

October 1, 2022

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VIA EMAIL

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Commissioners of the New Jersey Board of Public Utilities
c/o Mr. Carmen Diaz
Acting Board Secretary
Board of Public Utilities
44 South Clinton Ave., 1st Floor
PO Box 350
Trenton, New Jersey 08625-0350

Re: Docket No. Q022050347

Dear Commissioners,

My name is, Robert Zuczek and along with my wife, Joann, as owners of residential property in Ocean City, NJ, we are stakeholders with respect to Ocean Wind LLC Project. Thank you for allowing me to make my comments and to voice our objections to granting the petition. I sat in on both public hearings on September 29, 2022 and there were many excellent, valid and constructive comments in the session. Most notably were the *presentations by George Savastano*, the Ocean City, NJ Business Administrator and others with respect to the subject of the petition by Ocean Wind LLC to the BPU before it. There were many reasons put forth as to why this petition should not be granted or move forward until the issues and objections stated during these hearings are addressed and resolved with due diligence by the BPU and Ocean Wind LLC. I made comments for the record during the second hearing. We agree with all of the statements and objections made during these hearings as to why this petition should **not** be granted. It is also astonishing that the BPU did not grant standing and intervenor status in these hearings to the many municipalities along our coast directly affected by this project and allow them to make their presentations, comments, and objections known.

Notwithstanding that, and to our also to our amazement we found out the morning of September 29, 2022 that the BPU had already granted Ocean Wind LLC's petition. It is even more outrageous, that this decision was made by the BPU on September 28, 2022, over the objections of Ocean City, *in closed session*, I might add, approving the Petition for the

transmission line request that would run through environmentally sensitive Green Acres areas of the beach to connect the offshore wind energy farm to a land based power grid that once was the BL England generating station.

This BPU took this action without even taking into consideration the public comments that were to be made on September 29, 2022. In an article posted by the Ocean City Sentinel on September 29, 2022, former Ocean City Council Vice-president Michael DeVlieger stated, and I quote, "The arrogance of the BPU to vote on the transmission line request to violate our Green Acres preserved land before the Federal Environment Impact Study has been completed, prior to meeting with Ocean City's officials tomorrow, (meaning September 29, 2022) and the public hearing at the Flanders on Oct. 3, clearly demonstrates their bias and lack of objectivity in this matter." We completely agree with that statement.

The State of New Jersey has usurped citizens' rights and our town's rights by, in my humble opinion, unconstitutional and unjust legislation to do away with our home rule which was granted by state constitution and state statute which allocated autonomy to our local government in matters and issues such as this. Home rule **allowed our local political and interest groups** increased freedom from state supervision and interference. That freedom was taken away.

In our mind, granting this petition is akin to driving a stake directly into the heart of Ocean City, NJ. The decision with respect to this petition should have been decided elsewhere in another legal jurisdiction and not by a few unelected bureaucrats. We request and demand full transparency in Ocean Wind LLC's and the BPU's decisions and actions with respect to this petition.

Ocean Wind LLC has not demonstrated that there is no other feasible alternative than to petition for an easement to use lands designated as Green Acres. There was no cost analysis performed by Ocean Wind LLC to bring the power lines in by way of an alternative route through Great Egg Harbor Inlet.

How ironic is it that the easement granted for the power lines to cross over Green Acres land, something that has been set aside to **protect** the environment, would wind up being the gateway to an ecological and environmental disaster with the industrialization of the ocean and the construction of the proposed Ocean Wind Farm. Decisions that are hastily being made today do not take into consideration the long-term effect of those decisions and the unintended consequences that will result. Adding insult to injury there was not even any effort by either the Federal and State governments to have a responsible, peer-reviewed, scientifically valid pilot project performed before jumping in head first all the way. Not to mention the Environmental Impact Statement has not been finalized and adopted to date.

I close my remarks with quotes from the 26th President of the United States, Theodore Roosevelt, who established our National Parks system and did a great many things to conserve our most precious natural resources;

1. "It is vandalism wantonly to destroy or to permit the destruction of what is beautiful in nature, whether it be a cliff, a forest, or a species of mammal or bird." If he were alive today, I'm sure he would include our most beautiful ocean;

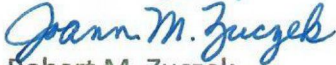
2. "To lose the chance to see frigatebirds soaring in circles above the storm, or a file of pelicans winging their way homeward across the crimson afterglow of the sunset, or a myriad tern flashing in the bright light of midday as they hover in a shifting maze above the beach -- why, the loss is like the loss of a gallery of the masterpieces of the artists of old time";

3. And finally he said, "I recognize the right and duty of this generation to develop and use the natural resources of our land; but I do not recognize the right to **waste** them, or to **rob**, by **wasteful use**, the generations that come after us."

Please think about and reflect on those words when you are making your decision that will affect us all now and forever and **deny** the Petition of Ocean Wind LLC Pursuant to N.J.S.A 48:3-87.1(f) for a Determination that Certain Easements and Consents Needed for Certain Environmental Permits as Reasonably Necessary for the Construction of or Operation of the Ocean Wind 1 Qualified Offshore Wind Project.

Thank you.

Respectfully submitted



Robert M. Zuczek

Joann M. Zuczek