

SCR42, As Adopted by Senate, May 20, 2010

Senator Birkholz offered the following concurrent resolution:

Senate Concurrent Resolution No. 42.

A concurrent resolution to express dismay and deep regret at the lack of immediate federal actions to prevent the Asian carp from entering the Great Lakes and to urge the Michigan Attorney General to pursue further legal actions.

Whereas, Asian carp are on the verge of invading the Great Lakes through the man-made connections between the Great Lakes and the Mississippi River basin. Asian carp pose a billion-dollar threat to the Great Lakes ecosystem, fisheries, and economy. Once established in the Great Lakes, Asian carp will be impossible to eradicate and become a permanent part of life in the Great Lakes region; and

Whereas, The most effective way to prevent the Asian carp from invading the Great Lakes is the immediate closure of the canals and waterways connecting the Great Lakes to the Mississippi River basin and the permanent separation of the Great Lakes from the Mississippi River basin; and

Whereas, The U.S. and Canadian advisors to the Great Lakes Fishery Commission support immediate and permanent separation of the Great Lakes from the Mississippi River basin; and

Whereas, The U.S. Supreme Court has ignored the imminent risk to the Great Lakes and rejected requests by Michigan--with the support of five other Great Lakes states and the province of Ontario--to immediately shut down canals and waterways connecting the Great Lakes to the Mississippi River basin and move forward with permanent separation; and

Whereas, The Obama Administration has failed to take the bold actions necessary to protect the Great Lakes. The administration's plan of studying the problem and reliance on experimental barriers and controls continue the failed federal policies that delay any real action or difficult decisions and have led us to the brink of an Asian carp invasion; and

Whereas, The U.S. Congress has failed to take actions to address the imminent threat from Asian carp. Federal bills that would require separation of the Great Lakes from the Mississippi River basin and prevent commercial movement of Asian carp continue to languish in Congress; and

Whereas, The current state of affairs favors the economic interests of two Great Lakes states over the economic and environmental interests of the Great Lakes states and provinces with jurisdiction over 95 percent of the lakes. The interests seeking to keep the canals open have everything to gain by delay because the longer we wait before we close the Great Lakes to Asian carp, the more likely it is that Asian carp will successfully invade the Great Lakes, making closure of the canals irrelevant; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we express dismay and deep regret that the U.S. Supreme Court rejected the request to take up the Asian carp issue; and be it further

Resolved, That we urge the Michigan Attorney General to take action, on behalf of the people of Michigan, pursuant to MCL 324.3115 and the Michigan Natural Resources and Environmental Protection Act to seek an injunction to close the locks connecting the Great Lakes to the Mississippi River basin in a lower federal court of appropriate jurisdiction; and be it further

Resolved, That we express dismay and deep regret that the Obama Administration and the U.S. Congress have failed to take other measures to end the threat of Asian carp; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the Michigan Attorney General.