



**The American Waterways Operators**

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June 13, 2014

LT Hannah Eko  
Sector New York  
U.S. Coast Guard  
212 Coast Guard Drive  
Staten Island, NY 10305

RE: Regulated Navigation Area on the Arthur  
Kill Waterway in New York and New Jersey  
(Docket ID No. USCG-2013-1063)

Dear LT Eko:

The American Waterways Operators is the national trade association for the U.S. tugboat, towboat, and barge industry. Our industry is the largest segment of the nation's 40,000-vessel Jones Act fleet and moves more than 800 million tons of cargo each year safely and efficiently. This includes 80 percent of New England's home heating oil, much of which transits the Arthur Kill waterway. We appreciate the opportunity to comment on the proposed regulated navigation area affecting the Arthur Kill waterway in New York and New Jersey.

AWO members lead the maritime industry in safety, security, and environmental stewardship. We are committed to working with government partners to advance these shared objectives. AWO's Responsible Carrier Program, the safety management system with which all AWO members must comply as a condition of association membership, highlights AWO member commitment to continuous safety and environmental protection. AWO is committed to the goal of zero harm from our industry's operations – to human life, to the environment, and to property. AWO recommends that the Coast Guard consider the following recommendations to minimize the risk to life, the environment, and property while ensuring the efficient flow of commerce that is essential to our nation's economy.

The towing industry concurs that the Coast Guard should implement a regulated navigation area on the Arthur Kill in the proximity of the Goethals Bridge. This narrow waterway is heavily trafficked by tug and barge vessels, tanker and cargo ships, and other vessels. The coinciding construction projects on the Goethals and Bayonne bridges, as well as the planned dredging project on the Arthur Kill, will produce a congested waterway that must accommodate the same number of vessels in a narrower channel. The Arthur Kill and surrounding waterways are the arteries that support the delivery of energy products and containerized cargos to communities from Maine to Florida. Disrupting the flow of commerce on the Arthur Kill could have serious economic repercussions along the East Coast, as many communities rely upon just-in-time

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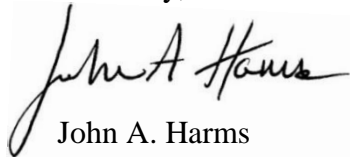
delivery via tugboats and barges. Waterways closures resulting from these construction projects have the potential to create substantial delays that would harm the economies of East Coast communities.

A brief closure of the Arthur Kill or Kill Van Kull waterways, for example, could cause tugboats bound for Long Island Sound to miss slack tide at Hell Gate on the East River, which would delay travel by up to six hours. In addition, even a brief closure on the Hudson River at the Tappan Zee Bridge could force tugs to delay a northbound journey by a full day due to the self-imposed daylight restrictions for many tugs on the upper Hudson River. **AWO strongly recommends that the Coast Guard notify mariners at least forty-eight hours in advance of a waterway closure and that, working in concert with the Army Corps of Engineers and private contractors, the Coast Guard ensure temporary waterway closures remain in place only as long as required for safety purposes.**

In addition, the Arthur Kill has a naturally occurring tidal current of one to three knots. Vessels moving with a flood tide face reduced steerageway due to their reduced speed over water. This effect may be exacerbated by additional speed restrictions on the Arthur Kill contained in the RNA, posing a potential safety risk. The narrower channel and strong current provides vessel captains little to no opportunity to divert course or lay up in the event of unexpected congestion. **AWO strongly recommends that the Coast Guard work with the local maritime community to institute a queue system or other vessel movement scheme that allows vessels moving with a flood tide to access the right-of-way in the restricted portion of the Arthur Kill. AWO recommends that the proposed queue system be administered by the New York Vessel Traffic Service Station at Fort Wadsworth, Staten Island.**

Thank you for the opportunity to comment. AWO would be pleased to answer any questions or provide further information as the Coast Guard sees fit.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Harms". The signature is written in a cursive style with a large initial "J".

John A. Harms