

GLMRIS

GREAT LAKES AND MISSISSIPPI RIVER INTERBASIN STUDY

GLMRIS NEPA Scoping Document Submittal Form

Complete this form, and attach it to your document. Turn this form in with your document when you go to speak or at the welcome desk.

SUBMITTING PERSONAL INFORMATION: You must submit your first name, last name and zip code for your comment to be considered. Any other information is optional.

WITHHOLDING OF PERSONAL INFORMATION: Before including your address, phone number, e-mail address or other personal information with your comment, you should be aware that your entire submittal, including your personal information, will be posted on the GLMRIS Web site and included in the National Environmental Policy Act (NEPA) documents.

If you wish the U.S. Army Corps of Engineers to withhold your personal information from public view from the GLMRIS Web site and the NEPA documents, check the appropriate box below.

However, information withheld from the Web site and NEPA documents will be disclosed if required by law. Requests for disclosure of information collected will be handled through the Freedom of Information Act. Comments and information, including the identity of the submitter, may be disclosed, reproduced, and distributed. Submissions should not include any information that the submitter seeks to preserve as confidential.

Please note, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

Select your Privacy Preference:

☐ Don't withhold my personal information from the website and NEPA documents

☐ Withhold my personal information from the website and NEPA documents

First Name(required): Jennifer Last Name(required): McKay

Organization/Tribe (Official Representatives only): Tip of the Mitt Watershed Council

Street Address: 426 Bay St.

City: Petoskey State: MI Zip Code (required): 49770

Public Scoping Meeting Location: Traverse City, MI

Date of Comment: 27 JAN 2010

Comment Number: _____



**US Army Corps
of Engineers®**



January 27, 2011

United States Army Corps of Engineers
GLMRIS Scoping
111 N. Canal, Suite 600
Chicago, IL 60606

RE: NEPA Scoping Comments on the Great Lakes and Mississippi River Interbasin Study

To Whom It May Concern:

Tip of the Mitt Watershed Council, on behalf of its 2,300 plus members, would like to provide comments on the Great Lakes and Mississippi River Interbasin Study (GLMRIS) pursuant to NEPA.

As a means of introduction, Tip of the Mitt Watershed Council, founded in 1979, is a non-profit organization based in Petoskey, Michigan whose purpose is to protect, restore, and enhance water resources, including inland lakes, rivers, wetlands, ground water, and the Great Lakes. We base all our programs on sound science and policy analysis, and have garnered respect for our work from local, state, and federal agencies, businesses, fellow environmental organizations, and citizens.

Because safeguarding our waters is paramount to our mission, the Watershed Council has reviewed the Project Management Plan and Other Pathways Preliminary Risk Characterization of the Great Lakes and Mississippi River Interbasin Study. Based upon that review, we offer the following comments:

- **The Study should prioritize the Chicago Area Waterway System (CAWS) and provide a solution on this pathway prior to addressing any other area given the current ANS threat that exists at the CAWS.**

The GLMRIS area is huge encompassing both the Great Lakes and Mississippi River Basins. While the primary concentration of the study has been placed upon the shared boundary, more emphasis needs to be placed where the greatest threat currently exists, the Chicago Area Waterway System. The Asian carp are knocking at the back door to the Great Lakes through this pathway and we only have a short period of time to actually prevent them from infiltrating and breeding within the Great Lakes ecosystem. The study should focus and provide a solution for the Chicago Waterway System first regardless of the need to prioritize and act on other aquatic pathways given the severity of the situation.

In the GLMRIS Other Pathways Preliminary Risk Characterization, the Eagle Marsh site in Fort Wayne, Indiana was singled out as the greatest concern and highest priority due to the imminent

risk of Asian carp. The same should occur with respect to the Chicago Area Waterway System due to the same, if not greater, imminent risk that is posed by the Asian carp at the CAWS.

- **The Study time needs to be expedited with final results for the Chicago Waterway System completed within 18 months given the opportunity and urgency to actually prevent Asian carp from becoming established in the Great Lakes Basin.**

The 2015 timeline is not sufficient given the current threat the Great Lakes are facing from Asian carp. While the breadth of the GLMRIS is significantly greater than just the Chicago Area Waterway System and Asian carp, the United States Army Corps of Engineers (USACE) ultimately needs to expedite Focus Area I and provided specific recommendations for this portion much sooner than 2015. We are at a rare moment in time where we have the opportunity to prevent an aquatic nuisance species from invading our Great Lakes and we must take advantage of that opportunity. We are asking the USACE to recognize this opportunity and acknowledge the urgency of finding a permanent solution by expediting the timeline and producing the final results for the Chicago portion of the GLMRIS within 18 months rather than mid-2015.

The USACE has initiated an expedited planning study for Eagle Marsh with a goal of having a long-term measure in place within 2 years. Considering that the Chicago Area Waterway System is the more likely pathway for Asian carp to enter and begin breeding within the Great Lakes ecosystem, the USACE should commit to the rapid implementation of a planning study of the Chicago Waterway System. If this is not possible from the USACE, the USACE should contract the work out to consulting/engineering firms to facilitate the fastest implementation of prevention measures in order to achieve completion of the study within 18 months. Just as the Indiana DNR took the lead role to expedite action in Eagle Marsh, it may be necessary to rely on other entities to get the job done on the Chicago Waterway System in a reasonable timeframe.

- **Ultimately, the only permanent solution, specifically with respect to the Chicago Area Waterway System, is to restore the ecological barrier between the Great Lakes and Mississippi River Basins to prevent invasive species from moving back and forth between the two bodies of water.**

While looking at all options to PREVENT the transfer of species between the Great Lakes and Mississippi River Basins is critical, anything short of a physical barrier is unlikely to be 100 percent effective against fish – not to mention other aquatic organisms, especially at the Chicago Area Waterway System. While technological barriers may help slow down the progress Asian carp and other potential ANS are making, the invasive carp will sooner or later find their way to Lake Michigan unless their watery path is completely cut off. The USACE should focus on evaluating physical changes to the Chicago Waterway System that completely eliminate any direct connection of Mississippi River and Great Lakes waters that might allow invasive organisms to move between the basins. If well planned, separation will result in investments in new infrastructure including physical barriers to stop invasive species and intermodal transfer facilities that are most advantageous for improving the efficiency and sustainability of Chicago's transportation system. This will benefit both the economy and the environment of Chicago and the entire Great Lakes and Mississippi River Basin.

- **The Study should focus on the Congressional mandate under the Water Resources Development Act (WRDA) 2007 authorization and the subsequent USACE Guidance and work to PREVENT the transfer of aquatic nuisance species between the two basins.**

Every effort should be placed upon the authorization the United States Army Corps of Engineers was given – to PREVENT the transfer of aquatic nuisance species. While the preventative efforts implemented may not result in an absolute solution, failure to meet the Congressional mandate under WRDA 2007 and not even attempting to actually prevent the transfer is unacceptable. Minimization of risk will still result in the transfer and spread of species, thereby, wasting significant taxpayer dollars on a futile study. And in doing so, the United States will still have to spend billions per year on aquatic invasive species management, not to mention deal with the consequences the invasive species will have upon the health of our natural resources.

Specifically, under 3.1 Problems & Opportunities, the USACE should have identified the opportunity as “recommend, where necessary, controls or additional detailed studies, to [prevent] further transfer of ANS between the Great Lakes and Mississippi River basins via human transport and other non-aquatic pathways.” Given the Congressional mandate to “prevent” the USACE should at least use prevent as the identified opportunity.

Similarly, in the GLMRIS Other Pathways Risk Characterization, despite the Congressional mandate and USACE guidance identifying prevention as the charge of the study, the ANS Transfer Risk Rating in Table 5 turns to “risk reduction measures” rather than “prevention measures” which would more appropriately achieve the charge.

- **Use other studies completed or underway as a tool to help expedite the timeline of the Study.**

The USACE recognizes that studies by other entities are underway or have been announced. Rather than highlighting the difference between the GLMRIS and the other studies, the USACE should embrace the work being done by others and utilize other studies already completed or currently underway as a tool to expedite the timeline. Current studies include one entitled “Envisioning a Chicago Area Waterway System for the 21st Century” being led by the Great Lakes Commission and the Great Lakes St. Lawrence Seaway Cities Initiative. The study will go beyond just separation of the Great Lakes and Mississippi Basin, but analyze options that could enhance the flow of cargo through the Chicago area with the use of intermodal transportation centers that would allow cargo to move smoothly between barges, trucks and rails. It will also look at upgrading wastewater treatment options for the Chicago area. The study is expected to take 18 months. It is being funded by the Great Lakes Protection Fund, the Joyce Foundation, and other funding sources.

Additionally, the USACE can use the joint Canadian and United States 18-month risk assessment study that will look at the likelihood that Asian carp will spread across the Great Lakes and decimate the fish populations if allowed to gain a foothold. Scientists have differed on what is likely to happen if a sizable number breach the barriers and slip into Lake Michigan. Some say the voracious, hardy carp could become established in large sections of the Great Lakes, where they would starve out competitors for plankton and jeopardize the region's \$7 billion fishing industry. Some say the lakes might be too cold or have too few tributary rivers where the carp can spawn — and their food supply could run short because zebra and quagga mussels have devoured much of the plankton. The U.S.-Canadian study will focus on such issues. It also will look at other potential

doorways to the lakes for the carp and the possible effects of a full-scale invasion on the region's environment and economy. Using the study on the Chicago Area Waterway System, the Risk Assessment and other available studies by third parties can help expedite the GLMRIS Focus I timeline.

- **Include educational efforts as a method to prevent the transfer of aquatic nuisance species.**

In addition to controls and studies, the risk of transport via humans can often be reduced or prevented with educational efforts. This would be another opportunity for the USACE, in collaboration with the other Federal, State, and Tribal governments, and NGOs to increase stakeholder involvement in the effort as well as raise public awareness throughout two extremely important water resource ecosystems.

- **Clarify terms and add a condition under Inventory Historic and Existing Conditions:**

What constitutes "significant natural resource?"

What constitutes "related industries?" For example, we have hotels and restaurants here in Northern Michigan that are used by recreational boaters and fisherman that are impacted by ANS and would be dramatically impacted if Asian carp gained foothold in our Lakes. Are these going to be incorporated into the estimated economic value of related businesses?

In addition to preparing early detection/response guidelines, it would be worthwhile to compile the existing early detection and rapid response plans from each or any state that already has one.

- **We recommend other potential representation for the Executive Steering Committee or representatives to work in coordination with the Executive Steering Committee (5.1.1).**

Other potential participants that should be involved include Tribal representation and the City of Chicago. Additionally, even though the scope of the GLMRIS goes beyond just the CAWS and the Asian carp, significant knowledge could be gained by having a representative from the Asian Carp Regional Coordinating Committee (despite representation from duplicative governmental authorities) or John Goss as the Asian Carp Director with the Council on Environmental Quality.

- **The funding for the GLMRIS should not come from the Great Lakes Restoration Initiative due to limited funds available under the GLRI and the fact that the GLMRIS benefits go beyond the Great Lakes by protecting the Mississippi River Basin as well.**

The GLMRIS should not be funded through the Great Lakes Restoration Initiative. First, the GLRI is designed to dramatically advance Great Lakes restoration. Congress funded the GLRI initially at \$475 million as part of FY10 Interior-EPA funding bill. This investment will help clean up toxic pollution that poses a threat to people and wildlife, restore wetlands to improve water quality and provide wildlife habitat that is important to the region's tourism industry, and prevent and control new invasive species that cost the region at least \$200 million every year. However, after years of

inadequate federal investment, there is a tremendous backlog of work that needs to be done to keep pace with the serious threats to the Lakes. EPA, NOAA, the U.S. Fish and Wildlife Service, and the National Fish and Wildlife Foundation received nearly 1,400 proposals totaling over \$1.1 billion for GLRI funds. Only 13 percent of proposals on average region-wide will receive funding through these solicitations since only \$144 million is available. The demand for restoration funding is more than 7 times greater than available funds, meaning many projects will go unfunded. Furthermore, GLRI funding is likely to be significantly cut in FY2011 and the future funding levels are uncertain. While the GLMRIS will hopefully assist in addressing ANS in the Great Lakes, the limited funding needs to be directed towards other Great Lakes Restoration projects. This is especially true since the study is not limited to the Great Lakes, but also provides significant benefit to the Mississippi River Basin by hopefully protecting it from the multitude of invasive species the Great Lakes has yet to send them (even though we have already gifted them the zebra mussel and round goby). Given the limited funds available through the GLRI and the multiple basin benefit provided by the GLMRIS, this study should not be funded by the GLRI.

- **Increase public and stakeholder participation with regular discussion forums and reach out to all of the states involved in the Study area.**

We appreciate the USACE having a detailed public involvement plan. We encourage you to enhance public and stakeholder participation further by creating an opportunity for regular – preferably at least twice annually - discussion forums during which the public can interact with technical staff for detailed Q&A on project progress. This should be separate and in addition to the requirements of the NEPA process.

Additionally, the GLMRIS is a detailed study that covers the states of Minnesota, Wisconsin, South Dakota, Iowa, Illinois, Missouri, Indiana, Michigan, Kentucky, Tennessee, Ohio, West Virginia, North Carolina, Maryland, Pennsylvania, and New York. However, there are meetings in only approximately half of those states. The USACE should try to include stakeholders and the public in all of the states involved in the Study.

- **We appreciate that the USACE acknowledges that the document needs to be a “living” document to change with the circumstances and on-the-ground conditions.**

We appreciate that the PMP is a “living” document as that is truly the only way such documents and long-term studies can adequately work in the field. Hopefully, the approval process to adjust the document if needed as the project evolves is not too burdensome that it hinders or interferes with the ability to do so.

Conclusion:

We urge the USACE to give careful consideration to the comments and modify the GLMRIS to incorporate these comments provided during the public scoping meetings. We now have a once-in-a-lifetime opportunity to permanently solve the problem of Asian carp and other aquatic nuisance species moving between the Mississippi River and the Great Lakes via the Chicago Waterway System through the re-introduction of the hydrologic (i.e., physical) separation between the Mississippi River and the Great Lakes. We hope the USACE will find a permanent solution to the imminent threat posed by Asian carp in the Chicago Area Waterway System expeditiously within 18

months, and find ways to prevent the transfer of aquatic nuisance species between the Great Lakes and Mississippi River Basins within the longer scheduled timeframe.

Thank you for the opportunity to provide you with these comments. Please feel free contact me with questions or concerns regarding the comments provided at 231.347.1181 or jenniferm@watershedcouncil.org.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jennifer'.

Jennifer McKay
Policy Specialist
Tip of the Mitt Watershed Council
426 Bay Street
Petoskey, MI 49770