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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 2020-2021 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 2020-2021 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, have negative impacts on the industry, the U.S. economy, 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 diversion 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 advocates for the responsible management of Missouri River resources to ensure the maintenance of the river's 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 2020-2021 draft AOP:

- 1.) AWO gratefully acknowledges the Corps' December 2020 target for the release of the final 2020–2021 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.) Missouri River flows are critically important to Mississippi River waterborne commerce, especially during drought. The Missouri River provides almost 50 percent of the flows to the Middle Mississippi during normal conditions, provided up to 72 percent of the flows at St. Louis in 2012, and supplied 88 percent of the flows at St. Louis during the 1988 drought. These flows are essential to keeping the Mississippi River open to business. Unreliable flow support will jeopardize the efficient movement of waterborne commerce and harm the nation's economy. 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 and for the economic and environmental good of the nation, the Western Rivers must be managed as a system.***
- 3.) Another full-length navigation season as predicted by all five runoff conditions in the 2020-2021 draft AOP will continue to build confidence in the reliability of the river. In recent years, Missouri River navigation has benefitted from reliable flows and a decent channel. This in turn has brought new line-haul navigation companies and new investments to the river. However, management of the Missouri River does not just include flows, but also management of the navigation structures on the river. As the Corps is well aware, record flooding on the Missouri River in 2019 caused damage to roughly 5,000 river structures which severely impacted the river's self-scouring design. Also, the 2019 flood severely damaged numerous constructed endangered species habitat features, causing much greater water diversion from the navigation channel than

originally designed. These factors, coupled with current low water conditions, are causing severe navigation and safety issues on the Missouri River. AWO greatly appreciates the continuous outreach to the navigation industry and the Corps' Kansas City and Omaha Districts' work to address and fix these issues as quickly as possible with limited resources. However, a dedicated robust funding stream is needed to repair the structures and ensure the reliability of navigation on the Missouri River. ***Therefore, AWO requests that the Corps ensure navigation flow targets are met and full funding to repair damaged structures is allocated by Congress and the Corps' Headquarters. The Missouri River must be seen as reliable to provide a business climate that promotes the use of this underutilized river.***

- 4.) AWO thanks the Corps for holding two virtual public meetings on the draft AOP this year in lieu of in-person public meetings due to the pandemic. These meetings were a valuable opportunity for companies operating on the Missouri and Mississippi rivers to engage virtually with the Corps and take part in this important process. Assuming in-person meetings resume in the future, ***AWO strongly encourages the Corps to hold a public meeting on the AOP next year in the Mississippi River Basin due to the critical impacts that Missouri River flows have on the Mississippi River.***

Thank you again for allowing the opportunity to provide comments on the draft AOP. The Corps' commitment to addressing 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,



Justin Lampert
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