

Waterways Association of Pittsburgh Newsletter

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May 2016

www.wapgh.org

May Highlights

A total of (24) twenty-four members and guests were registered for the May 11, 2016 luncheon meeting at Chartiers Country Club. Patrick Kelly ran the meeting in Dan Lacek's absence.

Coast Guard News

LT Devin Adams presented the **attached** report.

Army Corp of Engineers

John Dilla covered the **attached** lock closure report. Several important items to note:

- The tentative FY17-18 Repair Schedule was made available to attendees.
- The River Information System (RIS) initiative is similar to the FAA in that it tracks vessels on the river system. The group is looking for someone from the Pittsburgh region to join.
- Change of Command is scheduled for the end of July. Colonel John W. Lloyd will be replacing Colonel Bernie Lindstrom.
- Repairs to Lock 4 (Charleroi) are currently scheduled for May 15 - June 17 2017.

National Weather Service

Joe Palko covered the **attached** report.

Port of Pittsburgh Commission Report

Mary Ann Bucci reported on the following items:

- Representative Rothfus has taken a leadership role in addressing the long-delayed Upper Ohio Navigation Project by directing a letter to the Honorable Jo-Ellen Darcy and Lieutenant General Thomas Bostick that included several congressional member signatures. A letter was also sent by Senator Toomey. The response from the Corp. was less than adequate. Since our meeting we are being told that the study was submitted to headquarters and is ready for the State and Agency Review, and that a Chief's report should be completed by September 2016 and the EDM project should make inclusion in the WRDA 2016 bill.
- A group of Carnegie Mellon students completed a study on User-funding approach to the Allegheny River. Unfortunately the study focused on recreational boats. The study was well done with the information they were given.

- The PPC will be travelling to Harrisburg the w/o 5/16/2016. They are hoping to re-structure their revolving loan fund to make it attractive for stakeholder to utilize
- WRDA 2016 bill was released but does not authorize the Emsworth Dashields Montgomery (EDM) project, as the Chief's report has not yet been signed. It also rejected lockage fees.
- There is a Delaware River Ports Supply Chain Security & Resilience Workshop scheduled for May 24, 2016 which is free for attendees. It will be held at the Independence Seaport Museum in Philadelphia.

Education Committee Report

Michael Graham reported that the April 21st "Who Works the Rivers" that included the "Future is Mine" group. A total of 59 students participated in the program. The Outdoor Classroom was present and will be working on program improvement for October. A save-the-date will be sent shortly for the Man Overboard Seminar in July.

Navigation Committee Report

David Podurciel covered the following items:

- A new bridge has been proposed at mile 75.5 on the Ohio River. More details will be make available.
- There has also been radiation concern in the use of radar while in the lock chamber, there is no imminent danger of radiation from radars while on the lock walls. Cautionary measures are extended to those on top of the pilot house who come within 3 feet of the radar while running or in standby mode. This issue was addressed by the Corp to all lock staffing so it should no longer be an issue.
- The Montgomery main chamber outage to begin on May 16, 2016.
- The Automated Identification System (AIS) should not replace the use of security calls. This system was designed for collision avoidance and a navigational tool but mariners are warned not to just rely on this tool. CDR Patrick Burkett reminded members that the Coast Guard will now be ticketing those vessels that do not have AIS operating. These tickets begin at \$1,000 to \$25,000 in penalty.

Legislative Committee Report

Richard Kreider was unable to attend the meeting but provided the following report:

AWO DC MEETING

- **I participated in the April 19-21** AWO Spring Convention and Barge-in in DC. Hill visits included: Reprehensive Keith Rothfus, Representative Scott Perry, Representative Tim Murphy, Senator Bob Casey and Senator Pat Toomey. Key items discussed included:
 - **EDM and the Upper Ohio Study** - we urged the Representatives to continue to pressure the Corp and the Administration to accelerate the timeline for completed the additional economic analysis and to move forward with the EDM process.

- **The Jones Act** - stressed the Jones act is vital to U.S. national, homeland and economic security and stressed it sustains nearly 500,000 American maritime jobs.
- **National Standard for Vessel Discharges** - Asked for support of the S.373/H.R.980 bills that put an end to the patchwork of overlapping regulations, protect the environment and provide certainty for vessel owners throughout the Inland Waterways.
- **Maintain Investment in our Infrastructure:**
 - Called for Congress to raise the Major Rehabilitation Threshold to \$50 million (vs \$20 million).
 - Provide appropriations that fully fund the navigation construction projects to the \$390 million required to make use of the Inland Waterways Trust Fund revenue from the fuel tax. This would include \$225 million for Olmsted, \$66 million for the Lower Mon, \$52 million for KY Lock and \$47 million for Chickamauga and LaGrange Lock projects.
 - Increase the O&M account at least to the \$3.31 billion level we saw in FY2016.
 - Oppose P3s that include the imposition of toll financing mechanisms on the commercial vessel operators.

Overall the Representatives I meet with were very supportive of our concerns and needs. A few of them expressed concerns about the impact of the Jones Act on the current Puerto Rico economic situation as they are making claims the Act puts them at an economic disadvantage and has contributed to the current financial crisis. Congress will be addressing the Puerto Rico situation this week and we are fearful an amendment may be attached to the "bailout" bill that compromises the longstanding Jones Act. **I encourage folks to reach out to their State Representatives and express you concern with any misguided attempts to weaken this vital American security law!** Feel free to contact me at rkreider@barges.us or call me at 724 743-9010 if you have questions or need additional info before contacting your representatives.

SENATE EPW COMMITTEE RELEASED WRDA 2016 BILL AND THE MARK-UP PROCESS STARTED LATE LAST WEEK

Some of the key high and low lights from the 271-page Water Resources Development Act (WRDA) 2016, released last week by the Senate Environment and Public Works (EPW) Committee included:

- Did not authorize the EDM (Emsworth, Dashields Montgomery) project, as a Chief's report has not yet been signed.
- Rejected lockage fees/tolls to finance Public-Private Partnerships (P3s).
- Added a provision to remove Inland Waterways Trust Fund capital projects from the five-year/no funding de-authorization rule until Olmsted is substantially off the books, a win for the Navigation Ecosystem Sustainability Project (NESP).
- Returns to regular order with WRDA bills every two years;
- Did not recommend adjusting the threshold for major rehabilitation as recommended by the Capital Development Plan.

- Recommends more than \$3.36 billion of ecosystem projects.
- Authorized 25 projects with a Chief of Engineers report, including Brazos Island Harbor (\$116 million Federal, \$135 million non-Federal) and \$16.7 million for modification work on Calcasieu Lock in Louisiana.
- Authorizes more than \$6 billion for Safe Drinking Water Act, Clean Water Act programs prompted by the Flint, Michigan crisis. While the industry is generally pleased to see a push for a 2016 WRDA it is apparent we have our work cut out for us to address all of our major areas of concern. **One of my key areas of focus will be to continue to push for EDM authorization.** The House T&I Committee is expected to mark up its WRDA bill in late May or early June.

TIME RUNNING SHORT FOR CONGRESS

With just nine legislative weeks left until September, Congress is working diligently to move 12 individual appropriations bills, while also addressing other pressing matters. Last week, the Senate passed its version of a Federal Aviation Administration (FAA) reauthorization, plus an energy policy bill. It is anticipated that the House Transportation & Infrastructure (T&I) Committee will next conference with its Senate counterparts to produce a final bill by the July 15 deadline. There is also growing speculation that there could be an emergency supplemental appropriations bill to provide funding to address the Zika virus, the historic flooding in Texas, and the Flint, Michigan water crisis. A supplemental appropriations bill could also provide additional funding to the Corps of Engineers. Fiscal Year 2016 ends on September 30, so Congress is under the gun to complete all regular appropriations bills or to move a Continuing Resolution (CR) at the end of September.

FY'17 E&WD APPROPRIATIONS PRODUCES BIG INCREASES FOR USACE

The House and Senate versions of the Fiscal Year 2017 Energy & Water Development (E&WD) appropriations bill that funds the Corps are now under consideration. The Senate bill -- S. 2804 -- was approved two weeks ago in the Senate Energy & Water Development Appropriations Subcommittee and by the full Senate Appropriations Committee. It is now the pending business on the Senate floor for action this week. The Senate bill provides strong funding for the Corps' Civil Works mission at \$6 billion, an \$11 million increase above the FY '16 enacted level. Construction received \$1.8 billion (\$723.65 million over the President's request). For Inland Waterways Trust Fund (IWTF) funding, the Senate bill includes \$225 million for Olmsted Lock and Dam, with the Senate providing \$375.65 million for priority navigation projects. For the fourth consecutive year, the Operations & Maintenance (O&M) account, has received a record amount, at \$3.17 billion, a \$468.83 million increase over the Administration's request. The Investigations account received \$126.5 million, a \$41.5 million bump over the Administration request. Harbor Maintenance Trust Fund (HMTF)

funding was \$1.3 billion, exceeding the WRRDA 2014 target of \$1.25 billion.

In accompanying Committee report language, the Senate urged the Corps to expedite its report on the Navigation Ecosystem Sustainability Program (NESP) which is now more than 90 days overdue (see next article below). The Senate also urged the Corps to complete the GLMRIS and Brandon Roads study on Asian Carp, and to establish emergency rapid response protocols to address this issue. There was general, non-specific supportive language for Public-Private Partnerships (P3s), but nothing related to a proposal to toll the Illinois Waterway.

In the House, the FY '17 E&WD appropriations bill was approved in the Energy & Water Subcommittee and the full House Appropriations Committee last week. The Civil Works mission fared well in the House bill as well, with \$6.1 billion included for the Corps, \$1.48 billion more than the President requested and \$100 million above last year's enacted level. The Construction account received \$1.946 billion or \$855.6 million above the Administration request. The House bill, like the Senate, urged full-use of the IWTF, calculated to be \$375.5 million. The O&M account received \$3.175 billion, \$452 million above the President's request. The Investigations account received \$120 million, \$35 million over the Administration's FY 17's request. HMTF funding is at \$1.263 billion, equal to last year's funding, but exceeding the HMT target by \$123 million.

Accompanying House Committee report language directed that inland waterways navigation project decisions will continue to be made based on the recommendations of the Capital Development Plan (CDP) rather than the recently submitted Capital Investment Spending (CIS) report, as there was not enough time for proper review. The House flatly rejected the Administration's user fee proposal in its FY '17 budget request. The report called for six new starts, four within Construction. And on P3s, the Committee report said, "The Committee is unaware of any work the Corps has done to comply with this direction (to develop a policy on how proposals for public-private partnerships will be considered by the Corps and how these partnerships will be incorporated into the budget policy). Therefore, due to the concerns detailed above and until such time as a comprehensive policy is established and provided to the Committees on Appropriations of both Houses of Congress, the Corps shall discontinue all work on project-specific public-private partnerships beyond the P3 project selected as a new start in fiscal year 2016." The P3 project to which the report refers is a flood control project in the Fargo-Moorhead area of North Dakota and Minnesota. All amendments to the Senate appropriations bill were to be filed last week and the bill is expected to be voted on by the full Senate this week. The House should be ready to move ahead sometime in mid-May. Under this schedule, it is possible that an E&WD appropriations bill could be in Conference before Memorial Day.

June Membership Meeting

The **next** membership meeting is scheduled for June 8, 2016 at Chartiers Country Club (601 Baldwin Rd, Pittsburgh, PA 15205). Cost of the luncheon will be **\$30**. Registration will begin at 11:45 a.m. with lunch served promptly at noon. Please call, email or fax the response form below by Thursday, June 2, 2016 if you plan on attending the luncheon meeting.

**Waterways Association of Pittsburgh
Meeting Response Form**

Chartiers Country Club

June 8, 2016

Menu:

Fresh Fruit Cup w/Honey Cream
Bourbon Glazed Chicken Breast (12oz boneless chicken breast, fire roasted
w/tangy bourbon glaze and topped with a giant onion ring)
Red Bliss Potatoes
Blueberry Pie w/vanilla ice cream

Cost: ***\$30/per member***

_____ YES, I will be attending

_____ No, I will not be attending

****Special Dietary Requirements:** _____

NAME: _____
(Please print)

COMPANY: _____

Please respond **by Thursday, June 2, 2016** to:

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