

Participating Organizations

Alliance for a Living Ocean
American Littoral Society
Arthur Kill Coalition
Asbury Park Fishing Club
Bayberry Garden Club
Bayshore Regional Watershed Council
Bayshore Saltwater Flyfishers
Belford Seafood Co-op
Belmar Fishing Club
Beneath The Sea
By Shores Homeowners Civic Association
Cape May Environmental Commission
Central Jersey Anglers
Conservation Council of Ocean County
Clean Air Campaign, NY
Coalition Against Toxics
Coalition for Peace & Justice/Unplug Salem
Coast Alliance
Coastal Jersey Parrot Head Club
Communication Workers of America, Local 1034
Concerned Businesses of COA
Concerned Citizens of Bensonhurst
Concerned Citizens of COA
Concerned Citizens of Montauk
Eastern Monmouth Chamber of Commerce
Fisher's Island Conservancy
Fisheries Defense Fund
Fishermen's Dock Cooperative, Pt. Pleasant
Friends of Island Beach State Park
Friends of Liberty State Park, NJ
Friends of the Boardwalk, NY
Garden Club of Englewood
Garden Club of Fair Haven
Garden Club of Long Beach Island
Garden Club of Middletown
Garden Club of Morristown
Garden Club of Navestrik
Garden Club of New Jersey
Garden Club of New Vernon
Garden Club of Oceanport
Garden Club of Princeton
Garden Club of Ridgewood
Garden Club of Rumson
Garden Club of Short Hills
Garden Club of Shrewsbury
Garden Club of Spring Lake
Garden Club of Washington Valley
Great Egg Harbor Watershed Association
Highlands Business Partnership
Highlands Chamber of Commerce
Hudson River Fishermen's Association/NJ
Jersey Coast Shark Anglers
Jersey Shore Captains Association
Jersey Shore Running Club
Junior League of Monmouth County
Keyport Environmental Commission
Kiwans Club of Manasquan
Kiwans Club of Shadow Lake Village
Leonardo Party & Pleasure Boat Association
Leonardo Tax Payers Association
Main Street Wildwood
Marine Trades Association of NJ
Monmouth Conservation Foundation
Monmouth County Association of Realtors
Monmouth County Audubon Society
Monmouth County Friends of Clearwater
Montauk Fisherman's Emergency Fund
National Coalition for Marine Conservation
Natural Resources Protective Association, NY
NJ Beach Buggy Association
NJ Commercial Fishermen's Association
NJ Environmental Federation
NJ Environmental Lobby
NJ Main Ship Owners Group
NJ Marine Educators Association
NJ PIRG Citizen Lobby
Nottingham Hunting & Fishing Club, NJ
NYC Sea Gypsies
NY Marine Educators Association
NY/NJ Baykeeper
Ocean Wreck Divers, NJ
PaddleOut.org
Piscataway Saltwater Sportsmen Club
Raritan Riverkeeper
Religious On Water
Riverside Drive Association
Rotary Club of Long Branch
Rotary District #7510 - Interact
Saint George's by the River Church, NJ
Saltwater Anglers of Bergen County
Sandy Hook Bay Anglers
Save Barnegat Bay
Save the Bay, NJ
SEAS Monmouth
Seaweeds Garden Club
Shark Research Institute
Shark River Cleanup Coalition
Shark River Surf Anglers
Shore Adventure Club
Shore Surf Club
Sierra Club, Shore Chapter
Soroptimist Club of Cape May County
South Jersey Dive Club
South Monmouth Board of Realtors
Staten Island Friends of Clearwater
Strathmere Fishing & Environmental Club
Surfers' Environmental Alliance
Surfrider Foundation, Jersey Shore Chapter
TACK I, MA
Terra Nova Garden Club
Unitarian Universalist Congregation
of Mon. County
United Boatmen of NY/NJ
United Bowhunters of NJ
Volunteer Friends of Boaters.
WATERSPIRIT
Women's Club of Brick Township
Women's Club of Keyport
Women's Club of Long Branch
Women's Club of Merchantville
Zen Society, NJ



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Clean Ocean Action



Ocean Advocacy
Since 1984

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Clean Ocean Action and the American Littoral Society

November 5, 2008

Kristi Izzo, Secretary
New Jersey Board of Public Utilities
44 South Clinton Avenue
CN-350
Trenton, NJ 08625

Re: New Jersey Clean Energy Program 2009 Program and Budgets

COMMENTS SUBMITTED VIA E-MAIL TO OCE@bpu.state.nj.us

Dear Ms. Izzo:

Clean Ocean Action (COA) and the American Littoral Society (ALS) are writing in response to a recent addition to the 2009 New Jersey Clean Energy Program (NJCEP) Budget that would make \$12 million in grant money available to fund offshore meteorological towers. We feel very strongly that the interested public, including the Offshore Wind (OSW) Stakeholders, were not given adequate opportunity to debate and discuss this important decision to utilize the State's limited public funds allocated for offshore wind. Therefore, this budget allocation should be postponed until the OSW Stakeholders are reconvened and deliberate, public, and methodical due process is undertaken to determine the best use of these funds.

THE NEED FOR A PLAN:

The State of New Jersey has set a goal of 1000MW of offshore wind by 2012 and 3000 MW by 2030. These goals were set prior to the completion of both the 350 MW offshore wind pilot facility, whose stated purpose was to "determine if it is appropriate to build additional projects"¹ or the Ecological Baseline Study, meant to "provide the information needed to assess potential environmental impacts of offshore wind turbine

¹ "Solicitation for Proposals to Develop Off-Shore Wind Renewable Energy Facilities Supplying Electricity to the Distribution System Serving New Jersey" Issued by New Jersey Board of Public Utilities, October 5, 2007

facilities on the natural/ecological resources of this region.”² Governor Corzine, with his vast business experience, should be the first to acknowledge that a goal is only as good as the detailed, extensive business plan designed to achieve it. Yet, the State of New Jersey has failed to develop any plan on how to actually meet the goals of offshore wind development. In fact, if such a detailed plan was in place, both the BPU and State officials would have a reference that allowed them to identify deficiencies in need of funding to move forward. Instead, the process of allocating \$14 million dollars in taxpayer money is being determined without adequate due process or explicit, reasoned planning. The ad hoc manner of requesting funding ideas for how best to spend the available \$14 million at an October 30th BPU OSW Stakeholders meeting is indicative of the lack of any existing blueprint for making such critical decisions.

COA and ALS have repeatedly made both the Corzine administration and the BPU aware of the numerous unanswered ecological and regulatory questions and issues that stand between the State’s goals and the reality of siting and supporting 3000 MW of wind off our coastline. But our concerns have been repeatedly ignored and sidelined. In addition, a May 2006 Technical Report,³ from the United States Minerals Management Service identified many large-scale environmental and technical issues that still need to be addressed.

Some important technological questions that are directly related to New Jersey’s offshore wind goals include, but are not limited to, the following:

- What onshore and offshore infrastructures are needed to support:
 - the 350 MW pilot project
 - 1000 MW of offshore wind
 - 3000 MW of offshore wind
- Will new power transfer stations be necessary to accommodate one or all of these benchmarks?
- Will transmission lines need to be upgraded?
- Will the voltage, frequency, and other electrical parameters of 3000 MW, or even 1000 MW of wind generated electricity be compatible with existing conditions of the grid? If not, what needs to happen to ensure compatibility?
- Where will these necessary onshore and offshore support structures be located? and what will be their scale?
- Is the necessary ocean front land currently available or will it need to be acquired?
- Are offshore wind facility locations limited to available onshore infrastructure?
- What if data/information from the ecological baseline study determines some of the locations preferred by the wind industry are unavailable or inappropriate?

RESPONSIBLE ALLOCATION OF AVAILABLE FUNDS:

On the specific issue of allocating the available \$14 million in taxpayer dollars, the public was only made aware of the remaining funds at the October 30th BPU OSW Stakeholders meeting. At that time, BPU officials asked the OSW Stakeholders if we had any ideas on how best to

² “Solicitations for Research Proposals, Ocean/Wind Power Ecological Baseline Studies”, New Jersey Department of Environmental Protection, Division of Science, Research and Technology, April 19, 2007.

³ “Technology White Paper on Wind Energy Potential on the U.S. Outer Continental Shelf”, Minerals Management Service, Renewable Energy and Alternate Use Program, U.S. Department of the Interior, May 2006 http://ocsenergy.anl.gov/documents/docs/OCS_EIS_WhitePaper_Wind.pdf

spend the money in a way that will help move offshore wind forward. The BPU suggested funding the meteorological towers. It is the undersigned's recollection that wind industry executives present at the meeting were skeptical about getting this grant money, saying they could pay for them without assistance from the State and weren't sure they wanted to deal with any stipulation imposed by the State in return. Furthermore, the winner of the pilot project solicitation, Garden State Offshore Energy already included the cost of meteorological towers in their bid proposal, so they have already received state funding for their tower as part of their \$4.0 million award to build the pilot.

Both COA and Dr. Rich Dunk from Rutgers University recommended the BPU consider using some of the additional funding to expand the New Jersey Department of Environmental Protection's (NJ DEP) Ecological Baseline Study, especially considering some very important and potentially jeopardizing data gaps that were revealed in an earlier meeting (also on October 30th).

Yet, despite what appeared to be an active solicitation for ideas from stakeholders (at the October 30th meeting) on how best to allocate the available funds, the BPU had clearly already decided to utilize \$12 million to fund meteorological towers for the top 3 finalists from the pilot proposal, including providing additional funds to Garden State Offshore Energy on top of the \$4.0 million.

This decision was shared with the OSW Stakeholders in an e-mail on November 18th asking for comments on the Offshore Wind Meteorological Tower Rebate Proposal. The Stakeholders were given one business day to submit comments and multiple requests for an extension of time were not responded to until after the comment period closed. Therefore, with little or no meaningful public input, the OSW Meteorological Tower Grant Program is now part of the Draft NJCEP 2009 Revised Budget with no other proposed uses of these funds put forth for public consideration. So although we are again submitting comments opposing the allocation of \$12 million to fund meteorological towers without sufficient public input and discussion, it is quite obvious that this is a done deal. It is not clear to us why the BPU bothers to convene the OSW Stakeholders Group, if they have no intention of addressing our issues or concerns and do not allow us to have meaningful input into such mission critical decisions as how to spend \$14 million tax payer dollars.

COA and ALS have been actively involved in the offshore wind issue since it was first proposed several years ago. We have provided meaningful and scientifically sound comments on many aspects of offshore wind from the Blue Ribbon Panel Report to the Energy Master Plan. One of the biggest concerns we have regarding offshore wind development is the current dearth of information on the biological resources off the New Jersey coast. Although we are pleased that the State has funded an 18-month Ecological Baseline Study in an attempt to begin assessing marine biota, we are concerned about the study's ability to "determine the distribution, abundance and migratory patterns of avians, marine mammals, sea turtles and other species in the (1360 square nautical mile) study area"⁴ in such a truncated period of time. In fact, in a presentation given by the study contractor, GeoMarine, at the Oct. 30th Ecological Baseline Study meeting, we learned that the Fall 2008 bird migration data (the only fall migration data scheduled for the entire baseline study) will be substantially limited due to damage to the radar

⁴ "Solicitations for Research Proposals, Ocean/Wind Power Ecological Baseline Studies", New Jersey Department of Environmental Protection, Division of Science, Research and Technology, April 19, 2007.

ship on Oct. 16th. Therefore, as currently planned, there will be NO fall offshore radar data on birds beyond Oct 16th as the baseline study is scheduled to end in June of 2009. COA and ALS are both very concerned about this important deficit. We understand the NJ DEP has limited funds, but these data are critical for assessing bird abundance and utilization in the study area and will be necessary to move forward with properly siting wind facilities.

We strongly believe that the majority of environmental advocacy organizations that support the development of offshore wind do so with the understanding that any facility will be properly sited to avoid negative impacts on the marine biota. The State of New Jersey has reiterated this requirement and has assured concerned citizens that proper siting is critical to the development of offshore wind. For proper siting and ensuring a meaningful regulatory process, it is critical that any offshore wind development be based on a strong assessment of our offshore biological resources.

Therefore, we urge the BPU to consider allocating some of the remaining \$14 million dollars to expand the Ecological Baseline Study for an additional 12 – 18 months, in order to provide a more complete and statistically robust data set, which includes at least two fall bird migrations. The current 18-month study is being conducted for \$4.9 million dollars. The allocation of an additional \$4.9 million would still leave \$9 million for other activities. Meteorological towers will only address site-specific issues, which are in fact the responsibility of individual wind facility developer. These limited State funds should be used to address larger scale issues that will allow the State to make informed and environmentally responsible decisions regarding offshore wind.

The State of New Jersey must develop a coordinated, methodical and detailed plan to address the multiple, well-documented issues in a step-wise manner that starts with fulfilling the recommendations of the Blue Ribbon Panel Report. Considering the significant and well-publicized budget issues currently facing the State, this \$14 million funding opportunity will not likely be available again and we must ensure its best use.

Therefore, we urge the BPU to postpone the allocation of any of the \$14 million until deliberate and methodical public dialogue is undertaken that evaluates of all potential funding opportunities, including allocating some of the remaining \$14 million towards the expansion of the ecological baseline study so that critical study objectives can be successfully achieved.

Please feel free to call me if you have any questions or would like to discuss this further.

Sincerely,

CLEAN OCEAN ACTION

By: 
Cindy Zipf, Executive Director

AMERICAN LITTORAL SOCIETY

By: 
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By: Jennifer C. Samson
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