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May 7, 2021

Lieutenant General Scott A. Spellmon
Chief of Engineers
U.S. Army Corps of Engineers
441 G Street NW
Washington, DC 20314

Re: WRDA 2020 Sec. 129
Implementation

Dear LT General Spellmon:

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 provide comments as the U.S. Army Corps of Engineers develops implementation guidance for the Water Resources Development Act (WRDA) 2020. Our comments are focused on Section 129, Missouri River Interception Rearing Complex (IRC) Construction.

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.

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 WRDA 2020 Section 129 implementation:

- 1.) As the Corps plans to build a total of twelve IRCs as part of the staircase design concept, AWO would like to once again remind the Corps that Missouri River Recovery Program (MRRP) shallow-water habitat (SWH) legacy chutes have created serious challenges for Missouri River navigators for years. These chutes divert flow from the navigation channel, leading to shoaling, safety concerns and shipping delays. We are pleased that WRDA 2020 calls for the Secretary to develop a plan to repair these chutes before constructing additional IRCs. Repairing and modifying these chutes will ensure that towing companies can safely operate on the Missouri River. Therefore, we encourage the Corps to address the current maintenance needs of these chutes before building additional structures on the Missouri River.
- 2.) AWO is pleased that the legislation requires the Engineer Research and Development Center (ERDC) to conduct further research on IRC design to determine potential impacts to navigation and flood control. IRC impacts to navigation and other human considerations must be tested and studied with the same vigor as the work currently being conducted to aid in the recovery of pallid sturgeon. We look forward to this research to ensure that IRCs will not impact navigation safety and the efficient movement of waterborne commerce.
- 3.) AWO urges the Corps to keep Congress informed on the progress of pallid sturgeon population recovery, including baseline population counts, to demonstrate if management actions are benefiting the recovery of the species and taxpayer dollars are being spent wisely. AWO strongly believes that the SWH chutes have provided no value to the recovery of pallid sturgeon and no value to the nation. We are pleased that Section 129 language will force all parties to proceed cautiously to ensure the mistakes made during the SWH chute exercise are not repeated during the IRC construction process.

Thank you again for allowing the opportunity to provide comments on Section 129 of WRDA 2020. AWO looks forward to working together with the Corps to ensure that the management of the Missouri River balances the needs of the environment and the economy while providing reliable and safe navigation flows.

Sincerely,

Justin Lampert

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