



Save Long Beach Island, Inc. (Save LBI)  
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The Honorable Douglas Burgum  
2025  
Secretary of the Interior  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

August 11,

**Re: Appreciation for OCS Regulatory Overhaul and Request for Early Stakeholder Engagement**

Dear Secretary Burgum:

Save Long Beach Island (LBI), Inc., would like to commend you and the Department of the Interior for launching this long overdue overhaul of the Outer Continental Shelf (OCS) renewable energy rules, as per the announcement in your August 7, 2025 press release. Your leadership in prioritizing American energy security and reexamining existing regulations is greatly appreciated by those of us who have long advocated against unbalanced, non-transparent, unaccountable and environmentally damaging offshore energy development. Moreover, this intent to overhaul the OCS rules appears responsive to Save LBI's Petition of March 7, 2025 to Revise the OCS rules such that they more closely harmonize with the Outer Continental Shelf Lands Act (OCSLA), so we appreciate the expedition on this request.

In view of the significance of this rulemaking effort, Save LBI respectfully requests that the Department consider an **early opportunity for stakeholder engagement**—prior to the formal Notice of Proposed Rulemaking (NPRM) is issued. This could potentially take the form of an **Advance Notice of Proposed Rulemaking (ANPRM)** or other pre-rulemaking outreach that solicits innovative ideas before the rule text is still being drafted and developed. Save LBI would very much welcome the opportunity for continued active engagement in the development of these new OCS rules.

Save LB believes that the previous flawed decisions on project siting, and the public outcry over not just the projects that were approved, but the dismissive way they were approved, demands fundamental changes to the current OCS rules. This aforesaid early input would give

stakeholders, including community advocates, industry representatives, scientists, and local governments, a meaningful opportunity to propound solutions that might otherwise be foreclosed once draft regulatory language is published. Furthermore, it would be concordant with the Administration's goals of transparency and public participation in decision-making.

Some initial thoughts on the changes that would make the process acceptable and decisions sound include:

- Reversing the Wind Energy Area Identification Exercise. Replace unelected state bureaucrats defining wind energy areas without public input, which ultimately become the lease areas, with the BOEM in the OCS rule defining areas that are off-limits for wind development, for example, with baseline criteria like within x miles of the shoreline, within y miles of NORAD air defense radar systems, outside the primary migration corridor of critically endangered whales, etc.
- Ending the Segmentation of the Lease Award and the Project Approval Decisions. BOEM would entertain singular proposals by companies for location and projects within the areas that were allowed and consider those competitively as required by OCSLA, by region. To support the decision on which projects to award to, prepare one short, focused EIS for the region, considering and comparing all the proposals within that region as alternatives, which they are by virtue of the competitive selection process. This makes for a useful document that can support well informed decisions on which projects to select to move forward. Selected projects would proceed to do site characterization, secure permits, and provide more detailed construction and operations plans. No further NEPA review would be required as long as the project stays within the design envelope presented in the Regional EIS. Since the location and the project are now inextricably linked together, if for any reason an approved project does not become functional within a reasonable time, both the project approval and the lease award should be automatically rescinded.
- Defining Protocols for Estimating Impacts on Marine Mammals. The current procedures have been a source of great contention, particularly with regard to the assumptions and equations (often not transparent) used to estimate Level A and B Takes. BOEM should, in the revised OCS rule, in collaboration with NOAA, define scientifically and mathematically sound procedures for such calculations by incorporating prescriptive documents, while allowing for alternate procedures based on unusual physical circumstances.
- Requiring Turbine Removal. The revised OCS rule should provide unambiguous requirements for turbine removal at the end of the project's effective life, for the availability of financial means to do so at that time, and for penalty for failure to do so. A

preliminary turbine removal feasibility plan should also be submitted and approved at the time of project approval.

Again, would be glad to provide further policy suggestions at an ANPRM stage, and we appreciate your willingness to initiate this integral reform and look forward to contributing constructively to the process.

Respectfully,

/s/ Dr. Bob Stern

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