Comments of the

World Shipping Council

Submitted to the

Bureau of Ocean Energy Management

Department of the Interior

In the matter of

Request for Feedback on BOEM’s Proposed Path Forward for Future Offshore Renewable Energy Leasing on the Atlantic Outer Continental Shelf

Docket Number:

BOEM-2018-0018

July 5, 2018
The World Shipping Council (WSC) is a non-profit trade association that represents twenty liner shipping\(^1\) 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 28,000 calls at ports in the United States each year.

WSC files these comments with the Bureau of Ocean Energy Management (BOEM) in response to the request for feedback published on April 6, 2018 (83 Fed. Reg. 14881), which invites public comments on BOEM’s development of a path forward for future renewable leasing offshore the U.S. Atlantic Coast.

1. **Introduction**

WSC has filed multiple comment submissions\(^2\) with BOEM regarding specific wind energy development projects off the U.S. Atlantic Coast. Having commented on several wind farm development proposals, we note that BOEM has historically invited interest from wind farm developers in large areas that pose obvious and significant navigational safety risks. These risks can and should be addressed before inviting interest in prospective lease areas.

WSC respectfully urges BOEM to consult with the U.S. Coast Guard and apply the navigational safety recommendations contained in the Coast Guard’s Atlantic Coast Port Access Route Study (ACPARS) and in the associated Coast Guard Marine Planning Guidelines *at the beginning of the wind farm lease area development process*. Areas that conflict with the U.S. Coast Guard’s navigational safety recommendations should be eliminated from further wind farm development consideration.

WSC also respectfully urges BOEM to establish buffer zones of *not less than 2 nautical miles* from the edge of any high-density maritime traffic areas to the boundary of wind farm lease areas. Buffer zones are indispensable because they provide areas of open water to which ships in the high-density traffic lanes can divert if the ships lose power or steering, experience engineering casualties, or need to take refuge from bad weather.

Detailed comments in response to the request for feedback follow.

2. **Navigational Safety Exclusions Need to be Applied as Early as Possible in the Wind Energy Lease Area Development Process**

The U.S. Coast Guard’s ACPARS contains clear recommendations and Marine Planning Guidelines to locate wind farm developments in areas that would not compromise the navigational safety of the commercial vessels operating along the Atlantic Coast. Applying

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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).

\(^2\) Copies of WSC’s comments to BOEM on proposed wind energy areas may be found at: [http://www.worldshipping.org/public-statements/regulatory-comments/united-states](http://www.worldshipping.org/public-statements/regulatory-comments/united-states)
navigational safety exclusions at the beginning of the wind energy lease area development process (i.e. prior to publishing a call for information and nominations for a given development area) would ensure not only that navigational safety risks are identified and addressed upfront, but would also simplify and streamline the required environmental impact statement (EIS) process. Applying navigational safety exclusions upfront would also prevent wind farm developers from wasting time submitting bids for wind energy areas that must later be excluded from further consideration for navigational safety reasons.

Incorporating navigational safety exclusions before soliciting statements of interest from the public is also required by the National Environmental Policy Act (NEPA). Regulations promulgated by CEQ under NEPA require that: “Agencies shall integrate the NEPA process with other planning at the earliest possible time to insure that planning and decisions reflect environmental values, to avoid delays later in the process, and to head off potential conflicts.” (40 C.F.R. § 1501.2).

The rationale behind that requirement applies here, because safety of navigation and protection of the ocean and coastal environment dictate that fixed structures must not be sited near high-density oceangoing commercial vessel traffic areas, including designated Traffic Separation Schemes (TSS). The sooner BOEM incorporates navigational safety exclusions into the process, the more efficient the rest of the wind energy area siting process will be.

We therefore recommend that BOEM incorporate the following practices into its renewable energy lease area development process:

a) Apply the navigational safety recommendations from the U.S. Coast Guard’s ACPARS and Marine Planning Guidelines to all wind farm development areas as early in the development process as possible and prior to inviting interest in the potential lease areas (i.e. prior to publishing a call for information and nominations).

b) Apply any other U.S. Coast Guard navigational safety recommendations as soon as possible and prior to inviting further interest in the potential lease areas; and

c) Remind potential wind energy lease area bidders that construction of production facilities in a given lease area is not approved until the full EIS, which is required by NEPA to include an assessment of navigational safety risks, has been completed and contains a favorable determination for lease development.

3. **Buffer Zones Not Less Than 2 Nautical Miles Wide are Needed Between any Proposed Wind Energy Areas and High-Density Maritime Traffic Areas**

To reduce the risk of collision between vessels operating in high-density maritime traffic areas (including TSSs, which were established by regulation to safely and efficiently direct commercial ships into and out of U.S. ports) and to reduce the risk of allision between vessels and wind turbines sited along the edge of the traffic areas, buffer zones of not less than 2
nautical miles must be established from the edge of the traffic areas to the edge of the boundary of the wind farm lease area.

Buffer zones are essential to safe navigation because they provide areas of open water to which transiting ships can divert if the ship loses power, loses steering, or suffers some other engineering casualty that forces the vessel to quickly depart the maritime traffic lane. Conditions such as high winds, reduced visibility and strong currents can also force vessels to enter a buffer zone to seek refuge from the maritime traffic lanes. Once a vessel has diverted from the traffic lane, the vessel could then conduct an emergency anchoring or remain in position while it works to solve the problem that prevented it from continuing to operate in the traffic lane.

Buffer zones, however, must be wide enough to allow a diverting vessel to get out of the flow of vessel traffic without causing the vessel to allide with a wind turbine located on the edge of the buffer zone.

The increasing size and limited maneuverability of oceangoing commercial ships provide some indication of how wide buffer zones should be. For example, containerships and roll-on/roll-off ships that call at U.S. ports are often over 1,000 feet long and require many lengths of the ship to alter course or to come to a complete stop. Additional distance is required if the vessel is altering course or coming to a stop following a loss of propulsion. When anchored, such vessels must have adequate room to safely swing in a circle around the anchor and chain that the vessel releases to secure the vessel to the ocean floor. Swing circles for large oceangoing ships can exceed one mile in diameter.

We surveyed our Member companies to obtain vessel masters’ views regarding liner vessel maneuvering characteristics and how wide buffer zones should be. The responses were provided from masters of large containerships that displace more than 100,000 tons fully loaded. These vessels make regularly scheduled calls at multiple U.S. ports during each voyage to the United States. The majority of vessel masters stated that 2 nautical miles (nm) should be the minimum buffer zone between commercial vessels and wind farm lease areas. Vessel masters indicated that a 2 nm buffer would provide the minimum needed maneuvering room to address the most likely contingencies -- loss of steering or propulsion -- and should provide space for the vessel to anchor in an emergency. Vessel masters noted, however, that buffer zone widths should increase as vessel operating speeds increase to allow for the additional space required for the vessel to slow down or maneuver. While liner vessels operating near to shore at speeds between 10 and 15 knots may require a 2-3 nm buffer zone, vessels transiting offshore at higher speeds will may require wider buffer zones.

The professional recommendations of the vessel masters regarding minimum buffer zone width reinforce the U.S. Coast Guard’s 2016 Marine Planning Guidelines, which were specifically developed to guide offshore developers and marine planners as they consider the navigational safety impacts of placing multiple permanent fixed structures offshore. The Coast Guard Marine Planning Guidelines considered, among other things, the sea space needed for ships to maneuver safely and include recommended minimum separation distances for the
siting of offshore structures near shipping routes. Those minimum planning distances are 2 nm from the parallel outer or seaward boundary of a traffic lane (i.e. a TSS) and 5 nm from the entry/exit (terminations) of a TSS.

WSC strongly recommends that BOEM establish -- for all existing and future wind farm development projects -- buffer zones not less than 2 nautical miles wide between wind energy areas and areas of high density maritime traffic.

4. Conclusion

WSC appreciates the opportunity to provide comments to BOEM as it develops plans for renewable offshore leasing off the U.S. Atlantic Coast. We hope that in developing those plans BOEM will address navigational safety risks prior to inviting interest or nominations on wind farm development areas by applying the U.S. Coast Guard ACPARS recommendations and by establishing buffer zones of not less than 2 nautical miles between areas of high density maritime traffic and existing and future wind energy areas. The siting of fixed structures on the U.S. Atlantic Coast should not create risks to the safe transportation of America’s waterborne commerce or to the wind energy installations themselves.

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