

## Ohio Joins U.S. Supreme Court Fight Regarding Asian Carp

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On December 23, 2009, [the State of Ohio filed a brief](#) in the U.S. Supreme Court supporting the State of Michigan's complaint seeking action to prevent the Asian carp from infiltrating the Great Lakes. Like Michigan, Ohio blames Chicago's prior water diversion projects for giving the Asian carp access to the Great Lakes. Here is the specific action requested by the State of Ohio:

"But for the defendants' actions in the early twentieth century—the construction and operation of the Chicago Sanitary and Ship Canal—the Great Lakes would not now be threatened by the steady march of the Asian carp up the Mississippi River and its tributaries. By sanctioning the ongoing diversion of water from Lake Michigan, this Court's 1967 consent decree permits the continued operation of that Canal. Therefore, the State of Michigan has appropriately sought a modification of that decree: Until the State of Illinois, the Metropolitan Sanitary District of Greater Chicago, and the United States agree to take all necessary and appropriate measures to prevent the introduction of the carp into Lake Michigan, this Court must modify its decree to prohibit all further diversion of water from Lake Michigan into the Canal—thereby closing the door to the carp's entryway into the Great Lakes, and to the irreparable damage that would ensue."

Stay tuned to the Illinois Environmental Law Blog for more news and developments.