



OFFICE OF THE MAYOR
MIKE SPANO

August 3, 2016

Mr. Craig Lapiejko
Waterways Management Branch
Coast Guard First District
408 Atlantic Ave
Boston, MA 02110
craig.d.lapiejko@uscg.mil

**RE: Docket Number USCG-2016-0132
Anchorage Grounds, Hudson River; Yonkers, NY to Kingston, NY**

Dear Mr. Lapiejko:

The City of Yonkers only recently became aware of the above-referenced *Advanced Notice of Proposed Rulemaking* for the designation of additional anchorage areas within the Hudson River, with the largest being the “extension” of the existing anchorage area that runs from roughly the George Washington Bridge to just south of the Yonkers JFK Marina Park by creating a new anchorage zone that will run from roughly JFK Marina Park north to Dobbs Ferry, encompassing some 715 acres and sized to provide space for 16 ships/barges assuming 1,200 foot “mooring circles.”

The City of Yonkers, like so many of the river towns in Westchester County, is in the midst of a long-term effort to revitalize its waterfront; restore and enhance its parks; and replace closed industrial facilities with new mixed-use residential, commercial, and recreational developments. In Yonkers, our recreational revitalization plans specifically include multiple marinas and mooring areas, in order to meet the demands of our burgeoning recreational boating community. Given this trend, combined with what has essentially been the wholesale abandonment of the Hudson Riverfront in Westchester County/Yonkers by industrial interests, the City writes to express its objection to the referenced proposal to accommodate vastly expanded, industrial shipping activity on our shores.

Specifically, the City of Yonkers objects to the proposal given the likely impacts to: (a) massive private, state and local investments in waterfront revitalization already undertaken and/or in development in the river towns of Westchester County. Presently the City of Yonkers, alone, has in excess of \$1 billion of new investment planned or underway in and around our waterfront, the vast majority of which is residential; (b) the Hudson River environment, and the decades of efforts to reverse the impacts of previous industrialization; (c) recreational access to the River; (d) the scenic and aesthetic assets of our waterfront, including the Palisades; and, finally (e) the public health and safety of the residents of and visitors to Westchester County's river towns.

Some of those impacts are more obvious, such as the potential for the disruption of bottom habitat due to chain scour and potential harm to both Atlantic and shortnose sturgeon. Others are less direct, such as the impact to waterfront property values and associated tax revenues, the willingness of developers and investors to site projects on our waterfront, as well as the ability for the public to enjoy the waterfront and the waters of the River itself.

Our safety concerns include the direct hazards to recreational boaters and the more significant hazards and liabilities associated with volatile cargo being carried by the moored vessels directly off our shores. Whether it is a fuel spill polluting the water or a more catastrophic incident such as a fuel/oil barge explosion, it will be the local communities along the River who will be most affected. Further, the potential for homeland security threats associated with the presence of these fuel-carrying ships cannot be overlooked, and the City demands that a full scale review of those threats be undertaken and shared with the elected officials and public safety experts in our riverfront communities before any decision on this proposal is finalized.

While many of the comments on this proposed expansion of anchorage sites to date have been issued by the barge and shipping industry, and focus on the need for places to anchor so as to wait out unfavorable river conditions (i.e. due to fog, ice, darkness or storms), it is clear that the Coast Guard has already promulgated a "places of refuge" policy.

Other comments appear to confirm that the current proposal would accommodate the industry's need for permanent, designated parking spaces for these industrial vessels along our shoreline in order to accommodate anticipated expansion of oil and fuel trading opportunities, and the need to "park" on Hudson in order to maximize traders' response to fluctuations in market pricing. One notable comment, issued by The Maritime Association of the Port of New York/New Jersey Tug & Barge Committee, on 1/21/16 appears to confirm this:

"For several years the United States of America has developed as a major energy producing nation and the great port of Albany as a leading export port for Jones Act trade of American Bakken Crude Oil and Ethanol. Trade will increase on the Hudson River significantly over the next few years with the lifting of the ban on American Crude exports for foreign trade and federally designated anchorages are key to supporting trade."

It is worth noting that it is this volatile Bakken oil that has been at the heart of the many deadly oil train explosions that have taken place in the US and Canada in recent years, and which have now made rail transport of these materials exceedingly controversial.

The City objects to the premise that our pristine Hudson River will be turned into a floating fuel pipeline and/or oil storage facility. The health, safety and quiet enjoyment of the entire lower Westchester waterfront must not be put in jeopardy so that fuel traders may hold barges at anchor, while awaiting favorable price changes on the commodities markets before unloading. Nor should the economic interests of one industry be permitted to eclipse decades of effort towards and investment in the economic and environmental revitalization of the Hudson River and its shoreline communities in the Hudson Valley¹. Finally, the City objects to the wholesale lack of information being provided by the Coast Guard in connection with this extraordinarily impactful proposal, and notes that the details provided in the legal notice in the Federal Register fails to address any of the issues which touch and concern our local residents, as outlined herein.

As such, the City is hereby requesting that the following be undertaken before any further consideration of this proposal is undertaken: (1.) a comprehensive briefing of elected and public safety officials from Yonkers and the affected river communities in Westchester, including the technical details of the proposal; timelines; and the status of the environmental review under NEPA; (2.) a series of public hearings in the City of Yonkers, as well as in each and every community which will be directly impacted by this proposal, to ensure that the economic, environmental and aesthetic concerns of all stakeholders are addressed in full; and (3.) the inclusion of elected and public safety officials in all of the communities fronting the Hudson River in the proposed anchorage zone as involved agencies in a comprehensive assessment and review of the economic, environmental, and public health and safety impacts of this proposal.

Sincerely,



MIKE SPANO

Mayor

¹ The City also wishes to point out that the historic “temporary” placement of the US Navy’s “mothball fleet” up the Hudson off northern Westchester caused significant environmental and aesthetic impacts well beyond those anticipated to be associated with such a “temporary” placement.

cc: Hon. Charles E. Schumer , United States Senate
Hon. Kirsten Gillibrand, United States Senate
Hon. Eliot Engel, U.S. House of Representatives
Hon. Andrea Stewart-Cousins, N.Y.S. Senate Democratic Conference Leader
Hon. George Latimer, N.Y.S. Senate
Hon. Gary Pretlow, N.Y.S. Assembly
Hon. Shelley Mayer, N.Y.S. Assembly
Hon. Liam McLaughlin, Yonkers City Council President
Hon. John Larkin, Yonkers City Council Majority Leader
Hon. Michael Sabatino, Yonkers City Council Minority Leader
Hon. Mike Breen, Yonkers City Council
Hon. Corazon Pineda-Isaac, Yonkers City Council
Hon. Christopher Johnson, Yonkers City Council
Hon. Robert P. Astorino, Westchester County Executive
Hon. John Testa, Board of Legislators
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Hon. Lyndon Williams, Board of Legislators
Hon. Gordon Burrows, Board of Legislators
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Supervisor Warren Lucas, Town of North Salem
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Mayor Victoria Gearity, Village of Ossining
Mayor Michael Volpe, Village of Pelham
Mayor Jennifer Monachino Lapey, Village of Pelham Manor
Mayor Peter Scherer, Village of Pleasantville
Mayor Dennis Pilla, Village of Port Chester
Mayor Paul Rosenberg, Village of Rye Brook
Mayor Jonathan Mark, Village of Scarsdale
Mayor Kenneth Wray, Village of Sleepy Hollow
Mayor Drew Fixell, Village of Tarrytown
Mayor Steven Ecklund, Village of Tuckahoe