

Congress of the United States

Washington, DC 20510

September 17, 2012

VIA E-MAIL & U.S. MAIL

The Honorable Jo-Ellen Darcy
Assistant Secretary of the Army for Civil Works
U.S. Army Corps of Engineers
108 Army Pentagon
Washington, D.C. 20310-0108

Re: Inland Navigation Locks – Levels of Service

Dear Assistant Secretary Darcy:

We are writing to express significant concerns with the U.S. Army Corps of Engineers' decision to implement operational changes at several Corps locks in Alabama. It is our understanding that the Corps will drastically reduce or no longer perform lockages for recreational watercraft on certain waterways, including the Alabama and Chattahoochee Rivers, and that the Corps has made other lock operation changes impacting both commercial and recreational vessels on these and other rivers in our state. We have been informed that the Corps intends to begin implementing this new initiative as early as October 7, 2012.

This decision appears to have been made without adequate public notice, public hearings, or an opportunity for the affected stakeholders to submit comments for the Corps' consideration. While we understand that the Corps is acting as part of a national initiative to prioritize the use of available funds, it is troubling that the Corps seems to be acting unilaterally, without the substantial involvement of Congress or key stakeholders, in a manner that will prevent recreational users in Alabama from navigating many parts of our state's incredible network of waterways. This initiative will also impact the commercial use of these waterways and could, thereby, harm economic growth in the region.

While the Corps' resources, funds, and priorities are important considerations, there are also important safety, national security, and economic impact concerns that merit a full review before such an initiative should be decided upon and implemented. As you know, Alabama is home to over 1,270 miles of navigable waterways. In fact, we are ranked sixth nationally in terms of total inland waterway mileage. For generations, Alabamians have navigated these rivers—doing so long before the federal government constructed locks here. Today, the Corps operates more than a dozen locks in Alabama that facilitate commercial and recreational boat traffic. We firmly believe these

waterways should remain open for navigation and, to that end, we believe the locks on these rivers should be available for public use on a reasonable schedule. Simply shutting down lock service with little advance notice is not the right approach. Other options are available and worthy of consideration, and we are committed to working with the Corps and key stakeholders to determine a better course of action.

It is also worth highlighting that this Corps' initiative runs counter to the Administration's recent decision, acting through the U.S. Department of Interior, to recognize the 631-mile long Alabama Scenic River Trail as a National Water Trail. In the official press release, Interior Secretary Ken Salazar stated: "Restoring our nation's rivers and expanding outdoor recreational activities on them is one of the major goals of President Obama's America's Great Outdoors Initiative... Through a national network of National Water Trails, we are not only connecting people to the outdoors and supporting conservation efforts for our scenic rivers, but also supporting tourism and the recreation economy in nearby communities." The Interior Department's press release further explains: "With the designation, the National Park Service will work with the state and local partners to provide resources and technical expertise to promote the development and recognition of the trail."¹ We are unaware of any efforts by the Corps to engage the Department of Interior (including the National Park Service) or other federal, state, or local stakeholders in advance of deciding upon its new lock service initiative.

We have heard from many of our constituents about the harmful impacts of this initiative. Copies of letters from the Tennessee River Valley Association, Tri-Rivers Waterway Development Association, and Coosa-Alabama River Improvement Association are enclosed for your review and consideration. We have also heard similar concerns from various other state and local government officials about the potential impacts of this Corps initiative. Regrettably, the Corps apparently made its final decision to proceed with this initiative before taking these concerns into account. For example, the Corps' decision would have a significant adverse effect on a number of large scale bass fishing tournaments tentatively scheduled to take place on rivers near the communities of Montgomery, Eufaula, and Guntersville. Without use of the locks for recreational purposes, we are informed that these tournaments will not likely occur, resulting in a negative economic impact for these communities.

We greatly appreciated the willingness of Corps staff to meet with our offices on September 7, 2012, to discuss our concerns with this Corps initiative. The information provided to us was very helpful. Yet, upon reflection, we strongly believe the Corps should not proceed with implementing its level of service initiative in this manner. All stakeholders should be provided with a meaningful opportunity to offer comments on the proposal. We also urge you to work directly with our constituents to address site-specific needs, such as necessary accommodations to ensure operation of locks for important events such as large fishing tournaments, busy recreational seasons (particularly the summer months), and other times when reliable lock service is necessary and warranted. We would also urge the Corps to evaluate all possible options that will both maximize the

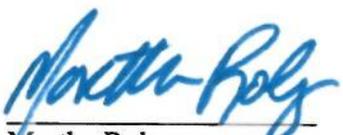
¹ <http://www.doi.gov/news/pressreleases/AMERICAS-GREAT-OUTDOORS-Salazar-Designates-National-Water-Trails-in-Alabama-Georgia-and-Missouri.cfm>

efficient use of taxpayer funds while also ensuring that our nation's marine highways remain open to all Americans.

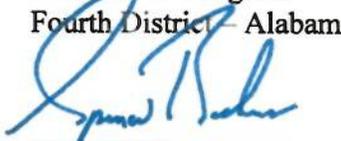
Thank you for your kind attention to these matters. We look forward to receiving a response at the earliest possible opportunity.

Very truly yours,


Jeff Sessions
U.S. Senator


Martha Roby
Member of Congress
Second District – Alabama


Robert Aderholt
Member of Congress
Fourth District – Alabama


Spencer Bachus
Member of Congress
Sixth District – Alabama


Jo Bonner
Member of Congress
First District – Alabama


Mike Rogers
Member of Congress
Third District – Alabama


Mo Brooks
Member of Congress
Fifth District – Alabama


Terri Sewell
U.S. Representative

Enclosures