

# WATERWAYS

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In joint meeting with SAME

## UMWA gets invasion update

UMWA's June Executive Committee meeting was a joint session with the Minnesota Chapter of the Society of American Military Engineers. Guest speaker was Jay Rendall, coordinator of the Minnesota DNR's Invasive Species Program.

### Complex problems

Rendall's presentation made it quickly apparent that the program's charge of curbing the spread and minimizing harmful effects of nonnative species is extremely complex. For example, Rendall says that the invasive Asian Carp that are much in the news include at least four species: Grass Carp; Big Head Carp (one has been found in Lake Pepin); Silver Carp (the one's that jump out of

the water and which weigh from 70 to 100 lbs); and the Black Carp which feed on mussels and mollusks. All of the fish can survive in our climate.

However, Rendall says, graduated field electrical barriers may help prevent upriver migration of the fish, but present operational challenges that are still being worked on.

### 3 program goals

MNDNR's program goals are to 1. Prevent introductions of new invasive species into Minnesota; 2. Prevent the spread of invasive species within the state and 3. Reduce the impacts caused by invasive species to Minnesota's ecology, society and economy.

The program was created in 1991 in response to a number of rapidly spreading invasive aquatic

species such as Purple Loosestrife in 1987, Eurasian Milfoil in 1989. Rendall says the DNR wants to move from a reactive to proactive status on invasive species.

The most visible activity in the fight against nonnative plant and wildlife are the summer boat ramp inspections, aimed at preventing spread of milfoil or other weeds from infested lakes.

### More info here

More information on the program is available online at [www.dnr.state.mn.us/ecological\\_services/invasives/index.html](http://www.dnr.state.mn.us/ecological_services/invasives/index.html).

The July UMWA Executive Committee meeting will return to the St. Paul Pool and Yacht Club on the regular third Thursday meeting date (July 20).

## Bridge to come down

Officials from Washington and Dakota Counties will meet on July 19, to talk about how and when they'll tear down the old swing bridge between St. Paul Park and Inver Grove Heights, Minn. The bridge hasn't been used for years and is even considered a security risk for the nearby refinery.

Washington County has owned the bridge since 2003. It was once the Rock Island bridge was opened in 1895 with two decks.

Rebuilding estimates total more than \$10 million and the nearby Wakota Bridge makes that impractical.



## **Executive Director's Report...**

### **TWIC, Part II**

Last month in this column we wrote about the Transportation Worker Identification Credential (TWIC).

This month we will share a few comments from our members and elsewhere, supporting the program in general, but wondering if the details might be the undoing of some segments of the industry.

But first, it is important to understand that TWIC is not an option.

As required by the proposed rules, any company or maritime entity that is required to file security plans under the Maritime Transportation Security Act of 2002 (you know who you are) must abide by the TWIC system.

### **Comments due July 6.**

TWIC proposed rules, published in the May 22<sup>nd</sup> issue of the Federal Register, recited that comments must be filed with the DHS within 45-days; that's July 6<sup>th</sup>.

One comment was made repeatedly: "A way must be found to permit employees who have completed company-specific entry requirements, and the initial TWIC application, to work while their application is being processed."

### **Sixty-day wait.**

This comment reflects the fact that the eight-month season on the Upper Mississippi means that seasonal crew for both commercial barges and excursion boats lose 25 percent of their earning power waiting to be vetted by the TWIC process; even if application is made at the start of the season, the 60-day waiting time would force some who would otherwise work on the river to go elsewhere and would add to the number of vessels already tied up for lack of crew.

TSA/Coast Guard estimates that 45,000 employees [and about \$4.5 million in registration fees] are involved in the barge/land-based cruise sectors of the maritime industry. Some observers comment that potential employees simply will not apply if the com-

pany does not foot application bills – making financial health of these sectors a major concern.

### **Readers – not on every boat.**

According to an editorial in *The Waterways Journal* of June 19, Bill Arnold, AEP River Operations and Midwest regional chairman for American Waterways Operators, comments it will cost the towing industry \$40 million to comply with the program, just for vessels alone. There is also a requirement to purchase and maintain biometric readers for each vessel and facility. One cost estimate is upwards of \$10,000 per reader."

Arnold argues that having readers on every vessel isn't necessary because crews spend weeks at a time together in very close quarters, and the opportunity for an unidentified individual to go overlooked is virtually impossible. Also, according to comments from others in the industry, many vessels do not have sophisticated communications necessary to access more accurate information on TWIC holders, as required by the proposed rules.

### **TWIC for banjo player.**

Some in the excursion business have commented on similar issues. While passengers can be easily restricted to non-secure areas of the vessel (wheel house and engine room are off-limits), food-servers, bartenders and entertainers may need unescorted access to "sensitive areas". If so, will they, too, need a TWIC?

According to comments from privately held day-cruise companies, their cost structure will be the same as the structure for large inter-state steamboat operators, but without the 150 plus passenger capacity of each sailing. This imbalance between costs and revenue stream will put small companies at a distinct disadvantage to their behemoth brethren.

### **Holes in the system.**

Other comments centered on the belief that the proposed rules were written in blue-water fashion and merely extended to cover inland waterways. They argue that those who pack or handle containers early in the distribution system – say, overseas factories or ware-

houses – don't need a TWIC. This means that workers without TWICs could access cargo starting before its arrival in the U.S.

They also argue that TWIC restrictions apply only to workers in docks or shipyards, not to truckers or railway workers elsewhere [although some truckers are required to obtain hazardous materials endorsements (HME) on their licenses].

They also commented that TWIC programs apply only to U.S.-flagged vessels.

Accordingly, they argue that the fungible nature of goods handled by barge almost excludes the possibility of hiding contraband. Others counter-argue that break-bulk operation from the blue-water vessel to barges in the Gulf Coast area invites tampering and foul play.

### **Give blue-water a bye.**

Some have privately commented that given the difference in cost structures between coastal and inland ports, and their relative obscurity, the latter should be given a bye on some of the proposed rules. The quoted June 19 editorial made a similar point: "The TWIC proposal is still in the making. Yet it is illegal for either the Coast Guard or TSA to present anything other than what is in the *Federal Register*." "So while there is potential for change, those changes are not obvious.

"We don't think anyone disputes the need for security, but how much is enough? The cost factor may do us in."

To which we will add one additional comment, this one from the proposed rules, page 29401.

"Coast Guard emphasizes that possession of the TWIC credential is not intended to constitute an automatic access right to any facility." "The owner/operator's right to refuse admittance to any individual, regardless of whether he or she holds an authenticated TWIC, remains unchanged."

This puts security into perspective, doesn't it?

Stay tuned.