

NEWS ADVISORY:

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CONTACT: BRUCE I. AFRAN, Counsel at 609-454-7435; bruceafra@aol.com
Save Long Beach Island, Inc.; Robert Stern (drbob232@gmail.com)
Defend Brigantine Beach, Inc.; Keith Moore (gopsu79@comcast.net)
Protect Our Coast NJ, Inc.; Barbara McCall (bjamccall@yahoo.com)

NJDEP AND ORSTED SUED OVER STATE APPROVAL OF FEDERAL WIND TURBINE LEASES OFF ATLANTIC CITY, OCEAN CITY

DECISION IGNORES EVIDENCE THAT TURBINES WILL CAUSE MAJOR ENVIRONMENTAL DAMAGE TO COASTAL ZONE, COURT PAPERS SAY

Danish Engineering Firm Orsted Named as Co-Defendant In First Major Challenge to Ocean Wind 1

Trenton (June 16). Three groups have filed suit in Superior Court challenging New Jersey DEP's approval of the Ocean Wind 1 project consisting of nearly 100 turbines to be located 15 miles off New Jersey's busiest beach communities.

In papers filed in New Jersey's Appellate Division, **Save LBI, Defend Brigantine Beach and Protect Our Coast NJ** said that the turbines, at least 906 feet in height (with their blades, nearly as tall as the Empire State Building), will be fully visible from New Jersey's beaches and will crush and destroy the seabed, each tower weighing up to five million pounds.

"DEP has acknowledged the wind turbines will destroy marine habitat, compress the seafloor, severely damage marine communities, compromise migration corridors for endangered marine mammals, cause commercial fishing stocks to decline, and injure the beach economy," said Bruce Afran, attorney for the three groups. "Yet, the State persists in the bizarre belief that this massive engineering project will not injure our state's coastal zone, one of the most important marine communities on the East Coast and the core of New Jersey's \$47 billion tourist industry," he added.

Keith Moore, head of Government Affairs for Defend Brigantine Beach, said today that this is the beginning of a series of planned legal challenges his group expects to file. "This is the first of a series of lawsuits that will challenge the federal and state government's targeting of New Jersey's coast with a vast industrial project that will permanently damage the ocean environment and our shore communities," Moore said.

Danish engineering firm **Orsted's U.S. subsidiary Ocean Wind LLC** is named as co-defendant along with New Jersey's DEP.

"We hope the offshore wind industry begins to understand that it will face fierce and growing legal battles if it continues in this destructive mission," Afran continued.

Under court rules, DEP now has 30 days to file the record with the appellate court and briefs are expected to be filed by September.

Appeal papers and the DEP decision are attached. Counsel for the plaintiffs and group spokespersons are available for comment; contact information above.

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