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**MAY 15 2024**

## MEMORANDUM

From:  Peter W. Gautier, VADM  
CG-DCO

To: Wayne R. Arguin, RDML  
CG-5P

Subj: PORTS AND WATERWAYS SAFETY INQUIRY CONCERNING THE RISKS TO  
CRITICAL PORT INFRASTRUCTURE DUE TO LARGER COMMERCIAL  
VESSELS AND INCREASED TRAFFIC DENSITY

Ref: (a) 46 U.S. Code 70035  
(b) Title 46, U.S. Code

1. In exercise of the investigatory powers provided under reference (a) and pursuant to the authorities provided in reference (b) and the regulations promulgated thereunder, you are to convene a formal Ports and Waterways Safety Board of Inquiry consisting of the following membership. The Board will convene as soon as practicable to inquire into all aspects of the subject risk assessment at such times and places as directed by you.

- RDML Wayne Arguin, USCG, Chair
- CAPT Evelyn Samms, USCG, Member
- CDR Laura Springer, USCG, Member
- LCDR Steven Lewis, USCG, Member
- LCDR David Bourbeau, USCG, Member
- LCDR Laura Fitzpatrick, USCG, Member
- Dr. Robyn Kapperman, USCG, Member
- Mr. James Moore, USCG, Member
- LCDR Thomas McGuire, USCG, Legal Counsel
- LCDR Joshua Weidman, USCG, Recorder

2. The Board shall evaluate the risks to critical port infrastructure due to larger commercial vessels and increased traffic density over recent decades for ten domestic ports or port complexes. The Board shall develop and submit the proposed list of ports to be assessed to the Commandant within 30-days of the convening date. Upon confirmation from the Commandant, the Board will conduct an assessment of the risks to critical infrastructure

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(e.g., bridges, cargo terminals, pipelines, military bases, power plants, offshore facilities, etc.) within the ten selected ports. The risk assessments shall include an evaluation of existing waterways risk assessment tools (e.g., Level of Service Study (LSS), Port Access Route Study (PARS), Ports and Waterways Safety Assessment (PAWSA), etc.) and their effectiveness for each port. The Board shall also prepare a holistic vulnerability assessment for each of the ten ports with supporting recommendations for port-specific risk mitigation measures and best practices for navigation safety, critical infrastructure, commercial shipping, waterways management, and environmental protection. The Board's final report shall include the parameters and methodology to update waterway risk assessment tools and associated Tactics, Techniques, and Procedures (TTP) for subsequent risk assessments of the nation's remaining ports and navigable waterways.

3. The Board shall also review the historical use of the existing waterways assessment tools and prepare an appendix that summarizes the recency of each tool for the nation's top 50 ports by cargo volume.
4. You will complete and submit your report to me by 31 May 2025. If the Board cannot meet this deadline, you shall submit a written explanation for the delay and the expected completion date. You are highly encouraged to submit any interim recommendations to implement immediate port-specific risk mitigation measures, if appropriate, at any point during your inquiry.
5. The Board shall work closely with the federal, state, and local agencies charged with the responsibility of overseeing port infrastructure including, but not limited to, the Army Corps of Engineers, the Federal Highway Administration, and the National Oceanic and Atmospheric Administration and may appoint advisors to inform the work of the Board. Federal, state and local agencies may also designate a representative to participate in this inquiry.

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