



The American Waterways Operators

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Ms. Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington, DC 20426

Re: Revised Study Plan Comments - Integrated Licensing Process
(ILP) Projects: P-12829, P-12861, P-12921, P-12930,
P-12938, P-12915 and P-12912

Dear Secretary Bose:

The American Waterways Operators (AWO) is the national trade association for the inland and coastal tugboat, towboat and barge industry. Hundreds of AWO members operate thousands of vessels on the inland river system, transporting key commodities such as grain, coal and petroleum, and providing essential harbor services such as fleeting. AWO members provide the nation with a safe, secure, efficient and environmentally-friendly means of transportation for America's domestic commerce. AWO thanks the Federal Energy Regulatory Commission (FERC) for the opportunity to comment on Free Flow Power Corporation's (FFP) Revised Study Plan (RSP) concerning its seven "lead" projects that are being processed under the Integrated Licensing Process (ILP) in addition to the 48 other projects that are being processed under the Traditional Licensing Process (TLP).

AWO is encouraged by FFP's commitment to the U.S. Coast Guard's Navigation and Vessel Inspection Circular (NVIC) 02-07. During a December 1 New Orleans meeting with FFP representatives, AWO reviewed FFP's seven TLP project sites. The meeting focused on initial navigational concerns and discussed plans for future engagements. AWO considers this initial meeting a good first step that comports with language in NVIC 02-07 which states that "early and continued involvement of the affected stakeholders in the risk assessment process is strongly recommended." AWO anticipates similar meetings in the near future, and looks forward to actively working with both FERC and FFP throughout the project study plan and licensing process.

Revised Study Plan Concerns

AWO firmly believes that FERC should require FFP to carry out site specific studies on all proposed project sites, including an individual Environmental Impact Statement; AWO also strongly encourages **FERC and FFP to wait for the results of the seven lead ILP project studies before any further decisions are made regarding proposed study topics for the 48 other TLP projects.** FFP's RSP covering both ILP and TLP projects is compressing the timeline in a way that makes thoughtful consideration impossible.

AWO supports the following federal agency recommendations:

- The U.S. Fish and Wildlife Services' Proposed Study Plan recommendation (PSP) that "FERC find [a] way to manage the licensing process of the inland hydrokinetic projects so that, as long as a high degree of uncertainty about their potential impact remains, the regulatory and resource agencies are not making decisions on a large number of projects almost simultaneously."
- The U.S. Environmental Protection Agency PSP proposal that "installation at the seven ILP lead sites would serve as the first phase of installation, complete with extensive monitoring of actual conditions in the river to provide baseline information and post-installation monitoring adaptive management prior to the development of additional phases. Dependent on the results of monitoring and proposed adaptive management, installation at the TLP sites could progress on a phased installation plan."

In addition, FFP's RSP covers some but not all of the navigational and safety concerns raised by AWO. We **urge FERC to consider the following suggestions:**

- **As the RSP Navigation Study proposes, AWO requests involvement during all the planning stages and discussions on channel markings, the construction and maintenance of proposed project sites and any other activity that may cause restricted navigation.** AWO appreciates FFP's commitment to work in cooperation with the towing industry to minimize or avoid any interference to commercial navigation and the costs associated with potential navigation restrictions or delays.
- **AWO requests that FFP establish guidance for what qualitative and quantitative factors it believes characterizes an acceptable threshold of interference with commercial navigation, specifically during the construction and maintenance of project sites.**
- The RSP proposes an economic analysis of the costs associated with the construction, operation and maintenance of proposed project sites, and would analyze the associated costs of potential navigation restrictions or delays. **AWO requests that the study include the economic impact on towing companies' fleets, terminals and the industries that rely on their services.** The study should specifically determine the annual and ongoing projected economic impact. This assessment should include but not be limited to delays in traffic, any lost opportunity costs and possible vessel damage caused by turbines and associated equipment.
- **Finally, AWO requests that it be involved in the development of contingency plans for recovering damaged or abandoned turbines.** As stated in the RSP, unrecovered, loose turbines may adversely impact equipment used for commercial channel maintenance, dredging and other navigation-related uses of the river.

Once again, thank you for the opportunity to comment. AWO would be pleased to answer any questions or provide further information to assist FERC as it reviews FFP's proposed projects and future alternative power projects.

Sincerely,



Lynn M. Muench