



August 15, 2016

Jennifer A. Carpenter
Executive Vice President & COO
The American Waterways Operators
801 North Quincy Street, Suite 200
Arlington, VA 22203

Dear Ms. Carpenter,

My name is Evlondo Cooper, and I'm a Senior Fellow at Checks and Balances Project (C&BP), a public watchdog blog with a focus on the sustainability economy.

I'm writing you today to better understand the role American Waterways Operators (AWO) played in the Atlantic Coast Port Access Route Study (ACPARS) study and your organization's relationship with the Working Group members.

As you know, ACPARS was jointly chartered by the United States Coast Guard Deputy Commandant for Operations and the Commander, Atlantic Area, on May 11, 2011. Based on an article published January 24, 2011, AWO was concerned about offshore wind and its potential effects on the shipping industry [more than 18 months before ACPARS was chartered](#).

Three months before the Working Group was chartered, AWO, among others, sent a letter to Commandant Admiral Robert J. Papp, Jr.

[The letter reads:](#)

"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)."

It also states:

"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."

Ultimately, the ACPARS Final Report, released in April 2016, calls for dramatically limiting space for wind energy installations on the Outer Continental Shelf and recommends removal of blocks from currently leased areas, effectively making offshore wind unviable on the Eastern Seaboard.

In addition to partnering with the Coast Guard “to develop recommended safe distances for these operations along the Atlantic Coast,” AWO also provided the Coast Guard with a blueprint for implementing setbacks in an April 13, 2016, comment letter.

[These steps include:](#)

- Issue the Notice of Study Results and codify the ACPARS recommendations into a NVIC as soon as possible.
- Once the NVIC has been published, issue a Commandant Instruction empowering Districts One, Five and Seven to create safety fairways based on the Marine Planning Guidelines included in ACPARS.
- Use the ACPARS recommendations to disqualify proposed Wind Energy Areas that the report has demonstrated to pose navigational risks.
- Incorporate the Atlantic Region Quality Steering Committee into the standing marine planning workgroup to assist the Coast Guard with the implementation of ACPARS.
- Avoid additional fact gathering measures that would further delay the implementation of the ACPARS recommendations.

If the ACPARS recommendations are included as future guidance for the offshore wind leasing process as your letter suggests, and the Coast Guard adopts AWO’s implementation regimen, offshore wind could be unviable on the Atlantic Coast according to the [Bureau of Ocean Energy Management](#) (BOEM), contravening the Obama administration’s goal of creating a thriving offshore wind industry and ignoring Europe’s successful example.

With this in mind, I hope that you will answer these questions in order to advance the public’s understanding of your organization’s role this vital, taxpayer-funded work product.

1. Did the idea for the ACPARS study originate with AWO’s concern about the “surge in offshore wind proposals” as described in this [January 2011 Professional Mariner article](#)? If not, when did AWO become aware of the ACPARS study and who notified your organization?
2. According to our source close to the Working Group, you were “very engaged” with its work. Were you or any of your executives or staff members of the ACPARS Working Group? If not, can you detail your organization’s communications with the Working Group?
3. Have you or any of your staff or executives ever visited an offshore wind farm or had discussions with offshore wind developers regarding how they approach shipping safety?

4. Given that northern Europe has successfully integrated shipping with a vibrant, offshore wind energy industry, especially in the North Sea, which has some of the densest shipping traffic in the world, what is the scientific foundation of the setbacks AWO recommended and the Coast Guard accepted?

Thank you for taking the time to address these questions so we can share your answers with our readers. If needed, please contact me by email at evlondo@checksandbalancesproject.org or call me at 504.521.7440.

Regards,

A handwritten signature in black ink, appearing to read 'Evlondo Cooper', written in a cursive style.

Evlondo Cooper
Senior Fellow
Checks and Balances Project