

would have an unacceptable impact to navigational safety and precludes development.” YELLOW BLOCKS were defined as “those blocks, or portions of blocks, that require further study/analysis of existing traffic usage/patterns as well as projected future traffic increases based on development of adjoining/adjacent blocks. Development of these blocks would potentially have an unacceptable impact on navigational safety which requires additional study to determine the risk and possible mitigation if developed.” GREEN BLOCKS were defined as “those blocks, or portions of blocks, whose development would, based on available information, pose minimal to no detrimental impact to navigational safety. Traffic using these blocks can be ‘re-routed’ around developed alternative energy sites. These blocks would require minimal, if any, mitigation.”

ACPARS stated: “Although consensus was not reached, the majority of the ACPARS Workgroup recommended the use of a 1NM separation distance from shipping routes for determining the boundary between Yellow and Red Blocks. As stated above there was consensus for using 5NM as the minimum distance from shipping routes for Green Blocks.”

COMPARISON—NANTUCKET SOUND VERSUS THE OREI NAVIGATIONAL SAFETY MEASURES

The attached Figure 4-12 has been excerpted from the BOEM EA for Massachusetts and displays the TSS schemes for Rhode Island Sound, the Port of Boston, and the approaches to NY. It shows “High” density vessel tracks in a yellow to salmon color scheme. Figure 1 shows commercial vessels in Nantucket Sound, specifically its Main Channel, in heavy volumes very similar to those studied for the proposed WEAs in the Massachusetts and in the Rhode Island & Massachusetts EAs produced by BOEM.

What is not shown in these Figures is the disparity of navigation risk and of displacement of fishing activities that would be created by OREIs in the various WEAs as compared to CWA. Using the WEA area described in the RI & MA BOEM EA (RIMAWEA) as a comparison to the proposed CWA site, several factors emerge that drive starkly different navigational and operational risk environments that transiting vessels must overcome.

The RIMAWEA would be located adjacent to the high density TSS in Rhode Island Sound. The vessel one-way lanes of the TSS are each 1 nm wide with depths ranging from 60–120 ft. The Main Channel directly adjacent to the CWA site on Horseshoe Shoal can be visualized as a higher risk single-lane carrying vessel traffic in multiple directions which narrows to 3/4 nm between two dangerous shoals with 30–60 ft. of water at the junction of heavy vessel traffic crossing from east to west and north to south. There are few shoals and ledges in the direct vicinity of the RIMAWEA and the RI TSS; vessels leaving the TSS by design or in emergency have “sea room” to maneuver and recover in water depths ranging from 60–160 ft. Utilizing both BOEM EA and ACPARS criteria, a troubled vessel seeking to avoid a casualty with a WTG placed near the TSS or with another vessel hidden in radar interference from the facility would have a 1 nm buffer space between the RIMAWEA TSS and other vessel routes to safely react. ACPARS examined the vessel routes and traffic density for the RIMAWEA proposed for RI Sound, the region most akin to the navigation conditions found in Nantucket Sound. USCG requested that BOEM exclude 16 blocks from the RIMAWEA to safeguard navigation safety for vessels on routes or within the TSS which would pass within a safety buffer of 1 nm from the WEA.

USCG also requested BOEM include the following statement in the EA: “UK Maritime Guidance Note MGN-71 and the expertise of waterways SME’s to evaluate and/or identify individual BOEMRE RFIs/CFIs. Based on MGN-371, any areas <1 NM from existing shipping routes pose a high risk to navigational safety and are not considered acceptable for the placement OREIs. Areas >5NM from existing shipping routes are considered to pose minimal risk to navigational safety. Everything between 1NM and 5NM would require analysis to determine if mitigation factors could be applied to bring navigational safety risk to within acceptable levels. Please note that impacts to radar and ARPA still occur outside of 1 NM which will have to be evaluated along with other potential impacts. The above are only planning guidelines and a full navigational risk assessment will be required as part of the EIS prior to approving construction of any OREIs.”

In contrast, USCG accepted the design and siting of the CWA facility without challenge and without imposing any minimum separation distance between the surrounding vessel routes and channels and the facility’s WTGs. The CWA facility design and placement of its WTGs would provide the crew of a passenger ferry or boat that leaves the channel a mere 60 seconds, at normal speeds, and a high speed ferry a mere 20 seconds to detect, take action and respond to avoid a collision with an adjacent WTG.

Another significant disparity lies in the treatment of the safety and operational needs of commercial fishing vessels. The 2012 BOEM EAs examined and then excluded entire blocks and sections of the proposed WEAs to prevent the displacement of those vessels and their traditional fishing activity. BOEM appears to have adopted the position that commercial fishing vessels and their operating techniques make for an unacceptable safety risk when operating within or in the vicinity of a WEA. BOEM, MMS, and USCG took the opposite tack in their review and acceptance of the CWA proposal. The repeated complaints of the fishing industry in the Sound that the CWA facility would make it unsafe for them to fish on or adjacent to the rich fishing grounds at Horseshoe Shoal were simply ignored or obfuscated.

CONCLUSION

1. The application of safe separation/buffer zones in the design of offshore WEAs and the exclusion of ocean blocks to eliminate potential conflicts with the marine navigation safety needs have been uniformly applied to all WEAs with the exception of Nantucket Sound.

2. USCG has failed to effectively apply the same marine navigation safety and environmental protection standards, guidance, and criteria it developed for OREIs in the U.S. to the CWA facility.

3. Neither a sufficient and meaningful site assessment nor an accurate and detailed vessel traffic assessment has been conducted for the CWA proposed facility.

4. A navigational risk assessment to a recognized standard has not been conducted nor have adequate and effective marine safety mitigation actions been identified for CWA.

5. The CWA facility is fatally flawed as currently designed and sited. It is incompatible with the needs of marine transportation in Nantucket Sound and is an unnecessary and unacceptable threat to the current-day and future users of Nantucket Sound’s waterways.

HONORING THE DELTA SIGMA
THETA CENTENNIAL

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 18, 2013

Mr. CONYERS. Mr. Speaker, I rise today to honor the Delta Sigma Theta Sorority for their Centennial Celebration. Founded at Howard University in 1913, this international sorority has long focused on providing young women with the strength and experience to lead.

Whether in law, science, business, or education, Delta alumnae all have one thing in common: they are dedicated to serving their communities. The five points of the Delta experience are Economic Development, Educational Development, International Awareness and Involvement, Physical and Mental Health, and Political Awareness and Involvement.

The strength they gain through focused development on these points doesn’t just benefit the young women who join Delta Sigma Theta. Through projects like the Delta Towers here in Washington D.C., their work with Habitat for Humanity across our nation, or their youth outreach programs—we are all better for the generosity of the Deltas we know and love.

To all the Delta sisters out there—best wishes for the next hundred years.

PERSONAL EXPLANATION

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 18, 2013

Mr. GRIMM. Mr. Speaker, on rollcall No. 361, I was unable to vote due to a recent medical procedure. Had I been present, I would have voted “yes.”

PERSONAL EXPLANATION

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 18, 2013

Mrs. MCCARTHY of New York. Mr. Speaker, I was unavoidably absent during the week of June 24, 2013. If I were present, I would have voted on the following.

TUESDAY, JUNE 25, 2013:

Rollcall No. 287: Motion to Suspend the Rules and Pass H.R. 2383, “yea.”

Rollcall No. 288: Motion to Suspend the Rules and Pass H.R. 1092, “yea.”

WEDNESDAY, JUNE 26, 2013:

Rollcall No. 289: Motion on Ordering the Previous Question on the Rule for H.R. 1613, H.R. 2231, and H.R. 2410, “nay.”

Rollcall No. 290: Motion on Agreeing to the Resolution on the Rule H.R. 1613, H.R. 2231, and H.R. 2410, “nay.”

THURSDAY, JUNE 27, 2013:

Rollcall No. 291: Grayson of Florida Part A Amendment No. 1, as Modified, “yea.”

Rollcall No. 292: Motion to Recommit with Instructions for H.R. 1613, “yea.”