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Ask The Captain

By Capt. Lyman Louis

Remember: *Only New Reels Catch Fish, So Purchase Some Often.*

Just imagine how you would feel. As you are going about your daily work—the work that puts money in your pocket and bread on your family’s table—someone forcibly restrains you and puts your job, your safety and the safety of your coworkers in jeopardy.

You’d probably be a little upset. So are the captains and river pilots who navigate the Columbia and Willamette Rivers when the channel they must use is clogged with boaters who refuse to move.

The laws pertaining to our waterways are commonly known to professionals as the 72 COLREGS and to recreational boaters as the “Rules of the Road.” All boaters are required to know and abide by them.

Have you read them? I would guess probably not. They’re dense, at times hard to understand, and with their mix of international and inland rules end up being confusing.

Still, they are the laws that we as boaters are required to abide by while plying the waterways. In particular, when we are boating in areas where commercial vessels also travel, the expectation is that we will abide by the rules.

Rule 9 governs navigation in narrow channels, a description that applies to the length of the Columbia River from the mouth to near Kennewick, Washington, and the Willamette River to the Willamette Falls in Oregon City.

The first section (a (i-ii)) of the rule discusses the actual use of the navigation channel. Since our recreational

vessels do not have to use the channel these sections do not generally apply to us.

What does apply are sections (b) through (g). Dense or not let's have a go at them.

(b) A vessel of less than 20 meters in length or a sailing vessel shall not impede the passage of a vessel that can safely navigate only within a narrow channel or fairway.

Simple enough, right? Twenty meters translates to just over 65-feet. But don't sailing vessels have the right of way over all power vessels? Not if the power vessel must use the channel. If your boat is more than 65-feet, can you impede the passage of a vessel that can safely navigate only within the channel? It depends.

(c) A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.

So if you're over 65-feet but engaged in fishing, the answer is, "no." A fishing vessel cannot impede any other vessel. On the totem pole of boaters (according to the 72 COLREGS), fishing is in the middle in terms of navigational rights.

(d) A vessel shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within that channel or fairway. The latter vessel shall use the danger signal prescribed in Rule 34(d) if in doubt as to the intention of the crossing vessel.

The crossing rule in 9(d) is an important one. While boaters are crossing a channel (sail boaters do this a lot as they tack across the Columbia River's channel) they must avoid impeding any other vessel that must use the channel. If they don't the captain of the vessel in the channel *must* sound the danger signal of at least five short blasts on the horn.

Section (e) and (f) have to do with navigating within the channel and describe the method of passing and

overtaking for two vessels that must remain within the channel. But section (g) is pertinent:

(g) Every vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.

Nothing like a little latitude to make your day, right? What “circumstances” are referred to here? While the rules don’t specify, I can guarantee you that fishing isn’t one of them!

One circumstance that might apply is a vessel that is anchored in the channel due to mechanical failure—say a seized rudder—where removing the anchor would likely cause a more serious problem like drifting onto a rocky shoreline.

I bring this rule to you because I’ve been watching a lot of violators of this rule lately and, “yes” it’s mostly fishermen and women. The beginning of the fishing season is upon us and the channel provides an area that is off limits and, as you know all off limits areas provide to humans an irresistible lure.

While doing so is forbidden, if you choose to anchor in the channel I would suggest the following: have your wallet handy. The fine for anchoring in the channel starts at \$550 and runs to over \$1,500. Also wear your personal flotation device (PFD or life jacket). The ships and tugs that must remain in the channel can take up to one full mile to stop, and they cannot steer around you in most cases.

The mnemonic “*Only New Reels Catch Fish, So Purchase Some Often*” is a guide that I use to remember who must give way to whom while on the river.

<i>Only</i>	<i>Overtaken</i>
<i>New</i>	<i>Not Under Command</i>
<i>Reels</i>	<i>Restricted Ability to Maneuver</i>
<i>Catch</i>	<i>Constrained by Draft</i>
<i>Fish</i>	<i>Fishing</i>
<i>So</i>	<i>Sailing</i>

Purchase Power
Some Seaplanes
Often Overtaking

At the top of the list are those who are “stand-on” and at the bottom are those who are “give-way” vessels. While navigating the waterways this will help you understand your rights in the hierarchy of boats. Keep in mind that the term “right of way” does not apply to most areas of boating.

So a vessel that is overtaking or passing another must give way to all those above, while a vessel constrained by draft can stand on over those listed below them on this list.

(While the designation “constrained by draft” technically only applies to international waters, the principle still works here. Don’t believe me? Just try arguing the point with the Coastie or River Patrol Deputy who’s writing you a citation for blocking the channel. They’ll love it; really.)

I really prefer to think of it this way: we’re out there joy riding and playing while the operators of those ships and tugs are trying to make a living. When we get in their way we make their job harder.

On top of that, if we are the cause of a collision or other “event” while a commercial vessel is underway, we may well cause that captain to lose their license. Even when the accident was fully the result of another boater’s mistakes, generally commercial operators share some of the fault and often lose or have their licenses restricted.

So the next time you’re anchored in the channel, keep in mind the consequences for yourself and for those you’re choosing to impede. It’s not just about the size of your catch.

Safe Boating,
Capt. Lyman Louis

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