

Federal Court Allows Three Parties to Intervene in Asian Carp Case

By: Dave Scriven-Young, Attorney at Peckar & Abramson, P.C.

(Originally published at: <http://illinoisenvironmentallaw.blogspot.com/2010/09/federal-court-allows-three-parties-to.html>)

A federal judge recently [allowed three parties to intervene](#) in the Asian carp case (*Michigan v. United States Army Corps of Engineers*), currently pending in the U.S. District Court for the Northern District of Illinois. Click [here](#) for more information on the Asian carp case. The Court granted leave to the following parties to intervene as defendants: (1) the City of Chicago, (2) the Coalition to Save Our Waterways, and (3) Wendella Sightseeing Company, Inc.

The Court held that the City "has demonstrated that its interests are direct, substantial, and capable of legal protection" Those interests included: (1) to ensure that the Chicago police and fire departments' operations are not disrupted and that they are able to fully utilize the navigational locks and/or sluice gates to perform their emergency response, law enforcement, and homeland security duties; (2) to ensure that the sluice gates can continue to be used to maintain water quality and avert flooding; and (3) to ensure that the City's long-term efforts and plans to enhance the waterfront are not disrupted.

The Coalition is a group of trade associations, whose interest in this case is in preserving the viability of the economic investments in businesses through the continued ability to navigate the Chicago Area Waterway System. Similarly, Wendella provides boat tours, and its economic livelihood is directly at stake in this lawsuit. The Court held that both the Coalition and Wendella had sufficient interests to intervene.

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