



Save The River

Upper St. Lawrence **RIVERKEEPER**®

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POSITION PAPER

Save The River Policy Statement on Opening of the St. Lawrence Seaway Shipping Season

Background

For almost 30 years, Save The River has represented Upper St. Lawrence River communities in efforts to protect the River. Founded in 1978 by a group of citizens opposed to winter navigation on the St. Lawrence Seaway, the issue of shipping in winter months remains one of pivotal importance to our members.

Over the years, the Seaway's navigation season has lengthened incrementally, and spring ice breaking has become common practice as the opening date, as set by the U.S. St Lawrence Seaway Development Corporation (SLSDC) and the Canadian St. Lawrence Seaway Management Corporation (SLSMC), has crept from early April to late March. More than 30 years ago, a longer navigation season was proposed for the St. Lawrence Seaway and, after significant public debate and study, the proposal was soundly rejected by citizens and regional governments. Despite this formal rejection, in recent years the St. Lawrence Seaway has implemented a longer shipping season without any public input or clear rationale. Today, the Seaway typically operates on a schedule that is only two weeks shy of 'winter navigation' as proposed and rejected thirty years ago.

Save The River opposes a longer shipping season because of the dangers posed to the delicate ecosystem of the River, and seeks to promote an opening policy that will adequately protect this resource which is of such importance, both ecologically and economically, to our membership and our communities.

Concerns Related to the Opening of the Seaway Season

Save The River is concerned with both the environmental and safety implications of setting the Seaway's opening date. If the Seaway is opened before natural ice break up has occurred, the Saint Lawrence River may suffer from physical, hydrologic, and ecological damage associated both with winter shipping and with ice breaking activities. An early opening date for navigation, when ice is still present in the channel, also may pose a safety risk for nearby communities.

A. Environmental Considerations

The decision to set an early opening date on the Seaway can have environmental impacts on the St. Lawrence River, and surrounding areas. In conditions where the shipping channel is clear but thick ice remains in bays, vessel passages and resulting ship wakes can cause damage to shoreline habitats. Ship generated wave energy can result in premature ice break up and cause ice scouring damage in wetland habitats adjacent to the shipping channel. These wetland areas are critical habitat and spawning areas for fish and other wildlife. Premature ice break-up can also result in physical damage to shoreline structures that would not have occurred under natural conditions.

Additionally, the ice conditions described above have significant wildlife habitat value. Creation of open water areas during ice-breaking activities can delay the migration of some bird species. Ice breaking for winter navigation can also disrupt the movement of large mammals, such as deer and foxes, across the ice and disrupt

the feeding by many over-wintering bird species, such as bald eagles, ducks, and mergansers, that rely on naturally occurring open water-ice edges. Also, ship passage during the winter causes birds to fly more often and over greater distances decreasing their energy reserves.

B. Safety Considerations

Save The River believes there are two types of safety risks associated with an early opening date for navigation on the St. Lawrence Seaway: delayed and ineffective emergency response activities; and the danger of travel through the Seaway without lighted navigation buoys.

1. Emergency Response

Spill response assets must be accessible and usable when the Seaway opens. The shipping season should not open until access to the River is available from the boat ramps listed in the US Coast Guard's Area Contingency Plan and all other spill response assets are available. When the River is frozen, boats, boom and other response assets cannot be deployed and, as a result, spill response plans are not feasible. Until River bays are thawed, most boat ramps are frozen out and therefore not usable. And, early in the shipping season many boats for towing boom are winterized and not available.

2. Navigational Aids

Another safety concern of early opening dates for navigation on the St. Lawrence Seaway is that, in recent years, the presence of ice in the Seaway has prevented the seasonal installation of navigational aids such as lighted floating buoys. All lighted navigational aids should be in place prior to Seaway opening. Despite technological advances such as electronic charts, it is widely agreed that lighted navigational aids are an essential component of safe navigation. For this reason, ships should never be allowed to transit the Seaway before these aids are in place.

Summary

While Save The River understands the need to provide shippers with an opening date, Save The River urges the SLSDC and SLSMC to continually re-assess the opening date as it approaches. The shipping season should only commence once actual conditions on the River meet the criteria defined above. Save The River feels strongly that a Seaway opening policy that meets the above criteria would better protect the vital resource that is the St. Lawrence River while still meeting the goals and needs of the maritime industry.

Update – Petition for Rulemaking Filed

In February, Save The River filed a legal petition for rulemaking with the St. Lawrence Seaway Development Corporation (SLSDC). The petition was developed with the assistance of the Conservation Law Center.

The legal petition is a formal request asking the Seaway to institutionalize and make public the procedures for setting the opening date for the St. Lawrence Seaway, taking environmental and safety criteria into consideration. Currently, no clear, publicly available rules exist for this annual process.

The full petition and more information can be found on Save The River's website www.savetheriver.org, click on What We Do/Advocacy-Policy and then click on Winter Shipping.