From: Graham, Karriemah [BPU]
To: Drew, Veronica [BPU]
Subject: FW: [EXTERNAL] Offshore Wind in New Jersey
Date: Wednesday, December 18, 2024 1:58:04 PM
Attachments: Capture5.PNG
Capture6.PNG

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QO20080555 , DOCKET NO. QO21050824

From: Info SLL <info@sasslawllc.com>
Sent: Wednesday, December 18, 2024 1:12 PM
To: GOV Constituent Relations [gov] <Constituent.Relations@nj.gov>; DEP Local Government Assistance [DEP] <localgov@dep.nj.gov>; Secretary, BPUBoard [BPU] <Board.Secretary@bpu.nj.gov>; Brabston, Robert [BPU] <Robert.Brabston@bpu.nj.gov>; Weisband, Heather [BPU] <Heather.Weisband@bpu.nj.gov>; Apy, David (LPS) <David.Apy@law.njoag.gov>; Owen, Pamela (LPS) <Pamela.Owen@law.njoag.gov>; msmall@cityofatlanticcity.com; arandolph@acnj.gov; gtibbitt@acnj.gov; PHartney@surfcitynj.org; kdavis@shipbottom.org; mancini@longbeachtownship.com; mayorlambert@beachhaven-nj.gov; GMyhre@staffordnj.gov; Vsera@brigantinebeachnj.com; info@brigantinebeachnj.com; llandgraf@ventnorcity.org; Amodeo@margate-nj.com; clerk@longport-nj.us; mayor@ocnj.us; mayorlen@seaislecitynj.us; Skeen@avalonboro.org; pbyron@wildwoodnj.org; Lbaldwin@capemaycity.com; communications@manhattan.institute; Info@CleanOceanAction.org; info@savelbi.org; Fragoso, Lewis [DOS] <Lewis.Fragoso@sos.nj.gov>; laura@nativeartsandcultures.org
Subject: [EXTERNAL] Offshore Wind in New Jersey

Good afternoon,

I am writing to you with concern about the expansion of offshore wind farms in New Jersey. Since 2018, Governor Murphy signed multiple executive orders accelerating offshore wind, even when offshore wind groups like Vineyard Wind were being sued for violating the Endangered Species Act ("ESA"). These New Jersey executive orders 8, 92, 307, 315 must be rescinded, otherwise the risk of violating the ESA on the taxpayer dime remains (New Jersey Offshore Wind Program) . By way of reminder, Vineyard Wind alone has spent millions of dollars on litigation in Massachusetts in 2021. Is that really what the State of New Jersey wants to spend money on?

Reading through NJBPU Order Solicitation 2, DOCKET NO. QO20080555 , DOCKET NO. QO21050824 , I note absolutely no environmental groups or agencies were consulted or advised on the huge danger due to laying unbreakable wind farm submarine cable off New Jersey shores. We have known submarine cable is dangerous to whales and marine life for decades. NOAA admits we are living through an "unusual mortality event" for humpback whales. In 1957, Columbia University scientist Heezen studied the impact of submarine cable on whales. As published by Science Direct and TETHYS:

"Fourteen instances of whales entangled in submarine cables are reported. Ten entanglements occurred off the Pacific coast of Central and South America. Six cases occurred in about 500 fathoms, with 620 fathoms the maximum depth reported. Five entanglements occurred in the period, February–March–April. All whales positively identified were sperm whales. **The submarine cable was generally wrapped around the jaw and often around the flukes and fins.** The cable was rarely broken but always badly mauled. **The entanglements often occurred near former repairs where there is a chance for extra slack cable on the bottom.** Two pothographs of a sperm whale entangled in a cable and one photograph of a whale-jaw entangled in a cable are presented. It is concluded that sperm whales often swim along the sea floor in depths as great as 620 fathoms. I**t is suggested that the whales become entangled while swimming along with their jaw plowing through the sediment in search of food. It is possible that the whales attacked tangled masses of slack cable mistaking them for items of food**." (Whales entangled in deep sea cables | Tethys (pnnl.gov) ; Whales entangled in deep sea cables - ScienceDirect)

Searching for food with their mouths open is a feeding strategy not only of sperm whales but also humpback whales (some of the dead NJ whales have been endangered humpbacks). 42 dead whales have been discovered on New Jersey beaches since 2022, aligning exactly with the map of offshore wind expansion published by NJBPU, and some of the dead endangered humpbacks show blunt force trauma. Submarine cable is incredibly strong and impossible to break by whales. What often happens is the whale will struggle to be free of the entanglement and cause blunt force trauma to itself. This is shown in the injury pothographs in the above article.

Excess submarine cable, present during testing or repairs, presents a greater risk for entanglement. Additionally, the presence of barges and other marine vessels with various submarine equipment, provides more opportunities for whales to collide -- unfortunately. This has been known by the NOAA and BOEM for decades, and confirmed by their recent 600-page report (BOEM admits potentially irreversible harm to whales, fisheries, and seabirds | Wind Energy News) .

The BOEM report released this week singles out New Jersey specifically, as an area where "major" disruption to all marine species will occur due to offshore wind. BOEM includes extinction as one such "disruption", so say goodbye to New Jersey conch, blue crab and dolphin tours. BOEM doesn't stop there. The federal agency admits "substantial disruptions" to commercial and recreational fishing, a huge artery to many shore towns, will occur if offshore wind continues. This report acknowledging potentially "major" harms is a radical departure from the agency's previously accepted, and NJBPU's next report must reflect that. Environmental Impact Statements for offshore wind projects, which have always focused on the impacts of individual projects, rather than the cumulative impacts of multiple projects are changing per NOAA / BOEM guidance. This guidance is not reflected in NJBPU's reports. The December 2024 report, which BOEM bills as a "programmatic environmental impact statement," admits the proposed offshore wind projects on the New York Bight will have several negative impacts on the local environment and economy. The authors note, for example, that the effect on the North Atlantic right whale could be "major," defined as having "severe population-level effects" that would "compromise the viability of the species"—in other words, potential extinction. The report also concedes offshore wind will have major effects ("substantial disruptions") on commercial and recreational fishing, which contribute billions of dollars to the New Jersey and New York economies.

NJBPU's report states "Atlantic Shores' fisheries protection plan is detailed and comprehensive and includes a strong stakeholder engagement program with active commercial and recreational fisheries liaisons. For instance, Atlantic Shores is in the process of negotiating a first of its kind agreement with five commercial-surf clam companies in New Jersey to: 1) "lead with science"; 2) "identify mutually acceptable independent analyst(s) or consultants with recognized expertise to support assessments of impact on commercial surf clam operations;" and 3) "take active steps to mitigate interference and conflict". No it doesn't. If NJBPU led with science you would know offshore wind is killing dozens of endangered whales annually and is a huge risk to tourism, commercial and recreational boating due to narrowed boat lanes from offshore wind farms. NJBPU also has no "strong stakeholder engagement" and has not remedied this in 3 years. For years, NJBPU continues to miss "strong stakeholder engagement" because its own public comment form is broken and does not take public comments. When fishermen and watermen type in comments and press submit, a 404 error results: Board of Public Utilities | About BPU . So NJBPU cannot assert "strong stakeholder engagement" at all and its BPU Docket No. QO20080555 and QO21050824 on which so much hinges, is erroneous.

Moreover, I can see no meetings made with local tribes despite NJDEP's racial justice and equity offices. BOEM had to receive reports from Rhode Island's Narragansett tribe back in 2015 due to offshore Native artifacts, including stone tools, disturbed by offshore wind construction. Once again NJBPU is moving at an unheard of speed without discussing its plan with its other state agencies, let alone citizen groups. The Lenni Lenape and Nanticoke used New Jersey shores as summer lands, and their impact on the New Jersey shore including creating fishing ponds and dunes remains largely unstudied. Yet this has been ignored.

To Councilman Aaron Randolph: your nickname around Atlantic City is "sporty" for a reason. Are you really ok with water sports in AC limited by offshore wind turbines, their narrowed shipping lanes and excess cable? How would that have affected your recovery, walking along the shore and seeing all those unrecyclable foreign made turbines? Surely Atlantic City would benefit more from floating docks, fishing, diving (artificial reef creation) and crabbing opportunities than a bunch of offshore wind. 720,000 tons of toxic waste will result from wind turbines in the next 20 years. Who is going to take care of that? NJBPU admitted back in 2021 they won't hire New Jerseyans to make the blades. It's only committed to "use the foundation manufacturing facility at the Port of Paulsboro for: a) production of the project's foundations." That'll create what, 10 jobs? While every single seafood restaurant and pleasure boat tour from Cape May to Perth Amboy goes bottoms up? Not a good deal.

The S.S. United States isn't far from New Jersey and would have made a terrific floating restaurant, casino or sunken reef, if you're looking for revenue. But none of you expressed any interest in preserving that piece of naval history.

The solutions are remarkably simple. Ocean City, MD, one of your sister cities in many ways, claimed eminent domain over their own waters to prevent offshore wind turbines from cropping up. As a result, they protected their multibillion dollar crabbing and fishing industries. Marylanders are so happy with the decision, they have gone on record to say "Christmas has come early".

Please permanently stop the Atlantic Shores Wind Project in New Jersey.

To the Manhattan Institute: please forward this to Mr. Jonathan Lesser.

To New Jersey DEP: you consistently refuse to provide commissioner, legal or wildlife police contacts on your website, so please forward this to your commissioner's, legal, environmental justice, Office of Diversity, Equity, and Inclusion, and attorney's office. Also your New Jersey Conservation Officers Association webpage is broken so you are missing crucial wildlife reports daily: New Jersey Conservation Officers Association

Thank you,

Sara

Sass Law

2 of 5 | Waves crash around a dead humpback whale that washed ashore on Long Beach Township in New Jersey's Long Beach Island on April 11, 2024. There was no immediate indication of what killed the whale. (AP Photo/Wayne Parry) Read More