NWC’s 60th Annual Meeting Moves Virtual
November 9–10, 2020: Registration Open

NWC members and friends, NWC made the difficult decision to cancel our face-to-face Annual Meeting scheduled for Sept. 23–25, in Houston. However, we are pleased to announce that NWC’s 60th Annual Meeting, is moving virtual on Monday, Nov. 9 and Tuesday, Nov. 10. To register, click here.

Schedule: While this year will be different, we are super excited about the fantastic array of sessions we have planned for this meeting. We will have speakers from the Army Corps of Engineers, as well as sessions on (but not limited to):

- How to Interface with Your Government in a Post-pandemic World
- What’s in the Cards for the 117th Congress?
- Emerging Legal and Regulatory Issues in the Water Resources Realm
- Into the Unknown: Navigating Emerging Weather Patterns in a Rapidly Changing World

Additionally, NWC’s internal meetings, including the Annual General Membership, Legislative Policy Committee, Executive Committee, Board of Directors, etc., will occur two weeks earlier on

Monday, October 26 and Tuesday, October 27, 2020. Notices for these meetings were sent on Friday, September 25.

To view the DRAFT Annual Meeting agenda, click here.

Registration: To make it easy for participants, registration is just $300 for both members and non-members. With no travel costs, NWC makes it affordable to attend. We are planning to record all sessions (unless stated in the final program)—registrants will have access to those sessions for a year. Credit Card: To register via credit card, click here (please note that there is a 3 percent convenience fee). Check/Invoiced: To pay by check or to be invoiced, please fill out and return the registration form to Carole Wright at carole@waterways.org.

CONTINUED ON PAGE 10

Meet Your NWC Officers

As we move toward our Annual Meeting, we thought it would be fun to give you the opportunity to get to know the NWC officers better. We asked each of the officers a series of both serious and off-beat questions. You’ll find their answers throughout this newsletter. Happy reading!

MEET OUR OFFICERS: David Yarbrough, Julie Ufner, J. Tom Ray, Timothy Feather, Steven Burns, and Linda Christie
The Fate of FY2021 Appropriations

With the clock ticking down to the end of the fiscal year, on September 30, the Senate successfully passed and the President signed into law the Continuing Appropriations Act, 2021 and Other Extensions Act (H.R. 8319). Known as a Continuing Resolution (CR), the legislation extends current FY2020 appropriations through Dec. 11 and prevents a government shutdown.

Under existing authorities, Congress only had until Sept. 30 to pass the FY2021 appropriations bills.

To date, the House has passed 10 of its 12 appropriations bills, including the FY2021 Energy and Water Appropriations bill, which was bundled in a six appropriations bill package, H.R. 7617, on July 31.

In the Senate, there has been no movement on the appropriations front due to disputes over non-policy provisions, called riders. As a result, none of the appropriations bills to fund the federal government for 2021 have been signed into law yet.

After the House of Representatives passed the CR on Sept. 22, House Speaker Nancy Pelosi (D-Calif.) stated that leadership “reached an agreement with Republicans to add nearly $8 billion in desperately needed nutrition assistance for hungry schoolchildren and families. We also increase accountability in the Commodity Credit Corporation, preventing funds for farmers from being misused for a Big Oil bailout.”

In addition to funding provisions, the CR also would extend the National Flood Insurance Program and federal surface transportation programs until September 30, 2021.

After the election, Congress will return in a lame duck session to finish its appropriations work.

Now, what will be included in the package is anyone’s guess and historically, it depends on the results of the election.

Tune into NWC’s Annual Meeting on November 9-10 where we will be discussing this.

CONTINUED ON PAGE 5

Will WRDA 2020 Cross The Finish Line This Year?

The big question is: will Congress pass a Water Resources Development Act (WRDA) package this year? Earlier in the summer, both the Senate and House of Representatives were hard at work on their respective versions of WRDA.

Typically passed on a biannual basis, WRDA authorize Army Corps of Engineers’ (Corps) civil works studies and projects, and set policies for navigation, flood control, water supply, hydropower and other water infrastructure. WRDA is important since it authorizes — but does not fund — Army Corps of Engineers civil works projects. Funding occurs through the annual energy and water appropriations bill.

On July 29, the House unanimously approved its WRDA 2020 bill (H.R. 7575) by voice vote. The 210-page measure includes 38 new construction projects, at a total cost of more than $10 billion, and 41 new studies.

In May, while the Senate Environment and Public Works Committee passed its WRDA bill, the America’s Water Infrastructure Act of 2020 (AWIA 2020/S. 3591), no floor time has been scheduled. Based on recent intel, due to the timing of the next COVID-19 stimulus package, as well as FY2021 appropriations, AWIA may not move to the Senate floor for a vote. Instead, the chamber will use a similar mechanism to WRDA 2018 — the Senate will conference with the House on both AWIA 2020 and WRDA 2020.

Based on conversations with staff, many of the issues within AWIA 2020 and WRDA 2020 been resolved. One of the largest sticking points remains to be allocation formulas within the Harbor Maintenance Trust Fund: Specifically, should the monies be reallocated for a wider set of allowable activities and should...
What's With the Next COVID-19 Stimulus Package?

In the last week of September, talks revived between House of Representatives Speaker Nancy Pelosi (D-Calif.) and U.S. Treasury Secretary Steven Mnuchin on the fate of the next COVID-19 related stimulus package.

Prior to the August recess, negotiations were fast and furious between the White House and Democratic leaders on the scope of the next stimulus package. Their goal was to release and vote on the proposal by the end of July, however, negotiators hit an impasse over the base price tag of the package.

Democratic leaders originally requested $3.4 trillion, the same price as the HEROES Act, which passed the House in May. Republican negotiators had been pushing for a package closer to $1 trillion—although that is not universally agreed to within the party. In August, Pelosi floated a $2.2 trillion package to White House chief of staff Mark Meadows, down from the $2.4 trillion proposed at the beginning of the month. According to Pelosi, at the time there was little interest in the new proposal.

Where the two sides agreed: send another round of $1,200 payments and change the Paycheck Protection Program. CONTINUED ON PAGE 12

President’s Corner

Julie A. Ufner, President, National Waterways Conference

“Change the way you look at things and the things you look at change.”
—Wayne Dyer

When I started at NWC last November, no one could have predicted 2020. It blind-sided us, flipped us around a few times and left us spinning. We could have remained off balance and spinning but at NWC we have chosen to embrace that change. In the words of John Maxwell, “Change is inevitable. Growth is optional.” We are choosing to grow through 2020, and we will be stronger for it.

Case in point: It was disappointing to cancel our face-to-face Annual Meeting in Houston, Texas this year. Our local sponsors have been so supportive, gracious and understanding. Yet, despite this seeming setback, we have rebounded with a virtual Annual Meeting guaranteed to bring the best of NWC to the digital world. We’ll meet online Monday, Nov. 9 and Tuesday, Nov. 10.

Yes, there are challenges to work out and there will likely be more than one unexpected hiccup but we are so juiced up with the program, and our internal NWC meetings, including the Annual Membership Meeting, are scheduled two weeks earlier. It will be different, but we will figure out how to make it work for us and valuable for all of you (fingers crossed!)

In D.C., it has been a ride and a half the last several months. As you may know, July was jam-packed on Capitol Hill with WRDA and talks of another stimulus package (check associated stories). In August, both the House and Senate were technically on recess, although the House came back briefly to vote on a USPS funding package. Both chambers are back this month, and it’s full steam ahead before they break for the campaign trail in October. There is a lot on Congress’s plate and, with the passing of Justice Ruth Bader Ginsburg, who died Sept. 18, their job becomes even more challenging. Will they or won’t they install a new U.S. Supreme Court Justice before election day? Then, Congress faces a backlog of work after the elections in a lame duck session. (Hear more predictions on what happens after the election and in the 117th Congress at NWC’s virtual Annual Meeting Nov. 9–10).

Thank you so much for your support and see you in November! •
David Yarbrough, NWC Chairman of the Board

Tulsa Port of Catoosa  Port Director  Catoosa, Oklahoma  david@tulsaport.com

How and when I became involved with NWC:
I started in the water way industry in 2006 and began attending NWC meetings shortly after that. My first Annual Conference was in 2008. The port director who hired me, Bob Portiss, was very involved and supportive of NWC.

I grew up in:
I was born in Denver, but spent most of my time in Oklahoma, growing up in a town called Ada.

My favorite comfort food:
Like my favorite character from “Parks and Recreation,” I love beef and bacon. “I call this turf ‘n’ turf. It’s a 16-ounce T-bone and a 24-ounce porterhouse” —Ron Swanson

What I do in my free time:
I love spending time with my family. I have two sons, both Eagle Scouts, and my wife and I love to camp and travel with them.

The most memorable book I’ve ever read:
Well, first the Bible. But in business, How to Win Friends and Influence People by Dale Carnegie is one of my favorites. I am very introverted by nature, but this book has helped me.

Favorite childhood memory:
Camping with my family as a kid.

My dream vacation:
Right now, I can’t wait to get back to Mexico. We love Puerto Vallarta, Jalisco.

The craziest thing I’ve ever done:
I’m an engineer, so I don’t go crazy. But I’ve had some great high adventure experiences with my family including 14-day hiking, 10-day sailing and most recently, a 5-day Canadian canoe trip.

What makes me laugh:
My wife is the only one who can make me laugh.

One thing I love to do every day:
I love to read. And try to make time daily to do so.

Three people I’d want on my team for the zombie apocalypse:
My wife and sons, of course. They are deadly accurate shots, and the boys have modeled this exact circumstance hundreds of times in video games, so we are covered.

I’m an NWC member because:
Because the members are awesome, representing a wide-gamut of water resource industry and experience.

MEET OUR OTHER OFFICERS:
Julie Ufner, J. Tom Ray, Timothy Feather, Steven Burns, and Linda Christie

NWP12 Up for Renewal: Expands Types of Available Permits

On September 15, the U.S. Army Corps of Engineers (USACE) released a proposed rule in the Federal Register to modify and expand their Nationwide Permit (NWPs) program for utility-related lines (oil and gas, water, wastewater, reuse, telecommunications, electric, etc.). Comments are due by Nov. 16, 2020.

NWPs are a general permit used by USACE to allow a range of activities in and around “navigable waters of the U.S.,” for projects that will have a minimal impact on those waters. When NWPs are used, this can streamline the permitting process.

CONTINUED ON PAGE 11
Updated NEPA Regulations Finalized

By Steven Burns, Partner, Balch & Bingham

On July 16, the Council on Environmental Quality (CEQ) published the most significant amendments to regulations implementing the National Environmental Policy Act (NEPA) in 40 years. The new regulations will substantially change how agencies develop Environmental Assessments (EAs) and Environmental Impact Statements (EISs) for proposed federal actions—assuming, of course, they survive court challenges.

NEPA requires federal agencies to consider the environmental impacts of a proposed action, any reasonable alternatives to the proposal, and the environmental impacts of those alternatives. By making agencies go through this process, NEPA encourages agencies to take the most environmentally benign course of action within their legal authority. The NEPA process applies to a variety of federal actions of interest to NWC members, including construction and major projects at ports and waterways, issuance of 404 permits and other federal authorizations, hydropower relicensing, and some electric cooperative projects where the Rural Utilities Service (RUS) provides financing.

The recent regulatory overhaul brings about significant changes to the NEPA process, including the following:

**A faster, simpler process:** The regulations limit EAs to 75 pages. An EIS must remain within 150 pages or, if the proposal is “of unusual scope or complexity,” within 300 pages. An EA or EIS must be completed in 1 or 2 years, respectively. These limits can be waived in writing by a “senior agency official” (assistant secretary or higher).

**Less complex analysis of environmental consequences:** NEPA regulations have long required

CONTINUED ON PAGE 7

"WRDA" FROM PAGE 2

the distribution formula for ports be modified. This has become very complex and complicated since the issue impacts both sides of the aisle and different areas of the country.

Some high-level provisions of interest in both bills include, but are not limited to:

**Changes the Harbor Maintenance Trust Fund (HMTF) formula:** The House bill establishes new targets for emerging harbors, donor ports and Great Lakes Harbors at 20 percent, 10 percent, and 12 percent respectively. The Senate bill does not speak to HMTF.

**Modifies cost share for inland waterways projects:** Both WRDA 2020 and AWIA 2020 modify cost share for construction or major rehabilitation of inland waterways projects will be 65 percent from the general Treasury fund and 35

CONTINUED ON PAGE 9

Visit us at waterways.org. Have a story idea for the next newsletter? We want to hear from you at info@waterways.org.
Resilience Study of the Inland Waterways System Invites Your Input and Participation

Vanderbilt University’s Center for Transportation and Operational Resiliency has begun a study to assess and demonstrate potential resilience strategies for the Marine and Inland Waterways Transportation System (MIWTS). Although the project focuses on the Cumberland-Tennessee River Couplet, researchers are interested in feedback and participation from all waterway users.

The MIWTS is a complex network of systems that can be viewed through lenses of multiple scopes and system types. The U.S. Department of Homeland Security (DHS) and others are working to develop a Port Resilience Guide for both inland and coastal systems. Due to the linear topography and non-redundant functionality on the inland waterway system, disruptions often result in cargo waiting until the waterway is back in service or shippers shifting cargo to other modes (i.e., rail or highway) at the nearest, accessible intermodal terminal to meet demands and deadlines.

This project is one of several case studies to demonstrate resiliency concepts in support of the Guide. The university is focusing on the inland waterway supply chain via the two primary navigable tributaries to the Ohio River: the Tennessee and Cumberland rivers. Specifically, the focus will pinpoint petroleum product movements and the recent role of the inland waterway in improving resilience of this supply chain, but all commodities and markets will be analyzed.

Key research questions will include the following and will be refined based upon input from stakeholders:

- To what extent can the inland waterway system ensure supply of petroleum products to the Middle and East Tennessee regions during a disruption of the Columbia Pipeline such as an earthquake (e.g., a New Madrid event or a moderate earthquake in east Tennessee)?
- To what extent might the inland waterway system’s ability to move commodities to/from the Middle Tennessee region be impacted by flood, drought or earthquake (e.g., a New Madrid event)?
- Where are key port, docks, terminals along the Tennessee or Cumberland rivers that have potential to provide loading and offloading capabilities for commodities that may be used along with other modes (rail, truck) that could provide redundancy and reduce impacts to the region?

Feedback on these questions is welcome and can be provided to Professor Janey Camp (Janey.camp@vanderbilt.edu) who is the study’s principal investigator. This input will help inform and validate the resilience analysis approach developed as part of the case study. In addition, several stakeholder meetings will be held; the first will be a virtual meeting at the end of September.

If you would be interested in participating, click the button above to contact Professor Camp.

Take the Survey
Julie A. Ufner, NWC President and CEO

Arlington, Virginia
julie@waterways.org

How I became involved with NWC:
Formally or informally? I came on as NWC president and CEO in 2019 but have worked with the previous president, Amy Larson, on and off for several years.

Why I joined NWC:
For 17 years, I led the National Association of Counties lobbying efforts in the environment and energy realm. I wanted to dig more into U.S. Army Corps of Engineers issues and NWC offered that opportunity. I also liked the diversity of the membership and its consensus-driven model for policy positions.

I grew up in:
Butler, Pennsylvania, about 45 minutes north of Pittsburgh.

My favorite sports team:
You can take the girl out of Pittsburgh, but you can’t take Pittsburgh out of the girl. Go Steelers!

My favorite comfort food:
Sushi. Weird, right? Nope. Between high school and college, I was an AFS language student in Tokyo for a summer and then several years later studied at Kansai Gaidai University (between Osaka and Kyoto) for six months.

What I do in my free time:
Travel, go to wineries and spas, visit and laugh with friends, read, hang with my pets (the four-legged variety), walk outside in nature, stop to smell the roses…

The most memorable book I’ve ever read:
The Four Agreements by Don Miguel Ruiz, which laid the groundwork on how to live life with honesty and integrity.

Favorite childhood memory:
Going to Wildwood, New Jersey every summer with my mom and my mom’s best friend’s family for several weeks. I loved the easy-going feel of the beach, playing in the waves and building sand castles and eating seafood.

My dream vacation:
It depends on the day of the week. Top three: explore the beauty and mystique of Cambodia and Thailand; go on a safari and gorilla trek in Africa; and/or visit Cappadocia, Turkey in a hot air balloon to see the fairy chimneys.

The craziest thing I’ve ever done:
Really? I wrote this question, but I didn’t think I would have to answer it! Lately, I left a steady job of 17 years working with county governments…

What makes me laugh:
Crazy situations. Animals’ antics. Dry wit.

One thing I love to do every day:
Remind myself of all the things I am grateful for in my life (that includes NWC by the way…).

Three people I’d want on my team for the zombie apocalypse:
My dad, who was the ultimate outdoorsman and artist who could make anything taste good; my sister Shelley, who is brilliant with guerrilla tactics, planning and thinking ahead; and my best friend from college, Jen, who always sees the much-needed silly and fun in life’s serious and scary moments.

MEET OUR OTHER OFFICERS:
David Yarbrough, J. Tom Ray, Timothy Feather, Steven Burns, and Linda Christie

"NEPA REGULATIONS" FROM PAGE 5

consideration of direct, indirect and cumulative effects of the proposed action as well as events not resulting from the action but reasonably certain to occur. The new amendments eliminate the different categories of effects and instead define “effects” to those that are “reasonably foreseeable and have a reasonably close causal relationship to the proposed action or alternatives.” The regulations discourage the consideration of

CONTINUED ON PAGE 8
effects that are “remote in time, geographically remote, or the product of a lengthy causal chain” and prohibit consideration of effects “that the agency has no ability to prevent due to its limited statutory authority or would occur regardless of the proposed action.” By moving away from the consideration of cumulative effects, the regulations constrain an agency’s authority to use the NEPA process to modify a given proposal on the basis of broadly applicable or global phenomena such as climate change.

**Economic effects:** The amendments codify an explicit requirement to consider “economic and technical considerations, including the economic benefits of the proposed action,” if applicable.

**New exclusions:** The regulations exclude actions that are “non-discretionary and made in accordance with the agency’s statutory authority”; “[n]on-Federal projects with minimal Federal funding or minimal Federal involvement where the agency does not exercise sufficient control and responsibility over the outcome of the project”; and “[l]oans, loan guarantees, or other forms of financial assistance where the Federal agency does not exercise sufficient control and responsibility over the effects of such assistance (for example, action does not include farm ownership and operating loan guarantees by the Farm Service Agency pursuant to 7 U.S.C. 1925 and 1941 through 1949 and business loan guarantees by the Small Business Administration pursuant to 15 U.S.C. 636(a), 636(m), and 695 through 697g).” This language may provide a basis to reconsider how NEPA applies to RUS-backed projects.

**Applicant involvement:** The amended regulations expand the opportunities for permit applicants to be involved, including, if the agency requests, the preparation of NEPA documents under the agency’s supervision.

**Responses to comments:** The regulations require agencies to identify all proposed alternatives and other information the agency receives during the public comment.

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**J. Tom Ray, NWC Vice Chairman**

**Lockwood, Andrews & Newnam, Inc.** Water Resources Program Manager

Waco, Texas

[jtray@lan-inc.com](mailto:jtray@lan-inc.com)

**How and when I became involved with NWC:**

Since Fred Caver sold me on joining in 2010, 10 years. Working with Fred Caver on P&G and related federal issues; Fred and Amy Larson advice on Corps related federal issues.

**I grew up in:**

On the Llano Estacado in Lubbock, Texas.

**My favorite sports team:**

Texas Tech (and now Kansas City Chiefs & Patrick Mahomes).

**My favorite comfort food:**

Chili dog with cheese.

**What I do in my free time:**

Grandkids!

**The most memorable book I’ve ever read:**

*Churchill* by Andrew Roberts.

**Favorite childhood memory:**

Front-yard baseball, driveway basketball and roaming Lubbock alleys.

**My dream vacation:**

Revisit Italy.

**The craziest thing I’ve ever done:**

Passing out during my talk at the NWC conference in Savannah (and being caught by MG Walsh)!

**What makes me laugh:**

Fun people and funny jokes at no one’s expense.

**One thing I love to do every day:**

Laugh.

**Three people I’d want on my team for the zombie apocalypse:**

My wife, she would handle that!

**I’m an NWC member because:**

The many professional members, the expert staff and the combined opportunity to learn about, stay informed of and provide timely response to the Corps of Engineers.

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**MEET OUR OTHER OFFICERS:**

David Yarbrough, Julie Ufner, Timothy Feather, Steven Burns, and Linda Christie
percent from the Inland Waterways Trust Fund (IWTF). WRDA 2020 extends this authorization from FY2021 to FY2027.

Finalize Corps rules on Principles, Requirements and Guidelines (PR&G): Section 109 of WRDA 2020, requires the Corps to issue agency procedures on PR&G within six months of the passage of the bill. As part of this process, the Corps is required to consult with stakeholders and review the PR&G every five years.

Cost shares for natural or nature-based infrastructure: Section 114 of WRDA 2020 sets the cost share for nature-based infrastructure at 65 percent federal and 35 percent non-federal.

Addresses levee safety: Section 134 (WRDA 2020) instructs the Corps to work with non-federal sponsors on levees that have engineering and maintenance deficiencies by identifying the specific problem(s), recommending remedies and estimating costs.

Expands USACE authority for rural water and invasive species: AWIA 2020 allows the Corps to undertake rural water supply projects, as well as tackle aquatic and terrestrial invasive species issues.

Requires an annual report for authorized but not funded studies and projects: AWIA 2020 requires the Corps to write an annual report that identifies priorly authorized studies and projects that are eligible for appropriations funding.

On July 29, the White House released its Statement of Administration.

Timothy D. Feather, Ph.D, First Vice President

The most memorable book I've ever read: The Rhythm of Life by Matthew Kelley.

Favorite childhood memory: Sledding.

My dream vacation: Touring Argentina countryside.

The craziest thing I've ever done: Swim across the Mississippi River.

What makes me laugh: The Office.

One thing I love to do every day: Enjoy music.

Three people I'd want on my team for the zombie apocalypse: Indiana Jones, Guy Fieri, Jesus.

I'm an NWC member because: Make contributions to, and learn from, water resources management leaders that are engaged in managing, improving and implementing key USACE civil works programs.

CDM Smith  Vice President
Carbondale, Illinois
feathertd@cdmsmith.com

How and when I became involved with NWC:
15 years ago I was strongly convinced by a colleague, Fred Caver, that NWC was an important, well-positioned voice in national water resources policy.

I grew up in:
Graduated from Moline High School. One of the quad-cities along the Mississippi River on the Iowa side of Illinois.

My favorite sports team:
Chicago Cubs.

My favorite comfort food:
BBQ.

What I do in my free time:
Paddle on the lake.

Policy on H.R. 7575. While the administration is generally supportive of the House-passed bill, they expressed concerns with several provisions, including the IWTF cost-share changes, as well as the provision on levee safety.

The chambers are hoping to finish their work with a possible vote on the conferenced report before recessing in October. Due to limited legislative days left in the Congressional calendar in October, it is likely that WRDA will be punted until after the election. ●
Steven Burns, NWC Secretary and Counsel

My favorite sports team: Tennessee Volunteers, Chicago Cubs, Bears & Bulls, Nashville Predators, Navy Midshipmen.

My favorite comfort food: Barbeque.

What I do in my free time: Travel with my family.

The most memorable book I’ve ever read: Slaughterhouse Five by Kurt Vonnegut.

Favorite childhood memory: Going to Opryland all summer.

My dream vacation: Anywhere there is outdoor adventure, scenery and great food.

The craziest thing I’ve ever done: Walk away from a job as an attorney to be a stay-at-home dad for 3 years.

What makes me laugh: My wife Kathryn, Caddyshack and memes.

One thing I love to do every day: Exercise, although I do not do it every day.

Three people I’d want on my team for the zombie apocalypse: Atilla the Hun, Bruce Lee and Jerry Lawler.

I’m an NWC member because: Its advocacy for the waterways and the people.

Balch & Bingham LLP  Partner
Birmingham, Alabama
sburns@balch.com

How and when I became involved with NWC: Eight years ago I became involved through NWC’s former counsel and secretary, and my former boss, Bill Satterfield.

I grew up in: Nashville, Tennessee.

“NWC ANNUAL MEETING” FROM PAGE 1

Sponsoring/Exhibiting: Just because we are moving virtually does not mean sponsorship opportunities are limited. In fact, going virtual offers us even more opportunities. Not only will sponsors be recognized on the event website (once live), they will also be acknowledged during the Annual Meeting. And, for the first time, we will be offering all sponsors virtual booths.

Furthermore, depending on the level of sponsorship, sponsors can sponsor sessions, provide sponsor videos to be played during the session(s) and more. This is the gift that keeps giving since registrants will be able to access the event website (with the recorded sessions) for a year.

To learn more about the virtual sponsorship options, contact Julie Ufner, NWC President at julie@waterways.org or Carole Wright, NWC Director of Internal Operations at carole@waterways.org.

A huge thanks to those of you who already committed!

Ready to sponsor? Click here!

In conclusion, while we are disappointed that we will not be able to celebrate NWC’s 60th Anniversary year with you face-to-face in Houston, we are excited about moving the meeting virtually. We thank our local Houston sponsors (Port of Houston, Harris County Flood Control District and the City of Houston) for their graciousness and flexibility.

We look forward to celebrating our first ever VIRTUAL 60th Anniversary NWC Annual Meeting with you!

Visit us at waterways.org. Have a story idea for the next newsletter? We want to hear from you at info@waterways.org.
Linda Christie, NWC Treasurer

I grew up in: Menard, Texas.
My favorite sports team: Texas Tech.
My favorite comfort food: Mexican Food.
What I do in my free time: Be with friends.
The most memorable book I’ve ever read: To Kill a Mockingbird by Harper Lee.
Favorite childhood memory: Riding horses on the ranch.
My dream vacation: Spending June through September in Colorado.
The craziest thing I’ve ever done: I’d rather not say…
What makes me laugh: Witty people.
One thing I love to do every day: Sleep.
Three people I’d want on my team for the zombie apocalypse: Atilla the Hun, C.S. Lewis and Jerry Seinfeld.
I’m an NWC member because: It is the best for meeting people who are most knowledgeable about Corps related issues, the staff is fantastic and the meetings are informative and fun!

Tarrant Regional Water District
Government Relations Director
Fort Worth, Texas
linda.christie@trwd.com

How and when I became involved with NWC:
TRWD joined NWC in 2009 when Fred Caver let us know how valuable the NWC’s contacts were with USACE.

“NWP12 UP FOR RENEWAL” FROM PAGE 4

NWPs, unlike individual permits, do not require public notice, review under the National Environment Policy Act (NEPA), state consult and/or mitigation measures—these measures are already incorporated automatically into the NWP. The NWP program is valid for five years and is up for reauthorization in 2022. In the proposal, USACE seeks early authorization.

Under current rules, there is only one NWP to cover construction of utility lines. But, under the proposed rule, USACE suggests breaking the NWP 12 permit for utility lines into several separate categories: the current NWP 12 would cover only oil and natural gas pipeline activities; the new NWPs would include “construction, maintenance, repair, and removal” of electric/telecommunication lines, lines that convey water, sewage, and other substances; and water reuse and reclamation facilities.

If you are an NWC member, and would like to advise NWC on potential comments, please let Julie Ufner, NWC President know at julie@waterways.org.

Welcome to NWC's New Member!

Ronald Sullivan
Perris, CA

Welcome to NWC's New Member!

Ronald Sullivan
Perris, CA
**Industry Events**

- **October 21-23, 2020**
  - Texas Water Conservation Association
  - 2020 Fall Conference
  - www.twca.org

- **November 12, 2020**
  - Waterways Council, Inc.
  - 2020 Annual Symposium—Virtual
  - www.waterwayscouncil.org

- **December 3-5, 2020**
  - Mississippi Valley Flood Control Association
  - 85th Anniversary Meeting
  - New Orleans, LA
  - mvfca@att.net

**Upcoming NWC Events**

- **November 9-10, 2020**
  - National Waterways Conference
  - 60th Annual Meeting—Virtual
  - www.waterways.org

- **March 8-10, 2021**
  - National Waterways Conference
  - 2021 Legislative Summit
  - Washington, D.C.
  - www.waterways.org

Due to COVID-19, schedules may change. Please check organizational websites for the latest on meetings.

**COVID-19 STIMULUS PACKAGE** from Page 3

Program to allow businesses to apply for further loans under the program. Outstanding issues are aid to state and local governments and liability protection for open businesses and schools.

According to news sources, on September 30, Pelosi met with the Treasury Secretary for a 90-minute meeting. During the meeting, they discussed the newest House bill, a $2.2 trillion dollar package called the Updated Heroes Act, as well as a White House $1.6 trillion counter proposal. Speaker Pelosi indicated that she may bring back House members in October if a negotiated agreement is ready for a vote.

Assuming the White House and House Democrats can come to agreement, the big question is whether the Senate will agree. There is already disagreement within the Republican party on the size of the package and Congress has limited time before they end the 116th Congress in December.

**NEPA REGULATIONS** from Page 8

periods for scoping and on the draft EIS. However, agencies are instructed to limit their consideration to comments provided within the designated comment period.

**Emphasis on legal authority:** CEQ has sprinkled new references to the agency’s statutory authority throughout the NEPA regulations and has deleted a requirement to consider alternatives not within the legal authority of the lead agency. This can be interpreted as a signal to agencies to remain mindful that NEPA is only procedural and does not expand the agency’s substantive authority beyond its organic statutes. Further, to the extent the purpose of NEPA is to force agencies to identify the best course of action by choosing among alternatives, the need for a NEPA analysis may be limited to the extent the law forecloses certain alternatives or compels a specific outcome.

The effective date of the new regulations is Sept. 14. However, as has become routine for major amendments to environmental regulations, several court cases may affect when, how, and whether the new regulations take effect. Citizen advocacy groups have filed three different lawsuits (so far) in federal district courts in California, Virginia and New York.

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