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COMMENTS
GREAT LAKES-MISSISSIPPI RIVER INTERBASIN STUDY (GLMRIS)—BRANDON ROAD DRAFT INTEGRATED FEASIBILITY STUDY AND ENVIRONMENTAL IMPACT STATEMENT
OHIO ATTORNEY GENERAL MIKE DEWINE
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Attorney General DeWine submits the following comments in response to the United States Army Corps of Engineers' (the Corps') release of the GLMRIS—Brandon Road Draft Study.

The Tentatively Selected Plan (TSP) does not go far enough to stop the spread of Asian carp and cannot be executed soon enough. Of the six alternatives examined in the Brandon Road Draft Study (the Study), the Corps should implement the lock closure alternative, which will be the most effective, safest, cheapest to construct, and quickest to complete. The urgent need for action cannot be overstated. While taking this important interim step, the Corps should simultaneously develop plans for complete hydrologic separation of the Mississippi River and Great Lakes basins. Anything less than this would be too little too late.

The threat of Asian carp to the Great Lakes only grows more serious and urgent.

The threat of Asian carp to the Great Lakes is real and imminent, and the time for action is now. Since the Corps released GLMRIS, additional studies have only confirmed this fact. Water temperatures and algal concentrations in Lake Michigan in recent years show that bighead and silver carp could not only survive, but also thrive in the Great Lakes if they reach it. As few as 20 Asian carp could be enough to establish a viable population. In addition to Asian carp, at least eleven other species of concern are currently able to freely travel back and forth between the Great Lakes and Mississippi River basins. And, the discovery of a silver carp approximately nine miles from Lake Michigan in June of this year only spotlights the flaws in the current system of controls, underscoring the need for a new solution. We've seen it happen elsewhere and don't need to wait to see what the impact will be in our Lakes.[1]

Lock closure is the most effective alternative.

Lock closure is the most effective alternative to stop the upstream transfer of aquatic nuisance species from the Mississippi River Basin to the Great Lakes. It can be completed in a matter of months, as compared to the years-long time line of the TSP. This is a critical factor when the threat of Asian carp continues to move ever closer to Lake Michigan. Once constructed, lock closure would reduce the risk of aquatic nuisance species migration to practically zero. With a permanent wall erected in place of the lock gate, the existing dam would

[1] Kolar et al. 2005; Cudmore et al. 2012; Ickes 2014; Solomon et al. 2016; Aycock 2016

serve as a crucial total barrier to any upstream movement of aquatic nuisance species, with its ability to withstand even 500-year flood levels. Not only would lock closure stop Asian carp, but it would also deter all types of aquatic nuisance species: swimmers, floaters, and hitchhikers.

In contrast to the known effectiveness of lock closure, the TSP uses a series of ineffective or unproven technologies: electric barriers, complex noise, and flushing jets. First, the Study acknowledges that the efficacy of electric barriers is suspect, even with regard to Asian carp -- the species the barriers are designed to deter. The barriers do not affect floater and hitchhiker nuisance species. Complex noise and flushing jets are new technologies, with no track record of deterrence in the short-term, let alone over a long period of time. And, many of the very important details of how these technologies will function are uncertain, such as at what levels and frequencies the complex noise will emit and how often it must be changed over time.

Additionally, the TSP's effectiveness depends heavily on current downstream prevention efforts to keep the leading edge of the Asian carp population from establishing pressure immediately upstream of Brandon Road in the Dresden Island Pool. These prevention measures rely on annual funding allocations, and therefore their continuation is by no means guaranteed. Lock closure is the only certain and truly effective way to stop Asian carp from overtaking the Great Lakes during this time when preventive actions are imperative.

The economic impacts of Asian carp establishment in the Great Lakes far outweigh the costs of lock closure.

Undoubtedly lock closure would have greater impact on navigation, and accordingly transportation cost, than the TSP. However, the Study overestimates these costs. As with the GLMRIS, the Study failed to account for market adaptations to accommodate alternative transportation methods after lock closure. It also relied on self-reporting surveys of shipping companies that are biased toward over-reporting the consequences of lock closure.

The over-estimate of navigation costs for lock closure is exacerbated by the Corps' severe under-estimate of the economic consequences of Asian carp in the Great Lakes. The Study only examined "a small subset of the total economic consequences that could be realized throughout the basin."[2] The Study does not even attempt to estimate costs to any of the Great Lakes, except Lake Erie, or to any of the tributaries in the entire Great Lakes basin.

Compounding this problem, the Study limited its Lake Erie analysis to commercial, recreational, and charter fishing, without estimating any of the other economic impacts from loss of property value, lakeside commerce and tourism, or recreational use. These gaping holes in the economic analysis downplay the very real consequences of an Asian carp invasion into the Great Lakes, making it appear as though estimated commercial navigation costs from lock closure far outweigh the economic consequences of an established Asian carp population.

[2] Study, Appendix D at D-9.

Additionally, construction of the lock closure alternative is cost effective when compared with the TSP. Initial construction costs are straightforward and feasible, at less than 2% of the construction costs of the TSP ($5.9 million for lock closure compared to $275 million for the TSP). On-going maintenance costs are likewise minimal when compared to the TSP. The substantially lower price tag would help secure non-federal sponsors for the project, which is an issued that the Study identified as an area of concern.

Due to the severe and irreversible consequences of an Asian carp invasion into the Great Lakes, the most effective measures possible must be used. The lock closure has the least construction and on-going maintenance costs and can be put in place the soonest, both of which are added benefits to this plan. The Corps should immediately undertake lock closure, while also creating plans for a permanent two-way solution to the transfer of aquatic nuisance species through complete hydrologic separation. Any further delay unacceptably jeopardizes one of our country's greatest natural resources.