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November 22, 2019

BG Peter D. Helmlinger
Commander, Northwestern Division
U.S. Army Corps of Engineers
P.O. Box 2870
Portland, OR 97208-2870

Re: Missouri River Mainstem
System 2019-2020 Draft Annual
Operating Plan

Dear General Helmlinger:

On behalf of the American Waterways Operators (AWO), the national trade association for the tugboat, towboat and barge industry, thank you for the opportunity to comment on the U.S. Army Corps of Engineers' Missouri River Mainstem System 2019-2020 Draft Annual Operating Plan (AOP).

The U.S. tugboat, towboat and barge industry is a vital segment of America's transportation system. The industry safely and efficiently moves over 760 million tons of cargo each year, including more than 60 percent of U.S. export grain, energy sources such as coal and petroleum, and other bulk commodities that are the building blocks of the U.S. economy. The fleet consists of nearly 5,500 tugboats and towboats, and over 31,000 barges. These vessels transit 25,000 miles of inland and intracoastal waterways, the Great Lakes, and the Atlantic, Pacific and Gulf coasts. Tugboats also provide essential services including ship docking, tanker escort and bunkering in ports and harbors around the country.

The tugboat, towboat and barge industry is not only an integral part of the U.S. intermodal transportation system, but also the safest, most affordable and most fuel-efficient, with the smallest carbon footprint of any surface transportation mode. Actions that adversely impact the efficiency of waterborne commerce, or that result in the diversion of cargo to other modes of transportation, are bad not only for the industry and the U.S. economy, but also for public safety and the environment.

Both the Flood Control Act of 1944 and rulings by the U.S. Court of Appeals for the Eighth Circuit direct the U.S. Army Corps of Engineers to treat navigation as one of the two primary Congressionally-authorized purposes of the Missouri River System. AWO continues to work to ensure that navigation's primacy is recognized, and that the navigation industry is not adversely impacted by system management decisions or diversions of water away from the primary Congressionally-authorized purposes.

Since 2001, AWO has been a member of the Coalition to Protect the Missouri River (CPMR), a group of stakeholders that advocate for the responsible management of Missouri River resources to ensure the maintenance of the river's Congressionally-authorized purposes, including navigation. CPMR also supports responsibly managed and properly balanced efforts to recover threatened and endangered species. In addition, AWO has been a member of the Congressionally-authorized Missouri River Recovery Implementation Committee (MRRIC) since its inception in 2008.

AWO makes the following comments and recommendations on the 2019-2020 draft AOP:

- 1) AWO gratefully acknowledges the Corps' December 2019 target for the release of the final 2019–2020 AOP. Without the final AOP, industry is unable to assess annual operational conditions and thus, negotiate transportation contracts. Diminishing the reliability of navigation adversely impacts competition among available transportation options, increasing transportation costs within the basin. In several previous AOP comments, AWO requested that the final AOP be released prior to January 1. ***AWO applauds the Corps for releasing the AOP before January 1 and encourages the Corps to continue this practice in the future.***
- 2) Another full-length navigation season as predicted by all five runoff conditions in the 2019-2020 draft AOP will continue to build confidence in the reliability of the river. According to the Missouri Department of Transportation (MODOT), barge traffic on the Missouri River has been increasing over the last five years. From 2016-2018, the Port of Kansas City experienced an increase in barge traffic volume of nearly 50,000 tons. In addition to this amount, an additional 200,000 tons moved from private terminals through the Kansas City area for a total of 350,000 tons of freight. In 2018 alone, the Missouri River handled a total of 657,793 tons of cargo – nearly 100,000 more tons than the previous year. ***AWO requests that the Corps ensure that navigation flow targets are hit each year and that the channel is maintained and operated according to Congressionally-authorized direction.***
- 3) Missouri River flows are critically important to Mississippi River waterborne commerce, especially during drought. As the Corps is aware, the drought of 2012-2013 seriously threatened the continuity of waterborne commerce on the middle-Mississippi River, especially once the Missouri River navigation season ended. As stated by the Eighth Circuit Court, a primary purpose of the Missouri River System *includes downstream navigation*. And, the Mississippi River is *downstream navigation*. To comply with Congressional and court direction along for the economic and environmental good of the nation, the Western Rivers must be managed as a system.
- 4) AWO thanks the Corps for holding an additional AOP meeting in Jefferson City, Missouri earlier this year. These meetings are a valuable opportunity for companies operating on the Missouri and Mississippi rivers to engage with the Corps and take part in this important process. Due to the critical impacts that Missouri River flows have on the Mississippi River, ***AWO strongly encourages the Corps to hold an***

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*additional public meeting on the AOP each year in the Mississippi River Basin,
preferably in the St. Louis area.*

Thank you again for allowing the opportunity to provide comments on the draft AOP. The Corps' commitment to address these comments is appreciated. AWO looks forward to working together with the Corps to ensure that the Missouri River management plan balances the needs of the environment and the economy while providing reliable navigation flows.

Sincerely,

A handwritten signature in cursive script that reads "Justin Lampert".

Justin Lampert
Manager – Midcontinent Office