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## WJ Editorial

### Lock Closure Study Is Essential Reading For Congress

The study on the impacts of prolonged lock outages recently released by the National Waterways Foundation and the Maritime Administration should play a very important part in the ongoing conversations in Washington about infrastructure funding.

The timing of this study, titled "The Impacts of Unscheduled Lock Outages," is fortuitous.

The study models hypothetical unscheduled lock outages that last one year and trigger long-term changes by shippers and carriers.

Using the Principles & Guidelines (P&G) that govern the analysis of all federal inland navigation infrastructure projects by the Corps of Engineers, the study selected as examples of a hypothetical year-long outage four geographically different locks that support traffic on every segment of the Mississippi River system:

- Markland Locks and Dam (Ohio River near Cincinnati), which opened in 1959;
- Calcasieu Lock (Gulf Intracoastal Waterway in Louisiana), which opened in 1950;
- LaGrange Lock and Dam (southern-most of the navigation structures on the Illinois River), which opened in 1939; and
- Lock and Dam 25 (Mississippi River, north of St. Louis), which opened in 1939.

The charts are eye-opening. For instance, an unplanned year-long closure at Markland Locks and Dam would result in extra costs of \$221,987,745 related to the movement of coal; \$368,253,302 for petroleum products; \$276,416,124 for chemicals; \$160,394,481 for primary manufactured goods; \$38,460,711 for farm products and food; and \$242,729,791 for "crude materi-

als" for an estimated total cost of \$1,310,060,835.

And those are only direct costs. These would initially be spread among all the businesses whose products would be diverted. Some would be passed onto consumers. The cost to the public would increase even more in the form of more pollution, greater wear to roadways and the greater potential for accidents in other transportation modes.

The study appears shortly after a self-proclaimed deadline for the Trump administration to release important details about its much-discussed infrastructure financing plan has passed. That delay may not be a bad thing; it indicates that the conversation is ongoing. The study is noncommittal about financing; a note says, "References to non federal entities and to various methods of infrastructure funding or financing in this document are included for illustrative purposes only and do not imply U.S. government, DOT or subagency endorsement of or preference for such entities and funding methods." But it is clear to most observers, by now, that public-private partnerships, however useful for some projects, are not the answer for the urgent needs of lock replacement.

This study should be essential reading, at a minimum, for every member of Congress who has anything to do with waterways or infrastructure, and we have no doubt that our advocacy groups are doing their best to put it in their hands.

But really, every member of Congress should read it, no matter what committees they serve on. That's because the costs and impacts of extended unscheduled lock closures would ripple outward into virtually every facet of the economy, directly affecting trade and economic competitiveness, which means jobs both now and in the future.

## Washington

(CONTINUED FROM PAGE 7)

"This hurts our economy and employment, in addition to being unfair to the users paying the tax," Nagle wrote.

He also pointed to the more than \$9 billion balance in the Harbor Maintenance Trust Fund, adding "tax reform could help free those funds for desperately needed port maintenance."

In calling for a permanent extension of the wind energy production tax credit, Nagle wrote of the role seaports play in the transportation supply chain for wind energy components.

While conceding that the tax reform bill does not address taxes related to broader infrastructure issues, Nagle suggested that lawmakers could use the legislation to address infrastructure investment needs.

"The nation's seaports serve a vital role in U.S. job creation, economic prosperity, international competitiveness and Americans' standard of living," he wrote.

"Seaport cargo activity accounts for 26 percent of U.S. GDP, over 23 million American jobs, and generates over \$320 billion annually in federal, state and local tax revenues."

The Ways and Means Committee began its markup of the bill Monday with that work taking up the better part of the week and possibly beyond.

On the other side of the Capitol, Senate Republicans were planning to go ahead and unveil their own version before the week was over, regardless of whether the House committee had completed its work.

### Homeland Security Hearing

The Senate Committee on Homeland Security & Governmental Affairs held its

confirmation hearing November 8 on the nomination of Kirstjen Nielsen to be the next U.S. Homeland Security secretary.

If confirmed, Nielsen will have authority over the U.S. Coast Guard and be in charge of securing the nation's waterways.

Committee Chairman Ron Johnson (R-Wis.) used his opening statement at the hearing to lay out what he called daunting challenges facing DHS.

"The Department of Homeland Security employs approximately 240,000 people and manages a budget of \$66 billion," Johnson said, adding the department was created by fusing 22 separate agencies with diverse missions.

"The result has been a department that has struggled to unify its efforts and manage a workforce with habitually low morale relative to other federal agencies."

Barring an unexpected glitch, Nielsen, who worked at DHS during the George W. Bush administration, is expected to have an easy confirmation.

### WOTUS Video Questioned

A top government watchdog agency has agreed to look into Environmental Protection Agency Administrator Scott Pruitt's appearance in a video concerning his agency's effort on the controversial Waters of the United States rule.

Rep. Peter DeFazio (D-Ore.), the ranking member of the House Transportation and Infrastructure Committee, and several of his fellow Democrats had asked the U.S. Government Accountability Office to provide a legal determination on Pruitt's appearance in the video released by the National Cattlemen's Beef Association.

Specifically, the Democrats asked whether Pruitt's involvement complied with statutory limits on the use of appro-

riated funds for lobbying and publicity or propaganda purposes and the Antideficiency Act.

"GAO accepts your request as work that is within the scope of its authority," the agency stated in an October 31 letter to DeFazio, who released the letter November 3.

Even before the request from House Democrats, Pruitt's appearance in the video had raised concerns that his request to get farmers and ranchers to submit comments showed his bias on the contentious water rule.

"We are trying to fix the challenges from the 2015 rule," he states on the video.

"The Obama administration reimagined their authority under the Clean Water Act and defined Waters of the United States as being a puddle, a dry creek bed, and ephemeral drainage ditches across this country, which created a great uncertainty as you might imagine. And we are fixing that. And then we are hearing from stakeholders about how to get it right as we go forward."

He goes on to say his agency is obligated to review comments made as part of the rule-making process. "It helps inform our decision-making process. It helps us make better decisions," Pruitt said. "And so we want farmers and ranchers across this country to provide comments. This record being made is so important because it helps us make informed decisions."

EPA has defended Pruitt's role in the video as part of the agency's commitment to an open and transparent process to redefine WOTUS, which includes engagement with all stakeholders, especially those who felt ignored by the previous administration.