December 5, 2016

RADM Steven Poulin, USCG
Commander, First Coast Guard District
408 Atlantic Avenue
Boston, MA 02110

Re: USCG-2016-0132-0001

Dear RADM Poulin,

The Hudson River Pilots’ Association is the group of state and federally licensed mariners responsible for serving the pilotage needs of vessels on the Hudson River. Our pilots board each ship that enters the Hudson River, the pilot is responsible for safely guiding the ship to the dock. The issue of the proposed Hudson River anchorages has become quite controversial. In reading through the comments regarding the proposed Hudson River anchorage areas, it is clear that there is a public misconception about the purpose, importance and history of these anchorage areas. These anchorage areas are not industrialization of the Hudson River, they are being proposed in the interest of safety of navigation. All of us have this interest in common.

Commerce on the Hudson River consists of both import and export cargoes carried by ocean-going ships and tug & barge units. Marine transportation is the most efficient and environmentally sound method of moving large volumes of cargo. The vessels that transit the Hudson River in the course of a year keep countless trucks off of our roads and countless railcars from passing through the Hudson Valley. Many of these ships are well in excess of 600’ long, over 100’ wide and 30’ deep. The products carried by these vessels benefit the people of the Hudson Valley and the entire northeast region. Our exports are shipped around the world. Safely keeping this flow of goods moving through upstate New York is vital to our local and national economy as shipping is the lifeblood of our nation. The public relies on safe and efficient commercial marine transportation.

Having designated anchorages in a waterway is critical for safety. The nature of marine transportation requires vessels to occasionally anchor for various reasons. Due to heavy weather, restricted visibility, heavy ice, berth congestion, mechanical issues, crew fatigue, or tidal constraints, vessels need a safe place to await favorable conditions. If, due to weather, there is restricted visibility we do not want these vessels transiting the river, passing under our bridges or meeting other vessels in the narrow channels of the river. In less than favorable conditions, having a vessel securely anchored in a federally
designated anchorage is in everybody's interests. The mariners operating these vessels are the first line of environmental defense and are responsible for making decisions that are vital in preventing marine incidents that can impact Hudson Valley residents and the environment in a very real way. Having safe and ample anchorage areas throughout the Hudson River allows these mariners to operate in a safe manner in giving them the option to put the vessel to anchor if it is deemed necessary, we do not want these vessels drifting around the river. The anchorage areas must also be marked on the nautical chart to enhance the safety of the Hudson River.

The areas proposed as designated anchorage areas were identified by experienced mariners and have been in use for generations but were never officially designated as federal anchorages. Although it should have been done years ago, it is only recently that it has become necessary to codify these areas as designated anchorages. In late 2015, in response to shoreside homeowner complaints about anchored barges in the Kingston/Rhinecliff area, the Coast Guard issued a Marine Safety Information Bulletin reminding mariners that according to the Code of Federal Regulations, vessels are not to anchor outside of designated anchorage areas in the Hudson River except in cases of great emergency. The problem is that in the 109 nautical miles above Yonkers to Albany there is only one designated anchorage area, Hyde Park. Hyde Park Anchorage was created less than twenty years ago in conjunction with the establishment of our mid-river pilot station. Before that there were no designated anchorages on the Hudson River north of Yonkers. This anchorage, limited in size, is commonly used by ocean-going ships awaiting a berth, daylight and/or favorable tide. In order to accommodate the volume of tug & barge traffic on the Hudson River and to provide the coverage needed for safe-haven type anchorages spread along the length of the river, more designated anchorages are required. South of Hyde Park, the next designated anchorage area is Yonkers. This is about fifty-five miles south. How can there only be enough room for three vessels to anchor in the 109 miles between Yonkers and the Port of Albany? How will a vessel know if a spot is open when the transit north begins? Guided by the recent MSIB, a vessel transiting north of Yonkers to anchor at Hyde Park, and finding the anchorage full will be faced with the decision to either turn around and go back down river to Yonkers, stem the tide indefinitely or anchor outside of a designated anchorage area and face a potential $40,000 fine. This policy has a negative impact on the safety of navigation on the Hudson River and a negative impact on efficient commerce on the Hudson River.

There are certain stretches of the river that are too narrow to allow safe anchoring of commercial vessels. The Hudson Highlands and most of the river north of Kingston are good examples. There must be anchorage areas available before a vessel commits to transiting these areas in less than favorable conditions. North of Kingston to Albany the channel is narrow, 400 feet in width and consists of several rock-cuts. Being a confined waterway with very few emergency anchoring areas, once the transit north of Kinston begins, a vessel will only stop in cases of extreme emergency. The conditions need to be right for the transit to Albany, if they are not vessels anchor in the mid-river area until the conditions are favorable. There are also many bridges that span the Hudson River.
Having anchorages available for vessels in order to avoid transiting under these bridges in poor conditions is essential.

Some of the proposed anchorages, such as Tompkins Cove, Marlboro, Montrose, Roseton and Milton are used by both tug & barges and ships in safe-haven type situations where a vessel must unexpectedly stop. Other anchorages, such as those in the vicinity of Kingston and Newburgh are not only for “bail out” situations but for vessels, more often tug & barges, to await tide or for berth availability. The Kingston area anchorages are the northernmost anchorages. These anchorages allow vessels to await berth availability in Albany and await daylight in certain cases. Being closer to the berths in Albany gives an advantage to these vessels and terminals especially during ice season when the days get shorter and transit windows narrow. It is good holding ground and has the advantage of an unobstructed view several miles up the River which is important in questionable weather and visibility. This area is also wide enough that anchored vessels do not constrict the passage of commercial and recreational traffic. The anchorage grounds in this area undoubtedly improve the safety of navigation on the Hudson River. In periods of heavy ice, the Kingston anchorages serve as staging areas for northbound vessels awaiting for the Coast Guard icebreaker to begin operations from the Rhinecliff town dock or the Kingston Point oil dock. The anchorage at Newburgh is near the oil terminals. Vessels will sometimes anchor in this area awaiting an open berth at one of the Newburgh oil docks. The extension of the current Yonkers Anchorage is intended as an area for vessels to anchor during heavy weather. Of the newly proposed anchorages, it is likely that those in the Kingston, Port Ewen and Rhinecliff area will see the most use.

A recent issue that concerns us is the permitting of the Champlain Hudson Power Express project. This project intends to use the Hudson River as a route for an electric transmission cable from Catskill to the entrance of the Harlem River in New York City, exiting the river along the way to avoid Haverstraw Bay. While many cable cross the river along it’s length perpendicular to the navigation channel, none yet travel along the river bottom for such a distance as this project. A project like this represents a competing interest in terms of use of the river bottom. A designated anchorage would not include an area that a submerged cable exists in order to prevent anchors from interacting with the cable. We feel that in order to preserve the areas that have been customarily used as anchorages and to prevent future cables from being routed through these areas, we must officially designate these anchorages.

A major concern of commenters on this proposal is the transport of crude oil. Crude oil is one of many cargoes carried on the Hudson River. These anchorages are intended for vessels transporting any cargo, not just crude oil. We don’t choose what cargoes we carry, our concern is to transport the cargo safely. Ample anchorage areas contribute to safety.

Another consistent concern in the public comments is that each of these anchorages is going to be continuously occupied by barges. Most of these anchorages are very rarely used. When used, they are typically used for a short period of time. The majority of
these anchorage areas are intended as "bail out" anchorages in the event that a vessel must stop unexpectedly. In a "bail out" type of anchoring situation, the anchorage is vacated once conditions improve. In fact, the pilots and tug captains do not want vessels anchored in these anchorages for extended periods of time since the anchorages must to be available when needed. The Hudson River Pilots' Association suggests that certain limits of stay be considered for the newly proposed anchorages in order to ease these concerns and to help ensure that these anchorages are available to vessels when needed. We suggest a forty-eight hour limit on vessels anchoring in these newly proposed anchorages and that any specific request for extension to this limit require approval from the USCG. Perhaps to alleviate the concerns of having many vessels continuously anchored off of and above Yonkers, the newly proposed Yonkers Extension Anchorage should be made available only when the COTP NY declares hurricane or other special weather conditions.

Another concern is that these anchorages will attract more vessels to the Hudson River in order to use the anchorages. Again, these anchorages have been in use for decades in order to enhance the safety of the navigation on the Hudson River, they are not new. Anchorages do not attract business, market forces attract business.

Many of the comments suggest that these anchorages will somehow contribute to pollution in the Hudson River. The opposite is true, the purpose of anchorages has always been for navigational safety and to give mariners the option of stopping if necessary. Every port and waterway should have ample anchorage areas. Due to the geography of the Hudson River it is necessary to have these anchorage areas spread along the length of the River.

Industrialization of the river is a common theme in the comments. Having areas of the river preserved as places where commercial traffic can anchor is not industrialization, there is no associated infrastructure and the vessels are only anchored temporarily.

Other commenters are concerned that vessels anchored on the river will detract from their view of the Hudson River. Those living along the river must coexist with the users of the river, whether pleasure craft or commercial vessels. The Hudson River has been an important trade route for hundreds of years. Some complaints also mention lighting of vessels at anchor. In my experience on the River I have not seen any commercial vessel at anchor in violation of the Navigation Rules concerning lighting and have never heard any complaints from others in the marine community. These lighting requirements are of course in the interest of safety.

With regard to the proposed Marlboro anchorage, the current coordinates are listed as "The contemplated anchorage ground would encompass waters within lines connecting the following points: 41-36.68' N., 073-57.12' W.; thence to 41-38.82' N., 073-57.76' W.; thence to 41-35.88' N., 073-57.21' W.; thence to 41-35.87' N., 073-56.92' W.; thence to the point of origin (NAD 83)." The coordinates should be "...The contemplated anchorage ground would encompass waters within lines connecting the following points: 41-36.68' N., 073-57.12' W.; thence to 41-36.67' N., 073-56.83' W.; thence to 41-35.87' N., 073-56.92' W.; thence to 41-35.88' N., 073-57.21' W.; thence to the point of origin"
(NAD 83).” In the proposal the second set of coordinates looks to be incorrect as well as the sequence of the third and fourth set of coordinates. The Marlboro anchorage is an important anchorage area and is used by ships more than by tug & barges.

The continued use these Hudson River anchorages contributes to the overall health and safety of the fragile Hudson River ecosystem. The promotion of safe commerce and safe waterways benefits all of us and is a concern of all of us. The members of our Association are residents of the region and care deeply about the protection of the Hudson River, after all our job is to protect the Hudson River. The designation of these areas as official anchorages is long overdue. If federal regulation requires vessels to anchor in designated areas then there must be enough designated areas available. The Hudson River Pilots’ Association strongly recommends that these anchorages be designated as federal anchorages as a matter of navigational and environmental safety.

Sincerely,

[Signature]

Captain Ian Corcoran
President, Hudson River Pilots’ Association