



The American Waterways Operators

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Thomas M. Horgan
Manager - Midcontinent Office

February 19, 2015

The Honorable Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Re: Environmental Assessment for the
Newburgh Hydroelectric Project
(FERC Project No. 12962)

Dear Secretary Bose:

The American Waterways Operators is the national trade association for the tugboat, towboat, and barge industry. Our industry's 4,000 tugboats and towboats and more than 27,000 barges safely and efficiently move more than 800 million tons of cargo each year in the domestic commerce of the United States, including more than 60 percent of U.S. export grain, energy sources such as coal and petroleum, and other bulk commodities that are the building blocks of the U.S. economy. AWO's members account for approximately 80 percent of the barge tonnage and two-thirds of the towing vessel horsepower in this critical industry segment, moving cargoes essential to the American economy on the Pacific, Atlantic, and Gulf Coasts, the Great Lakes, and the rivers. On the Ohio River alone, navigation moves 231 million tons of product annually, including coal, ores, and agricultural products. We appreciate the opportunity to comment on the Environmental Assessment for the Newburgh Hydroelectric Project.

AWO is concerned with the location of the proposed Newburgh Hydroelectric Project. This location will likely alter river currents and negatively impact navigation. Specifically, AWO is concerned that a structure in this location has the potential to produce strong cross currents that could present significant safety hazards for operators when navigating their vessels during high water. Moreover, a structure or obstruction in the proposed area would shut down navigation on the Ohio River in both directions at flood levels of 46.3 feet and above. These significant impacts to navigation have not been evaluated during the Environmental Assessment process.

The Corps' own evaluation acknowledges on Page 53 that the "potential changes in velocity and flow distribution could affect navigation," making it essential that further study is undertaken to fully understand the impacts on the safety of navigation.

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AWO is concerned that the project applicant, Symbiotics, LLC, was not required to perform a detailed physical hydraulic modeling study to assess the impacts on the safety of navigation. A physical hydraulic modeling study was conducted in the EA for the Uniontown Hydroelectric Project, a similar project. To fully understand the impacts on navigation safety, a similar study must be completed for the Newburgh project.

Symbiotics has proposed to conduct a physical hydraulic modeling study for the Newburgh Project, but only after it receives a license to construct and operate the hydroelectric facility. We strongly oppose this course of action. Awarding a license to Symbiotics before the physical hydraulic modeling is complete sets an unacceptable precedent. An analysis of key safety and economic impacts should not be deferred based on the applicant's request to reorder the licensing process.

Before a license is awarded, AWO strongly recommends that FERC further confer with the Corps and the U.S. Coast Guard on potential navigation safety impacts. AWO also recommends that FERC require the conduct of a physical hydraulic modeling study to fully assess the navigational safety impact and incorporate the results of the study into the Environmental Assessment.

Thank you again for the opportunity to comment. We would be pleased to answer any questions or provide further information to assist FERC with assessing the navigational safety impact of the Newburgh Hydroelectric Project.

Sincerely,



Thomas M. Horgan

cc: William R. Chapman III, U.S. Army Corps of Engineers, Great Lakes, Ohio River Division