

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4604

To direct the Secretary of the Army to prevent the spread of Asian carp in the Great Lakes and the tributaries of the Great Lakes, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2010

Mr. HOEKSTRA introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To direct the Secretary of the Army to prevent the spread of Asian carp in the Great Lakes and the tributaries of the Great Lakes, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Asian Carp Action  
5 Plan Act of 2010”.

6 **SEC. 2. COORDINATION OF EFFORTS TO PREVENT THE**  
7 **SPREAD OF ASIAN CARP.**

8 Notwithstanding any other provision of law, the Sec-  
9 retary of the Army shall coordinate and lead the actions

1 of the Federal Government with respect to preventing the  
2 spread of Asian carp in the Great Lakes and the tribu-  
3 taries of the Great Lakes.

4 **SEC. 3. AUTHORITY TO PREVENT THE SPREAD OF ASIAN**  
5 **CARP.**

6 (a) IN GENERAL.—The Secretary of the Army is au-  
7 thorized to carry out projects to prevent the spread of  
8 Asian carp in the Great Lakes and the tributaries of the  
9 Great Lakes, including—

- 10 (1) installing electric, acoustic, air bubble, and  
11 other barriers;
- 12 (2) applying piscicides;
- 13 (3) improving locks; and
- 14 (4) other projects determined necessary by the  
15 Secretary.

16 (b) APPLICATION OF OTHER LAW.—With respect to  
17 projects carried out under subsection (a), such projects  
18 shall be treated as in compliance with all applicable Fed-  
19 eral laws.

20 **SEC. 4. IMPLEMENTATION OF EFFICACY STUDY REC-**  
21 **COMMENDATIONS.**

22 The Secretary of the Army shall implement measures  
23 recommended in the efficacy study, or provided in interim  
24 reports, authorized under section 3061 of the Water Re-  
25 sources Development Act of 2007 (Public Law 110–114;

1 121 Stat. 1121), with such modifications or emergency  
2 measures as the Secretary of the Army determines to be  
3 appropriate, to prevent aquatic nuisance species from by-  
4 passing the Chicago Sanitary and Ship Canal Dispersal  
5 Barrier Project referred to in that section and to prevent  
6 aquatic nuisance species from dispersing into the Great  
7 Lakes.

8 **SEC. 5. MITIGATION OF THE UPSTREAM MOVEMENT OF**  
9 **ASIAN CARP.**

10 The Secretary of the Army is authorized to take ac-  
11 tions at the Brandon Road Lock and Dam, Illinois, to pre-  
12 vent the spread of Asian carp.

13 **SEC. 6. STUDY AND REPORT.**

14 (a) **STUDY.**—The Secretary of the Army shall con-  
15 duct a study on strategies to prevent the spread of Asian  
16 carp with respect to the Great Lakes and the tributaries  
17 of the Great Lakes, including—

18 (1) strategies relating to barriers for use in the  
19 tributaries of the Great Lakes; and

20 (2) strategies to address an arrival of Asian  
21 carp in the Great Lakes.

22 (b) **REPORT.**—Not later than 120 days after the date  
23 of enactment of this Act, the Secretary of the Army shall  
24 submit to Congress a report containing findings and legis-

- 1 lative recommendations resulting from the study under
- 2 subsection (a).

