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EPA Decision to Reevaluate the Clean Air Permit for Atlantic Shores Offshore Wind Project is a Big Win for Save LBI and the Jersey Shore but the Fight Continues.

BEACH HAVEN, NEW JERSEY, March 21, 2025 – The beleaguered Atlantic Shores South offshore wind project was dealt another major blow on Friday (March 14) when the Environmental Protection Agency’s (EPA) Appeals Board sent the project’s Clean Air Act permit back to the regional EPA office that issued it for reevaluation. The action was in response to a Save Long Beach Island (Save LBI) petition challenging the merits of the permit approval and requesting further review, and follows a string of setbacks for the controversial plan to erect two hundred 1,000-foot wind turbines as close as 8.7 miles off the coast of southern Long Beach Island, Brigantine, and Atlantic City.

“This is a significant event because to my knowledge it is the first time that a federal approval for any offshore wind project has been overturned, and it highlights the lack of full disclosure and questionable science and mathematics that has characterized other applications and approvals,” said Bob Stern, president and co-founder of Save LBI, the non-partisan watchdog group formed in 2021 to protect the ocean and New Jersey Shore communities from the destructive impacts of offshore wind. The move also means the **Atlantic Shores South project does not currently have all of the federal approvals it needs** to install wind turbines off the coast of New Jersey.

“The Atlantic Shores’ permit contained substantial analytic deficiencies, rendering it non-compliant with the Clean Air Act, so I am pleased to see the EPA recognize the necessity for re-examination,” said Thomas Stavola Jr., the attorney for Save LBI.

Stern, an experienced Ph.D. engineer who managed the U.S. Department of Energy office overseeing environment protection related to energy programs, called the ruling that granted the clean-air permit “deeply flawed.”

For starters, air-quality modeling for the project was not done properly and the State’s Regional Haze Implementation Plan failed to consider emissions from construction and operation of the wind complex, which would be only 9 miles from the protected Brigantine National Wilderness Area and Edwin B. Forsythe National Wildlife Refuge. Stern, who for a time managed the NJ Bureau of Air Quality Planning, has long maintained that air pollutants from the construction and ongoing operation, maintenance and repair of those turbines would degrade air quality in a unique and pristine natural environment that is subject to stringent air-quality requirements. Under the Clean Air Act in 1977, Congress acknowledged the uniqueness of the Brigantine Wilderness Area by designating it a Class I area and granting it special air-quality and visibility protections under the Clean Air Act.

A Mountain of Bad News for a Faltering Project

In the weeks leading up to Friday’s EPA air-permit ruling, the prospects of the Atlantic Shores South project grew increasingly dim. On January 13, Save LBI filed a major, first-of-its-kind lawsuit against the U.S. Department of Commerce, National Marine Fisheries Service, Bureau of Ocean Energy Management, U.S. Department of Interior, and Atlantic Shores for violating a number of federal environmental statutes, including the National Environmental Policy Act, the Endangered Species Act, the Marine Mammal Protection Act, the Outer Continental Shelf Lands Act, and the Coastal Zone Management Act.

Within a few weeks, Shell New Energies and EDF Renewables, 50/50 partners in the venture, both paused investment in the project, writing off \$2 billion in losses, and the New Jersey Board of Public Utilities (BPU) declined to award the significant additional rate subsidies Atlantic Shores had requested to fund the project.

Despite what appears to be a cataclysmic breakdown in the fortunes of Atlantic Shores, Stern reiterated Save LBI’s resolve to seek a “permanent end” to the Atlantic Shores South and North projects, the latter of which has yet to receive any federal approvals. This includes the passage of federal legislation to remove investment tax credits under the Inflation Reduction Act and the cancellation of these wind lease areas.

“We are hopeful that other federal agencies, particularly the Interior Department and NOAA, will take note of the EPA’s action and reconsider their prior approvals, especially those dealing with marine mammal impact,” Stern concluded, adding, “We have written to both asking for that.”

About Save LBI

Save Long Beach Island (Save LBI) is an organization of citizens and businesses on and off the Island working together to protect the ocean and Long Beach Island and neighboring communities from the destructive impact of the Atlantic Shores projects and potentially other offshore wind projects. As a not-for-profit, non-partisan entity, we do not endorse any political candidates but vigorously pursue policies and actions that protect the Island and New Jersey communities. The organization is led by Beach Haven resident Bob Stern, a Ph.D. engineer with experience in environmental law who previously managed the U.S. Department of Energy's office overseeing environment protection related to energy programs and projects. Save LBI is fighting to stop the ill-conceived Atlantic Shores projects. Please visit SaveLBI.org to join the fight.

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