

PRESS RELEASE

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Attachment (1): Protect Our Coast, Clean Ocean Action, ACK for Whales Federal Lawsuit

GRASSROOTS GROUPS FILE FEDERAL LAWSUIT TO HALT EMPIRE WIND PROJECT

TRENTON, NJ — Protect Our Coast New Jersey (POCNJ), Clean Ocean Action, and ACK for Whales have filed a federal lawsuit seeking to block the construction of the Empire Wind offshore wind project. The lawsuit calls on the federal government to reinstate the stop-work order issued on April 16, 2025, by U.S. Interior Secretary Doug Burgum.

The Empire Wind project—a large-scale offshore wind facility proposed just outside New York Harbor—was halted in April by Secretary Burgum, who stated the project had been “rushed through by the prior administration without sufficient analysis or consultation among the relevant agencies.” However, on May 19, 2025, Burgum abruptly reversed the stop work order without explanation.

The three nonprofit environmental organizations argue that the Empire Wind project violates key federal environmental regulations. The plaintiffs are also seeking to void Equinor’s Empire Wind lease, arguing it violates the Outer Continental Shelf Lands Act (OCSLA) by awarding U.S. offshore territory to a company controlled by a foreign government.

Equinor is 67% owned by the Kingdom of Norway. “New York’s increased electric rates



The Thialf, a 661-foot vessel, traveled from the Netherlands to the US and arrived off the coast of Monmouth County, New Jersey, and New York. The vessel will drive 180-foot piles into the seafloor for the construction of the Empire Wind offshore wind project. The project is 17 nautical miles off Long Branch, NJ. Photos Credit: Rose Willis



will help fund a foreign government,” said attorney Bruce Afran. “OCSLA does not permit leases to entities controlled by foreign states.”

The lawsuit contends that because Equinor operates under the direction of the Norwegian government, the lease is unlawful and should be vacated.

“U.S. commercial fishermen operating U.S. vessels will be pushed off their domestic fishing grounds to make way for foreign-flagged vessels with foreign crews constructing a wind facility owned by the Kingdom of Norway, right in U.S. waters. That’s not America First,” said Meghan Lapp, POCNJ Board Member and Seafreeze Fisheries Liaison.

Joining the lawsuit are a wide range of generational fishing families, historic seafood operations, whale watch operators, and civic leaders from the East Coast, including:

1. American Seafood (Stonington & New London, CT)
2. Belford Seafood Co-op (Belford, NJ)
3. Miss Belmar Inc. (Miss Belmar Whale Watch, Belmar, NJ)
4. Fisherman’s Dock Cooperative (Point Pleasant Beach, NJ)
5. Heritage Fisheries (F/V Heritage, Westerly, RI)
6. Long Island Commercial Fishing Association (Montauk, NY)
7. Shawn Machie (F/V Capt. John, New Bedford, MA)
8. Mackenzie Paige LLC (F/V Mackenzie Page, Stonington, CT)
9. NAT. W. Inc. (F/V Tradition, Westerly, RI)
10. David Aripotch, Old Squaw Fisheries, Inc. (F/V Caitlin & Mairead, Montauk, NY)
11. Mayor John Peterson, Jr. (Seaside Park, NJ)
12. Seafreeze Shoreside (North Kingstown, RI)
13. Lund’s Fisheries, Inc. (Cape May, NJ)

“President Trump halted the Empire Wind project due to the Biden Administration’s failure to adequately assess the environmental harm posed by these offshore wind turbines and the impact on our coastal fishing industry,” said lead counsel Bruce Afran. “None of those critical issues have been resolved. We are asking the federal court to reinstate the stop work order because the project’s federal approvals were incomplete and failed to safeguard the ecology of our seacoast and the livelihoods it supports.”

“The organizations and individuals named as plaintiffs in this legal action literally feed America,” said POCNJ President Robin Shaffer. “These are long-standing American small businesses employing thousands of U.S. workers whose livelihoods are at risk if Empire Wind proceeds.”

Shaffer continued: “We share President Trump’s concerns about offshore wind development—concerns he voiced throughout the campaign and outlined in his executive order on January 20. We also share the President’s commitment to putting American workers and families first. There is nothing American about the Empire Wind project: the developer is a Norwegian state-owned company, the vessels and construction materials are imported, the workforce is foreign—even the rocks to be dumped on the seabed are sourced from overseas. We are asking the U.S. District Court of New Jersey to recognize that the rationale for the stop work order highlights deep flaws in the federal permitting process.”

“For over 40 years, Clean Ocean Action has defended the ocean,” said Cindy Zipf, Executive Director of Clean Ocean Action. “A Government Accountability Office investigation released in

April confirmed what we've long said: the offshore wind permitting process has been fast-tracked with rubber-stamp approvals, and it underscores and adds to a scandalous lack of sound science, due diligence, and due process—putting our marine environment at serious risk. In response, Secretary of Interior Burgum was right to stop the project due to these 'serious deficiencies.' Inexplicably, the decision was reversed. Now, massive pile driving ships that can cause harm and even death to marine life are on their way, thus this legal action is essential."

An Environmental and Security Threat

Located at the mouth of New York Harbor, Empire Wind would install 54 turbines—each as tall as a skyscraper—in one of the Atlantic's most ecologically sensitive areas. The region serves as a vital habitat for many commercially and recreationally important fish species and a feeding ground/migratory route for the North Atlantic Right Whale. The project also calls for dumping 3.2 billion pounds of rock onto essential spawning grounds for scallops, squid, fluke, and other marine life.

"This project is a precedent-setting assault on the ocean environment, our commercial and recreational fishing industries, tourism, and the very quality of life on the Jersey Shore," said Mayor John Peterson, Jr. of Seaside Park, NJ. "There may be millions of dollars against us—but there are millions of us standing in defense of our coast."

Even federal agencies have acknowledged the potential harm. NOAA has issued "take permits" allowing incidental harm to marine mammals.

"This isn't just an environmental issue," added Shaffer. "It's also a national security and aviation risk."

Empire Wind's proposed site sits beneath critical flight paths for JFK and Newark airports and in one of the world's busiest maritime corridors. Experts have raised alarms that the spinning turbines could interfere with radar systems, creating new hazards for both air and sea navigation.

Global Interests, Local Costs

Critics argue that Empire Wind's benefits have been overstated while its costs have been downplayed. Offshore wind has driven up energy prices for taxpayers and ratepayers, even as job creation remains minimal. Empire Wind is a subsidiary of Equinor (formerly Statoil), a Norwegian state-owned energy giant. The project is heavily reliant on foreign labor, vessels, and materials. According to New York City Mayor Eric Adams, the project will result in just 50 permanent U.S. jobs.

Meanwhile, coastal communities face steep consequences. Generational fishing families may lose their livelihoods. Iconic landmarks like the Statue of Liberty, Coney Island, and the Freedom Tower will have their historic views obstructed. High-voltage transmission cables will cut through densely populated areas en route to a lithium battery facility in Brooklyn, raising fire and public safety concerns.

"Governor Hochul and Mayor Adams are putting political optics ahead of public interest," said Shaffer. "These turbines will do little to meet our actual energy needs—but they will leave a permanent scar on our coastline."

Rose Willis, POCNJ member and representative of the Fishermen's Dock Cooperative in Point Pleasant Beach, New Jersey, added, "Empire Wind isn't just one site, it's America's dinner table."

A Call to Action

ACK for Whales, Clean Ocean Action, and Protect Our Coast NJ remain committed to protecting the region's coastal ecosystems and communities.

“We will not stand by while our ocean is sacrificed for foreign interests and political vanity,” said Amy DiSibio, Board Member of Nantucket-based ACK for Whales. “We will fight in court—and in the court of public opinion—until every piece of this reckless project is removed from our ocean.”

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Clean Ocean Action (COA) has been working to protect the marine waters spanning Cape May, NJ, to Montauk, NY, for over 40 years. Clean Ocean Action, Inc. is a 501(c)(3) nonprofit organization founded in 1984 that is dedicated to improving the ecosystem and water quality of the NY/NJ Bight, a section of the Atlantic Ocean off the New Jersey and New York coast. Clean Ocean Action operates as an issue-based coalition of up to 100 diverse groups, addressing marine pollution and industrialization through research, education, and advocacy to promote environmentally and economically sustainable solutions. Visit www.cleanoceanaction.org for more information.

Protect Our Coast New Jersey is a 501 (c)(3) designated charitable nonprofit organization that is dedicated to protecting our oceans, our shores, and preserving the views and small businesses that have made the NJ shore a premier vacation destination for over a century. POCNJ is opposed to any and all industrial exploitation of the coastal and marine ecosystem--including, but not limited to, oil and gas exploration and drilling, mining and offshore wind development. Your tax deductible contributions go towards protecting our coast from industrial destruction so that wildlife may thrive and families may enjoy this special place for generations to come. For more information, please visit <https://protectourcoastnj.com/>