COME TO MEMPHIS FOR NWC’S 2019 ANNUAL MEETING
Celebrating 200 Years of History and Soul

Founded 200 years ago on the Chickasaw bluff overlooking the Mississippi River, Memphis has played a central role in the Nation’s history. Memphis survived the yellow fever epidemic and struggled through the Civil Rights era all while transforming into a major logistics and distribution hub for middle America. Memphis persevered through it all with the unforgettable sounds of Elvis Presley, B.B. King and so many others, and, of course, world famous barbecue.

Confirmed speakers include The Honorable R.D. James, the Assistant Secretary of the Army for Civil Works; Major General Mark Toy, incoming Commander of the Mississippi Valley Division of the U.S. Army Corps of Engineers; as well as Eddie Belk, Chief of the Programs Integration Division; and Tom Smith, Chief, Operations and Regulatory, at USACE Headquarters.

Shining a light on regional issues will be Edward H. Grimm III, President and CEO, Southern Towing Company, and Stephen Gambrell, Executive Director of the Mississippi Valley Flood Control Association. Ken Ericksen from Informa Economics will provide a market outlook for the barge industry, with a particular focus on the impacts from the region’s devastating floods. A panel of industry leaders will offer insight into how a comprehensive and collaborative approach to water resources management can yield multiple benefits, featuring Rick Johnson, Executive Director, Sacramento Area Flood Control Agency; Kirsten Wallace, Executive Director, Upper Mississippi River Basin Authority (UMRBA); Dustin Boatwright, Chief Engineer and Executive Vice President, Little River Drainage District; and Michael D. Klingner, PE, Chairman of the Upper Mississippi, Illinois & Missouri Rivers Association (UMIMRA).

Providing a more in-depth look at balancing economic development and environmental stewardship will be Elliott Bouillion, President and CEO of RES (Resource Environmental Solutions), the pioneer of environmental mitigation. Additional speakers will be announced soon.

The International Port of Memphis, the Mid-South’s best kept industrial and economic secret for nearly 75 years, invites you to come to Memphis on its 200th anniversary, as the city celebrates its past and welcomes a new century of soul.

For more information and to register online, visit waterways.org.

IN THIS ISSUE
- 2019 Annual Meeting
- FY20 Civil Works Funding
- Harris County Flood Control District and USACE Partnership
- Flooding Impacts on the MKARNS
- Focus on WRDA in 2020
- Little Rock Port Authority Celebrates 60 Years
- Soybean Farmers Announce Strategic Investment
- Welcome New Members
- Industry Events
FY20 Civil Works Funding Advanced in the House, Stalled in the Senate

Moving the first of the annual appropriations bills in a “minibus” package, the House of Representatives approved funding of $7.36 billion for the U.S. Army Corps of Engineers Civil Works program for fiscal year 2020, starting on October 1st. Along with the annual Energy and Water Development Appropriations bill, the other components include Defense, Labor-Health and Human Services-Education, and State-Foreign Operations.

The House measure would fund the Civil Works program at $7.36 billion, increasing the current year’s funding level by more than $350 million and rejecting the Administration’s proposed 30% cut. Construction would be funded at $2.34 billion, an increase of $154 million from current levels, including six new starts. Operation and Maintenance would receive $3.92 billion, $183.5 million more than the current funding. Investigations would receive $135 million, with a direction for six new starts. The Mississippi River and Tributaries account would receive $350 million. Spending from the Harbor Maintenance Trust Fund would be $1.697 billion, $147 million more than the current levels and $100 million more than the target set in WRRDA 14. Showing similar support for the inland waterways, the bill directs full utilization of the Inland Waterways Trust Fund. Finally, it prohibits use of any funds to reorganize or transfer the Civil Works functions or authority to another department or agency.

The Committee Report, the first since the Democrats took control of the House last fall, provided an opportunity to put forth their priorities. It notes the Committee’s commitment to the nation’s water resources infrastructure and stresses the importance of resilience and adaptation to meet challenges posed by a changing climate. Highlighting the Corps’ role in reducing flood risk, the Committee points out that between 2007 and 2016, the average annual damages prevented by Corps projects was $67 billion, with $8.91 in damages prevented for every $1 spent. The Committee further points out that the U.S. marine transportation industry supports $2 trillion in commerce and creates employment for more than 13 million people.

Addressing the Administration’s specific budget proposal, the Report rejected proposed structural changes to the budget, including efforts to shift various studies and projects to different accounts. In particular, the Committee rejected the creation of two new accounts, the Harbor Maintenance Trust Fund and the Inland Waterways Trust Fund, and instead funds those activities in the accounts for which funding has traditionally been provided. It also rejected OMB’s change to how funding is apportioned when operating under a continuing resolution.

With respect to the funding of the pilot program under Section 1043 of WRRDA 14 which allows nonfederal interests to perform studies and construction projects, the Committee rejected the proposal to allow that provision to be used as a tool to prioritize projects and provided no funds for the Administration’s proposal, instead stating that those projects

CONTINUED ON PAGE 8
Harris County Flood Control District and USACE Forge Section 1043 Project Partnership

The Harris County Flood Control District (HCFCD) and the U.S. Army Corps of Engineers, through the Galveston District Commander, Col. Lars N. Zetterstrom, executed a Project Partnership Agreement (PPA) for construction of the Clear Creek, Texas, Flood Risk Management Project.

Utilizing the authority provided in Section 1043(b) of the Water Resources Reform and Development Act of 2014 (WRRDA 14), HCFCD will construct the project using its own and federal funds. Commenting on the agreement, the Honorable R.D. James, Assistant Secretary of the Army for Civil Works, noted, “Section 1043 PPAs are a priority of the administration, and Clear Creek is only the second of many to come in the nation. Federal funding for this project is provided by the Bipartisan Budget Act of 2018, which included Emergency Supplemental Appropriations for Disaster Relief.”

The Clear Creek project, originally authorized by the Flood Control Act of 1968, is located in Harris and Brazoria counties, Texas, and covers 17 cities within the watershed. It consists of approximately 15 miles of channel conveyance improvements and 500 acre-feet of inline detention along Clear Creek, more than five total miles of conveyance improvements along three tributaries of Clear Creek, and a previously-constructed second outlet channel with a gated structure between Clear Lake and Galveston Bay. The project will provide flood protection for more than $36 million in land and improvements based on 2011 price levels.

Russ Poppe, HCFCD Executive Director, expressed his appreciation for the collaborative efforts culminating in the PPA, “after a 20-year construction hiatus, we are grateful and excited to move forward with an improved federal project that will reduce flood risks and improve quality of life for citizens of the Clear Creek watershed. We are also excited to continue our successful relationship with USACE implementing federal projects under local-lead authorities.”

The estimated completion date for the project is September 2025. More information is available at: swg.usace.army.mil/Missions/Projects/

Left to Right: Shakhar Misir, project manager USACE Galveston District, Gary Zika, federal projects department manager HCFCD, Russ Poppe, Executive Director HCFCD, Col. Lars Zetterstrom, Commander USACE Galveston District, Ian Hudson, project manager HDFCD, Byron Williams, chief of Project Management Division USACE Galveston District.

Photo Credit: Breeana Moore
Flooding Impacts on the MKARNS

BY DAVID YARBROUGH AND BRYAN DAY

The McClellan-Kerr Arkansas River Navigation System (MKARNS) is the 445-mile navigable waterway that connects the states of Arkansas and Oklahoma to the Mississippi River. With the head of navigation at the Tulsa Port of Catoosa, the system brings low cost transportation options to the communities of Tulsa and Muskogee, Oklahoma; Ft. Smith, Little Rock and Pine Bluff, Arkansas, and typically moves over 11 million tons annually with a value of over $3.5 billion. Common commodities on the MKARNS are iron and steel, chemical fertilizers, sand and gravel, wheat, soybeans, and manufactured goods used predominately for the energy sector. The MKARNS is a vital part of the inland waterway system and the economy of the Nation’s center. A recently completed study by the Oklahoma Department of Transportation estimates that an interruption on the MKARNS costs its beneficiaries $2 million per day. With rainfall-induced navigation interruptions beginning in early May, the year 2019 has become one of the most unprecedented and detrimental time periods for the MKARNS, and it is costing millions.

Arkansas River-based communities and industries are experiencing one of the most trying times in modern history as spring and summer rains overwhelmed the already saturated watersheds and created massive flooding. Historic levels of rain in the Arkansas River basin created havoc to homeowners, as CNN estimated over 1,000 Oklahoma homes were flooded in May.

In Tulsa, as of July 3rd, Mesonet reported that rainfall totals for 2019 were at 37.74 inches, most of which had fallen during the last sixty days. This six-month total is already a full inch higher than 2018 totals for the entire year. As residential communities recover and rebuild from the unprecedented flooding, the navigation industry is still trying to take stock of the damages. In Oklahoma, current U.S. Army Corps of Engineers flow calculations, contingent upon no further rainfall, depict high (unnavigable) flows through July 22nd. Although several areas of widespread and significant shoaling have been identified, high flows have hindered efforts to obtain survey data. The condition of large portions of the waterway is still unknown.

Floodwater damage to Arkansas River ports and terminals has been devastating. Previously, the historic flood that all events were compared to occurred in 1986 when, at the Port of Muskogee, river flows reached 375,000 cubic feet per second (typically, at Muskogee, under normal conditions flows are about 8,000 cfs). Port Director Scott Robinson stated that the 2019 flooding reached river stages, elevations, and flows that far exceed previous events.

“According to a 2018 economic impact study, complete disruption of the McClellan-Kerr Arkansas River Navigation System could result in a daily loss of $20.7 million in Gross Domestic Product within the State of Oklahoma.”

Thaddeus Burns, Oklahoma Department of Transportation Waterways Program Manager

CONTINUED ON PAGE 6
Focus on WRDA in 2020

Reaffirming its commitment to move water resources legislation every two years, the House Transportation and Infrastructure’s Water Resources and Environment Subcommittee held a hearing earlier this month to receive testimony from Federal officials and industry stakeholders.

The panel, with Chairwoman Grace Napolitano (D-CA) at the helm, along with the Ranking Member, Bruce Westerman (R-AR) heard testimony from The Honorable R.D. James, Assistant Secretary of the Army for Civil Works, and Major General Scott A. Spellmon, Deputy Commanding General for Civil and Emergency Operations, at the U.S. Army Corps of Engineers. Their focus was on the Corps’ implementation of the most recent legislation, the Water Resources Development Act of 2018 (WRDA 18).

Secretary James and General Spellmon faced questions from committee members for nearly two and a half hours. While specific questions focused on lawmakers’ individual, parochial projects and issues, the broader questioning sought answers to the devastating flooding across the nation’s midsection. The Subcommittee’s Ranking Member, Sam Graves of Missouri, decried what he described as a priority of the operation of the Missouri River for habitat restoration, at a cost of $30 million, compared to $13 million for flood control and levee restoration. Other members similarly pressed the Corps on when levee repairs would occur. This point was driven home by Rep. Mike Bost (R-IL), whose district has been fighting to get the Len Small levee repaired. Failure to repair the levee impacts the safety of those living in the community and has caused serious navigation safety concerns as several barges have been sucked into the breach. Several questions focused on “forecast informed reservoir operations” and whether such an approach could help communities better prepare for storms in the future. General Spellmon praised the results of the ongoing California pilot program, but cautioned that the technology used there may not be as effective in other regions across the country and that further study would be needed.

Discussing generally the water resources needs of communities around the nation, there was a consensus that additional funds are needed to address the aging infrastructure needs. Several questions focused on the authority of Section 1043 in WRRDA 14, with both praise for the recent PPA executed by the Harris County Flood Control District (discussed on page 3) and concern that the Administration’s proposed implementation would disadvantage those communities who couldn’t compete financially.

After cooling their heels during the morning questioning, the industry panel took center stage. Witnesses included Rob Innis, of LafargeHolcim, representing the Waterways Council Inc.; Chad Berginnis, Executive Director, Association of State Floodplain Managers; Tom Waters, Chairman of the Missouri Levee and Drainage District Association (an NWC member), testifies at the House Transportation and Infrastructure’s Water Resources and Environment Subcommittee hearing about the devastation in Missouri.
exceeded the 1986 flood, with flows exceeding 675,000 cfs and water levels at the Port reaching over eight feet higher than in 1986. During the barrage of floodwater flow, two barges did ultimately break free, floating downstream and striking the dam structure at Webbers Falls Lock and Dam, where they promptly sank. However, hundreds of barges along the system were at risk for many days and nights with deadman anchors and other fixed mooring structures as much as 10 feet below the water’s surface. Robinson said there were some heroic efforts enacted that prevented more barges from getting away.

Several industries at the Port of Muskogee sustained significant flooding damage. Most of those companies are working to restore business by August or September. At the Muskogee River Center, which was constructed well above the 100-year base flood elevation, water was 2 feet deep in Robinson’s office. As with other ports and terminals along the Arkansas River, the Port of Little Rock was able to make some preparations in anticipation of the river’s crest. As the projections of the maximum crest continued to change, port staff continued planning to reduce the impact of the high-water event. The docks and warehouses were emptied, levee gates were closed and the industries at the port were notified daily of the river conditions. Ultimately, the Port of Little Rock fared relatively well during the event; however, there are several significant issues that must now be addressed.

The Port’s main river terminal suffered some washout in the dock walls and repairs were required to ensure the stability of the dock. Concrete and flowable fill were pumped into the dock to fill any voids created by the flood. Additionally, approximately 80 yards of riverbank collapsed into the river, and although this failure does not immediately affect the Port, the bank will require stabilization in the future.

The most significant challenge facing the Port of Little Rock is that the mouth of the slack water harbor has silted in as a result of the flood. At this time, the Port of Little Rock cannot effectively move barges in and out of the harbor. Port staff is looking for solutions to solve this problem and identifying ways to meet its customers’ demands.

The larger challenge facing all the ports along the Arkansas River is that even though the rains have stopped, and the river has fallen, it will be months before consistent and steady barge traffic resumes on the system. The Corps of Engineers has indicated that they do not yet know the full extent of damage caused by the flood. Many of the ports and terminals along the river have sustained serious damage and it will take time and money to make those repairs. Some industries that depend upon the river to conduct commerce may look for other alternatives to meet their logistical needs. Levees along the system are damaged and must be repaired and enhanced. People who have lost their jobs or their land because of the flood will migrate to other opportunities. The flood of 2019 will dramatically change and reshape the future of the MKARNS.

Back in Tulsa, Deputy District Engineer for Programs and Project

“Although the flooding this spring has been devastating to the ports and industries along the MKARNS, the stakeholders and their federal and state partners are resilient and working to get operations back to normal. It will take time to pick up the pieces and move forward. Waterways in America are critical to keeping shipping costs down and the national economy invigorated. These assets ensure the availability to move products globally and cost effectively. We cannot afford to neglect the infrastructure and needed maintenance on the navigation systems nationwide.”

Deidre Smith, Director of the Arkansas Waterways Commission

CONTINUED ON PAGE 9
Little Rock Port Authority Celebrates 60 Years

River supporters and stakeholders gathered to celebrate the Little Rock Port Authority’s 60th Anniversary. The Port is now home to more than 40 businesses from six countries, employing 4500 people and contributing $500 million annually to the region’s economy.

“FOCUS ON WRDA IN 2020” FROM PAGE 5

(an NWC member); Julie Hill-Gabriel, Vice President for water conservation, National Audubon Society; Derek Brockbank, Executive Director, American Shore & Beach Preservation Association; and F. Martin Ralph, Director, Center for Western Weather and Water Extremes, Scripps Institution of Oceanography, University of California, San Diego.

Mr. Waters described the devastation and loss of homes and farms in Missouri. He stated firmly and unequivocally that flood control must be the top priority and that improving flood control infrastructure must be a national priority. While the suggestion of other speakers to use natural infrastructure as a means to address flooding may certainly be viable in some communities, mandating such an approach without consideration of local conditions would not be a prudent course of action.

The Subcommittee hearing marks the kick-off for the WRDA 2020 process. As we have in the past, NWC will schedule “WRDA 101” briefings for Congressional staff in the fall. Given the usual bipartisan support garnered by this important legislation, we hope to see introduction of draft legislation early in 2020 and passage before the July 4th break in 2020.

Additional information, including witness testimony, can be viewed here: transportation.house.gov/committee-activity/hearings/the-subcommittee-on-water-resources-and-environment-hearing-on--water-resources-development-acts-status-of-implementation-and-assessing-future-needs

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can compete for funds based on performance-based criteria. Similarly, the Report rejected the Administration’s so-called “innovative funding partnerships program,” declaring it is “disturbed by the blatant attempt to require funding in excess of legally required cost share as a criterion for funding decisions, which is contrary to long-standing congressional direction.”

The Report notes that the Corps and Bureau of Reclamation are the nation’s top two producers of hydropower, combining for 115 billion kilowatt-hours generated annually. In that regard, under the Energy Department title, the bill provides the requested budget levels for the power marketing administrations but rejects the Administration’s proposals to sell the assets of the PMAs or change how rates are established.

With respect to the Principles and Requirements, the Committee directs the Corps to develop implementation rules and guidelines for the final Principles and Requirements for Federal Investments in Water Resources released in March 2013 and for the final Interagency Guidelines released in December 2014. The Corps is directed to provide a detailed plan prior to implementing any rules or guidelines. NWC has been very supportive of the prohibition of funds for these activities since 2013, based on significant concerns about those documents. In particular, the 2013 and 2014 work products fail to establish a balanced approach to the planning, development and management of water resources. Rather, they put forward a subjective, inconsistent, and unworkable framework by which to analyze projects, detrimental to the interests of the local sponsor. Moreover, the National Research Council’s Water Science and Technology Board review of the proposed principles found several fundamental flaws, which CEQ failed to address before releasing both the final Principles and Requirements and the Interagency Guidelines. Should this directive be enacted, NWC will advocate for the development of a clear, concise and workable set of principles applicable to the planning and development of water resources projects which appropriately reflect the national interest in water resources, grounded upon the foundation of net-beneficial effects derived after a thorough analysis of all alternatives, and recognizing the critical role of non-federal sponsors in this process.

Future action is uncertain as the Senate has not yet started its process, with no markups on any bills thus far. Without agreement on top-line numbers, the upper chamber is facing serious challenges, including how to address automatic spending cuts due in September.

Soybean Farmers Announce Strategic Investment in Supply Chain

The United Soybean Board announced a $2 million allocation to help offset the planning, design, and research costs of deepening the lower Mississippi River from 45ft to 50ft. In making the announcement, Mike Steenhoek, Executive Director of the Soy Transportation Coalition said, “If I had to select a single infrastructure enhancement that would provide the most benefit to the greatest number of U.S. soybean farmers, deepening the lower Mississippi River would be my choice. Soybean farmers are demonstrating a willingness to collaborate with federal and state government on an innovative public private partnership that will enhance the competitiveness of both agriculture and a host of other industries. The Soy Transportation Coalition, the American Soybean Association, state soybean associations, and other stakeholder groups look forward to working together to ensure this critical project becomes a reality.”
Management, Lee Conley said, “Historic rains in Kansas and Oklahoma produced record water levels and flow conditions. The Tulsa District is working with our valued partners and stakeholders to address recovery efforts along the MKARNS, and as assessments and work progresses our goal is to resume normal operations as soon as possible and as safely as possible on this vital waterway system.” For operators and shippers on the MKARNS, efforts to restore business will continue as terminal managers keep their eyes on river flows, and on the skies.

David Yarbrough is the Director of the Tulsa Port of Catoosa and the Vice Chairman of the National Waterways Conference; Bryan Day is the Executive Director of the Little Rock Port Authority and serves on NWC’s Executive Committee.

**FLOODING IMPACTS ON THE MKARNS** FROM PAGE 6

Port of Muskogee: Pre-flood January 2018 and after the flood of record on May 27, 2019. According to the USACE Tulsa District, the Arkansas River crested in Muskogee on May 26 at 9AM at 46.39 feet with an elevation of 519.59 at 627.598 cfs.

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**Welcome New Members**

*HDR Engineering, INC.*
Sacramento, CA
Tom Chapman

*GEI Consultants, Inc.*
Rancho Cordova, CA
Naser Bateni

*Carpi & Clay*
Washington, DC
Julie Minerva

Visit us at waterways.org. Send your ideas and suggestions for the National Waterways Conference to info@waterways.org.
Upcoming NWC Events

September 17-19, 2019  
**Annual Meeting**  
Memphis, TN  
(The Peabody Hotel)

March 9-11, 2020  
**Legislative Summit**  
Washington, DC

March 8-10, 2021  
**Legislative Summit**  
Washington, DC

Industry Events

**August 7-9**  
*Gulf Intracoastal Canal Association*  
New Orleans, LA  
gicaonline.com

**August 19-22**  
*NAFSMA*  
Los Angeles, CA  
nafsm.org

**August 21-22**  
*Red River Valley Association*  
Durant, OK  
rerva.org

**August 27-29**  
*Tennessee Tombigbee Waterway Development*  
Point Clear, AL  
tenntom.org

**October 3-4**  
*National Water Supply Alliance*  
Pittsburgh, PA  
nationalwatersupply.org

**October 8-12**  
*Interstate Council on Water Policy (ICWP)*  
Mobile, AL  
icwp.org

**October 9-11**  
*Pacific Northwest Waterways Association*  
Vancouver, WA  
pnwa.net

**October 13-16**  
*American Association of Port Authorities*  
Norfolk, VA  
aapa-ports.org

**October 22-23**  
*Mississippi Water Resources Association*  
Jackson, MS  
mswater.org

**October 22-23**  
*Tri State Rivers*  
Troy University  
Phenix City, AL

**November 6-7**  
*Arkansas Waterways Association*  
Hot Springs, AR  
arwaterways.com

**November 6-8**  
*Waterways Council, Inc.*  
Pittsburgh, PA  
waterwayscouncil.org

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