



SaveLBI.org

PROPOSED COMMENTS FOR NJ BOARD OF PUBLIC UTILITIES

Comment period open through January, 13, 2023. [NJBPU comment page.](#)

Dear supporter,

The NJ Board of Public Utilities(BPU) , which is the state agency that regulates energy generation & use, will be receiving public comments on the future purchase of electricity from offshore wind developers. This is an opportunity to express your feelings and beliefs about the negative impacts of the currently proposed massive offshore wind projects just 9 miles off our coast. Tell the BPU you are concerned about the lack of research on damage to the environment and fishing industry as well as the speed at which these projects are being advanced. You can also mention the higher cost of electricity which will certainly result from this.

Feel free to visit our website, SaveLBI.org and review the press release below for research and evidence on the negative impacts that this project would have on marine life, tourism, the fishing industry and the local economy.

NORTH ATLANTIC RIGHT WHALE PRESS RELEASE

Save Long Beach Island, Inc. Calls for Wind Project Change to Save the Endangered North Atlantic right whale

Siting wind turbines farther out would avoid impact on whale behaviors critical to its survival

Status of the right whale

The North American right whale is critically endangered; only an estimated 350 individuals survive with fewer than 95 reproductive-age females in a declining population. They migrate along the East Coast between Florida and the Labrador Sea in Canada Threats to the Right Whale include ship strikes,

entanglement in fishing gear, and noise [1a, b]. Sources of noise include human activities such as surveying the sea floor for potential wind turbine sites and the construction and operation of wind turbines. This noise impairs essential whale behaviors such as feeding, reproduction, migrating, and communication, including that between mother and calf. Hearing impairment from human-created noise also interferes with echolocation and can reduce whales' ability to detect and avoid ships that could hit them [2]. Females currently bear one calf an average of every nine years, much less frequently than the every-three-year birth rate in the 1980s [3]. Its biological removal rate is less than one, meaning that even a single unnatural fatality will prevent it from reaching an optimal sustainable population.

Impact of the proposed Atlantic Shores wind project and counter-proposal by Save LBI

The proposed project would be the most visible modern wind project in the world with several hundred turbines the height of the Eiffel Tower, spanning the length of Long Beach Island and beginning only 9 miles from shore. This project area arose from a flawed wind energy area selection process that took place years ago without public input, never considered alternative areas farther out than 20 miles, nor apparently the right whale's migration path in the area [4] and the operational turbine noise impact on that, or the shore impact of clearly visible turbines. In response to the environmental, economic and aesthetic concerns that this proposal raised, Long Beach Island homeowners, business owners, and vacationers formed Save Long Beach Island, Inc. (Save LBI). This non-partisan, non-profit organization supports a sensible approach to wind energy and alternative/renewable energy solutions. However, they oppose the currently proposed location, scope, and size of this wind energy project. Save LBI instead supports locating the turbines in the Hudson South Call Area, which is approximately 30 to 57 miles from the LBI coastline, to significantly lessen the impact on right whales, and other impacts.

Summary of Save LBI's Appeal to the BOEM and NMFS Fisheries

Notwithstanding the whale's precarious state, the federal Bureau of Ocean Energy Management (BOEM) and the National Marine and Fisheries Service (NMFS) are pursuing approval of this wind turbine project off LBI that will not just further harm the whale, but threaten its very existence.

On November 9, 2022, Save LBI Inc. provided over one hundred pages of comments [5] to NMFS criticizing the unsupported, overly optimistic, low noise source assumptions and high noise transmission loss calculation methods used regarding construction pile-driving, and, critically, showing that the operational noise from the turbines proposed will probably block the whale's migration. All of our comments and calculations supporting the conclusions below are available for public scrutiny.

Conclusions

- The right whale must migrate up and down the east coast each year to survive. Its primary approximately 12-mile-wide migration corridor off New Jersey intersects with and is adjacent to the wind project area [4].
- The underwater noise from operation of the newer, much larger, gearbox Vesta-236 turbines to be used is much higher than that from prior smaller turbines, and will permeate most of the migration corridor with levels that will "mask" or prevent communication between mother and calf, potentially resulting in separation and the fatality of the calf.

- The underwater noise will permeate that entire corridor with levels above 120 decibels, which the NMFS has determined will disturb whale behavior.
- Disturbing its behavior in this context means it will try to avoid the noise, among other potential adverse actions mentioned above. However, the whale has no other migratory path to take; the elevated noise would follow it all the way to shore, and going out to sea it would have to go around the 30-to-57-mile-out Hudson South wind development area where it is unlikely to find the food to sustain its journey.
- Blocking the right whales' migration will very likely doom them to extinction.

To truly protect the whale from further harm and meet the requirements of the Marine Mammal protection act (MMPA), the project off LBI must be suspended and ultimately canceled, in order to leave the whale a viable migration route inside of the much more desirable Hudson South wind energy area.

NMFS approval of a project that would probably block the migration of a critically endangered whale would raise serious questions as to how the MMPA is being interpreted and administered, and force Save LBI to go to Court to ensure compliance with it.

For more information, please email or call the contact below or visit www.savelbi.org.

References:

[1a] https://en.wikipedia.org/wiki/North_Atlantic_right_whale

[1b] <https://biologicaldiversity.org/w/news/press-releases/emergency-petition-seeks-to-shield-right-whale-moms-calves-from-ship-strikes-2022-11-01/>

[2] <https://www.cnn.com/2022/09/26/world/whales-noise-pollution-anti-collision-c2e-spc-intl-scn>

[3] <https://ocean.si.edu/ocean-life/marine-mammals/north-atlantic-right-whale#:~:text=Seasonal%20Migrations,-North%20Atlantic%20right&text=Most%20North%20Atlantic%20right%20whales,spring%20the%20whales%20migrate%20north.>

[3] <https://ocean.si.edu/ocean-life/marine-mammals/north-atlantic-right-whale#:~:text=Seasonal%20Migrations,-North%20Atlantic%20right&text=Most%20North%20Atlantic%20right%20whales,spring%20the%20whales%20migrate%20north.>

[4] (a) Amy D. Whitt et al., North Atlantic right whale distribution and seasonal occurrence in nearshore waters off NJ, USA, and implications for management, Endangered Species Research, March 21, 2013, Figure 1 and Table 1, (b) NJ Offshore Wind Strategic Plan, Natural Resource Technical Appendix, Figure 21, (c) Atlantic Shores Offshore Wind Application for Marine Mammal Protection Act (MMPA) Rulemaking and Letter of Authorization, September 2022 Submitted to: Permits and Conservation Division, Office of Protected Resources, NOAA Fisheries, Figure 9.

[5] Save LBI Comments to NMFS on Notice of Receipt of Application for Take Authorization for the Atlantic Shores Offshore Wind project, November 9, 2022.

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