



The American Waterways Operators
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Lynn M. Muench
Senior Vice President - Regional Advocacy

March 19, 2010

Mr. Peter Bullock
U.S. Army Corps of Engineers
Chicago District
111 N. Canal St.
Suite 600
Chicago, IL 60606

RE: Planned Environmental Assessment
Interim Report IIIa Fish Deterrent
Barriers, Illinois and Chicago Area
Waterways

Dear Mr. Bullock:

The American Waterways Operators (AWO) is the national trade association for the tugboat, towboat and barge industry. We represent more than 300 member companies in an industry of nearly 4,000 towing vessels, more than 27,000 dry and liquid cargo barges and over 30,000 mariners. Fifteen AWO members have headquarters in Illinois, and many others operate vessels that transit through Chicago area waterways. We appreciate this opportunity to comment on the U.S. Army Corps of Engineers' plans for an Environmental Assessment (EA) of technologies designed to prevent the invasion of Asian carp into Lake Michigan.

AWO members have demonstrated their full commitment to protecting the ecosystems of the Great Lakes and the Western Rivers through their cooperative work with the Corps and the U.S. Coast Guard to build, test and maintain the electric dispersal barriers in the Chicago Sanitary and Ship Canal (CSSC) over the past several years. We are committed to continue that work as the long-delayed Barrier IIB is installed this summer and fall. Additionally, AWO has recently provided written comments to the U.S. House Committee on Transportation & Infrastructure, Water Resources & Environment Subcommittee, as well as the Illinois Senate Environment Committee. Both of these comments included recommendations on methods to prevent carp entry while preserving the waterborne commerce that is essential to the region. Consistent with the positions expressed in these documents, we strongly encourage the Corps and the other federal agencies to implement technologies that hold the promise of preserving the natural

resources of the Great Lakes and the Western Rivers, while not harming the Chicago area economy.

AWO endorses the three technologies being examined by the Corps. The technologies have had success in other parts of the world and will provide the much needed redundancy to the electric barriers. Recent marine literature indicates that acoustic deterrents have become common tools for addressing the impacts on fisheries. Current research has also shown that air bubble curtains and strobe lights, when used together, have been found to increase avoidance for various species of fish, making them an effective exclusion barrier. Given the Asian carp's sensitivity to motion and sound, logic would indicate that these technologies are ideal in not allowing the carp to move into Lake Michigan while other agencies develop biological controls. Stakeholders of both the inland river system and the Great Lakes, therefore, have much to gain by pursuing the methods to which the Corps has pointed.

AWO encourages the Corps to work with a variety of stakeholders to identify the appropriate locations for the barrier placements. Unfortunately, given the limited comment period, we are unable to provide suggestions today with great certitude. However, based on the current focus on lock locations, we would suggest that the barriers be considered on the river side of the Lockport, O'Brien and Chicago locks. The Corps might also consider barriers on the south side of the electric barriers in the CSSC.

This federal action is truly a win-win for the environment and the economy. The industry is pleased to see the Corps move ahead so quickly on a real solution that addresses both its navigation and environmental missions. The continued movement of waterborne commerce will also benefit the regional environment, as barges emit fewer pollutants, including carbon dioxide, and have greater carrying capacity than any other mode of transportation. Air quality and traffic patterns for residents and businesses will clearly be helped by the Corps' approach of keeping waterborne commerce moving while installing this critical redundancy in the system. In order to ensure that the importance of the waterways to the region is taken into account, AWO recommends that the EA take into consideration all primary, secondary and tertiary social and economic impacts.

AWO appreciates the Corps' tireless work in seeking a solution to the problem of invasive species while recognizing the great economic and environmental benefits that barge transportation provides to the nation. Choosing between protecting the environment and preserving commerce is a false choice. Corps consideration of these additional deterrent barriers is the type of federal action that makes that clear. We thank the Corps for the opportunity to comment on this planned action. AWO would be happy to provide further comments after having the time to assess these options more carefully.

Attached to these comments please find: a) an affidavit that AWO submitted to the U.S. Supreme Court in the case of *Michigan v. Illinois*; b) the opening statement submitted by

Planned Environmental Assessment

Page 3

AWO representative Del Wilkins of Canal Barge Company for a February 9 U.S. Congressional hearing on the Asian carp issue; c) supplementary comments presented to the Committee holding the February 9 hearing; and, d) comments that AWO submitted to a January 21 Illinois Senate hearing on Asian carp.

Sincerely,

A handwritten signature in cursive script that reads "Lynn M Muench".

Lynn Muench