



801 North Quincy Street
Suite 200
Arlington, VA 22203

PHONE: 703.841.9300, ext. 251
EMAIL: bvahey@americanwaterways.com

Brian Vahey
Senior Manager – Atlantic Region

July 19, 2016

Ms. Betsy Nicholson
NE RPB Federal Co-lead
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northeast Regional Office
55 Great Republic Drive
Gloucester, MA 01930-2276

Re: Request for Comment on the
Draft Northeast Ocean Plan
(NOAA–2016–12196)

Dear Ms. Nicholson:

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 Jones Act fleet and moves more than 800 million tons of cargo each year safely and efficiently. This includes more than 80 percent of New England's home heating oil, 60 percent of U.S. export grain, and significant bulk commodities transported along the Atlantic Coast. On behalf of AWO's 350 member companies, we appreciate the opportunity to comment on the Northeast Regional Planning Body's (NE RPB) Northeast Ocean Plan.

AWO members lead the maritime industry in safety, security, and environmental stewardship. We are committed to working with government partners to advance these shared objectives. AWO's Responsible Carrier Program, the safety management system with which all AWO members must comply as a condition of association membership, highlights AWO member commitment to safety and environmental protection. AWO is committed to the goal of zero harm from our industry's operations – to human life, to the environment, and to property.

The oceans are an invaluable source of food and livelihood for many Americans, and how the water is managed impacts human health, the environment, and homeland security. An endeavor that seeks to manage the world's largest resource, therefore, must be undertaken carefully and with significant stakeholder input. Through the NE RPB's outreach to the maritime community, AWO has been involved with the Northeast Ocean Data Portal Working Group to identify baseline data, to ensure its accuracy, and to obtain an understanding of future trends that will impact shipping along the Atlantic Coast.

AWO urges the NE RPB to include the navigation route boundaries and 9-mile safe navigation corridor recommended in the Atlantic Coast Port Access Route Study (ACPARS) in its Northeast Ocean Data Portal to ensure vessels can safely navigate along the Atlantic Coast. The ACPARS final report was published in March, and its goal is to ensure safety, environmental protection, and economic viability for the waterways and for maritime stakeholders. The safe navigation corridor was developed with the close consultation of towing industry participants.

The corridor will help the Administration make astute decisions that impact coastal navigation. AWO has repeatedly urged the Bureau of Ocean Energy Management (BOEM) to wait for the final ACPARS recommendations before siting potential Wind Energy Areas (WEAs). Despite the need to make informed and long-term decisions, the agency has continued to publish leasing opportunities without proper consideration for the Coast Guard- and industry-recommended navigation routes, safe navigation corridor, marine planning guidelines, and other important safety recommendations included in ACPARS. By incorporating this navigation safety information into the Northeast Ocean Data Portal, the NE RPB will encourage BOEM to use this crucial information.

We appreciate the NE RPB's recognition of ACPARS in its draft ocean plan, which notes that the ACPARS final report offers additional safety guidance that can be used to help the government and other stakeholders make decisions impacting waterways navigation, including the placement of offshore structures. The inclusion of the safe navigation corridor into the data portal will facilitate this vision. The safe navigation corridor and marine planning guidelines are the result of hundreds of hours of consultation with seasoned captains and state-of-the-art quantitative analysis by Coast Guard and industry experts. Data can only effectively drive policy decisions when it is accurate and comprehensive, and the corridor was developed with the best data available on towing vessel navigation along the Atlantic Coast.

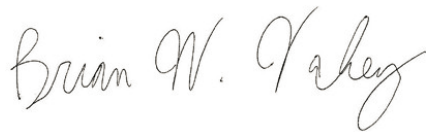
AWO members will be greatly impacted by the National Ocean Plan and it is imperative that AWO and the maritime industry writ-large continue to be involved in the development of the plan. In addition to ACPARS, AWO has also been working closely with the Coast Guard on its Seacoast Water Analysis Management System (WAMS) initiative. Seacoast WAMS will have a direct impact on the maintenance and availability of physical aids to navigation, a very important feature of navigation along the Atlantic Coast. Any policies stemming from the National Ocean Plan that would propose to eliminate important physical aids to navigation would be of serious concern to AWO members, and we would urge the NE RPB to work in close consultation with the Coast Guard's WAMS initiative and with industry stakeholders to avoid that problem.

We additionally urge all of the Regional Planning Bodies to continue to coordinate their work closely to ensure the policies they create are clear and consistent with other regions. Both ACPARS and Seacoast WAMS have been developed with this central goal in mind. The smooth and safe movement of interstate commerce relies on the ability of vessels to transit easily from state-to-state. A lack of uniform laws and policies creates ambiguity and

uncertainty, and puts mariners in the difficult or impossible situation of trying to comply with a patchwork of state or local laws and regulations as they transit from one state to another.

AWO again applauds the NE RPB for acknowledging ACPARS in the draft Plan as a data point and driver of maritime safety. AWO strongly recommends the inclusion of the navigation routes, safe navigation corridor, and the Seacoast WAMS into the data portal in order to further enhance navigational safety on the Atlantic Coast. Thank you for the opportunity to comment. AWO would be pleased to answer any questions or provide further information as the agency sees fit.

Sincerely,

A handwritten signature in cursive script that reads "Brian W. Vahey". The signature is written in black ink and is positioned below the word "Sincerely,".

Brian W. Vahey
Senior Manager – Atlantic Region