Comments of the

World Shipping Council

Submitted to the

U.S. Coast Guard

In the matter of

Port Access Route Study:
The Atlantic Coast From Maine to Florida

Docket Number:
USCG-2011-0351

April 13, 2016
The World Shipping Council (WSC) is a non-profit trade association that represents twenty-five liner shipping companies that carry over 90% of U.S. international containerized trade. WSC’s member companies operate more than 5,000 ocean-going liner vessels -- mostly containerships -- of which approximately 1,500 vessels make more than 27,000 calls at ports in the United States each year.

WSC files these comments with the U.S. Coast Guard (USCG) in response to the notice published on March 14, 2016 (81 Fed. Reg. 13307) inviting public comments on the USCG’s final report on the Atlantic Coast Port Access Route Study (ACPARS), which examined existing commercial shipping routes and waterway uses to reconcile the right of safe navigation with other reasonable uses such as the leasing of outer continental shelf (OCS) blocks for renewable energy facilities such as wind farms.

We respectfully offer the following comments on the ACPARS final report:

1. **The ACPARS is Essential to Identifying and Addressing Navigational Safety Risks**

WSC has filed previous comments to the USCG and the Bureau of Ocean Energy Management (BOEM) that articulated not only our navigational safety concerns with respect to state-specific OCS wind farm proposals, but also the need for a comprehensive study to evaluate existing vessel traffic flows and densities for vessels entering and leaving Atlantic Coast ports and for vessels transiting along the U.S. East Coast.

We commend the USCG, with the assistance of BOEM, for completing the ACPARS to assist the agencies in identifying where appropriate navigational safety exclusion areas should be applied, to determine if any changes to existing navigation safety management measures are warranted, and to quantify the sizes and locations of buffer zones between vessel traffic routes and wind farm lease areas. Knowing the answers to these questions before large-scale wind farm (or other) development occurs on the OCS is essential because wind farm lease areas off multiple Atlantic states are being considered simultaneously, and the measures intended to resolve navigational safety issues in one area may, in turn, create navigational safety issues in other areas and for vessels transiting along the coast. It is important to look at the whole picture at once, and the ACPARS is a tool that will help the agencies do that.

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1 Liner vessels operate on fixed schedules among pre-determined ports. WSC’s member lines operate containerships, roll-on/roll-off, and car carrier vessels. A list of the Council’s members may be found at [www.worldshipping.org](http://www.worldshipping.org).

2 Those comments may be found on the WSC website at [http://www.worldshipping.org/public-statements/regulatory-comments/united-states](http://www.worldshipping.org/public-statements/regulatory-comments/united-states).
The ACPARS report correctly identifies two important possible interactions that must be taken into account when siting fixed structures on the OCS: (1) the interaction between vessels and wind turbine towers, and (2) the interactions among vessels.

The ACPARS report states:

“The placement of structures on the OCS, where previously no structures existed, increases risk of vessel allision (with a fixed object), and may increase risk of collision between vessels and/or increase risk of grounding. The risks will increase as a result of the density of vessel traffic being increased through funneling and decreased sea space for maneuverability...Rerouting (displacing) traffic may also increase the weather related casualty risk to smaller vessels engaged in coastwise shipping by forcing them further offshore, where they will be subjected to larger sea states, and where their transits will be commingled with deep draft vessels moving at higher speeds.” (ACPARS final report, page 13).

In light of these risks, WSC concurs with the ACPARS’ recommendations on page 16 of the final report, particularly recommendations 6 and 7, which address the development and application of (1) navigational safety corridors for deep draft and towing vessels based on these vessels’ historic traffic patterns and (2) Marine Planning Guidelines to help marine planners and OCS developers consider the navigational safety implications of offshore projects involving fixed structures such as wind turbines. The steps proposed by the USCG are necessary to ensure that individual and cumulative impacts of multiple OCS projects are taken into account to prevent increased risk of vessel allision or collision.

2. **ACPARS Recommendations Must Be Applied To All OCS Wind Farm Lease Areas that Do Not Have Completed Environmental Impact Statements**

WSC and its member companies urge the USCG and BOEM to apply the ACPARS’ recommendations and Marine Planning Guidelines to OCS wind farm lease areas that are already under consideration as well as to future OCS wind farm lease areas. The environmental and safety considerations detailed by the ACPARS report must be analyzed and addressed when any OCS construction leases for wind farms are reviewed under the National Environmental Policy Act (NEPA) through the creation of an Environmental Impact Statement (EIS).

Although some proposed wind energy areas have already been modified to address navigational safety risks, the recommendations in the ACPARS are intended to address cumulative impacts of multiple OCS wind farm proposals, not just the impacts of a single wind energy area proposal. Such cumulative impacts are a necessary part of the NEPA analysis.

On this subject, the USCG states:
“As wind farms are developed, vessel traffic will be displaced and may also be funneling into smaller areas, increasing vessel density with a concurrent increase in risk of collision, loss of property, loss of life, and environmental damage. **Evaluating the cumulative impacts is also important to understand the cascading effects of how one wind farm may change the routes and approaches to the next port of the next wind development area.** (ACPARS final report, page 15. Emphasis added).”

WSC agrees with the USCG’s finding that if the Marine Planning Guidelines are used in all stages of the identification of wind energy areas, the risk of a proposed OCS project being found unacceptable due to navigation safety risk would be significantly lowered. This means that by factoring in the planning guidelines at the beginning of the wind energy development process, public and private OCS developers and marine planners can avoid a situation in which areas they expected to have available for development are later determined to be unsuitable due to navigational safety issues.

We encourage the USCG and BOEM to advise the various State Renewable Energy Task Forces and private OCS developers that the ACPARS recommendations and Marine Planning Guidelines will be applied to current and future OCS wind farm lease areas and to notify them of the specific changes that will need to be made to existing wind energy areas to ensure they align with the ACPARS recommendations and Marine Planning Guidelines.

3. **Comments on the Application of Navigational Safety Buffer Zones**

   We commend the USCG for adopting its own Marine Planning Guidelines, which include, among other things:

   a. A minimum buffer zone of not less than 2 nautical miles between the parallel edge or seaward boundary of a traffic lane and a wind energy lease area; and

   b. A minimum separation zone of not less than 5 nautical miles between the entry/exit of a traffic lane and a wind energy lease area.

   Buffer zones located between the edge of a maritime traffic route and the edge of the boundary of a wind farm lease area are essential to the safe navigation of vessels that are operating in the maritime traffic route as these zones provide an area of open water that transiting ships can use in bad weather or if the ship loses power or steering, or suffers some other engineering casualty that forces it unexpectedly to depart the maritime traffic route. We also agree with the USCG that additional buffer space is needed at the entrances to and exits from traffic lanes because vessels of all sizes are entering the lanes from various angles and at various speeds.
WSC concurs with the USCG’s application of the 2 nautical mile and 5 nautical mile buffer zones described in the Marine Planning Guidelines. Those buffers will reduce the navigation safety risks to vessels entering, departing or operating within the traffic lanes and should – subject to any exceptional local conditions – provide adequate maneuvering room and sufficient space for emergency anchoring to address the most likely contingencies: loss of steering or propulsion.

Although we concur with the application of the above-described buffer zones to designated traffic separation schemes, we recommend that the Coast Guard consider applying wider buffer zones (at least 3 nautical miles wide) between wind energy areas and existing coastwise, deep draft shipping corridors, which the ACPARS has identified through its analysis of historic AIS data.

As mentioned in the ACPARS, vessels transiting along the coast typically operate at higher speeds than do vessels in traffic separation schemes at port entrances. Those higher speeds can affect those vessels’ maneuvering and response times. Liner vessels often range in length from 800 to well over 1,000 feet and displace more than 100,000 tons when fully loaded. Such vessels, which make more than 27,000 U.S. port calls per year, may transit in an offshore coastwise traffic corridor at speeds above 18 knots. For the protection of wind energy infrastructure, vessels, and the marine environment, the Coast Guard should consider that vessels operating at sea speed in these deep draft shipping corridors outside of traffic separation schemes will likely require a buffer zone between the traffic corridor and any adjacent wind farm installation area wide enough to accommodate the additional space the vessel would need to maneuver or anchor in the event of a contingency.

4. Conclusion

We appreciate the opportunity to provide comments to the USCG on the important and timely ACPARS final report. WSC and its member companies appreciate the interest in developing renewable energy sources, such as wind power, on the Atlantic OCS, but we caution that proper government planning is essential to ensure that wind energy projects are properly sited in order to avoid harm either to the wind energy facilities or to vessels in navigation. We strongly encourage the USCG to work with BOEM to ensure that the ACPARS recommendations and marine planning guidelines are applied to all current and future OCS wind energy lease areas. This will help ensure that commercial vessels carrying America’s waterborne commerce can operate safely and without unreasonable obstacles off the U.S. Atlantic coast.

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