



801 North Quincy Street  
Suite 200  
Arlington, VA 22203

PHONE: 703.841.9300  
EMAIL: [bvahey@americanwaterways.com](mailto:bvahey@americanwaterways.com)

Brian W. Vahey  
Senior Manager – Atlantic Region

July 6, 2020

Mr. Jerry Barnes  
U.S. Coast Guard Fifth District  
431 Crawford Street  
Portsmouth, Virginia 23704

Re: Port Access Route Study: Seacoast  
of New Jersey Including Offshore  
Approaches to the Delaware Bay  
(USCG-2020-0172)

Dear Mr. Barnes:

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 domestic fleet and moves more than 760 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 imported into and exported from Mid-Atlantic states. On behalf of our over 300 AWO member companies, thank you for the opportunity to provide information to inform the U.S. Coast Guard's Port Access Route Study for the Delaware Bay approaches.

AWO members are committed to the goal of zero harm from our industry's operations – to human life, to the environment, and to property. AWO members believe it is critical that the construction of offshore wind farms, drilling platforms, and other structures do not create navigational safety hazards. The citing of structures must not put vessels and their crews at risk or obstruct the movement of goods on which the nation's economy depends.

It is with these concerns in mind that we worked closely with the U.S. Coast Guard and other stakeholders to provide towing vessel navigation information to inform the development of the Atlantic Coast Port Access Route Study (ACPARS). That study, finalized in 2017, recommended the creation of a fairway for towing vessels. AWO strongly supports this recommendation and we applaud the Coast Guard for publishing on June 19 its advance notice of proposed rulemaking to establish an Atlantic Coast Fairway. This is an important initiative that, if implemented properly, will ensure towing vessels will be able to navigate safely and efficiently up and down the east coast of the United States.

In the Delaware Bay area, operators have transited safely without the use of established routing measures or with the aid of a Vessel Traffic Service area. This has worked in part because the volume of traffic on these waterways is less than in other major port areas such as Norfolk and New York, but also because of the long history of communication between waterways stakeholders. It is impossible to overstate the role that the Mariner's Advisory Committee and the Maritime Exchange have played in fostering a culture of communication and collaboration among waterways users and state and federal agencies.

Tug and barge operators have been a part of this community from the start. Tug and barge units regularly transport product north and south between Wilmington, Philadelphia, New York, and ports further north. In addition, tractor tugs conduct ship assist work into the Wilmington and Philadelphia Port areas and bunker barges conduct ship-fueling operations on the Delaware River. In instances of inclement weather, towing vessels heading south might enter Delaware Bay and take the C&D Canal to the Chesapeake and into Baltimore.

During these transits, towing vessels regularly meet fishing vessels leaving Cape May and tanker ships and passenger vessels congregated at the mouth of the Bay. It is in this area of the Bay that navigation is the most congested, and conditions are made more complex for tug operators because tug and barge units cannot hug the Cape May coastline as closely inshore as they enter or exit the Bay. That said, towing vessel captains have been managing these conditions safely for years by relying on radio communications and following the rules of the road. Apart from the urgent need for a safety fairway (discussed later) our members could recommend no additional navigation measures to improve the already safe interactions between waterway users in this area.

While the Delaware River and Bay port areas remain large hubs for the transportation of petroleum products, the decline in the domestic trade of crude oil over the past several years has marginally reduced the amount of tanker ships transiting to Philadelphia terminals. Coast Guard District 5, Sector Delaware Bay and the U.S. Army Corps of Engineers have made every effort to accommodate vessel traffic in the Delaware River and Bay, from proposing additional anchorages to committing to further dredging, but we do not anticipate traffic conditions changing, either within the Bay and River or within their offshore approaches, to necessitate the need for additional navigation safety measures not already in place.

Wind energy development has been a significant navigation concern for many years, however, and there are two major wind energy areas planned for the waters just outside the Bay and one further north along the New Jersey coast. As AWO has stated numerous times, we believe the most important way of protecting safe towing vessel navigation is to establish a fairway consistent with the recommendations of ACPARS. Two of the three wind energy areas planned for offshore Maryland and New Jersey conflict with traditional towing vessel navigation lanes, and the northern-most wind energy area conflicts with a cut-across used by operators heading north from Delaware Bay to get from Barnegat, NJ to Montauk, NY. The industry has expressed its concerns with these conflicts to both the Coast Guard and the U.S. Bureau of Ocean Energy Management, and we urge the Coast Guard to prioritize and preserve navigation safety in the final fairway rulemaking. AWO will be evaluating these conflict areas

Docket No. USCG-2020-0172

July 6, 2020

Page 3

in more detail as we assess the just-published fairway proposal.

Thank you for the opportunity to provide comments on this important subject. We would be pleased to answer any questions or provide further information as the Coast Guard sees fit.

Sincerely,

A handwritten signature in cursive script that reads "Brian W. Vahey". The signature is written in dark ink and is positioned above the typed name and title.

Brian W. Vahey  
Senior Manager – Atlantic Region