



November 3, 2023

VIA EMAIL (michelle.k.villfane@uscg.mil)

LCDR Michelle Villafane
United States Coast Guard
Sector New York
212 Coast Guard Dr.
Staten Island, NY 10305

Re: Opposition to Anchorages North of Tarrytown, NY

Dear Lieutenant Commander Villafane:

We write to you to express our concerns regarding the impacts of Marine Safety Information Bulletin (MSIB) 2023-001, issued on July 25, 2023. We stand in total opposition to the Coast Guard's approach to use an MSIB to create a virtually unlimited number of anchoring locations north of Tarrytown, NY. Worse, to make plans for this without opportunity for public comment or environmental review strikes us as entirely undemocratic and bad public policy.

Prior to the release of MSIB 2023-001, the Port of New York was deemed to encompass the waters of the Hudson River from New York Harbor to Albany. MSIB 2023-001 redefines the geographic scope of the Port of New York to include only the waters of the Hudson River from the Statue of Liberty to the Governor Mario M. Cuomo Bridge. As a result, mariners now operating north of the Cuomo Bridge, now located outside the Port of New York, may anchor virtually anywhere. The ability to anchor virtually anywhere increases the risk of spills of hazardous cargo, undermines local revitalization efforts, threatens to damage essential habitat areas, and jeopardizes public health.

We, respectively, represent District 40 in the New York State Senate and District 95 in the State Assembly, which encompasses several communities along the Hudson River. Under the Coast Guard's new policy, these communities' waterfronts may now be used as anchoring locations for large commercial vessels. The expansion of anchoring will have negative consequences on the environment, public health and economic development in the surrounding area. Many of the communities we represent with Hudson River waterfronts have made generational investments in improving the Hudson River and remaking the waterfront as an inviting destination for residents and visitors to enjoy for recreation and local businesses. We therefore respectfully request that

the Coast Guard take action to once again limit anchoring to federally designated anchorage grounds throughout the entire Hudson River.

In addition, Section 8437 of the Elijah E. Cummings Coast Guard Authorization Act of 2020 suspended the establishment of new anchorage grounds between Yonkers, NY, and Kingston, NY. As such, the Coast Guard currently lacks the authority to establish new anchorages in this region. Notwithstanding the Elijah E. Cummings Act, the Coast Guard adopted a policy that effectively establishes an unlimited number of new anchoring locations. Clearly, MSIB 2023-001 conflicts with such federal legislation.

The Coast Guard must take steps to immediately reestablish the geographic scope of the Port of New York to include all waters of the Hudson River and once again limit anchoring in the Hudson River to federally designated anchorage grounds. The Hudson River is an irreplaceable and vulnerable resource; it provides critical spawning and nursery habitat for numerous aquatic species; it is a vital resource for residents and visitors, as well as a major driver of the Hudson Valley economy. The Coast Guard cannot adopt policies that threaten the Hudson River and the species and communities that rely on it.

Thank you for your prompt attention to this matter.

Sincerely,



Senator Peter Harckham
40th State Senate District



Assemblywoman Dana Levenberg
95th Assembly District