your minnows, don't

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1 be taking any live minnows from one area to another,
2 just don't do it. And certainly we're worried that
3 there could be people transporting live fish, but
4 again, I think we've got to do a big education project
5 and that's something we need to work with every state
6 on. So thanks for those thoughts though.

7 KENDALL ZABOROWSKI: Would anybody else like
8 to approach the microphone and make a comment or
9 address the panel or ask a question of the panel?

10 Would anyone on the panel like to make any
11 additional comments or statements?

12 MR. JOHN GOSS: No thanks. Thanks to
13 everyone.

14 KENDALL ZABOROWSKI: I will make a last
15 request for anybody to come to the microphone so they
16 can ask questions or make comments.

17 It is now currently 7:00 p.m. and we will
18 close this oral comment period. I would like to ask
19 everybody to help us in recycling our materials. If
20 you do not wish to take anything home with you, please
21 leave them at the front desk on your way out. If you
22 do wish to spread the word, feel free to take extra

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1 copies of our materials and distribute them.

2 I would like to again thank everybody for
3 attending tonight. We appreciate your input, your
4 comments, your questions, and your continued interest
5 in this study. Thank you, and good night.

6 (NEPA Scoping Public Meeting.

7 Concluded at 7:12 p.m.)

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1 CERTIFICATE

2 I, Julieanne Ross, do hereby certify that as such
3 Reporter I took down in Stenotypy all of the
4 proceedings had in the foregoing transcript; that I
5 have transcribed my said Stenotype notes into
6 typewritten form as appears in the foregoing
7 transcript; that said transcript is the complete form
8 of the proceedings had in said cause and constitutes a
9 true and correct transcript therein. I am not, nor is
10 the court reporting firm with which I am affiliated,
11 under a contract as defined in Civil Rule 28(D), or
12 otherwise interested in the outcome of this action.

13

14

15 Julieanne Ross

16 Notary Public within and for the State of Ohio

17

18 My commission expires 11-11-14.

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