



**The American Waterways Operators**

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October 15, 2015

Mr. John Buswell  
Manager – Roadway Structures  
Seattle Department of Transportation  
P.O. Box 34996 (SMT-38-00)  
Seattle, WA 98124-4996

RE: Potential Changes to Lake  
Washington Ship Canal Bridges'  
Opening Restrictions

Dear Mr. Buswell:

On behalf of the American Waterways Operators, the national trade association for the U.S. tugboat, towboat and barge industry, thank you for the opportunity to comment on the City of Seattle Department of Transportation's (SDOT) anticipated petition to the U.S. Coast Guard to alter rules for drawbridge operation on the Ballard, Fremont, University, and Montlake bridges.

The towing industry safely and efficiently moves over 800 million tons of cargo each year, including more than 60 percent of U.S. export grain, energy sources, and other bulk commodities that are the building blocks of the U.S. economy. The fleet consists of more than 4,000 tugboats and towboats and 27,000 barges engaged in towing, ship assist, marine construction and harbor services throughout the nation.

Sixteen AWO member companies are headquartered in Washington, and over a dozen others operate tugboats and barges on Washington waters. AWO members operate tugboats and barges that regularly transit the Lake Washington Ship Canal, in some cases with barges in tow. These towing vessels serve the entire region by supporting construction projects and transporting commodities. For instance, AWO members are assisting in the construction of the new SR-520 floating bridge over Lake Washington. AWO member vessels also regularly pass through the Lake Washington Ship Canal on the way to or from the Duwamish industrial area with barges servicing the Alaska and Hawaii markets.

The Lake Washington Ship Canal's status as a federal navigable waterway ensures that the U.S. Coast Guard maintains authority over bridge operations.<sup>1</sup> Existing federal regulations

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<sup>1</sup> 33 CFR 117.1051(d)(2)

restrict the Ballard, Fremont, University, and Montlake drawbridges from opening to vessel traffic during “rush-hour” periods from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m. from Monday to Friday. Consistent with the long-standing recognition of the importance of commercial navigation, these regulations expressly exempt commercial vessels exceeding 1000 gross tons (GT) or towing barges over 1000 GT.

While AWO recognizes SDOT’s compelling interest in alleviating traffic congestion on Seattle roadways, additional restrictions on drawbridge openings would impose economic hardship on towing vessel operators that transit the Lake Washington Ship Canal and their customers. AWO is grateful that SDOT’s request would not seek to alter the current rush hour exemption for commercial vessels or tows over 1000 GT, but the majority of commercial vessel operators on the waterway do not benefit from this narrow exemption. Virtually every commercial towing vessel using the canal is well below the 1000 GT threshold. However, these vessels frequently transit the canal going to or coming from an operation where they tow barges over 1000 GT. Despite their commercial status, the operators of these vessels already adhere to the “rush-hour” restrictions that affect departure and arrival times and must account for these restrictions to perform basic operations such as refueling, crewing, and sailing on the tides. Any extension of existing rush hour restrictions would negatively impact commercial activity in Seattle and cause ripple effects extending to as far away as Hawaii and Alaska. Additional restrictions would also contribute to waterway congestion and heighten the risk of a marine incident in the canal.

AWO understands that an extended restricted period for bridge operations is only one of several options under consideration by SDOT. AWO is appreciative that SDOT has solicited public comment on this issue and requests an opportunity to discuss possible ways to improve existing drawbridge procedures for both vessel and vehicular traffic. For example, the Puget Sound Harbor Safety Committee recently adopted a notification standard of care for the Lower Spokane Street Bridge where vessel operators are strongly encouraged to provide a two-hour notice of a bridge-opening request to provide timely information to electronic traffic notification systems. The regulations governing the Spokane Street Bridge expressly exempt a “vessel of 5000 gross tons and over, a vessel towing a vessel of 5000 gross tons and over, and a vessel proceeding to pick up for towing a vessel of 5000 gross tons and over.”<sup>2</sup> AWO would welcome discussions about the possible adoption of a similar standard of care or revision of CFR language to more accurately reflect the nature of commercial marine traffic.

**AWO asks that any proposed changes to drawbridge rules consider the potential negative economic impacts to towing vessel operators and their customers and ensure that drawbridge rules allow for the flexibility to enable the free-flow of vital commercial navigation.** Additional burdens without sufficient accommodations would negatively impact commercial activity and disrupt the provision of goods and services in interstate commerce.

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<sup>2</sup> 33 CFR 117.1041(a)(1)

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AWO appreciates the opportunity to provide comment regarding the operation of Seattle drawbridges. Please do not hesitate to contact me with questions or concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chas. Costanzo".

Charles P. Costanzo