



DEPARTMENT OF THE ARMY
INSTITUTE FOR WATER RESOURCES, CORPS OF ENGINEERS
WATERBORNE COMMERCE STATISTICS CENTER
P. O. BOX 61280
NEW ORLEANS, LOUISIANA 70161-1280

28 July 2016

Dear Sir and/or Madame:

We have recently been notified that your company is engaged in commercial waterborne transportation. The Rivers and Harbors Act of 1922, 33 United States Code Part 555, as amended by the 1986 Water Resources Development Act provides:

Section 11. "that owners, agents, master, and clerks of vessels and other craft plying upon the navigable waters of the United States, and all individuals and corporations engaged in transporting their own goods upon the navigable waters of the United States shall furnish such statements relative to vessels, passengers, freight, and tonnage as may be required by the Secretary of the Army: Provided, that this provision shall not apply to those rafting logs, except upon a direct request upon the owner to furnish specific information.

That every person or persons offending against the provisions of this section shall be liable to a fine of not more than \$5,000 or imprisonment not exceeding two months to be enforced in any district court of the United States within whose territorial jurisdiction such offense may have been committed. In addition, the Secretary may assess a civil penalty of up to \$2,500 per violation, against a person or entity that fails to provide timely, accurate statements required to be submitted pursuant to this section by the Secretary."

33 Code of Federal Regulations (CFR) Part 207 implements this law and requires companies that receive remuneration, payment, fees or compensation for the movement of vessels or for the transportation of passengers on the navigable waters to file monthly activity reports with the U.S. Army Corps of Engineers Waterborne Commerce Statistics Center.

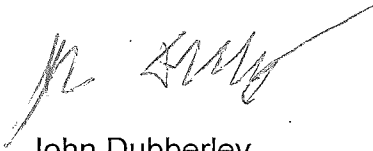
Our records indicate that your company meets these reporting requirements. All information and data sent to us is required to be held in confidence and will not be released outside of the federal government in order to maintain the confidentiality of proprietary information.

Please be aware that failure to provide timely, accurate and complete statements or reports required by applicable laws and regulations subject an individual and/or companies to the following penalties:

- For each and every offense, a fine of not more than \$5,000, or imprisonment not exceeding two months.
- A civil penalty of up to \$2,500 per violation.
- Denial of passage through locks and canals.

Please contact Mr. Manus of Waterborne Data Collection and Management Office, at (504) 862-1414 or **Gregory.N.Manus@usace.army.mil**, or myself at (504) 862-1209 within 30 days of receipt of this letter to discuss your reporting requirements. Mr. Manus can provide you with information and help you comply on reporting, administrative and logistics requirements and discuss several exemptions that may preclude you from providing vessel activity reports to the U.S. Army Corps of Engineers. Without your direct input, we must assume that your company does not meet any exemption clauses and is required to provide us with monthly activity reports starting immediately.

Sincerely,



John Dubberley
Project Manager,
Waterborne Data Collection and Management Office