



COMDTINST 16001.1  
6 JULY 2012

COMMANDANT INSTRUCTION 16001.1

Subj: WATERWAYS MANAGEMENT (WWM)

Ref: (a) 6 USC 468, Preserving Coast Guard Mission Performance  
(b) The National Strategy for the Marine Transportation System (2008),  
([http://www.cmts.gov/downloads/National\\_Strategy\\_MTS\\_2008.pdf](http://www.cmts.gov/downloads/National_Strategy_MTS_2008.pdf))

1. PURPOSE. This Instruction defines Coast Guard Waterways Management (WWM) and serves as the basic architecture for guidance across the broad range of WWM functions.
2. ACTION. All Coast Guard unit commanders, commanding officers, officers-in-charge, deputy/assistant commandants, and Chiefs of Headquarters staff elements shall comply with the provisions of this Instruction. Internet release authorized.
3. DIRECTIVES AFFECTED. None.
4. REQUESTS FOR CHANGES. Area, District and Sector Commanders are encouraged to provide feedback and input for developing optimal policies and tools needed to carry out their WWM responsibilities. Units and individuals may recommend changes by writing via the chain of command to:

Commandant (CG-5PW)  
U. S. Coast Guard  
2100 2nd St. SW, Stop 7851  
Washington, DC 20593-7851  
Email: [CG-WWM-Correspondence Inbox@uscg.mil](mailto:CG-WWM-Correspondence Inbox@uscg.mil)

5. DISCLAIMER. This guidance is not a substitute for applicable legal requirements, nor is it itself a rule. It is intended to provide operational guidance for Coast Guard personnel and is not intended to, nor does it impose, legally-binding requirements on any party outside the Coast Guard.

DISTRIBUTION – SDL No.161

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NON-STANDARD DISTRIBUTION:

6. PROCEDURES.

- a. No paper distribution will be made of this Instruction. Distribution will be available at: Intranet: <http://cgweb.comdt.uscg.mil/CGDirectives/Welcome.htm>; Internet: <http://www.uscg.mil/directives/>; CGPortal: <https://cgportal.uscg.mil/delivery/Satellite/CG612>.
- b. A WWM Reference Guide compiling various WWM functions, activities, and authorities, and their corresponding Coast Guard policies, has been developed as ready tool for field personnel. The master version of the WWM Reference Guide, a sample of which is provided as enclosure (1) to this Instruction, will be updated periodically and maintained at <https://collab.uscg.mil/lotus/myquickr/cg--5521-ocean-and-transportation-policy/wwm-policy-library>.

7. DEFINITION.

- a. Coast Guard WWM executes a variety of authorities by developing policies, overseeing efforts, and conducting activities that:
  1. facilitate and manage vessel movement;
  2. manage waterway infrastructure;
  3. communicate waterway and environmental conditions; and,
  4. support understanding of ocean and waterway environments through marine science and observation.
- b. Within the Coast Guard organization, WWM is a component of the Marine Transportation Systems Directorate, which is a part of Prevention.

8. POLICY. While this Instruction serves as a baseline definition for Coast Guard WWM, topic-specific policy can be found in a series of other Commandant Directives. Enclosure (1) is a sample of the WWM Reference Guide, listing various WWM functions, activities, and authorities, and their corresponding Coast Guard policies. Additional references may also be included that address other Coast Guard roles and missions supported by WWM professionals, units and staffs. The guide is intended to enhance understanding of the WWM functional world of work and afford field unit personnel with a tool when considering WWM activities. To ensure it provides maximum benefit to field unit personnel, the WWM Reference Guide will be updated periodically and posted on the CG-5PW CG Portal Place at: <https://collab.uscg.mil/lotus/myquickr/cg--5521-ocean-and-transportation-policy/wwm-policy-library>. The Director of Marine Transportation Systems will promulgate policies and appropriate tools to assist Areas, Districts and Sectors in carrying out their WWM responsibilities; establish and maintain intranet and internet sites for effective dissemination and exchange of information with field units and stakeholders; and, work with field commands and appropriate staffs at Headquarters and the Personnel Service Center to afford viable career choices for military and civilian Coast Guard WWM professionals.

9. DISCUSSION.

- a. The nation's waterways are a critical component of the Marine Transportation System (MTS). The MTS is a highly integrated system that includes over 1,000 harbor channels and 25,000 miles of commercially navigable channels. The MTS connects over 152,000 miles of railroad, 45,000 miles of interstate highway, and 460,000 miles of pipeline through nearly 2,000 terminals operated at over 360 deep and shallow draft ports.
  - b. The safe, secure, and environmentally sound transportation of people, goods, and materials by water is essential to America's building, manufacturing, energy, fishing, tourism and agricultural industries.
  - c. Our waterways and the MTS serve as the backbone of the military transport system. Vessels support the U.S. military in defending and serving our national interests, both at home and abroad, through rapid load-out and transport of U.S. forces and materiel.
  - d. Additionally, our waterways are a source of recreation and enhance the quality of life for many Americans.
  - e. The MTS supports millions of American jobs, creating significant local, regional, and national economic benefits. It facilitates trade, moves passengers and goods, and allows America's economy to remain globally competitive.
  - f. Coast Guard WWM is a critical element to the health of the Nation's MTS. Additionally, effectively managed waterways are essential to all eleven Coast Guard missions outlined in reference (a). It is therefore important to have a well trained and competent workforce of Coast Guard personnel to vigilantly carry out WWM duties, and be conversant with WWM functional relationships with other Coast Guard missions that also support the MTS.
  - g. Reference (b) is the National Strategy for the MTS, signed by the Secretary of Transportation in July 2008. It consolidates, in one policy document, the views of 18 Federal agencies and Departments that have jurisdiction and responsibilities over the various aspects of the marine transportation system. It presents the most pressing, current challenges to marine transportation, and calls for Federal Action and leadership in five priority areas: capacity, safety and security, environmental stewardship, resilience and reliability, and finance and economics. Personnel assigned WWM responsibilities should read and be familiar with reference (b). It can be accessed at <http://www.cmts.gov/Activities/Index.aspx>
10. WWM FUNCTIONS. Coast Guard WWM is a complex endeavor essential to the nation's MTS. Its purpose is to support access to navigable waterways for mariners, facilitate effective, efficient movement of commerce through ports and waterways and to and from intermodal connections, ensure compliance with all applicable environmental laws (e.g., National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the Coastal Zone Management Act (CZMA)), and promote a safe, secure and environmentally sound MTS as a component of the national transportation system. This is accomplished through such program components as Aids to Navigation, Ice Operations, Bridge Program, Coastal and Marine Spatial Planning, and a host of Port Management activities and authorities. WWM functions are organized into the following areas:

- a. Facilitate and manage vessel movements...through a variety of authorities and capabilities. This includes vessel traffic management, traffic routing measures, icebreaking, marine event permitting, limited access areas, creation and/or amendment of anchorage grounds, management of navigation rules, coordination of interagency activities to identify and resolve potential obstructions or hazards to navigation, and other efforts to direct or otherwise influence vessel operations.
- b. Manage waterway infrastructure...through various levels of oversight of physical infrastructure in, on, over, under, and adjacent to the navigable waters of the United States. This includes bridge permitting, installing and maintaining the physical constellation of visual and electronic aids to navigation, participation in other permitting activities, coordination with the U.S. Army Corps of Engineers (USACE) and a host of other agencies, and coastal and marine spatial planning activities which seek to reduce conflict between the various uses of the oceans and waterways.
- c. Communicate waterway physical and environmental conditions...to the public, including areas safe for navigation, through a variety of means, including maintaining a system of aids to navigation. This includes all efforts to communicate hazards to navigation, such as notices to mariners, aids to navigation, and the international ice patrol.
- d. Support an understanding of ocean and waterway environments...through marine science and observation in order to better anticipate impacts on maritime activities, and maritime activities on the environment. This includes liaising with the National Oceanic and Atmospheric Administration, National Science Foundation, USACE, and other agencies and interagency entities, state and local governments, and tribal governments in an effort to collect information on the natural state of the oceans and waterways.

11. RECORDS MANAGEMENT CONSIDERATIONS. This Instruction has been evaluated for potential records management impacts. The development of this Instruction has been thoroughly reviewed during the directives clearance process, and it has been determined there are no further records scheduling requirements in accordance with Federal Records Act, 44 U.S.C. 3101 et seq., National Archives and Records Administration (NARA) requirements, and the Information and Life Cycle Management Manual, COMDTINST M5212.12 (series). This policy does not make any significant or substantial change to existing records management requirements.

12. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS.

- a. The development of this Instruction and the general policies contained within it have been thoroughly reviewed by the originating office in conjunction with the Office of Environmental Management, and are categorically excluded (CE) under current USCG CE # 33 from further environmental analysis, in accordance with Section 2.B.2. and Figure 2-1 of the National Environmental Policy Act Implementing Procedures and Policy for Considering Environmental Impacts, COMDTINST M16475.1 (series). Because this Instruction contains guidance on, and provisions for, compliance with applicable environmental mandates, Coast Guard categorical exclusion #33 is appropriate.

- b. This Instruction will not have any of the following: significant cumulative impacts on the human environment; substantial controversy or substantial change to existing environmental conditions, or; inconsistencies with any Federal, State, or local laws or administrative determinations relating to the environment. All future specific actions resulting from the general policies in this Instruction must be individually evaluated for compliance with the National Environmental Policy Act (NEPA), DHS and Coast Guard NEPA policy, and compliance with all other environmental mandates. Due to the administrative and procedural nature of this Instruction, and the environmental guidance provided within it for compliance with all applicable environmental laws prior to promulgating any directive, all applicable environmental considerations are addressed appropriately in this Instruction.

13. FORMS/REPORTS. None.

D. A. GOWARD /s/  
Director of Marine Transportation Systems

Encl: (1) Sample WWM Reference Guide

# Waterways Management Reference Guide



Function	Description	Authorities	Guidance
<p style="text-align: center;"><b>Aids To Navigation (AtoN)</b></p>	<p>Aids to Navigation is one of the Coast Guard's eleven statutory missions.</p> <p>Advance planning is critical in determining and locating proper and adequate protective measures (Aids) for the Nation's ports and waterways and the marine environment. This planning is accompanied by continuing consultation with other Federal agencies, State representatives, affected users, and the general public, in the development and implementation of such measures. Studies that the Coast Guard performs to analyze waterways activities and events are Waterways Analysis and Management System (WAMS) studies and Port Access and Route Studies (PARS).</p> <p>[Note: Aids to Navigation as a required "duty" (14 USC 2) conflicts with 14 USC 81 which indicates that AtoN is a discretionary function. In law suits against the USCG for not having aids in particular locations, the federal government has long taken the stance that AtoN is a discretionary function in accordance with 14 USC 81. That stance has been upheld time and time again in U.S. courts and is therefore case law.]</p>	<ul style="list-style-type: none"> <li>• <b>14 U.S.C. 2</b> Aids to Navigation as a Primary Duty</li> <li>• <b>14 U.S.C. 81</b> Aids to navigation authorized</li> <li>• <b>33 CFR 62</b> United States Aids to Navigation System</li> </ul>	<ul style="list-style-type: none"> <li>• Aids to Navigation (ATON) Battery Release Reporting Requirements, COMDTINST M16478.10 (series)</li> <li>• Aids to Navigation Manual – Positioning, COMDTINST M16500.1 (series)</li> <li>• Aids to Navigation Manual – Technical, COMDTINST M16500.3 (series)</li> <li>• Aids to Navigation Manual – Administration, COMDTINST M16500.7 (series)</li> <li>• Classical Lens Maintenance, COMDTINST M16500.9 (series)</li> <li>• Major Aids to Navigation Preventive Maintenance System Guide, COMDTINST M16500.10 (series)</li> <li>• Coast Guard Auxiliary Aids to Navigation Program, COMDTINST M16500.16 (series)</li> <li>• Aids to Navigation Manual – Seamanship, COMDTINST M16500.21 (series)</li> <li>• Aids to Navigation Manual - Structures , COMDTINST M16500.25 (series)</li> </ul>



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<p style="text-align: center;"><b>Anchorage</b></p>	<p>The Coast Guard has been delegated authority to establish, administer, and enforce anchorage areas. The authority to establish special and general anchorages has been further delegated to District Commanders.</p> <p><u>Special Anchorage Areas.</u> The Commandant or District Commander may designate certain areas as special anchorage areas, in which vessels not more than 65 feet in length may anchor without being required to show anchor lights. Special anchorages are listed at 33 CFR 110, subpart A.</p> <p><u>Anchorage Grounds.</u> Anchorage grounds established by the Commandant or a District Commander, and the specific regulations applicable to each anchorage ground, are contained in 33 CFR 110, Subpart B. In some cases, the anchorage ground and the special anchorage area may overlap. The two areas (anchorage ground &amp; special anchorage area) must be cross referenced in the CFR when doing a rulemaking.</p> <p>[NOTE: The term "general anchorage" is frequently used as a synonym for "anchorage grounds," but this usage is incorrect. The term "general anchorage" is not used in the cited authorities.]</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 471</b> Establishment of Anchorage Grounds and Regulations generally</li> <li>• <b>33 CFR 109</b> Anchorages-General</li> <li>• <b>33 CFR 110</b> Anchorage Regulations</li> </ul>	<ul style="list-style-type: none"> <li>• Marine Safety Manual Volume VI, Ports and Waterways Activities, COMDTINST M16000.11, Section 1.d. – Anchorage Administration</li> </ul>
<p style="text-align: center;"><b>Army Corps Liaison (USACE)</b></p>	<p>The Coast Guard may upon request, use its personnel and facilities to assist any Federal agency to perform activities for which it is especially qualified. The Commandant has further directed close engagement with the Army Corps of Engineers at both the staff and operational levels.</p> <p>The MOA between the Coast Guard and the USACE of 2 June 2000 establishes a formal process for the COTP to provide input to the USACE district engineer’s review of new permit applications as well as any periodic re-evaluation of existing permits based upon a risk assessment.</p> <p>[NOTE: 1. See Dredging, Obstructions to Navigation, Electrical Lines, Piers. 2. USACE maintains a liaison officer who interfaces with the Coast Guard via CG-5PW. ]</p>	<ul style="list-style-type: none"> <li>• <b>14 U.S.C. 141, 142-148</b> Cooperation with other Agencies and States</li> <li>• <b>33 U.S.C. 1221 et seq.</b> Port and Waterways Safety Act (PWSA)</li> <li>• <b>33 CFR 160</b> Port and Waterways Safety</li> </ul>	



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<p style="text-align: center;"><b>Bridges</b></p>	<p>The Coast Guard Bridge Program ensures the safe and reasonably unobstructed passage of vessels through or under bridges and causeways in or across the navigable waters of the United States. Concurrently, the program ensures that national and international transportation goals are met, and national defense requirements are preserved. These responsibilities are accomplished by: (a) issuing permits for constructing and/or modifying bridges in the U.S. or bridges connecting the United States with Canada and Mexico; (b) ordering unreasonably obstructive bridges to be removed or altered to facilitate current and prospective navigation needs; (c) managing the design and construction of Truman-Hobbs projects; (d) monitoring bridge construction, maintenance and repairs; (e) regulating bridge navigational lighting for the safety of marine and land transportation; (f) regulating the operation of movable bridges to facilitate movement and balance the needs of marine and land transportation, and; (g) considering the impact these actions may have on the national and international transportation system and the environment.</p> <p>The Bridge Program, as administered by the Coast Guard, requires the removal of bridges which were unlawfully constructed and do not meet the present and prospective needs of navigation, and bridges that are abandoned or no longer used for transportation purposes.</p> <p>Familiarity with 33 CFR 117 - <i>Drawbridge Operation Regulations</i> and 33 CFR 118 - <i>Bridge Lighting and Other Signals</i> will prove most helpful to local command centers and WWM staff.</p> <p>Ports &amp; Waterways Safety Act provides authorities for the protection of bridges and other waterfront facilities. This authority is vested in the District Commander and Captain of the Port.</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 401-535</b> Protection of Navigable Waters and Harbor and River Improvements Generally</li> <li>• <b>33 U.S.C. 1225-1226</b> Waterfront Safety and Port, harbor, and coastal facility security</li> <li>• <b>33 CFR 114 thru 118</b> Bridges-General</li> </ul>	<ul style="list-style-type: none"> <li>• Bridge Administration Manual, COMDTINST M16590.5 (series)</li> <li>• Bridge Permit Application Guide, COMDTPUB 16591.3 (series)</li> </ul>
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<p style="text-align: center;"><b>Captain of the Port Orders</b></p>	<p>33 U.S.C. 1221-1236 and 33 CFR 160, Subparts A and B, provide the broadest authority to the Captain of the Port (COTP) to control vessel and facility operations, and establish Safety Zones, Security Zones and Regulated Navigation Areas (See section on Limited Access Areas). As such, this serves as the primary authority and tool available to the COTP.</p> <p>COTP Orders under the PWSA (33 CFR 160, Subpart B) are issued by a COTP and are directed only to a specific vessel, facility, or individual in order to: restrict or stop vessel operations; require specific actions to be taken; deny a vessel further entry to port until a deficiency is corrected; or detain a vessel in port. COTP Orders <u>cannot</u> be issued to "all vessels" or a class of vessels, facilities, or individuals. Where a group or class of entities is targeted, a safety zone or RNA is more appropriate.</p> <p>[NOTE: COTP orders can be utilized for a variety of Sector Prevention and Response functions, and is not exclusive to WWM activities addressed herein. COTP Orders can also be issued under Magnuson Act (33 CFR 6.04-8 or 50 USC 191) for national security related concerns.]</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 1221-1236</b> Ports and Waterways Safety Act (PWSA)</li> <li>• <b>33 CFR 160, Subparts A and B</b> Ports and Waterways Safety</li> </ul>	<ul style="list-style-type: none"> <li>• Marine Safety Manual Volume VI, Ports and Waterways Activities, COMDTINST M16000.11, Section 1.E. – Control of Vessel Movements.</li> </ul>
<p style="text-align: center;"><b>Charting</b></p>	<p>Nautical charts of U.S. waters, other than those of the Mississippi River and tributaries, are produced by the National Oceanic and Atmospheric Administration (NOAA). Charts of the Mississippi River and tributaries are produced by the U.S. Army Corps of Engineers (USACE). Coast Guard units receive nautical charts and publications at no cost through DOD or USACE. Commercial/recreational mariners obtain charts from commercial entities. Coast Guard units can request development of new charts and publications.</p>		<ul style="list-style-type: none"> <li>• Development of New Nautical Charts and Publications, COMDTINST 16502.10 (series)</li> </ul>

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<p style="text-align: center;"><b>Dead Ship Tow</b></p>	<p>While primarily a Marine Inspection concern, appropriate measures must be in place to ensure safety of navigation in certain situations (e.g., size of tow, adequacy of towing vessel/gear, tow plan, properly lighted, etc.) and conditions (e.g., weather and other environmental conditions).</p> <p>[NOTE: The Coast Guard does not have the authority to universally require submission of dead ship tow plans or to create dead ship tow reporting forms, and does not “approve” these plans nor “permit” such tows. Care should be taken that COTP authorities are not exceeded when managing risk from dead ship tows.]</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 1223</b> Vessel operating requirements</li> <li>• <b>33 CFR 1</b> General Provisions</li> <li>• <b>33 CFR 83</b> Inland Navigation Rules</li> <li>• <b>33 CFR 160</b> Port and waterways safety - general</li> <li>• <b>33 CFR 165</b> Regulated navigation area and limited access areas</li> </ul>	
<p style="text-align: center;"><b>Debris Removal</b> (Flood, Seasonal, etc.)</p>	<p>The Coast Guard Captain of the Port (COTP) lacks the organic authority for debris removal, but is responsible for coordinating with other agencies for risk based responses to reported threats. USCG supports NOAA for general Marine Debris removal and USACE for removal of Marine Debris in navigable waters of the U.S.</p> <p>[NOTE: See Obstructions to Navigation.]</p>	<ul style="list-style-type: none"> <li>• <b>14 U.S.C. 141, 142-148</b> Cooperation with other Agencies and States</li> <li>• <b>33U.S.C. 409</b> Obstruction of navigable waters by vessels; floating timber; marking and removal of sunken vessels</li> </ul>	<p>Memorandum of Agreement Between the Department of the Army and the U.S. Coast Guard, Marking and Removal of Sunken Vessels and other Obstructions to Navigation, 1985</p>
<p style="text-align: center;"><b>Deviation</b> (From Navigation Safety Rules)</p>	<p>The Captain of the Port, upon written application, may authorize a deviation from the navigation safety rules in part 164.</p> <p>[NOTE: This action can be viewed from both inspection and safety of navigation aspects, which may involve Marine Inspectors and/or Waterways Management professionals.]</p>	<ul style="list-style-type: none"> <li>• <b>33 CFR 164.55</b> Deviations from rules</li> </ul>	



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<p style="text-align: center;"><b>Dredging</b></p>	<p>Dredging maintenance of Federal Navigation Projects is a USACE function. However, the Coast Guard works closely with the USACE to support dredging projects. Dredging projects may involve several WWM components that the COTP should consider, including AtoN, safety of navigation, vessel traffic, and Protection and Security of Vessels, Harbors, and Waterfront Facilities.</p> <p>[NOTE: Dredging projects may also directly affect Coast Guard facilities. Local units should coordinate closely with USACE project managers to improve or prevent the loss of Coast Guard operational capabilities.]</p>	<ul style="list-style-type: none"> <li>• <b>14 U.S.C. 141, 142-148</b> Cooperation with other Agencies and States</li> </ul>	
<p style="text-align: center;"><b>Emergency Port Plans</b> (Hurricane, etc.)</p>	<p>The Coast Guard has no statutory requirements for WWM contingency plans, but works with stakeholders in the port directly and via the Harbor Safety Committee to develop emergency plans and apply best practices, and can establish Regulated Access Areas or Limited Access Areas, as appropriate, in the aftermath of an emergency.</p> <p>Requires national priorities through the National Contingency Plan which is part of CERCLA, for threatened releases of hazmat, pollutants etc. From the National Contingency Plan, the CG does establish Area Contingency Plans to cover Preparedness for natural emergencies/disasters. COTPs also establish seasonal Restricted Navigation Areas (RNAs) to plan for disaster contingencies.</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 1223</b> Vessel operating requirements</li> <li>• <b>33 CFR 165</b> Regulated navigation areas and limited access areas</li> <li>• <b>40 CFR Part 300</b> National Oil and Hazardous Substance Pollution Contingency Plan</li> </ul>	<p><b>**See "Other References" section of this Guide (Page 18) - CMTS Preparedness Task Team Final Report &amp; Atlantic Area Port Operations Hurricane Guidance, LANTAREAINST 1660.1(series)</b></p>
<p style="text-align: center;"><b>Environmentally Sensitive Areas</b></p>	<p>Regulated Navigation Areas and Safety zones may be established for environmental purposes.</p>	<ul style="list-style-type: none"> <li>• <b>33 CFR 165</b> Regulated navigation areas and limited access areas</li> </ul>	

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<p style="text-align: center;"><b>Fairways &amp; Harbor Approaches</b></p>	<p>Fairways and fairway anchorages may be designated or established to provide unobstructed approaches for vessels using U.S. ports. Port and Waterways Safety Assessments (PAWSA) and Port Access Routing Studies (PARS) are tools available that provide specific outcomes and measures for optimal routing of vessels to, in and from major ports in conjunction with all other marine activities occurring in that area. The International Maritime Organization (IMO) is recognized as the international body responsible for establishing and recommending measures concerning ships' routing in international waters. Ship routing measures in U.S. waters are established through the regulatory process. Authority for designation of fairways and fairways anchorages resides with the Commandant and is coordinated by CG-55.</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 1221 et seq.</b> Port and Waterways Safety Act of 1972, as amended by the Port and Tanker Safety Act (PTSA) of 1978</li> <li>• <b>33 U.S.C. 1223</b> Vessel operating requirements</li> <li>• <b>33 CFR 166</b> Shipping Safety - Fairways</li> </ul>	<ul style="list-style-type: none"> <li>• Marine Safety Manual Volume VI, Ports and Waterways Activities, COMDTINST M16000.11, Section 1.E. – Control of Vessel Movements.</li> <li>• <b>**See "Other References" section of this Guide (Page 18) - Port Access Routing Study (PARS) process guide</b></li> </ul>
<p style="text-align: center;"><b>Force Majeure</b></p>	<p>Emergency entry, or force majeure, is defined as an overwhelming force or condition of such severity that it threatens loss of the vessel, cargo or crew unless immediate corrective action is taken. Force majeure is based upon the historical premise in international law that, if a vessel is compelled to move into the waters of a foreign state by some uncontrollable external force, then the vessel should be excused from compliance with domestic laws which prohibit such entry. Each Coast Guard COTP, and the District Commander, has the authority to verify and then accept or reject claims of force majeure for the purposes of enforcing applicable laws. Even if a vessel exhibits a valid force majeure claim, the COTP may nevertheless take action to remove a hazard to life or property. Contact District Legal staff for guidance.</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 1221 et seq</b> Ports and Waterways Safety Act</li> </ul>	<ul style="list-style-type: none"> <li>• Marine Safety Manual Volume VI, Ports and Waterways Activities, COMDTINST M16000.11, Section 1.f. – Force Majeure</li> <li>• <b>**See "Additional References" section of this Guide (Page 17) – Maritime Law Enforcement Manual</b></li> </ul>
<p style="text-align: center;"><b>Icebreaking (Domestic)</b></p>	<p>This is a statutory mission of the U.S. Coast Guard. The Coast Guard provides icebreaking services to assist vessels in emergency or urgent situations, to communities in exigent need, and to facilitate navigation on domestic ice-covered waterways.</p>	<ul style="list-style-type: none"> <li>• <b>14 U.S.C. 2</b> Icebreaking as a Primary Duty</li> </ul>	<ul style="list-style-type: none"> <li>• Domestic Icebreaking Policy and Reporting Requirements, COMDTINST 16151.1 (series)</li> </ul>



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<p><b>Limited Access Areas:</b>                  Safety Zones                  Security Zones                  Regulated Navigation Areas (RNAs)                  Restricted Waterfront                  Naval Vessel Protective Zones</p>	<p>The Coast Guard may, when safety, security or other national interests dictate, establish certain LAAs to control access to, and movement within, areas under its jurisdiction. The Coast Guard also has the authority to implement several control mechanisms in the navigable waters of the U.S. and adjacent shore areas under the PWSA (33 USC 1221 et seq.) and the Anchorage Grounds Act (33 USC 471).</p> <p>Certain offshore controls may be established under the OCSLA (43 USC 1331 et seq.) and the DWPA (33 USC 1501 et seq.). These controls may apply in varying degrees to persons, vehicles, vessels, and objects within these areas.</p> <p>[NOTES: 1. USACE also has restricted areas identified in 33 CFR 334. Most of these are located around DoD facilities. USACE delegates enforcement authority to DoD base commanders. 2. National Park Service has restricted navigational areas or recreational boat controls identified in 36 CFR regulations for certain national parks under their jurisdiction.]</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 1225-1226</b> Waterfront Safety and Port, harbor, and coastal facility security</li> <li>• <b>33 U.S.C. 1501 et seq</b> Deepwater Ports</li> <li>• <b>43 U.S.C. 1333</b> Laws and regulations governing lands (Outer Continental Shelf)</li> <li>• <b>50 U.S.C. 191</b> Regulation of anchorage and movement of vessels during national emergency</li> <li>• <b>33 CFR 6</b> Protection and security of vessel, harbors, and waterfront facilities</li> <li>• <b>33 CFR 147</b> Safety Zones (Outer Continental Shelf Activities)</li> <li>• <b>33 CFR 150 Subpart J</b> Safety Zones, No Anchoring Areas, and Areas to be Avoided</li> <li>• <b>33 CFR 165</b> Regulated Navigation Areas and Limited Access Areas</li> </ul>	<ul style="list-style-type: none"> <li>• Marine Safety Manual Volume VI, Ports and Waterways Activities, COMDTINST M16000.11, Section 1.j</li> </ul>
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<p><b>Marine Events (Permits, Special Local Regulations &amp; Management)</b></p>	<p>The authority to issue regulations to promote safety of life on navigable waters during regattas and marine parades is contained in 33 USC 1233-1236. Regulations in 33 CFR 100 outline procedures for application, review, approval and/or denial of a Marine Event Permit.</p> <p>[NOTE: Permitting marine events requires outreach and interagency coordination, as well as environmental reviews, all primarily performed by District and Sector WWM professionals. WWM personnel must have a working knowledge of NEPA procedures to prepare required documentation, e.g., environmental checklist, and categorical exclusion determination, when and where required. Coast Guard Response personnel should be engaged early for patrol &amp; enforcement considerations.]</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 1233</b> Statutory authority for management of regattas or marine parades</li> <li>• <b>33 CFR 100</b> Regattas &amp; marine parades</li> </ul>	<ul style="list-style-type: none"> <li>• Marine Safety Manual, Volume VI, COMDTINST M16000.11, Section 1.h. – Regattas and Marine Parades</li> <li>• Regattas and Marine Parades, COMDTINST 16751.3 (series)</li> </ul>
<p><b>Marine Mammals (Critical Habitats, Marine Sanctuaries, Right Whale, Whale in port!)</b></p>	<p>The Secretary may enter into cooperative agreements with public or private agencies, authorities, associations, institutions, corporations, organizations, or other persons to carry out the functions under subsection (a)(1) of this section. (Coast Guard may contact an organization such as Sea World to deal with whales in port.) In conjunction with NOAA/NMFS, the Coast Guard has established Regulated Navigation Areas to protect Critical Marine Habitats and Marine Sanctuaries. For example, “Seasonal Management Areas” (SMA) and “Dynamic Management Areas” (DMA), including a Mandatory Ship Reporting System, are established for protection of the North Atlantic Right whale.</p>	<ul style="list-style-type: none"> <li>• <b>14 U.S.C. 141</b> Cooperation with other agencies, States, territories, and political subdivisions</li> <li>• <b>33 CFR 165</b> Regulated navigation areas and limited access areas</li> <li>• <b>33 CFR 169</b> Ship Reporting Systems</li> </ul>	<p><b>**See “Additional References” section of this Guide (Page 18) – Educational Efforts to Protect the Northern Right Whale, COMDTINST 16450.4 (Series).</b></p>
<p><b>Marine Science &amp; Oceanography</b></p>	<p>Authorizes the Commandant to cooperate with the National Oceanic and Atmospheric Administration (NOAA) in the observation and dissemination of weather information.</p> <p>USCG polices implement support for NOAA weather and ocean observing programs.</p>	<ul style="list-style-type: none"> <li>• <b>14 USC 147</b> Cooperation with Department of Commerce (NOAA)</li> </ul>	<ul style="list-style-type: none"> <li>• Marine Weather Observation and Reporting, COMDTINST 3140.2 (series)</li> <li>• Coastal Weather Program, COMDTINST 3140.3 (series)</li> <li>• Bathythermograph Program, COMDTINST 3142.1 (series)</li> <li>• Ocean Sounding Program, COMDTINST 3161.2 (series)</li> <li>• Hydrographic Manual, 4th Edition (NOAA), COMDTINST M16500.2 (series)</li> </ul>



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<p><b>Marine Transportation System Recovery</b></p>	<p>In conjunction with the National Maritime Transportation Security Plan, Area Maritime Security Plans must include a salvage response plan identifying salvage equipment capable of restoring operational trade capacity, and restoration of commerce after a Transportation Security Incident (TSI).</p> <p>[NOTE: While not primarily a WWM function, the activities impact the waterway, facilitate marine transportation, and involve WWM resources at the District and unit levels.]</p>	<ul style="list-style-type: none"> <li>• <b>46 USC 70103</b> Shipping: Maritime transportation security plans</li> <li>• <b>33 CFR 103</b> Maritime Security: Area Maritime Security</li> </ul>	<ul style="list-style-type: none"> <li>• Guidance for Coast Guard Coordination of Marine Transportation System (MTS) Improvement Efforts at the Regional and Local Level, COMDTINST 16010.9</li> </ul>
<p><b>Naval Vessels</b> (Navigation Hazard, Ship Movements, Naval Defensive Sea Areas, Protective Zones)</p>	<p>Authorizes the Coast Guard to control the anchorage and movement of vessels in the navigable waters of the U.S. to ensure the safety and security of U.S. naval vessels.</p> <p>Authorizes waivers for Naval Vessels.</p> <p>Establishes the geographic parameters of protection zones surrounding U.S. naval vessels in the navigable waters of the U.S.</p>	<ul style="list-style-type: none"> <li>• <b>14 U.S.C. 91</b> Authority to Control the Movement of Vessels in Navigable Waters</li> <li>• <b>33 CFR 19</b> Waivers of Navigation &amp; Vessel Inspection &amp; Regulations</li> <li>• <b>33 CFR 165.2010</b> Protection of Naval Vessels.</li> </ul>	

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<p><b>Navigation Publications</b></p>	<p><u>Light Lists.</u> The Coast Guard produces seven volumes of Light Lists. Each volume covers a specific geographic area. The Light Lists provide information about Federal and private aids to navigation that is too detailed to be conveniently shown on nautical charts.</p> <p><u>Navigation Rules, International – Inland.</u> Navigation Rules formerly referred to as the “Rules of the Road” have the primary purpose of preventing collisions between vessels. The International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), developed by the International Maritime Organization (IMO), are those rules that are applicable outside of navigational lines of demarcation. The lines are called COLREGs Demarcation Lines and delineate those waters upon which mariners shall comply with the Inland and International Rules. The Inland Navigation Rules are special rules within the meaning of Rule 1(b) of the International Regulations. Enforcement authority for these rules is vested in the Coast Guard. With respect to the International Rules, enforcement authority is currently limited to actions pursuant to 46 U.S.C. Chapter 77.</p>	<ul style="list-style-type: none"> <li>• <b>46 U.S.C. Chapter 77</b> Suspension or Revocation (of a license, certificate or document)</li> <li>• <b>33 CFR Subchapter D</b> International Navigation Rules (includes 33 CFR 80 – 82)</li> <li>• <b>33 CFR Subchapter E</b> Inland Navigation Rules (includes 33 CFR 83 – 90)</li> </ul>	<ul style="list-style-type: none"> <li>• International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS); Lights for Unmanned Barges, COMDTINST 16672.3 (series)</li> <li>• Light List Vol. 1- Atlantic Coast from St. Roix River, Maine to Shrewsbury River, New Jersey, COMDTPUB 16502.1 (series)</li> <li>• Atlantic Coast from Shrewsbury River, New Jersey to Little River, South Carolina, COMDTPUB 16502.2 (series)</li> <li>• Atlantic and Gulf Coasts from Little River, SC to Econfina River, FL, COMDTPUB 16502.3 (series)</li> <li>• Gulf Of Mexico from Econfina River, FL to Rio Grande, TX, COMDTPUB 16502.4 (series)</li> <li>• Mississippi River System, COMDTPUB 16502.5 (series)</li> <li>• Pacific Coast and Pacific Islands, COMDTPUB 16502.6 (series)</li> <li>• Great Lakes of the United States &amp; Canada, COMDTPUB 16502.7 (series)</li> <li>• Navigation Rules, International – Inland, COMDTINST M16672.2 (series)</li> </ul>
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<p><b>NOAA Liaison</b> (National Ocean Service)</p>	<p>Authorizes the Commandant to cooperate with the National Oceanic and Atmospheric Administration in the observation and dissemination of weather information. The USCG and NOAA have established agreements outlining USCG support for the National Data Buoy Center (NDBC) in the Pacific and Atlantic Areas. A NOAA Ocean Service Officer is assigned to CG-5PW as a Liaison.</p>	<ul style="list-style-type: none"> <li>• <b>14 U.S.C. 147</b> Cooperation with Department of Commerce (NOAA)</li> </ul>	<ul style="list-style-type: none"> <li>• Working Agreements Between the NOAA National Data Buoy Center (NDBC) and the USCG; Support for (NDBC) in The Pacific And Atlantic Areas, COMDTINST 5740.5 (series)</li> </ul>
<p><b>Obstructions and Hazards to Navigation</b> (Wreck Removal, Abandoned Barges, Bridges, Submerged Objects)</p>	<p>Bridges are addressed via the Bridge Program; see “Bridges” above</p> <p>Abandoned vessels and barges, wrecks, submerged objects, and marine debris. While the Coast Guard exercises exclusive jurisdiction regarding pollution mitigation from an abandoned barge or vessel, the waterways management aspects of this issue are performed in cooperation with the U.S. Army Corps of Engineers under a Memorandum of Understanding. (See 33 CFR 245 for USACE regulations on wreck removal.)</p> <p>In every case where an obstruction is declared to be a hazard to navigation, the location will be marked immediately by the owner. In the event that the owner cannot be identified, refuses to mark the obstruction, inadequately marks the obstruction, or is otherwise unable to properly mark it, the Coast Guard has authority to take appropriate action to mark the obstruction to navigation. The Coast Guard may, when so requested by proper authority, utilize its personnel and facilities (including members of the Auxiliary and facilities governed under chapter 23) to assist any Federal agency, State, Territory, possession, or political subdivision thereof, or the District of Columbia, to perform any activity for which such personnel and facilities are especially qualified.</p> <p>The COTP may issue a Broadcast Notice to Mariners (BNM) for debris that poses a hazard to navigation. The District Commander has the authority to mark hazards to navigation. The COTP may enlist the aid and cooperation of Federal, State, county, municipal and private agencies to assist in the enforcement of regulations pursuant to part 6, (i.e., the Protection and Security of Vessels, Harbors, and Waterfront Facilities).</p> <p>See also section on Other Obstructions to Navigation</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 409, 414, 415</b> Removal by Secretary of the Army of sunken water craft generally;</li> <li>• <b>14 U.S.C. 86</b> Marking of obstructions</li> <li>• <b>14 U.S.C. 141</b> Cooperation with other agencies, States, territories, and political subdivisions</li> <li>• <b>33 CFR 64.31</b> Determination of Hazard to Navigation</li> <li>• <b>33 CFR 66.33</b> Marking any structure, sunken vessel or other obstruction by the Coast Guard</li> <li>• <b>33 CFR 153</b> Control of Pollution by Oil and Hazardous Substances,</li> <li>• <b>33 CFR 72.01-1</b> Notices to Mariners</li> </ul>	<ul style="list-style-type: none"> <li>• Abandoned Vessels, COMDTINST M16465.43 (series),</li> <li>• Memorandum of Agreement Between the Department of the Army and the U.S. Coast Guard, Marking and Removal of Sunken Vessels and other Obstructions to Navigation, 1985</li> </ul> <p><b>**See “Other References” section of this Guide (Page 18) - CMTS Preparedness Task Team Final Report – Best Practices for Preventing and Managing Breakaway Vessels</b></p>



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<p style="text-align: center;"><b>Other Obstructions to Navigation</b></p>	<p><u>Electrical Lines (low clearance).</u> The COTP lacks the organic authority to respond to low clearance electrical lines, but is responsible for coordinating with other agencies for risk based responses to reported threats. The COTP may enlist the aid and cooperation of Federal, State, county, municipal and private agencies to assist in the enforcement of regulations pursuant to part 6, (i.e., the Protection and Security of Vessels, Harbors, and Waterfront Facilities). USACE approves permits for power lines in, over or under navigable channels under Section 10 of the Rivers and Harbors Act of 1899. USCG is a cooperating agency and will provide input to USACE during the permitting process. The USACE includes USCG requirements in its permit language.</p> <p><u>Piers (construction, derelict, jurisdiction).</u> The Secretary may take such action as is necessary to prevent damage to, or the destruction of, any bridge or other structure on or in the navigable waters of the United States, or any land structure or shore area immediately adjacent to such waters. For construction, under Section 10 of the Rivers and Harbors Act of 1899 allows the USCG to cooperate with USACE for permit approvals and will provide input to USACE during the permitting process. The USACE may include USCG requirements in its permit language.</p> <p>See also the section on Obstructions and Hazards to Navigation</p>	<ul style="list-style-type: none"> <li>• <b>14 U.S.C. 141 et seq</b> Cooperation with other Agencies</li> <li>• <b>33 U.S.C. 1225</b> Waterfront Safety</li> </ul>	
<p style="text-align: center;"><b>Outreach</b></p>	<p><u>MTS Liaison.</u> Liaison with port partners and other maritime stakeholders (where applicable/required) keeps communication lines open. Port partners and organizations are often aware of current and planned port activities and vessel movement schedules that are helpful to COTP Maritime Domain Awareness (MDA).</p> <p><u>Harbor Safety Committee.</u> HSCs are local port coordinating bodies that bring together players that have a stake in the safe and efficient operation of their port and waterways. They are unique in that they are each tailored to the issues in their port but common in their goal to provide local solutions in a non-regulatory manner. The COMDTINST and NVIC provide guidance for establishing and participating in Harbor Safety Committees as a means for addressing MTS issues among all interested stakeholders in a port.</p>		<ul style="list-style-type: none"> <li>• Guidance for Coordination of Marine Transportation System (MTS) Improvement Efforts at the Regional and Local Level COMDTINST 16010.9</li> <li>• NVIC 01-00 Harbor Safety Committee Guidance</li> </ul>



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<p><b>Oversized Transits</b> (D8 issue)</p>	<p>Appropriate vessels which operate in an area where a vessel traffic service is in place must use or comply with that vessel traffic service.</p> <p>Prescribes regulations implementing the Ports and Waterways Safety Act and related Statutes.</p> <p>Requires vessel owners/operators/masters to report a hazardous condition, such as that created by transit of an oversized vessel.</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 1223</b> Vessel operating requirements</li> <li>• <b>33 CFR 160</b> Ports and Waterways Safety General</li> <li>• <b>33 CFR 160.215</b> Notice of hazardous conditions</li> </ul>	
<p><b>Pilotage</b></p>	<p>46 U.S.C. 8501 addresses State-regulated pilotage, requires certain coastwise seagoing vessels to carry Federal pilots, and authorizes the Coast Guard to require a Federal pilot on vessels engaged in foreign commerce and operating on the navigable waters of the U.S. when a pilot is not required by State law.</p> <p>Pilots are our strong partners and it is important to cultivate a good relationship with them. They are eyes and ears on the waterways and have the ability to influence shipping through pilot availability and other means.</p> <p>46 USC 93 requires a U.S. or Canadian-registered pilot in all waters of the Great Lakes. Great Lakes Pilotage regulations are prescribed in Parts 401 through 404 of 46 CFR, and are managed by a staff at CGHQ (CG-WWM-2).</p>	<ul style="list-style-type: none"> <li>• <b>46 U.S.C. 8501</b> Roles of State &amp; Federal Pilots</li> <li>• <b>46 U.S.C. 93</b> Great Lakes Pilotage</li> <li>• <b>46 CFR Chapter III</b> Coast Guard (Great Lakes Pilotage), Department of Homeland Security (Parts 400-404)</li> </ul>	<ul style="list-style-type: none"> <li>• Coordination of Great Lakes Registered Pilotage Issues, COMDTINST 16637.5 (series)</li> </ul>
<p><b>Radionavigation</b></p>	<p>Differential Global Positioning System (DGPS) is an enhancement to Global Positioning System (GPS) that provides improved location accuracy, from the 15-meter nominal GPS accuracy to about 10 cm in case of the best implementations. The Coast Guard maintains the U.S. nationwide DGPS system comprised of over 86 broadcast sites located throughout the inland and coastal portions of the United States including Alaska, Hawaii and Puerto Rico. The Coast Guard coordinates with the FAA prior to testing or other activities which could impact the GPS service and analyzes impact on the maritime community. The Coast Guard also specifies and describes the parameters and specific message format of the signal which is broadcast for the network of radio beacons. The Coast Guard has developed a DGPS Concept of Operations codifying a common vision to plan, coordinate, and integrate infrastructure and organizational changes.</p>		<ul style="list-style-type: none"> <li>• Processing of Global Positioning System (GPS) Interference Test Requests, COMDTINST 16575.1 (series)</li> <li>• Differential Global Positioning System Broadcast Standard, COMDTINST M16577.1 (series),</li> <li>• Differential Global Positioning System (GPS) Navigation Service Concept of Operations, COMDTINST M16577.2 (series)</li> </ul>



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<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>Vessel Traffic Service</b></p>	<p>The Coast Guard establishes and operates Vessel Traffic Services in any port or place under the jurisdiction of the United States to protect navigation and the marine environment through actions which may include, but need not be limited to, one or more of the following: reporting and operating requirements, surveillance and communications system, routing systems and fairways. The presence of a VTS affords additional capabilities and authority for managing a port.</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 1223</b> Vessel operating requirements (Authorizes the Coast Guard to operate a vessel traffic service in any port or place under the jurisdiction of the United States)</li>   <li>• <b>33 CFR 161</b> Vessel Traffic Management: implementing regulations for the nine operating VTSs.</li> </ul>	<ul style="list-style-type: none"> <li>• Vessel Traffic Services National Standard Operating Procedure Manual (VTS NSOP), COMDTINST M16630.3 (series)</li> </ul>
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<p><b>Waterways Utilization</b></p>	<p>The CG conducts various studies and analysis to assess the risk on the waterway. It takes into account the conflicting needs of the waterway, such as offshore platform and energy needs, marine sanctuaries, etc., and uses the results to provide safe access routes for vessel traffic in waters under U.S. jurisdiction. In the process, the CG works with several other agencies (FERC, BOEM, USACE, DOC, DoD, DOE, DOT and EPA). The Coast Guard uses several tools for examining waterways for safety and efficiency. Selection of the tool depends upon the specific situation and need as follows:</p> <p><u>Waterways Analysis and Management System (WAMS) studies</u> - This analysis, officially known as a Waterways Analysis and Management System (WAMS) study, is a tool the CG uses to determine the effectiveness of its Aids to Navigation (ATON). It often leads to adding or removal of aids or alterations of technical aspects of the aids in order to meet changing needs of the waterways. Critical waterways must be surveyed every 5 years; other waterways must have a survey on file and be updated as needed.</p> <p><u>Port Access and Route Studies (PARS)</u> - The PWSA requires the Coast Guard to conduct a port access route study (PARS), i.e. a study of potential traffic density and the need for safe access routes for vessels, before establishing or adjusting fairways or Traffic Separation Schemes (TSSs.) Through the study process, USCG coordinates with Federal, State, and foreign state agencies (as appropriate) and considers the views of maritime community representatives, environmental groups, and other interested stakeholders. A primary purpose of this coordination is, to the extent practicable, to reconcile the need for safe access routes with other reasonable waterway uses such as construction and operation of renewable energy facilities and other uses in the study area.</p> <p><u>Port and Waterways Safety Assessment (PAWSA)</u> – This is a risk assessment process 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</p>	<ul style="list-style-type: none"> <li>• <b>33 U.S.C. 1221et seq</b> Ports and Waterways Safety Act (PWSA)</li> </ul>	<ul style="list-style-type: none"> <li>• Multiple Use Waterway Management Planning Guide, COMDTINST 5223.1 (series)</li> <li>• Coastal and Marine Spatial Planning (CSMP), COMDTINST 16003.2 (series)</li> <li>• Aids to Navigation Manual – Administration, COMDTINST M16500.7 (series)</li> </ul> <p><b>**See “Other References” section of this Guide (Page 18) - Port and Waterways Safety Assessment Guide</b></p>
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## Additional References:

While not necessarily directed specifically towards waterways management, the following references are commonly used by field personnel and waterway managers should be familiar with them and their contents.

## Commandant Instructions

While not WWM program-specific, the following Instructions are useful to Waterways Managers:

Committee Management Policies and Procedures, COMDTINST 5420.37 (Series). This instruction outlines Coast Guard interaction with committees and proscribes safeguards to ensure compliance with the Federal Advisory Committee Act (5 U.S.C. App. 2). This is useful when participating in local or regional groups that seek to offer support or advise to the Coast Guard.

Standards of Ethical Conduct, COMDTINST M5370.8 (series). This Manual describes the Coast Guard Ethics Program, identifies and explains the Coast Guard standards of ethical conduct, and describes the ethics training requirements. Waterway managers are frequently called upon to deal with port and industry partners. Personnel should be familiar with the requirements of this policy.

Public Affairs Manual, COMDTINST M5728.2 (Series). This Manual is published to provide instruction and primary policy guidance for the conduct of the public affairs programs for the Coast Guard. Many efforts undertaken by waterways management may benefit from a public engagement. In addition, waterway managers may be called upon to serve as spokespeople for the Captain of the Port.

Marine Law Enforcement Manual, Chapter 10 and Appendix O, COMDTINST M16247 (Series). This FOUO policy provides internal guidance for conducting Coast Guard maritime law enforcement operations. Chapter 10 covers Ports, Waterways, and Coastal Security Law Enforcement and is useful in understanding law enforcement requirements surrounding limited access areas and other waterways management actions. Understanding the MLEM will assist in coordination with unit Response Departments. Appendix O covers Maritime Safety and Security Offenses.

National Environmental Policy Act Implementing Procedures and Policy for Considering Environmental Impacts, COMDTINST M16475.1 (Series). This Manual establishes policy and prescribes responsibilities and procedures for Coast Guard implementation of environmental related laws and regulations. This is a critically important manual as many WWM related activities constitute a "Federal Action" and therefore must be evaluated under NEPA and other environmental laws.

Tools for Decision-Making: Environmental Considerations, COMDTPUB 16475.1 (Series). This handbook provides U.S. Coast Guard (USCG) operational business managers and planners in Headquarters, districts and support commands basic guidance on why and how to consider environmental factors when making business and operational decisions. It is very useful for gaining a better understanding of NEPA and environmental requirements that impact operations.

Maritime Security & Response Operations, COMDTINST M16600.6 (Series). FOUO policy guidance for all on Coast Guard national policy and doctrine for the execution of maritime security and response operations in support of the Ports, Waterways and Coastal Security (PWCS) Mission. This manual replaces Operation Neptune Shield as policy for Coast Guard Maritime Security and Response Operations. Specific operational requirements for each Maritime Security (MARSEC) level remain classified. They are located on the Commandant (CG-532) classified internet site.



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Preparation of Field Regulations, COMDTINST M16704.3 (Series). This Manual establishes policies and procedures on preparing field regulations for publication in the *Federal Register*. This is very useful for preparing the required documentation for limited access areas, public meetings, special local regulations, etc.

Auxiliary Manual, COMDTINST M16790.1 (Series). This Manual establishes policies and procedures for all Coast Guard members who are involved with the administration of the Coast Guard Auxiliary, including Auxiliarists, military, and civilian personnel. The Auxiliary can be a tremendously valuable asset in managing waterways. This manual will assist in understanding their capabilities and limitations.

Educational Efforts to Protect the Northern Right Whale, COMDTINST 16450.4 (Series). This instruction outlines procedures for working with the National Oceanic and Atmospheric Administration (NOAA) and National Marine Fisheries Service (NMFS) to develop a system to educate mariners that they are entering Northern Right Whale critical habitat areas.

## Navigation & Vessel Inspection Circular (NVIC)

NVICs with Waterway Management Implications <http://www.uscg.mil/hq/cg5/nvic/2000s.asp>

- 01-00 Harbor Safety Committee Guidance
- 02-00 Inspection Guidance for Vessels Participating in Marine Events of National Significance
- 07-02 Marine Safety at Fireworks Displays
- 09-02 [Change 3] Guidelines for Development of Area Maritime Security Committees & Area Maritime Security Plans Required for U.S. Ports
- 02-07 Guidance on the Coast Guard's Roles and Responsibilities for Offshore Renewable Energy Installations (OREI) –considering permits to build and operate OREI
- 01-11 Guidance Related to Waterfront Liquefied Natural Gas (LNG) Facilities

## Other References

**CMTS Preparedness Task Team Final Report** – Best Practices for Preventing and Managing Breakaway Vessels  
(available at <https://collab.uscg.mil/lotus/mydoc?uri=dm:3aee54804915bfdd81fd970600fa8373&verb=view>)

### Port and Waterways Safety Assessment Guide

(Available at <http://www.navcen.uscg.gov/?pageName=pawsaGuide>)

### Atlantic Area Port Operations Hurricane Guidance, LANTAREAINST 1660.1(series)

(Available at <https://cgportal.uscg.mil/delivery/Satellite/LANTAREA/Article/USCGATLANTICAREAPLANSANDPUBLICATIONSOPLANS>)