To direct the Secretary of the Army to take action with respect to the Chicago waterway system to prevent the migration of bighead and silver carps into Lake Michigan, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 2010

Ms. STABENOW introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To direct the Secretary of the Army to take action with respect to the Chicago waterway system to prevent the migration of bighead and silver carps into Lake Michigan, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Close All Routes and Prevent Asian Carp Today Act of 2010”.

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SEC. 2. ACTIONS WITH RESPECT TO THE CHICAGO WATERWAY SYSTEM.

(a) IN GENERAL.—With respect to the Chicago waterway system, the Secretary of the Army shall take actions, consistent with applicable law, to ensure the following:

(1) The immediate closure and ceasing of operation of the locks at the O’Brien Lock and Dam and the Chicago Controlling Works until a strategy relating to controlled lock operations is developed.

(2) The installation of interim barriers or other structures in the North Shore Channel as necessary to prevent the migration of bighead and silver carps into Lake Michigan.

(3) The installation of interim barriers or other structures in the Grand Calumet and Little Calumet Rivers as necessary to prevent the migration of bighead and silver carps into Lake Michigan.

(4) The installation of interim barriers in the Chicago waterway system between the Des Plaines River and the Chicago Sanitary and Ship Canal and the Illinois and Michigan Canal and the Chicago Sanitary and Ship Canal to prevent bighead and silver carps from entering the Chicago Sanitary and Ship Canal during a flood event.
(5) The operation of the Electrical Disbursal Barrier System at optimal operating power and the expedited completion of proposed barrier IIB of such system.

(6) The comprehensive monitoring of the Chicago Sanitary and Ship Canal and all connected waterways for the presence and location of bighead and silver carps using the best available methods.

(7) The eradication of any bighead or silver carps discovered in the Chicago waterway system.

(8) The upgrading and making permanent of barrier I of the Electrical Disbursal Barrier System in a location and with the features and operations determined to be the most effective.

(9) The implementation of measures recommended in the efficacy study authorized under section 3061 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1121) or provided in related interim reports.

(10) The implementation of emergency measures, as necessary, to prevent bighead and silver carps from dispersing into the Great Lakes.

(11) The acquisition of real estate necessary for the construction, operation, and maintenance of the Electrical Disbursal Barrier System.
(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Army shall submit to Congress a report describing the following:

(1) The actions taken by the Secretary pursuant to subsection (a).

(2) Strategies for addressing any effects with respect to commerce resulting from such actions.

(3) Strategies for addressing any effects with respect to flood control resulting from such actions.

(4) Legislative recommendations relating to strategies under paragraphs (2) and (3).

(c) CHICAGO WATERWAY SYSTEM DEFINED.—In this section, the term “Chicago waterway system” means the system of waterways in Illinois and Indiana composed of the following:

(1) The Chicago Sanitary and Ship Canal.

(2) The Calumet-Sag Channel.

(3) The Chicago River.

(4) The Calumet River.


(6) The Little Calumet River.

(7) The North Shore Channel.