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CAPT Maureen Kallgren
U.S. Coast Guard Fifth District
431 Crawford Street
Portsmouth, Virginia 23704

Re: Port Access Route Study: Approaches to
the Chesapeake Bay, Virginia (Docket No.
USCG-2019-0862)

Dear CAPT Kallgren,

The American Waterways Operators is the national trade association for the U.S. tugboat, towboat, and barge industry. Our industry is the largest segment of the nation's 40,000-vessel domestic fleet and moves 760 million tons of cargo each year safely and efficiently. This includes 60 percent of U.S. export grain and other important bulk commodities transported in U.S. coastal waters. On behalf of AWO's more than 300 member companies, we appreciate the opportunity to comment on the Approaches to the Chesapeake Bay, Virginia Port Access Route Study (PARS).

AWO members lead the maritime industry in safety, security, and environmental stewardship. We are committed to working with federal and state agencies to advance these shared objectives. Our commitment to environmental stewardship includes support for the development of renewable energy resources. However, it is critical that such projects not produce navigational hazards that put vessels, their crews, and the environment at risk, or obstruct the movement of commodities on which the nation's economy depends. It is with these concerns in mind that we worked closely with the U.S. Coast Guard and other stakeholders through the Coast Guard-AWO Safety Partnership to provide towing vessel navigation information to support the development of the Atlantic Coast Port Access Route Study (ACPARS). That study, finalized in 2017, recommended the creation of a 9 NM safety fairway for towing vessels.

The ACPARS recommendation of 9 NM is not arbitrary. That report explains that 9 NM is necessary to accommodate multiple towing vessels towing in close proximity under a variety of sea states. ACPARS recommends the creation of a tugboat navigation route 5 NM wide, but with the inclusion of 2 NM safety buffers on each side of the navigation route. This width gives operators more visibility, more time to communicate with one another and more time to react and adhere to the Rules of the Road. To put it simply, on the off-chance that an

emergency situation arises (loss of tow, loss of power, traffic congestion, etc.) the 9 NM gives operators the space and time to react to the situation safely.

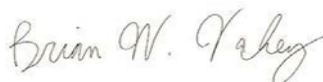
None of the proposed fairways approaching Chesapeake Bay meet the ACPARS recommended width of 9 NM. This remains a major concern for towing vessel operators, and we urge the Coast Guard to adhere to the ACPARS recommendations by expanding the fairway width. In its draft report, the agency notes that it had considered widening the towing vessel fairways but decided, based on a traffic analysis, that such an expansion was unnecessary. We believe that it is unwise to assume that traffic frequency will not change in the coming years. We believe it is preferable to allocate safe navigating distance now rather than fail to do so and find out later that there is not enough open water for vessels to transit safely. We urge the Coast Guard to implement the 9 NM width as recommended in the ACPARS.

In addition to the width of the fairway, we urge the Coast Guard to consider carefully how the placement of the fairways impacts safety. We appreciate the Coast Guard taking the time to consider both nearshore and offshore fairway routes for towing vessels. We believe that there are certain areas where including offshore navigation routes for towing vessels would be beneficial to safe traffic management. Indeed, the Coast Guard's June 2020 advance notice of proposed rulemaking had proposed routing the Cape Charles to Montauk Point Fairway offshore; but in more recent proposals, the offshore segment has been eliminated and the fairway has been rerouted nearer to shore. We believe that the newly proposed nearshore route and the previously-proposed offshore route are both needed.

As an alternative to Cape Charles to Montauk Point offshore route, this PARS specifically proposes the Eastern Approach Cutoff for offshore transits for both towing vessels and larger ocean-going vessels; however, this lane is further offshore than towing vessels would generally transit and would require towing vessels and deep draft vessels to intermingle, introducing safety risks that ACPARS had attempted to mitigate. Mixing vessel traffic increases risks to all involved, so we recommend increasing the width of the nearshore fairway, and retaining the offshore portion of the Cape Charles to Montauk Point Fairway, to keep towing vessels out of deep draft shipping lanes.

AWO actively supports the development of offshore wind energy. A number of AWO members are making large investments to take part in this burgeoning industry. We believe that offshore wind projects can and should be sited to minimize conflict with traditional maritime transportation lanes. The ACPARS-recommended 9 NM safety fairways will facilitate this coexistence. Thank you again for the opportunity to comment and for your commitment to keeping our waters safe. AWO would be pleased to provide additional comments or further information as needed.

Sincerely,



Brian Vahey