

Mark J. Fry  
191 Revolutionary Road,  
Scarborough Manor, New York 10510

December 6, 2016

Re USCG-2016-0132

To whom it may concern,

I am writing to comment upon the USCG Proposed Rule regarding Anchorage Grounds in the Hudson River from Yonkers to Kingston, NY.

I've lived in the river towns Tarrytown, Sleepy Hollow, Scarborough Manor, and Ossining, for a total of forty years and have sailed on the river for ten years.

I published the second printing of *History of the Tarrytowns* written by my friends Jeffrey Canning and Wally Buxton in 1988. The book begins with the formation of the Hudson River Valley Pleistocene Era, and concentrates upon the four hundred years of history since Henry Hudson first sailed up the river on September 14<sup>th</sup>, 1609. I was proud to be aboard the flagship Clearwater during the Hudson-Fulton-Champlain Quadricentennial in 2009.

Having published a book on the subject, I have a very good grasp of the past four hundred years of Hudson River history, including the time when industry lined the banks of the river, and hundreds of ferry sloops carried merchandise both up and down the river, and across it. After two centuries of agriculture, and a century and a half of industry and trade, I watched the river and the waterfront decline after World War Two. In the last forty years I have been very happy to witness and very actively support a brand new era of riverfront residential and recreational development, along with commercial redevelopment to serve tourism, which at nearly 5 Billion dollars in revenues, is one of New York State's fastest growing industries.

The Proposed Rule is at cross purposes to everything I have worked more than half my lifetime to achieve. It is patently clear that the additional anchorage grounds are proposed to support a dramatic increase in the export of crude oil. On December 18, 2015, in a very poorly crafted act of political horse trading, Congress made a terrible mistake and lifted its forty year ban on the export of crude oil. The oil industry discovered it simply did not have the infrastructure to support these exports, and since that time has been working on building pipelines, increasing transport by railway, and fighting to develop massive increases in marine infrastructure, of which these proposed anchorage grounds are a small part.

We would all like to see American industry thrive, but we are wiser now than we were a century ago, when the Hudson was catastrophically polluted by the industries along its banks.

I've worked very hard as a businessman since 1981 to promote Hudson Valley tourism, and continue to actively support the development of more waterfront slips and facilities for heritage

tourists, along with the revitalization of all of the main streets in the towns and villages in Westchester and Putnam and Rockland Counties, and beyond. I was a member of Historic River Towns of Westchester before it changed its scope and modified its name.

As a professional land use planner, I was extremely deeply involved, as a leading public advocate, in the waterfront development planning in Tarrytown, Sleepy Hollow and Ossining from 2003 to the present.

We are very proud of the results we have achieved. Where we once had decaying factory buildings and polluted brownfields, we now have thriving waterfront residential communities and restaurants. Where for decades we had only garbage dumps and asphalt plants, we now have bustling new and beautifully designed waterfront parks with festivals and free evening music concerts.

I may also have a unique perspective as a sailor. Why ? Because I sail primarily at night and as often as four nights per week. I'm frequently surprised, in a metropolitan area of over sixteen million people to find that often my fifty-year old Albin Vega is the only sailboat to be seen in the nine mile reach from the Tappan Zee to Haverstraw Bay from nine PM to midnight.

I'm very careful, of course, to always keep my navigation lights brightly lit, and keep an especially close lookout for tugs and barges when approaching or crossing the navigational channel. I'm sure the captains of the Haverstraw-Ossining Ferry know my boat very well, and we give each other a very wide and mutually respectful berth as we both traverse that section of the river.

Remember that sailboats are limited to a hull speed of about six knots, so accelerating quickly to get out of harm's way is simply not an option, even with my trusty ten horsepower outboard motor. For safety's sake reason, I try to avoid the main channel, and instead sail primarily along the eastern open water, exactly where several of the anchorages are proposed.

I studied the proposed anchorage locations quite well, and was appalled to find that the contemplated Tompkins Cove Anchorage Ground and the Montrose Point Anchorage Ground are proposed to cover 98 acres and 127 acres of the area where I most frequently enjoy sailing. I try to imagine, as I sail to Verplanck, how I will be able to maneuver, with challenging winds and tides, around those anchorages, with the light of the moon for visibility.

My varied business career also included assisting in the acquisition of 88 gas stations, all of which were under the most extraordinary consent order ever issued by the NYS DEC. The stations which were owned by one of America's largest petroleum companies, were an environmental horror show. It was a very painful lesson in the kinds of environmental problems that can occur within a very stringent regulatory environment. One of the stations had destroyed a drinking water aquifer in a small city. In total the seller needed to remedy nearly nine hundred serious environmental violations before the transaction could proceed.

Oil spills are always difficult. Oil spills of extremely heavy crude are even worse. It doesn't float, it sinks. Recovery of toxic crude from the bottom of the Hudson River, at depths from forty to seventy feet, will be extremely difficult and expensive, and may very well be impossible. Accidents do happen, as Exxon Valdez, the BP disaster, and the recent rail tank car derailments most painfully prove.

This is NOT a proposal to make current barge operations safer. This is a way to facilitate the re-industrialization of America's most beautiful river.

I urge the Coast Guard to subject this proposed rule to the most stringent federal, state and local environmental review processes. I am certain that review will show that the benefits do not outweigh the extraordinary risks to our healing Hudson River ecosystem, and the limited economic benefits to crude oil exporters do not justify the clear economic damage to our tourist based local and state economies.

Thank you for considering my perspectives on this issue.

Respectfully submitted,

Mark J. Fry  
191 Revolutionary Road,  
Scarborough Manor, New York 10510