

# Position Paper Regarding Offshore Windmill Development along New Jersey's Coast

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The coast and ocean waters of New Jersey are an irreplaceable resource. They provide recreational opportunities, support a vital commercial fishing industry, are home to a rich wildlife community, and are the foundation of one of the state's largest tourism industries. Increasingly, the coast and ocean are the underpinning of efforts to revitalize coastal cities such as Asbury Park and Atlantic City. Perhaps most importantly, our ocean and beaches are the largest public trust in the state. We have learned through hard lessons how fragile and vulnerable this public trust resource, and the economies that depend on it, can be – pollution and a failure of stewardship for the ocean led to the beach closures, massive fish kills and economic crashes in the late 1980's. In response, New Jersey strengthened its laws and regulations, and has come to understand that questions about using ocean and coastal resources must be approached carefully, with full knowledge of the impacts and consequences.

Today, New Jersey faces an increasing number of proposals to use our ocean for a new industrial purpose – energy development. Responding to ever increasing regional energy consumption, a variety of proposals for pipelines, off loading facilities and windmill farms have been put forth in varying degrees of completeness. These proposals raise serious questions about environmental impacts to migratory birds, fish and marine mammals, conflicts with existing, traditional uses of the ocean, and the necessity of siting these industrial facilities in the ocean. The adequacy of the state's regulatory programs to protect the public interests that may be impacted by these facilities is questionable in many regards.

Multiple proposals for extensive industrial windmill farms off New Jersey's coast are the most immediately pressing of these issues. The State of New Jersey has taken a strong, appropriate stand against oil and gas development on the outer continental shelf (OCS) off New Jersey. However, the Board of Public Utilities has actively promoted and proposed to subsidize industrial wind farm development. This policy has moved forward absent any detailed evaluation of the potential environmental impacts from these facilities, any evaluation of economic impacts on existing commercial fishing operations or recreational fishing activities, and no evaluation of the impacts to recreational beach goers, shoreline residential property values or tourism based economies – and by extension local tax revenues and other fiscal impacts to local government.

These are important public policy concerns that cannot simply be left unexamined – the potential consequences are too great, affecting too many varied interests across the state. Given the increasing demand for such projects, it is critical that New Jersey develop a responsible policy, based on a thorough understanding of the costs and potential benefits of offshore industrial wind farms. The State needs to respond proactively and immediately.

Our organizations support Governor Richard Codey's proposed moratorium on offshore windmills and his proposed Executive Order directing a full study of environmental and socio-economic impacts related to the potential development of offshore industrial windmill farms. Further, we believe that the Board of Public Utilities should suspend funding for offshore windmill farm development until such a study is complete, and it is clearly demonstrated that there is a need for offshore windmills, and that there are no significant environmental or socio-economic impacts. Additionally, we request that the DEP not issue any regulatory approvals or federal consistency determinations through its authorities under the Coastal Zone Management Act until the study is complete, and the requisite findings made.

The study process must be used to support an open public discussion weighing the potential public benefits of offshore energy infrastructure development against the other public uses and benefits associated with the coast and ocean waters. Input from a broad range of stakeholders and affected interests should be secured. The study must result in effective and comprehensive policies and regulations which protect the ocean and coastal environment, and other public interests.

At a minimum, the study must be comprehensive in addressing the full length of the Jersey coast (including both state and federal waters) in order to adequately account for the cumulative impacts of numerous facilities. Due to the potentially significant impacts from the placement and use of wind energy devices on economically, environmentally and aesthetically valuable resources, the study should: assess the purpose and need of such facilities, as well as alternatives (including alternative renewable sources); define the affected environment; study proposed locations and alternative placement; and evaluate environmental consequences (avian impacts, marine impacts, fisheries and benthic impacts).

In addition to the environmental considerations, socio-economics impacts including those to the local economy (employment, tourism, boating and fishing, coastal property values and local tax revenues and other fiscal impacts to local government) should be evaluated. A recent study conducted in response to a proposed wind farm off Massachusetts reported significant impacts to tourism, employment and local economies.

Ongoing studies, public comment and scientific literature have identified potential impacts from placing and operating wind based generating devices in the ocean which include:

- Disruption and destruction of the benthic (seafloor) community, which is often the base of the foodchain;
- Impacts to fish, birds and migratory marine mammals including habitat impairments and modification of ecological relationships;
- Noise and vibration impacts;
- Physical obstructions posed by the windmills;

- Pollution from the construction and siting of the wind turbines;
- Negative impacts to the aesthetic enjoyment of the ocean;
- Impacts to commercial and recreational fishing;
- Impacts to water recreational uses;
- Impacts to water based tourism uses in the area;
- Impacts to local property values.

The regulatory framework to protect the public's interest as it might be affected by offshore energy infrastructure is evolving. Significant unanswered questions regarding compensation for use of public trust lands, decommissioning requirements, and how to ensure windmills are not simply "feeding the grid" – responding to increasing energy consumption – but rather are linked to, and result in air quality protection measures need to be addressed.

While we believe that industrial offshore windmill farms may present an opportunity to advance renewable energy generation, the state's current approach raises serious questions about how adequately possible environmental impacts and use conflicts are being anticipated and addressed. It also raises important questions as to how the state government makes decisions about industrial activities that impact the marine environment.

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