



ASSISTANT COMMANDANT FOR  
PREVENTION POLICY  
UNITED STATES COAST GUARD  
WASHINGTON, D.C. 20593-7581

MAY 10 2016

Dear Mr. Chairman,

Thank you for your dedication to completing a report in response to Task Statement 13-05, "Recommendations for Designation of Narrow Channels."

The recommendations will be reviewed and considered in regulatory and policy development. Specifically, the report provides excellent insight from industry and the boating public concerning the effective dissemination of narrow channel information to the waterway users.

Please convey my gratitude to the members of TSAC and the subcommittee, especially the subcommittee chair, Mr. Michael Vitt, for the significant amount of time and effort devoted to this final report.

Sincerely,

A handwritten signature in blue ink that reads "Paul F. Thomas".

P. F. THOMAS

Rear Admiral, U. S. Coast Guard

Mr. Steven Huttman  
Chairman, Towing Safety Advisory Committee  
Vice President, Marine Operations  
G&H Towing Company  
P.O. Box 2270  
Galveston, Texas 77553

November 10, 2014

Rear Admiral Paul Thomas  
Assistant Commandant for Prevention Policy  
U. S. Coast Guard  
2703 Martin Luther King Jr Ave SE, Stop 7509  
Washington, DC 20593-7509

Subj: Towing Safety Advisory Committee Final Report – Task 13-05  
Recommendations for Designation of Narrow Channels

Dear Admiral Thomas,

I am writing today to forward the final report and recommendations of the Towing Safety Advisory Committee for Task Statement 13-05.

The Committee at the fall meeting in Washington, DC, on September 25, 2014, formally approved the enclosed report, its recommendations and reference documents. The final report complies with the requirements of the charge of the Subcommittee, which was established to make the recommendations to the U. S. Coast Guard.

The Subcommittee Chair, Capt. Michael Vitt, Co-Chair Capt. Matthew Lagarde, and the 30 subcommittee members worked very diligently to prepare a comprehensive report, providing recommendations to the Coast Guard on specific criteria to be used in determining what channels should be considered as Narrow Channels for the purposes of Rule 9 and on how best to communicate to the public that a channel has been designated as Narrow.

The members of the Towing Safety Advisory Committee greatly appreciate the support and cooperation of the U. S. Coast Guard participating and assisting the subcommittee with the Task. We are grateful for the chance to provide to the Coast Guard, the thoughtful advice and recommendations from the Towing Industry as the Coast Guard conducts its regulatory oversight. Should you have any questions regarding the final report or recommendations, please don't hesitate to contact Capt. Vitt or myself.

Sincerely,



Eric J. Johansson

Vice Chairman, Towing Safety Advisory Committee

cc: Capt. Steve Huttman, Chair TSAC  
Capt. Michael Vitt, Task 13-05 Subcommittee Chair  
Capt. Matthew Lagarde, Task 13-05 Subcommittee Co-Chair  
CDR Thomas J. Kaminski, Designated Federal Officer (DFO) – Towing Safety Advisory Committee  
LCDR William A. Nabach, Alternate DFO – Towing Safety Advisory Committee  
William Abernathy – Alternate DFO – Towing Safety Advisory Committee

Encl: (1) Final Report – Towing Safety Advisory Committee Task 13-05



## **TOWING SAFETY ADVISORY COMMITTEE**

### **TASK 13-05**

Recommendations for Designation of Narrow Channels

(Short Title: Narrow Channels)

### **Final Report and Recommendations**

**TOWING SAFETY ADVISORY COMMITTEE**

September 25, 2014

To: Towing Safety Advisory Committee

From: Capt. Michael F. Vitt, Chair  
Capt. Matthew Lagarde, Co-Chair

RE: Task 13-05 – “*Recommendations for Designation of Narrow Channels*”

The final report and recommendations of the subcommittee formed by the Towing Safety Advisory Committee to provide Recommendations for the Designation of Narrow Channels is forwarded to the full Towing Safety Advisory Committee for action at its meeting on September 25, 2014.

I have attached as Enclosure (1) a complete list of participants that contributed to the preparation of this report.

Respectfully Submitted,



Capt. Michael F. Vitt  
Task 13-05 Subcommittee Chair

Enclosure: (1) TSAC Representatives & Subcommittee Participants  
(2) Task Statement 13-05

## **Executive Summary**

The Towing Safety Advisory Committee (“TSAC”) was requested to provide recommendations as set forth in TSAC Task Statement 13-05 “*Recommendations for Designation of Narrow Channels*.” The Task stemmed from a request from the Towing Vessel Industry’s concerns for the safe navigation of towing vessels in narrow channels and the interplay of Inland Rule 9 of the Inland Navigation Rules. TSAC accepted the tasking on September 5, 2013. The full committee nominated and approved chairpersons, Mr. Michael F. Vitt and Mr. Matthew L. Lagarde, who formed the TSAC Subcommittee. The Subcommittee formed a working group of industry personnel, licensed mariners and the interested public as well as Coast Guard observers in order to:

1. Provide recommendations to the Coast Guard on specific criteria to be used in determining what channels should be considered as Narrow Channels for the purposes of Rule 9.
2. Provide recommendations to the Coast Guard on how best to communicate to the public that a channel has been designated as Narrow.

The members of the working group have met several times, summarized as follows: 1) on January 16, 2014 and on March 6, 2014 and then again on March 19, 2014 in connection with the Spring 2014 TSAC meeting in New Orleans, LA. Reports on the progress of the working group’s efforts were made by the Subcommittee to the full Committee on February 25, 2013, November 6, 2013, April 9, 2014, and during the June 4, 2014 Teleconference meeting.

## **Discussion and Analysis**

During the meetings of the working group, the first issue was quickly identified. What constitutes a narrow channel for the purposes of Rule 9?<sup>1</sup> The Inland Navigation Rules<sup>2</sup> have definitions in Rule 3<sup>3</sup> but the definition of what is a narrow channel is conspicuously absent—the lack of which has caused confusion in the minds of mariners leading to unsatisfactory results.<sup>4</sup> The risk of collision is magnified in waterways where the traffic mix of towing vessels, deep draft commercial vessels, ocean-going ships and recreational craft all congregate.

In response, courts and the Coast Guard have made fact-specific findings that certain waterways are narrow channels within the meaning of Rule 9 such that there is even more confusion than ever before. This is especially true where such determinations are made post-casualty and without

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<sup>1</sup> This same question was put to the Rules of the Rule Advisory Committee (“RORAC”) and its successor, the Navigation Safety Advisory Committee (“NAVSAC”). See NAVSAC Task 09-05 and Resolution 10-03.

<sup>2</sup> See 33 C.F.R. Part 83; CIM 16672.2D; see also <http://www.navcen.uscg.gov/?pageName=navRulesContent>, visited Sept. 1, 2014.

<sup>3</sup> See 33 C.F.R. § 83.03.

<sup>4</sup> See, e.g., National Transportation Safety Board (NTSB) Safety Recommendations M-82-32-34 (June 30, 1982) and M-85-42-44 (May 24, 1985).

reference to exactly how such a determination was made.<sup>5</sup> Such determinations may therefore be suspect but later relied upon by mariners. Exacerbating this problem is the myriad locations of such decisions and the ability of the navigator while operating afloat to easily access them. Court cases and Coast Guard reports and regulations, even if found in open source documents, likely require a navigator to have at least a limited knowledge of basic research techniques to ensure a complete and thorough search. Commentators have collected such cases and regulations for readers to review but often such commentary is not easily digested nor easily found.<sup>6</sup> As described below, the only constant in these authorities is the lack of simplicity or consistency. The judicial recognition of a proven custom in a confined waterway that varies the use of Rule 9 can also create uncertainty.<sup>7</sup> From one participant of the working group was the following mariner's point of view that sums up dilemma in the wheelhouse:

Considering a narrow channel, as supported by the inability to come up with a finite definition, can only be defined by the requirements of the vessel using the channel at a particular time, and the restrictions placed on that vessel by the channel itself. A channel which causes one vessel to be restricted in its ability to maneuver, may cause no restrictions on another vessel navigating that same channel, and thus may be a narrow channel at some times and not be a narrow channel at other times.<sup>8</sup>

Even if common sense dictates that a narrow channel exists reasonable minds can differ. The ability to sort out the all variables from the wheelhouse or navigation bridge mandates that the vessel operator must decide whether their vessel and the situation is within the scope of Rule 9. One recommendation of the working group participants was to standardize the communication between towing vessels operating in confined waters. Best management practices of communication in potential narrow channel situations included:

1. Advisory of the direction being travelled
2. Tow dimensions (length, width, number of loads/empties)
3. Speed
4. Any special considerations (towing vessel horsepower for example)
5. Current flow (on the stern or stem)
6. Agreement that a narrow channel exists for at least one of the involved vessels and thus Rule 9 would apply
7. Preferred maneuvering choice (1 whistle for example)
8. Amount of channel width/space/depth needed to make the proposed or planned maneuver safely

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<sup>5</sup> See Report of Investigation into the Collision and Five Fatalities on board M/V ZIM MEXICO III and the OSV LEE III. The collision occurred at Mile 8 above Head of Passes (A.H.P.) on the Lower Mississippi River on February 21, 2004. Conclusions in the report, at page 57, included a factual-finding that Rule 9 applied.

<sup>6</sup> See, e.g., Edward V. Cattrell, Jr. and Alex L. Parks, *LAW OF TUG, TOW AND PILOTAGE*, pp. 272-281 (3d ed. 1994), Nicholas J. Healy and Joseph C. Sweeney, *THE LAW OF MARINE COLLISION*, pp. 143-152 (1998), Craig H. Allen, Sr., *Taking Narrow Channel Collision Prevention Seriously to More Effectively Manage Marine Transportation System Risk*, 41 J. MAR. L. & COM. 1 (2010).

<sup>7</sup> See Cattrell and Parks, *LAW OF TUG, TOW AND PILOTAGE*, at pp. 279-80.

<sup>8</sup> E-Mail with written comments to the Sub-Committee from Z. David Deloach, dated March 11, 2014.

One of the problems despite the best communications being exchanged is that absent an agreement that Rule 9 applies, if a collision occurs then the decision of whether the subject waterway is a narrow channel or not often is taken out of the wheelhouse and placed in the hands of others such as lawyers or courts using 20/20 hindsight and perhaps without much maritime experience to draw from.

Courts in many instances have examined the relevant facts and circumstances and declared that a portion of a waterway is narrow.<sup>9</sup> Although Inland Navigation Rule 3 does not define narrow channel, the United State Court of Appeal for the Fifth Circuit has held that the term narrow channel “generally includes bodies of water that are less than 1,000 feet in width.”<sup>10</sup> Even if helpful, this ruling is probably not dispositive. Moreover, it is clear from a review of case law that judicial rulings may not be useful to define for all time that a particular waterway is designated a narrow channel.<sup>11</sup> Only a pronouncement from the United States Supreme Court would create a judicial rule governing all waters of the United States defining what is or is not a narrow channel. That Court’s determination of whether a specific waterway was a narrow channel would also be probative. Obviously a definition in Rule 3 would provide clarity for courts and mariners alike. However, captains, courts, the Coast Guard and commentators have all struggled to create a meaningful definition or at least to offer some guidance that govern narrow channel situations.

Legal commentators have discussed the need for a definitive approach despite the near impossibility of a “one size fits all” approach.<sup>12</sup> No one authority has been able to create a definitive explanation of what a narrow channel for all situations because of the fact-specific analysis needed does not lend itself well to broad-brush rulemaking. Still, the Coast Guard has made such determinations for various reasons in rulemakings narrowly tailored for specific purposes.<sup>13</sup>

In three different ways the Coast Guard has declared or ruled a waterway to be narrow. These three ways are: 1) the Secretary of the Department in which the Coast Guard resides<sup>14</sup> promulgates regulations with respect to Rule 9(a)(ii) in 33 C.F.R. § 89.25,<sup>15</sup> 2) as governed by the Ports and Waterways Safety Act, 33 U.S.C. §§ 1221-1232, and 33 C.F.R. Part 165, the District Commander of a Coast Guard District can by the establishment of a Regulated Navigation Area (RNA) mandate

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<sup>9</sup> See Healy and Sweeny, *THE LAW OF MARINE COLLISION*, at p. 146.

<sup>10</sup> See *Marine Transp. Lines v. M/V TAKO INVADER*, 37 F.3d 1138, 1142-43 (5<sup>th</sup> Cir. 1994) (noting that “the determination of what is a ‘narrow channel’ is a mixed question of law and fact”).

<sup>11</sup> See Healy and Sweeny, at pp. 146-47.

<sup>12</sup> See Allen, *Taking Narrow Channel Collision Prevention Seriously* and Craig H. Allen, Sr., *How Narrow is Narrow?*, Coast Guard Proceedings, Vol. 68-1 at pp. 16-18.

<sup>13</sup> *But see* Healy and Sweeny at p. 146 (“Official designations of waterways as ‘narrow channels’ are not made by the U.S. Coast Guard. ...”).

<sup>14</sup> See 33 U.S.C. § 1222(2). Formerly it was the Secretary of the Department of Transportation but now it is the Secretary of Homeland Security.

<sup>15</sup> See also 33 U.S.C. § 1223(c)(5)(A-C), where upon any waters under the jurisdiction of the Secretary, he or she “shall issue reasonable rules and regulations governing the use of such designated areas, including the applicability of rule[] 9 of the International Regulations for Preventing Collisions at Sea, 1972, relating to narrow channels ... in waters where such regulations apply.”

a particular waterway is a narrow channel and 3) a Captain of the Port by creating a Marine Safety Zone can also declare a waterway to be narrow. Both 2 and 3 have been done for the purposes of designating a waterway as narrow to allow the Rule 9(b) restriction of vessels of less than 20 meters in length or sailing vessels etc. from operating in that particular waterway typically transited by deep draft vessels typically for safety reasons.<sup>16</sup>

However, Rule 9's requirement for a narrow channel determination is not limited to courts, commentators or the Coast Guard. The fact is that often the determination is made on the spot by the licensed mariners in the wheelhouses of the involved vessels sometimes with inconsistent results and misapprehension best shown in two National Transportation Safety Board ("NTSB") cases where collisions occurred on the Mississippi River.<sup>17</sup> In both of them, an operator of one of the involved towboats felt that Rule 9(a)(ii) applied while the other licensed mariner helming the other vessel did not.<sup>18</sup> As a result, in 1983, the NTSB requested that the Coast Guard define it at least for the purposes of Rule 9(a)(ii) on the Mississippi River, following which the Commandant decided that the Coast Guard would place that on the agenda of the Rules of the Road Advisory Committee ("RORAC") for its determination of what could be a narrow channel.<sup>19</sup> Unfortunately, this task apparently only resulted in the designations found in 33 C.F.R. § 89.25, which left many other waterways narrow in application and practice but still lacking that dispositive definition needed for clear application of Rule 9(a)(ii). In 1983, TSAC also studied some of these issues but its determinations and recommendations were reportedly superseded by a rulemaking.

More than thirty years later, the task to define what a narrow channel is once and for all remains undone. The working group with its collective expertise struggled to provide a definitive answer and decided that it could and should not. The best answer remains "It all depends." There are simply too many variables that are best left to: A) licensed mariners on the involved vessels to resolve or B) to Coast Guard regulators seeking to restrict small vessels under 20 meters or sailing vessels etc. from using that waterway and impeding safe navigation of large commercial vessels (especially heavily-trafficked channels where the larger vessels cannot leave the channel due to draft or other reasons).

That there is a need for a definition is certain for specific purposes.<sup>20</sup> That being said, it is the specific recommendation of the Subcommittee and the working group members that the authority

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<sup>16</sup> Examples of Regulated Navigation Areas ("RNA") restricting vessels of less than 20 meters under Rule 9(b) are found in the Ports of San Francisco, Los Angeles/Long Beach, and San Diego. *See, e.g.*, Captain of the Port Los Angeles Long Beach Public Notice No. 1-96, issued on June 6, 1996, designating certain waterways as narrow channels to "minimize maneuvering conflicts between large commercial vessels and smaller vessels...." *See also* Sector San Francisco Vessel Traffic Service webpage at <http://www.uscg.mil/d11/vtssf/rule9.asp>, visited September 15, 2014. This restriction is also found in 33 C.F.R. Part 165 with a specific reference to Inland Rule 9 being declared for parts of San Francisco waterways at 33 C.F.R. § 165.1181(d)(3).

<sup>17</sup> *See supra* note 4.

<sup>18</sup> *See id.*

<sup>19</sup> *See* response to the NTSB by Commandant of the Coast, dated October 6, 1982.

<sup>20</sup> *See, e.g.*, the Internet Blog of the Towmasters: The Master of Towing Vessels Assoc. Forum Blog at <http://towmasters.wordpress.com/2011/07/25/narrow-channels-working-towards-a-useful-definition/> retrieved on September 15, 2014.



of the Coast Guard to designate a particular waterway as a narrow channel for specific purposes should *not* in any way limit mariners being free to apply Rule 9 to a particular maneuvering situation. It is axiomatic that mariners need to make their own on the spot determinations in areas not already designated by the Coast Guard as narrow channels.

However, the working group did provide a non-exclusive list of factors and criteria to assist in making such a determination by a master, mate or pilot of towing (and other) vessels. As it happens, this non-exclusive list will also further assist any Coast Guard decision makers with rulemaking projects for both RNAs and Safety Zones in determining whether a particular waterway should be defined as a narrow channel. While the Task has an emphasis upon towing vessels and tows given the expertise of the TSAC working group, much of this discussion and analysis fits other types of vessels and users with respect to the determination of whether a particular waterway is a narrow channel for the purposes of Inland Navigation Rule 9.

### **Recommendations for the Non-Exclusive Listing of Narrow Channel Criteria**

In answer to the Coast Guard's first request for recommendations, the Subcommittee adopts the findings of and reports that the working group generated a non-exclusive listing of criteria and factors to assist the Coast Guard to designate (but not necessarily define) a narrow channel for a specific purpose by a rulemaking. The following factors, in particular, were determined to be appropriate criteria for potentially labeling a specific waterway as a narrow channel, and in keeping with TSAC's mission, with an emphasis on towing vessels and tows:

1. Width of channel
2. Depth of channel
3. Geographical and hydrological influences
4. Whether air draft restrictions would minimize available channel room (such as the clearance at a fixed bridge or at overhead cables, for example)
5. Large commercial vessel size and draft constraints for normal trading patterns
6. Tow configuration (being pushing ahead, towing or hauling alongside, or towing astern)
7. Tow size (especially at locks, bridge openings and in restricted waterways such as the Gulf Intracoastal Waterway (GIWW))
8. Tow/Vessel handling characteristics that can vary for a variety of reasons such as suction, bank cushion, or wind on the beam)
9. Channel conditions (width, shape, current, stage of tide)
10. Weather and visibility
11. Areas with known propensity for collision (for example, GIWW and Houston Ship Channel)
12. Density of recreational vessels in congested or narrow waterways
13. Navigational aid limitations
14. Published criteria—chart notes, VTS areas, RNAs

## TSAC Subcommittee Task 13-05 Narrow Channels Final Report

15. Location/Route (Western Rivers, Near Coastal, Great Lakes or Inland Waters (Rule 9(a)(ii) is inapplicable on Inland Waters)
16. Available channel width in relation to other vessel/tow breadths (Is there enough sea room or channel width for both to pass or meet?)
17. River stage, current/high water, tidal range especially where tides dictate when a channel is usable for a towing vessel and tow
18. Waterways where mariners look to custom to determine whether Rule 9 applies or not<sup>21</sup>
19. Waterways that are confined to a width of less than 1,000 feet (?)
20. Additional factors stated in 33 U.S.C. § 1224(a)

This listing was not meant to be an exclusive set of factors for the ad hoc determination of whether a particular waterway is a narrow channel. Moreover, some criteria listed here is obviously objective but some of these are somewhat subjective. This is where appropriate communication by Marine VHF radio on Channel 13 or 67 is the best method to make an agreement of how to handle the situation by the involved mariners. Failing to make radio contact mandates the use of whistle signals to communicate. Absent either, this creates the same type of assumptions that can lead to the collisions described by the NTSB and that prompted that agency to ask the Coast Guard for a definition and to publish that definition.

With respect to the good work performed by Navigation Safety Advisory Council (“NAVSAC”) on its Task Statement 09-05, the TSAC Narrow Channel Subcommittee agrees in part with the Resolution of NAVSAC that: 1) action to define and determine narrow channels by the Coast Guard is desirable, and 2) concurs that the factors and criteria stated therein are not all-inclusive. It disagrees that a definition is always desirable although an action to designate a waterway as a narrow channel by a rulemaking is an appropriate agency action. It further agrees with the other findings and recommendations of NAVSAC in Resolution 10-03 and especially the need for any “process adopted by the Coast Guard for designating Rule 9 waters and waterways be designed to encourage interagency and local stakeholder participation at the Coast Guard district and sector levels.”<sup>22</sup>

But a note of caution: One specific working group comment was that while the Coast Guard can and should exercise its authority to determine whether a particular waterway was a narrow channel for the purposes of Rule 9(b) for example, that authority should *not* in any way limit mariners from applying Rule 9 to a particular maneuvering situation and from making their own on the spot determinations in areas not defined as narrow channels by the Coast Guard as has been the practice since the Rules of the Road were promulgated. The Subcommittee agrees with this position and therefore recommends that it be adopted by the full Committee although this is not specifically called out in the tasking.

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<sup>21</sup> The Point/Bend custom is one such judicially recognized custom that can vary the application of Rule 9(a)(ii) for example. *See* Healy and Sweeny, at pp. 186-87.

<sup>22</sup> Navigation Safety Advisory Council (“NAVSAC”) Task Statement 09-05 and Resolution 10-03.

Perhaps the simplest and most elegant solution is for the Coast Guard to utilize these criteria and any others found to be useful while simultaneously deciding whether a rulemaking project is needed to: 1) define what a narrow channel is for the purposes of Rule 9 generally in Rule 3 (likely an impossible tasking), or 2) for Rule 9 (a)(ii) and 3) for Rule 9(b) as well as any other sections of Rule 9 if needed. Such a rulemaking project would bring comments from the interested marine public and allow further development of the ideas expressed by the working group. That expertise and insight would allow for meaning interaction with the Coast Guard, waterway users and mariners to come to a more substantive resolution. Otherwise, the working group's best definition of what is a narrow channel will remain as it has been for more than thirty years: "It all depends."

### **Recommendations for Communicating the Designation of a Narrow Channel**

1. The working group believed that the navigational chart was clearly one good place to indicate the Coast Guard's designation of a channel as narrow by an established Regulated Navigation Area (RNA). For example: NOAA Chart 18773 SAN DIEGO BAY has a Note B stating that the main channels are designated narrow channels. (See attached). Of course, RNAs are also found in the appropriate *Coast Pilot* and in 33 C.F.R. Part 165. Notices of Safety Zones that are promulgated to declare a waterway as a narrow channel are best disseminated by Broadcast and Local Notices to Mariners and other means if they are of short duration. Long-standing Safety Zones should be treated the same as an RNA and published accordingly. In summary, the best method, assuming that there are designations of a narrow channel for a particular area, is to print the note right on the chart. The other methods should not be discounted or discarded, however, as they are an important source of official information.
2. We also noted that unofficial brochures and/or websites published by various Coast Guard units aimed at reaching the boating public are effective and should continue to be used.
3. The Subcommittee further recommends that its partnership with the Coast Guard Auxiliary, the United States Power Squadrons as well as state boating authorities be utilized to reach out to the recreational boating community, in particular, with this information.

**Extract from Chart 18773 - San Diego Harbor**

NOTE B  
CAUTION

The San Diego Harbor main channels are considered narrow channels. Vessels less than 20 meters in length, sailing vessels, vessels engaged in fishing or any vessel attempting to cross these channels shall not impede a vessel that can only safely navigate within a narrow channel as per Inland Navigation Rules, Rule 9. Inland Navigation Rules are subject to U.S. Coast Guard enforcement.

**Enclosure (1) TSAC Task 13-05 Final Report and Recommendations Enclosure  
TSAC Representatives & Subcommittee Participants**

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**Enclosure (2) TSAC Task 13-05 Final Report and Recommendations**

**TASK STATEMENT**

**TASK #1305**

I. **TASK TITLE:**

Recommendations for Designation of Narrow Channels. (Short Title Narrow Channels)

II. **BACKGROUND:**

Representatives of the Towing Vessel Industry have communicated to the Coast Guard concerns related to the safe navigation of towing vessels with regard to adherence to Rule 9 (Narrow Channels) of the Inland Navigation Rules, enacted on December 24, 1980. Specifically, the Towing Vessel Industry requests of the Coast Guard, greater specificity as to what constitutes a Narrow Channel. Further, industry has also suggested that the Coast Guard specifically identify a navigable channel as a narrow channel where necessary.

III. **DISCUSSION:**

Towing vessels have increased in both length and breadth substantially since their earliest inception. Modern towing vessels often have large horsepower and bollard pull capabilities that have permitted the sizes of tows to grow to exceed those of deep-draft, seagoing vessels. Accordingly, the Army Corps of Engineers and Port Authorities have responded by dredging channels to accommodate the growth in size of these towing vessels. However, due to cost, existing shore side facilities and property rights, it is not practical to widen a navigable channel.

A factor mitigating the risks of navigating larger tows has been the substantial investment in time and resources to elevate the skill-sets of the navigating officers aboard towing vessels. Training standards and licensing competency standards have improved dramatically. Today, navigating officers aboard towing vessels are better educated, better trained and have greater navigation tools available to them than at any other time in history.

Another factor mitigating risk is the growth in communication capabilities available to the navigating officer. Marine radio communication, Automated Identification Systems (AIS) and Vessel Traffic Services (VTS) have assisted in informing the mariner of hazards, marine traffic congestion and the potential to clarify the navigational condition.

However, the real risks of dynamic and increasing towing vessel dimensions coupled with static waterway dimensions poses a real risk to navigational safety. This risk is exacerbated in areas where towing vessels, deep draft vessels and recreational craft share the waterway.

## TSAC Subcommittee Task 13-05 Narrow Channels Final Report

Industry has pointed to the requirements of the Inland Navigation Rules, in particular Rule 9, as a potential solution to reduce maritime collisions or groundings.

Defining Narrow Channels would indicate inherent hazards to those navigating the area and would promote enhanced operational precautions. However, the term “narrow channel” is not easily defined. Usually, it is decided by the courts that a particular waterway is a narrow channel after an accident. In the Coast Guard, certain Sector Commanders (COTPs) and their respective Districts are considering developing regulations, in which they will declare certain waterways to be narrow channels. This may require the Coast Guard to consider officially designating certain waters/waterways as narrow channels.

In response from this request of the towing industry to explore the potential for Rule 9 as a mitigating factor to prevent a marine casualty, the Coast Guard refers the following to the Towing Safety Advisory Committee for action.

#### IV. TASKS:

1. Provide recommendations to the Coast Guard on specific criteria to be used in determining what channels should be considered as Narrow Channels for the purposes of Rule 9.
2. Provide recommendations to the Coast Guard on how best to communicate to the public that a channel has been designated as Narrow.

#### V. DUE DATE:

Provide an Interim Report to the Coast Guard no later than January 2014.

Provide all recommendations to the Coast Guard no later than August 2014.

#### VI. TSAC REPRESENTATIVE:

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