Capitol April 27, 2015 Capitol Currents



Hal Rogers,
Chairman of the
House
Appropriations
Committee, led
efforts to increase
funding for the
Corps' critical Civil
Works Mission.



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HOUSE INCREASES FY '16 APPROPRIATIONS FUNDING FOR CORPS WITH RECORD USE OF INLAND WATERWAYS TRUST FUND

LEADERSHIP AND BI-PARTISANSHIP WERE ALIVE AND WELL in the House Appropriations Committee as the "Big 4," led by Chairman Hal Rogers (R-KY) and Ranking Member Nita Lowey (D-NY), and Energy & Water Development (E&WD) Appropriations Subcommittee Chairman Mike Simpson (R-ID) and Ranking Member Marcy Kaptur (D-OH) worked to achieve unanimous approval of a bill in the full the House Appropriations Committee that significantly increases funding in Fiscal Year 2016 for the U.S. Army Corps of Engineers' Civil Works Program. The bill passed on April 22 by unanimous voice vote. Before that, on April 15, the bill was marked up in the E&WD Subcommittee and was approved by unanimous voice vote with no amendments.

The overall size of the Corps' Civil Works mission portion of the bill is \$5.597 billion and more than restores cuts to the program as recommended by the Administration, adding \$864.75 million to the Administration request and increasing the FY 2015 appropriated amount for the Corps by \$142.25 million.

The bill increases the President's proposed Construction account funding level by 39.9% to \$1.631 billion.

Within the Construction account, \$340 million is made available for Inland Waterways Trust Fund (IWTF) priority navigation projects, an amount that the Committee Report states makes use of all estimated Inland Waterways Trust Fund annual revenues. This is one of WCI's key

requests for appropriators this year and is particularly important in light of last year's 9-cent increase in the barge diesel fuel tax rate.

The Corps' Operations & Maintenance (O&M) account funding level is \$3.058 billion, the highest ever appropriated to this account in an annual appropriation bill, and the third consecutive year of record-level O&M funding. It is nearly \$350 million higher than the Administration's FY '16 requested level. According to the Committee Report, \$42 million was added for inland waterways O&M above the President's budget request.

The Committee Report requires the Corps, in making allocations of additional funds provided in FY '16 for IWTF projects, to use the 2010 Capital Development Plan and not the new 20-year plan the Corps is working on currently. \$1.4 million is provided for continuing the Inner Harbor Navigation Canal General Reevaluation Report (GRR).

From the Harbor Maintenance Trust Fund (HMTF), the bill's FY2016 appropriation of \$1.178 billion is a record, is \$73 million higher than last year's \$1.1 billion, and is \$263 million above the \$915 million that the Administration requested from the HMTF.

WCI President Michael J. Toohey expressed thanks to the House Appropriations Committee noting: "Their leadership in passing such a strong funding bill that utilizes full use of the Inland Waterways Trust Fund is a huge win toward modernization of our nation's inland navigation system." •

Congress Finds Budget Resolution 2
New WCI TV Commercial Airing 4



Mr. Lane

Merritt Lane Elected WCI Chairman

On November 12, at WCI's Board of Directors meeting in Chicago, the gavel was passed from then-Chairman Matt Woodruff (Kirby Corporation) to Merritt Lane (President and CEO, Canal Barge Company), elected to serve as WCI's Chairman for two years, through 2016. Of being named Chairman, Mr. Lane said, "Thank you for your confidence in electing me as your new Chairman. I too Iove this industry, and believe in a modern, safe and economically vibrant waterway system to our nation. I look forward to working with you to make WCI even stronger, more efficient, and more effective for its members to achieve our common goals." •

House & Senate Pass FY '16 Budget Resolutions

In a move that has not been seen for two years, the House and Senate passed budget resolutions for FY '16. The House acted on March 25, approving their bill by a vote of 228 to 199, with no Democratic votes in favor of it, and 17 Republicans opposing it.

House Budget Committee Chairman Tom Price, M.D. (R-GA) said, "... Our budget would build a stronger America by creating more opportunity, saving and improving Medicare and Medicaid, making government more efficient and effective and our tax code simpler and fairer. At the same time that we are balancing the budget — without raising taxes — so that we address the threat our debt poses to our national security, we are boosting defense spending so that our brave men and women in uniform have the vital resources they need to complete their missions."

The Senate passed its resolution on March 27 by a vote of 52 to 46. The bill contains a number of provisions aimed at "reining in the federal government and promoting economic

growth," as well as providing a pathway to repeal Obamacare through the budget reconciliation process.

According to a press release by U.S. Senator Thad Cochran (R-MS), Chairman of the Senate Committee on Appropriations, the President's FY '16 budget request, made in early February, "would have raised taxes by \$1.8 billion to finance an 8 percent increase in spending next year alone. Where the President's budget would increase federal spending by 65 percent over the next 10 years while increasing the total federal debt by \$7.4 trillion, the Senate-approved plan projects a surplus and deficit reduction over the same period."

The Congressional budget resolution allows FY '16 appropriations bills to move forward as a blueprint to establish funding levels for the federal government beginning October 1, 2015. While binding Congress, budget resolutions do not have the force of law and are not sent to the President for approval. •



In Congress, a budget resolution establishes the Congressional budget but is not presented to the President and does not have the force of law.

INLAND WATERWAYS USER BOARD MEETS; NEXT MEETING IN TEXAS

After a meeting in Baltimore in November, the Inland Waterways Users Board (IWUB) met in Birmingham, Alabama on February 25. A site visit the day before was held at Holt Lock and Dam, the Black Warrior-Tombigbee & Alabama River Waterways Maintenance Facility, and Oliver Lock and Dam.

Jeff McKee, Chief of the Navigation and Operations Branch, discussed better coordination with industry on lock outages and routine maintenance work, working not only through the River Industry Executive Task Force (RIETF), but with associations and relevant groups as well. While the FY '16 appropriations will affect closures ahead, a better partnership with "visibility, predictability and reliability" is needed, said Eddie Belk, Chief of the Operations and Regulatory Branch.

Steve Jones, Navigation Business Line Manager of the Mississippi Valley Division next discussed the IHNC financial history and expenditures (a total of \$138,374,774 has been spent, with \$72,139,770 in general funds and \$66,235,004 in IWTF funding), along with the NESP project, noting that it is not in danger of de-authorization until after 2019.



David Dale, Director of Programs for the Great Lakes and Ohio River Division, discussed updates to Olmsted, Lower Mon and Chickamauga. An additional \$45 million has been allocated to Olmsted since the last meeting. Seven shells are planned to be set in 2015 during the low water season, the master and sheet pile through navigation pier 9 will be completed, and tainter gate 2 will be installed. Based on current progress, the project could be operational in 2017 (without the removal of Locks 52 and 53), Mr. Dale said.

On the Lower Mon project, he noted that \$631 million was allocated through 2014, with \$58 million to be allocated through the FY 15 workplan. The scaled-back project currently is expected to be completed in 2023. The fully-funded cost estimate of \$2.773 billion reflects project features that ultimately may not be built and delays caused by past IWTF revenue shortfalls, adding \$185 million, and the deferment of the Charleroi Land Chamber into 2050s, adding \$797 million.

A quick review of Chickamauga Lock replacement indicated there may be a cost change following an ongoing economic review. It was also reported that providing funding for the project in FY '16 and FY '17 could mitigate cost changes.

The next (75th) meeting of the IWUB will take place in Galveston, TX, on Thursday, May 14, 2015. A visit to navigation related sites in the Galveston/Houston area will take place on Wednesday, May 13. ◆

WRRDA requires the IWUB to provide advice and recommendations to Congress about priorities for commercial navigation within 60 days of the President's budget request. Read the Board's comments here.

Inland Waterways Users Board (IWUB) Chairman Marty Hettel (left) and IWUB Executive Director Major General John Peabody, Deputy Commanding General for Civil and Emergency Operations, led the Inland Waterways Users Board meeting in Baltimore in November 2014.

Barge Diesel User Fee Increased by Nine Cents

On December 16, 2014, the Senate voted 76-16 to pass H.R. 5571, tax extenders legisla-

tion that included a 9-cent increase in the inland waterways diesel user fee, from 20 cents-pergallon to 29 cents-per-gallon.

The increase went into effect on April 1, 2015 and funds – around \$40 million from industry levies – will be deposited into the Inland Waterways Trust Fund for the benefit of priority navigation project construction and major rehabilitation.

On December 3, 2014, the House of

Representatives passed by a vote of 404-17 the "Achieving a Better Life Experience (ABLE)"

Act that included the 9-cent increase to the user fee.

The user fee increase was the most recent key recommendation of the Capital Development Plan (CDP) to be adopted into law, with four of the CDP's elements adopted through the passage of WRRDA 2014. It was a great victory for WCI and its members

as a way to increase investment in the inland waterways. •



New Ag-Focused WCI TV Commercial is Airing

WCI has created a new TV commercial that is aimed at the Washington, DC metropolitan area, specifically lawmakers in Congress, as well as the Administration, that underscores the importance of the inland waterways transportation mode to the agriculture industry.

The commercial is supported by the Illinois Corn Growers Association, the National Grain & Feed Association, and the Minnesota Soybean Research & Promotion Council. Special thanks to AEP River Operations' Keith Darling and Marty Hettel for their assistance in production of the commercial, and to John Popovich, AEP Senior Video Producer located in Columbus, Ohio.

Watch the new commercial on the front page of WCI's website at www.waterwayscouncil.org. •

WCI also developed a new print ad (left) to underscore the waterways/agriculture connection.

COMMODITY CLASSIC DRAWS RECORD CROWDS

A record 7,936 people attended the 20th annual Commodity Classic, co-hosted by the National Corn Growers Association, American Soybean Association, National Association of Wheat Growers, and National Sorghum Producers, held February 25-28 in Phoenix.

Total attendance was more than 600 people over the 2014 record of 7,325. Other records broken were the number of growers (4,328) and first-time attendees, 1,409. Efficient river transportation is vital for grain producers and agribusinesses, so Commodity Classic and WCI are a natural match to help educate and network with industry.

WCI participated in 2013 and 2014 at Commodity Classic as well, joining with several individual companies and agriculture associations to underscore the connection between ag and the waterways. These relationships helped to later provide momentum for WRRDA's passage.

WCI staff took advantage of the many coalition members attending by providing individual briefings for state delegation

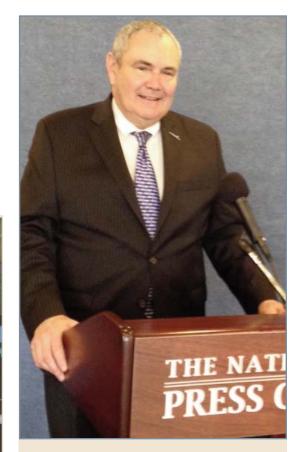
ing individual briefings for state delegation

WCI Board member Dale Roth joined Dan Barger, both from the Carpenters' District Council of Greater St. Louis and Vicinity, to explain how a lock works to an attendee at the event.

meetings. The outreach allowed WCI to connect with multiple boards, committees and association leadership during the week.

WCI also joined 354 other companies in exhibiting at the trade show. The WCI booth was well-received, with new graphics and banners detailing the importance of inland river transportation to the agriculture and agribusiness sectors.

Former NCGA President (and WCI Board Member) Garry Niemeyer joined WCI staff and members of the Carpenters' District Council of Greater St. Louis and Vicinity in helping with outreach and networking with attendees. •



State of the Industry: WCI President/CEO Mike Toohey speaks at the National Press Club in Washington, DC, where WCI held its annual "Meet the Press" event on March 11. The event was attended by more than 15 reporters, along with waterways stakeholders, and resulted in a number of articles about WCI's legislative successes in 2014 and its goals for 2015.

WCI Honors Senate Leaders Lamar Alexander and David Vitter





On February 12 in Washington, DC, WCI presented its 14th Annual Leadership Service Awards to inland waterways champions Senator Lamar Alexander (R-TN) and Senator David Vitter (R-LA). WCI has been bestowing the coveted award since 2002 to these waterways advocates in Congress:

- Representative Sonny Callahan (2002)
- Senator John Breaux (2003)
- Senator Kit Bond (2004)
- Representative Jerry Costello and Representative John Duncan, Jr. (2005)
- Representative David Hobson (2006)
- Senator Robert C. Byrd (2007)
- Representative James Oberstar (2008)
- Senator Tom Harkin (2009)
- Senator Charles Grassley (2010)
- Representative Hal Rogers (2011)
- Representative Nick Rahall (2012)
- Senator Dick Durbin (2013)
- Senator Bob Casey and Rep. Ed Whitfield (2014)
- Senator Lamar Alexander and Senator David Vitter (2015)



TOP: WCI Chairman Merrit Lane (right) with 2015 awardee Sen. David Vitter (left). **TOP RIGHT:** Ingram Chairman Orrin Ingram presents award to Sen. Lamar Alexander. **BOTTOM:** Honorees talk with Mr. Ingram at the Leadership Dinner.

Memorable Moments Captured at WCI's Leadership Awards Dinner









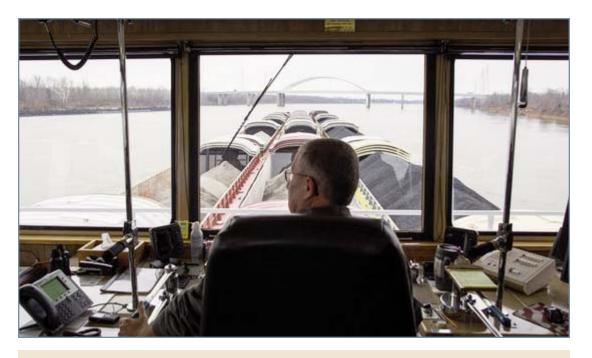


WCI Leadership Dinner. Photo 1: MarAd Administrator Paul "Chip" Jaenichen. Photo 2: Ken Lichtman (left), Economic Analyst with the U.S. Army Corps of Engineers, talks with Jeff McKee (middle), the Corps' Chief of the Navigation Branch, and Cline Jones (right), Executive Director of the Tennessee River Valley Association, at the reception. Photo 3: Errin Howard, Director of River Works Discovery, and Eugene Pawlik of the U.S. Army Corps of Engineers Public Affairs Office. Photo 4: Captain Paul F. Thomas (left), U.S. Coast Guard Director of Inspections and Compliance, and Chuck Arnold, Vice President, Business & Strategic Development, Ingram Barge Company. Photo 5: Senator Alexander greets Major General John Peabody, the Corps' Deputy Commanding General for Civil and Emergency Operations, at the event. Looking on is Rev. David Rider, President and Executive Director of the Seamen's Church Institute.

New York Times Features Kentucky Lock

On February 5, the *New York Times* published a feature business article, "Barges Sit for Hours Behind Locks That May Take Decades to Replace," by Washington, DC reporter Ron Nixon. The story focused on Kentucky Lock and the importance of the

inland waterways to the nation, and the condition of the lock and dam infrastructure. Mr. Nixon was hosted by Ingram Barge Company, and provided a tour of the Lock by Corps of Engineers' Project Manager Don Getty. Read the story here. ◆



Randy Holt piloting the M/V Bill Berry out of the lock system at Kentucky Lock and Dam near Paducah, Ky. Photo credit: Joe Buglewicz for The New York Times.

INDUSTRY EVENTS AHEAD...

May 5: Upper Mississippi River Basin Association (UMRBA) 134th quarterly meeting (Hampton Inn Downtown, St. Louis). June 4: Seamen's Church Institute (SCI) 38th Annual Silver Bell Awards Dinner, Pier Sixty at Chelsea Piers (New York). Dr. Craig Philip, Research Professor at Vanderbilt University, will receive the Lifetime Achievement Award.

June 22-24: Pacific Northwest
Waterways Association (PNWA)
Summer Conference (Hood River, OR)

August 3-4: Gulf Intracoastal Waterway Association (GICA) 110th Annual Seminar, Westin One Canal Place (New Orleans).

August 4: Upper Mississippi River Basin Association (UMRBA) quarterly meeting (La Crosse, WI).

September 16-18: National Waterways Conference (NWC) Annual Meeting (Little Rock, AR). **October 7-9**: Pacific Northwest

Waterways Association (PWNA) Annual Convention (Portland, OR).

October 14: Waterways Association of Pittsburgh joint meeting with the Huntington District. (Marietta, OH).

November 11-13: WCI
Annual Meeting and Waterways
Symposium, Omni Royal New
Orleans (New Orleans).

December 10: Seamen's Church Institute (SCI) 16th Annual River Bell Awards Luncheon, Paducah McCracken County Convention and Expo Center

(Paducah, KY). •

Senate Passes HMTF Amendment to Budget Resolution

Ports' efforts at the end of March led to Senate passage of Budget Amendment SA 931 for increased Harbor Maintenance (HMT) Trust Fund Spending in the Senate's FY 2016 budget resolution. The measure passed by unanimous consent.

Almost 900 amendments were offered, and the Budget Committee had the formidable task of deciding which amendments would be voted upon by the full Senate in a marathon 15 hour session. SA 931 was offered by Senators Deb Fischer (R-NE) and Barbara Boxer (D-CA) and is similar to SA 344 that was submitted by Senators Chris Coons (D-DE) and Roger Wicker (R-MS), for which AAPA had urged support.

While budget resolutions are not binding on Congressional appropriators, they highlight issues and influence the allocations provided to the subcommittees, including the Energy and Water Development (E&W)
Subcommittee that provides Corps of
Engineers' funding. Increased navigation
funding for the HMT and new project
construction will require additional funds
coming to E&W. Having a budget resolution
that supports this allocation helps the
American Association of Port Authorities
(AAPA) advocate to "Hit the HMT Target" as
authorized in WRRDA. WCI is a supporter or
this campaign and of AAPA's efforts.

The funding battles will be even tougher for FY 2016 appropriations given that deficit ceilings and possible sequestration will have to be addressed this summer. The push for defense spending will add to pressure on discretionary spending programs such as the Corps' navigation program. •

WCI Supports the "Hit the HMT Target" Campaign to achieve these outcomes...

	2016 Nav Stakeholders	2015 Cromnibus	2016 Pres Bud	Remarks
Coastal & Inland Navigation Investigations	\$50 M	\$38 M	\$25 M	Complete WRRDA studies in 3 years
Coastal Navigation Construction	\$300 M	\$184 M	\$81 M	For WRRDA channel improvements
Inland Navigation Construction	\$360 M	\$300 M	\$240 M	Inland Waterway Trust Fund full use
Coastal Navigation O&M (Harbor Maintenance Tax)	\$1.25 B	\$1.12 B	\$871* M	Hits WRRDA Target *Total HMT \$915; \$44 of Const is HMT
Coastal Navigation O&M (Donor & Energy Ports)	\$50 M	\$0	\$0	WRRDA Section 2106
Inland Nav O&M	\$700 M	\$661 M	\$691 M	
MS River & Trib	\$45 M	\$45 M	\$38 M	Construction & O&M
Total	\$2.755 B	\$2.348 B	\$1.948 B	

Corps' FY '15 Workplan Provides Strong Funding



The day the President released his FY '16 budget request, the Corps announced its work plan for FY '15, with a strong showing for key priority navigation projects. Olmsted Lock and Dam Project will receive \$205 million, a \$45 million increase; Lower Mon 2, 3, 4 will get \$58 million, a \$49 million increase; and

Kentucky Lock will receive \$12 million, all of which is from additional funds provided by Congress. Only \$106 million of the Congressionally-mandated \$112 million increase for IWTF-funded projects is being allocated in the workplan, leaving \$6 million unallocated. •

National Waterways Foundation Commissions Study Examining Economic Impact of Increased Investment in Inland Waterways

In November (2014), the National Waterways Foundation (NWF) commissioned and released a two-year, ground-breaking study by the University of Tennessee and the University of Kentucky, "Inland Navigation in the United States: An Evaluation of Economic Impacts and the Potential Effects of Infrastructure Investment." The NWF effort was led by then-Chairman Mike Hennessey and examines the waterways national economic return on investment and the need for and benefits of an accelerated program of waterways system improvements that sustain and create American jobs. The study found:

- Investment in badly needed modernization improvements to our inland waterways' aging lock and dam infrastructure could lead to 350,000 job-years of new, full-time employment with a present value of more than \$14 billion over the 10-year period examined in the study.
- Over Half a Million Jobs Provided

 68,000

 59,000

 82,000

 153,000

 5,000

 Rest of U.S.

 173,000

Economic generator: More than a half-million jobs are supported by the inland waterways.

- If we invest in our inland waterways, we can sustain 541,000 jobs and more than \$1 billion in new job income annually.
- If 21 priority navigation projects could be completed at an estimated cost of \$5.8 billion total, the 20-year sum of related economic output activity would exceed \$82 billion.
- Although not likely in the current fiscal environment, if the completion of those projects were accelerated to 10 years, between 10,000 and 15,000 new jobs with an annual economic value of \$800 million could become available. In the second decade, the completed navigation improvements could result in 10,000 new jobs throughout the economy each year with a total income of \$740 million in the first year to more than \$1 billion by year-20.
- New freight capacity could result in robust economic impact in the creation of some 12,000 new full-time, permanent jobs each year with annual incomes in excess of \$500 million.
- If commercial shipping on our waterways were to cease entirely, there would be immediate, devastating economic consequences with a total 10-year loss of \$1.063 trillion, when discounted to reflect that some of the loss is still several years away. Shipping costs would increase by \$12.5 billion, which would ultimately be passed onto American consumers in the form of higher costs for goods. The Gulf Coast and Lower Mississippi River regions would be hardest hit by a potential complete waterways system closure. High-value petrochemical products dominate industrial production in that region and alternative transportation in the region is limited.

(Continued on page 11)

National Waterways Foundation Commissions Study Examining Economic Impact of Increased Investment in Inland Waterways

(Continued from page 10)

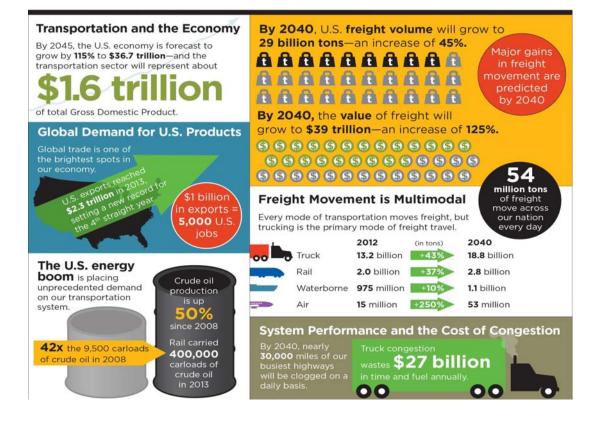
- With the loss of waterways' shipping, an estimated 75% of freight would be diverted to truck and/or rail, and there would be a 25% loss due to decreased production. Given that the capacity of just one standard river tow (15 barges) equals 1,050 trucks or 216 rail cars and six locomotives, the nation would face certain traffic gridlock.
- For more than half of Americans, there would be a 7.8% spike in the price of electricity, triple the average annual increase, if the waterways were not available to shippers.
- While Members of Congress debate the many needs of the nation with constrained

funding, our inland waterways transportation system must not be overlooked. This study underscores the need for investment spending that directly results in efficiency and productivity gains across sectors, sustainment and creation of jobs, and curbs on traffic congestion from truck and rail.

"The research in this important study sponsored by the National Waterways Foundation is an effort to help develop a more effective framework for policy-makers to understand and measure the current navigation system and look to future possibilities and job creation if proper infrastructure investments are made," said Mark Knoy, National Waterways Foundation Chairman.

The study is <u>here.</u> The accompanying study brochure is <u>here.</u> ◆

TRENDS... HOW WE MOVE THINGS



U.S. Maritime Administrator Paul "Chip" Jaenichen addressed WCI's Fall Waterways Symposium in November in Chicago, predicting a freight transportation growth boom ahead. "Transportation Infrastructure binds our Nation together and sows the seeds of economic opportunity and national prosperity. [We have the] finest transportation system the world has ever known, but it is aging and increasingly incapable of bearing the load our future demands...If we do nothing, choices will be made that could adversely impact the entire system," he M/V New Dawn broke through Lake Pepin ice overnight and locked through Lock and Dam 2, near Hastings, Minnesota, around 7:45 on March 25, 2015, marking the unofficial start to the navigation season for the Upper Mississippi River.

The American River Transportation Company boat was pushing nine barges loaded with fertilizer. (Photo by Pamela Niebur)



The Last Word...

"This is a responsible bill that prioritizes national security needs and improving our nation's infrastructure within tight budget caps. It makes critical investments in the maintenance and safety of our nuclear weapons stockpile, while also funding important infrastructure projects and



Congr. Simpson

research that will increase U.S. economic competitiveness and growth." --

Energy and Water Subcommittee Chairman Mike Simpson (R-ID), on the importance of the House Appropriations Committee-approved FY 2016 Energy and Water Development, and Related Agencies Appropriations bill, which now heads to the House floor for consideration. The legislation provides annual funding for national defense nuclear weapons activities, various programs under the Department of Energy (DOE), and other related agencies. It also funds the U.S. Army Corps of Engineers, which received a significant increase in funding for FY '16 above the Administration request. In the bill, within the Corps' Construction account, \$340 million will come from the Inland Waterways Trust Fund for priority navigation projects, what Chairman Simpson described as "full use of estimated annual revenue for the Trust Fund." •

WRRDA Implementation Meetings Continue

Since the Water Resources Reform & Development Act (WRRDA) passed last June, waterways stakeholder representatives supported by WCI have been meeting with the U.S. Army Corps of Engineers WRRDA Implementation Team with the purpose of reviewing the Capital Investment Program Prioritization Report. The Corps must submit its recommendations for priority projects to Congress by June 10, 2015. The priority list is critically important in this non-earmark environment, and funding provided by Congress will be allocated ultimately by the Secretary of the Army.

WCI has strongly urged that priorities reflect the intent and recommendations of the Capital Development Plan. Face-to-face meetings have taken place between industry and the Corps, as well as numerous conference calls and webinars led primarily by Jeanine Hoey, Deputy for Programs and Project Management for the Corps' Pittsburgh District.

The Working Draft Plan for 2015 includes Olmsted; Lower Mon 2, 3, 4; GIWW High Island to Brazos River; GIWW Brazos River to Port O'Connor, Matagorda Bay; Kentucky Lock, Chickamauga Lock; LaGrange Lock; and Upper Mississippi Lock 25. The Draft Plan removes from the 20-year plan the Inner Harbor Canal Lock, pending further analysis. ◆

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