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Justin L. Lampert  
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November 27, 2023

BG Geoff Van Epps  
Commander, Northwestern Division  
U.S. Army Corps of Engineers  
P.O. Box 2870  
Portland, OR 97208-2870

Re: Missouri River Mainstem  
System 2023-2024 Draft Annual  
Operating Plan

Dear General Van Epps,

The American Waterways Operators (AWO) is the tugboat, towboat and barge industry's advocate, resource, and united voice for safe, sustainable, and efficient transportation on America's waterways, oceans, and coasts. Our industry is the largest segment of the nation's 40,000-vessel domestic maritime fleet and moves 665 million tons of cargo each year safely and efficiently. On behalf of AWO's more than 300 member companies, thank you for the opportunity to comment on the U.S. Army Corps of Engineers' Missouri River Mainstem System 2023-2024 Draft Annual Operating Plan (AOP).

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 2023-2024 draft AOP:

- 1.) AWO gratefully acknowledges the Corps' December 2023 target for the release of the final 2023–2024 AOP. Releasing the final AOP prior to the start of the 2024 navigation season will allow industry to assess annual operational conditions as it negotiates transportation contracts, which is critically important for 2024 due to the ongoing drought. AWO thanks the Corps for releasing the AOP before January 1, 2024 and encourages the Corps to continue this practice in the future.
- 2.) Once again, barge transportation has been severely impacted this year by historic low water on the inland waterways. Due to this low water, Missouri River flows remain critically important to waterborne commerce on the Mississippi River. Unfortunately, the draft AOP states, “[...] if during the 2024 navigation season there is no commercial navigation scheduled to use the upper reaches of the navigation channel, MRBWM will consider not providing navigation flow support in those reaches to conserve water in the System, reduce flood risk, and/or minimize incidental take of the protected species during the nesting season.” Deciding not to provide flow support would negatively impact navigation on the lower Missouri River and the middle Mississippi River. The Missouri River provides almost 50 percent of the flows to the middle Mississippi River during normal conditions. During the 2012 drought, the Missouri River provided up to 72 percent of the flows at St. Louis, and during the 1988 drought it supplied 88 percent of the flows. 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.
- 3.) AWO urges the Corps to avoid releasing additional water that may not be necessary to satisfy Endangered Species Act requirements. For example, flows were pulsed last year to impact plover nesting. If a low-flow scenario occurs this year, water should continue to be conserved to maximize navigation support on the river. If flows during plover nesting season are adequate to support navigation, additional water should not be released, as that water should be conserved to support navigation as needed later in the season.
- 4.) During the draft AOP meeting held on November 9, 2023, in Smithville, Missouri, the Corps announced that enough water currently exists in the Upper Basin to run a Fort Peck flow test in 2024. The Corps explained that this flow test would not impact flow rates at Gavins Point Dam. It is imperative that this remains the case if a Fort Peck test flow is implemented. Dramatic increases to flow rates below Gavins Point Dam could impact navigation structures, imperiling safe navigation and flood control on the Missouri River. In addition, recent data has shown that pallid sturgeon prefer the turbidity of flow from the Milk River, calling into question whether Fort Peck releases provide the dynamics needed for pallid spawning and recruitment.
- 5.) AWO thanks the Corps for holding six in-person public meetings on the draft AOP 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. However, we are disappointed that no meeting was scheduled in the St. Louis area, as our industry has requested for several years now. Once again, the lack of a St. Louis-area meeting prevented numerous Mississippi River Basin industry stakeholders with operations on both rivers from participating in the process. AWO strongly encourages the Corps to continue holding in-person public meetings on the AOP next year, including a meeting near St. Louis due to the critical impacts Missouri River flows have on the Mississippi River. Additionally, the Corps should provide a virtual meeting option on the draft AOP to allow additional industry and other stakeholders to participate in the AOP process.

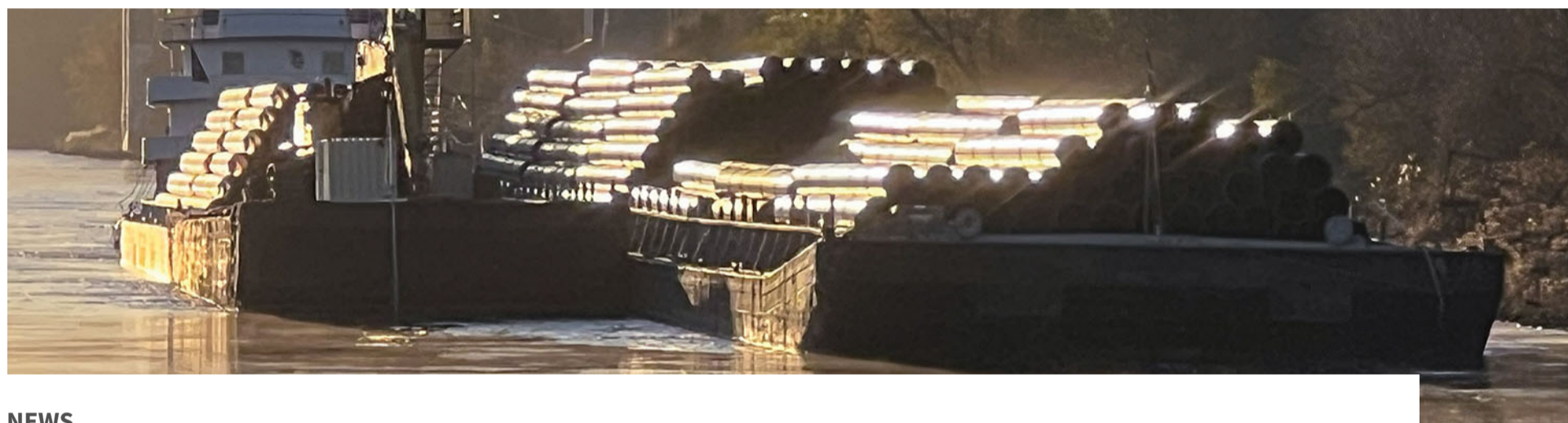
Thank you again for the opportunity to provide comments on the draft AOP. The Corps' commitment to addressing these comments is appreciated. AWO also thanks the Corps for its steadfast commitment to improving and strengthening commercial navigation on the Missouri River. A recent article from *The Waterways Journal* (attached) highlights how Missouri River investments have greatly benefited navigation over the past few years. AWO looks forward to working 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 black ink, appearing to read "Justin Lampert", with a stylized, flowing script.

Justin Lampert  
Senior Manager – Midcontinent Office

Attachment: The Waterways Journal. Large Tow of Pipe Delivered on Missouri River. Shelley Byrne. November 2023.



# Large Tow Of Pipe Delivered On Missouri River

Prairie State handles crew management for companies including Hamm's Frontier Marine Service of Chillicothe, Ill., which was contracted to move the pipe for Coastal Marine Contractors of Slidell, La.



*The mv. Kevin Michael near the mouth of the Missouri River on October 31. (Photo courtesy of Prairie State Marine Services)*

Coastal Marine Contractors converted eight tank barges into oversized open hopper barges. Four of the eight barges, together equaling the size of nine 200-by-35-foot jumbo barges, were used in the tow, said Allen Warriner, president of Coastal Marine Contractors.

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The tow was 600 feet long by 108 feet wide initially until broken up into two tows due to low water causing a reduced channel width on the Missouri.

Marc Davis, vice president of Prairie State Marine Services, said that ultimately proved to be the best decision, given conditions, to create better efficiencies for the vessels.

“We were ready to adapt to whatever came along, and that’s what we did,” he said.

Warriner said he made the decision to convert the tank barges into hopper barges for pipe transport because of a lack of affordable hopper barges in good condition on the market.

“They’re ideal for handling the 80-foot lengths of pipe because the inside dimensions of the hopper are greater than 260 feet, so we can fit three lengths in there,” he said. “It worked out really well. They make a nice unit tow.”

Coastal Marine Contractors has been involved in several shipments of pipeline to Texas from Mississippi, he said.

For this tow, Coastal Marine Contractors’ mv. Coastal Runner brought the pipe from the manufacturer, Jindal Tubular U.S.A., picking it up at Port Bienville, Bay Saint Louis, Miss., for an initial trip to New Orleans. From there, Hamm’s Frontier Marine Service’s mv. Frontier Express and mv. Tony Ice brought the pipe from New Orleans to St. Louis, Mo. The mv. Kevin Michael, a twin-screw, 5,600 hp. towboat owned by East Side River Transportation of Swansea, Ill., moved the tow up the Missouri with the assistance of the mv. Tony Ice, which carried a material-handling barge for unloading the pipe and eventually took on two of the four barges after the reduced channel width made it necessary to do so.



*The Capt. Tony Ice setting up for offload. (Photo courtesy of Prairie State Marine Services)*

The mv. Tony Ice is a twin-screw, 2,400 hp. vessel owned by Hamm’s Frontier Marine Service.

“The Kevin’s probably one of the largest boats that’s been up there in a really long time,” Ice said.

The trip went relatively smoothly with the exception of three days of delays traversing the Lower Mississippi while waiting for dredges or the movement of southbound traffic in narrow parts of the channel, Warriner said.

Additionally, shoaling above Mile 85 on the Missouri prompted the decision to split the tow between the two vessels.

The pipe was unloaded at Heartland Terminals. From there, 80-foot lengths were loaded onto trucks and transported to the cargo’s final destination in Beatrice, Neb., Warriner said.

He said the various companies involved had been looking at the logistics of the transport since July, with the final decision to move the pipe by water instead of rail made in August.

The planning for the trip was a group effort. Those involved said they wanted to express appreciation to those who worked together to make the unusual shipment possible, singling out Jim McEvilly of East Side Transportation, Capts. Andy Belza and Jesse Edler and President Steve Engemann of Missouri River Towing and Randy Weibrecht of Central Stone Company for their cooperation and collaboration.

Davis praised the Corps of Engineers, saying that the investments into the system that the Corps has made were key to making the transport possible.

“Five years ago, I wouldn’t have tried this at this flow,” he said.



*Pipes being unloaded in Nebraska City. (Photo courtesy of Prairie State Marine Services)*

Davis spent much of the trip piloting the mv. Tony Ice, “running bird dog” for the Kevin Michael with its tow of pipe, making sure the channel was safe for it to come along behind it.

Davis said the trip required knowledge of the river and its peculiarities.

“You have to measure your speed,” he said. “If you get going too fast, you can’t make the turns, but if you’re too slow, you may get set out on the dikes.

Davis added, “It’s quite a bit different from the Mississippi and the locking rivers for sure.

Ice also praised the work of the Corps of Engineers in maintaining the dike system, which has effectively scoured the river bottom, meaning dredging has been unnecessary on the Missouri, despite low-water conditions throughout the system.

*Caption for top photo: Arrival of mv. Kevin Michael in Nebraska City. (Photo courtesy of Prairie State Marine Services)*



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#### TAGS:

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