

NATIONAL WATERWAYS ALLIANCE

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August 25, 2006

The Honorable James Inhofe
Chairman, Environment and Public Works Committee
453 Russell Senate Office Building
Washington, DC 20510

Dear Mr. Chairman:

After six long years, we finally have hope for passage of the Water Resources Development Act of 2006 (WRDA). Our country cannot afford further delay. The time has come, particularly in light of the lessons learned from Hurricane Katrina, for Congress to complete its work on this crucial legislation for the continued viability of our nation's water resources.

As important as this bill is to the well-being of our Nation's citizens, it is equally important that the policy provisions actually *improve* the process by which the Corps of Engineers formulates project solutions as well as provide *workable* independent review requirements.

We have carefully reviewed each version of these two bills and feel obligated to bring to your attention two provisions that appear inconsistent with the views and interests above and as outlined during the Senate debate on WRDA. To that end, as a potential member of the Conference Committee for WRDA from the Senate, we urge you to consider striking the following provisions in conference:

- **Senate Section 2006.** Section 2006 establishes a new quasi-agency Water Resources Coordinating Committee of Cabinet members, with neither the requisite expertise nor coordinated oversight from Congressional committees, to review and make changes to internal Corps planning procedures. Since the planning guidance is the foundation of how projects are formulated, designed, constructed and evaluated for funding, such changes could have long-term repercussions. The Senate resoundingly rejected an amendment that gave project prioritization duties to this quasi-agency because it transferred Congressional responsibilities and prerogatives to the Executive Branch. But this, the underlying amendment that sets up the committee, was not able to be addressed under the consent time agreement.
- **The Senate version of Independent Review.** Thoughtful consideration of the Senate-passed version of Independent Review reveals a number of areas in which independent review is expanded beyond the scope envisioned within the debate. This includes mandated multi-year federally-funded reviews of all projects with flood control elements—easily over half of the Corps workload of projects. And, based upon a literal reading of the amendment, an unreasonable number of projects (and perhaps the 404 permit process) would be subject to multiple and duplicative reviews, even after project authorization occurs. Finally, this provision would enshrine a policy of deferring to the judicial branch for water resources solutions. We believe that a more nuanced version of the House proposed position better reflects the type of compromise needed on Corps reform issues as it fully addresses long-standing concerns, including those raised in the aftermath of Hurricane Katrina, while ensuring projects are not unreasonably delayed or made prohibitively expensive with multiple and duplicative reviews.

Should you have any questions concerning the effects of these or other provisions in either version of WRDA, the members of the National Waterways Alliance are always ready to serve as an educational resource.

We are most grateful for your leadership and understanding of the dependence of American daily lives on reliable water resources infrastructure for transportation, flood protection, power, water supply, irrigation and recreation, as well as their contributions in supporting a sound economy and a sustainable environment for the future.

Sincerely,



An alliance representing river valley and industry associations; banks; utilities; agricultural and electric power

cooperatives; flood control and coastal protection proponents; environmental restoration advocates, businesses such as aluminum, building materials, cement, chemicals, coal, grain and feed, fertilizer, iron and steel, salt, paper and wood products, petroleum, and other industries; port authorities; labor unions; waterborne carriers; dredging, engineering and waterway service firms; shipyards and repair facilities, and terminals, serving millions of customers, clients, consumers and stakeholders. Visit our website: www.waterways.org.

Agricultural Retailers Association
AGC of St. Louis
Ag Processing Inc.
Agribusiness Association of Iowa
Agriculture Ocean Transportation Coalition
AGRIServices of Brunswick, LLC
Agrium
Alexandria Regional Port Authority (LA)
All American Coop
Alter Barge Line
Ameren
American Association of Port Authorities
American Association of State Highway and Transportation Officials (AASHTO)
American Council of Engineering Companies
American Farm Bureau Federation
American Feed Industry Association
American Public Works Association
American Recreation Coalition
American Shore and Beach Preservation Association
American Soybean Association
American Waterways Operators, Inc.
Aon Risk Services
Arch Coal, Inc.
Arkansas Basin Development Association
Arkansas Waterways Association
Arkansas Waterways Commission
The Associated General Contractors of America
Association of California Water Agencies
Association of Equipment Manufacturers
Association of Marina Industries
Association of Ship Brokers and Agents (U.S.A.), Inc.
Atlantic Intracoastal Waterway Association
Bay Planning Coalition (San Francisco Bay-Delta)
Ben C. Gerwick, Inc.
Bergmann Associates
Boat Owners Association of The United States (BoatUS)
Boaters are Voters
Brennan Marine, Inc.
Bunge North America, Inc.
Bussen Terminal
Buzzi Unicem USA
Caddo-Bossier Port Commission (LA)
Cahokia Marine Service
California Coastal Coalition
California Marine Affairs and Navigation Conference
Cargo Carriers/Cargill
Carpenters' District Council of Greater Saint Louis and Vicinity
Caver and Associates, Inc.
CEMEX, Inc.

Ceres Consulting, LLC
CF Industries, Inc.
CH2MHill, Inc.
CHS, Inc.
Chambers County-Cedar Bayou Navigation District (TX)
Cherokee Barge & Boat, LLC
City of Carolina Beach, NC
Collins Engineers
Colorado River Water Conservation District
Columbiana County Port Authority (OH)
Colusa Elevator Co., Inc.
Consolidated Blenders, Inc.
Construction Management Association of America
Continental Cement Company, Inc.
Cottrell Contracting, Inc.
Dairyland Power Cooperative
Dakota Mill and Grain, Inc.
Dakota, Minnesota & Eastern Railroad Company
DeBruce Grain, Inc.
Design Professionals Association
Determann Industries, Inc.
Dredging Contractors of America
Dyno Nobel, Inc.
Eagle Marine Industries, Inc.
Fabick Power Systems
Farmer Grain Terminal, Inc.
Farmers Coop Association
Farmers Cooperative Elevator Company
The Fertilizer Institute
Fire Island Association (NY)
J. Russell Flowers, Inc.
Gahagan & Bryant Associates, Inc.
City of Galveston, TX
Galveston County, TX
Garick Corporation
Garvey Marine, Inc.
Gateway Arch Riverboats
Gateway FS, Inc.
Grain & Feed Association of Illinois
Grain Processing Corporation
Grampa Wood Excursions
Great River Economic Development Foundation
Green Bay Farms, L.P.
Growmark, Inc.
Grundy County Farm Bureau
Gulf Intracoastal Canal Association
Hampton Roads Maritime Association
Harber, Inc.
Harmony/Preston Agri Services, Inc.

Harris County Flood Control District (TX)
Hatch Mott MacDonald, Inc
Hawkins Chemical Company, Inc.
HDR
Heart of Illinois Regional Port District
HNTB, Inc.
Holcim (US) Inc.
IEI Barge Services
Illinois Chamber of Commerce
Illinois Corn Growers Association
Illinois Farm Bureau Federation
Illinois Fertilizer & Chemical Association
Illinois Grain and Feed Association
Illinois Soybean Association
City of Imperial Beach, CA
INCA Engineers, Inc.
Ingram Barge Company
Inland Rivers, Ports & Terminals, Inc.
International Union of Operating Engineers
Iowa Corn Growers Association
Iowa Farm Bureau Federation
Iowa Renewable Fuels Association
James Marine, Inc.
Jeppeson Marine
Jersey County Grain Company
Johnson Machine Works
Johnston Enterprises Inc.
Johnston Port 33
W.B. Johnston Grain Co.
Johnston Seed Co.
Johnston Terminal, Muskogee, OK
Kansas City Power & Light
Kansas Corn Growers
Kansas Grain and Feed Association
Kaskaskia Regional Port (IL)
Kentucky Corn Growers Association
City of Keokuk, IA
Kindra Lake Towing, L.P.
Kirby Corporation
Lake Carriers' Association
Lake Providence Port Authority (LA)
Limited Leasing Company
Linwood Mining & Materials Corp.
Little River Drainage District (MO)
Long Island Coastal Alliance (NY)
Louisiana Department of Transportation and Development--
Public Works, Hurricane Flood Protection & Intermodal Transportation
Luhr Bros.
Magnolia Marine Transport Company
MARC 2000

Marine Exchange of Southern California
Marinex Construction Co., Inc.
Maritime Association of the Port of New York/New Jersey
Maritime Exchange for the Delaware River and Bay
Marquette Transportation Co., Inc.
Marquis Inc./Terminal Express
Maryland Grain Producers Association
Massman Construction Company
McCallie Marine Service, LLC
MEMCO Barge Line/AEP River Operations
Merrill Marine Services
MFA, Inc.
Michigan Corn Growers Association
Mid-America Intermodal Authority Port District
Mid-America Port Commission
Mid-Central Illinois Regional Council of Carpenters
Midwest Foundation Corporation
Midwest Industrial Fuels, Inc.
Minneapolis Grain Exchange
Minnesota Agri-Growth Council, Inc.
Minnesota Corn Growers Association
Minnesota Crop Production Retailers
Minnesota Farm Bureau Federation
Minnesota Grain and Feed Association
Minnesota Soybean Growers Association
Mississippi River Citizen Commission
Mississippi Welders Supply Co., Inc.
Missouri Ag Industry Council
Missouri Barge Line Company, Inc.
Missouri Corn Growers Association
Missouri Corn Merchandising Council
Missouri Farm Bureau Federation
Missouri Levee & Drainage District Association
Missouri Port Authority Association
Missouri Soybean Association
MO-ARK Association
Monsanto
Morrow Group USA
National Association of Manufacturers
National Association of Flood and Stormwater Management Agencies
National Association of Maritime Organizations
National Association of Waterfront Employers
National Association of Wheat Growers
National Corn Growers Association
National Grain & Feed Association
National Grain Trade Council
National Grange
National Heavy & Highway Alliance:
Laborers' International Union of North America

National Heavy & Highway Alliance, cont:
International Union of Operating Engineers
United Brotherhood of Carpenters & Joiners
International Association of Bridge, Structural, Ornamental & Reinforcing Iron Works of America
Operative Plasterers' & Cement Mason International Association
International Brotherhood of Teamsters
International Union, Brickyard Layers & Allied Craftworkers
National Industrial Transportation League
National Marine Manufacturers Association
National Mining Association
National Oilseed Processors Association
NSA Agencies, Inc.
National Stone, Sand and Gravel Association
National Water Resources Association
National Waterways Conference, Inc.
New Madrid County Port Authority
Norman Bros., Inc.
The North American Export Grain Association
City of North Topsail Beach, NC
Ohio Corn Growers Association
Ohio Council of Port Authorities
Oklahoma Department of Transportation Waterways Advisory Board
Oklahoma Department of Transportation, Waterways Branch
Olympic Marine Company
Ouachita River Valley Association
Pacific Northwest Waterways Association
Pattison Bros. Mississippi River Terminal, Inc.
Pemiscot County Port Authority (MO)
Personal Watercraft Industry Association
Port of Alexandria (LA)
Port of Alsea (OR)
Port of Bandon (OR)
Port of Brookings Harbor (OR)
Port of Coos Bay (OR)
Port of Corpus Christi (TX)
Port of The Dalles (OR)
Port of Depot Bay (OR)
Port of Garibaldi (OR)
Port of Gold Beach (OR)
Port of Galveston (TX)
Port of Humboldt Bay (OR)
Port of Ilwaco (WA)
Port of Memphis (TN)
Port of Morrow (OR)
Port of Muskogee (OK)
Port of New Orleans (LA)
Port of Newport (OR)
Port of Palacios (TX)
Port of Pittsburgh Commission (PA)

Port of Portland (OR)
Port of Port Orford (OR)
Port of Redwood City (CA)
Port of Siuslaw (OR)
Port of Toledo (OR)
Port of Umatilla (OR)
Port of Umpqua (OR)
Port of Vancouver USA (WA)
Port of Victoria (TX)
Port of West St. Mary (LA)
Portland Cement Association
Port Royal Landing Marina, Inc. (SC)
Ports of Indiana
Providence Grain Company
Quad City Development Group
Red River Valley Association
Red River Waterway Commission
Red Wing Port Authority
River Barge Excursion Lines, Inc.
River Navigation Coalition
River Resource Alliance
Riverway Company
Sabine River Authority of Texas
Salt Institute
Sargeant Grain Company
Schutte Lumber Company
The Scoular Company
Seneca
Shattuck Grain Co.
J.R. Simpson & Associates, Inc.
Smurfit Stone Container Corporation
Southeast Grain & Feed Dealers Association
Southern Illinois Construction Advancement Program
SSA Marine
St. Louis City Port Authority/Economic Council
St. Lucie County, FL
Stone Oil Distributor, Inc.
Texas Water Conservation Association
Tombigbee River Valley Water Management District
TPG Marine Enterprises, LLC
Topsail Island Shore Protection Commission (NC)
Transportation, Elevator & Grain Merchants Association
Transportation Institute
Tri-City Regional Port District
Trinity Marine Products, Inc.
Tri-Oak Foods, Inc.
Tulsa Port of Catoosa (OK)
Tulsa's Port of Catoosa Facilities Authority
Twomey Company

United Brotherhood of Carpenters and Joiners of America
U.S. Chamber of Commerce
U.S. Great Lakes Shipping Association
Upper Monongahela River Association Incorporated
Upper Mississippi, Illinois & Missouri Rivers Association
Upper Mississippi Waterways Association
United Soybean Board
Upper River Services, LLC
City of Venice, FL
Volunteer Barge & Transport, Inc.
Waterways Council, Inc.
The Waterways Journal, Inc.
Wayne B. Smith, Inc.
Weeks Marine, Inc.
Western Kentucky Navigation, Inc.
West Virginia Public Port Authority
White River Coalition
Winona River & Trail
Wisconsin Agri-Service Association
Wisconsin Corn Growers Association