

# Fight escalates over plan to keep Asian carp out of the Great Lakes

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The Obama administration on Thursday released its 2011 battle plan in the ongoing fight to keep Asian carp from invading the Great Lakes, a plan that calls for no waterway closures in the Chicago area. Less than three hours later, Michigan Attorney General Mike Cox announced plans to push ahead with a court fight to order the waterways closed.

Earlier this month, federal Judge Robert Dow Jr. denied a request for a preliminary injunction by Michigan, Wisconsin, Minnesota, Ohio and Pennsylvania to close two navigation locks in Chicago as an emergency, stopgap measure to block the carp.

The judge did not rule on the larger request by the states to force the U.S. Army Corps of Engineers to move ahead with plans to build a permanent barrier on the canal system to re-create the natural separation between Lake Michigan and the Mississippi basin that the Chicago canals destroyed over a century ago.

Cox said the five-state coalition is pressing ahead with its case to permanently separate the basins, but in the meantime the states are going to take their case to close the locks to the 7th U.S. Circuit Court of Appeals.

"Although our suit continues to move forward, the urgent threat that [Asian carp](#) pose requires that we aggressively pursue this preliminary injunction," Cox said in a statement. "Until the federal government takes effective action, Michigan and our Great Lakes partners will take full

advantage of every opportunity we have to ensure our livelihood is not destroyed by Asian carp."

It will be Cox's fourth attempt this year to get the courts to close the locks; the U.S. Supreme Court twice denied the request before Dow declined it on Dec. 2.

Business groups and many political leaders in Illinois fiercely opposed the idea of closing the locks because of the effect it could have on barge traffic, recreational boats, barge-dependent industries and floodwater management in the Chicago area.

In Washington, D.C., meanwhile, the Obama administration released its "Asian Carp Control Strategy Framework," a 63-page document put together by 21 state and federal agencies that calls for increased "environmental" DNA testing for Asian carp in the Chicago canal system, more assessments of the effectiveness of an electric barrier system and a plan to develop new carp traps and nets, among other things.

"The Obama administration has taken an aggressive, unprecedented approach to protect our Great Lakes and the communities and economies that depend on them from the Asian carp," John Goss, Asian carp director for the Whitehouse Council on Environmental Quality, said in a news release.

Conservationists weren't wowed. They've been critical of the Obama's administration's slow progress toward what they see as the only real solution to the problem - physically plugging the canals with permanent barriers.

"The 'plan' remains an unintegrated menu of disconnected potential actions, random activities, and no sense of what will be done with new

evidence of carp on emergency or long-term basis," said Henry Henderson of the Natural Resources Defense Council. "There is no articulated strategy, no sense of urgency, no apparent commitment to use the best tools such as (environmental) DNA to focus immediate action and build toward a permanent solution."

The industry group Unlock our Jobs expressed gratitude that the 2011 plan doesn't call for closure of any waterways, but it called the continued use of environmental DNA to track the fish "quite troubling."

Water samples taken above the electric barrier in the past year have yielded evidence of Asian carp all over the Chicago metropolitan area, but industry groups have questioned whether a positive sample means a live fish is in the area.

"It (environmental DNA sampling) has not been peer-tested and - even further - has been seriously questioned by many in the scientific community," said Mark Biel, chairman of UnLock Our Jobs.

Caught in the middle of the fight over how to deal with one of the most vexing environmental and economic problems to face the [Great Lakes](#) in modern times is Goss, whom many in the media have dubbed the "carp czar."

In an interview Wednesday, Goss noted that it is his job to keep the carp from getting into the lakes, but he acknowledged that responsibility comes with no real authority to take action.

"It's my job to coordinate the resources to stop the fish, that's accurate," he said. "I don't have full authority to order any actions."

When asked who will be held accountable if the federal efforts fail to keep the fish from invading, Goss paused for nine seconds before

answering: "Well . . . Congress hasn't given that job to anybody, that I know of."

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