

February 25, 2011

Admiral Robert J. Papp, Jr.
Commandant
United States Coast Guard
2100 Second Street, SW
Washington, D.C. 20593

Dear Admiral Papp:

The undersigned maritime industry groups are writing to you regarding proposals being made by the Department of the Interior to site offshore wind farms in major commercial shipping corridors. We request that the U.S. Coast Guard expeditiously seek to exclude proposed areas that would risk the safe navigation of vessels carrying America's waterborne commerce. Positioning fixed wind turbines in close proximity to shipping lanes and in the pathway of oceangoing vessels is not something that should be contemplated under any circumstances. The environmental costs and damage of a single collision between a ship and a wind turbine, as well as the potential loss of life and property, could easily exceed any benefits of siting such turbines in the area. Safety of navigation dictates that wind turbines should never be sited in or near the approaches to major shipping lanes delineated by a traffic separation scheme (TSS).

Last year, the Interior Department established the "Smart from the Start" initiative to *"identify priority wind energy areas for potential development, improve our coordination with local, state, and federal partners, and accelerate the leasing process."* Under this initiative, the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) is processing wind energy proposals off the coasts of most Atlantic states, including Maryland, Massachusetts, Delaware, New York, New Jersey, Virginia, and North Carolina. The BOEMRE Requests for Interest (RFI) for Maryland and Massachusetts currently invite commercial interest in placing wind farms in established TSSs or in approach areas where vessels vector into or out of TSSs. These RFIs unfortunately demonstrate that wind energy projects are being proposed and processed in a hurried, rather than an integrated and coordinated, approach.

The BOEMRE proposed RFI area off the coast of Maryland sits immediately south of and partially overlaps the southern terminus of the Delaware Bay TSS. Chart 1, attached at the end of this letter, shows the Maryland RFI area relative to the Delaware Bay TSS. Chart 2 shows one month's worth of vessel Automated Identification System (AIS) data mapped on top of the proposed RFI area. Exhaustive analysis is not needed to see that the blocks to the south and east of the TSS partially overlap the TSS and overlap the high-traffic-density TSS approach zone.

We request that the U.S. Coast Guard recommend to BOEMRE that these 25 blocks be excluded from wind farm leasing activity for navigational safety reasons. (Note: Although BOEMRE officials reported that they did not expect much commercial interest in the blocks to the south and east of the TSS because of the water depth, all nine responses to the Maryland RFI express commercial interest in leasing blocks that lie to the south and east of the TSS.)

The BOEMRE proposed RFI area off the coast of Massachusetts fully or partially overlaps two sections -- comprising more than 320 square miles -- of the Ambrose to Nantucket Traffic Lane, which is the main east-west TSS used by vessels on transatlantic voyages and by vessels transiting between New York and Boston. The highlighted area in Chart 3 shows the portions of the Massachusetts RFI area that overlap with this TSS. We request that the U.S. Coast Guard recommend to BOEMRE that all of the blocks that lie inside the TSS be excluded from wind farm leasing activity for navigational safety reasons.

BOEMRE officials have stated that just because an area is part of a RFI does not mean leases will be approved in that area; however, we strongly believe a more prudent approach for future RFIs would be to apply safety of navigation exclusions to potential RFI areas before the RFI process is initiated and the RFI is published in the Federal Register. Since we understand that U.S. Coast Guard representatives participate in each of the state offshore renewable energy task forces as subject matter experts on navigational safety, we recommend that the U.S. Coast Guard communicate navigation safety exclusion determinations to state task force participants and BOEMRE as early as possible and before the proposed RFI area is published. In the case of Maryland, for example, the Department of Defense requested that approximately one-third of the originally proposed RFI area be excluded. This exclusion was presented to BOEMRE and applied to the proposed RFI area before the RFI was published.

In addition to putting the steps in the review process in the correct logical order, incorporating navigational safety exclusions before soliciting statements of interest from the public is required by law. Regulations promulgated by the Council on Environmental Quality under the National Environmental Policy Act 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 with particular force here, because safety of navigation and protection of the ocean and coastal environment dictate that traffic lanes must remain free of fixed obstructions. The sooner that is made clear, the more efficient the rest of the wind turbine siting process will be.

Finally, our discussions with BOEMRE officials regarding the various wind farm proposals indicate that the agency plans to obtain AIS data to complete the analysis regarding what blocks

within each RFI area should be excluded for navigational safety reasons and to avoid impacting the flow of maritime commerce. While we support the use and analysis of AIS data to better understand vessel activity in proposed RFI areas, we strongly recommend that the primary navigational safety analysis using AIS data be performed by the U.S. Coast Guard. The safety and vessel management of U.S. waters is a Coast Guard, and not a BOEMRE, responsibility, and it is an area in which the Coast Guard has substantial competence and experience.

We thank you for your consideration of these important matters.

Sincerely,

American Association of Port Authorities

Kurt J. Nagle, President & CEO

American Waterways Operators

Thomas A. Allegretti, President & CEO

Chamber of Shipping of America

Joseph J. Cox, President & CEO

Cruise Lines International Association

Michael Crye, Executive Vice President

INTERTANKO

Joseph J. Angelo, Managing Director

Mariner's Advisory Committee for the Bay and River Delaware

Stephen Roberts, Chairman

Maritime Exchange for the Delaware River and Bay

Dennis Rochford, President

New York Shipping Association

Joseph C. Curto, President

Pilot's Association for the Bay and River Delaware

Capt. James R. Roche, President

World Shipping Council

Christopher L. Koch, President & CEO

Copy: Director, BOEMRE

Chart 1: Maryland Request for Interest (RFI) Area

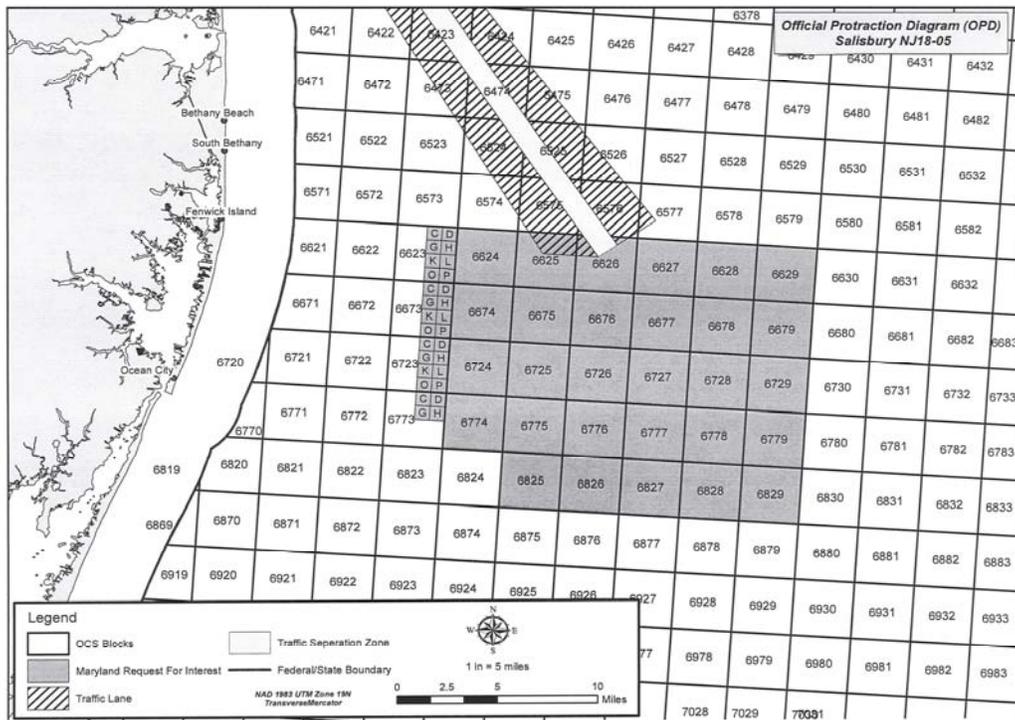


Chart 2: Vessel AIS Transit Data (from July 2010) Mapped on Maryland RFI area

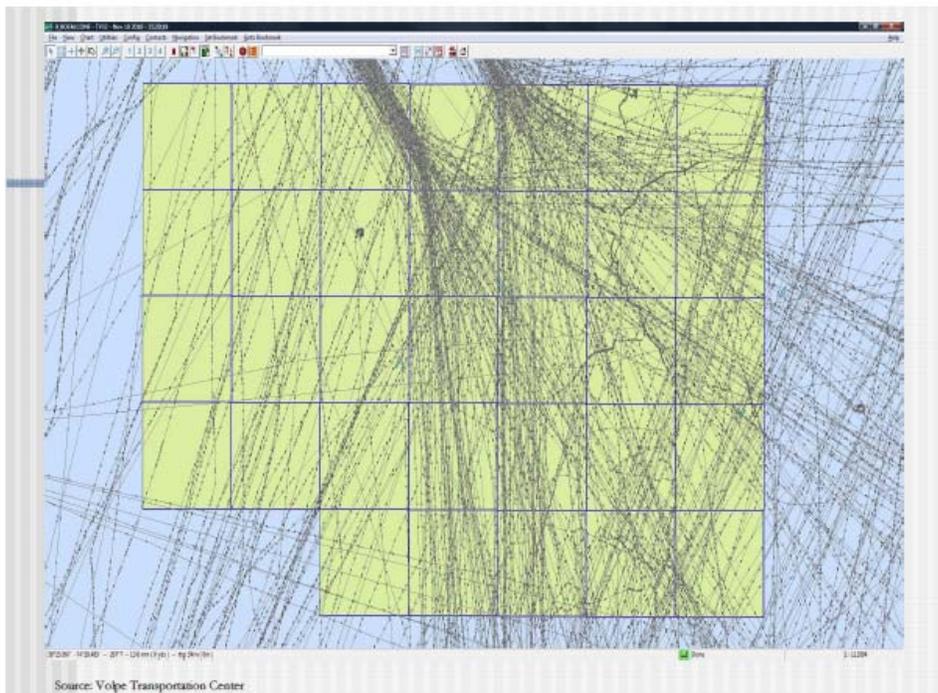


Chart 3: Massachusetts RFI Area

