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Karen Baker, Chief, Office of Renewable Energy Programs
Bureau of Ocean Energy Management
45600 Woodland Road
Sterling, Virginia 20166

Re: Draft Programmatic Environmental Impact Statement, Docket No. BOEM-2024-0001

Dear Ms. Baker:

In the name of good governance, due process, fairness, public interest, and the democratic process, Clean Ocean Action (“COA”) respectfully and urgently requests that you extend the deadline for public comments on the New York Bight Draft Programmatic Environmental Impact Statement (“Draft PEIS”) by a minimum of ninety (90) additional days. The Draft PEIS encompasses a broader area than has ever been analyzed in a single National Environmental Policy Act (“NEPA”) review document for the offshore wind industry. It is over 1,000 pages, including appendices with important information. Therefore, it is unrealistic to expect the public to be able to meaningfully review, analyze, and comment on such a complex and comprehensive document within the minimum 45-day period, so the comment period must be extended.

COA is a regional, broad-based coalition of conservation, environmental, fishing, boating, diving, student, surfing, women’s, business, civic, and community groups with a mission to improve and protect the marine waters in the New York Bight. COA has been actively engaging with the Bureau of Ocean Energy Management (“BOEM”) and other state and federal agencies about the development of offshore wind energy for more than a decade to ensure the protection of the marine environment and resources, including submitting public comments on the offshore wind projects currently in development in the New York Bight. COA will continue to monitor and comment on any future projects proposed in the region, so we have a strong vested interest in the Draft PEIS.

The public has a heightened interest in offshore wind development as well, especially in coastal localities in the New York Bight, because they depend on the ocean’s health to support commercial and recreational fishing as well as the tourism industry. The development of offshore

wind projects in the region has been rapid, especially relative to the state of the scientific study on the environmental effects of such widespread industrialization in the area. If approved, the PEIS would speed up offshore wind development even further, at the expense of site-specific study. Providing only the minimum public comment period is yet another example of BOEM unreasonably hastening the offshore wind development process.

NEPA's implementing regulations provide that when an agency publishes a DEIS, the public must be provided a minimum of forty-five (45) days to review and comment on the document.¹ However, BOEM is not limited to this time period, which is wildly unrealistic and unjust in this instance, given the unprecedented scope and highly technical nature of this document. BOEM has never before considered the region-wide effects of any and all future offshore wind projects in a single environmental impact statement. As such, it is critically important for commenters to analyze whether each detail in the Draft PEIS can reasonably be applied to all individual offshore wind projects in the area.

The public cannot reasonably complete this task within forty-five (45) days. NEPA is meant to provide the public with opportunities to meaningfully contribute to decisions that significantly affect the environment. To be meaningfully involved in this decision, the public needs sufficient time to review and critically analyze the scientific and technical language within the Draft PEIS. COA will submit substantive comments on the Draft PEIS, but our comments will be more helpful to BOEM if we can more comprehensively review the document and conduct any necessary research.

In closing, extending the public comment period by at least ninety (90) additional days to May 26, 2024, serves the interest of good governance, due process, and transparency. Please contact us if you have any questions.

Respectfully submitted,



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¹ 40 C.F.R. § 1506.11(d).