Protecting Our Water Environment

Metropolitan Water Reclamation District of Greater Chicago

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Illinois Senate Environment Committee Hearing on Asian Carp January 21, 2010

Statement by Ed Staudacher, Supervising Civil Engineer,
on behalf of
Richard Lanyon, Executive Director

Thank you Senators Garrett and Risinger for your interest and support in controlling Asian carp. I'd also like to commend the State of Illinois for its leadership working with the federal agencies.

I am Ed Staudacher Supervising Civil Engineer, responsible for Metropolitan Water Reclamation District of Greater Chicago (MWRD) Operations of Chicago Area Waterway System, and I am privileged to be speaking on behalf of Richard Lanyon, MWRD Executive Director, who regrets he cannot be here himself due to a previously scheduled Board of Commissioners meeting.

On Tuesday this week, the United States Supreme Court denied the motion by Michigan to close the three lakefront control structures of the Chicago Area Waterways, (the CAWS). This decision will rightfully not impede the economy of our region, and allows MWRD uninterrupted operations in protecting public health.

The decision has also forced the *national* conversation regarding the migration of Asian carp up to the CAWS. It is becoming clear to the public that this issue is neither a Chicago nor an Illinois problem. If Chicago's ecology, economy and/or environment are adversely impacted by actions to control the carp, these impacts will be felt around the country… and not just by neighboring states.

MWRD is the wastewater and stormwater management agency for Chicago and 124 municipalities across an 883 square mile region. We serve the equivalent of 10 million residents and industrials users.

As the key builder and steward of the 76 miles of the CAWS, MWRD facilities connect the world's largest freshwater basins, the Great Lakes and the Mississippi River watersheds. This connecting link is a keystone in our nation's economy.

My focus is on the public health ramifications and regulatory confusion in analyzing possible alternatives for Asian Carp control. In addition, MWRD hopes the public debate continues with a sense of calm and thoughtfulness, while not denying the urgency of a potential migration of Asian carp.

Let's take a look at some substantial considerations.

First, closing lock and sluice gates at the three lakefront control locations for the CAWS, at Wilmette Harbor, Chicago Harbor and O'Brien Lock and Dam, would likely result in devastating flooding throughout the region.

MWRD has successfully mitigated flooding with its Tunnel and Reservoir Plan. We constructed and completed 109 miles of tunnels throughout the Cook County region. Currently under construction are the McCook and Thornton Composite Reservoirs.

(over)

The Corps of Engineers estimates the annual average flood damage benefit achieved by the construction of the McCook and Thornton Composite Reservoirs to be $131 million. These reservoirs and tunnels will provide flood protection for 3.7 million people and 1,422,000 structures in the city of Chicago and 51 surrounding suburbs.

Increased flooding resulting from the inability to release excess floodwaters to the lake by closure of the locks and sluice gates during times of severe rainfall will virtually take these benefit and protection away.

Second, even if we were to close the lock and sluice gates, floodwaters carrying fish in the overflow would rise to overtop the structures and flow unrestricted to the Lake.

Next, the claim that Asian carp are infesting the CAWs is faulty. The nearest established community of Asian carp is the Dresden Island Pool, 42 miles away from Lake Michigan. This is both conceptually and in reality far from an infestation of the CAWS.

It is imperative that the thoughtful people making decisions remember that only eDNA is present. There has not been an actual Asian carp caught upstream of the dispersal barrier and there has only been a single Asian carp caught between the Dispersal Barrier and the Lockport Lock and Dam. eDNA does not confirm an established community. There is no traceable evidence as to how the eDNA was deposited at the location, and certainly provides no confirmation as to whether live or dead Asian carp are present. It does not indicate, "they are down there in the water, somewhere," as others may like to suggest.

To the subject of regulatory confusion, the irony of decision making outcomes is not lost on anyone. As MWRD has dramatically increased the water quality of the CAWS, the net result has been survival for aquatic life. The Illinois Environmental Protection Agency is actively seeking further water quality improvements in the Calumet-Sag Channel and Chicago Sanitary and Ship Canal.

When considering options for Asian carp control, a variety of state and federal regulatory issues must be in the matrix. Chaos could be the result in MWRD operations as we try to meet regulations relative to the Clean Water Act and other stringent permit requirements. MWRD has been an award winning agency for decades in meeting these pollutant limits.

MWRD embraces the opportunity to participate in the collective efforts to find effective control strategies for the threat of Asian carp.

The plan should incorporate MWRD's expertise as it pertains to the following:

- Over a century of experience in managing water in the metropolitan Chicago area.
- Experience in protecting the quality of Lake Michigan since 1900.
- Compliance with the Court Decrees of 1930, 1967 and 1980.
- Compliance with the 1996 Memo of Understanding between Illinois, the United States and the other Great Lake states.
- Restricting the discharge of pollutants and wastewater to Lake Michigan since 1965.
- Compliance with the Clean Water Act since 1972.
- Operating the Chicago Area Waterway System in conformance with the Code of Federal Regulations.
- Technical and engineering aptitude of the Chicago area drainage system.

Let us take the time to create a substantial plan that will not destroy the water quality, the ecology of the canal, the economy of anyone, nor cause devastating flooding to innocent residents and neighborhoods.

Finally, MWRD will cooperate with these efforts to the extent possible given our statutory authority and requirements for compliance with environmental laws and regulations. MWRD will remain committed to resolving the potential threat of Asian Carp in continuing our mission to protect the environment, and public health and safety.

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