



The American Waterways Operators

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Mark A. Wright
Vice President – Southern Region

June 15, 2009

Ms. Renee V. Wright
Docket Management Facility (M-30)
U.S. Department of Transportation
West Building Ground Floor, Room W-12-140
1200 New Jersey Avenue, SE
Washington, D.C. 20590-0001

RE: Regulated Navigation Area; Gulf Intracoastal
Waterway, Inner Harbor Navigation Canal,
New Orleans, LA
(Docket ID No. USCG-2009-0139)

Dear Ms. Wright:

The American Waterways Operators (AWO) is the national trade association representing the inland and coastal tugboat, towboat and barge industry. Dozens of AWO members operate hundreds of vessels in the New Orleans area, transporting key commodities such as grain and petroleum, and providing essential harbor services such as shipdocking. AWO is committed to the safe navigation of vessels, and has worked for the past 15 years through the U.S. Coast Guard-American Waterways Operators Safety Partnership to improve marine safety and environmental protection, focusing on issues such as vessel protocols during hurricanes. AWO and its members have worked closely with both the U.S. Coast Guard and the U.S. Army Corps of Engineers in the years since Hurricane Katrina to ensure that Gulf Coast residents are protected from hurricanes and that waterborne commerce serving the needs of those residents continues to flow with minimal disruptions. In that spirit of longstanding cooperation and shared dedication to safety, we appreciate this opportunity to comment on the Coast Guard's proposed Regulated Navigation Area (RNA) prohibiting vessels from certain parts of the Inner Harbor Navigation Canal (IHNC) and Harvey Canal as hurricanes or tropical storms approach.

The number one priority of AWO and its members is the safety and security of vessel crews, the public and the environment, which is why the proposed RNA is of such concern. Ensuring that vessels have safe havens during hurricanes is critical because barges loaded with Certain Dangerous Cargoes (CDCs) pose a risk to human health and environment if they come loose during a hurricane, and empty barges can be picked up by high winds and waves and harm people and property.

There are vastly more barges than tugboats and towboats to move them, so each AWO member has a detailed and intricate plan to ensure that its barges are moved to safe places and secured during major storms. The large number of barges in the area, coupled with the fact that towboats pushing them travel slowly (about six miles per hour), means that moving these barges to safe havens is always logistically complex. This process is made even more complicated by the unpredictable nature of hurricanes and the short amount of time that companies have as a storm approaches.

With this RNA, the Coast Guard has effectively eliminated a key safe haven for over 100 barges in the New Orleans area, and AWO's recent conversations with senior Coast Guard officials have identified a need for the establishment of new locations for vessels to safely and securely ride out hurricanes. However, the RNA does not identify any additional safe havens, and proposes to go into effect without doing so. This is a huge problem that must be addressed before finalizing the RNA. **AWO urges the Coast Guard to work with other Sectors and its stakeholders to identify alternate locations at which vessels can moor during hurricanes that will mitigate the risk that they break away and cause damage before the RNA takes effect.**

Furthermore, the Army Corps of Engineers has placed numerous pieces of construction equipment in the Gulf Intracoastal Waterway as it begins work on flood protection structures in the IHNC. AWO is concerned that the Corps' priority status in moving through the lock will create a bottleneck that will allow relatively harmless pieces of equipment to leave the area while leaving private companies' barges containing potentially harmful products trapped and unsecured during a hurricane, putting lives and the environment at risk. **AWO urges the Coast Guard to establish a Command Center as each hurricane approaches, with the Corps and area stakeholders as part of the Joint Hurricane Team, to identify the locking priority of vessels, including Corps equipment, located in the RNA before it takes effect. This way, the equipment that poses the most risk to Gulf Coast residents will be moved first.**

Per our recommendations above, AWO respectfully requests that the Coast Guard work to resolve the two major issues below before the RNA is finalized, and also consider two additional suggestions:

- 1. Identify alternate locations at which vessels can moor during hurricanes before the RNA goes into effect;**
- 2. As each hurricane approaches, establish a Command Center to identify the locking priority of equipment located in the RNA, based on risk;**
- 3. Grant waivers to vessels that cannot leave the RNA for the reasons explained above, so that they are not penalized for violating the regulation. The Coast Guard should consider granting these waivers in all parts of the RNA, especially in Harvey Canal; and,**
- 4. Lift the RNA following the completion of Corps' INHC flood prevention project. This project will result in a 100-year level of protection for the IHNC from hurricane-induced storm surges, and therefore will eliminate the possibility that vessels will damage the floodwalls and threaten New Orleans-area residents.**

Ms. Wright
June 15, 2009
Page 3

Thank you again for the opportunity to comment on this RNA. If you would like further information, AWO would be pleased to provide it.

Sincerely,

A handwritten signature in cursive script that reads "Mark Wright". The signature is written in black ink and is positioned below the word "Sincerely,".

Mark Wright