

New Jersey Offshore Wind Public Participation Guide

Produced by the
Special Initiative on Offshore Wind

February 2022



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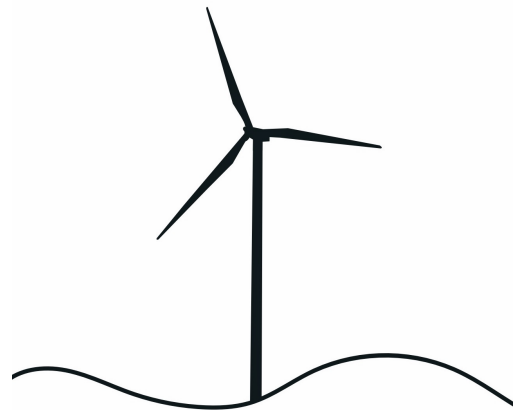
Purpose of This Guide

State policies support robust public participation opportunities for comments and questions relevant to offshore wind development. Each state handles offshore wind regulations differently, and the complex, interwoven nature of these policies can make them confusing to members of the public. This guide aims to present a clear picture of how the public has shaped the siting of offshore wind in New Jersey and how they can participate in offshore wind permitting processes in the future.

Your Feedback Makes A Difference

Providing New Jersey state agencies with meaningful feedback helps promote the responsible development of offshore wind in New Jersey. As evidenced in New Jersey’s offshore wind siting processes to date, public feedback can help shape the development of offshore wind in New Jersey while promoting the protection of the state’s unique coastal resources and reducing multiple-use conflicts on the ocean.

As New Jersey continues to pursue its offshore wind procurement goals, public feedback plays a crucial part in promoting a responsible transition to offshore wind energy with the environmental and economic benefits it promises. New Jersey state policies provide many offshore wind planning and project level and participation opportunities to incorporate feedback to protect New Jersey’s unique coastal resources and minimize conflicts with existing ocean uses.



Special Initiative on
Offshore Wind

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To learn more visit
www.offshorewindpower.org

About the Special Initiative on Offshore Wind

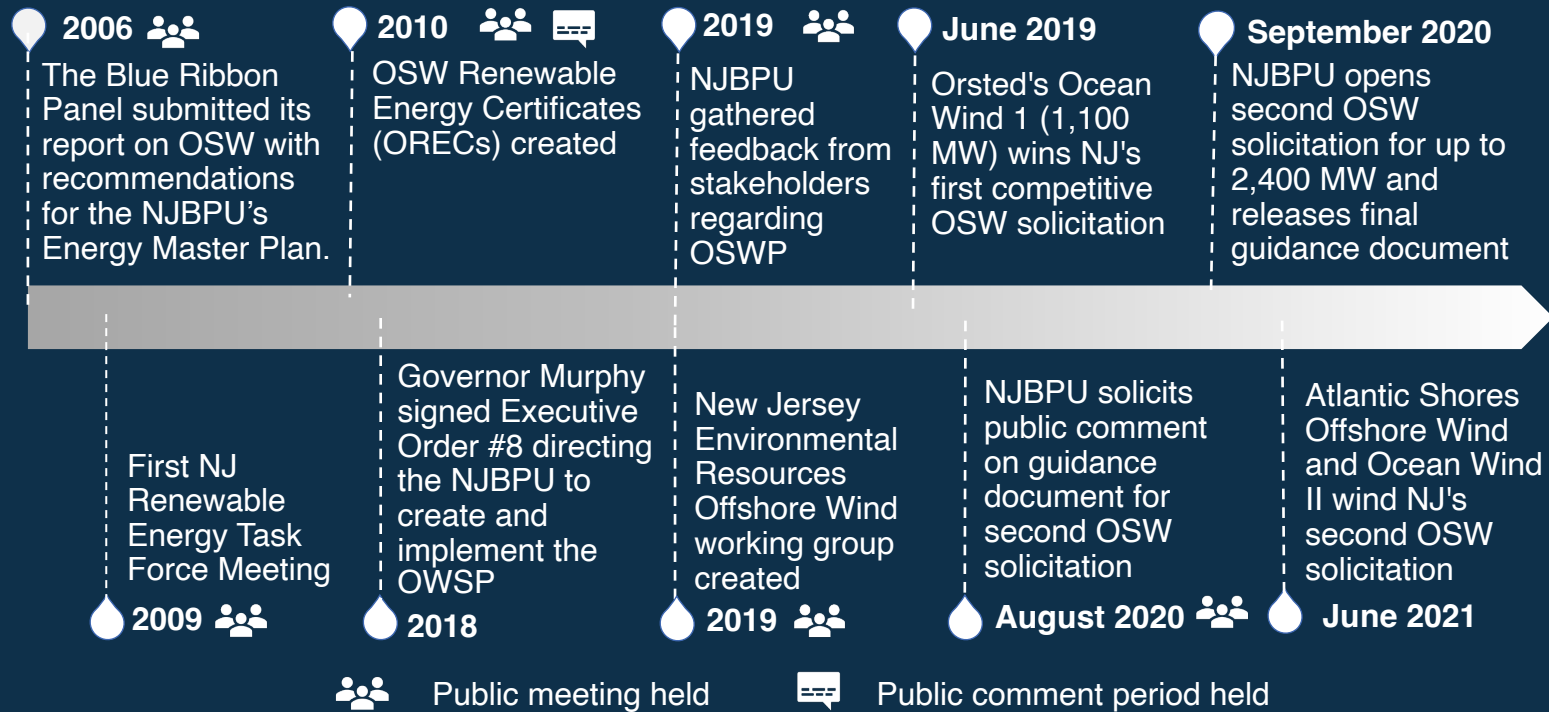
The Special Initiative on Offshore Wind (SIOW) is a leader in advancing offshore wind in the US. As an independent organization, we rely on fact-based research and multi-sector collaboration to provide expertise, analysis, information sharing, and strategic partnerships with industry, advocacy, and government stakeholders to build understanding and drive the deployment of offshore wind. We are guided by a Steering Committee of diverse interests, including representation from offshore wind developers, NGOs, and federal and state policymakers. We are funded by private foundations, do not offer memberships, and have no contractual obligations to any members in the OSW sector, all of which support our objectivity and unique approach to our work.

NJ Offshore Wind Siting Public Participation Timeline

The public has shaped offshore wind siting in New Jersey since 2006, when the Blue Ribbon Panel submitted its report on offshore wind (OSW). The report included recommendations for the New Jersey Board of Public Utilities (NJBP) in the creation of its Energy Master Plan. In creating the report, multiple public hearings were held to incorporate public interests. From 2009 through 2014, the Bureau of Ocean Energy Management’s (BOEM) New Jersey Renewable Energy Task Force gathered extensive public feedback on lease area siting and the leasing process.

Following the creation of the Task Force, through state legislation, New Jersey created Offshore Wind Renewable Energy Certificates (ORECs), paving the way for offshore wind procurement in the state. Later, in 2018, Governor Phil Murphy signed Executive Order #8 directing the NJBP to develop and implement the Offshore Wind Strategic Plan (OWSP). In 2019, following the passage of Executive Order #8, the NJBP gathered stakeholder input regarding the development of the OSWP for various topics including supply chain, environmental impacts, wholesale energy market, and transmission. That same year, the New Jersey Department of Environmental Protection (NJDEP) established the New Jersey Environmental Resources Offshore Wind working group to assist in creating the OWSP. Then, In 2020, the NJBP initiated the creation of the guidance document for the state’s second OSW solicitation and gathered public comment on the document during a virtual meeting. Throughout the creation process of the final OSWP and guidance document, multiple public comment periods and public meetings were held, allowing the public to help shape the future of offshore wind planning in New Jersey.

Finally, in June 2019, NJBP announced that Ørsted’s Ocean Wind project (1,100 MW) won the state’s first competitive OSW solicitation. Following this first solicitation, the NJBP opened the state’s second OSW solicitation for up to 2,400 MW, accompanied by a final guidance document. The final guidance document was amended in response to public comments and required companies to supply an environmental and fisheries protection plan in their solicitation bid. In June 2021, Atlantic Shores Offshore Wind (1,510 MW) and Ørsted’s Ocean Wind II (1,148 MW) jointly won the state’s second solicitation. As New Jersey continues to pursue its offshore wind goals, public participation is a key part of the responsible development of offshore wind.



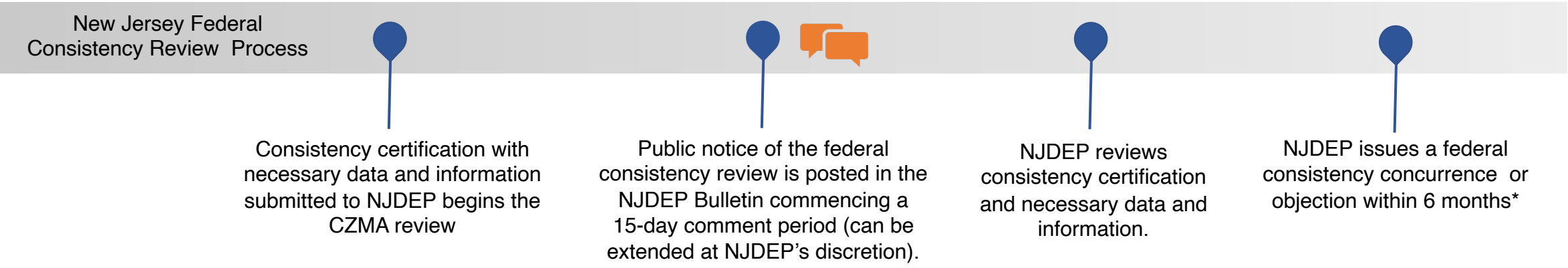
For more information about New Jersey’s offshore wind siting process visit:
<https://www.arcgis.com/apps/Cascade/index.html?appid=958095ed50354f81b65b3b50d467b3f9>

New Jersey Offshore Wind Public Participation Opportunities

Federal Consistency Review

Under the Coastal Zone Management Act (CZMA), the New Jersey Department of Environmental Protection (NJDEP) has review authority for proposed federal actions or federal license or permit applications, including those for offshore wind projects that have reasonably foreseeable effects on New Jersey’s coastal uses or resources. Per this review authority, the NJDEP reviews such proposed federal activities for consistency with the state’s enforceable coastal management policies.

Currently, all planned offshore wind projects are located within federal waters on the Outer Continental Shelf. The NJDEP’s review authority applies to federal activities within the state’s coastal zone or in federal waters beyond the state’s jurisdiction if such activities may have reasonably foreseeable effects on New Jersey’s coastal uses and resources. The NJDEP provides public participation opportunities through its federal consistency review process pursuant to the CZMA.



* DEP and applicant can agree to stay the review period in writing

More information about the federal consistency process can be found at the following resources:

New Jersey’s Coastal Management Rules see N.J.A.C. 7:7

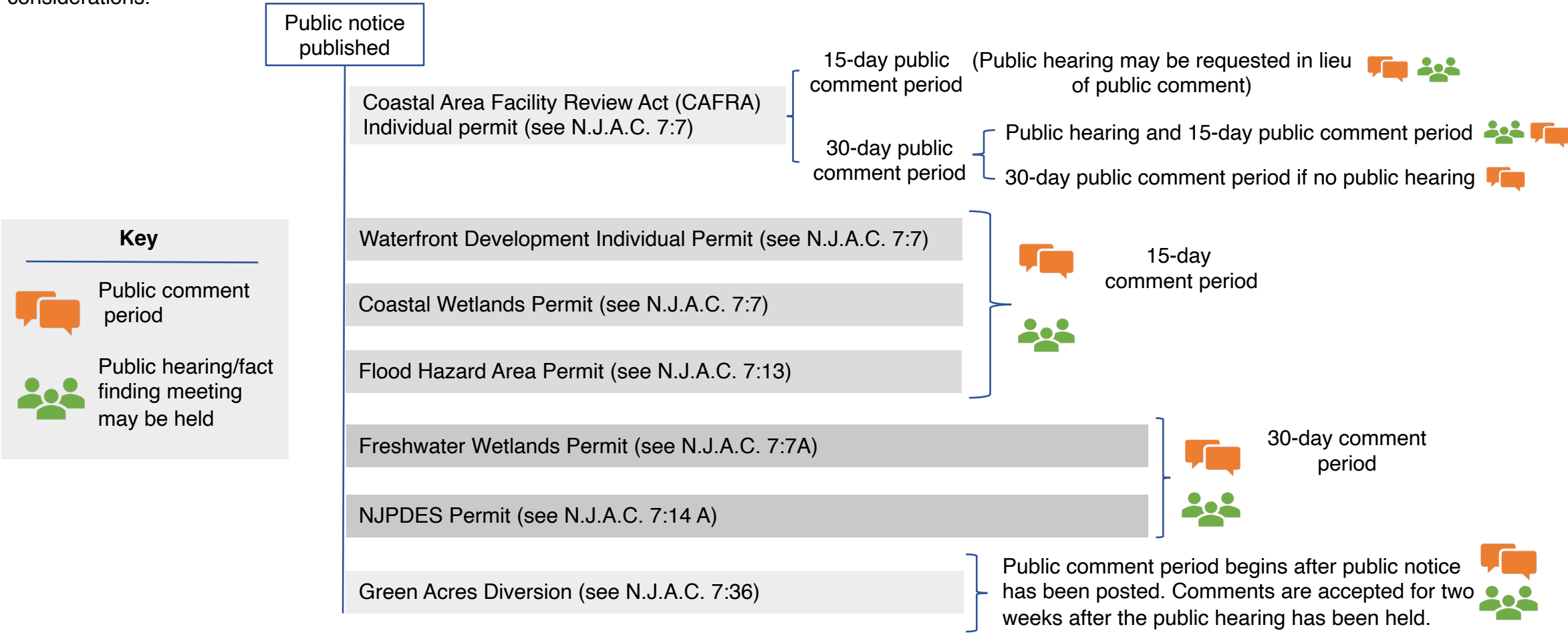
New Jersey’s enforceable policies visit https://www.state.nj.us/dep/cmp/czm_enforcepolicies.html

National Oceanic and Atmospheric Administration (NOAA) Federal Consistency website visit <https://coast.noaa.gov/czm/consistency/>

State Permits and Approvals

The following permits or approvals only apply if a portion of an offshore wind project, such as an export cable, falls within state lands or jurisdictional waters. Each approval and permit serves a different purpose in ensuring the conservation of New Jersey’s natural resources for the benefit of the people of New Jersey. It is at the discretion of the offshore wind developer as to the timing of submitting the applications for these permits and approvals as they must navigate both federal and state processes while weighing other projects considerations.

Following the submission of an application, the DEP will publish a public notice that the application is available for public review in the NJDEP Bulletin. The date of this publication typically commences a public comment period. The length of the comment period generally varies from 15 to 30 days, depending on the permit or approval. For some permits or certifications, a public hearing or fact-finding meeting may be held by the DEP or may be requested during the public comment period.



More information about other offshore wind in New Jersey and other public participation opportunities can be found at the following resources:

- New Jersey BPU Offshore Wind Website:** The site includes information on the offshore wind solicitation schedule, current solicitations, the Offshore Wind Strategic Plan (OWSP), the Bureau of Ocean Energy Management’s development process, transmission, and stakeholder involvement. Visit the website here: <https://www.njcleanenergy.com/nj-offshore-wind>
- New Jersey DEP Websites:** The DEP’s Offshore Wind Webpage provides the status of projects and state permitting, stakeholder outreach, opportunities for public comment, and scientific resources relevant to offshore wind. Visit the website here: <https://www.nj.gov/dep/offshorewind/>. The DEP bulletin is a bi-monthly publication that includes public notices of public comment periods and public hearings. Visit the DEP Bulletin here: <https://dep.nj.gov/bulletin/>
- New Jersey Economic Development Authority (NJEDA) Website:** The site includes information on NJEDA’s programs and resources to develop New Jersey as a hub for the offshore wind industry including the New Jersey Wind Port, a supply chain registry, tax credits, business assistance programs, and workforce training grants. Visit the website here: <https://www.njeda.com/offshorewind/>

Public Comment Period: Allows interested parties, including the public, opportunities to provide formal written comments on permits, certifications, and other state regulatory actions for proposed offshore wind development projects. Comments are accepted via email or by mail and in some cases written requests for a public hearing may be accepted. See NJ Bulletin for notice of public comment periods.

Public Hearing/Fact Finding Meeting: Allows the state regulatory agency to engage in additional fact-finding meetings and opportunities for interested parties, including the public, to provide oral comments and voice concerns regarding proposed activities. A public hearing may be requested during the formal comment period in writing. See NJ Bulletin for notices of public hearings.