

**FOR IMMEDIATE RELEASE**  
December 8, 2010**Contact:** Anne Burns  
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(314) 446-6474**U.S. DISTRICT COURT RULES AGAINST CLOSING CHICAGO LOCKS**

**WASHINGTON, D.C.** – The American Waterways Operators (AWO), the national trade association for the tugboat, towboat and barge industry, applauded the decision announced on Thursday by the U.S. District Court for the Northern District of Illinois that denied a motion for preliminary injunction filed by five Great Lakes states to close Chicago area locks as a way of preventing the migration of Asian carp into Lake Michigan.

AWO and a coalition of industries and associations had intervened on the side of the defendants, the U.S. Army Corps of Engineers and the Metropolitan Water Reclamation District of Greater Chicago, to keep the O'Brien and Chicago locks open.

In his opinion, Judge Robert M. Dow, Jr. wrote that the plaintiffs – which include Michigan, Wisconsin, Minnesota, Ohio and Pennsylvania – had failed to demonstrate that the migration of Asian carp into the Great Lakes “is either likely or imminent,” and failed to demonstrate imminent harm, especially since the abundance of negative eDNA evidence indicates that the invasion front is nowhere near the lakes and that the electric barriers are working. The judge affirmed that the Corps has been operating the locks according to its statutory mandate to sustain navigation.

This decision comes after the state of Michigan’s unsuccessful attempt to persuade the U.S. Supreme Court to close the locks in April.

AWO is gratified that the U.S. District Court’s action will keep waterborne commerce flowing and will avoid the devastating impact that closing the locks would have on Midwest consumers and the hard-working Americans employed in the towing industry and other industries that rely on commodities shipped by barge. The benefits of barging go beyond the fact that it is the safest, most economical way to ship cargo. Barging has the smallest carbon footprint of all transportation modes and is the most environmentally friendly way to move critical commodities, reducing traffic congestion and air pollution.

AWO has endorsed nine actions other than lock closures that should be implemented to stop the migration of Asian carp. The measures are identified in the Asian Carp Control Strategy Framework prepared by a federal agency consortium. AWO remains committed to working in partnership with the Corps, the Environmental Protection Agency, the White House Council on Environmental Quality, and other federal and state agencies to prevent the spread of Asian carp and preserve the ecosystem of the Great Lakes while ensuring the free flow of essential commerce.

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