



The American Waterways Operators

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Lynn M. Muench

Senior Vice President - Regional Advocacy

May 7, 2010

Ms. Gail Brooks
Program Associate
U.S. Institute for Environmental Conflict Resolution
130 South Scott Avenue
Tucson, AZ 85701

Dear Ms. Brooks:

The American Waterways Operators (AWO) is the national trade association for the inland and coastal tugboat, towboat and barge industry. AWO's more than 300 member companies include the owners and operators of barges and towing vessels operating on the inland and intracoastal waterways, the Atlantic, Pacific and Gulf coasts, and the Great Lakes. The towing industry safely and efficiently moves more than 800 million tons of cargo critical to the U.S. economy, such as coal, grain, petroleum products, chemicals, steel, aggregates and containers. Without the ability to reliably navigate the Missouri and Mississippi rivers, this critical national transportation system and our economy will be profoundly harmed. The national economy depends on waterways transportation for the safe movement of cargo that is either too large or too voluminous to be moved by truck or rail.

AWO sits on the Congressionally authorized Missouri River Recovery Implementation Committee (MRRIC). MRRIC is directed to provide advice to the U.S. Army Corps of Engineers and other federal agencies involved with the operation of the river on the Missouri River Ecosystem Recovery Plan (MRERP) and the Missouri River recovery and mitigation program (MRRP). AWO is also chairman of the Coalition to Protect the Missouri River, which represents the diverse interests of agricultural, navigational, industrial, utility and business-related entities in the Missouri and Mississippi river basins. Thank you for the opportunity to provide comments on the Osprey Group's Missouri River Authorized Purposes Study (MRAPS) Situation Assessment.

As AWO stated in our April 1 comments on the Osprey Group's Situation Assessment, the focus group process was marked by a lack of purpose, transparency and inclusiveness. Many stakeholders had to contact the Osprey Group and/or the Corps repeatedly to gain information about, or an invitation to, the focus groups, or were not included in them at all. These meetings should have been open to all stakeholders, and this has created a lack of confidence that the assessment and its recommendations are based on accurate, nonbiased information.

Regarding the assessment itself, AWO has serious concerns with the Osprey Group's recommendation against a consensus-based approach. There is an urgent need for all stakeholders to be represented in a process that will ultimately determine the authorized purposes

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of the river. MRRIC is a consensus-based group that has successfully established a process that unites, instead of divides, the stakeholders of the basin. MRRIC should be involved and provide leadership to the MRAPS process.

AWO is also concerned that the Osprey Group has recommended that an Executive Committee advise the Corps on the study, and that this committee be made up of the Corps, representatives appointed by the Governors of the Missouri River basin states and the pertinent federal agencies, and two representatives from the Mississippi River basin states. It is critical that all stakeholders, especially navigation interests, also have representation on the Executive Committee since the industries that depend on waterborne commerce are critical to the regional and national economies.

AWO thanks the Osprey Group for recognizing the need for Mississippi River basin states representation. The Missouri River contributes as much as two-thirds of the water flowing in the middle Mississippi River. Decreased Missouri River flows means lower Mississippi River water levels, which results in shipping interruptions, draft reductions and tow size restrictions that diminish the cost savings of barge transportation. However, two members are not representative of the entire Mississippi River basin. AWO recommends that each of the nine states in the basin should have the same representation as do the Missouri River basin states.

Finally, AWO supports the “inform” and “involve” components of the Osprey Group’s recommendation. All of the aspects of the assessment that involve keeping stakeholders informed and involved as much as possible are supported by AWO.

Thank you for the opportunity to comment on the assessment. AWO stands by to assist the Corps as it moves forward with MRAPS.

Sincerely,

A handwritten signature in cursive script that reads "Lynn M. Muench". The signature is written in black ink and is positioned above the printed name.

Lynn M. Muench