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Brian Vahey
Senior Manager – Atlantic Region

April 23, 2016

RADM Linda Fagan
Commander, First Coast Guard District
408 Atlantic Avenue
Boston, MA 02110

Re: Hudson River Anchorage
Areas

Dear RADM Fagan:

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 more than 80 percent of New England's home heating oil, 60 percent of U.S. export grain, and significant bulk commodities to and from the Atlantic States.

AWO represents an industry that cares deeply about safety. For more than 20 years, AWO has had a formal partnership with the U.S. Coast Guard to address issues of safety and environmental stewardship at both the national and the regional level. In the Atlantic Region, AWO has worked with the Coast Guard through the Atlantic Region Quality Steering Committee, the regional arm of the Coast Guard-AWO Safety Partnership, to address issues such as hurricane preparedness and safe navigation around structures.

As an industry that makes safety its top priority, we were very concerned by Sector New York's October 2015 Marine Safety Information Bulletin advising vessel operators not to anchor outside of designated anchorage areas on the Hudson River. Anchoring outside of designated areas has become necessary over the last two decades due to increased vessel traffic, larger equipment, and a lack of dredging that has resulted in shallow draft areas along the river. Anchoring outside of designated anchorage areas has become necessary to ensure safe navigation, and the safety record of vessels operating on the Hudson River reinforces the importance of these anchoring practices.

AWO understands and endorses the need for industry safe practices to be aligned with Coast Guard regulation. Therefore, we strongly encourage District 1 to move ahead expeditiously with a rulemaking to add and expand anchorages on the Hudson River. Creating additional anchorage areas is the most effective way for the Coast Guard to provide the towing industry the authorization it needs to continue the safe navigation practices it has followed for 20 years.

It will facilitate daylight navigation, provide much needed anchorage space in shallow draft channels, and enable effective communication between waterway users.

Facilitating Safe Navigation

The currently authorized anchor space is woefully inadequate to meet the safety needs of the vessels that use the river. Since the early 1990s, vessels northbound to Albany have routinely anchored at Kingston to avoid nighttime navigation. On a waterway that is frequently beset by fog, operating during daylight hours has become common industry practice. While buoys have been placed in the navigation channel to help assist operators, these aids are not lit and during the winter months can become trapped under ice and dragged by ice flows. Having adequate anchorage space allows operators to get underway at first daylight, when they can navigate primarily using visual cues and the experience of the licensed mariners.

Accommodating Navigation in Shallow Channels

Towing vessel operators follow high tide into Albany. The Hudson River has not been regularly dredged, and many parts of the navigable channel have become shallower. The maximum depth of the channel is 31 feet and the draft of barges often comes close to reaching this depth. Having available anchorages for vessels accommodates the safety practice of waiting for periods of high tide before getting underway.

Sharing the Waterway

AWO members understand that tugboats and barges share the river, and operate in a way that protects the safety of other users. It is in every operator's interest not to keep vessels anchored when it is safe to move them, and in most parts of the river it is rare for any vessel to be anchored for lengthy periods. In most cases, vessels are anchored for no more than 12 hours; the most common practice is to anchor for 4-6 hours as the vessels move at daylight or as the tide comes in. Vessels at anchor must remain lit in accordance with Coast Guard requirements, but vessels will often contain their lighting in order to limit impacts on other users both on the water and shoreside.

While the towing industry is willing to make these accommodations, Coast Guard policy must not be driven by aesthetics but by safe usage of the waterways. There are many other navigable waterways in the United States where commercial users interface with residents and as the waterways become more congested and population areas expand, it is necessary to ensure that navigation safety continues to be a priority. AWO believes the District's decision on anchorage placement in the Hudson could establish a meaningful precedent for the availability and usage of anchorages in other parts of the country as well.

AWO supports the January 2016 letter from the New York Tug and Barge Committee urging the promulgation of a proposed rule to create additional anchorages on the Hudson River. AWO believes that District 1's rulemaking should include the anchorage areas proposed in that

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letter and should invite feedback from other stakeholders on the creation of still more anchorage areas as safe navigation on the Hudson dictates.

We thank you for the opportunity to provide our support for the promulgation of this much needed rulemaking and look forward to providing more comments as this regulatory project gets underway.

Sincerely,

A handwritten signature in cursive script that reads "Brian W. Vahey". The signature is written in black ink and is positioned below the word "Sincerely,".

Brian W. Vahey
Senior Manager – Atlantic Region