United States Coast Guard
Office of Navigation Systems

Intergovernmental Renewable Energy Task Force for the New York Bight

New York
November 28, 2018

George H. Detweiler, Jr.
George.H.Detweiler@uscg.mil | 202.372.1566
Office of Navigation Systems | U.S. Coast Guard | Washington, DC

Homeland Security

COAST GUARD ROLES, RESPONSIBILITIES & OBJECTIVES

- **Protect** All mariners, Property (wind farm(s)) and the Environment
- Provide **recommendations** and identify **potential impacts** as a Cooperating agency for NEPA purposes to the Lead Agency (LA) (BOEM) on the following areas:
  - Safety of navigation for the entire maritime community,
  - Traditional uses of the particular waterway (MTS, Fishing),
  - Ability to still carry out other Coast Guard missions (SAR, MER, MLE/PWCS)
- **" To the extent practicable", reconcile the need for safe access routes with the needs of all other reasonable uses of the area involved**, e.g., MTS, wind renewable energy installations, fishing, recreation, tourism, etc. (Mutual Co-Existence)
- Maintain a safe, secure, efficient and resilient Marine Transportation System **(MTS**)
  - NY/NJ is the third largest port in our nation, having an economic impact of **$205B** annually to the local economy.
  - Ensuring a **safe and secure flow** of national defense and commercial vessel traffic is vital to both our Nation's national and economic security

SAFETY OF NAVIGATION

- Placement of structures on the OCS, where previously no structures existed, increases risk of a vessel allision and will **increase risk of collision** between vessels.
- Risk will increase as a result of **vessel traffic density being increased through funneling and decreased sea space maneuverability.**
- Rerouting traffic may also increase the **weather related casualty risk** to smaller vessels engaged in coastwise shipping.
- By forcing tug and barge traffic further offshore, vessels will be subjected **to larger sea states** which will affect their stability.
- By forcing this traffic further offshore, many **tracklines will now be interspersed among deep draft vessels transiting at higher speeds, causing more complex vessel interactions from different size vessels at different speeds.**
  - **(ULCV 20Kts, -Tug-Tow 4 to 6Kts, -CFV(transit/fishing/haul-back 2-8 Kts)-Regular/High Speed Rec Boat 20 to 45Kts**
  - **Example: Driving I-95 with trucks, motorcycles, cars, buses, going 20, 30, 40, 60, 80, 90 MPH.**

MOVING FORWARD

Coast Guard is committed to supporting the maritime community by:

- Helping to identify likely navigation conflicts that will occur from placing structures along and in close proximity to traditional maritime routes taking into account, as appropriate, our Marine Planning Guidelines,
- Helping to identify routing conflicts that will arise from development within the call areas and adjacent leased areas (cumulative effects),
- Helping to identify associated navigation safety risks,
- Working with other government agencies to develop workable solutions, and
- Evaluating areas that may be identified as potential areas of development in the New York Bight waters.
- Developing a routing system of shipping safety fairways along the Atlantic Coast by “Converting” the navigation corridors identified in the Atlantic Coast Port Access Route Study (ACPARS).

ACPARS OVERVIEW

- May 2011. ACPARS work group established.
  - Initiated after DOI's November 2010 announcement of its "Smart from the Start" Initiative.
  - Chartered to address potential navigational safety risks with development of offshore renewable energy, e.g., wind farms.
  - Supports future marine planning efforts.
- February 2016. ACPARS report completed.
- Notable outputs:
  - Marine Planning Guidelines
  - Identification of navigation corridors
  - Industry / Mariner Feedback
  - Other Recommendations
    - Continue to partner with BOEM
    - Continue outreach efforts
    - Develop fairway regulations using the navigation corridors as a starting point

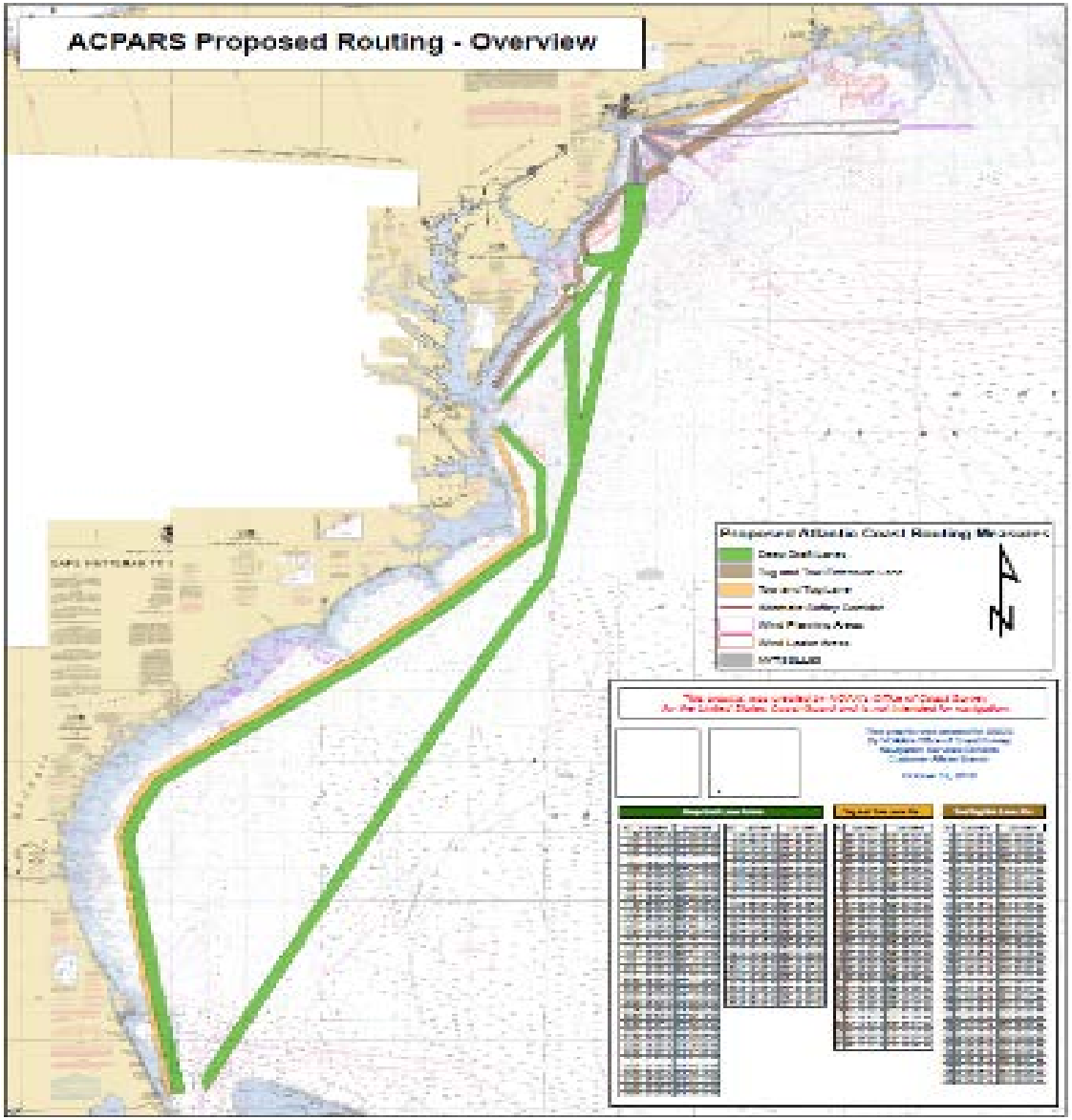
FAIRWAYS RULEMAKING PROCESS

- USCG is required by the Ports and Waterways Safety Act (PWSA) to conduct a Port Access Route Study (PARS) (ACPARS) before establishing new or adjusting existing fairways or Traffic Separation Schemes (TSSs).
- Consult/coordinate with Federal, State, and foreign state agencies (as appropriate) and maritime community representatives, environmental groups, and other interested stakeholders.
- Primary purpose of this coordination is, to the extent practicable, to reconcile the need for safe access routes with other reasonable waterway uses.
- PARS process (complete or modified) may be used to determine and justify if safety zones, security zones, recommended routes, regulated navigation areas and other routing measures should be created.

FAIRWAYS AND THE RULEMAKING PROCESS

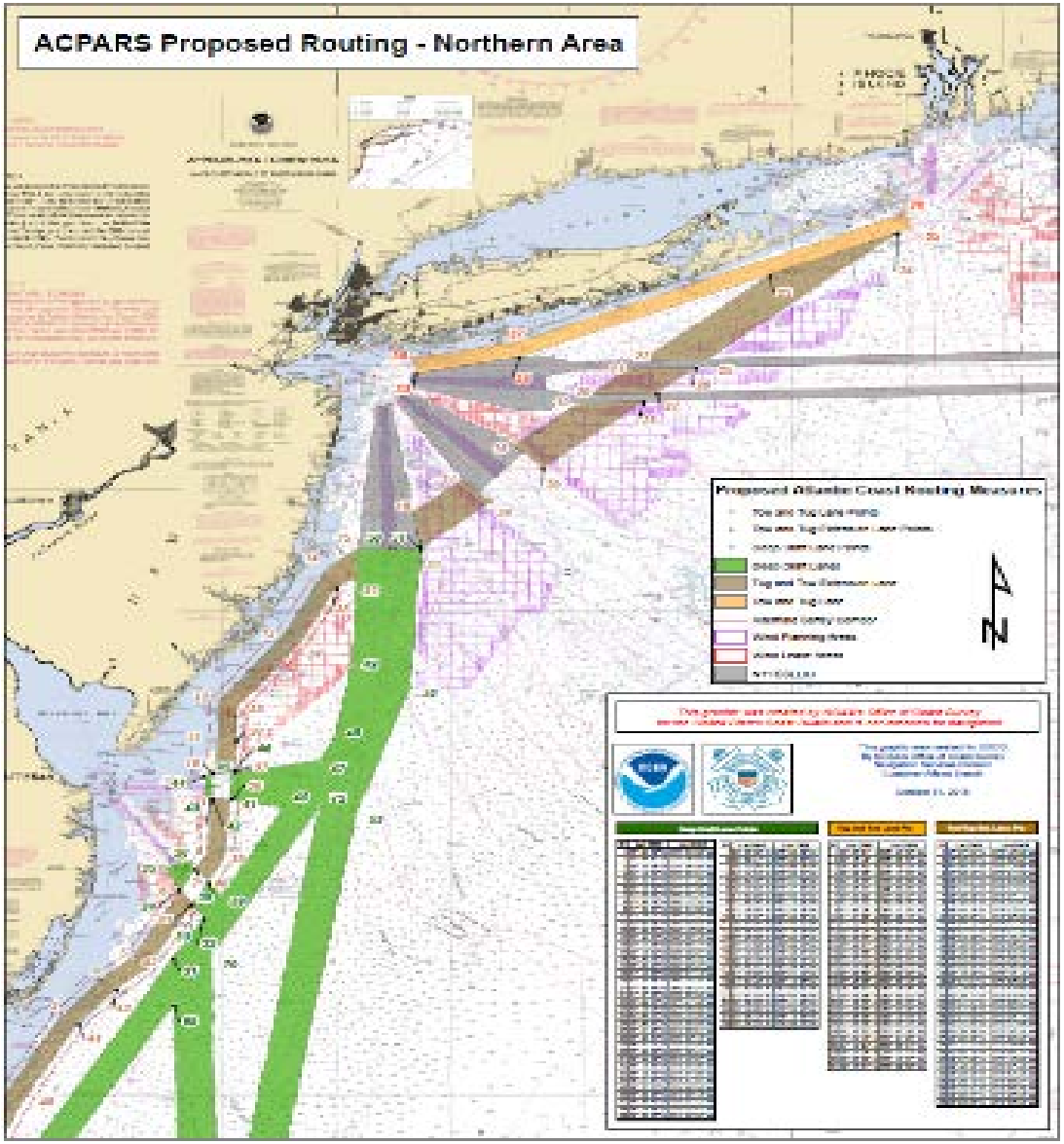
- Fairway definition: A lane or corridor in which no artificial island or structure, whether temporary or permanent, will be permitted so that vessels using U.S. ports will have unobstructed approaches.
- Fairways created domestically – require regulations in 33 CFR 166.
- USCG is the responsible agency to create them.
- Draft & publish a Notice of Propose Rulemaking (NPRM) in the Federal Register. (8 – 9 months)
- Comment period (3 months minimum) (extension upon request)
- Public outreach via public meeting(s) and/or webinar(s) as deemed necessary/appropriate. (During comment period)
- Adjudicate comments (6 – 12 months based on number received.)
- Publish Supplemental NPRM if necessary (3 – 6 months)
- Publish a final rule in the Federal Register after Department and OMB review. (8 – 10 months)
- NOAA publishes fairways on charts.
- *(Timeframes are estimates)*

ATLANTIC COAST FAIRWAY SYSTEM



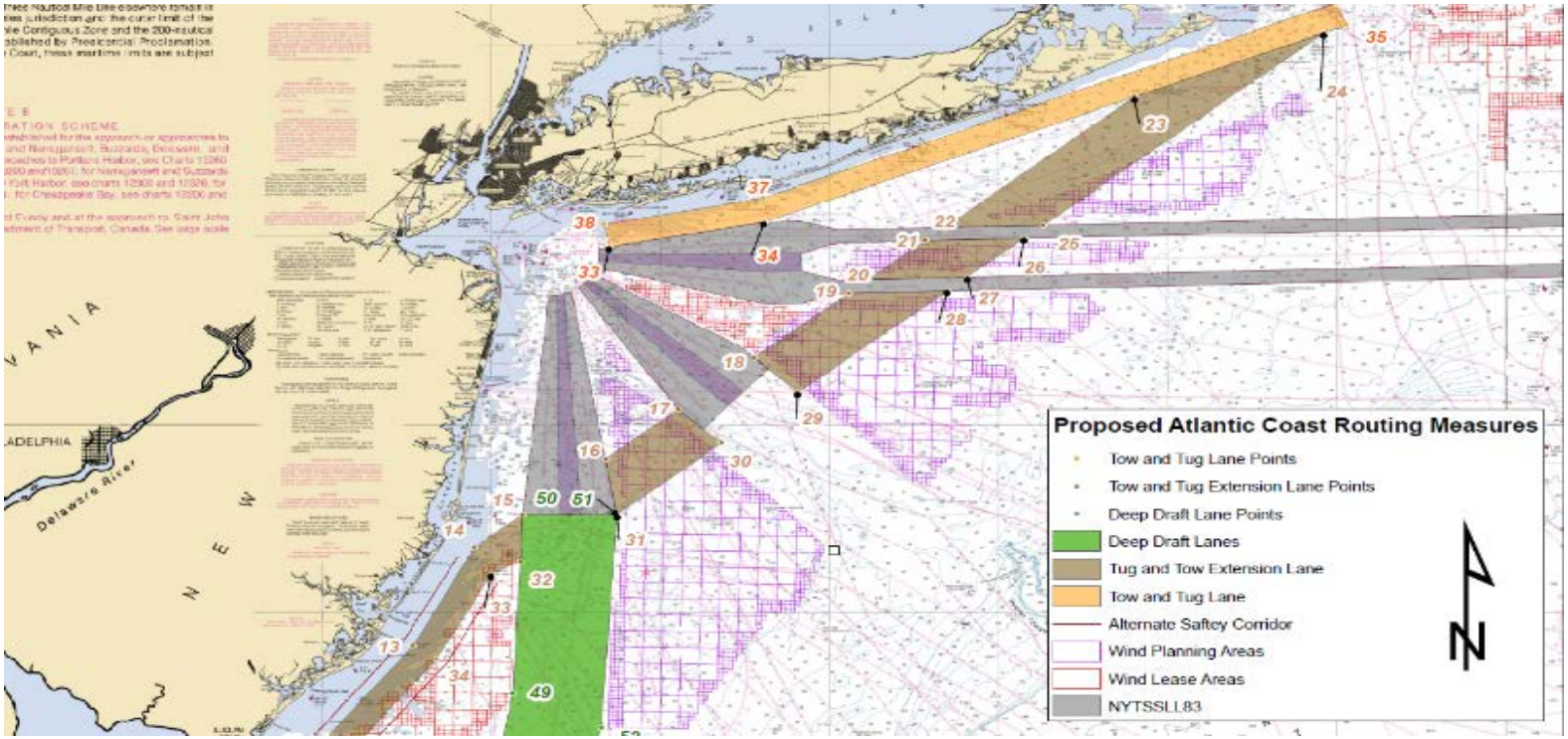
Homeland Security

MID ATLANTIC FAIRWAY SYSTEM

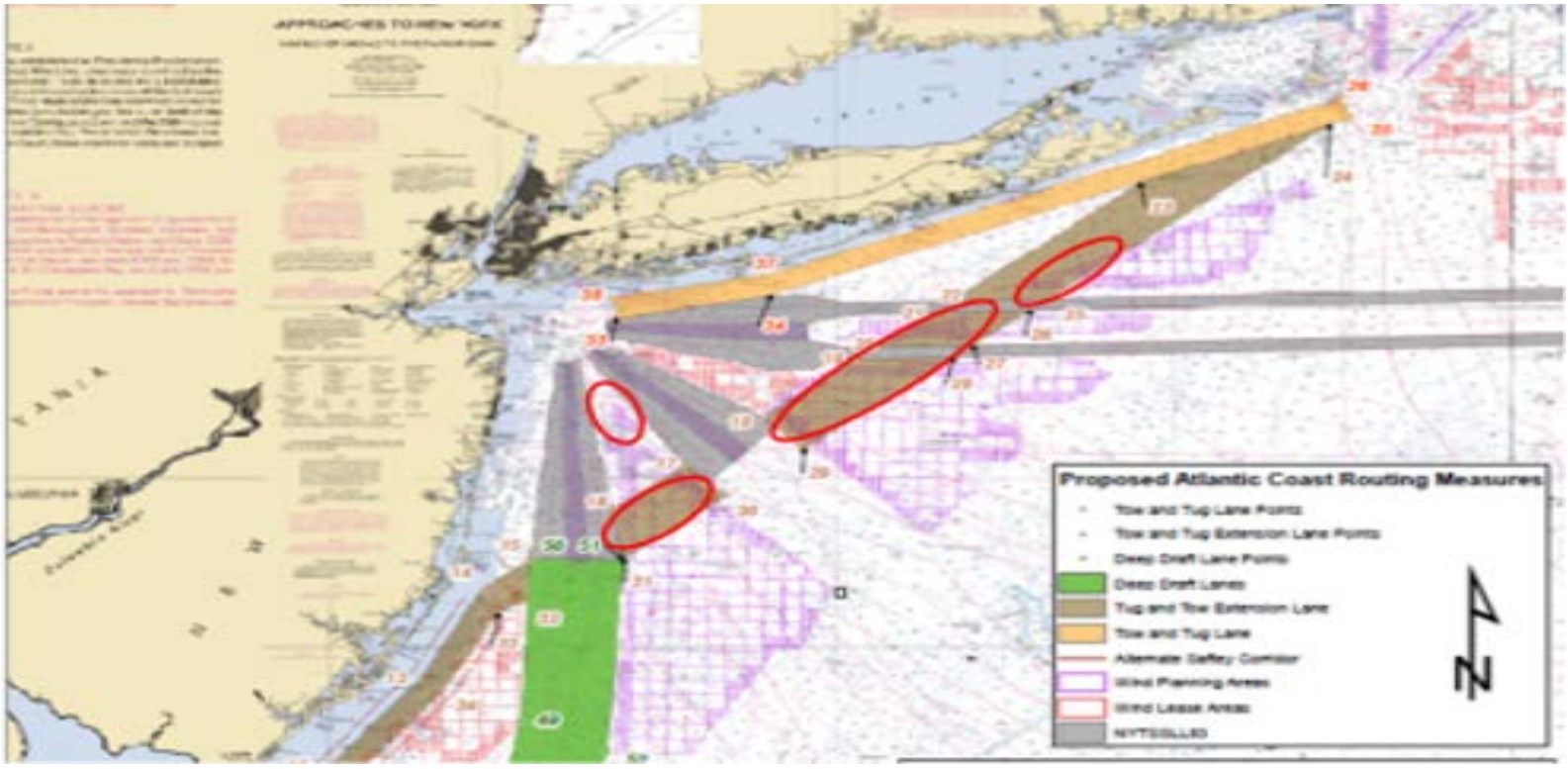


Homeland Security

NY BIGHT FAIRWAY SYSTEM



REACTION TO THE DRAFT WEAs



FUTURE

- Finalize the NPRM and publish in the Federal Register
- Conduct public outreach
- Review and address comments as appropriate
- Adjust fairways system if applicable
- Continue to work/cooperate with BOEM through their processes
- Continue to work with stakeholders
- Consider conducting phase 2 of the ACPARS to look at:
  - Port approaches
  - East – West routes