

SUPPORT TO LOCAL HARBOR SAFETY COMMITTEES



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COMMANDANT INSTRUCTION 16010.9A

Subj: SUPPORT TO LOCAL HARBOR SAFETY COMMITTEES

- Ref: (a) Guidance for Improvement and Enhancement of Cooperative Relationships with the Maritime Community Through Local Harbor Safety Committees, NVIC 01-25
(b) United States Coast Guard Maritime Commerce Strategic Outlook (October 2018)
(c) Committee Management Policies and Procedures, COMDTINST 5420.37 (series)
(d) Marine Planning to Operate and Maintain the Marine Transportation System (MTS) and Implement National Policy, COMDTINST 16003.2 (series)

1. PURPOSE. This Instruction provides policy for unit engagement with local Harbor Safety Committees (HSCs). Reference (a) supports external partners by providing guidance on the expectations for and limitations to United States Coast Guard support for HSCs. This Instruction builds on the content presented in Reference (a), further outlining roles and responsibilities for Coast Guard units. In addition, this Instruction reinforces the guidance provided in Reference (b), which identifies local coordination as critical to maintaining the United States Marine Transportation System (MTS).
2. ACTION. All Coast Guard unit commanders, commanding officers, officers-in-charge, deputy/assistant commandants, and chief of headquarters directorates must comply with the policies contained in this Instruction.
3. AUTHORIZED RELEASE. Internet release is authorized.
4. DIRECTIVES AFFECTED. The previous version, Guidance for Coast Guard Coordination of Marine Transportation System (MTS) Improvement Efforts at the Regional and Local Level, COMDTINST 16010.9, is hereby cancelled.
5. DISCUSSION. Marine transportation is a national priority. United States Coast Guard Captains of the Port (COTPs) play a critical role in ensuring the protection of navigable waters and the resources therein so maritime commerce remains efficient and unobstructed through America's waterways. This responsibility requires attention to a variety of issues that affect ports and waterways safety, security, mobility, and environmental protection, and cannot be successfully implemented alone. The Coast Guard coordinates closely with partner agencies at federal, state, local, tribal, and territorial levels and with private stakeholders, non-governmental organizations, academia, and industry to protect America's maritime interests. Within major ports, much of this engagement may occur via the local HSC.

- a. America's waterways support a wide range of competing activities within the marine environment. These activities include commercial shipping, commercial fishing, recreational boating, mineral extraction, ocean tourism, sustainable energy (e.g., wind, tidal, wave), and marine sanctuaries, to name a few. HSCs are a venue where the stakeholders attached to all of these competing interests come together and can collectively evaluate and provide feedback on activities occurring within their local port or region. Balancing these competing activities within the MTS is crucial to economic prosperity, marine safety, and navigation. This balancing act requires transparency and common ground, both of which HSCs excel at creating.
 - b. HSC engagements are critical to furthering the Coast Guard's relationships at the local level, which are essential to Coast Guard mission execution. Relationships provide the foundation for everything the Coast Guard does within our nation's ports. Consequently, participation in the local HSC should not be considered a collateral or part time duty, or otherwise something weighing on Coast Guard personnel in addition to normal responsibilities. Robust engagement with the local HSC should be a primary responsibility for local waterways management division chiefs, and an integral part of executing the waterways management responsibilities of the COTP. Individual relationships are fundamental to organizational partnerships and are the foundation on which HSCs are based.
6. DISCLAIMER. This guidance is not a substitute for applicable legal requirements, nor is it itself a rule. It is intended to provide administrative guidance for Coast Guard personnel and is not intended nor does it impose legally binding requirements on any party outside the Coast Guard.
7. MAJOR CHANGES. This Instruction is revised to reflect current understanding of the role of HSCs in supporting the MTS. Updates focus on explicitly identifying the responsibilities of COTPs as the lead Coast Guard official engaging with local HSCs. This revision highlights the role of the Office of Waterways and Ocean Policy (CG-WWM) in supporting and providing guidance to facilitate the establishment, development, and recognition of HSCs. The title has been updated to more succinctly reflect the content within.
8. IMPACT ASSESSMENT. Familiarity with the content of this Instruction is the only requirement and should be added to existing on-the-job training and Performance Qualification Standard programs for applicable personnel.
9. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS. The Office of Environmental Management, Commandant (CG-47) reviewed this Commandant Instruction and the general policies contained within, and determined that this policy falls under the Department of Homeland Security (DHS) categorical exclusion A3. This Commandant Instruction will not result in any substantial change to existing environmental conditions or violation of any applicable federal, state, or local laws relating to the protection of the environment. It is the responsibility of the action proponent to evaluate all future specific actions resulting from this policy for compliance with the National Environmental Policy Act (NEPA), other applicable environmental requirements, and the U.S. Coast Guard Environmental Planning Policy, COMDTINST 5090.1 (series).

10. DISTRIBUTION. Electronic distribution in the Directives System Library. Intranet/Pixel Dashboard: Directives Pubs, and Forms - PowerApps (appsplatform.us). If Internet released: Commandant Instructions (uscg.mil), Coast Guard Forms (uscg.mil) .
11. RECORDS MANAGEMENT CONSIDERATIONS. Records created as a result of this Instruction, regardless of format or media, must be managed in accordance with Records & Information Management Program Roles and Responsibilities, COMDTINST 5212.12 (series) and the records retention schedule located on the Records Resource Center Microsoft SharePoint site at: <https://uscg.sharepoint-mil.us/sites/cg61/SitePages/CG-611-RIM.aspx>.
12. POLICY ON SUPPORT TO LOCAL HARBOR SAFETY COMMITTEES. The Coast Guard is committed to helping local HSCs succeed. As outlined in Reference (a), HSCs provide tremendous benefit to their local communities, to include the local Coast Guard unit(s). It is in the best interest of the Coast Guard to support and provide guidance to facilitate the establishment, development, and sustained excellence of HSCs nationwide in accordance with Reference (c).
13. ROLES AND RESPONSIBILITIES.
 - a. Commandant (CG-WWM) will:
 - (1) Maintain an inventory of active HSCs, including leadership contact information.
 - (2) Maintain a library of active HSC charters and bylaws.
 - (3) Establish and maintain guidance to facilitate the establishment, development, and sustained growth of HSCs nationwide.
 - (4) Support planning for the biennial National Harbor Safety Committee Conference.
 - (a) Serve on the conference planning team and assist in the selection of the host HSC, development of the conference agenda, and preparation of planned speakers.
 - (b) Execute Department of Homeland Security conference request and other administrative requirements for Coast Guard attendees.
 - (c) Oversee the biennial Distinguished Harbor Safety Committee Award selection criteria and process. This award, presented at the National Harbor Safety Committee Conference by Coast Guard leadership, serves to highlight and recognize significant achievements and contributions to the maritime community by a local HSC. The intent of this award is to encourage and reward innovative and dedicated HSCs that demonstrate a culture of collaboration and continual improvement regarding the safety, security, mobility, and environmental protection of their local port or waterway.
 - b. Coast Guard Navigation Center (NAVCEN). NAVCEN, as requested by the COTP, will provide analyses and decision support tools as identified in section 14 of this Instruction.

- c. Area, District, and Sector Commanders. Unit commanders shall provide all appropriate support to enable local COTPs to execute the roles and responsibilities outlined in this Instruction.
- d. Coast Guard Captains of the Port. COTPs will:
 - (1) Meet the expectations and adhere to the limitations in section 7 of Reference (a).
 - (a) COTP Engagement. In addition to the reasons outlined in Reference (a), COTP engagement is significant because other port partners will often match the level of Coast Guard participation in order to determine who to send from their organization. Attendance by the COTP ensures engagement at the right level within all stakeholder groups (i.e., people empowered to make decisions on behalf of their organizations), maximizing the efficiency of each discussion. If the COTP is unable to attend, an appropriate representative such as the Deputy/Executive Officer should attend in their place.
 - (b) Relationship Development. Maintain relationships with key HSC partners outside of the HSC meeting construct. Ensure critical relationships are established before they are needed. Additionally, set an expectation with unit staff that external engagement with port partners is a primary duty, and people and relationships should be prioritized over task lists. Ensure staff understand their effort provides considerable return on investment in helping to identify and track port issues for COTP attention and supporting local relationship development.
 - (2) Coordinate attendance by other Coast Guard personnel. In addition to the COTP, the Prevention Department Head, WWM Chief, or WWM staff should represent the Coast Guard at local HSC meetings. It is important the Coast Guard does not overwhelm the meeting with too many members in attendance. Regardless of the number of attendees, the Coast Guard should speak as one voice in public forums. Depending on the meeting agenda, other local Coast Guard leaders (e.g., Base Commanding Officer, WLB/WLM Commanding Officer, Aids to Navigation Team Officer-in-Charge) may be invited to attend to present or field questions on their areas of expertise or responsibility. Any additional members desiring to attend from other local units must clear attendance through the COTP.
 - (a) For Coast Guard active-duty members attending a meeting purely for familiarization or training purposes, consider attendance in civilian clothes to ensure the number of uniformed members does not overwhelm the meeting.
 - (3) Share information, listen, and support development of consensus decisions. The Coast Guard representative should provide information on upcoming operations and updates on past operations of interest to the HSC, as well as offer technical advice, support, and feedback on waterways safety issues. These meetings also provide a valuable forum to publicly thank port partners for specific instances of support.

- (a) Anticipate HSC interest in any high-profile cases that have received local media attention.
 - (b) Promote the use of Coast Guard risk assessment and management tools (described in section 14 below) as applicable.
- (4) Support the long-term health of HSCs. Coast Guard units obtain tangible benefits from the existence of an established and efficient HSC and should take steps to look out for the organizational health of the local HSC to ensure its long-term success.
- (a) HSC Leadership (Continuity). The COTP must work with local port partners to ensure leadership and management of the HSC is distributed across several members. Historically, HSCs have ceased to function in scenarios where one person was providing all of the leadership and administration and was suddenly unable to perform those functions. Without a succession plan, the HSC is at risk. The COTP should encourage other leaders to share the responsibilities or serve as back-up to avoid any potential gaps in leadership. It is more difficult and time consuming to recreate or reenergize an HSC after it has failed than proactively encourage shared responsibility among its leadership.
 - (b) HSC Membership (Inclusivity). HSCs are also at risk if their commitment to transparency and establishing a common understanding of issues wanes. This risk can be combatted by ensuring all port stakeholders have an equal voice in the discussion. HSCs should have liberal membership criteria; that is, any member of the port community with an interest in the safety, commercial viability, environmental well-being, or recreational uses of the port should be welcomed to participate. Many HSCs designate members as voting or non-voting; there should be no restriction on the number of non-voting HSC members. The COTP must persuade the HSC to remain open to all interested port stakeholders and take an active role in inviting port stakeholders to attend and participate in HSC meetings. COTPs must notice when gaps in key local voices exist within their HSC and play a role in recruiting participants to cultivate the team the port needs.
 - (c) HSC Meetings (Relationships). The COTP should encourage a routine meeting schedule. Some HSCs meet only when there is an incident or issue to resolve. There is some risk in operating without a standard meeting schedule¹, which is the loss of opportunity to consistently reinforce personal connections and ensure group cohesion through staff transfers, whether civilian or military. The relationships established within the HSC are critical to the group's success in effectively navigating difficult conversations, and a routine meeting schedule will allow the partners to nurture those essential connections.

¹ In determining the right meeting schedule, consideration should be given to the various, similar committees and interest groups already existing in the port (e.g., the AMSC, Propeller Club, Maritime Association) – particularly where there is significant overlap in membership. The goal is to identify a schedule that meets the objectives identified, without introducing competition with other groups or compromising the opportunity for meaningful engagement.

- (5) Support the creation of HSCs. If there is no HSC or HSC-like coordinating body within the port, explore with local industry stakeholders if there is a need to establish or reinvigorate one. Reference (a) provides recommendations for establishing new HSCs. The local COTP plays an essential role in creating interest and bringing people together to discuss the potential opportunity, and the WWM Division typically must apply substantive effort to guide the group through the development phase. Conversely, HSCs may fail to get off the ground if the COTP is not sufficiently engaged.
- (6) Attend the National Harbor Safety Committee Conference. This conference is a biennial event held to bring together HSC members from around the nation to network and gain ideas from one another via the sharing of lessons learned and best practices. COTPs are encouraged to budget funding in the unit's spend plan to enable two members to attend the conference every other year.

14. RESOURCES AVAILABLE TO SUPPORT COTP ENGAGEMENT. COTPs have access to Coast Guard risk assessment and management tools that can inform local decision making and provide significant benefit to a local HSC, or conversely the local HSC can provide critical knowledge to the Coast Guard when using these tools. Appendices A through G of Reference (d) define several of these tools that may be of value to the COTP and HSC. Key examples of these tools include:

- a. Port and Waterways Safety Assessments (PAWSA): The PAWSA process identifies major waterway safety hazards, estimates subsequent risk levels, evaluates potential mitigation measures, and sets the stage for implementation of selected measures to reduce risk. The process involves a COTP convening a select group of waterway users/stakeholders and NAVCEN conducting a two-day structured workshop. The assessment results in a report that evaluates safety on the waterway. These reports can be very useful for HSCs, setting benchmarks or identifying areas in need of further attention. COTPs interested in obtaining a PAWSA should submit a request to NAVCEN. Of note, PAWSAs are often scheduled a year in advance or more.
- b. Port Access Route Studies (PARS): Chapter 700, Ports and Waterways, of Title 46 U.S. Code requires the United States Coast Guard to conduct a study of port access routes before establishing new or adjusting existing fairways or Traffic Separation Schemes (TSS). The United States Coast Guard will conduct a PARS to meet this requirement. A PARS can also be used as a means by which Coast Guard program managers determine the need to establish other traffic routing measures, limited access areas, and regulated navigation areas in order to ensure navigational safety in the nation's offshore approaches and coastal waters. These studies, which are initiated by District or United States Coast Guard Headquarters, could be very valuable to HSCs in areas where novel uses are emerging in offshore waters. Additionally, HSCs provide valuable input into these studies, which helps the Coast Guard determine the most appropriate course of action.
- c. Waterways Analysis and Management System (WAMS): A WAMS analysis evaluates the adequacy of the existing Aids to Navigation (ATON) system on a specific waterway, focusing on a variety of factors to include the existing ATON system, channel

framework, marine casualty information, port/harbor resources, changes in marine vessel usage (both recreational and commercial), user capabilities, training and carriage requirements, available technology, environmental considerations, stakeholder feedback, and planned developments. This report requires periodic review and is key to identifying issues pertaining to safe navigation, which are critical to establishing or discontinuing ATON. An HSC provides invaluable insights into a WAMS analysis, helping ensure federal channels are properly marked for safe navigation.

- d. Additional Resources: NAVCEN can provide additional support to waterways management challenges that are not addressed by a PAWSA, PARS, or WAMS. Examples include identification of vessel incursions by type and duration within a rocket recovery zone, utilization of ice breaking services by vessel flag within the Great Lakes, or new areas used for lightering or anchorage. These ad hoc analyses can provide the COTPs and HSCs valuable navigation safety information within their respective ports. Request for NAVCEN support can be made via their project intake tool: Waterway Risk Assessment and Support Division Request for Analysis (apps.mil).

15. FORMS. None.

16. SECTION 508. This policy is created to adhere to accessibility guidelines and standards as promulgated by the U.S. Access Board with consideration of Information and Communications Technology (ICT) requirements. If accessibility modifications are needed for this artifact, please communicate with the Section 508 Program Management Office (PMO) at Section.508@uscg.mil. Concerns or complaints for non-compliance of policy and/or artifacts may be directed to the Section 508 PMO, the Civil Rights Directorate (<https://www.uscg.mil/Resources/Civil-Rights/>) for the Coast Guard, or to the U.S. Department of Homeland Security at accessibility@hq.dhs.gov.

17. REQUEST FOR CHANGES. Units and individuals may formally recommend changes through the chain of command using the Coast Guard Memorandum. Comments and suggestions from users of this Instruction are welcomed. All such correspondence may be emailed to Commandant (CG-WWM) at: CGWWM@uscg.mil.

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