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MEMORANDUM

TO: Stella Oluwaseun-Apo
Board of Public Utilities, Clean Energy

FROM: Ben Spinelli, Esq.
Executive Director

DATE: January 14, 2025

SUBJECT: In the Matter of The New Jersey Energy Storage Incentive Program 2024 Straw Proposal - Docket No. QO22080540

Please accept the following comments on the New Jersey Energy Storage Incentive Program

Section 14:8-14.7 Siting Prohibitions – Grid Supply

- Consider adding land designated as forest area in the Highlands Regional Master Plan adopted pursuant to P.L. 2004, c. 120 (N.J.S.A. 13:20 et seq.)
- Consider adding lands identified as New Jersey Important Farmland Soils, as per the Natural Resources Conservation Service's (NRCS) Soil Survey Geographic (SSURGO) Database.
- Consider adding lands identified as Highlands Open Water Protection Areas in the Highlands Regional Master Plan adopted pursuant to P.L. 2004, c. 120 (N.J.S.A. 13:20 et seq.), which are defined as Highlands Open Waters (as defined at N.J.S.A. 12:20-3) and an associated 300 ft. protection buffer.
- Consider adding a requirement that facilities proposed anywhere within the Highlands Region should be subject to review and comment by the Highlands Council to determine if the site is appropriate, based on the standards found in the Highlands Regional Master Plan adopted pursuant to P.L. 2004, c. 120 (N.J.S.A. 13:20 et seq.).

General Comments

- In the future, consider adding incentives for the use of brownfields and/or the redevelopment of existing developed sites.
- The protection of Highlands resources should always be a consideration in siting these facilities. Impacts to agricultural lands, wetlands, critical habitat, steep slopes, critical groundwater recharge areas and overall impervious coverage in the region must always be a factor in deciding if a facility is properly located and sites located in the Highlands should not be permitted if these resources are impacted.