



**The American Waterways Operators**

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Nicole deSibour  
Vice President – Atlantic Region

January 12, 2011

Mr. Michael R. Bromwich  
Director  
Bureau of Ocean Energy Management, Regulation and Enforcement  
381 Elden Street  
Mail Stop 4090  
Herndon, VA 20170

RE: Commercial Leasing for Wind Power on the Outer  
Continental Shelf Offshore Maryland – Request for Interest  
[Docket ID No BOEM-2010-0038]

Dear Mr. Bromwich:

The American Waterways Operators is the national trade association for the tugboat, towboat and barge industry. AWO's 350 member companies operate on the coasts, the inland rivers and the Great Lakes, safely and efficiently moving each year more than 800 million tons of cargo critical to the U.S. economy. AWO members also provide essential escort and shipdocking services in our nation's ports and harbors. Over 15 AWO member companies operate tugboats and barges offshore of Maryland.

AWO members are proud to be part of an industry that is the safest and most fuel-efficient, and has the smallest carbon footprint, of any transportation mode. AWO members also have a deep commitment to safety, having adopted in 1994 the Responsible Carrier Program, a code of safe practice and environmental stewardship that is a condition of membership in the association. AWO's commitment to environmental stewardship includes support of the exploration of alternative energy resources by bodies like BOEMRE's Maryland Renewable Energy Task Force. However, it is critical that such projects not produce navigational hazards that put vessels and their crews at risk, or obstruct the movement of goods on which the nation's economy depends. Thank you for the opportunity to comment on the Request for Interest (RFI) on the proposal to lease areas offshore of Maryland.

**RFI Concerns**

AWO members, operating tugboats and barges along the southern entrance of the Traffic Separation Scheme (TSS) leading into Delaware Bay, identified serious navigation, safety risks and potential detrimental effects to the environment resulting from this additional use of the proposed area of interest. AWO asks BOEMRE to consider the following concerns:

- **An Obstruction to Navigation:** It is not practical to construct wind turbines in areas adjacent to the end of the TSS. Vessel traffic is present throughout the area of interest and does not cease where the TSS ends. This area is one of the most congested navigation areas along the east

coast. The TSS is the southern entrance for a variety of different types of commercial traffic entering and departing Delaware Bay. The construction of wind turbines in this location would directly and negatively impact coastwise tugboat and barge navigation and maritime commerce.

- **Navigation not Limited to TSS Boundaries:** Individual vessel operators' navigation routes vary significantly, encompassing the majority of the area. While tugboats and barges normally operate within the TSS, it is also common for tugboats to approach and exit the outside edges of the TSS to avoid collision with larger vessels, placing them further east and west of the TSS southern entrance.
- **Obstruction to Safe Passage:** The proposed area of interest already poses a difficult route to navigate. A decrease in visibility caused by volatile weather conditions such as rain, snow, or fog further increases safety concerns. Surveyed tugboat captains report that any time a vessel under their watch is in close proximity to the southern entrance of the TSS, extreme caution and attention is paid due to elevated traffic density and unpredictable weather conditions.

If sections of the proposed area of interest were developed, northbound and southbound tugboat and barge traffic would either be diverted west towards the coastline, between wind turbines in a limited area of operation, or east in order to safely navigate around wind turbines. However, obstruction and diversion of vessel traffic under each of these development scenarios would limit the available area of safe passage along the OCS and further contribute to unsafe operating conditions.

For example, between the months of September and May, eastern navigation routes on the OCS can have volatile weather and sea conditions. To avoid such navigational hazards, vessels often divert west toward the coastline. However, if turbine development were to occur along the western portion of the area of interest, vessel traffic seeking safer passage would likely be obstructed by wind turbines, further contributing to already high levels of maritime traffic congestion, impacting other vessel operators, and increasing hazardous navigation conditions.

Similarly, development along the eastern portion of the area of interest would also create unsafe operating conditions. Bad weather can force tugboats and barges navigating northbound and southbound close to shore to divert further east, toward the eastern half of the proposed area of interest. Under certain circumstances, diverting offshore provides a greater margin of safety between vessels and shoreside structures. However, if development were to occur along the eastern portion of the area of interest, vessel traffic seeking safer passage would likely be obstructed by wind turbines, contributing to additional safety risks.

- **Mitigation of Risk Factors Not Achievable:** AWO supports and shares the U.S. Coast Guard's voiced concerns over leasing blocks 6625, 6626, 6627, 6628, 6629, 6675, 6676, 6677, 6678, 6679, 6726, 6727, 6728, 6729, 6776, 6777, 6778, 6779, 6826, 6827, 6828, and 6829. AWO member companies also believe that development of leasing blocks 6623, 6624, 6673, 6674, 6723, 6724, 6725, 6773, 6774, 6775, and 6825 also poses a considerable risk to navigators.

Taking into account the above concerns, AWO does not believe buffers from the edges of the TSS and from the entrance and exit or other operational restrictions will be enough to mitigate the problems attributable to the development of wind turbines in the proposed area of interest.

- **Environmental Concerns:** Northbound and southbound tugboat traffic connecting New York to Norfolk, VA frequently navigates through the proposed area of interest to reduce fuel consumption, air emissions and vessel congestion along other navigation routes. Consequently, the proposed area of interest would act as a barrier to traditional navigation routes and have a negative impact on the environment, especially air quality.

AWO believes that development of the proposed area of interest would increase overall obstructions to navigation and decrease marine safety, enhancing the likelihood of an accident, which could include crew injury or fatality or damage to a vessel and the environment.

### **Recommended Next Steps**

#### **AWO urges BOEMRE to consider the following recommendations:**

- BOEMRE and the BOEMRE Maryland Renewable Energy Task Force should halt the RFI process for the proposed area of interest and relocate the proposed leasing area to a less congested commercial area, given the serious impediment to navigation, the increased safety risks, and the detrimental environmental impacts that it will engender.
- Should BOEMRE and the BOEMRE Maryland Renewable Energy Task Force proceed, AWO urges BOEMRE to assess the practicality of developing this area for wind energy projects given the current multiple uses of the TSS.
- As BOEMRE prepares its National Environmental Policy Act analysis for public review and conducts consultations with federal and state agencies, BOEMRE should robustly engage and consult with interested maritime transportation stakeholders, including AWO.
- BOEMRE should determine if issuing a lease for the proposed area of interest would significantly affect the quality of the human environment as it begins the process of preparing an Environmental Impact Statement. The possible effects of issuing these leases and their unintended consequences on space-use conflicts and safe navigation remain worrisome.
- AWO supports BOEMRE's recommendation to track vessel traffic patterns and routes to better determine navigational and safety issues using Automatic Identification System (AIS) data.

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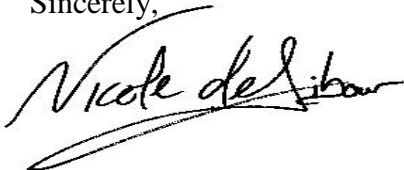
Mr. Michael R. Bromwich

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Thank you for the opportunity to comment. AWO would be pleased to answer any questions or provide further information to assist BOEMRE in its RFI review.

Sincerely,

A handwritten signature in black ink that reads "Nicole deSibour". The signature is written in a cursive style with a long, sweeping underline that extends across the width of the name.

Nicole deSibour