



## The American Waterways Operators

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John A. Harms  
Manager - Atlantic Region

February 18, 2014

Mr. Tommy P. Beaudreau  
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 Maryland—  
Proposed Sale Notice (Docket ID No. BOEM-  
2013-0002; MMAA104000)

Dear Mr. Beaudreau:

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 Maryland Wind Energy Area (MD 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, Maryland state officials, and industry partners to minimize risk to life, property, and the environment.

The towing industry is concerned that the siting of the MD WEA presents a threat to maritime safety because it will require slower towing vessels to operate in close proximity to faster deep-draft vessels and remove a critical north-south transit lane. AWO has consistently requested that the WEA be modified to reduce these known operational risks. Domestic maritime interests voiced these concerns to the members of the MD Renewable Energy Task

Force and reiterated these concerns in a joint letter to BOEM dated February 28, 2011 signed by AWO and nine other industry groups.<sup>1</sup> In its April 4, 2011 response to the joint letter, BOEM acknowledged that the Coast Guard is the subject matter expert on navigation safety and maritime issues within the federal government and pledged to exclude areas from the WEA that present navigational safety concerns if so recommended by the Coast Guard. **AWO concurs with this assessment and urges BOEM to proactively work with the Coast Guard to resolve its significant concerns with the MD WEA before outer continental shelf leasing occurs.**

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. Conducting the lease auction before resolving significant safety concerns makes it likely that developers will be unable to develop 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. 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 MD 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 New Jersey 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. A significant portion of the tug and barge traffic in the Gulf of Mexico moves along the Gulf Intracoastal Waterway, avoiding the suboptimal fairways. Unfortunately, no alternative navigation routes exist for tug and barge operators in the mid-Atlantic. **AWO strongly recommends that BOEM delay a final decision regarding the siting of the MD WEA until the ACPARS is completed and the findings of that study are incorporated into the WEA. This will ensure that state-by-state energy plans include a regional and national understanding of vessel operations.**

In addition to our concerns with the planning process and the cumulative impact that regional offshore projects will have on navigation safety, AWO is specifically concerned that the MD WEA will eliminate a vital north-south traffic lane utilized by tug and barge operators. While

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<sup>1</sup> Signers of the February 28, 2011 letter included: American Association of Port Authorities, The American Waterways Operators, Chamber of Shipping, Cruise Lines International Association, INTERTANKO, Mariner's Advisory Committee for the Bay and River Delaware, Maritime Exchange for the Delaware River and Bay, New York Shipping Association, Pilot's Association for the Bay and River Delaware, and the World Shipping Council.

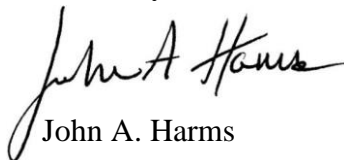
some vessels do prefer a near-shore route, many towing vessels utilize an offshore north-south route because it allows vessels to avoid the congestion present at the mouth of Delaware Bay. This congestion is present due to heavy traffic into and out of Delaware Bay, which is directed into a traffic separation scheme. Maintaining the current north-south route for towing vessels will allow them to cross the Delaware Bay inbound-outbound traffic lanes perpendicularly, as recommended by the Coast Guard, and further from the congestion at the mouth of the Delaware Bay. Minimizing congestion in this region will eliminate potential safety hazards, especially during inclement weather, when visibility is reduced and tugboats may require longer towlines for barges under tow.

The current MD WEA would force tugboats to navigate an additional 10-12 miles offshore from the current north-south routes at all times and in all weather conditions. 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 to these safety concerns, forcing vessels out of normal navigational routes will waste up to 100 gallons of fuel per hour, increase air emissions, and add hours to transit times, adding to the cost of goods moved. The proposed transit routes will lead to increased costs in the transportation of essential commodities that are the building blocks of the national economy.

Given the safety, economic, and environmental disadvantages of proceeding east of the current MD WEA, many tugboats would likely opt to proceed inland of the WEA. This would result in increased congestion into and out of Delaware Bay, as towing vessels cross the traffic separation schemes. The plan below titled "USCG Alternative 1" modifies the eastern edge of the MD WEA to allow towing vessels to continue their preferred north-south route, albeit with several modifications. **If BOEM declines to wait for the publication of the ACPARS before proceeding with the leasing process, then AWO strongly recommends that BOEM modify the MD WEA using "USCG Alternate 1" as the eastern edge of the call area (see page 4). This includes removing the following lease blocks from WEA consideration: 6827; 6826; 6825; 6777; 6776; 6775 (except aliquots A, B, and E); 6726 (except aliquot A); and 6725 (aliquot P only).**

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,



John A. Harms

