

Waterways Association of Pittsburgh Newsletter

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June 2016

www.wapgh.org

June Highlights

A total of (32) thirty-two members and guests were registered for the June 8, 2016 luncheon meeting at Chartiers Country Club. Eunice Ratcliff ran the meeting in Dan Lacek's absence.

Coast Guard News

LT Devin Adams presented the **attached** report. LT Adams notified members that this was his last meeting and thanked everyone for all their assistance during his tenure in the Pittsburgh region.

Army Corp of Engineers

Brian Luprek covered the **attached** lock closure report. Richard Lockwood introduced Major Cornelius Batts and Capt. Erik Nowak of the Army Corp of Engineers.

National Weather Service

Joe Palko covered the **attached** report.

Port of Pittsburgh Commission Report

Mary Ann Bucci reported on the following items:

- On July 23, 2016, Representative Rothfus along with several other officials will take a boat trip on the Ohio River to view lock & dam conditions at Montgomery. They will also be viewing the future site of the Shell cracker plant in Beaver.
- WTAE Reporter, Paul Van Osdol, aired a great investigative report on the Emsworth, Montgomery & Dashields Lock & Dam's deteriorating condition and the potential impact on industry as well as consumers.
- Mary Ann Bucci recognized departing Coast Guard member CDR Pat Burkett who has accepted a position in Jacksonville, Florida. CDR Burkett thanked the Waterways members for all their support during his term in the region and recognized the strong relationship between the governmental agencies and industry members.

Education Committee Report

Michael Graham reported that the Man Overboard Seminar is scheduled for July 14th at the Mon-Vale HealthPlex. A save-the-date was sent several weeks ago and the registration flyer will be sent early next week.

Navigation Committee Report

Eunice Ratcliff thanked the Coast Guard and Army Corp for all their assistance and strong communication during the Montgomery closure. She also thanked committee members David Podurgiel and Ryan Newton for all their support in maintaining communication with the members.

Legislative Committee Report

Richard Kreider provided the following report:

- **Three-Year Lock Repair Schedule Update**

The Great Lakes and Ohio River Division (GLORD) team held a conference call with industry on May 26th to discuss the modifications made to the 3-year maintenance plan as a result of our meeting in Cincinnati on March 24th. The newly revised plan will be circulated through the Navigation Committee. The group agreed to meet again later this summer and plan to meeting quarterly thereafter to insure we keep the communication process between industry and the GLORD folks flowing and to proactively discuss future repair plans. Follow-up progress reports will also be sent through the Navigation Committee or at the monthly meetings.

- **GLORD Change of Command**

Commanding General of the Great Lakes and Ohio River Division (GLORD) BG Richard G. Kaiser has been promoted to the rank of Major General and is being deployed to Afghanistan. MG Kaiser is succeeded by BG Mark Toy.

- **Congress Update**

Congress returned from the Memorial Day holiday on June 6. They will be in session for three weeks before the July 4th recess and only two weeks after that before they leave for the July Democrat and Republican national conventions and the August recess. They will return in September to wrap-up key remaining legislative issues before the fiscal year ends on September 30. A lame duck session of Congress after the November elections is expected.

- **Subchapter M Rule Signed by Commandant; Publication Expected Soon**

On May 26, the Subchapter M rule was signed by ADM Paul Zukunft and transmitted to the Office of the Federal Register. The latest work is that due to its length the copyediting process will not be finished until late this week at the earliest. We expect the published version to be released Friday or early next week. As a result of the delay, AWO is going to postpone the two webinars previously announced for June 8 and June 10 to brief members on the content of the rule, providing an overview of the new requirements and implementation timeline and highlighting changes between the proposed rule and final rule.

- **House Passes Defense Bill with VIDA**

The House of Representatives on May 18 passed H.R. 4909, the National Defense Authorization Act for Fiscal Year 2017, by a vote of 277-147. Title XXXVI of the bill incorporates the language of H.R. 980, the Vessel Incidental Discharge Act (VIDA). The VIDA provision in H.R. 4909 came as a result of an amendment offered Rep. Duncan Hunter (R-CA) during markup of the bill by the House Armed Services Committee. Rep. Hunter's measure, which

incorporated VIDA in its entirety, passed by voice vote on April 27. The Senate began consideration of its version of NDAA last week, with the goal of completing floor debate during the current session. The Senate version of NDAA does not include VIDA. Earlier this month, the Senate Armed Services Committee rejected an amendment offered by Sen. Deb Fischer (R-NE) to attach the Commerce Committee approved Maritime Administration title, which included VIDA and two controversial cruise ship liability provisions, to NDAA. It is expected that House-Senate conference meetings on the NDAA bill will begin in earnest soon after Senate passage, so that a final agreement can be sent to the President's desk prior to adjournment for summer recess.

- **FY-17 E&WD Appropriations Bill fails on the House Floor**

Although three failed cloture votes related to a controversial amendment on Iran nuclear materials nearly sunk it, a strong FY2017 Energy & Water Development (E&WD) appropriations bill cleared the Senate floor in May. Last week, the House, however, hit a snag and failed to pass its version of the bill on the floor as a result of an equally divisive amendment.

- **NESP**

While overall the E&WD Appropriations Bill failed, on a more positive note, an amendment that did pass on the House floor by voice vote was offered by Rep. Rodney Davis (R-IL) to fund \$10 million in Pre-Construction Engineering Design (PED) for the Navigation Ecosystem Sustainability Program (NESP). Rep. Curt Clawson (R-FL) offered, but then withdrew, an amendment to increase the Corps' Construction account by \$50 million.

- **WRDA Ready for the Floor**

WRDA 2016 is ready to go to the floors of the House and Senate after the Senate version was marked up late in April by the Senate Environment and Public Works (EPW) Committee and the House version was marked up on May 25 in the House Transportation & Infrastructure (T&I) Committee. Both the House and Senate bills rejected lockage fees/tolls to finance Public-Private Partnerships (P3s) on waterways, a proposal WCI strongly fought against with strong stakeholder support. While neither bill recommends increasing the threshold from \$20 to \$50 million for major rehabilitation - the last key recommendation of the Capital Development Plan - there is strong support for the initiative. On the House side, 22 House members, including nine from the House T&I Committee, signed a "Dear Colleague" letter in support of the increase. At the mark-up, Rep. John Duncan, Jr. (R-TN) and Rep. Daniel Lipinski (D-IL) offered a bipartisan amendment, supported by WCI, to increase the threshold of a major rehabilitation project to \$35 million. The amendment was withdrawn after the Committee leadership promised to work to address the issue in subsequent negotiations on the bill. The House Water Resources and Environment Subcommittee held a hearing on May 17 to review recently completed (since February 24) Corps' Chief's Reports. House T&I Chairman Shuster urged the Corps to complete the Chief's Report on the EDM Upper Ohio Navigation Study as soon as possible. The Corps replied that it is on "a path for Fall completion".

- **Jones Act Update**

During a May 16 roundtable discussion at the Navy League's annual Sea-Air-Space Exposition, leaders of the US Coast Guard, US Customs & Border Protection and US Maritime Administration called the Jones Act vital to US homeland security. Administrator Jaenichen addressed claims made by critics who seek to tie the Jones Act to the debt crisis in Puerto Rico, saying, "For decades the Jones Act has served as an economic backstop for Puerto Rico and Hawaii providing reliable capacity, operational efficiency and frequency of service to those island. These attached are unfounded, there is no supporting information and every time the government has taken a look at it they have found it to be contrary of that". **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.

- **WCI Fall Symposium, November 15-17, Cincinnati**

Online registration opened today for the 13th Annual Waterways Symposium and WCI Annual Meeting, November 15-17 in Cincinnati. The theme for the Symposium is, "Increasing Investment for the Nation's Waterways" with a special reception/dinner at the National Underground Railroad Freedom Center.

July Membership Meeting

The **next** membership meeting is scheduled for July 13, 2016 **aboard the Gateway Clipper Fleet's Princess**. Cost of the luncheon will be **\$30**. Registration will begin at 11:45 a.m. with lunch served promptly at noon. 2016 Scholarship recipients will be recognized prior to the start of this meeting. Please call, email or fax the response form below by Thursday, July 7, 2016 if you plan on attending the luncheon meeting.

**Waterways Association of Pittsburgh
Meeting Response Form**

Gateway Clipper Fleet

July 13, 2016

Annual Picnic Menu:

Kansas City BBQ Ribs
Grilled Chicken Breast Sandwich (served w/lettuce, tomato & mayonnaise)
Corn on the Cobb w/Lime & cilantro
Quarter Cut Potato Wedges w/melted Cheddar & smoky Bacon
Hannah's Famous Macaroni Salad
Broccoli & Cauliflower Salad
Pound Cake w/Fresh Strawberries and Whipped Topping
Coffee & Hot Tea Service

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, July 7, 2016** to:

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