



The American Waterways Operators

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September 19, 2014

Mr. Walter D. Cruickshank
Acting Director
Bureau of Ocean Energy Management
1849 C Street, NW
Washington, DC 20240

RE: Commercial Leasing for Wind Power on the
Outer Continental Shelf Offshore New Jersey
Proposed Sale Notice (Docket No. BOEM-2014-
0029; MMAA104000)

Dear Mr. Cruickshank:

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 in the Delaware River region. We appreciate the opportunity to comment on the notice of commercial leasing for wind power in the New Jersey Wind Energy Area (NJ WEA).

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 continuous 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. To realize this goal, AWO looks forward to continuing to work with BOEM, New Jersey state officials, and industry partners to minimize risk to life, property, and the environment.

AWO supports the development of offshore wind energy projects in the United States and we believe that certainty and transparency in the leasing process are critical to the success of these projects. However, AWO is concerned that BOEM's decision to proceed with lease auctions before resolving significant safety concerns may impede developers from developing portions of the WEA that they have leased. It seems counterintuitive for the business community to base

development decisions on WEA dimensions that BOEM believes will likely change due to navigation safety concerns. The towing industry is concerned that once the leasing process is completed, federal and private stakeholders will be averse to modifying the WEA to account for navigation safety. AWO strongly recommends that BOEM resolve navigation safety issues before proceeding with the leasing process to minimize maritime safety concerns and ensure that the development of offshore energy projects are successful.

AWO is also concerned that the planning process for the NJ WEA is inconsistent with the Obama Administration’s policy of “Smart from the Start” because the Coast Guard has not yet completed its Atlantic Coast Port Access Route Study (ACPARS), a comprehensive analysis of the navigational impact offshore wind projects will have on maritime safety. Similar wind energy projects planned for Delaware and Maryland will have a significant effect on vessel operations in the region. Failing to address the navigation concerns of the entire region before projects are constructed will result in a situation similar to that in the Gulf of Mexico, where suboptimal vessel traffic fairways were created after the majority of energy projects were constructed. While a significant portion of the tug and barge traffic in the Gulf of Mexico moves along the Gulf Intracoastal Waterway, avoiding the suboptimal fairways, no alternative navigation routes exist for tug and barge operators in the mid-Atlantic. AWO strongly recommends that BOEM refrain from moving forward with granting wind energy leases until after the ACPARS study is completed, the results are analyzed by and discussed with the navigation industry, and fairways are established.

The towing industry is concerned that the siting of the NJ WEA presents a threat to maritime safety because it will eliminate a critical near-shore navigation corridor that will force vessels to transit up to 20 miles further offshore where inclement weather can make navigation unsafe. In certain weather conditions, just one mile further offshore can change sea conditions drastically, putting towing vessels at greater risk and jeopardizing safe transit. In addition, forcing vessels to deviate from their optimal route will waste up to 100 gallons of fuel per hour, increase air emissions, and add hours to transit times, increasing transportation costs and air pollution to the nation.

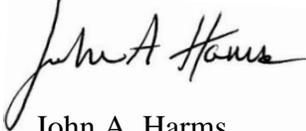
Three primary Aids to Navigation (ATONs) – 3FB, Brigantine Shoal, and Avalon Shoal – demarcate the western boundary of waters that can be safely navigated by towing vessels along the New Jersey coast. As currently proposed, the NJ WEA does not provide a sufficient corridor for two-way tugboat and barge traffic to navigate between those ATONs to the west and the WEA to the east. This near-shore corridor must be wide enough to allow for two tugboats, each towing barges up to 2,000 feet behind them, to pass without endangering the vessels or the WEA structures. AWO strongly recommends that the WEA be changed to allow for a near-shore navigation corridor that is two miles wide and includes two additional miles (one on each side) to serve as a safety buffer between the route demarcated by the ATONs and the NJ WEA. This will require the removal of the following lease blocks from the NJ WEA: 6389 (aliquots C, D, G, H, K, L, O, and P); 6438 (aliquots D, G, H, K, L, O, and P); 6636 (aliquots C, D, G, and H); 6735 (aliquots C, D, G, H, K, L, O, and P); 6784 (aliquots K, L, O, and P); 6833 (aliquots A, B, E, F, I, J, M, and N); 6931 (aliquots H, K, L, N, O, and P); 6932 (aliquots A, B, C, D, E, F, G, and H); 7030 (aliquots B, C, D, E, F, G, H, I, J, K, L, M, N, O, and P); and 7080.

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Thank you for the opportunity to comment. AWO would be pleased to answer any questions or provide further information as the Bureau sees fit.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Harms". The signature is written in a cursive style with a large initial "J".

John A. Harms