The American Waterways Operators

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Brian W. Vahey
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Mr. Matthew Creelman
U.S. Coast Guard Fifth District
431 Crawford Street
Portsmouth, Virginia 23704

Re: Port Access Route Study: Seacoast of North Carolina (Docket No. USCG-2020-0093)

Dear Mr. Creelman:

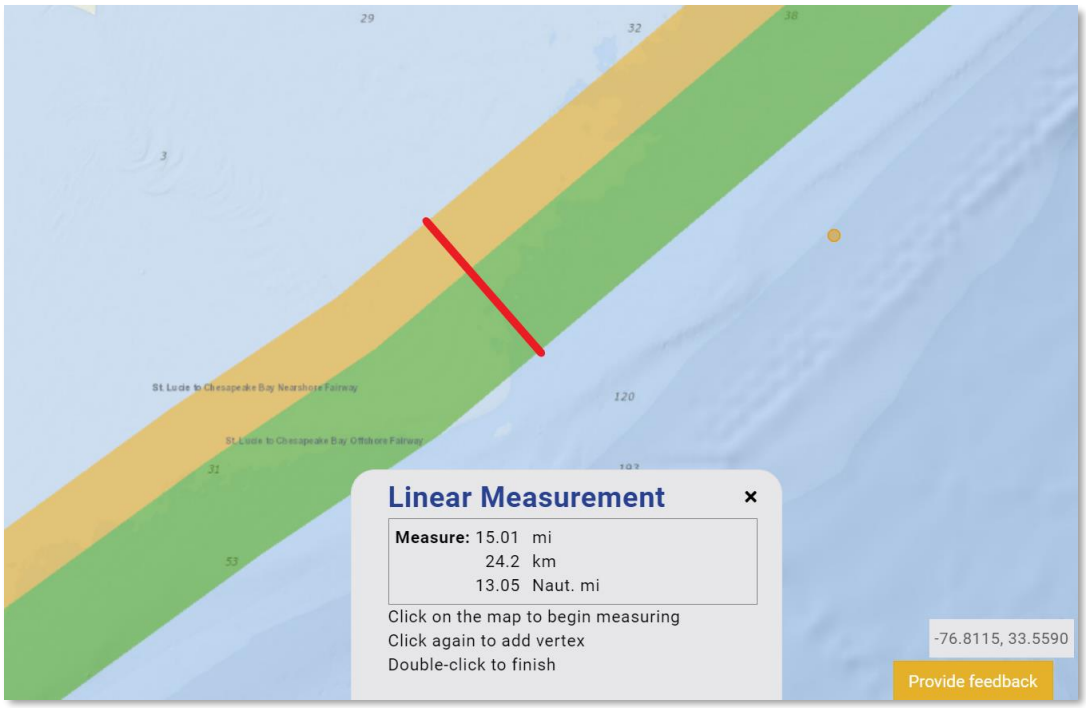
AWO is the tugboat, towboat, and barge industry's advocate, resource, and united voice for safe, sustainable, and efficient transportation on America's waterways, oceans, and coasts. Our industry is the largest segment of the nation's 40,000-vessel Jones Act fleet and moves 665 million tons of cargo 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 Seacoast of North Carolina 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 strong support for the development of alternative energy resources. However, it is critical that such projects not produce navigational hazards that put vessels and their crews 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 to provide towing vessel navigation information to inform the development of the Atlantic Coast Port Access Route Study (ACPARS). That study, finalized in 2017, recommended the creation of a 9 nautical mile (NM) safety fairway for towing vessels. We strongly support this recommendation and have urged the Coast Guard to finalize the fairway proposal as soon as possible.

The ACPARS recommendation of 9 NM is not arbitrary. The ACPARS report states that in order to safely accommodate towing vessel traffic, any proposed fairway would need to be 5 NM across with the inclusion of 2 NM safety buffers on each side, for a total of 9 NM. This fairway width gives operators more time to adhere to the Rules of the Road, more time to react to a potential emergency, and more time to accommodate traffic intersecting traditional towing vessel transit routes, such as fishing vessels and deep-draft vessels. AWO has urged the Coast Guard to create a 9 NM-wide fairway in our comments to the 2020 Advance Notice of

Proposed Rulemaking as well as in comments on Port Access Route Studies conducted for offshore New York, Delaware Bay, and Chesapeake Bay areas.

The Coast Guard's proposed fairways offshore North Carolina attempt to address this important need for safe navigation width by proposing to create what is in effect a combined nearshore and offshore fairway. Because tugboats transiting off the coast of North Carolina would not be limited to staying within the proposed St. Lucie to Chesapeake Bay Nearshore fairway, placing it directly alongside the proposed St. Lucie to Chesapeake Bay Offshore fairway would, if promulgated into regulations, essentially create a single large fairway approximately 13 NM in width that all towing vessels could use.

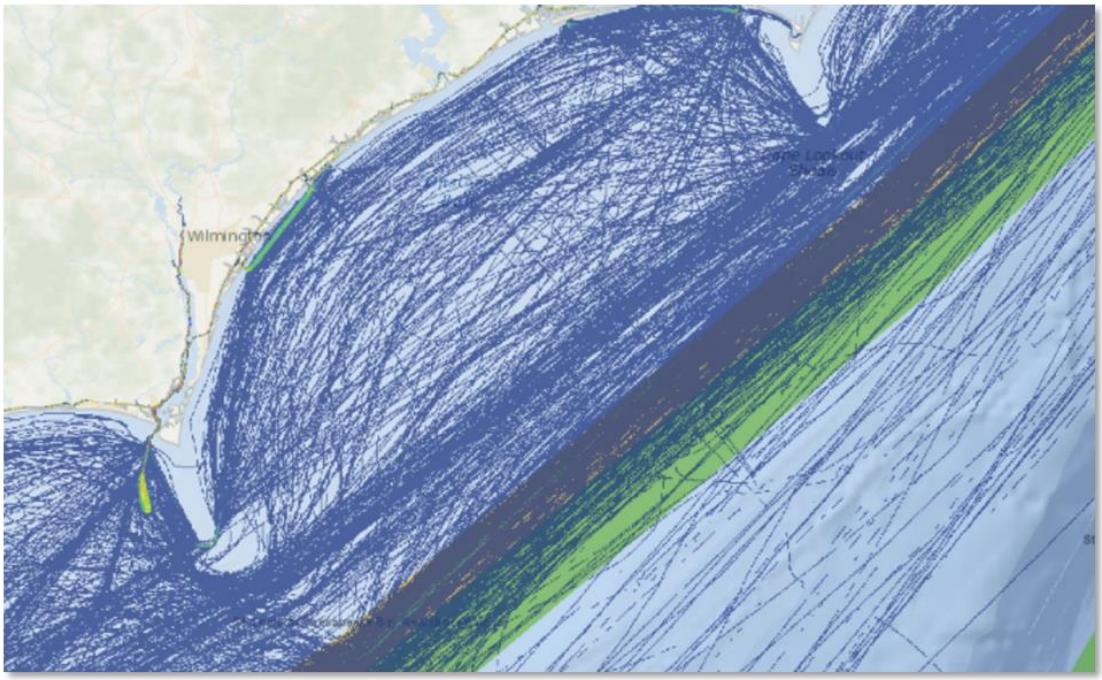


(Figure 1: Illustration of proposed St. Lucie to Chesapeake Bay Nearshore and Offshore fairways)

There is reason to believe that such an accommodation would work offshore North Carolina. Through this area, waters are less congested than elsewhere along the eastern seaboard, making meetings between shallow-draft vessels on nearshore transits and deep-draft vessels on offshore transits less frequent. Additionally, because this route is already so far offshore, towing vessels transiting this stretch of water – for example, from West Palm Beach to Yonkers and back – get underway only during optimal weather conditions, reducing the likelihood that shallow- and deep-draft vessels will be forced into a constrained sea space during inclement weather and poor visibility. While towing vessels tend to reliably navigate closer to shore and their traditional transits do not correspond completely with the proposed location of the St. Lucie to Chesapeake Bay Offshore fairway, the additional sea space would still be helpful in an emergency. As such, in this particular offshore area, providing what is in

practical effect a 13 NM fairway shared between shallow- and deep-draft vessels would not present the same safety risks that de facto "combined" fairways would create elsewhere along the Atlantic coast.

AWO has previously urged the Coast Guard not to develop fairways with the expectation that they will be shared by shallow- and deep-draft vessels, and this continues to be our preferred approach. It is far safer to keep different types of vessel traffic separated. Establishing fairways that are optimally placed in terms of location and width will ensure operators have safe space to transit well into the future, even as traffic levels increase and sea space becomes more congested. While the proposed St. Lucie to Chesapeake Bay Nearshore fairway has been positioned to overlap with the highest concentration of historic towing vessel traffic, it is common practice for vessels engaged in coastwise voyages to transit westward of the proposed fairway, closer to the shore (as indicated in Figure 2 below). Ideally, the Coast Guard would extend the proposed St. Lucie to Chesapeake Bay fairway further to the west to provide towing vessel operators with 9 NM of navigation space as well as protect nearer-shore routes from future offshore obstruction. We understand that this would create a conflict with BOEM's proposed Carolina Long Bay wind farm installation, but it would maximize navigation safety and we therefore urge the Coast Guard to recommend extending the St. Lucie to Chesapeake Bay Nearshore fairway westward to a total maximum width of 9 NM, as this would better serve towing vessel operators, our customers, the national economy, the environment, and, indeed, windfarm operators' access to transportation needed to supply the installations.



(Figure 2: Map depicting concentrations of towing vessel transits outside of proposed fairways)

In closing, AWO actively supports the development of offshore wind energy, which we view as a win-win for environmental stewardship and increased economic opportunities. We believe a 9 NM safety fairway is the best way to ensure that these objectives are met while maintaining mariner and navigation safety.

Thank you again for the opportunity to comment on this issue and for your commitment to keeping America's supply chain safe and efficient. I would be pleased to provide additional comments or further information as you see fit.

Sincerely,

Brian Vahey
Director – Atlantic Region