

**Food & Water Watch**  
**Natural Resources Defense Council**  
**Riverkeeper, Inc.**  
**Scenic Hudson, Inc.**

December 13, 2017

Commissioner Basil Seggos  
625 Broadway  
Albany, NY 12233-1011

Dear Commissioner Seggos,

We are writing you as organizations to thank you for your agency's leadership in protecting the Hudson River. Recently, Governor Cuomo signed A.6825a/ S.5197b into law and positioned New York State to continue to fulfill its responsibility to the river and its communities from the many potential dangers presented by oil-carrying vessels on the Hudson River. We applaud this development and congratulate the Governor for adding this law to his list of environmental achievements. **Today, we write to respectfully request that you immediately advance a rulemaking process to establish Tanker Avoidance Zones for petroleum-bearing vessels, consistent with the considerations in the new law.**

It remains a top priority of our organizations to prevent the development of new anchorage grounds in the Hudson River from being sited at locations where they pose a clear and direct threat to the environment, quality of life, and regional economic development goals of the Hudson Valley. We are eager to support a rulemaking process that results in regulations that will accomplish this. Together with the state's existing authority in the Navigation Law, the new law gives the Department of Environmental Conservation the ability to frame future attempts to designate anchorage grounds in this respect.

The federal government and New York State share concurrent jurisdiction over the Hudson River. As long as action by the state is not inconsistent with existing federal regulation and does not unreasonably burden interstate commerce, New York has significant authority to regulate navigable waters like the Hudson when the state's interest warrants special precautionary measures. In this case, the state's interest in protecting the invaluable natural resources of the Hudson and the communities that line its shores is more than sufficient to justify establishment of Tanker Avoidance Zones.

As you are aware, the USCG recently conducted two Ports and Waterways Safety Assessment (PAWSA) workshops for the stretch of the Hudson River between the Tappan Zee Bridge and the Port of Albany. We appreciate your agency's participation in this collaborative effort; however, we remain concerned that a recommendation to establish new anchorages could be part of the USCG's PAWSA report, which could be issued as soon as January 2018. With this uncertainty looming, it is even more important that your agency act quickly and issue the strongest regulations possible under the law to protect the Hudson River.

During your tenure as one of Governor Cuomo's top environmental officials, New York State has secured important victories that have been essential to public health, the environment and the economy of the state. The administration's support for the Environmental Protection Fund, the ban on hydraulic fracturing, increasing funding for the state's Oil Spill Response Fund, and issuance of water quality permit decisions relating to energy development and transport have been among these many accomplishments. We hope that you will agree that protecting the Hudson River from petroleum-bearing vessels through implementing the

strongest possible regulations allowed under the law will be among these noteworthy accomplishments and consistent with the Governor's track record.

Sincerely,



Eric Weltman  
Food & Water Watch



Mark Izeman  
Natural Resources Defense Council



Paul Gally  
Riverkeeper, Inc.



Hayley Carlock  
Scenic Hudson, Inc.

350Brooklyn  
Audubon New York  
Aytzim: Ecological Judaism  
Beloved Earth Community, Riverside Church NYC  
Campaign for Renewable Energy  
Citizens for Local Power  
Climate Justice  
Dominican Sisters of Hope  
Easton Monthly Meeting of Friends  
Elder Climate Action  
Environmental Justice Task Force of the WNY Peace Center  
Food & Water Watch  
Gas Free Seneca  
Grassroots Environmental Education  
Harlem Climate Caucus  
Hudson River Sloop Clearwater, Inc.  
Lower Hudson Sierra Club  
National Medical Association/ Susan Smith McKinney Steward Medical Society  
New York Communities for Change (NYCC)  
North American Climate, Conservation and Environment(NACCE)  
Northeast Organic Farming Association of New York  
NYC Friends of Clearwater  
NYCD16-Indivisible Environment Committee  
Orange Residents Against Pilgrim Pipelines, (Orange RAPP)

Otsego 2000, Inc.  
Parks & Trails New York  
PAUSE - People of Albany United for Safe Energy  
ROAR (Religious Organizations Along the River)  
Rochester Pachamama Alliance  
Rochester People's Climate Coalition  
Rockland Sierra Club  
Sacred River Healing  
Safe Energy Rights Group, Inc.  
Seneca Lake Guardian, A Waterkeeper Affiliate  
Sierra Club Atlantic Chapter  
Sisters of Charity of New York PJIC Office  
Stop New York Fracked Gas Pipelines (SNYFGP)  
Stop the Algonquin Pipeline Expansion  
Sustainable Warwick  
The Mariandale Center in Ossining, NY  
U-Act (Ulster Activists)  
Unitarian Universalist Congregation of the Catskills  
United for Action  
Voters Occupy  
Westchester/Putnam Central Labor Body AFL-CIO  
WNY Drilling Defense  
WNY Peace Center

cc:

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