



January 30, 2015

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Submitted online at <http://glmr.is.anl.gov/brandon-rd/scoping-comments/>

Re: Comments of the Council of Great Lakes Industries to the Notice of Intent to Prepare a Draft Environmental Impact Statement for the GLMRIS-Brandon Road Proposal (79 Fed Reg 69099 (November 20, 2014))

Dear Mr. Wethington:

The Council of Great Lakes Industries (CGLI) is pleased to provide comments regarding the environmental impact statement that the US Army Corps of Engineers (USACE) intends to undertake in connection with an evaluation of structural and nonstructural aquatic nuisance species (ANS) options at Brandon Road Lock and Dam (the “GLMRIS-Brandon Road proposal”). The purpose of the controls would be to reduce the risk of upstream transfer of ANS from the Mississippi River Basin to the Great Lakes Basin. CGLI submits these comments on behalf of U.S. and Canadian industrial organizations that have investments or facilities producing products or services in the Great Lakes region.

CGLI supports the continuing development and detailed design of the GLMRIS-Brandon Road proposal. Preventing the transfer of harmful invasive species between the Great Lakes and Mississippi River basins is critically important. It is also a huge task given the magnitude of the waterway systems involved and long list of species that have potential for transfer from one system to the other. The biological science, engineering, and funding challenges involved in providing successful control measures make responding to this need extremely difficult.

The GLMRIS-Brandon Road proposal appears to be a good place to start on the path towards a multi-faceted strategy for controlling ANS transfer between the Mississippi River Basin and the Great Lakes Basin. This proposal would

- significantly reduce the risk of one-way ANS transfer from the Mississippi River Basin to the Great Lakes Basin,
- provide a rapidly-achievable mechanism for addressing the risk of Asian carp transfer from the Illinois River to the Great Lakes, which is perceived by many as very urgent,

- maintain the throughway integrity of the CAWS (although some impact on commercial navigation remains likely), and
- provide for an adaptive management approach that can be enhanced as knowledge, resources, and future needs emerge.

One of the principles behind our support for USACE's evaluation of the GLMRIS-Brandon Road proposal is that the proposal potentially could significantly reduce the risk of ANS transfer toward the Great Lakes without bringing navigation essentially to a halt. ANS control measures that include permanent physical barriers in the CAWS would drastically disrupt commercial traffic on the CAWS and would impact waterborne transportation and economic activity throughout the region. USACE determined in GLMRIS that most of the alternatives that have been proposed for preventing ANS transfer through the CAWS would have significant direct and indirect impacts on commercial navigation. By contrast to an alternative that involves permanent physical barriers, we believe that this proposal potentially could be supported by the greater Great Lakes region as a whole, including stakeholders outside of the Lake Michigan watershed boundaries.

It is critically important, however, that USACE comprehensively evaluate the potential impact of the GLMRIS-Brandon Road proposal on current and potential future uses of the CAWS as part of its evaluation. Conceptually, the GLMRIS-Brandon Road proposal still seems likely to have a significant negative effect on transportation and commerce through and on the CAWS and on the regional economy as a whole. Waterborne transportation to, from, and on the Great Lakes has long served to connect this highly industrial region with other U.S. and international marine highway systems. The efficient transportation of goods through the CAWS not only supports industrial activity in Illinois and Indiana but also makes transportation of goods throughout the Great Lakes region more reliable and cost effective. Maintaining and enhancing efficient maritime transportation and commerce through and on the CAWS is essential.

We acknowledge and appreciate the significant work that USACE undertook in GLMRIS to understand the impacts of various ANS options, but additional evaluation is necessary to understand the full potential impact of the GLMRIS-Brandon Road proposal. We encourage USACE to consider all of the uses and impacts reflected in the January 2014 GLMRIS report when evaluating the GLMRIS-Brandon Road proposal, with updated data and information as appropriate. In addition, we suggest that USACE consider the following additional issues:

- *Potential indirect or derivative impacts on navigation through and on the CAWS.* As noted above, the GLMRIS-Brandon Road proposal appears to offer the potential for reducing the risk of ANS transfer without the permanent physical barriers that would drastically impact (and significantly reduce if not eliminate altogether) navigation on and through the CAWS. However, some impact from the addition of ANS controls – such as congestion, delay, and operational or load restrictions – could still occur. In addition to the direct impact on transporters, we encourage USACE to consider the indirect and derivative economic impacts of the proposal on companies that ship materials through the CAWS and companies that rely on shipped materials elsewhere within the basin.

- *The potential impact of the proposal on the Great Lakes regional economy.* The impact of disrupting or delaying commercial transportation on the CAWS would extend far beyond the Illinois/Indiana area. Manufacturers in other areas of the Great Lakes could experience increased costs and/or reduced transportation and operational efficiencies. In addition, impairing navigation on the CAWS could produce a disincentive for business and commercial growth and/or sustainability in the Great Lakes region. Finally, implementing ANS controls in the CAWS will require the support of the entire Great Lakes region, not just industries that may be directly affected. Support from the greater Great Lakes region may be difficult to secure if the full economic impact of the GLMRIS-Brandon Road proposal is not fully understood.

- *Potential future uses of the Brandon Road lock and dam, e.g. for hydropower.* USACE made a point during GLMRIS to consider the potential impact of various ANS control alternatives on current uses of the CAWS for hydropower. It is not apparent, however, whether USACE considered the potential for the Brandon Road lock and dam to be used in the future for other commercial purposes, including hydropower, even though it is not being so used now.

- *The effect of existing governance provisions on decision-making related to the GLMRIS-Brandon Road proposal.* While the GLMRIS report acknowledges many of the regulatory hurdles that might be expected, two regional governance provisions have been overlooked: the Great Lakes Water Quality Agreement and the Great Lakes – St. Lawrence River Basin Sustainable Water Resources Compact and Agreement. Each of these governance provisions require notice and exchange of information between the US and Canada regarding significant actions that may impact water quality or quantity in the Great Lakes and could create additional hurdles for implementing CAWS-related ANS controls. We encourage USACE to consider the requirements of these governance mechanisms when evaluating the feasibility and impact of the GLMRIS-Brandon Road proposal.

- *The extent to which adaptive management may be used to support the GLMRIS-Brandon Road proposal.* One key to the success of any Great Lakes ANS control strategy will be the ability to support the strategy through adaptive management. Applying adaptive management to ANS controls requires comprehensive research, data collection, and reporting, as well as ongoing, collaborative data and information management. At some point, a comprehensive evaluation of the GLMRIS-Brandon Road proposal must include the cost and structure of an adaptive management program so that the effectiveness of the strategy can be monitored and the strategy can be modified when information indicates strategic modifications are required.

We acknowledge and appreciate the dedication that USACE personnel have shown to GLMRIS and particularly acknowledge your work as the GLMRIS project manager. We wish you the best in your new role at USACE and look forward to working with other USACE personnel as this important work moves forward.

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CGLI promotes the economic growth and vitality of the region in harmony with its human and natural resources (sustainable development). For more than twenty years, CGLI has worked to ensure that industry is a substantive partner in the development of the Great Lakes regional policy. CGLI provides industry's perspective in collaborative efforts to protect the

region's shared freshwater resources. As a coordinated voice for industry, CGLI creates an opportunity for industries to contribute to and engage in both Great Lakes protection and restoration, and to preserve and enhance the region's economy.

Very truly yours,

COUNCIL OF GREAT LAKES INDUSTRIES

A handwritten signature in black ink, appearing to read "K. Buckner".

Kathryn A. Buckner, President

A handwritten signature in black ink, appearing to read "Dale K. Phenicie".

Dale K. Phenicie, Technical/Projects Director