

Dear Mr. McCrory:

Thank you for your statement made before the Mississippi River Commission during the public meeting held in Memphis, Tennessee, on March 5, 2002. In your statement you discussed your support for the current Water Control Manual for the Missouri River; completion of the Mississippi River and Tributaries project; and the efforts of the Shelby County Government on improvements of Nonconnah Creek. You also discussed adding the locally constructed Frank C. Pidgeon Industrial Harbor to the Memphis Harbor project annual maintenance program and the development of a policy that would allow the terminal and towing industry use of 12-foot draft when available on the Mississippi River.

With regard to the Missouri River Master Manual Review and Update, the Mississippi Valley Division (MVD) continues to support Northwestern Division (NWD) efforts to identify an appropriate flow management plan that complies with laws and is consistent with contemporary needs of the Missouri and Mississippi River Basins. MVD has evaluated Mississippi River impacts for over 200 modified reservoir operation alternatives. The most recently evaluated alternatives included plans that incorporate a controlled spring rise and a split Missouri River navigation season. The impacts on Mississippi River flood stages and navigation efficiency were measurable but minor. The plans are beneficial to Mississippi River navigation during the traditionally low flow period of November and December. More detailed evaluations of Mississippi River environmental and dredging impacts are being continued for these alternatives.

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The continuing evaluations are scheduled to be complete in early May 2002. The current NWD schedule for implementing a revision to the Master Manual requires that the Corps identify a Preferred Alternative (PA) by May 31, 2002. Upon identification of the PA, the Corps will consult with the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the Endangered Species Act (ESA). A Final Environmental Impact Statement

(FEIS), which presents a detailed analysis of the impacts of the PA, will be released this summer. Following a 30-day comment period for the FEIS, the Corps intends to complete ESA consultation on the PA with the USFWS, prepare a Record of Decision, revise the Master Manual itself, and incorporate the revised flow management plan into the annual operation plan. In its Biological Opinion of November 2000, USFWS recommended that a revised flow management plan be implemented no later than 2003. The Corps intends to have a new flow management plan in place by 2003 to comply with the Service's timeline.

The Commission strongly supports the timely completion of the Mississippi River and Tributaries project. Although it is 87 percent complete and provides significant flood protection and navigation benefits, there is still additional work to be completed to ensure that the project functions properly and can accommodate the project design flood.

The Commission supports the Shelby County Government's efforts on improvements to Nonconnah Creek. We understand that the Memphis District met in February with you and Mr. Ted Fox of Shelby County concerning the ongoing reevaluation study for extension of the Nonconnah Creek project. The reevaluation study is scheduled for completion in July 2003. The District will keep you informed of the progress of the study and the conclusions reached.

Unfortunately, the Frank C. Pidgeon Industrial Harbor was not part of the originally authorized Memphis Harbor project. Therefore, the Corps does not have the authority to add annual maintenance dredging of this harbor to that of the Memphis Harbor. The Commission acknowledges your efforts to obtain authorization for the Corps to perform this work. The Memphis District will continue to work with you in this effort. If authorization and funding are provided, the District will perform the required dredging in conjunction with its normal harbor maintenance.

In regard to a policy on use of the 12-foot draft, there is a procedure in place that allows the towing industry to utilize any additional draft the river provides. Channel condition information is coordinated through the Lower Mississippi River Committee (LOMRC), made up of representatives of the towing companies operating on the lower river. The group attempts to maximize the efficiency and safety of the waterway by ensuring that reasonable size tows and drafts are utilized for various river conditions. When the river approaches low water conditions, the committee hosts a conference call in which members of the Corps, Coast Guard, National Weather Service, and the towing industry discuss channel conditions, weather and river forecasts, and other pertinent issues. During these discussions a consensus is reached regarding appropriate draft and tow size. If restrictions are warranted, the Coast Guard, in conjunction with LOMRC, issues a draft and tow size "advisory" for the appropriate reach of the river. In addition to the advisories, any time a mariner reports a navigation problem to the Coast Guard, it is relayed to all mariners. These problems often involve shallow depths, which on the lower river is often 11 feet or less. The Lower Mississippi River Committee is currently co-chaired by Mr. Bruce Hussell, American River Transportation Company, (314)481-8828, and by Mr. Thomas More, American Commercial Barge Lines, (812)288-1941. You may want to discuss your concern with them, as LOMRC is the primary entity which determines appropriate tow size and draft.

The Commission appreciates receiving your comments and will be pleased to hear from you at our future public meetings.

Sincerely,

Edwin J. Arnold, Jr.
Brigadier General, U.S. Army
President, Mississippi River
Commission