

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

# S. 2946

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.

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## 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

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## 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.

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 “Close All Routes and  
5 Prevent Asian Carp Today Act of 2010”.

1 **SEC. 2. ACTIONS WITH RESPECT TO THE CHICAGO WATER-**  
2 **WAY SYSTEM.**

3 (a) IN GENERAL.—With respect to the Chicago wa-  
4 terway system, the Secretary of the Army shall take ac-  
5 tions, consistent with applicable law, to ensure the fol-  
6 lowing:

7 (1) The immediate closure and ceasing of oper-  
8 ation of the locks at the O'Brien Lock and Dam and  
9 the Chicago Controlling Works until a strategy relat-  
10 ing to controlled lock operations is developed.

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

15 (3) The installation of interim barriers or other  
16 structures in the Grand Calumet and Little Calumet  
17 Rivers as necessary to prevent the migration of big-  
18 head and silver carps into Lake Michigan.

19 (4) The installation of interim barriers in the  
20 Chicago waterway system between the Des Plaines  
21 River and the Chicago Sanitary and Ship Canal and  
22 the Illinois and Michigan Canal and the Chicago  
23 Sanitary and Ship Canal to prevent bighead and sil-  
24 ver carps from entering the Chicago Sanitary and  
25 Ship Canal during a flood event.

1           (5) The operation of the Electrical Disbursal  
2 Barrier System at optimal operating power and the  
3 expedited completion of proposed barrier IIB of such  
4 system.

5           (6) The comprehensive monitoring of the Chi-  
6 cago Sanitary and Ship Canal and all connected wa-  
7 terways for the presence and location of bighead and  
8 silver carps using the best available methods.

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

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

15          (9) The implementation of measures rec-  
16 ommended in the efficacy study authorized under  
17 section 3061 of the Water Resources Development  
18 Act of 2007 (Public Law 110–114; 121 Stat. 1121)  
19 or provided in related interim reports.

20          (10) The implementation of emergency meas-  
21 ures, as necessary, to prevent bighead and silver  
22 carps from dispersing into the Great Lakes.

23          (11) The acquisition of real estate necessary for  
24 the construction, operation, and maintenance of the  
25 Electrical Disbursal Barrier System.

1 (b) REPORT.—Not later than 180 days after the date  
2 of enactment of this Act, the Secretary of the Army shall  
3 submit to Congress a report describing the following:

4 (1) The actions taken by the Secretary pursu-  
5 ant to subsection (a).

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

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

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

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

16 (1) The Chicago Sanitary and Ship Canal.

17 (2) The Calumet-Sag Channel.

18 (3) The Chicago River.

19 (4) The Calumet River.

20 (5) The Grand Calumet River.

21 (6) The Little Calumet River.

22 (7) The North Shore Channel.

23 (8) The Illinois and Michigan Canal.

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