



Friends of the Earth
Les Ami(e)s de la Terre

Latest Lethal Threat to the Great Lakes Must Be Halted

Friends of the Earth Canada Supports U.S. States' Case on Invasion of Asian Carp

For immediate release

(Ottawa, November 28, 2011) Friends of the Earth Canada joins U.S. States in the fight to stop the Asian Carp invasion of the Great Lakes citing the mutual obligation of Canada and the U.S. under the Boundary Waters Treaty to prevent transboundary pollution including biological pollution by Asian carp.

Represented by their attorneys, the Great Lakes Environmental Law Center and Ecojustice Canada, Friends of the Earth filed an amicus brief on November 22, 2011 urging the U.S. Supreme Court to hear the appeal by the States of Michigan, Minnesota, Ohio, Pennsylvania and Wisconsin. These States are in court to force the U.S. Corp of Engineers and other defendants to take urgent action to prevent the invasion of Asian carp into the Great Lakes through the Chicago Area Water System.

“Friends of the Earth is concerned that the U.S. Corp of Engineers has lost sight of the urgent need to stop the invasion of Asian carp into the Great Lakes,” says Beatrice Olivastri, CEO, Friends of the Earth Canada. “Families and communities that depend on the Great Lakes for their livelihoods are facing the most lethal threat yet from this invasive fish. We think this lethal threat could and should be stopped.”

“To-date, the Courts have failed to consider the impact on Canadian interests and failed to consider the joint efforts and investment of the U.S. and Canada to restore the ecological health of the Great Lakes,” said Nick Schroeck, Executive Director, Great Lakes Environmental Law Center.

“Canada and the U.S. have worked together for over half a century to revitalize the Great Lakes – now is not the time to expose this collaboration to the destructive force of a “biological pollution” like Asian carp,” said Hugh Wilkins, Ecojustice lawyer.

The Friends of the Earth amicus brief presents two unique issues for the US Supreme Court’s consideration – one, that the earlier decision overlooked the important investments made to-date by the two countries for the restoration of the Great Lakes and two, that international treaty obligations require the U.S. Corp of Engineers to act in a manner that would prevent Asian Carp from invading the Great Lakes. The ultimate goal is to force the Corp to place block nets in the Little Calumet and Grand Calumet Rivers to prevent passage of Asian carp across these channels into the Great Lakes while also forcing the Corp to expedite completion of their study assessing options to restore the natural separation of the Great lakes and Mississippi River Basins.

In executing the 1909 Boundary Waters Treaty, Canada and the U.S. agreed that the “boundary waters and waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other.” Subsequently, in 1972 and under the authority of the Boundary Waters Treaty, Canada and the U.S. entered into the Great Lakes Water Quality Agreement, aiming to “restore and maintain the chemical, physical, and biological integrity of the waters of the Great Lakes Basin Ecosystem.”

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