

A G E N D A

FORT SMITH PORT AUTHORITY

MEETING – Thursday January 19, 2012
200 Navy Road
Fort Smith Port Authority

TIME: 11:30 A.M.

1. Call to order and roll call
2. Approve minutes of meeting of October 20, 2011
3. Tonnage Report
4. Old Business
 - a. Review of the port warehouse improvements.
5. New Business
 - a. Report on Nov. 16 meeting with Army Corps of Engineers – Jeff Dingman
 - b. Report on erosion/damage in area of Dock 2 – Marty Shell
6. Next meeting: April 19, 2012
7. Adjourn

City of Fort Smith
Port Authority Meeting
11:30 a.m. Thursday, October 20, 2011
Port of Fort Smith Facility
200 Navy Road, Fort Smith, Arkansas

MINUTES

The Fort Smith Port Authority held its regular quarterly meeting at 11:30 a.m. on October 20, 2011 at the Port of Fort Smith facility on 200 Navy Road, Fort Smith, Arkansas.

Port Authority members present were Rick Spearman, Bob Worley, Eddie Norman, and Larry Combs. Chairman Rick Parrish was absent. Others present at the meeting were Marty Shell, Wesley Daniel, and Tim Colley of Five Rivers Distribution, Jeff Dingman of the City of Fort Smith, and Wanda Freeman of the Southwest Times Record.

In the absence of Chairman Parrish, Rick Spearman called the meeting to order, and a quorum was noted present. Mr. Worley moved approval of the minutes from the July 21, 2011 meeting. Mr. Norman seconded and the motion carried by unanimous vote.

Mr. Spearman asked Marty Shell to deliver the tonnage report for the Third Quarter of 2011. Mr. Shell noted that 54,667 tons of product moved through the Ports of Fort Smith and Van Buren in the Third Quarter 2011, compared to just over 63,000 tons during the same period in 2010. It was particularly noted that no coal was moved through the Port of Van Buren during the months of July and August. Mr. Shell stated that due to the low market demand for coal during those months it was more cost effective for the coal company to sit on the coal than to move it to market for its main customers in China & India. That changed slightly in September as coal started moving again, and he expects it will continue in the Fourth Quarter. Year to date, Five Rivers Distribution has moved over 314,000 tons of product through the Ports of Fort Smith and Van Buren, compared to just under 149,000 tons through the first three quarters of 2010.

Mr. Spearman asked Mr. Shell to review recent improvements to the Port office, which were authorized at the July meeting. Mr. Shell pointed out that all work in the office and restrooms to install new tile flooring, paint the walls, and replace restroom plumbing fixtures had been completed under the amount allotted. Mr. Dingman noted that all bills had been paid, and the total cost for renovations was \$11,410.97. This leaves a total of \$21,758.40 unencumbered in the Port Authority account as of this date.

Mr. Spearman asked Mr. Shell about further needed improvements to the Port of Fort Smith facility. Mr. Shell said that in the short term, the 20' overhead door at the west end of the building is not operable and needs to be replaced at an estimated cost of \$4,500. Another short-term improvement needed is the replacement of about 500 square feet of concrete floor in the middle of the warehouse, where the floor is failing and sinking in, as well as a small section of concrete at the west end of the scales that is also sinking in and needs to be replaced. He estimated that about \$3,500 is needed for this concrete work. Making these improvements will improve the appearance and function of the facility, which is important to current and potential customers.

For the long term, Mr. Shell noted that sections of the rail track at the facility will need about \$15,000 to \$20,000 in repair work in the next 3 to 5 years as traffic on the line is increasing. The Port facility also needs an additional bulk storage warehouse, estimated to cost about \$35,000, as the Port has had to turn business away due to the lack of indoor bulk storage space. Five Rivers Distribution has purchased its own warehouse about two blocks from the Port and is using it, but this facility is already full as well.

Mr. Spearman asked if there might be economic development grants available for the construction of warehouse space or expansion of the Port. Mr. Shell and Mr. Dingman agreed to investigate grant possibilities that may be available and offer a report at the next meeting. Mr. Shell also noted that the possibility exists that Five Rivers Distribution could build a building upon securing an extension of its lease of the Port property, if the Port Authority wished to pursue that option.

Mr. Norman moved to authorize up to \$10,000 from the unencumbered reserve balance for the replacement of the overhead door and the repair of the concrete sections mentioned by Mr. Shell. Mr. Worley seconded, and the motion carried by unanimous vote. Mr. Shell indicated that he would get busy obtaining three bids on each item and submitting them to the City of Fort Smith for approval as soon as possible.

Mr. Dingman provided an update to discussion at the previous meeting regarding the City of Fort Smith Utilities Department evaluating a section of Port Authority property for the installation of a large equalization tank. The Utilities Department has indicated that it is focusing efforts to develop a different piece of property for this need, and at this time the City is not pursuing the Port Property.

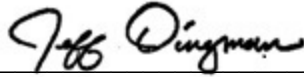
Mr. Norman inquired about a piece of property just west of Navy Road and adjacent to the Port property. Mr. Shell believed the property to be owned by Steve Beam (B&B Properties). Mr. Norman surmised the property to be underutilized, and asked Mr. Shell & the other members if an inquiry should be made to the current owner about the possibility of the Port Authority acquiring the parcel. Mr. Shell indicated that the Port could use more yard space, as a new lumber customer, for instance, would be able to use that property. The members of the authority agreed that the matter should be pursued, and Mr. Shell and Mr. Dingman agreed to make contact with the current owner and inquire as to that possibility.

Mr. Spearman introduced the one item of new business, and Mr. Shell reported that a meeting has been scheduled with the Army Corps of Engineers and the City for Wednesday, November 16, 2011 at 10:30 a.m. at the City's Engineering office on the 4th Floor, 623 Garrison in order to discuss the Corps' responsibility for dredging the Poteau River. The City's administration and engineering departments will attend, as well as the City Attorney and Mr. Shell. The City needs to formalize its request to the Corps to dredge the Poteau, and then disposal of the spoil material needs to be discussed. The Port Authority should be represented, and Mr. Worley indicated that he would plan to attend this meeting.

Mr. Shell reported that Senator Jake Files had worked a Resolution through the General Assembly whereby the state legislature endorsed maintaining the 12' navigational channel on the Arkansas River. The measure contained no funding, but certainly indicates support on a state level which may prove beneficial in seeking federal funding or action in the future.

The next meeting of the Port Authority will be held approximately the third week of January, 2012. There being no further business, the meeting adjourned at approximately 12:10 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jeff Dingman". The signature is written in black ink and is positioned above a horizontal line.

Jeff Dingman
Deputy City Administrator
City of Fort Smith, Arkansas

FIVE RIVERS DISTRIBUTION - PORT OF FORT SMITH TONNAGE REPORT

Date: October 1-31, 2011

Pay to: City of Fort Smith

PORT	DATE RECD.	COMMODITY	RECD. VIA	LOAD WT	TONS	
RECEIVED VIA TRUCKS						RATE (\$.1178 PNT)
FSPT	10/01-31/11	Steel	Truck	687,670	343.8350	40.50
					TOTALS	40.50
RECEIVED VIA TRUCKS						RATE (\$.1178 PNT)
FSPT	10/01-31/11	Proppants	Truck	0	0.0000	0.00
					TOTALS	0.00
RECEIVED VIA RAIL						RATE (\$.1178 PNT)
FSPT	10/01-31/11	Steel	Rail Cars	424,340	212.1700	24.99
					TOTALS	24.99
RECEIVED VIA RAIL						RATE (\$.0522 PNT)
FSPT	10/01-31/11	Phosphate	Rail Cars	997,850	498.9250	26.04
					TOTALS	26.04
RECEIVED VIA BARGE						RATE (\$.1178 PNT)
FSPT	10/01-31/11	Steel	Barge	0	0.0000	0.00
					TOTALS	0.00
SHIPPED VIA BARGE						RATE (\$.1178 PNT)
FSPT	10/01-31/11	Scrap Iron	Barge	0	0.0000	0.00
					TOTALS	0.00
RECEIVED VIA BARGE						RATE (\$.1178 PNT)
FSPT	10/01-31/11	Alloys	Barge	0	0.0000	0.00
					TOTALS	0.00
RECEIVED/SHIPPED VIA BARGE						RATE (\$.0522 PNT)
FSPT	10/01-31/11	Coal	Barge	0	0.0000	0.00
FSPT	10/01-31/11	Corn Screen	Barge	0	0.0000	0.00
FSPT	10/01-31/11	Mag. Oxide	Barge	0	0.0000	0.00
FSPT	10/01-31/11	Magnachem Ore	Barge	0	0.0000	0.00
FSPT	10/01-31/11	DDG	Barge	3,250,000	1,625.0000	84.83
					TOTALS	84.83
RECEIVED VIA RAIL						RATE (\$.0522 PNT)
FSPT	10/01-31/11	DDG	Rail Cars	558,250	279.1250	14.57
					TOTALS	14.57

10/31/11 TOTAL DUE CITY OF FORT SMITH FOR FSPT TONNAGE

190.94

FIVE RIVERS DISTRIBUTION - PORT OF FORT SMITH TONNAGE REPORT

Date: November 1-30, 2011

Pay to: City of Fort Smith

PORT	DATE RECD.	COMMODITY	RECD. VIA	LOAD WT	TONS	
RECEIVED VIA TRUCKS						RATE (\$.1178 PNT)
FSPT	11/01-30/11	Steel	Truck	1,654,440	827.2200	97.45
TOTALS						97.45
RECEIVED VIA TRUCKS						RATE (\$.1178 PNT)
FSPT	1/01-30/11	Wire Rods	Truck	4,037,911	2,018.9555	237.83
TOTALS						237.83
RECEIVED VIA RAIL						RATE (\$.1178 PNT)
FSPT	11/01-30/11	Steel	Rail Cars	626,360	313.1800	36.89
TOTALS						36.89
RECEIVED VIA RAIL						RATE (\$.0522 PNT)
FSPT	11/01-30/11	Phosphate	Rail Cars	1,198,000	599.0000	31.27
TOTALS						31.27
RECEIVED VIA BARGE						RATE (\$.1178 PNT)
FSPT	11/01-30/11	Steel	Barge	0	0.0000	0.00
TOTALS						0.00
SHIPPED VIA BARGE						RATE (\$.1178 PNT)
FSPT	11/01-30/11	Scrap Iron	Barge	0	0.0000	0.00
TOTALS						0.00
RECEIVED VIA BARGE						RATE (\$.1178 PNT)
FSPT	11/01-30/11	Alloys	Barge	0	0.0000	0.00
TOTALS						0.00
RECEIVED/SHIPPED VIA BARGE						RATE (\$.0522 PNT)
FSPT	11/01-30/11	Coal	Barge	0	0.0000	0.00
FSPT	11/01-30/11	Corn Screen	Barge	0	0.0000	0.00
FSPT	11/01-30/11	Mag. Oxide	Barge	0	0.0000	0.00
FSPT	11/01-30/11	Magnachem Ore	Barge	0	0.0000	0.00
FSPT	11/01-30/11	DDG	Barge	0	0.0000	0.00
TOTALS						0.00
RECEIVED VIA RAIL						RATE (\$.0522 PNT)
FSPT	11/01-30/11	DDG	Rail Cars	372,450	186.2250	9.72
TOTALS						9.72

11/30/11 TOTAL DUE CITY OF FORT SMITH FOR FSPT TONNAGE

413.16

FIVE RIVERS DISTRIBUTION - PORT OF FORT SMITH TONNAGE REPORT

Date: December 1-31, 2011

Pay to: City of Fort Smith

PORT	DATE RECD.	COMMODITY	RECD. VIA	LOAD WT	TONS	
RECEIVED VIA TRUCKS						RATE (\$.1178 PNT)
FSPT	12/01-31/11	Steel	Truck	1,083,870	541.9350	63.84
TOTALS						63.84
RECEIVED VIA TRUCKS						RATE (\$.1178 PNT)
FSPT	12/01-31/11	Wire Rods	Truck	2,498,220	1,249.1100	147.15
TOTALS						147.15
RECEIVED VIA RAIL						RATE (\$.1178 PNT)
FSPT	12/01-31/11	Steel	Rail Cars	1,053,530	526.7650	62.05
TOTALS						62.05
RECEIVED VIA RAIL						RATE (\$.0522 PNT)
FSPT	12/01-31/11	Phosphate	Rail Cars	1,400,000	700.0000	36.54
TOTALS						36.54
RECEIVED VIA RAIL						RATE (\$.1178 PNT)
FSPT	12/01-31/11	Lumber	Rail cars	900,000	450.0000	53.01
TOTALS						53.01
SHIPPED VIA BARGE						RATE (\$.1178 PNT)
FSPT	12/01-31/11	Scrap Iron	Barge	0	0.0000	0.00
TOTALS						0.00
RECEIVED VIA BARGE						RATE (\$.1178 PNT)
FSPT	12/01-31/11	Alloys	Barge	0	0.0000	0.00
TOTALS						0.00
RECEIVED/SHIPPED VIA BARGE						RATE (\$.0522 PNT)
FSPT	12/01-31/11	Soyhull Pellet	Barge	3,139,780	1,569.8900	81.95
FSPT	12/01-31/11	Mag. Oxide	Barge	2,983,291	1,491.6455	77.86
FSPT	12/01-31/11	Magnachem Ore	Barge	0	0.0000	0.00
FSPT	12/01-31/11	DDG	Barge	0	0.0000	0.00
TOTALS						159.81
RECEIVED VIA RAIL						RATE (\$.0522 PNT)
FSPT	12/01-31/11	Hominy	Rail Cars	180,250	90.1250	4.70
TOTALS						4.70

12/31/11 TOTAL DUE CITY OF FORT SMITH FOR FSPT TONNAGE

527.10

FIVE RIVERS DISTRIBUTION - VAN BUREN TONNAGE REPORT

Date: October 1-31, 2011

Pay to: City of Fort Smith

PORT	DATE RECD.	COMMODITY	RECD. VIA	LOAD WT	TONS	PAY
RECEIVED VIA TRUCKS (Rate \$.1178 PNT)						
VB	10/01-31/11	Electrical Coils	Trucks	1,324,546	662.2730	78.02
VB	10/01-31/11	Steel Coils	Trucks	0	0.0000	0.00
VB	10/01-31/11	Tinplate Coils	Trucks	0	0.0000	0.00
VB	10/01-31/11	Wire Rods	Trucks	94,901	47.4505	5.59
VB	10/01-31/11	Proppants	Trucks	0	0.0000	0.00
TOTALS				1,419,447	709.7235	83.61
RECEIVED VIA RAIL (Rate \$.1178 PNT)						
VB	10/01-31/11	Lumber	Rail Cars	0	0.0000	0.00
VB	10/01-31/11	Ingots	Rail Cars	729,543	364.7715	42.97
VB	10/01-31/11	Tinplate Coils	Rail Cars	0	0.0000	0.00
VB	10/01-31/11	Wire Rods	Rail Cars	359,350	179.6750	21.17
TOTALS				1,088,893	544.4465	64.14
RECEIVED VIA RAIL (Rate \$.0522 PNT)						
VB	10/01-31/11	Oxane	Rail Cars	0	0.0000	0.00
VB	10/01-31/11	Sand	Rail Cars	0	0.0000	0.00
TOTALS				0	0.0000	0.00
RECEIVED VIA BARGE (Rate \$.1178 PNT)						
VB	10/01-31/11	Wire Rods	Barges	29,185,347	14,592.6735	1,719.02
VB	10/01-31/11	Tinplate	Barges	0	0.0000	0.00
VB	10/01-31/11	Steel Coils	Barges	0	0.0000	0.00
TOTALS				29,185,347	14,592.6735	1,719.02
RECEIVED VIA BARGE (Rate \$.0522 PNT)						
VB	10/01-31/11	DDG	Barges	0	0.0000	0.00
VB	10/01-31/11	Corn Screenings	Barges	0	0.0000	0.00
VB	10/01-31/11	Phosphate	Barges	0	0.0000	0.00
VB	10/01-31/11	Magnachem Ore	Barges	0	0.0000	0.00
VB	10/01-31/11	Magnesium	Barges	0	0.0000	0.00
TOTALS				0	0.0000	0.00
SHIPPED VIA BARGE (Rate \$.0522 PNT)						
VB	10/01-31/11	Coal	Barges	0	0.0000	0.00
TOTALS				0	0.0000	0.00

10/31/11 TOTAL DUE CITY OF FORT SMITH FOR VB TONNAGE

1,866.76

FIVE RIVERS DISTRIBUTION - VAN BUREN TONNAGE REPORT

Date: November 1-30, 2011

Pay to: City of Fort Smith

PORT	DATE RECD.	COMMODITY	RECD. VIA	LOAD WT	TONS	PAY
RECEIVED VIA TRUCKS (Rate \$.1178 PNT)						
VB	11/01-30/11	Electrical Coils	Trucks	954,689	477.3445	56.23
VB	11/01-30/11	Steel Coils	Trucks	854,289	427.1445	50.32
VB	11/01-30/11	Tinplate Coils	Trucks	0	0.0000	0.00
VB	11/01-30/11	Wire Rods	Trucks	0	0.0000	0.00
VB	11/01-30/11	Proppants	Trucks	0	0.0000	0.00
TOTALS				1,808,978	904.4890	106.55
RECEIVED VIA RAIL (Rate \$.1178 PNT)						
VB	11/01-30/11	Lumber	Rail Cars	0	0.0000	0.00
VB	11/01-30/11	Ingots	Rail Cars	911,531	455.7655	53.69
VB	11/01-30/11	Tinplate Coils	Rail Cars	1,179,940	589.9700	69.50
VB	11/01-30/11	Wire Rods	Rail Cars	0	0.0000	0.00
TOTALS				2,091,471	1,045.7355	123.19
RECEIVED VIA RAIL (Rate \$.0522 PNT)						
VB	11/01-30/11	Oxane	Rail Cars	0	0.0000	0.00
VB	11/01-30/11	Sand	Rail Cars	0	0.0000	0.00
TOTALS				0	0.0000	0.00
RECEIVED VIA BARGE (Rate \$.1178 PNT)						
VB	11/01-30/11	Wire Rods	Barges	20,397,501	10,198.7505	1,201.41
VB	11/01-30/11	Tinplate	Barges	0	0.0000	0.00
VB	11/01-30/11	Steel Coils	Barges	0	0.0000	0.00
TOTALS				20,397,501	10,198.7505	1,201.41
RECEIVED VIA BARGE (Rate \$.0522 PNT)						
VB	11/01-30/11	DDG	Barges	0	0.0000	0.00
VB	11/01-30/11	Corn Screenings	Barges	0	0.0000	0.00
VB	11/01-30/11	Phosphate	Barges	3,084,708	1,542.3540	80.51
VB	11/01-30/11	Magnachem Ore	Barges	0	0.0000	0.00
VB	11/01-30/11	Magnesium	Barges	0	0.0000	0.00
TOTALS				3,084,708	1,542.3540	80.51
RECEIVED VIA TRUCK (Rate \$.0522 PNT)						
VB	11/17-23/11	Corn	Trucks	1,778,600	889.3000	46.42
				1,778,600	889.3000	46.42
SHIPPED VIA BARGE (Rate \$.0522 PNT)						
VB	11/01-30/11	Coal	Barges	0	0.0000	0.00
TOTALS				0	0.0000	0.00

11/30/11 TOTAL DUE CITY OF FORT SMITH FOR VB TONNAGE

1,558.08

FIVE RIVERS DISTRIBUTION - VAN BUREN TONNAGE REPORT

Date: December 1-31, 2011

Pay to: City of Fort Smith

PORT	DATE RECD.	COMMODITY	RECD. VIA	LOAD WT	TONS	PAY
RECEIVED VIA TRUCKS (Rate \$.1178 PNT)						
VB	12/01-31/11	Electrical Coils	Trucks	460,008	230.0040	27.09
VB	12/01-31/11	Steel Coils	Trucks	0	0.0000	0.00
VB	12/01-31/11	Tinplate Coils	Trucks	459,580	229.7900	27.07
VB	12/01-31/11	Wire Rods	Trucks	45,680	22.8400	2.69
VB	12/01-31/11	Proppants	Trucks	0	0.0000	0.00
TOTALS				965,268	482.6340	56.85
RECEIVED VIA RAIL (Rate \$.1178 PNT)						
VB	12/01-31/11	Lumber	Rail Cars	0	0.0000	0.00
VB	12/01-31/11	Ingots	Rail Cars	728,273	364.1365	42.90
VB	12/01-31/11	Tinplate Coils	Rail Cars	2,342,270	1,171.1350	137.96
VB	12/01-31/11	Wire Rods	Rail Cars	0	0.0000	0.00
TOTALS				3,070,543	1,535.2715	180.85
RECEIVED VIA RAIL (Rate \$.0522 PNT)						
VB	12/01-31/11	Oxane	Rail Cars	0	0.0000	0.00
VB	12/01-31/11	Sand	Rail Cars	0	0.0000	0.00
TOTALS				0	0.0000	0.00
RECEIVED VIA BARGE (Rate \$.1178 PNT)						
VB	12/01-31/11	Wire Rods	Barges	6,104,490	3,052.2450	359.55
VB	12/01-31/11	Tinplate	Barges	2,724,596	1,362.2980	160.48
VB	12/01-31/11	Steel Coils	Barges	0	0.0000	0.00
TOTALS				8,829,086	4,414.5430	520.03
RECEIVED VIA BARGE (Rate \$.0522 PNT)						
VB	12/01-31/11	DDG	Barges	2,289,980	0.0000	0.00
VB	12/01-31/11	Corn Screenings	Barges	0	0.0000	0.00
VB	12/01-31/11	Phosphate	Barges	0	0.0000	0.00
VB	12/01-31/11	Magnachem Ore	Barges	0	0.0000	0.00
VB	12/01-31/11	Magnesium	Barges	0	0.0000	0.00
TOTALS				2,289,980	0.0000	0.00
RECEIVED VIA TRUCK (Rate \$.0522 PNT)						
VB	12/01-31/11	Corn	Trucks	0	0.0000	0.00
				0	0.0000	0.00
SHIPPED VIA BARGE (Rate \$.0522 PNT)						
VB	12/01-31/11	Coal	Barges	0	0.0000	0.00
TOTALS				0	0.0000	0.00

12/31/11 TOTAL DUE CITY OF FORT SMITH FOR VB TONNAGE

757.74

Memo



To: Port Authority
From: Jeff Dingman, Deputy City Administrator
Date: 1/13/2012
Re: Port Warehouse Improvements

At the October 20, 2011 meeting, the Port Authority authorized expenditure of up to \$10,000 for specific improvements to the warehouse identified by Five Rivers Distribution. The improvements included concrete work to repair the floor in the warehouse, replacement of one of the large overhead doors, and general maintenance of the overhead doors.

Five Rivers submitted the following:

1. An invoice in the amount of \$4,521 from Overhead Door of Fort Smith to replace the 24' overhead door and replace the door operator.
2. An invoice in the amount of \$1,551.12 from Overhead Door of Fort Smith to service, repair, and adjust the remaining overhead doors in the warehouse.
3. An invoice in the amount of \$3,500 from Hawley Concrete Construction for repairs to the warehouse floor.

These invoices total \$9,572.12. Five Rivers Distribution paid the vendors and submitted the invoices to the City for reimbursement of this amount, which has been processed and paid.

All told, the Port Authority authorized \$20,983.09 in 2011 for improvements to the port office and warehouse. These repairs are important, both for the improvement of the work environment and the presentation the office/warehouse make of the overall operation to potential port customers.

Memo



To: Port Authority
From: Jeff Dingman, Deputy City Administrator
Date: November 16, 2011
Re: Notes from Nov. 16, 2011 Meeting with Army Corps of Engineers

The following is a summary of notes taken during a meeting that took place on November 16, 2011 at the City of Fort Smith Engineering Department between representatives of the City of Fort Smith and representatives of the U.S. Army Corps of Engineers regarding the maintenance of the Poteau River. In attendance for the City/Port were myself, Stan Snodgrass, Bob Worley, and Marty Shell, along with a tow-boat captain. In attendance for the USACE were several gentlemen, including Earl Groves, Chief of the Tulsa Operations Division.

USACE reported that the maintenance of the Poteau River is an authorized "Continued Operation Program" within their system, but there are no funds currently allocated to it. The Corps acknowledged that they have authorization & responsibility to maintain 1.7 miles of river and the turning basin, but there are no dollars.

MKARNS and all other projects are specifically funded, and tracked by CWIS ID numbers that are specific in scope. It is not allowable to use MKARNS funding for maintenance of the Poteau River. The Corp requested \$250K - \$300K for dredging the Poteau River in their FY2013 budget, but are not very hopeful that it will survive the Congressional budget process. It is considered a "low-use" system, based on overall tonnage & volume, and such systems have not received funding in recent years.

We asked about re-programming MKARNS funding to this project. Although a process for doing this technically exists, it is very difficult and such transfer requests haven't been allowed recently. Re-programming actions are very difficult, but would start with a letter from the City to our Congressional delegation saying that the Corps has an obligation to maintain the river, and isn't doing it, resulting in an "emergency condition" with regards to the pending danger to Dock 2. This process, if successful, would leave it to the Corps to find where the funds are allocated from. The Corps itself cannot lobby for a specific project, but certainly can provide the technical data to us for use in our own lobbying efforts.

The Corps' perspective was that the 9'x130' channel is OK, according to recent surveys, but the turning basin needed to be dredged. However, since the heavy rains in April, 2011, the river's banks are eroding and Dock 2 is in danger of succumbing. Since those heavy rains, the survey of the channel should be done again to verify that the channel is still clear. The Corps agreed to run another survey to evaluate it. Our letter needs to focus on the dangers to health & safety, the potential to lose the facility, loss of business (tonnage & value), and the detrimental economic impact (based on jobs). We need bank stabilization and dredging.

The Corps reps encouraged the City to lobby our Congressional delegation to help secure the funding to dredge and dispose of material. Securing a place for disposal of the material needs to be our first priority, and we need to get that lined up before we send a letter requesting funding. All water quality permits & easements (ODEQ) need to be in place. It is estimated that we need disposal area for 45K – 50K cubic yards of material.

As another item, the Corps agreed to evaluate replacement of a stream gauge on the Arkoma bridge.