

U.S. COAST GUARD AUXILIARY



WATERWAYS MANAGEMENT REPRESENTATIVE

Performance Standard Qualification

STUDY GUIDE

This Study Guide is **ONLY** for educational purposes. It is **SOLELY** meant to be an aid for the Auxiliarist, not intended to replace the **REQUIRED** in person Coast Guard training.

Some of the Tasks are not included in this Study Guide as they are an observation task only.

Table of Contents

Task: A1	Page 4 – 9
Task: B1	Page 9 – 12
Task: B2	Page 12 – 14
Task: B3	Page 14 – 15
Task: C1	Page 16 – 17
Task: C3	Page 17 – 18
Task: C4	Page 18 – 19
Task: C5	Page 19 – 20
Task: C6	Page 20
Task: C7	Page 20 – 21
Task: D1	Page 21 – 26
Task: D2	Page 26 – 29
Task: D3	Page 29 – 30
Task: D4	Page 30 – 32
Task: D5	Page 32 – 33
Task: D6	Page 33 – 34
Task: D7	Page 34 – 38
Task: D8	Page 38 – 39
Task: E1	Page 40
Task: F1	Page 40 – 41
Task: F2	Page 41 – 43
Task: G1	Page 43
Task: G2	Page 44 – 46
Task: G3	Page 46 – 55
Task: G4	Page 55 – 59
Task: H1	Page 59 – 78

AUX-WWM-A1: Process a Marine Event Permit Application

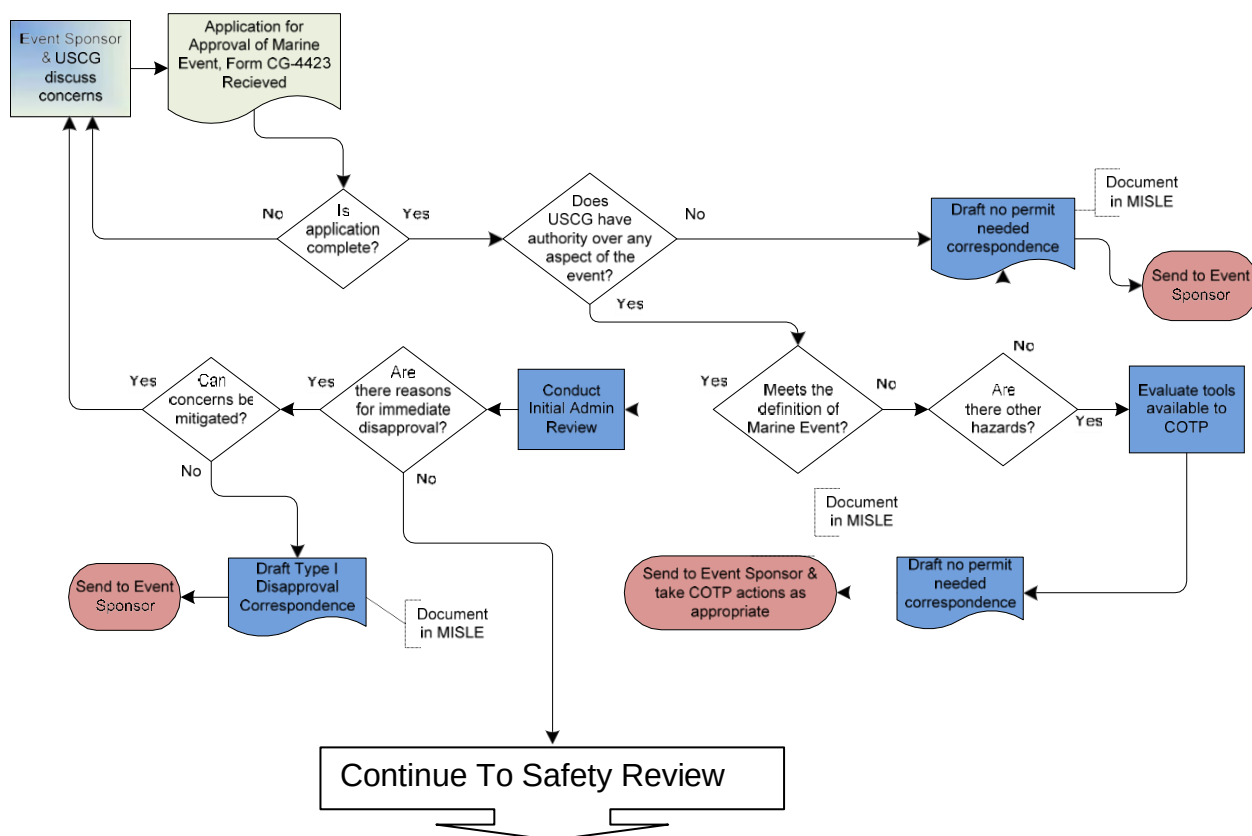
A1-01: Review application for completeness and accuracy, Form CG-4423.

- All applications shall undergo initial processing to ensure completeness and readiness for a qualitative assessment. If information is missing or ambiguous, the unit processing the permit application shall contact the event sponsor immediately to request clarification.

Department of Homeland Security US Coast Guard (CG-4423) (Rev 10-06)		APPLICATION FOR APPROVAL OF MARINE EVENT		Date Submitted	
INSTRUCTIONS 1. Please complete on a typewriter or print in black ink (for reproductions). 2. This application <u>must</u> reach Sector Southeastern New England at least 135 days prior to a new event and 60 days prior to a recurring event. 3. Attach a selection of a chart or a scale drawing showing boundaries and/or courses and markers contemplated 4. Submit a copy of your entry requirements, and any special rules pertaining to equipment, regs or procedures				13 Have any objections been received from other interested parties? If YES, explain: 14 Vessels Provided by Sponsoring Organization for Safety Purposes (<i>number and description</i>)	
1 NAME OF EVENT		2 DATE OF EVENT		15 Does The Sponsoring Organization Deem Their Patrol Adequate For Safety Purposes? If NO, explain:	
3 LOCATION		4 - TIME (from, to)			
5 NAME AND ADDRESS OF SPONSORING ORGANIZATION (include phone # and e-mail address)				16 IS A COAST GUARD OR COAST GUARD AUXILIARY PATROL REQUESTED FOR CONTROL OF SPECTATOR AND/OR COMMERCIAL TRAFFIC? If YES, how many vessels do you recommend and why:	
6 NO PARTICIPANTS		7 SIZES OF BOATS		17 PERSON(S) IN CHARGE	18 WHERE WILL PERSON(S) IN CHARGE BE DURING THE EVENT
8 TYPES OF BOATS		9 NO. SPECTATOR CRAFT		19 HOW CAN PERSON(S) IN CHARGE BE CONTACTED DURING THE EVENT? VHF RADIO, CELL PHONE	
10 DESCRIPTION OF EVENT				20 PERSON TO BE CONTACTED FOR FURTHER DETAILS (Name Address, Zip Code)	
				The undersigned has the authority to represent the sponsoring organization	
11 WILL THIS EVENT INTERFERE OR IMPEDE THE NATURAL FLOW OF TRAFFIC? If YES, explain:				21 SIGNATURE	22 TITLE
12 WHAT EXTRA OR UNUSUAL HAZARD (TO PARTICIPANTS OR NON PARTICIPANT S) WILL BE INTRODUCED INTO THE REGATTA AREA				23 ADDRESS (include Zip code and telephone number)	
				24 TO: Commander USCG Sector Southeastern New England 20 Risho Ave. Unit D East Providence, RI 02914	

The Coast Guard estimates that the average burden for this report form is 25 minutes. You may submit any comments concerning the accuracy of this burden estimate or any suggestions for reducing the burden to : Commandant (G-NAB) U. S. Coast Guard, Washington DC 20593-0001 or Office of Management and Budget, Paperwork Reduction Project (2115-0017), Washington, D. C. 20503

A1-02: Conduct administrative review.



A1-03: Conduct external and internal outreach.

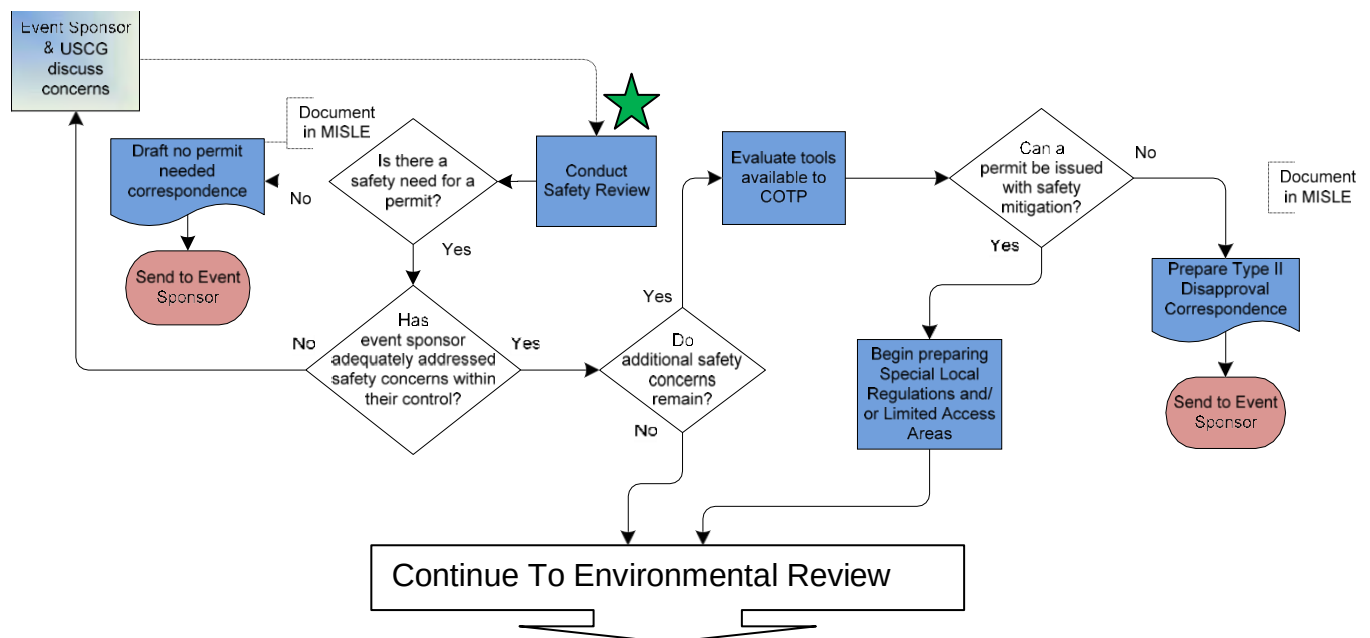
- Determination of Appropriate Authorities. While the Coast Guard supports the submission of an Application for Marine Event for any triggering event which has *any possibility* of impacting the navigable waterways of the United States, it is the Coast Guard's responsibility to determine if the triggering event actually involves a marine event requiring the issuance of a Permit for Marine Event, Form CG-4424. Coast Guard personnel, rather than the event sponsor, are best positioned to make this determination based on the totality of the facts.
- If it is determined that the triggering event does not result in a marine event requiring a permit, the following actions should be taken:

1. Notify the event sponsor that no Coast Guard permit is required.

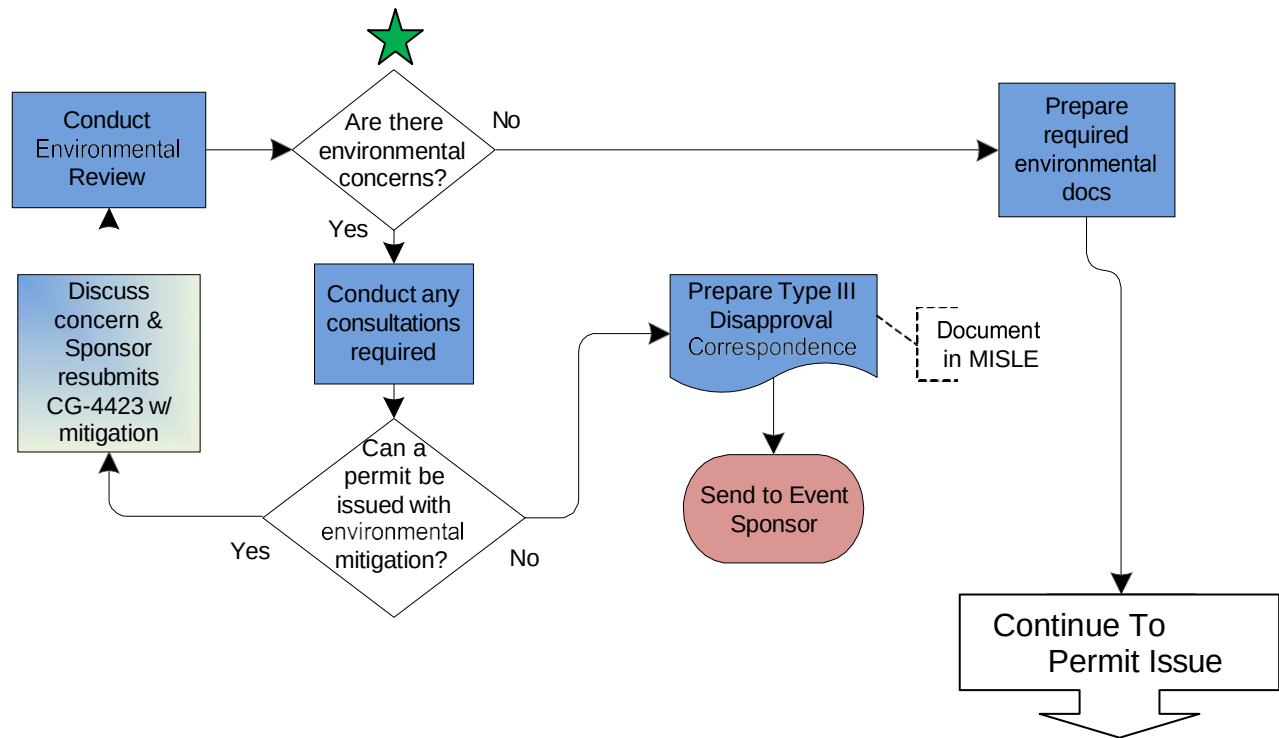
NOTE: Such correspondence should be careful to explain that the Coast Guard's decision in no way implies that the event is considered safe, and that the sponsor is still responsible for the overall safety of the event and obtaining any appropriate permits from other Federal, State, or local authorities.

2. Provide a copy of the correspondence required above, or any other form of communication explaining that a permit is not required, to interested Federal, State, or local authorities, including environmental agencies. This provides visibility of the event to partner agencies which might not otherwise be aware of the sponsor's intentions and which may have an interest in exercising their own authorities over aspects of the event. Designated Officers shall maintain a list of other agencies with marine event or triggering event-related responsibilities. Such a list should, at a minimum, include the state boating law administrator in accordance with any existing Coast Guard/State Recreational Boating Safety Cooperative Agreements.

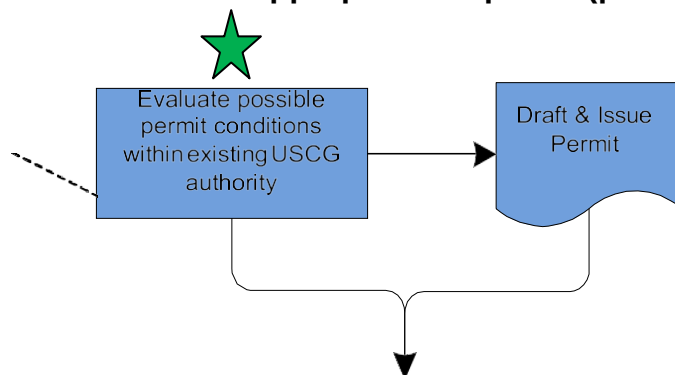
A1-04: Conduct safety assessment of proposed event.



A1-05: Conduct environmental assessment of proposed event.



A1-06: Issue appropriate response (permit or letter).



A1-07: Coordinate event oversight and conduct event monitoring.

- Patrols. The District Commander, Captain of the Port or other Designated Officer may assign a Coast Guard regatta patrol to monitor the marine event. A patrol should be assigned if special local regulations are issued. The primary responsibility to protect participants and spectators from the hazards of the event (including other participants) rests with the sponsoring organization. Coast Guard vessels, Auxiliary facilities, or other governmental agency assets may be used to patrol events. All vessels engaged in regatta patrol shall display proper identifying markings and flags.
- Designation of Patrol Commanders (PATCOM). The marine event PATCOM is a commissioned, warrant, or petty officer of the Coast Guard designated by the respective Coast Guard Sector – Captain of the Port to patrol marine events and enforce regulations.
- Use of Coast Guard Auxiliary. The Coast Guard Auxiliary can be a valuable, trusted resource to assist with marine event PATCOM responsibilities.
- Use of Other Governmental Agencies. Nothing in this Manual is intended to restrict the District Commander or Designated Officer's ability to leverage partnerships with other governmental agencies, such as harbor patrols, marine police, fire departments, etc., to patrol marine events to the extent allowed by law or authorized in policy.
- Use of the Incident Command System (ICS). Depending on the complexity and risks associated with the marine event, the Designated Officer and PATCOM may wish to prepare an Incident Action Plan (IAP) and utilize ICS for planning and managing the event. Use of ICS is encouraged.
- Grounds for Coast Guard Cancellation/Postponement of Event. It may be necessary to postpone or cancel the marine event if state or local water patrol officers fail to report for duty, or, if in the judgment of PATCOM, their departure before completion of the event will jeopardize safe conduct and control of the remainder of the marine event. The event sponsor is responsible for having sufficient resources in place to provide for the safety of the event participants. Examples of loss of control or deficient sponsor performance are:
 1. Widespread drunkenness among the participants (including spectators), resulting in unruly and potentially unsafe conduct.
 2. Inclement weather that is not addressed, or is ignored, by the sponsor.
 3. Intrusion or interference by commercial or recreational vessels.
 4. Unauthorized swimming or other water activity in the regulated area.

5. Violations of permit conditions.
6. Creation of unusual hazards to navigation by accumulations of spectator craft outside the regulated area.
7. Blatantly reckless or grossly negligent operation of a participant craft that creates an unusual risk to other participants or spectators; or,
8. Blatant disorganization and inability by the sponsor to coordinate the marine event as explained in their application and Coast Guard-approved permit.

AUX-WWM-B1: Demonstrate Proficiency in Limited Access Area (LAA)
Knowledge and Application

B1-01: Identify regulatory authority and specific uses for Safety Zones.

- It is a water area, shore area, or water and shore area to which, for safety or environmental purposes, access is limited to authorized persons, vehicles or vessels.
- It may be stationary and described by fixed limits or it may be described as a zone around a vessel in motion.
- Within the navigable waters of the US seaward to 12 nm. Within the Exclusive Economic Zone (EEZ) to 200 nm if the vessel or structure is subject to US jurisdiction.
- Established by COTP
- Authority: Ports and Waterway Safety Act (33 USC 1225 and 1226), 33 CFR 160.5, 33 CFR 165 Subpart C

B1-02: Identify regulatory authority and specific uses for Security Zones.

- Designated areas of land, water, or land and water established for such time as is necessary to prevent damage or injury to any vessel or waterfront facility; to safeguard ports, harbors, or waters of the United States
- To safeguard vessels, harbors, ports, and waterfront facilities from destruction, loss, or injury from sabotage or other subversive acts, accidents, or other causes of a similar nature.
- Authority: COTP

B1-03: Identify regulatory authority and specific uses for Restricted Waterfront Areas.

- Established to protect piers, wharves, docks, similar structures, and vessels moored to such from unauthorized people.
- Created by the COTP for areas involved in Class 1 explosive handling by COMDT for all other national security reasons.

- Authority: Magnuson Act (50 USC 191), 33 CFR 6, 33 CFR 125

B1-04: Identify regulatory authority and specific uses for Regulated Navigation Areas.

- Established to regulate navigation in a specific area where hazardous conditions exist which may make routine navigation unsafe. Generally, imposes operating conditions/restrictions on vessels to ensure safe navigation (speed restrictions, draft limitations, etc.).
- Authority: Ports & Waterways Safety Act (33 USC 1231), 33 CFR 165.

B1-05: Identify regulatory authority and specific uses for Naval Vessel Protection Zones.

- These zones are necessary to provide for the safety and security of United States naval vessels in the navigable waters of the United States.
- Authority: 14 U.S.C. 91.

B1-06: Identify regulatory authority and specific uses for Special Local Regulations.

- Specific security requirements
- MARSEC level.
- Narrow or confined waterways and/or obstruction(s), such as bridges (e.g., Salvage Ops).
- Shoaling.
- Marine events, regattas, fireworks, etc.
- Bridge or channel maintenance, including depth surveys, dredging, blasting, etc.
- Dangerous cargoes or threat of pollution.
- Authority: COTP

B1-07: Identify and define when to create, modify or cancel a LAA.

- Most situations requiring a LAA arise with little advance warning, such as:
 - * National Security
 - * Major marine events
 - * Protect environmentally sensitive areas
 - * Around spill area
 - * Around grounded or sunken vessels by navigable channel
 - * Waterway conditions
- Temporary LAAs issued in response to an unanticipated event are usually issued as final rules and are effective immediately. Each final rule must specify an effective date. Temporary rules must also include the termination date. When the need exists, LAAs of indefinite duration may also be issued in this manner. In all cases, establishment of a new area, whether permanent or temporary, should be published in the Federal Register as soon as practicable following its implementation.

B1-09: Define and discuss the Port and Waterways Safety Act and when it is appropriate to use this authority.

- The Coast Guard has a statutory responsibility under the Ports and Waterways Safety Act of 1972 (PWSA), Title 33 USC §1221 to ensure the safety and environmental protection of U.S. ports and waterways. The PWSA authorizes the Coast Guard to "...establish, operate and maintain vessel traffic services in ports and waterways subject to congestion." It also authorizes the Coast Guard to require the carriage of electronic devices necessary for participation in the VTS system. The purpose of the act was to establish good order and predictability on United States waterways by implementing fundamental waterways management practices.
- The 1972 Ports and Waterways Safety Act authorized the Coast Guard to establish vessel traffic separation schemes for port approaches and vessel traffic services for ports with a high risk of casualties.
- The Ports and Waterways Safety Act (PWSA) of 1972 Extended the Coast Guard's authority over ships and ports to include enforcement of safety standards in peacetime.

B1-10: Define and discuss the Magnuson Act and when it is appropriate to use this authority.

- The Magnuson Act of 1950 Expanded power of the Espionage Act by making it applicable not just in war but whenever the president felt security was threatened.
- Also expanded the Coast Guard's authority to encompass not just ships but also harbors, ports, and waterfront facilities.
- Provided broad power to order vessel movements, place guards on vessels and even take possession of those vessels in United States internal and territorial waters. This Act authorized the Coast Guard to conduct duties it had carried out during both World Wars to ensure the security of U.S. ports "from subversive or clandestine attacks".

B1-11: Identify signatory authority for each LAA.

- Safety Zone: COTP or District Commander
- Outer Continental Shelf Safety Zone: District Commander
- Deepwater Port Safety Zone: Commandant
- Security Zone: COTP
- Restricted Waterfront Area: COTP
- Regulated Navigation Area: District Commander

AUX-WWM-B2: Draft a Limited Access Area Regulation

B2-01: Determine the specific need for the LAA (create, modify, cancel).

- See B1-07

B2-02: Conduct internal and external outreach.

- Determine appropriate authorities involved.

B2-03: Design LAA parameters.

- The location and boundaries of the safety zone, security zone, or regulated navigation area;
- The date, time, and duration that the safety zone, security zone, or regulated

navigation area should be established.

- A description of the activities planned for the safety zone, security zone, or regulated navigation area.
- The nature of the restrictions or conditions desired
- The reason why the safety zone, security zone, or regulated navigation area is necessary.

B2-04: Determine and discuss the statutory authority specific to the circumstance for the establishment of this rule.

- All limited access areas (LAAs) can only be established by rulemaking. The issuance of such rules may also require analysis of their effects under laws such as NEPA and the CZMA. Guidance on preparing local LAA regulations is found in Preparation and Publication of Field Regulations; COMDTINST M16704.2 Series. Under the Administrative Procedures Act (APA), 5 USC 552, rulemaking normally includes opportunity for "notice and comment", i.e., publication of a Notice of Proposed Rulemaking (NPRM) with a comment period and a 30-day period between publication of the final rule and its effective date. Only when specifically accepted by the APA, or when "good cause" exists, may a rule be exempt from the requirements. Temporary LAAs which are established under emergency situations meet the requirements for what constitutes "good cause" and are exempt from the notice and comment requirements of the APA. However, LAAs established for major marine events or other situations where there is advance knowledge of the need for the regulations do not meet this exception.
- Prior to the signing of a final rule by the COTP, or the district commander, these LAAs do not exist and therefore cannot be enforced. If the alternate COTP is signing in place of the COTP, he/she must sign the final rule as "acting COTP." The final rule must be signed on or before the date the area is to become effective (i.e., an area cannot be established "after, the fact"). Commandant (G-LRA) has provided district legal staffs with formats for Federal Register documents for establishing LAAs.
- Under 33 CFR 165.5(b), any person may request that a COTP, or the district commander, establish a LAA. The information required for the request is listed in the regulations.

B2-05: Define and discuss the different types of Rulemaking.

- Informal Rulemaking (also called "Notice and Comment"): The agency is required to provide the public with adequate notice of the proposed rule. Typically, this is achieved by publishing notice of the proposal

in the Federal Register. Once published, the agency must provide the public a meaningful opportunity to comment on the proposal. After the comment period ends, the agency issues a statement of the purpose and justification of the rule and a response to the public comments submitted.

- Formal:
Occasionally, a rule may be subjected to a more formal rulemaking process. This is a trial-like process where the agency must present their case and be subjected to cross-examination. These proceedings are usually presided over by a administrative law judge or official who has the power to issues subpoenas and administer oaths. Agencies are only required to submit to this formalized process when Congress explicitly requires that the rulemaking process proceed "on the record".
- Hybrid:
As the term suggests, this is a "hybrid" between formal and informal. Hybrid rulemaking statutes require additional procedural by the agency (compared with the informal process) but fall short of formal rulemaking. This process, much like formal rulemaking, is only conducted when explicitly directed by Congress.

AUX-WWM-B3: Demonstrate Proficiency of Anchorages Regulations/Laws and Draft an Anchorage Regulation

B3-01: Identify and discuss Federal Anchorage Statutes and Regulations.

- Federal and state governments have concurrent jurisdiction over navigable waters and the lands beneath. Federal law also recognizes state and local authority to regulate anchorages. The regulatory power of the state is subject to the paramount authority of the Federal government for the regulation of interstate and foreign commerce. States exercise control if it is consistent with Federal actions or functions and does not interrupt commerce.
- The United States Coast Guard (USCG) has the authority to establish, administer, and enforce anchorage grounds and regulations for vessels in navigable waters of the United States (U.S.). Establishing, amending, or removing an anchorage area often originates at the local level, with key waterway users expressing a need for such an area. The USCG, or other government agencies, might also determine a need for an anchorage area.

B3-02: Identify and discuss Special Anchorage Areas.

- Special anchorage areas are defined in 33CFR§ 109.10, *Special anchorage areas. Special anchorage areas allow vessels of less than 65 feet in length (20 meters) to anchor without anchor lights. They also allow vessels of less than 65 feet in length, and barges, canal boats, scows, or other nondescript*

craft to anchor without required sound signals.

B3-03: Identify and discuss Anchorage Grounds.

- The USCG uses this type of anchorage to manage most vessel activity throughout the U.S.
- Specific regulations applicable to each anchorage ground are in reference 33 CFR § 110, subpart B, *Anchorage Grounds*.
- The establishment of anchorage grounds for vessels in navigable waters of the United States is done each District Commander whenever it is apparent that these are required by maritime or commercial interests of U.S. for safe navigation.

B3-05: Identify and discuss the agency and POC that monitors and manages each anchorage in the AOR.

- Federal and state governments have concurrent jurisdiction over navigable waters and the lands beneath. Federal law also recognizes state and local authority to regulate anchorages. The regulatory power of the state is subject to the paramount authority of the Federal government for the regulation of interstate and foreign commerce. States exercise control if it is consistent with Federal actions or functions and does not interrupt commerce.
- The United States Coast Guard (USCG) has the authority to establish, administer, and enforce anchorage grounds and regulations for vessels in navigable waters of the United States (U.S.). Establishing, amending or removing an anchorage area often originates at the local level, with key waterway users expressing a need for such an area. The USCG, or other government agencies, might also determine a need for an anchorage area.

B3-06: Determine the need to create, modify, or disestablish an anchorage.

- The United States Coast Guard (USCG) has the authority to establish, administer, and enforce anchorage grounds and regulations for vessels in navigable waters of the United States (U.S.). Establishing, amending, or removing an anchorage area often originates at the local level, with key waterway users expressing a need for such an area. The USCG, or other government agencies, might also determine a need for an anchorage area.
- The USCG also considers other uses of the waterway to ensure that creation or modification of anchorage grounds minimize waterway use conflicts.

AUX-WWM-C1: Monitor Aid Availability Rates

C1-01: Define Aid Availability.

- It is the key to the condition of the ATON. It is the percentage of time that an ATON is functioning correctly.
- Aid Availability is the probability that an aid to navigation or system is performing its specified function at any random chosen time. Basically, aid availability is a measure of the health of an aids to navigation system in a given waterway. It is not a measure of unit, sector, or district effectiveness.

C1-02: Identify the primary ATON and secondary ATON in the AOR.

- A primary ATON is in the preferred or primary channel and a secondary ATON is found in the secondary channel.

C1-03: Identify the Aid Availability Categories.

- Waterways have a variety of traffic patterns and risk levels. Therefore, aid availability objectives for each aid to navigation or system is categorized according to their level of criticality. All Coast Guard maintained aids to navigation are assigned to one of the following aid availability categories:
- Category 1: An Aid to Navigation (ATON) or system of ATON that is considered by the Coast Guard to be of vital navigational significance.
- Category 2: An ATON or system of ATON that is considered by the Coast Guard to be of important navigational significance.
- Category 3: An ATON or system of ATON that is considered by the Coast Guard to be of necessary navigational significance.

C1-04: Identify the Target Aid Availability Rates for each Category.

- Category 1: 99.8%
- Category 2: 99.0%
- Category 3: 97.0%

C1-05: Identify Factors that Impact Unit Aid Availability Rates.

- Decreased availability of vessels to service ATON
- Reduced ability to provide routine ATON servicing in a timely manner due to

severe weather

- Limited capacity at ATON major repair and refurbishment facilities.
- Age of ATON
- Weather conditions on the physical condition of ATON

AUX-WWM-C3: Monitor ATON Discrepancy Response

C3-01: Define an ATON discrepancy and provide a specific example of a Discrepant ATON in the AOR.

- The failure of an aid to navigation to display its characteristics as described in the Light List, or to be on its assigned position.

C3-02: Determine the primary and secondary servicing units in your AOR for each ATON.

- Primary: ANT Station, Prevention Department at Sector
- Secondary: District

C3-03: Review and discuss Discrepancy Response Factor.

- When an aid discrepancy is reported, a response level for correction of the discrepancy must be determined. The Discrepancy Response Factor (DRF) is defined as a numerical indicator of the criticality of the discrepancy. Once determined, the proper level of response can then be assigned. The higher the DRF, the more critical the discrepancy and, hence, the higher the priority for correction.

C3-04: Use DRF to determine appropriate discrepancy response.

- DRF RESPONSE LEVEL:
- 600 and up IMMEDIATE: Servicing unit shall respond as soon after notification as weather and resource constraints permit.
- 450 to 599 HIGH: Servicing unit shall respond within 18 hours after receipt of discrepancy report or as soon thereafter as weather and resources permit.
- 275 to 449 PRIORITY: Servicing unit shall respond within 36 hours after receipt of discrepancy report or as soon thereafter as weather and resources permit.

- 150 to 274 ROUTINE: Servicing unit shall respond within 72 hours after receipt of discrepancy report or as soon thereafter as weather and resources permit.
- 1 to 149 DECISION/DEFERRED: As soon as is practical after receipt of a discrepancy report, the primary servicing unit shall advise district of plans to correct the discrepancy. If a long period of time will elapse before the primary servicing unit can make the correction, district should coordinate available servicing facilities to correct the discrepancy.

AUX-WWM-C4: Recommend ATON System Changes to District

C4-01: Receive request or determine need for ATON system change (i.e. WAMS request, internal/external request to establish, modify, or discontinue).

- District commanders shall conduct an initial Waterway Analysis and Management System (WAMS) analysis for all critical waterways, which have not had one completed. Once the initial analysis is completed, each critical waterway will be scheduled for review at least once every five years. Waterways which need more frequent review due to significant user changes, waterway configuration changes, or marine accidents may be reviewed on a more frequent basis at the discretion of the District Commander. Non-critical waterways will be scheduled for review at the discretion of the District Commander; but the scope of the documentation required should only be enough to validate the non-critical designation. District commanders shall approve all WAMS analysis. Forward a copy of all critical analyses and reviews to Commandant (CG-54131) and include a brief executive summary. Each review will ensure that:
 1. The aids are required as necessary elements in an aid to navigation system.
 2. Changes to augment and/or reduce aids are made when needed to conform to changes in hydrographic and marine traffic.
 3. Waterways are categorized into one *or more* of the following:
 - (a) Militarily Critical Waterways: Militarily critical waterways include those that serve military or militarily essential facilities.
 - (b) Environmentally Critical Waterways: Virtually all waterways are considered environmentally sensitive. Environmentally critical waterways pose higher environmental risk levels, where a degradation of the aids to navigation system would present an unacceptable level of risk to public safety or to the environment.

- (c) Navigationally Critical Waterways: Waterways where degradation of the aids to navigation system would result in an unacceptable level of risk of a marine accident, due to the physical characteristics of a waterway, difficult navigation conditions, aid establishment difficulties, or high aid discrepancy rates.
- (d) Non-Critical Waterways: Waterways serving commercial and recreational interests, where the disruption or degradation of an aids system, beyond the normal level of discrepancies, will not increase the risk of a marine accident to an unacceptable level.
- The District Commander shall encourage district aids to navigation units to submit reports of unnecessary aids or aids which should be changed.

AUX-WWM-C5: Support Investigation of Marine Casualty to Determine ATON Factors

C5-01: Define Marine Casualty and Serious Marine Incident.

- A **marine casualty** is defined in Title 46 Code of Federal Regulations (CFR), Part 4.03-1. Essentially it is **casualty** or **accident** involving a vessel (other than a public vessel), that occurs upon the navigable waters of the United States, its territories, or possessions.
- **Serious Marine Incident:**
 - (a) any marine casualty or accident as defined in § 4.03-1 which is required by § 4.05-1 to be reported to the Coast Guard and which results in any of the following:
 - (1) One or more deaths.
 - (2) An injury to a crewmember, passenger, or other person which requires professional medical treatment beyond first aid, and, in the case of a person employed on board a vessel in commercial service, which renders the individual unfit to perform routine vessel duties.
 - (3) Damage to property, as defined in § 4.05-1(a)(7) of this part, in excess of \$200,000.
 - (4) Actual or constructive total loss of any vessel subject to inspection under 46 U.S.C. 3301; or
 - (5) Actual or constructive total loss of any self-propelled vessel, not subject to inspection under 46 U.S.C. 3301, of.

(b) A discharge of oil of 10,000 gallons or more into the navigable waters of the United States, as defined in 33 U.S.C. 1321.

(c) A discharge of a reportable quantity of a hazardous substance into the navigable waters of the United States, or a release of a reportable quantity of a hazardous substance into the environment of the United States, whether or not resulting from a marine casualty.

[CGD 86-067, 53 FR 47077, Nov. 21, 1988, as amended by CGD 97-057, 62 FR 51041, Sept. 30, 1997; USCG-2016-0748, 83 FR 11902, Mar. 19, 2018]

AUX-WWM-C6: Liaise Between District and PATON Owners

C6-01: Review a completed PATON application, Form CG-2554.

DEPARTMENT OF HOMELAND SECURITY U.S. Coast Guard										OMB Approval: 1625-0011 Expiration Date: 05/31/2021	
PRIVATE AIDS TO NAVIGATION APPLICATION (See attached instructions and copy of Code of Federal Regulations, Title 33, Chap. 1, Part 66)											
NO PRIVATE AID TO NAVIGATION MAY BE AUTHORIZED UNLESS A COMPLETED APPLICATION FORM HAS BEEN RECEIVED (14 U.S.C. 83; 33 CFR. 66.01-5).											
1. ACTION REQUESTED FOR PRIVATE AIDS TO NAVIGATION:		☐ A. ESTABLISH AND MAINTAIN ☐ B. DISCONTINUE ☐ C. CHANGE ☐ D. TRANSFER OWNERSHIP								2. DATE ACTION TO START:	
3. AIDS WILL BE OPERATED:		☐ A. YEAR-ROUND ☐ B. TEMPORARILY UNTIL ☐ C. SEASONAL FROM TO									
4. NECESSITY FOR AID (Continue in Block 8)				5. GENERAL LOCALITY				6. AUTHORIZING PERMIT FOR THIS STRUCTURE OR BUOY USACE ☐ PERMIT AND ☐ OR STATE ☐ PERMIT (Valid Permit Number)			
FOR DISTRICT COMMANDERS ONLY			7. APPLICANT WILL FILL IN APPLICABLE REMAINING COLUMNS								
LIGHT LIST NUMBER	NAME OF AID	NO. OR LTR (7a)	LIGHT			POSITION (7e)	DEPTH OF WATER (7f)	CANDELA (7g)	FOCAL PLANE HEIGHT (7h)	STRUCTURE TYPE, COLOR, AND HEIGHT ABOVE GROUND (7i)	REMARKS (See instructions) (7j)
			FLASH PERIOD (7b)	FLASH LENGTH (7c)	COLOR (7d)						
8. ADDITIONAL COMMENTS											
9a. NAME AND ADDRESS OF PERSON IN DIRECT CHARGE OF THE AID(S)			10a. NAME AND ADDRESS OF PERSON OR CORPORATION AT WHOSE EXPENSE THE AID(S) WILL BE MAINTAINED					10b. THE APPLICANT AGREES TO SAVE THE COAST GUARD HARMLESS WITH RESPECT TO ANY CLAIM OR CLAIMS THAT MAY RESULT ARISING FROM THE ALLEGED NEGLIGENCE OF THE MAINTENANCE OR OPERATION OF THE APPROVED AID(S).			
9b. TELEPHONE NO.								10c. DATE		10d. SIGNATURE AND TITLE OF OFFICIAL SIGNING	
9c. E-MAIL ADDRESS											
FOR USE BY DISTRICT COMMANDER			RECD		DATE APPROVED		SIGNATURE (By direction)				
SERIAL NO.		CLASSIFICATION OF AID(S)		CHART							
				LNM							

CG-2554 (05/18) Reset Page 1 of 5

- Purpose is to obtain approval to establish a private aid to navigation.

AUX-WWM-C7: Coordinate Execution of ATON Survey Following Event Causing Marine Transportation System Disruption

C7-01: Draft and discuss a Broadcast Notice to Mariners warning of potentially unreliable ATON.

- The Coast Guard broadcasts notices to mariners on its own or U.S. Navy radio stations to report navigational warnings containing information of importance to the safety of navigation of vessels, such as the position of ice and derelicts, defects, and changes to aids to

navigation, and drifting mines. Radio stations broadcasting marine information are listed in "Radio Navigational Aids" (National Geospatial-Intelligence Agency Publication 117) and United States Coast Pilots.

- The Notices to Mariners contain the necessary information to ensure that nautical charts, Sailing Directions, List of Lights, Annual Edition of Notices to Mariners and Radio Aids to Marine Navigation publications are kept up to date.
- Notice to mariners (NTM) are written to inform the mariner of **"critical"** information. The NTM definition of critical can be defined as information affecting safety of life, vessel, property, or the environment. The cartographer uses those criteria to determine any information the mariner should know prior to the next edition of the chart and issues a notice to mariner.
- The notice **MUST DESCRIBE** to the mariner the important points of that information. These points are required inputs for Notice Writer.
- The **IDEAL** notice paints a picture so the mariner can make the same changes to the chart that NOS cartographers make to their charts and rasters.
- A notice should be SIMPLE, **COMPLETE, CONCISE, AND CONSISTENT** Consistency is important, so the same words mean the same thing every time to all the various users of the Notice to Mariners.

AUX-WWM-D1: Coordinate a Dead Ship Tow or Oversized Vessel Movement

D1-01: Receive notification of a dead ship tow or oversized vessel movement.

- Requirements for Dead-Ship Tows:
 1. A dead-ship tow plan must be submitted to the COTP before the start of the towing operation.
 2. The dead ship tow plan should contain, at a minimum, the following information:
 - o Name and complete contact information of the person(s) coordinating the planning of the dead-ship tow.
 - o With respect to the vessel being towed:
 - a. name
 - b. call sign

- c. flag
 - d. length
 - e. beam
 - f. draft during tow (fore and aft)
 - g. sail height and
 - h. air draft
- o The name(s) of tug(s), respective horsepower, and type (conventional or tractor).
- o The dead-ship tow place of departure and destination.
- o The primary and alternate (if applicable) dates and times of departure.
- o The anticipated transit speed.
- o The total duration of the dead-ship tow (from the time the towed vessel is underway from its departure point to the time it is moored at its new location).
- o A chart with the intended track line plotted from point of departure to point of destination, with each leg clearly marked with course, anticipated speed, and anticipated length (in transit time) of each leg.
- o The pilot organization contracted to maneuver the vessel being towed.
- o The name and 24-hour telephone number of the Responsible Party. The RP must be an individual with authority to activate the vessel response plan, arrange for salvage/pollution cleanup resources, and otherwise marshal resources to handle a casualty.
- o Bunker soundings, quantities, and locations of any remaining oil or hazardous substances on board will be provided with the tow plan. In general, no excess waste oil or hazardous waste will be carried on board.
- o Drawings of vessel piping systems such as ballast and cargo shall be included in the tow plan.
- o A diagram of sea valves and associated piping diagrams will be provided in the tow plan.

- o Discussions on the ability of the dead ship to anchor, maintain emergency lighting, and establish capstan/windless operations.
 - o Identification of any aids to navigation (e.g., buoys) that may need to be moved temporarily to facilitate transit of the dead-ship tow.
 - o A communication plans.
 - o Identification of any special or unique features of the vessel being towed (e.g., submarine, aircraft carrier, etc.).
 - o The tow plan shall provide exact details/diagrams of the towing wire/bridle and emergency towing wire/bridle to be used including specific dimensions of each. A competent marine surveyor experienced in ocean towing must complete a tow survey prior to departure. The survey report shall include a statement from the surveyor that the towing gear and emergency towing gear is both appropriate and in adequate condition for the proposed job. A copy of the survey report will be included in the tow plan. The COTP will rely upon the judgment of the marine surveyor to assess the adequacy of towing tackle; however, these diagrams will be retained to facilitate decision-making in the event of an emergency. The following information should be included in the plan:
 - a. Description of surge chain or cantenary.
 - b. Diameter, type, age and length of tow wire.
 - c. Description of emergency tow wire rigged on vessel.
 - d. Additional equipment available for emergency operations (connections, gear, orville hook, etc.).
 - e. Date(s) of last tow wire end-for-ending, retermination, slushing and inspection.
3. The Captain of the Port must be notified immediately of any proposed changes in status, capability, or type of towing vessel approved as part of the dead-ship tow plan.
 4. Documentation: The vessel representative will consult with Sector to ensure that all relevant vessel documents/certificates have been obtained for the voyage. Copies of these documents will be provided prior to sailing. These documents shall include, but not limited to load line registry, certificate of financial responsibility, etc., but can vary on a case-by-case basis.

5. Broadcast Notice to Mariners (BNTM): Sector will issue a BNTM that will be broadcast during the dead-ship tow operation to advise other vessels to use caution when transiting waterways in the vicinity of the tow.

EXAMPLE CHECKLIST FOR DEAD-SHIP TOW EVOLUTION

Date Notified of expected dead-ship movement: _____
(30-day notification is normally required for scheduled dead-ship movements.) (WWM)

Date of Movement: _____

Name of Vessel: _____

Length and breadth of Vessel: _____

Location of Vessel: _____

Destination of Vessel: _____

_____ Ensure the tow plan is submitted at least 72 hours before the expected departure time. (WWM)

_____ Decide whether the dead-ship tow can safely proceed based on 72 hour forecast, 24 hours before departure w/ necessary personnel. (WWM)

_____ Ensure that all relevant vessels documents/certificates have been obtained for the vessel. Have copies available at unit. This includes a copy of the tow survey. (WWM)

_____ Ensure Sector command center issues BNTM. (WWM)

_____ Review the tow plan IAW COTP guidelines. Seek assistance from Inspections as needed. (WWM)

_____ Make notifications when tow plan is approved. In order for the plan to be approved it must include all the required information as outlined in the Sector's Policy on Dead Ship Tows. (WWM)

_____ Obtain bunker soundings, quantity and location of all fuel and / or HAZMAT onboard. (WWM)

_____ Ensure drawings of pertinent vessel piping systems provided. Seek assistance from Inspections if needed. (WWM)

_____ Verify the adequacy of the communications plan which will include specific primary, secondary, and tertiary frequencies; and landline and cell phone numbers for

all appropriate personnel (e.g., a comprehensive contact list). The position of the dead ship tow will be passed to COTP every 30 minutes from departure to arrival. (WWM, command center)

_____ Check towing vessels' Certificate of Inspection and licenses of crew.
(Inspections)

_____ Ensure proper preparations of the vessel being towed in accordance with this Instruction. This will require a visit to the vessel being towed.

Date: _

EXAMPLE CHECKLIST FOR INSPECTION OF DEAD-SHIP TOW

_____ Review the vessel's history prior to the inspection to determine any issues regarding watertight integrity, stability, and structural issues.

_____ Ensure tail-shaft(s) locked to prevent freewheeling and vibration.

_____ Ensure rudder is locked.

_____ Ensure all large, loose gear is secured, including portable flammable/pressurized gas tanks, large machinery, etc.

_____ Ensure all cranes/booms are lashed and secured.

_____ Ensure all hatch covers are sufficiently secured and inspected for watertight integrity.

_____ Ensure all double bottoms/voids/cofferdams are secured.

_____ Ensure all watertight subdivision doors and hatches are secured.

_____ Ensure all watertight doors above decks are secured.

_____ Ensure all air ports and side ports are secured.

_____ Ensure all sea valves are closed and secured with wire or lock.

_____ Ensure forepeak tank does not carry any fuel; all covers to this tank are to be secured.

_____ Ensure free surface affects are minimized.

_____ Ensure list and trim conditions do not exceed limitations of vessel.

_____ Ensure navigation lights are properly rigged.

AUX-WWM-D2: Coordinate Bridge Activity

D2-01: Discuss the scope of responsibilities and relationship between the District Bridge Office and the operational unit.

- Liaison should be maintained between the captain of the port (COTP) and the district bridge administrator to ensure that port and navigation safety objectives are mutually achieved.

D2-02: Identify and discuss applicable Bridge Statutes and Regulations.

- Authority. Several bridge statutes, as amended, give the Department of Transportation (DOT) authority for administration of laws governing bridges and causeways crossing the navigable waters of the United States. The Secretary of the DOT (SEC DOT) delegated this authority to the Commandant of the Coast Guard under 49 CFR 1.46(c); the Commandant has further delegated certain permitting authority to the Chief, Office of Navigation (G-N) under 33 CFR 1.01-60(a) and to the district commanders under 33 CFR 1.01-60(b). The statutes governing bridges and causeways pertain to:
 - a. Approval of bridge location and plans for navigational clearances (33 U.S.C. 401, 491, 525, 535)
 - b. Regulation of the operation of drawbridges (33 U.S.C. 494, 499)
 - c. Alteration of bridges obstructing navigation (33 U.S.C. 494, 495, 502, 511 et seq.)
 - d. Approval of bridge lighting configurations (14 U.S.C. 84, 85, 92, 633, 33 U.S.C. 494).
- Regulations. To implement these statutes, the Coast Guard has published the following regulations in 33 CFR Chapter I, Subchapter J (Bridges):
 - a. Part 114 - General.
 - b. Part 115 - Bridge Locations and Clearances; Administrative Procedures.
 - c. Part 116 - Alteration of Obstructive Bridges.
 - d. Part 117 - Drawbridge Operation Regulations.
 - e. Part 118 - Lighting of Bridges.

D2-03: Identify and discuss different moveable bridge configurations and Characteristics (i.e., lift, swing, bascule).

- Bascule Bridge is fixed and supported on an axis which is perpendicular to the longitudinal axis of bridge (attached like a hinge) .This Bridge is also called drawbridge. The horizontal axis on which the bridge is hinged is located at the center of gravity so that a balance is created between the weights of the bridge on either side.
 - o There are two major types of bascule bridges namely: single leaf bascule and double leaf Bascule Bridge. There are also other types like triple and quadruple bascule bridges, but they are rarely used depending on the situation. ‘Leaf’ is the term which is the part of the bridge which pivots with respect to the horizontal axis and opens the water traffic.
- Vertical Lifting Bridge is commonly constructed and used. It consists of a span of a common type of truss which is supported by the towers at the end of span. Generally, the weight of this span is counterbalanced. The waterway is opened by making the span move in the vertical direction. If the machinery which is responsible for the up and down movement of the span is fixed on the span itself, then it's called span drive vertical lift bridge. But if that machinery is fixed on the towers, then is called tower drive vertical lift bridge. These bridges are substantially stable ones and hence can be used for locations where long spans are required.
- Swing Bridge is fixed on the horizontal plane that turns around vertical axis so as to give way for the water traffic. A pivotal pier is a normal pier on which a bearing is installed and the horizontal plane rests on this pivotal pier. When the water traffic is closed, the ends of span of this bridge rests on the abutments. When the water traffic has to be opened, the ends span should be free and are only supported by the pivotal pier. Hence machineries are used to lift the end of swing span. The swing bridge moves horizontally around vertical axis unlike other bridges which move vertically. To be able to carry the traffic and prevent overstressing, the swing bridge should be supported both horizontally and vertically. The span of Swing Bridge can be either be truss or plate girder. But the use of plate girder is more economical.
- Special types of bridges are:
 - o Pontoon retractile
 - o Pontoon bridge
 - o Shear pole swing

- o Folding bridge
- o Curling bridge
- o Removable spans bridge
- o Submersible bridge
- o Tilt bridge
- o Transporter bridge
- o Jet bridge etc.

D2-05: Discuss the responsibility to establish and maintain bridge lighting.

- The Coast Guard District Commander having jurisdiction over the area in which the Bridge is built, prescribes lights and other signals that are to be displayed for the protection of navigation. When construction is completed, permanent lights and other signals approved by the District Commander, must continue to be displayed.
- 33CFR118.1 states all persons owning or operating bridges over navigable waters of United States shall maintain at their own expense the lights and other signals required.
- Lights and other signals required are subject to inspection at any time by Coast Guard personnel or authorized agents.

D2-06: Discuss role of USCG in issuing permits to stakeholders for bridge Construction, maintenance, modifications, and removal.

- The Coast Guard's mission is to administer the Bridge Program. The Coast Guard approves the location and plans of bridges and causeways and imposes any necessary conditions relating to the construction, maintenance, and operation of these bridges in the interest of public navigation.
- The Coast Guard is also required by law to ensure environmental considerations are given careful attention and importance in each bridge permitting decision.
- Rules and regulations governing the U. S. Coast Guard bridge permit program are listed in Parts 114 and 115 of Title 33, Code of Federal Regulations (CFR).

- Bridges constructed under a Coast Guard permit must be maintained in accordance with the applicable Bridge Act, permit conditions and approved plans. The Coast Guard District must be provided advance notification regarding any maintenance that will affect navigation to allow timely review and coordination with waterway users prior to deviating from the approved plans or operation of the bridge.
- Repairs to a bridge which do not alter the clearances, type of structure, or any integral part of the substructure or superstructure or navigation conditions, but which consist only in the replacement of worn or obsolete parts, may, if the bridge is a legally approved structure, be made as routine maintenance without approval of the U.S. Coast Guard.
- A bridge permit is the written approval of the location and plans of the bridge or causeway to be constructed or modified. Federal law prohibits the construction of these structures unless the Coast Guard first authorizes them.
- The Coast Guard approves bridge location and plans under the authority of several Acts pertaining to bridges.
- A Coast Guard Bridge Permit is required to construct a new bridge or causeway or reconstruct or modify an existing bridge or causeway across navigable waters of the United States.

AUX-WWM-D3: Coordinate Mitigation of Hazard or Obstruction to Navigation

D3-01: Assess hazard/obstruction in accordance with reference (f).

- Upon receiving a report of a wreck or other obstruction, District Engineers (USACE) will consult with the Coast Guard district to jointly determine whether the obstruction poses a hazard to navigation.
- Factors to be considered, as a minimum, include:
 - (1) Location of the obstruction in relation to the navigable channel and other navigational traffic patterns.
 - (2) Navigational difficulty in the vicinity of the obstruction.
 - (3) Clearance or depth of water over the obstruction, fluctuation of water level, and other hydraulic characteristics in the vicinity.
 - (4) Type and density of commercial and recreational vessel traffic, or other marine activity, in the vicinity of the obstruction.
 - (5) Physical characteristics of the obstruction, including cargo, if any.

- (6) Possible movement of the obstruction.
- (7) Location of the obstruction in relation to existing aids to navigation.
- (8) Prevailing and historical weather conditions.
- (9) Length of time the obstruction has been in existence
- (10) History of vessel accidents involving the obstruction.
- 33 CFR PART 245—REMOVAL OF WRECKS AND OTHER OBSTRUCTIONS

AUX-WWM-D4: Coordinate Commercial Vessel Lay-Up Plans

D4-01: Review lay-up plan.

- The term 'Laid-up' or 'Lay-up' of ships technically means ships which have temporarily been taken out of profitable service due to lack of charter or cargo.
- Ships that are laid up will be subject to the statutory requirements of all relevant national, port, and other authorities.
- There are two basic criteria that the lay-up procedures are designed to meet:
 - (a) To maintain the safety, security and protection of the vessel, crew, and the local environment.
 - (b) To preserve and maintain the vessel's hull and machinery by providing protection against corrosion and static seizure.
- Hot Lay-up: any vessel that has been laid up with reduced crew, but which may have some element of the ship's machinery still operating, e.g., generators.
- The risk assessment of the location and method of lay-up needs to address the following:
 - o Degree of shelter provided from open seas, wind, waves, swell, etc.
 - o Method of mooring vessels: including ships berthed alongside, at buoys, lying at anchors, stern moorings, anchored rafts of several vessels, etc.

- o Detailed climatological information from the best sources available relating to the likely maximum force and direction of wind, waves and swell, and incidence of cyclones, hurricanes, ice, etc. Reliability of local weather forecasting services and the potential windage of vessels, containers on deck, etc.
- o Bathymetry and anchorage depth and type of holding ground, with diver or sonar surveys as appropriate, local currents and tides. The depth of water should be sufficient for vessels to remain afloat at all stages of the tide with sufficient under keel clearance.
- o Space available or number of designated lay-up positions and
- o Suitable access and egress channels, pilotage, tug assistance during mooring, etc. Proximity of passing traffic and other moored vessels, and proximity to any obstructions, wrecks, underwater cables or pipelines.
- o Details of local authorities and availability of tugs, firefighting, medical & safety services.
- o Availability of services such as fresh water, waste disposal, shore power and repairers, replacement equipment and moorings, etc.
- o Security of locating.
- o Assessment of likely hull fouling due to marine growth at the location, and any local corrosive discharges or effluent.
- o Proximity of any commercial aquaculture, including fish farms and oyster beds, water intakes, coral reefs, beaches, etc.
- o Facilities for shore monitoring of vessel position, remote GPS monitoring etc.
- Planning of the arrangements will involve consideration of the following criteria:
 - o The method and safety of the mooring and all the various activities relating to the safety of the vessel, crew, and environment.
 - o Approval of all relevant arrangements by Flag State, Port State, Harbour or any other relevant authorities, Classification, Hull & Machinery and P & I insurers and their appointed surveyors.
 - o The preservation of the vessel and her machinery and equipment to

prevent damage or deterioration, and to facilitate subsequent safe reactivation.

- The Owners must retain sufficient crew on board to carry out the lay-up preparation. The crew can be reduced as work progresses until the vessel is finally de-manned or reduced to an agreed skeleton crew. If the vessel is to be unmanned, the lay-up contractors should provide watchmen to ensure the security of the vessel, and personnel to carry out maintenance routines.
- Reductions in manning below minimum manning levels should be agreed with the relevant Flag State, local Port State or harbor authority and any necessary dispensation obtained.
- A full mooring analysis will be carried out to ensure that the proposed mooring arrangements will be safe, allowing for the possible maximum peak wind force from the most unfavorable direction in the planned location, obtained from 10-year environmental return figures.
- For a “Hot” lay-up, enough qualified ship’s officers and crew should be onboard to maintain a full-time fire, flooding, mooring, safety and security watch over the vessel. For a “Cold” lay-up efficient, independently powered fire and flooding alarms and/or warning lights/whistles/klaxons to be fitted in machinery spaces, bilges and other spaces as deemed appropriate.
- Inspection and maintenance regimes should be fully documented in advance of lay-up and may include daily weekly, monthly or annual activities. Full procedures and necessary records are to be maintained.

AUX-WWM-D5: Conduct Risk Assessment for Permanently Moored Craft

D5-01: Define and discuss the term “vessel” versus “craft”.

- **Boat, vessel, ship, craft** are comparable when they denote a floating structure designed to carry persons or goods over water.
- **Vessel** suggests a purpose as well as a form, the term in general applying to anything hollowed out to serve as a receptacle. Hence, *vessel* is appropriate when the containing and transporting of goods and persons is stressed; it is applied chiefly to large boats, especially seagoing boats, in the business of carrying passengers or freight or serving as a base of operations at sea (as in fishing or in war).
- **Craft** may be used as a singular or collective noun and is now applicable to any type of boat or ship that plies the water. Originally it was found only in the phrase *small craft* and was applied to smaller vessels, especially to those in the service of ships (as lighters, tugs, and fireboats) or to those forming part of

a navy or fleet. The word may still be used in the sense of *small craft*, but it tends to become a comprehensive term covering all kinds of boats and vessels. As a singular, *craft* unqualified is often a vague and general term.

- However, for that very reason, *craft* is often, when it is qualified, a better choice than *boat*, *ship*, or *vessel*.

AUX-WWM-D6: Draft a Captain of the Port (COTP) Order

D6-01: Determine need for issuing a COTP order.

- A COTP Order is an important tool to protect the safety and security of the port. The COTP may use such an order to implement a variety of control actions, including controlling a vessel's movement as it enters or departs a port. The COTP may also use such an order to order a vessel out of port or prevent a vessel from entering port. Also, there are potential civil and criminal penalties for violating a COTP Order. The COTP Order is not a substitute for pursuing and processing a detention under the applicable provisions of the Safety of Life at Sea (SOLAS) convention, the International Ship and Port Facility Security (ISPS) code, the International Convention for the Prevention of Pollution from Ships (MARPOL), the Standards of Training, Certification, and Watchstanding, or the international Convention on Load Lines.
- Controlling the Ship's Movement. Depending on the deficiencies discovered, the COTP may issue an order to control or restrict the vessel's movement or operations. Many additional applications exist, not all of which relate to the condition of a vessel (e.g., A COTP Order may be used to order a vessel to a specific anchorage to protect a port during a hurricane).
- Controlling the Ship's Movement for Security. If there is a concern that the vessel poses a risk to the port or vessel from sabotage or other subversive acts, a COTP Order requiring the presence of armed escort personnel onboard the vessel during the transit is warranted.
- Controlling the Ship's Movement for Safety. If the deficiency relates to the vessel's navigational equipment, the COTP Order might require an assist tug or may restrict a vessel to daylight operations. If the deficiency relates to pollution prevention equipment, the COTP Order may prohibit a vessel from bunkering or lightering until the vessel takes corrective measures.

D6-02: Identify and discuss the required elements of every COTP order.

- The COTP should be specific when issuing orders for the control of vessels, especially regarding the following:
 - o The time a vessel is permitted to enter an area.

- o The time a vessel is permitted to depart an area or shift berth.
- o The route a vessel is to follow.
- o All requirements and other specifications with respect to the actions expected of the person to whom the order is directed.
- o The legal authority for issuing the order.

AUX-WWM-D7: Coordinate Natural Disaster Port Preparations

D7-01: Identify Waterways Management Division responsibilities for port heavy weather planning.

- ATON management, post storm
- Bridge management, post storm
- Anchorages management, pre & post storm
- Supplying Notice to Mariners, pre & post storm
- Vessel movement, pre & post storm
- Obstructions in channels, post storm
- Environmental condition post storm
- Conduct port assessment and establish priorities for facilitating commerce.
- Develop/implement transit plan to include destination/berth for vessel(s).
- Identify safe refuge/berth for impacted vessels.
- Establish and maintain close coordination for possible movement of Homeland or National Security assets (Navy).

D7-02: Identify and discuss the MTSRU membership and responsibilities.

- The Marine Transportation System Recovery Unit (MTSRU) is a part of the overall response and recovery effort following a significant port disruption. While Federal, State, and local authorities are working on a wide range of emergency response activities, the MTSRU has the singular focus on re-opening the port for the resumption of commercial activity.

- To accomplish this, the Coast Guard gathers representatives from governmental agencies and maritime industry to form the MTSRU.
- The MTSRU will typically work in or near the overall Incident Command Post for an incident but will also conduct many activities by teleconference.
- It includes government agencies and representatives from the marine industry. Used during the responses to Deepwater Horizon, Hurricane Sandy, flood and low water events on the Western Rivers, and many other incidents, MTSRU's have proven their value to the Marine Transportation System.
- MTSRU participants share information, coordinate their own activities, and make recommendations to the Captain of the Port to resolve problems and resume safe, secure, maritime commerce.
- Responsibilities:
 - o Prioritize repairs to damaged Aids to Navigation
 - o Develop marine traffic schemes for safe vessel movements
 - o Prioritize vessel and cargoes movements
 - o Advise agencies on how to deploy personnel and resources to facilitate temporary trade patterns.
 - o Coordinate with salvage and other efforts needed to resume port operations
 - o Prioritize channel surveys and debris removal for safe navigation

D7-03: Identify and discuss each position on the WQSB.

- The **watch, quarter, and station bill** is used to inform personnel of their duties for emergency, **watch** condition, administrative, and operational duties.
- The WQS bill lists, by billet number and rate, divisional stations to be manned for various situations.
- Safety Officer:
 - o Develop a site safety plan, including support facilities and monitor for compliance.
 - o Report any serious incidents, accidents, or injuries immediately to command.

- o Work closely with Logistics to ensure that appropriate communications are in place to support the response effort.
- Public Information Officer:
 - o Develop a media strategy, Review strategy with Command prior to implementation.
 - o Establish contact with other Public Information personnel.
 - o Locate and establish a JIC.
 - o Provide talking points to Command for press briefings, VIP visits and town hall meetings.
 - o Keep Command informed of any potential adverse political, social, and economic impacts.
- Liaison Officer:
 - o Develop an action plan to ensure communication and coordination with appropriate stakeholders and submit draft of plan to Command for review and approval.
 - o Keep Command informed of any stakeholder adverse feelings/relationships that may develop.
- Intelligence Officer:
 - o Identify critical intelligence needs and develop intelligence flow plan and brief IMT.
 - o Keep Command informed of any stakeholder adverse feelings/relationships that may develop.
 - o Ensure that all requests for information (RFI's) are sent and the Command is briefed on all Field Intelligence Reports (FIR).
 - o Be central point of coordination for all interagency intelligence organizations: Field Intelligence Support Teams, Joint Terrorism Task Forces, Intelligence Fusion Centers, etc.
 - o Screen intelligence information for OPSEC/Security Sensitive Information (SSI) classification.

- Planning:
 - o Ensure that all off-site information reporting is approved by Command prior to release.
 - o Develop a contingency plan for sustaining long-term IMT staffing.
 - o Brief IMT staff on document control system, including handling and storing secure documents.
 - o Provide all documents that need review or approval by Command at least one hour prior to implementation or release.
- Finance/Admin:
 - o Provide Command with a summary daily cost estimate.
 - o Establish a claims system and brief the IMT on the process.
 - o Advise Command of unusual high-cost specialized equipment use.
- Logistics:
 - o Develop and brief the IMT on the internal/external resource ordering process and monitor for compliance.
 - o Ensure that appropriate security is established at each incident support facility.
 - o Develop a plan; establish secure communication for both internal and external use and brief IMT staff.

**D7-04: Define and discuss each port condition and hurricane condition.
Discuss the difference between the two condition types.**

- **Port Condition:** Port Conditions are set by the COTP and are used to describe, generally, how prepared the port areas should be for severe weather. Port Conditions will be changed as the threat of severe weather increases or as storms approach the Sector AOR.
 - o **Condition 5:** General. 01 Dec – 31 May. **Port status: OPEN**
 - o **Condition 4:** Hurricane Seasonal Alert. 01 June – 30 Nov (return to this condition after passage of storm during season). **Port status: OPEN**

- o **Condition Whiskey:** Sustained Tropical Storm Force Winds are predicted within 72 hours. **Port status: OPEN**
- o **Condition X-Ray:** Sustained Tropical Storm Force Winds are predicted within 48 hours. **Port status: OPEN**
- o **Condition Yankee:** Sustained Tropical Storm Force Winds are predicted within 24 hours. **Port status: RESTRICTED, vessel/facility control measures in effect.**
- o **Condition Zulu:** Sustained Tropical Storm Force Winds are predicted within 12 hours. **Port status: CLOSED to all vessel traffic and waterside operations except for activities approved by COTP.**
- **Unit Hurricane Condition (HURCON):** The District Commander is responsible for setting Unit Hurricane Conditions with input from the Sector Commander. For setting Unit Hurricane Conditions, threatening winds are defined as sustained Tropical Storm Force Winds (39-73 mph/34-63 kts) that are expected to arrive in any area of the AOR. Unit Hurricane Conditions will be changed as the threat of severe weather affecting the AOR increases.
 - o **Condition V:** 01 Dec to 31 May; Stand down from Hurricane Season
 - o **Condition IV:** 01 Jun to 30 Nov; Seasonal Condition for all units
 - o **Condition III:** 48 hours prior to the arrival of sustained Tropical Storm Force Winds (39 mph/34 kts).
 - o **Condition II:** 24 hours prior to the arrival of sustained Tropical Storm Force Winds (39 mph/34 kts).
 - o **Condition I:** 12 hours prior to the arrival of sustained Tropical Storm Force Winds (39 mph/34 kts).
 - o **All Clear:** The storm has passed and is no longer a threat to the area. Set HURCON IV.

AUX-WWM-D8: Evaluate US Army Corps of Engineers (USACE) Permit Applications for Standard and Non-Standard Projects

- Corps permits are also necessary for any work, including construction and dredging, in the Nation's navigable waters. The Corps balances the reasonably foreseeable benefits and detriments of proposed projects and makes permit decisions that recognize the essential values of the Nation's aquatic ecosystems to the general public, as well as the property rights of private citizens who want to use their land. During the permit process, the

Corps considers the views of other Federal, state and local agencies, interest groups, and the general public. The results of this careful public interest review are fair and equitable decisions that allow reasonable use of private property, infrastructure development, and growth of the economy, while offsetting the authorized impacts to the waters of the US. The adverse impacts to the aquatic environment are offset by mitigation requirements, which may include restoring, enhancing, creating and preserving aquatic functions and values. The Corps strives to make its permit decisions in a timely manner that minimizes impacts to the regulated public.

D8-02: Define and discuss a standard and non-standard project.

- An individual, or standard permit, is issued when projects have more than minimal individual or cumulative impacts, are evaluated using additional environmental criteria, and involve a more comprehensive public interest review.
- A general permit is issued for structures, work or discharges that will result in only minimal adverse effects. General permits are issued on a nationwide, regional, or state basis for categories of activities. There are three types of general permits – Nationwide Permits, Regional General Permits, and Programmatic General Permits. General permits are usually valid for five years and may be re-authorized by USACE.
- Nationwide permits are issued by USACE on a national basis and are designed to streamline Department of the Army authorization of projects such as commercial developments, utility lines, or road improvements that produce minimal impact the nation's aquatic environment.
- A regional general permit is issued for a specific geographic area by an individual USACE District. Each regional general permit has specific terms and conditions, all of which must be met for project-specific actions to be verified.
- Programmatic general permits are based on an existing state, local, or other federal program and designed to avoid duplication of that program. A State Programmatic General Permit (SPGP) is a type of permit that is issued by USACE and designed to eliminate duplication of effort between USACE districts and state regulatory programs that provide similar protection to aquatic resources. In some states, the SPGP replaces some or all of the USACE nationwide permits, which results in greater efficiency in the overall permitting process.

AUX-WWM-E1: Engage with Internal and External Stakeholders

E1-01: Identify and discuss internal/external stakeholder and port partners And define their area of responsibility.

- Examples:
 - o CG Prevention Department
 - o CG Response Department
 - o CG Logistics Department
 - o CG Planning Department
 - o ANT Station
 - o Boat Stations
 - o USACE
 - o Local Fish & Wildlife
 - o Local EPA
 - o DOD
 - o Local Maritime Industry
 - o Local Sheriff Office
 - o Local Fire Department
 - o Public boaters

E1-03: Identify the local Harbor Safety Committee and review the Committee's operating procedures.

- A Harbor Safety Committee is a local committee that addresses issues that may include the safety, security, mobility, and environmental protection of a port or waterway. Membership is typically comprised of representatives of governmental agencies, maritime labor and industry organizations, and public interest groups.

AUX-WWM-F1: Monitor the Status and Schedules of ATON Cutters and ANTs

F1-01: Identify and discuss specifications and operating parameters of all ATON units in AOR.

- Tenders are used primarily for servicing operations that require hoisting buoys and their appendages or construction of aids to navigation. They are designed specially to operate in different environments such as: exposed areas offshore; semi-exposed areas or large bays and harbors; and protected or river areas. The primary duty of ANTs and STANTs is the servicing of assigned lights, daybeacon, buoys and correcting discrepancies on assigned aids.
- In addition to servicing floating and fixed aids to navigation, units may be used

to transport personnel, supplies, water, and fuel. They may also be employed in carrying construction material, as well as working parties, to points where normal maintenance operations are in progress or where new aids to navigation are under construction.

- When servicing aids to navigation, the information regarding the aid, as published in the **Light List**, shall be verified.
- ATON units shall verify the information contained in I-ATONIS, the Light List (corrected up to date from Notice to Mariners), Coast Pilot and nautical charts, every time an aid to navigation is serviced. Errors and omissions should be brought to the attention of the District (**dpw**) staff.
- In the performance of routine servicing, units shall operate on a definite schedule consisting of servicing trips to specific areas. These servicing trips can be categorized under one or more of the following basic purposes:
 - (1) Component Inspection
 - (2) Signal Check
 - (3) Relief
 - (4) Recharge
 - (5) Mooring Inspection
 - (6) Accomplishment of district ATON order
 - (7) Seasonal Changes
 - (8) Position Check
- Tenders may also be utilized for the correction of a discrepancy (such as resetting or replacing a buoy on station) where it is not possible to correct the discrepancy using a unit with lesser capability or using a discrepancy buoy.
- Whenever a visit is made to an aid, for any purpose, personnel shall ensure that the aid is on assigned position and signal characteristics are as advertised.

AUX-WWM-F2: Monitor ATON Unit Assessments

F2-01: Explain the difference between the different assessments conducted on ATON units and discuss the assessment team requirements.

• Mooring Evolution *Required for ATON BCM	• Conduct in accordance with TASK ABCM-01-15-TYPE.	• 2 times semi-annually
• Boom/Crane Operation *Required for Boom Crane Operator and	• Conduct loading/offloading of sinker, chain, and buoy following hand signals	• 2 times semi-annually

ENG (on ATON platform)	from the BDS.	
Supervise Buoy Deck Evolution *Required for BDS	Perform buoy deck evolutions as the BDS.	2 times semi-annually

F2-02: Discuss the role of the WWM Division for the Ready for Operations (RFO) inspection and Standardization Team (STAN) inspection.

- Ready for Operations (RFO)-RFO evaluation may be conducted at any time of the year (must be completed annually). RFO shall be comprised of an evaluation of the unit's boat crew. Training program, survival systems program, personal protective equipment program, a material inspection, and underway exercise evaluations. Operational Commander shall issue a formal report of the RFO evaluation.
- Standardization Team (STAN Team Assessment)-Very similar to RFO evaluation procedures set forth in this manual (Part 4 Chapter 2 (Starts on page 4-13) of Boat Forces Manual).
- Part 4, Chapter 2, Unit and OPCON Readiness Evaluation. Ensures the crew has most up to date, fleet-wide technical processes/guidance.

F2-05: Identify and discuss the contents of the 6-part Aid Folders.

- An aid folder is the hard copy information for each aid that a unit has responsibility for. It should contain the entire history of the aid. All of the information about the servicing and positioning of an aid should be in the folder. Any other information that would be helpful for someone who has never visited the aid to determine what to expect on a visit to that aid should be included. The aid folder is a legal record and should be treated as such. The aid folder should be reviewed before every visit to ensure current forms are still accurate and to review past servicing information.
- Units shall maintain a six-part folder as the official record for each aid assigned. To ensure consistency, all aid folders shall be organized as follows:

Part	Title	Documents Included
1	Structural documents	Photographs, Diagrams, and Schematics.
2	Aid Servicing Information	IATONIS FIDs, SANDS forms, Buoy Mooring selection sheets, and Other aid servicing

		documents.
3	• Aid Positioning Records	• Aid Positioning Records.
4	• Miscellaneous Aid Information	• Accuracy Classification, DRF I, SIF sheets, Old Grids, and Solarization Cards.
5	• Correspondence	• Operation Orders, CG 3213 & 3213a, and Letters.
6	• Message Traffic	• Discrepancies, Corrections, Broadcasts, Status Reports, and Seasonal Relief.

AUX-WWM-G1: Complete a Waterways Analysis and Management System (WAMS) Study

G1-01: Define and discuss the purpose and requirements for a WAMS.

- This analysis, officially known as a Waterways Analysis and Management System (WAMS) study, is a tool the CG uses to plan and implement our Aids to Navigation Program (ATON). WAMS are conducted every five years on each Federally designated "Navigable Waterway". Studies are normally announced in the USCG's, "Weekly Notice to Mariners," and occasionally by other additional means such as the media or via direct mailings. The USCG looks for two primary results from the WAMS; first and foremost, they look to see what may be done to enhance the safe navigation upon a waterway during the next five years. And secondly, they use the data collected to anticipate and plan the budgeting process, at both the regional and national levels, over the same timeframe.
- In conducting a WAMS the report writer solicits user input, rides at least one USCG and commercial vessel (and if available, other DOD, Federal, State, Local govt. vessels) to view the waterway firsthand. They also review existing navigational literature (Charts, Coast Pilots, Light Lists, Sailing Directions, ...) used by the mariner on a waterway with an eye to accuracy. In general, anything that "may" affect safe navigation on the waterway including, but not limited to, geological and other physical changes in the characteristics of the waterway (either manmade or natural), changing political or economic trends, accident (pollution/vessel) reoccurrence rates in the vicinity of any navigational aids or specific portion of a waterway, and sensitive military or environmental issues. The studies mandated by congress are a very important tool both for the Coast Guard and the Users.

AUX-WWM-G2: Review and/or Participate in a Ports and Waterways Safety

Assessment (PAWSA)

G2-01: Define and discuss PAWSA and describe the PAWSA process.

- The US Coast Guard (USCG) is charged with maintaining an acceptable level of safety in US ports and waterways. Allocating resources to solve safety problems is difficult because multiple attributes of a port or waterway affect its safety and determine whether a particular safety measure will improve it. The ports and waterways safety assessment (PAWSA) model is based on multiattribute decision analysis techniques and local experts' and stakeholders' assessments of safety levels and the effects safety alternatives would have on these levels. The USCG used the PAWSA model to justify funding for four new vessel traffic service centers and to determine new technology requirements for all commercial vessels using US waters. The USCG has adopted it as a permanent part of its safety management tool kit.
- **The Ports and Waterways Safety Assessment (PAWSA) Process:** The risk assessment process is a disciplined approach to identify major waterway safety hazards, estimate risk levels, evaluate potential mitigation measures, and set the stage for implementation of selected measures to reduce risk. The process involves convening a select group of waterway users / stakeholders and conducting a two-day structured workshop to meet these objectives. A sponsor (e.g., Captain of the Port) is required to initiate and manage the workshop. However, the process must be a joint effort involving waterway users, stakeholders, and the agencies / entities responsible for implementing selected risk mitigation measures.
- The risk assessment process is a disciplined approach to identify major waterway safety hazards, estimate risk levels, evaluate potential mitigation measures, and set the stage for implementation of selected measures to reduce risk. The process involves convening a select group of waterway users / stakeholders and conducting a two-day structured workshop to meet these objectives. A sponsor (e.g., Captain of the Port) is required to initiate and manage the workshop. However, the process must be a joint effort involving waterway users, stakeholders, and the agencies / entities responsible for implementing selected risk mitigation measures.
- The risk assessment process represents a significant part of joint public-private sector planning for mitigating risk in waterways. When applied consistently and uniformly in several waterways, the process is expected to provide a basis for making best value decisions for risk mitigation investments, both on the local and national level.
- Over 50 ports / waterways have completed the PAWSA process, which generally has been well received by local maritime communities and has resulted in some resounding successes. The ultimate goal of PAWSA is not only to establish a baseline of waterways for VTS consideration, but to

provide the local host and waterway community with an effective tool to evaluate risk and work toward long term solutions tailored to local circumstances. The goal is to find solutions that are both cost effective and meet the needs of waterway users and stakeholders.

G2-04: Describe the port and waterway user base for AOR.

- Vessel officers or operators
- Pilots
- Tug officers
- Ferry operators or operators of other small passenger vessels
- A spokesperson for recreational vessel operators
- A spokesperson for the commercial fishing or fishing charter industry
- Terminal operators
- Port authorities, harbor police, and firefighters
- Subject matter experts from environmental interest organizations
- Municipal, county, state, and federal officials or their agency employees having waterways management responsibilities
- USACOE project planners
- U.S. Navy afloat community representative
- Coast Guard buoy tender or other afloat unit commanding officers
- Shareholders who provide the funds for the port's utility and transportation infrastructure.

G2-10: Describe Risk Model process.

- **Waterway Risk Model:** Since risk is defined as the product of the probability of a casualty and its consequences, the Waterway Risk Model includes variables dealing with both the causes of waterway casualties and their effects. The six risk categories determined were:
 - o Vessel Conditions - the quality of vessels and their crews that operate on a waterway.

- o Traffic Conditions - the number of vessels that use a waterway and their interactions.
- o Navigational Conditions - the environmental conditions that vessels must deal with in a waterway relating to wind, currents, and weather.
- o Waterway Conditions - the physical properties of the waterway that affect how easy it is to maneuver a vessel.
- o Immediate Consequences - the immediate impacts of a waterway casualty: people can be injured or killed, petroleum and hazardous materials can be spilled and require response resources, and the marine transportation system can be disrupted.
- o Subsequent Consequences - the subsequent effects of waterway casualties that are felt hours, days, months, and even years afterwards, such as shore side facility shut-downs, loss of employment, destruction of fishing areas, decrease or extinction of species, degradation of subsistence living uses, and contamination of drinking or cooling water supplies.

Waterway Risk Model					
Vessel Conditions	Traffic Conditions	Navigational Conditions	Waterway Conditions	Immediate Consequences	Subsequent Consequences
Deep Draft Vessel Quality	Volume of Commercial Traffic	Winds	Visibility Impediments	Personnel Injuries	Health and Safety
Shallow Draft Vessel Quality	Volume of Small Craft Traffic	Water Movement	Dimensions	Petroleum Discharge	Environmental
Commercial Fishing Vessel Quality	Traffic Mix	Visibility Restrictions	Bottom Type	Hazardous Materials Release	Aquatic Resources
Small Craft Quality	Congestion	Obstructions	Configuration	Mobility	Economic

AUX-WWM-G3: Review a Waterways Suitability Assessment (WSA)

G3-01: Identify and discuss the Federal Energy Regulatory Commission (FERC) permit process.

- The **Federal Energy Regulatory Commission**, or **FERC**, is an independent agency that regulates the interstate transmission of **electricity**, natural gas, and oil. **FERC** also reviews proposals to build liquefied natural gas (LNG) terminals and interstate natural gas pipelines as well as licensing hydropower projects.

- **Liquefied Natural Gas Terminal Permitting Processes:**

This process includes consulting with stakeholders, identifying security, safety and environmental issues through scoping, and preparing environmental documents such as Environmental Assessments or Environmental Impact Statements. Applicants can choose the Pre-Filing process or the Traditional Process. Liquefied Natural Gas Terminal proposals filed with FERC must use the Pre-Filing Environmental Review Process. Applicants are encouraged to explore alternative projects with affected communities that would reduce environmental adverse effects and promote security and safety.

- **Natural Gas Pipeline & Storage Permitting Processes:**

This process includes consulting with stakeholders, identifying environmental issues through scoping, and preparing environmental documents such as Environmental Assessments or Environmental Impact Statements. Large projects may also include a preliminary determination based on non-environmental considerations. Certificates are issued by Commission order. FERC's proposed regulations are developed through the rulemaking process. A petition for a rulemaking can arise from the energy industry, specific companies, stakeholders and the public. There are four major parts of the process:

1. Petition for Rulemaking
2. Notice of Proposed Rulemaking
3. Notice of Final Rulemaking
4. Rehearing of Rulemaking

- **Hydropower Licensing Processes:**

Hydropower licensing processes include consulting with stakeholders, identifying environmental issues through scoping, and preparing environmental documents such as Environmental Assessments or Environmental Impact Statements. Licenses are issued by Commission order.

G3-02: Identify and discuss the other CG programs that will participate in the WSA process.

- Waterway Suitability Assessment (WSA) means a document used by the U.S. Coast Guard in assessing the suitability of a waterway for LNG marine traffic. The Preliminary WSA initiates the process of analyzing the safety and security risks posed by proposed LNG tanker operations to a port and waterways.
- Marine Safety

- ATON
- Bridges
- Port Security

G3-03: Review a Letter of Intent.

- Submittal of Letter of Intent (LOI) and Waterway Suitability Assessment (WSA). An owner or operator intending to build a new facility handling LNG, or an owner or operator planning new construction to expand or modify marine terminal operations in an existing facility handling LNG where the construction, expansion or modification would result in an increase in the size and/or frequency of LNG marine traffic on the waterway associated with a proposed facility or modification to an existing facility must submit an LOI and a WSA to the COTP of the zone in which the facility is or will be located. Submission of the LOI and WSA marks the official starting point of the Coast Guard's involvement as a cooperating agency in the FERC approval process. The COTP should notify the servicing District legal office and Commandant (CG-522) once a LOI and WSA have been received. The requirements for the LOI and WSA are contained in 33 CFR 127.007.
- Submittal of Preliminary WSA. A prospective applicant seeking to site, construct, and operate an LNG facility is required by USCG and FERC regulations (33 CFR 127.007 and 18 CFR 157.21) to submit a Preliminary WSA, along with the LOI, to the COTP at or before the time when the applicant begins the Pre-Filing period with FERC. The Preliminary WSA is typically a short document, often less than 10 pages long, and must provide a brief discussion on the following topics that will need to be addressed and analyzed in the fully developed Follow-on WSA:
 - (1) Port Characterization
 - (2) Characterization of LNG Facility and LNG Tanker Route (3) Risk Assessments for Maritime Safety and Security
 - (3) Risk Management Strategies
 - (4) Resource Needs for Maritime Safety, Security and Response
- In addition to the above, the WSA should have a section listing recommended risk mitigation measures and conclusions. The main purpose of the Preliminary WSA is for applicants to provide an outline to the COTP of the various risk factors they plan to analyze and the risk analysis methodology they plan to use in the Follow-on WSA. It gives the COTP the opportunity to

point out any issues or factors the applicant may have overlooked when considering the various potential safety and security impacts the LNG marine traffic may have on the port and associated waterway(s). It also provides an opportunity for the applicant and the COTP to identify the stakeholders at the port with whom the applicant should consult in developing the Follow-on WSA.

UNITED STATES OF AMERICA UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

[Applicant Name]

Project No. *(list number if applicable)*

NOTICE OF INTENT TO FILE APPLICATION FOR
[ORIGINAL, NEW, or SUBSEQUENT] LICENSE

Pursuant to 18 C.F.R. § 5.5, [Applicant Name] notifies the Federal Energy Regulatory Commission of its intention to file an Application for a(n) [Original, New, OR Subsequent] License for the [Project Name], Project No. _____(if applicable).

The following information is provided consistent with the requirements of 18 C.F.R. § 5.5.

The exact name and business address of the applicant(s) is:

[Do not include the representative or consultant preparing the application.]

Applicant's Name: _____

Address: _____

Project Number:

The FERC Project No. is _____

Unequivocal Statement of Intent:

[Applicant Name] intends to file an application for a(n) [original, new, OR subsequent] license for the Project utilizing the Commission's [Integrated Licensing Process (ILP), Traditional Licensing Process (TLP), OR Alternative Licensing Process (ALP)].

If you are requesting to use the Traditional Licensing Process or the Alternative Licensing Process rather than the ILP default process, you must receive Commission approval. Please include your request and a justification to use the TLP or ALP when you file your Notice of Intent with the Commission.

Type of Principal Project Works to be Licensed:

Please include all of your proposed project features, including: the reservoir, dam, impoundment, intake facilities, diversion structures, powerhouses, primary transmission lines, penstocks, pipelines, spillways, and any other structures associated with the facility.

Location of the Project:

FEDERAL ENERGY REGULATORY COMMISSION

[Applicant Name]

Project No. *(list number if applicable)*

NOTICE OF INTENT TO FILE APPLICATION FOR
[ORIGINAL, NEW, or SUBSEQUENT] LICENSE

Pursuant to 18 C.F.R. § 5.5, [Applicant Name] notifies the Federal Energy Regulatory Commission of its intention to file an application for a(n) [Original, New, OR Subsequent] License for the [Project Name], Project No. _____(if applicable).

The following information is provided consistent with the requirements of 18 C.F.R. § 5.5.

The exact name and business address of the applicant(s) is:

[Do not include the representative or consultant preparing the application.]

Applicant's Name: _____

Address: _____

Project Number:

The FERC Project No. is _____

Unequivocal Statement of Intent:

[Applicant Name] intends to file an application for a(n) [original, new, OR subsequent] license for the Project utilizing the Commission's [Integrated Licensing Process (ILP), Traditional Licensing Process (TLP), OR Alternative Licensing Process (ALP)].

If you are requesting to use the Traditional Licensing Process or the Alternative Licensing Process rather than the ILP default process, you must receive Commission approval. Please include your request and a justification to use the TLP or ALP when you file your Notice of Intent with the Commission.

Type of Principal Project Works to be Licensed:

Please include all of your proposed project features, including: the reservoir, dam, impoundment, intake facilities, diversion structures, powerhouses, primary transmission lines, penstocks, pipelines, spillways, and any other structures associated with the facility.

Location of the Project:

State or Territory: _____

County: _____

Township or nearby town: _____

The installed capacity of the project is: _____

Names and Mailing Addresses of Entities Listed in 18 C.F.R. § 5.5(b)(8):

Please see the Initial Consultation Contact List to get the names and addresses of Federal, state, and interstate resource agencies, Indian tribes, and members of the public likely to be interested your project. If one of the categories listed in (a) through (f) does not apply to your project, say so and explain why.

- (a) The County in which the Project is located, and in which any Federal Facility that is used or to be used by the Project is located:

County Name: _____
Address: _____

- (b) Each city or town in which any part of the Project is located, and in which any Federal facility that is used or to be used by the Project is located.

City/Town Name: _____
Address: _____

- (c) Each city or town that has a population of 5,000 or more people and is located within 15 miles of the existing Project dams:

City/Town Name: _____
Address: _____

- (d) Each irrigation district, drainage district, or similar special purpose political subdivision in which any part of the Project is located, and in which any Federal facility that is used or to be used by the Project is located.

Irrigation District Name: _____
Address: _____

Drainage District Name: _____
Address: _____

- (e) Each irrigation district, drainage district, or similar special purpose political subdivision that owns, operates, maintains, or uses any Project facility or any Federal facility that is or is proposed to be used by the Project.

Irrigation District Name: _____
Address: _____

Drainage District Name: _____
Address: _____

- _____
- (f) Every other political subdivision in the general area of the Project that there is reason to believe would likely be interested in, or affected by, this notification.

Political Subdivision Name: _____

Address: _____

- (g) Affected Indian Tribes.

Indian Tribe Name: _____

Address: _____

- (h) Other interested agencies or stakeholders.

Federal Agency Name: _____

Address: _____

State Agency Name: _____

Address: _____

Public Member Name: _____

Address: _____

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served, by U.S. First Class Mail, the Notice of Intent to File Application for [*Original, New, OR Subsequent*] License upon all interested parties designated on the attached service list in the [*Project Name*], Project No. _____(*if applicable*), in accordance with Rule 2010 of the Rules of Practice and Procedure, 18 C.F.R. § 385.2010.

[Date]

Signature

G3-11: Discuss the required elements of a Letter of Recommendation (LOR)

and draft a LOR.

- In addition to acting as a cooperating agency to FERC, the Coast Guard reviews the owner or operator's LOI and WSA, assesses the suitability of the waterway covered under the LOI and WSA, and issues an LOR under its regulations. The LOR with LOR Analysis attached, enclosures 5 and 6, is provided to FERC (as the siting authority) and to the state and local authorities having jurisdiction, to help assist with their decisions concerning the approval of the LNG facility. These documents are also provided to the facility owner and/or operator.
- After input during the WSA process has been considered by the COTP, the WSA has been reviewed, and the LOR Analysis has been completed and prior to the release of the draft EIS from FERC, the COTP should deliver the LOR as required by 33 CFR 127.009. Draft and final copies of the LOR should be routed through appropriate District and Area staffs for approval if requested by the COTP's chain of command, with pre-release informational copies provided to Commandant (CG-522), Commandant (CG-532), Commandant (CG-544), and Commandant (CG-741)) at least 10 working days prior to actual delivery of the LOR. A sample LOR is provided as enclosure (5) to this NVIC. Additionally, internal to the Coast Guard, the COTP should identify and document the anticipated Coast Guard resource needs for the project and submit the information to Commandant (CG-7) routed through the respective District and Area staffs with copies provided to Commandant (CG-751), Commandant (CG-741), Commandant (CG-544), Commandant (CG-532), and Commandant (CG-522).

Example:

DIRECTOR OF GAS ENVIRONEMENT AND
ENGINEERING, PJ 11 FEDERAL ENERGY
REGULATORY COMMISION
888 1ST ST NE
WASHINGTON, DC 20426-0002

Dear Mr./Ms.

This Letter of Recommendation (LOR) is issued pursuant to 33 CFR 127.009 in response to the Letter of Intent submitted by **[name of applicant]** on **[date]** proposing to transport Liquefied Natural Gas (LNG) by ship to the **[name of LNG facility]** proposed for operation in **[city, state]**. It conveys the Coast Guard's recommendation on the suitability of the **[name of waterway]** for LNG marine traffic as it relates to safety and security. In addition to meeting the requirements of

33 CFR 127.009, this letter also fulfills the Coast Guard's commitment for providing information to your agency under the Interagency Agreement signed in February 2004.

After reviewing the information in the applicant's Letter of Intent (LOI) and Waterway Suitability Assessment (WSA) and completing an evaluation of the waterway in consultation with a variety of state and local port stakeholders, I recommend that the ***[name of waterway].....be considered (suitable / not suitable) for LNG marine traffic***. My recommendation is based on review of the factors listed in 33 CFR 127.007 and 33 CFR 127.009. The reasons supporting to my recommendation are outlined below.

On ***[date]***, I completed a review of the WSA for the ***[project name]***, submitted by ***[name of applicant or entity that prepared the WSA]*** on ***[date]***. This review was conducted following the guidance provided in U.S. Coast Guard Navigation and Vessel Inspection Circular (NVIC) 01-2011, of ***[date of NVIC]***. The review focused on the navigation safety and maritime security aspects of LNG vessel transits along the affected waterway. My analysis included an assessment of the risks posed by these transits and possible risk management measures that could be imposed by FERC's Commission Order if one is issued. During the review, I consulted a variety of stakeholders including ***[Specify here, could include Area Maritime Security Committees, Harbor Safety Committees, State government representatives, and/or individual emergency responders, etc]***.

(Waterway is Suitable answer)

Based upon a comprehensive review of the applicant's WSA and after consultation with state and local port stakeholders, I recommend that the ***[waterway name]*** be considered suitable for accommodating the type and frequency of LNG marine traffic associated with this project.

The attached LOR Analysis contains a detailed summary of the WSA review process that has guided this recommendation. In the absence of full implementation of the strategies and risk management measures identified in the applicant's WSA, the ***[waterway name]*** would be considered unsuitable for the LNG marine traffic.

(Waterway Unsuitable Answer)

Based upon a comprehensive review of the applicant's WSA and in consultation with state and local port stakeholders, I am recommending that the **[Waterway Name]** be considered not suitable for accommodating the type and frequency of LNG marine traffic associated with this project. The specific reasons which lead to my recommendation are provided below. **[Specify all reasons why the waterway is unsuitable below]**

1.

2.

Should there be significant changes to the items described above, characteristics of the waterway or to the risk management measures proposed by the applicant which would cause my recommendation to change, I may reconsider my recommendation provided that supporting documentation regarding the changed circumstances is submitted for my review.

(Closing in Both Cases)

This recommendation is provided to assist you in your determination of whether the proposed facility should be commissioned. The risk management measures identified in the applicant's WSA and the information in the attached analysis may be used by you if you deem conditions are warranted in your Commission Order. As with all issues related to waterway safety and security, I will assess each transit on a case-by-case basis to identify what, if any, safety and security measures are necessary to safeguard the public health and welfare, critical marine infrastructure and key resources, the port, the marine environment, and the vessel.

If you have questions, my point of contact is **[name]**. He/She may be reached at the address, phone number and e-mail address listed above.

Sincerely,

[Name]
Captain,
U.S. Coast
Guard
Captain of
the Port

AUX-WWM-G4: Review and/or Participate in a Port Access Route Study (PARS)

G4-01: Define and discuss a PARS and the requirements for this study.

- The Ports and Waterways Safety Act (PWSA) (P.L. 95-474, 33 U.S.C. 1223(c)) requires the Coast Guard to conduct a Port Access Route Study (PARS) before establishing new or adjusting existing fairways or traffic separation schemes (TSS's). A primary purpose of a PARS is, to the extent practicable, to reconcile the need for safe access routes with other reasonable waterway uses such as renewable energy sites. A PARS also seeks to reduce the risk of marine casualties and increase the efficiency of vessel traffic in the study area. Recommendations from a PARS may lead to future rulemaking action or appropriate international agreements.
- In addition to aiding us in establishing new or adjusting existing fairways or Traffic Separation Schemes (TSS), the PARS process may be used to determine and justify if safety zones, security zones, recommended routes, regulated navigation areas, and other ships' routing measures should be created.
- PARS overall objectives include, but are not limited to, the following:
 - 1) Determine present vessel traffic density.
 - 2) Determine present vessel traffic movement.
 - 3) Determine potential vessel traffic density.
 - 4) Determine if existing vessel routing measures are adequate.
 - 5) Determine if existing vessel routing measures require modifications.
 - 6) Determine the type of modifications.
 - 7) Define and justify the needs for new vessel routing measures.
 - 8) Determine the type of new vessel routing measures.
 - 9) Determine if the usage of the vessel routing measures must be mandatory for specific classes of vessels.

G4-02: Define and discuss when a PARS review is necessary.

- In addition to aiding us in establishing new or adjusting existing fairways or Traffic Separation Schemes (TSS), the PARS process may be used to determine and justify if safety zones, security zones, recommended routes, regulated navigation areas, and other ships' routing measures should be created.

G4-03: Determine the need for a PARS.

- The District Commander must determine if a PARS is required. This decision may be made based on—
 - a. A request from a private party. This request should propose a study in a

particular area, identify problems due to the lack of vessel routing measures, identify problems with existing vessel routing measures, and provide possible solutions or alternatives to the present situation in the waterway.

- b. New information. The District Commander is made aware of the need for new or modified vessel routing measures due to increased Outer Continental Shelf (OCS) activities, port development or improvements, increase or decrease in vessel traffic flow and congestion, or any other factors or information deemed appropriate.
- c. Review of previous PARS. The District Commander will review any previous PARS for the identified study area and will determine if any conditions or information has significantly changed enough since the last PARS to justify a new study.

G4-04: Define and discuss in detail the terms Traffic Separation Scheme, Vessel Routing System, Separation Zone, Precautionary Area, and Areas to Be Avoided.

- Traffic Separation Scheme:

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- o A traffic separation scheme (or 'TSS') is an area in the sea where navigation of ships is highly regulated. Each TSS is designed to create *lanes* in the water with ships in a specific lane all travelling in (roughly) the same direction.
- o A TSS is typically created in locations with large numbers of ship movements and vessels travelling in different directions and where there might otherwise be a high risk of collisions.
- o A vessel using a traffic separation scheme shall:
 - Proceed in the appropriate traffic lane in the general direction of traffic flow for that lane.
 - So far as practicable keep clear of a traffic separation line or separation zone.
 - Normally join or leave a traffic lane at the termination of the lane, but when joining or leaving from either side shall do so at as small an angle to the general direction of traffic flow as practicable.
- o A vessel shall, so far as practicable, avoid crossing traffic lanes but if obliged to do so shall cross on a heading as nearly as practicable at right angles to the general direction of traffic flow.
- o A vessel shall not use an inshore traffic zone when she can safely use the appropriate traffic lane within the adjacent traffic separation scheme. However, vessels of less than 20 meters in length, sailing vessels, and vessels engaged in fishing may use the inshore traffic zone. Notwithstanding paragraph (d)(i) of this Rule, a vessel may use an inshore traffic zone when en route to or from a port, offshore installation or structure, pilot station, or any other place situated within the inshore traffic zone, or to avoid immediate danger.

- o A vessel other than a crossing vessel or a vessel joining or leaving a lane shall not normally enter a separation zone or cross a separation line except:
 - In cases of emergency to avoid immediate danger.
 - To engage in fishing within a separation zone.
- o A vessel navigating in areas near the terminations of traffic separation schemes shall do so with particular caution.
- o A vessel shall so far as practicable avoid anchoring in a traffic separation scheme or in areas near its terminations.
- o A vessel not using a traffic separation scheme shall avoid it by as wide a margin as is practicable.
- o A vessel engaged in fishing shall not impede the passage of any vessel following a traffic lane.
- o A vessel of less than 20 meters in length or a sailing vessel shall not impede the safe passage of a power-driven vessel following a traffic lane.
- o A vessel restricted in her ability to maneuver when engaged in an operation for the maintenance of safety of navigation in a traffic separation scheme is exempted from complying with this Rule to the extent necessary to carry out the operation.
- o A vessel restricted in her ability to maneuver when engaged in an operation for the laying, servicing, or picking up of a submarine cable, within a traffic separation scheme, is exempted from complying with this Rule to the extent necessary to carry out the operation.
- Vessel Routing System:
 - o **Vessel routing system** means any **system** of one or more routes or **routing** measure aimed at reducing the risk of casualties; it includes traffic separation schemes, two-way routes, recommended tracks, areas to be avoided, no anchoring areas, inshore traffic zones, roundabouts, precautionary areas, and deep-water routes.
- Separation Zone:
 - o **Separation Zone** or separation line means a zone or line separating the traffic lanes in which vessels are proceeding in opposite or nearly opposite directions; or separating a traffic lane from the adjacent sea area; or separating traffic lanes designated for particular classes of vessels proceeding in the same direction.
- Precautionary Area:
 - o **Precautionary area** means a routing measure comprising an area within defined limits where vessels must navigate with caution and within which the direction of traffic flow may be recommended.
- Areas to Be Avoided:

- o **Area to be avoided** or *ATBA* means a routing measure comprising an area within defined limits in which either navigation is particularly hazardous, or it is exceptionally important to avoid casualties, and which should be avoided by all vessels, or certain classes of vessels.

G4-05: Identify other government agencies (OGA) involved in PARS.

- The District Commander will notify and consult with all Federal, State, tribal and local government agencies located in or near the PARS study area that may be affected by the results of the PARS.

G4-06: Identify internal/external stakeholders involved.

- The District Commander should also notify and consult with representatives of the maritime community, port and harbor authorities/associations, pilot associations, and any other local customer or interest group deemed appropriate.

AUX-WWM-H1: Complete an Environmental Planning Review

H1-01: Define and discuss environmental planning laws to include but not Limited to: NEPA, ESA, MBTA, NHPA, MMPA, MSFCMA, etc.

- National Environmental Policy Act of 1969 (NEPA):
 - o The National Environmental Policy Act (NEPA) is a United States environmental law that promotes the enhancement of the environment and established the President's Council on Environmental Quality (CEQ).
 - o NEPA's most significant outcome was the requirement that all executive Federal agencies prepare environmental assessments (EAs) and environmental impact statements (EISs). These reports state the potential environmental effects of proposed Federal agency actions.
- Endangered Species Act of 1973 (ESA):
 - o The purpose of the ESA is to protect and recover imperiled species and the ecosystems upon which they depend. It is administered by the U.S. Fish and Wildlife Service (Service) and the Commerce Department's National Marine Fisheries Service (NMFS). The Service has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine wildlife such as whales and anadromous fish such as salmon.
 - o Under the ESA, species may be listed as either endangered or threatened. "Endangered" means a species is in danger of extinction throughout all or a significant portion of its range. "Threatened" means a species is likely to become endangered within the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened. For the purposes of the ESA, Congress defined species to include subspecies, varieties, and, for vertebrates, distinct population segments.

- Migratory Bird Treaty Act (MBTA):
 - o The Migratory Bird Treaty Act of 1918 (MBTA), 16 U.S.C. § 703-711, makes it illegal to “pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, . . . or any part, nest, or egg of any such bird” unless permitted by regulation. (16 U.S.C. 703)
 - o The USCG by responding to pollution protect migratory birds’ habitat.
- National Historic Preservation Act of 1966 (NHPA):
 - o The National Historic Preservation Act (NHPA) requires federal agencies to consider the effects of their undertakings on historic properties in the United States, including the outer continental shelf and the exclusive economic zone (section 106, 16 U.S.C. § 470f). Federal undertakings outside of the United States must take into account adverse effects on sites inscribed on the World Heritage List or on the foreign nation’s equivalent of the National Register for the purpose of avoiding or mitigating adverse effects (section 402, 16 U.S.C § 470a- 2).
- Marine Mammal Protection Act of 1972 (MMPA):
 - o The National Historic Preservation Act (NHPA) requires federal agencies to consider the effects of their undertakings on historic properties in the United States, including the outer continental shelf and the exclusive economic zone (section 106, 16 U.S.C. § 470f). Federal undertakings outside of the United States must consider adverse effects on sites inscribed on the World Heritage List or on the foreign nation’s equivalent of the National Register for the purpose of avoiding or mitigating adverse effects (section 402, 16 U.S.C § 470a-2).
 - o Jurisdiction for MMPA is shared by Service(Service) and the National Marine Fisheries Service (NMFS).
- Magnuson-Stevens Fishery Conservation & Management Act of 1976 (MSFCMA):
 - o The **Magnuson–Stevens Fishery Conservation and Management Act (MSFCMA)**, commonly referred to as the **Magnuson–Stevens Act (MSA)**, is the legal provision for promoting optimal exploitation of U.S. coastal fisheries.
 - o The Magnuson–Stevens Fishery Conservation and Management Act is the primary law governing marine fisheries management in United States federal waters.
 - o The act has been amended several times in response to continued overfishing of major stocks. The most recent version, authorized in 2007, includes seven purposes:

1. Acting to conserve fishery resources
2. Supporting enforcement of international fishing agreements
3. Promoting fishing in line with conservation principles
4. Providing for the implementation of fishery management plans (FMPs) which achieve optimal yield
5. Establishing Regional Fishery Management Councils to steward fishery resources through the preparation, monitoring, and revising of plans which (A) enable stake holders to participate in the administration of fisheries and (B) consider social and economic needs of states.
6. Developing underutilized fisheries
7. Protecting essential fish habitats
8. Reducing bycatch and establishing fishery information monitoring systems

H1-03: Identify WWM activities (Federal Action) that may require environmental planning and compliance review.

- The Coast Guard's role is to support access to navigable waterways for mariners, facilitate movement of commerce, and support environmental protection, all in a safe and secure manner. This is as complicated in reality as it sounds on paper and is accomplished through programs such as Aids to Navigation (for example, buoys and lighthouses), Ice Operations (breaking ice to enable ships to pass), Bridge Program (permits for bridge construction or modification), Coastal and Marine Spatial Planning (cooperating with other agencies such as the National Oceanic and Atmospheric Administration (NOAA) to conduct research) and port management activities in cooperation with other port stakeholders (for example, Harbor Safety Committees).

H1-07: Complete an environmental checklist in accordance with NEPA & CEQ.

DOE Environmental Assessment Checklist

PREFACE

The attached checklist, developed by Department of Energy (DOE) Office of NEPA Oversight, is intended to aid in preparing and reviewing DOE Environmental Assessments (EAs), prepared pursuant to the National Environmental Policy Act (NEPA). Checklist questions are based on NEPA, the Council on Environmental Quality (CEQ) NEPA Regulations (40 CFR Parts 1500-1508), DOE NEPA Regulations (10 CFR Part 1021), the DOE Office of Environment, Safety and Health's "Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statements" ("Recommendations"), other Council and DOE guidance, and related federal environmental, safety, and health laws and regulations.

The checklist consists of two parts: List 1 – General, and List 2 – Supplemental Topics.

Abbreviations/acronyms and references can be found at the end of List 2. Generally, the questions in List 1 are applicable to all EAs; the questions in List 2 may be used as applicable, depending on the specific proposal. Both lists provide columns for “yes”, “no”, and not applicable (“N/A”) responses. If desired, notes on document adequacy and other comments can also be entered. The questions are phrased so that a “yes” answer is preferable to a “no” answer. Not all questions will apply to all EAs; the checklist should be adapted according to the particular circumstances. Consider also the use of the “sliding scale” approach (see “Recommendations”).

Modification of this checklist is encouraged to suit the needs of a particular office or program. In particular, users may wish to revise or add to the topical questions in List 2. In all modified versions, however, the title page discussion (page 1) should be retained as an integral part of the checklist. Further, those who modify the checklist should identify themselves on the checklist to establish ownership and accountability.

DOE Environmental Assessment Checklist	
Document Title: Document Number Document Date:	Reviewed By: Office/Phone: Date:

Attached is a checklist to aid in preparing and reviewing DOE Environmental Assessments (EA's), prepared pursuant to the National Environmental Policy Act (NEPA). Like any checklist, it has both value and limits.

On one hand, a checklist may help EA preparers and reviewers to:

- avoid overlooking required or recommended items.
- identify needed analyses and discussions.
- provide a record of an internal review.

On the other hand, NEPA analysis does not reduce to a single formula or checklist. Each DOE proposal presents unique circumstances and potential impacts. This checklist should be applied carefully because:

- no checklist can be universally comprehensive or complete.
- it does not substitute for the original laws, regulations, and guidance.
- it alone cannot ensure that the EA will be adequate under, and in full compliance with NEPA and associated federal laws and regulations.
- addressing generic items on a checklist alone may not lead to a sufficiently rigorous analysis of potential impacts of a proposed action.
- checklist items are not always of equal importance or weight (e.g., if threatened and endangered species are not addressed, an EA is generally inadequate; however, omitting beneficial impacts usually is not critical).

In short, a checklist should not be relied upon as the only way to build quality into a DOE EA. It does not replace good judgment.

Finally, this EA checklist is not intended to promote the rote generation of standardized documentation. It is not meant to encourage an ethic of minimal compliance with environmental, safety, and health standards. It cannot measure whether resources are appropriately allocated, or the extent to which DOE decision makers use NEPA information in decisions and whether those decisions improve protection of environmental quality. In the long run, the focus should be on the ultimate "product" of the NEPA process: high quality decisions and sound environmental stewardship.

Office of NEPA Oversight, U.S. Department of Energy
August 1994

DOE Environmental Assessment Checklist*

List 1: General	Yes	No	N/A	Page	Adequacy Evaluation and Comments
1.1.0 SUMMARY (Optional in DOE EAs)					
1.1.1 Does the summary address the entire EA [Recommendations, p.3]?**					

List 1: General	Yes	No	N/A	Page	Adequacy Evaluation and Comments
1.1.2 Is the summary consistent with information in the document [Recommendations, p.3]?					
1.1.3 Does the summary highlight key differences among the alternatives [Recommendations, p.3]?					
1.1.4 Does the summary describe: the underlying purpose and need for agency action?					
the proposed action?					
each of the alternatives?					
the principal environmental issues and results (Recommendations p.3)?					
1.2.0 PURPOSE AND NEED FOR ACTION					
1.2.1 Does the statement of purpose and need define the need for <u>DOE</u> action (40 CFR 1508.9)					
1.2.2 Does the statement of purpose and need relate to the broad requirement or desire for agency action, and not to the need for one specific proposal [Recommendations, p.4]?					
1.2.3 Is the statement of purpose and need written so that it does not inappropriately narrow the range of reasonable alternatives [Recommendations, p.5]?					
1.2.4 Does the statement of purpose and need identify the problem or opportunity to which the agency is responding? [Recommendations, p.5]?					

* See list of Abbreviations/Acronyms, p. 17.
See list of References, pp. 18-19.

** "Recommendations" refers to guidance entitled 'Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statements' (issued by the Assistant Secretary for Environment, Safety and Health, May 1993)

1.3.0 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

List 1: General	Yes	No	N/A	Page	Adequacy Evaluation and Comments
1.3.1 Is the proposed action described in sufficient detail so that potential impacts can be identified? Are all phases described (e.g., construction, operation, maintenance, and decommissioning) [Recommendations, p.7]?					
1.3.2 Are environmental releases associated with the proposed action quantified, including both the rates and durations [Recommendations, p.7]?					
1.3.3 As appropriate, are mitigation measures included in the description of proposed action [Recommendations, p.8]?					
1.3.4 Is the project description written broadly enough to encompass future modifications [Recommendations, p.8]?					
1.3.5 Does the proposed action exclude elements that are more appropriate to the statement of purpose and need? [Recommendations, p.8]?					
1.3.6 Is the proposed action described in terms of the <u>DOE</u> action to be taken (even a private action that has been federalized) [Recommendations, p.9]?					
1.3.7 Does the EA address a range of reasonable alternatives that satisfy the agency's purpose and need, including reasonable alternatives outside DOE's jurisdiction [Recommendations, p.9]?					
1.3.9 Does the EA include the no action alternative [10 CFR 1021.321(c)]?					
1.3.10 Is the no action alternative described in sufficient detail so that its scope is clear and potential impacts can be identified [Recommendations, p.11]?					
1.3.11 Does the no action alternative include a discussion of the legal ramifications of no action, if appropriate [Recommendations, p.11]?					

1.3.12 Does the EA take into account relationships between the proposed action and other actions to be taken by the agency in order to avoid improper segmentation [Recommendations, p.12]?					
1.3.13 Does the proposed action comply with CEQ regulations for interim actions [40 CFR 1506.1]?					
1.4.0 DESCRIPTION OF THE AFFECTED ENVIRONMENT					
1.4.1 Does the EA <u>identify either the presence or absence</u> of the following within the area potentially affected by the proposed action and alternatives:					
floodplains [EO 11988; 10 CFR 1022]?					
wetlands [EO 11990; 10 CFR 1022; 40 CFR 1506.27(b)(3)]?					
threatened, endangered, or candidate species and/or their critical habitat, and other special status (e.g., state-listed) species [16 USC 1531; 40 CFR 1508.21(b)(3)]?					
prime or unique farmland [7 USC 4201; 7 CFR 658; 40 CFR 1508.27(b)(3)]?					
state or national parks, forests, conservation areas, or other areas of recreational, ecological, scenic, or aesthetic importance?					
wild and scenic rivers [16 USC 1271; 40 CFR 1508.27(b)(3)]?					
natural resources (e.g., timber, range, soils, minerals, fish, wildlife, water, bodies, aquifers)?					
property of historic, archaeological, or architectural significance (including sites on or eligible for the National Register of Historic Places and the National Registry of Natural Landmarks) [16 USC 470; 36 CFR 800; 40 CFR 1508.27(b)(3)]?					
Native American' concerns [16 USC 470; 42 USC 1996]?					

minority and low-income populations (including a description of their use and consumption of environmental resources) [EO 12898]?					
1.4.2 Does the description of the affected environment provide the necessary information to support the impact analysis, including cumulative impact analysis [Recommendations, p.14]?					
1.4.3 Does the EA appropriately use incorporation by reference? Is/are the incorporated document(s) up-to-date?					
1.4.4 If this EA adopts, in whole or in part, a NEPA document prepared by another federal agency, has DOE independently evaluated the information?					
1.5.0 ENVIRONMENTAL EFFECTS					
1.5.1 Does the EA identify the potential effects (including cumulative effects) to the following, as identified in question 1.4.1:					
floodplains [EO 11968; 10 CFR 1022]?					
wetlands [EO 11990; 10 CFR 1022; 40 CFR 1506.27(b)(3)]?					
threatened, endangered, or candidate species and/or their critical habitat, and other special status (e.g., state-listed) species [16 USC 1531; 40 CFR 1508.27(b)(3)]?					
prime or unique farmland [7 USC 4201; 7 CFR 658; 40 CFR 1508.27(b)(3)]?					
state or national parks, forests, conservation areas, or other areas of recreational ecological, scenic, or aesthetic importance?					
wild and scenic rivers [16 USC 1271; 40 CFR 1508.27(b)(3)]?					
natural resources (e.g., timber, range, soils, minerals, fish, wildlife, water bodies, aquifers)?					

property of historic, archaeological, or architectural significance (including sites on or eligible for the National Registry of Natural Landmarks) [16 USC 470; 36 CFR 800; 40 CFR 1508.27(b)(3)]?					
Native Americans' concerns [16 USC 470; 42 USC 1996]?					
minority and low-income populations [EO 12898]?					
1.5.2 Does the EA analyze the proposed action:					
for both short-term and long-term effects [40 CFR 1508.27(a)]?					
for both beneficial and adverse impacts [40 CFR 1508.27(b)(1)]?					
for effects on public health and safety [40 CFR 1508.27(b)(2)]?					
for disproportionately high and adverse human health or environmental effects on minority and low-income communities [EO 12898]?					
1.5.3 Do the discussions of environmental impacts include (as appropriate) human health effects, effects of accidents, and transportation effects [Recommendations Sec. 6.1]?					
1.5.4 As appropriate, does the EA address the degree to which the possible effects on the human environment may be highly uncertain or involve unique or unknown risks [40 CFR 1508.27(b)(5)]?					
1.5.5 Do the discussions of environmental impacts identify possible indirect and cumulative impacts [Recommendations, Sec. 6.1]?					
1.5.6 Does the EA quantify environmental impacts where possible [Recommendations, p.18]					

1.5.7 Are all potentially non-trivial impacts identified? Are impacts analyzed using a graded approach – i.e., proportional to their potential significance [Recommendations, p.16 and 17]?					
1.5.8 Does the EA identify all reasonably foreseeable impacts [40 CFR 1508.8]?					
1.5.9 If information related to potential impacts is incomplete or unavailable, does the EA indicate that such information is lacking [40 CFR 1502.22]?					
1.5.10 Are sufficient data and references presented to allow review of the validity of analysis methods and results [Recommendations, p. 19]?					
1.6.0 OVERALL CONSIDERATIONS/INCORPORATIONS OF NEPA VALUES					
1.6.1 Because conclusions of overall significance will be made in a FONSI or determination to prepare an EIS, are the words “significant” and “insignificant” absent from conclusory statements in the EA [Recommendations, p.38]?					
1.6.2 Do the conclusions regarding potential impacts follow from the information and analyses presented in the EA [Recommendations p. 30]?					
1.6.3 Does the EA avoid the implication that compliance with regulatory requirements demonstrates the absence of significant environmental effects [Recommendations, p.20]?					
1.6.4 Are mitigation measures appropriate to the potential impacts identified in the EA [40 CFR 1500.2(f)]?					
1.6.5 Does the EA show that the agency “has taken a ‘hard look’ at environmental consequences” [<i>Kleppe v. Sierra Club</i> , 427 US 390, 410 (1976)]?					
1.7.0 PROCEDURAL CONSIDERATIONS					

1.7.1 Were host states and tribes and, when applicable, the public notified of DOE's determination to prepare the EA [10 CFR 1021.301; Policy Statement, Sec. V]?*** Does the EA address issues known to be of concern to the states, tribes, and public?					
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*** "Policy Statement" refers to the 'Secretarial Policy Statement on the National Environmental Policy Act' (Issued by the Secretary of Energy, June 13, 1994)

1.7.2 Has the EA been made available to the agencies, states, tribes, and the public? [10 CFR 1021.301]?					
1.7.3 Have stakeholders including the public been involved to the extent practicable during the preparation of the EA [CEQ (46 FR 18037); 40 CFR 1506.6; 40 CFR 1501.4(b); 10 CFR 1021.301]? Has the DOE proactively sought the involvement of minority and low-income communities in the review and preparation process [EO 12898]?					
1.7.4 Have comments from host states and tribes and, when applicable, the public been addressed [10 CFR 1021.301; Policy Statement, Sec. V]?					
1.7.5 Is a Floodplain/Wetlands Assessment required and if so, has one been completed? If required, has a Public Notice been published in the Federal Register [10 CFR 1022.14(b)]?					
1.7.6 Does the EA demonstrate adequate consultation with appropriate agencies to ensure compliance with sensitive resource laws and regulations? Are letters of consultation (e.g., SHPO, USFWS) appended [16 USC 1531; 36 CFR 800; Recommendations, p.15]?					
1.7.7 Does the EA include a listing of agencies and persons consulted [40 CFR 1508.9(b)]?					
1.8.0 FORMAT, GENERAL DOCUMENT QUALITY, USER-FRIENDLINESS					

1.8.1 Is the EA written precisely and concisely, using plain language, and without jargon [10 CFR 1021.301(b); Recommendations, p.36]?					
1.8.2 Is DOE listed as the preparer on the title page of the EA [Recommendations, p.32]?					
1.8.3 Is the metric system of units used (with English units in parentheses) to the extent possible [Recommendations, p.35]?					
1.8.4 If scientific notation is used, is an explanation provided [Recommendations, p.35]?					
1.8.5 Are technical terms defined where necessary [10 CFR 1021.301(b); Recommendations, p.36]?					
1.8.6 Are the units consistent throughout the document [Recommendations, p.35]?					
1.8.7 If regulatory terms are used, are they consistent with their regulatory definitions [Recommendations, p.37]?					
1.8.8 Are visual aids used whenever possible to simplify the EA?					
1.8.9 Are abbreviations and acronyms defined the first time they are used?					
1.8.10 Is the use of abbreviations minimized to the extent practical?					
1.8.11 Do the appendices support the content and conclusions contained in the main body of the EA? Is information in the appendix consistent with information in the main body of the EA [Recommendations, p.33]?					
1.8.12 Is information in tables and figures consistent with information in the text and appendices [Recommendations, p.33]?					
1.9.0 KEY TO SUPPLEMENTAL TOPICAL QUESTIONS					
1.9.1 Does the proposed action present potential for impacts on water resources or water quality?			If yes, complete questions in Section 2.1.0		
1.9.2 Does the proposed action present potential for impacts related to geology or soils?			If yes, complete questions in Section 2.2.0		

1.9.3 Does the proposed action present potential for impacts on air quality?			If yes, complete questions in Section 2.3.0
1.9.4 Does the proposed action present potential for impacts on wildlife or habitat?			If yes, complete questions in Section 2.4.0
1.9.5 Does the proposed action present potential for effects on human health?			If yes, complete questions in Section 2.5.0

1.9.6 Does the proposed action involve transportation?			If yes, complete questions in Section 2.6.0
1.9.7 Does the proposed action involve waste management?			If yes, complete questions in Section 2.7.0
1.9.8 Does the proposed action present potential for impacts on socioeconomic conditions?			If yes, complete questions in Section 2.8.0
1.9.9 Does the proposed action present potential for impacts to historic, archaeological, or other cultural sites or properties?			If yes, complete questions in Section 2.9.0

List 2: Supplemental Topics	Yes	No	N/A	Page	Adequacy Evaluation and Comments
2.1.0 WATER RESOURCES AND WATER QUALITY					
2.1.1 Does the EA identify potential effects of the proposed action and alternatives on surface water quantity and quality under both normal operations and accident conditions?					
2.1.2 Does the EA evaluate whether the proposed action or alternatives would be subject to:					
water quality or effluent standards?					
National Interim Primary Drinking Water Regulations?					
National Secondary Drinking Water Regulations?					
2.1.3 Does the EA state whether the proposed action or alternatives:					
Would include work in, under, over, or having an effect on navigable water of the United States?					
Would include the discharge of dredged or fill material into waters of					

the United States?

Would include the deposit of fill material or an excavation that alters or modifies the course, location, condition, or capacity of any navigable waters of the United States?

Would require a Rivers and Harbors Act Section 10 permit or a Clean Water Act (Section 402 or Section 404) permit?

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2.1.4 Does the EA identify potential effects of the proposed action and alternatives on groundwater quantity and quality (including aquifers) under both normal operations and accident conditions?

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2.1.5 Does the EA consider whether the proposed action or alternatives may affect any municipal or private drinking water supplies?

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2.2.0 GEOLOGY AND SOILS

2.2.1 Does the EA describe and quantify the land area proposed to be altered, excavated, or otherwise disturbed? Is this description consistent with other sections (e.g., land use, habitat area)?

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2.2.2 Are issues related to seismicity sufficiently characterized, quantified, and analyzed?

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2.2.3 If the action involves disturbance of surface soils, are erosion control measures addressed?

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2.3.0 AIR QUALITY

2.3.1 Does the EA identify potential effects of the proposed action on ambient air quality under both normal and accident conditions?

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2.3.2 Are potential emissions quantified to the extent practicable (amount and rate of release)?

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2.3.3 Does the EA evaluate potential effects to human health and the environment from exposure to radiation and hazardous chemicals in emissions?

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2.3.4 Does the EA evaluate whether the proposed action and alternatives would:					
be in compliance with the National Ambient Air Quality Standards?					
be in compliance with the State Implementation Plan?					
potentially affect any area designated as Class I under the Clean Air Act?					
be subject to New Source Performance Standards?					
be subject to National Emissions Standards for Hazardous Air Pollutants?					
be subject to emissions limitations in an Air Quality Control Region?					
2.4.0 WILDLIFE AND HABITAT					
2.4.1 If the EA identifies potential effects of the proposed action and alternatives on threatened or endangered species and/or critical habitat, has the consultation with the USFWS or NMFS been concluded? Does the EA address <u>candidate</u> species?					
2.4.2 Are <u>state</u> -listed species identified, and if so, are results of state consultation documented?					
2.4.3 Are potential effects (including cumulative effects) analyzed for fish and wildlife other than threatened and endangered species and for habitats other than critical habitats?					
2.4.4 Does the EA analyze the impacts of the proposed action on the biodiversity of the affected ecosystem, including genetic diversity and species diversity?					
2.4.5 Are habitat types identified and estimates provided by type for the amount of habitat lost or adversely affected?					
2.5.0 HUMAN HEALTH EFFECTS					

2.5.1 Have the susceptible populations been identified – i.e., involved workers, non-involved workers, and the public (including minority and low-income communities, as appropriate) [Recommendations, p.21]?					
2.5.2 Does the EA establish the period of exposure (e.g., 30 years or 70 years) for exposed workers and the public [Recommendations, p.21]?					
2.5.3 Does the EA identify all potential routes of exposure [Recommendations, p.21]?					
2.5.4 When providing quantitative estimates of impacts, does the EA use current dose-to-risk conversion factors that have been adopted by cognizant health and environmental agencies [Recommendations, p.22]?					
2.5.5 When providing quantitative estimates of health effects due to radiation exposure, are collective effects expressed in estimated numbers of fatal cancers, and are maximum individual effects expressed as the estimated maximum probability of death of an individual [Recommendations, p.22]?					
2.5.6 Does the EA describe assumptions used in the health effects analysis and the basis for health effects calculations [Recommendations, p.22]?					
2.5.7 As appropriate, does the EA analyze radiological impacts under normal operating conditions for: Involved workers: Collective dose?					
Maximum Individual?					
Latent cancer fatalities?					
Uninvolved workers: Collective dose?					
Maximum Individual?					
Latent cancer fatalities?					
Public: Collective dose?					
Maximum Individual?					

Latent cancer fatalities?					
2.5.8 Does the EA identify a spectrum of potential accident scenarios that could occur over the life of the proposed action [Recommendations, p.27]?					
2.5.9 As appropriate, does the EA analyze radiological impacts under accident conditions for: Involved workers Collective dose?					
Maximum individual?					
Latent cancer fatalities?					
Uninvolved workers Collective dose?					
Maximum Individual?					

Latent cancer fatalities?					
Public Collective dose?					
Maximum individual?					
Latent cancer fatalities?					
2.5.10 Are non-radiological impacts (e.g., chemical exposures) addressed for both routine and accident conditions [Recommendations, p.25]?					

2.6.0 TRANSPORTATION

2.6.1 If transport of hazardous or radioactive waste or materials is part of the proposed action, or if transport is a major factor, are the potential effects analyzed (including to a site, on-site, and from a site) [Recommendations, p.25]?					
2.6.2 Does the EA analyze all reasonably foreseeable transportation links (e.g., overland transport, port transfer, marine, transport, global commons) [Recommendations, p.26; EO 12114]?					
2.6.3. Does the EA avoid relying exclusively on statements that transportation will be in accordance with all applicable state and federal regulations and requirements [Recommendations, p.26]?					

2.6.4 Does the EA address both routine transportation as well as reasonably foreseeable accidents [Recommendations, p.26]?					
2.6.5 Are the estimation methods used for assessing radiological impacts of transportation defensible [Recommendations, p.26]?					
2.6.6 Does the EA address the annual, total, and cumulative impacts of all DOE and non-DOE transportation on specific routes associated with the proposed action [Recommendations, p.26]?					
2.7.0 WASTE MANAGEMENT AND WASTE MINIMIZATION					
2.7.1 Are pollution prevention and waste minimization practices applied in the proposed action and alternatives (e.g., is pollution prevented or reduced at the source when feasible; would waste products be recycled when feasible; are by-products that cannot be prevented or recycled treated in an environmentally safe manner when feasible; is disposal only used as a last resort)?					
2.7.2 If waste would be generated, does the EA examine the human health effects and environmental impacts of managing that waste, including waste generated during decontaminating and decommissioning?					
2.7.3 Are waste materials characterized by type and estimated quantity, where possible?					
2.7.4 Does the EA identify RCRA/CERCLA issues related to the proposed action and alternatives?					
2.7.5 Does the EA establish whether the proposed action and alternatives would be in compliance with federal or state laws and guidelines affecting the generation, transportation, treatment, storage, or disposal of hazardous and other waste?					
2.8.0 SOCIOECONOMIC CONSIDERATIONS					
2.8.1 Does the EA consider potential effects on land use patterns,					

consistency with applicable land use plans, and compatibility of nearby uses?					
2.8.2 Does the EA consider potential economic impacts, such as effects on jobs and housing, particularly in regard to disproportionate adverse effects on minority and low-income communities?					
2.8.3 Does the EA consider potential economic impacts, such as effects on jobs and housing, particularly in regard to disproportionate adverse effects on minority and low-income communities?					
2.8.4 Does the EA consider potential effects on public water and wastewater services, stormwater management, community services, and utilities?					
2.8.5 Does the EA evaluate potential noise effects of the proposed action and the application of community noise level standards?					
2.9.0 CULTURAL RESOURCES					
2.9.1 Was the SHPO consulted?					
2.9.2 Was an archaeological survey conducted?					
2.9.3 Does the EA include a provision for mitigation in the event unanticipated archaeological materials are encountered?					

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