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# *Commission Meeting*

of

## STATE HOUSE COMMISSION

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**LOCATION:** Committee Room 7  
State House Annex  
Trenton, New Jersey

**DATE:** October 21, 2024  
10:00 a.m.

### **MEMBERS OF COMMITTEE PRESENT:**

Assad Akhter, Chair  
Senator Bob Smith  
Senator Anthony M. Bucco  
Assemblyman Robert J. Karabinchak  
Assemblywoman Nancy F. Muñoz  
Aaron Binder  
Tariq Shabazz



### **ALSO PRESENT:**

Eric D. Brophy  
*Commission Secretary*

Tamara Loatman-Clark, Esq.  
*Deputy Attorney General for the State House Commission*

*Meeting Recorded and Transcribed by*  
The Office of Legislative Services, Public Information Office,  
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

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MR. BROPHY: All right.

We're in compliance with the Open Public Meetings Act. Notice of this meeting of the State House Commission was given by way of notice on October 16, 2024, filed with the Secretary of State, distributed to the State House Press Corps and posted on the State House Commission's website.

Roll call.

Mr. Akhter.

**ASSAD AKHTER (Chair):** Here.

MR. BROPHY: Mr. Binder.

MR. BINDER: Here.

MR. BROPHY: Mr. Shabazz.

MR. SHABAZZ: Here.

MR. BROPHY: Senator Smith.

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco.

SENATOR BUCCO: Yes.

MR. BROPHY: Assemblyman Karabinchak.

ASSEMBLYMAN KARABINCHAK: Here.

MR. BROPHY: Assemblywoman Muñoz.

ASSEMBLYWOMAN MUÑOZ: Here.

MR. BROPHY: All accounted for.

We have a quorum.

State House Commission has received multiple written comments from members of the public. They've been distributed to

Members, and will be made part of the record. I will just read out the names and the dates of them. I will not read them individually.

Eileen Barker, dated October 21.

Jean Public, dated October 19.

Roni Dalesandro, dated October 21.

Suzanne Moore, dated October 18.

Kathleen Hints, dated September 26.

Andy Goodpaster, dated October 10.

A group called Protect Our Coast NJ, dated September 27.

Michael Lang, October 2.

Gail DeRitis, dated September 25.

And, Diane Kerrigan, dated September 26.

Those are all of the written comments we received via email. The State House Commission-- I guess we're moving on to old business.

Number 1 on the agenda is an application by the Department of Environmental Protection. The project is the Atlantic City public beach, Pete Pallitto Field, and Bader Field; multiple blocks and lots, City of Atlantic City in Atlantic County. The requesting party, the DEP, on behalf of the city of Atlantic City, requests approval to allow the acquisition of four 10-foot-wide underground electric utility easements across the Atlantic City public beach and boardwalk. And, two 10-foot-wide underground electric utility easements across both Bader Field, in-water boathouse property, and Pete Pallitto Field, by Atlantic Shores Offshore Wind Project, One LLC, as part of the Atlantic Shores Offshore Wind Project 1.

Atlantic Shores is proposing to develop a 1,510-megawatt offshore wind-generation project within the BOEM lease area OCS-A 0499

and to connect to the electric grid via a series of underground electric utility cables. The crossing of the city's parks will require the establishment of permanent nonexclusive utility easements for the proposed electric transmission cables. The 10-foot-wide permanent, nonexclusive easements total approximately 2,100 linear feet through the beach; 590 linear feet through Pete Pallitto Field, and 460 linear feet through Bader Field, and in total will encompass approximately 1,803 acres of Green Acres-encumbered park land. The project is proposed to assist with meeting the thresholds established by Executive Order 8, in 2018, which set a goal of 3,500 megawatts of renewable energy by 2030; Executive Order 92, 2019, which increased the goal to 7,500 megawatts by 2035; and, Executive Order 307, 2022, which further increased the goal to 11,000 megawatts by 2040, of which all are in furtherance of the State's Offshore Wind Economic Development Act.

Atlantic Shores is currently working with the City of Atlantic City to identify appropriate compensation for the proposed diversion. The City has tentatively agreed to encumber approximately 46.35 acres of city-owned property for recreation and conservation purposes. Appraisals are in the process of being prepared for the proposed compensation parcel to determine if they meet their requirements outlined in NJAC 7:36.10. If the New Jersey DEP determines that the appraised -- market -- value of the replacement land is lower than estimated, Atlantic Shores agrees to work collaboratively with DEP and the City to address the difference pursuant to NJAC 7:36-26.10 D7. Any land proposed as compensation will need to be deemed acceptable to the DEP to satisfy the compensation requirements of the Green Acres rules at NJSA 7:36-26.10. I think that should be AC. The

public beach and parks above the proposed diversion area will remain accessible to the public, and the city will not be allowed to place permanent structures on or within the permanent easement areas without first having obtained Atlantic Shores' approval in writing; which, approval shall not be unreasonably withheld.

So, can we have a motion?

MR. AKHTER: Motion to move the item.

MR. BROPHY: Mr. Akhter.

Second?

ASSEMBLYMAN KARABINCHAK: Second.

MR. BROPHY: Assemblyman Karabinchak.

Any questions, comments from Members?

SENATOR SMITH: Yes, a question.

The-- One of the-- Communications that we received -- and, I'm not sure if I have that correct; I think it was Ms. Aneski made a claim that we have a notice issue. So, I'd like an opinion from counsel, where do we stand on that notice issue?

MR. AKHTER: (Indiscernible) commented on the -- whether proper notice was provided here.

MS. LOATMAN-CLARK: So, when we look-- Can you hear me OK?

MR. BROPHY: Yes.

MS. LOATMAN-CLARK: So, when we looked at this, we saw that what was noticed by DEP -- and, I would actually prefer DEP speak to this as well. What was noticed by DEP, (indiscernible) is consistent with what was proposed to the State House Commission for vote. So, those

mentioned, based on an outside document about what's outside of what was being proposed to us, that I believe DEP and/or Atlantic Shores should speak to. But, what I'm saying, essentially, is that the approval process, as far as we see it, is consistent. DEP noticed properly; State House Commission is making its determination based on what DEP was presented with.

SENATOR SMITH: Great.

One more question. So, anyway, I find myself being apologetic, because I was not here at the last meeting. But, I do want you to know I had called in ahead and said, couldn't make it, I had a family-- I have another granddaughter in a college. You know, you've got to go there occasionally. So, I think it might be the second meeting in 20 years that I have not been at a meeting.

So, apologies to everybody for any excess craziness that we may or may not be doing.

The motion in the second, is that to approve this, or is that to open it up?

MR. BROPHY: It was motion to approve.

SENATOR SMITH: Motion to approve.

OK. Because, we completed the hearing the last time.

MR. BROPHY: Correct.

SENATOR SMITH: Perfect.

Thank you.

SENATOR BUCCO: Yes, I thought the notice issue dealt with Atlantic City, Atlantic County. Let me see.

MS. LOATMAN-CLARK: I'm sorry, can you repeat that?

SENATOR BUCCO: I thought the notice issue that was raised dealt with Atlantic City, not necessarily the DEP's notice.

MS. LOATMAN-CLARK: I would ask the DEP.

MR. AKHTER: Is there a specific question or-- We're not aware of the specific Atlantic City question or like that.

MR. BROPHY: Well, if there's somebody from DEP I can talk to about it.

MR. AKHTER: Let's just go.

**K E V I N   A P P L E G A T E:** Hi, Kevin Applegate with NJDEP Public Lands Compliance Section.

In essence, the notice included two additional lots that were originally included in the application when it was submitted to us with the pre-application, as well as the final application. That project was pared down, and impacts were reduced. So, those parcels that were included but did not have any impact on them were then removed from the application as we moved forward with the reducing the impacts.

SENATOR BUCCO: But, it is with Atlantic City, it was with Atlantic City's notice with -- on hearings, on their behalf, right?

MR. APPELEGATE: It was, originally, yes.

SENATOR BUCCO: That's what the concern is being raised over. The procedural issue.

So, what you're saying is that the original notices that were given by Atlantic City encompassed more land than we're ultimately going to deal with today. Is that accurate?

MR. APPELEGATE: Well, the project was pared down as we were reviewing it.

So, as we move forward, we always work to reduce the diversion area through our review. And, we determined that there was impacts that weren't necessary. So, the diversion area was actually reduced, and it eliminated those two lots. That's a normal procedure that we -- review procedure that we go through.

SENATOR BUCCO: I understand that.

But, if Atlantic City noticed a larger area than is being considered today--

MR. APPLGATE: So, they would've over-noticed.

So, they would've noticed more people.

SENATOR BUCCO: OK.

That's what I'm trying to get at. So, I don't know whether or not, that's a problem or not. I mean, I get what you're saying, it's less of an impact than more of an impact, I get that. But, the notices, still, are not the same.

**CHRISTINE ROY, Esq.:** Good morning.

I'm Christine Roy, I'm an attorney for Atlantic Shores, and we-- Our office handled the notices. Really, for Atlantic City this is pretty typical, where a sponsor will help in terms of defraying costs, they'll take on these types of tasks. And, I can assure you that the-- The notice that went out for the final Green Acres hearing was 100% correct in terms of the blocks and lots that will actually be impacted. As Mr. Applegate said, in the pre-application notice, it included two extra lots. The lots that came out were the two extra lots on the beach. So, now they're not crossing as many lots on the beach, which is the avoidance and minimization that's required under the Green Acres' rules and which is Green -- DEP's policy.

So, consistent with that policy, Atlantic Shores did a very good job reducing impacts, as they should. They eliminated all workspace from the beach, as well. This is part of where I think there was confusion, on behalf of these commentators. But, long story short, above and beyond that, the rules require that you send the notice for the diversion hearing -- the public hearing -- by certified mail. It doesn't say regular mail. But, even so, Atlantic Shores did both to ensure the public got the notice. Because, we all know, people don't always pick up certified mail. So, we over-notice doing that as well to ensure that the public receives the notice.

So, I think the other point of the comment -- one of the comments that we saw had to do well-- The lots and blocks and the environmental permit that was issued by DEP is inconsistent with the notice for the diversion. And, that's really a clerical error by DEP -- DEP (indiscernible), sorry -- DEP. But, it's really just a clerical error. They don't have any authority to go any more -- any more broadly than what's in their DEP permits. What's in their DEP permits is consistent with what's being diverted.

So, I just wanted to reassure the Commission that everything was done correctly and is consistent with the DEP permits. It's just a clerical error on the permit sheet, and the second page that lists the lot and blocks. That was an error by DEP. But, everything else was done correctly.

MR. AKHTER: Just to clarify, no one who was required to be noticed as we are voting on today was not noticed that we are aware of?

MS. ROY: Correct.

Absolutely.

MR. AKHTER: Senator, any other questions on this?

SENATOR BUCCO: No, I'm just concerned.

I mean, look. Obviously this-- This looks like it's headed for potential litigation, and there's something that we have to do to go back and correct the deficiency. A procedural deficiency, we should probably consider that. But, that's just me.

SENATOR SMITH: Which is the reason I asked for the opinion of Council.

But, I am convinced that-- The focus was the extent of the notice. On the land-use side of it, under the municipal land-use law, over-notice is not a fatal defect. Under-notice is always a fatal defect.

MR. AKHTER: Any other Members?

MR. BROPHY: I guess we'll appreciate you guys staying up here.

You can have a seat. I think we're going to open up to any comments, any public comments. So, I'm just going to go in the order that are listed on here.

Adrian Ghainda?

**A D R I A N   G H A I N D A:** Oh, and you had it right last meeting.

MR. BROPHY: What'd I say?

Ghainda? That's the correct version.

MR. GHAINDA: Yup.

MR. BROPHY: We're going to do-- We're going to do three minutes, each, all right?

MR. GHAINDA: Sounds good, OK.

Good evening-- Not good evening. Good morning, State House Commission. My name is Adrian Ghainda. I am the Senior Campaigns Manager with New Jersey League of Conservation Voters. I'm here to speak

in favor for the Green Acres diversion, and to amplify the support from the New Jersey Wind Works, which is a coalition of 25 various environmental organizations, labor groups, faith-based groups, who all are supportive of responsibly developed offshore wind. And, again, to reiterate the message that I gave last month, is that we recognize that this process is going to set a precedent for future offshore wind projects and cabling projects where many of the cities and towns can benefit from the community benefits that will be predetermined or prearranged before any of these meetings are being held. In terms of the amount of acreage that Atlantic Shores and Atlantic City are ensuring will be replicated, it really sets a precedent for just how involved that a lot of-- The stakeholders in this process are willing to be engaged for it; to ensure that there's plenty of open space and green space that'll be replicated to ensure that, as this project gets completed, not only will the project site be usable, but also, the space that'll be attributed would also be usable.

And, again -- to reiterate that this falls in line with the Murphy Administration making sure that we stay on course to achieve 100% clean energy by 2035 -- again, I just want to reiterate that the responsibility of making sure that offshore wind -- along with other renewable energy sources -- are being developed at the same time to ensure that we can meet these standards, really demonstrates that this is, again, an opportunity where New Jersey can set a precedent across the entire country to ensure that we mean business when we say we want 100% renewable energy. And, again, we come from many diverse voices, where we see the jobs that could be created, the green jobs. We see that it's an opportunity to really develop green technology to ensure that any technological advancements that'll occur -- as many of

these projects are being developed -- will be implemented. And, again, just demonstrating that the developers who are working on these projects are having a hand-in-hand effect with the community that they're working in.

So, again, New Jersey Wind Works wants to reiterate that we are 100% behind ensuring that this is responsibly fought for, and it goes through the right processes. And that, again, to ensure that offshore wind is replicated in a way that's responsible, and ensures that we have clean air all across the State of New Jersey.

Thank you.

MR. AKHTER: Thank you.

Right on time.

MR. BROPHY: Howard Stein.

**H O W A R D   S T E I N:** Good morning.

I'm Howard Stein, the Co-Chair of the New Jersey Sierra Club Offshore Wind Committee. For the record, I live in Cherry Hill.

As I'm sure you know, the Sierra Club is the oldest and largest nonprofit environmental organization in the nation. Members in-- There are many members and supporters in New Jersey. Sierra Club is very diligent about checking our facts before we speak out in public statements. We support the Green Acres diversion as an element of responsible offshore wind power development. Green Acres rules under NJAC 7.36 would require Atlantic Shores project to replace twice the acreage they're asking for in this permanent easement. We understand that they've offered to replace 12 times the acreage.

The only restriction for full public use of the beach areas -- and other lands in question in this easement -- is that it does not allow for

permanent construction, with exceptions. But, this allow -- not allowing -- for permanent construction is merely that they don't want people drilling into their cables, and I can understand that.

Atlantic Shores subject cables are buried under many feet of sand. This represents a major win for the citizens and visitors of Atlantic City. The other benefit, of course, is generating large amounts of clean electricity, without putting any carbon dioxide or other pollutants into the atmosphere.

Please appreciate this proposed list supported by the DEP and BPU, and they have no axe to grind in this matter. Since joining the Offshore Wind Committee several years ago, I've witnessed an extended barrage of information -- misinformation, rather -- by opponents of the offshore wind power. I don't have the time to refute all of these misinformation. I would just like to say the magnetic fields from buried power lines are less than the magnetic field of the Earth, and far less than the magnetic fields from the magnets on your own refrigerators.

Think about this: If magnetic fields from electric power lines were so dangerous, how does any electricians survive to old age?

Thank you for your time.

MR. BROPHY: Thank you.

Paulina O'Connor.

**PAULINA BANASIAK O'CONNOR:** Good morning, Chair and Commission Members.

My name is Paulina O'Connor, I'm the Executive Director of the New Jersey Offshore Wind Alliance. We are a nonprofit advocacy organization serving as the trusted voice of the offshore wind industry in the

state. I appreciate the opportunity to testify in support of the DEP's Green Acre diversion, and hope that the Commission approves this necessary step in the developmental process of Atlantic Shores' project.

The state and our region needs more energy production to meet the demands we have. And, we have an incredible opportunity to produce that energy in state in a renewable, emission-free way. Cost of energy has gone up, because the market is sending a signal that customers will continue to pay higher prices unless capacity increases. Energy is a commodity. The less we have for the demand that exists, the more we pay. The approval of this diversion puts us one step closer to fixing that. I'd also like to emphasize that offshore wind developers adhere to incredibly high standards of project development and construction. They navigate complex regulatory and compliance frameworks, and undergo meticulous evaluations by various agencies, such as the Department of Environmental Protection. I encourage all to embrace this project, and support its development. Because, this project, and others like it, will be critical components of our state's diverse energy portfolio. Additionally, offshore wind projects will create good-paying jobs, and ensure accessible-to-all economic opportunities, while providing sustainable, reliable, resilient New Jersey-produced energy.

And lastly, but most importantly, offshore wind is a form of climate action. New Jersey is highly vulnerable to the impacts of climate change. We see it now in the drought we're experiencing; beach erosion; coastal flooding. We need to reduce our carbon emissions to stop the devastating effects of climate change; offshore wind helps us in that fight.

Thank you.

MR. BROPHY: Thank you.

Kip Cherry.

**KIP CHERRY:** Good morning, thank you very much.

I'm with the Sierra Club, my name is Kip Cherry, and I am on the board of the Sierra Club. And, you've already heard that we very much support this diversion and that we believe it to be in the public interest. This project is part of New Jersey's plan for -- to reach 100% clean energy by 2035, through a combination of wind power, electric power, transportation, and solar panels. And then, to reach 11,000 megawatts offshore by 2040.

The diversion itself involves approximately 1.8 acres of city-owned park land, plus temporary workspace, totaling 1.99 acres which will be acquired from Atlantic City by Atlantic Shores Offshore Wind Project 1, LLC, for the creation of permanent sub-surface assessments that will -- easements, rather -- that will allow the installation of the onshore underground interconnection cables that will connect the offshore substations to the grid. Currently this property is encumbered by State of New Jersey Green Acres restrictions. A final application for the diversion of these lands has been submitted to DEP, and it is now before you for your approval as the State House Commission.

As compensation for the diversion of city-owned lands, the City will encumber other city-owned lands. Atlantic Shores has proposed a public enhancement project on the compensated parcels, as well as compensation for tree removal. Atlantic Shores has also agreed to compensate the city for temporary workspace. A critical plus is that the beach and park areas -- such as Bader Field -- will be usable by the public once the cables are installed underground.

At this point, I would like to touch on the issue of the electromagnetic field, or EMF. This is an issue of electric power that has been brought up by the public. EMF is created by a wide variety of electrical devices, from hair dryers to power lines and cables, and is subject to mitigation. The level of mitigation is a design issue, dependent upon a number of factors. Key factors are distance and depth buried; sheathing -- if sheathing is necessary; and involves a number of different materials; duration -- how long an exposure will be, approximately; and cable design -- the space between the cables and the number of cables. All of which contribute to mitigation. There's already a large amount of cabling off the coast of New Jersey that is coming through the waterway bed, underneath, buried at the sea level, and on land, also buried. And, is serving area communities without any issues.

And, lastly, I want to talk about Hurricane Helene. This hurricane could've been a Sandy, or an Irene, or a Hurricane Ida. But, it was in many ways much worse because it was a very powerful inland storm.

MR. AKHTER: I'm sorry, your three minutes is up, if you could just conclude your message.

MS. CHERRY: Yes, thank you.

So, I just want you to keep in mind the fact that this is demonstrating that there is climate change.

So, I thank you very much. And, I think that the fact, again, that the beach area and the park land area will be reusable is very important, and it's a very big plus for Atlantic City.

Thank you very much.

MR. BROPHY: Thank you.

Jennifer?

**JENNIFER MANCUSO:** Hi, thank you Commission Members.

My name is Jennifer Mancuso. I'm the Director of Government Relations for the New Jersey Laborers, New Jersey LECET, specifically, which is the Labor Management Partnership that represents both our members and signatory contractors. I'm here today to very briefly testify in support of the Green Acres diversion application before you today. I wanted to note that the New Jersey Laborers support the goal of transitioning away from fossil fuel use and decarbonizing our state's energy production. And, we believe that we should do so by prioritizing in-state clean energy production, like offshore wind.

Atlantic Shores offshore wind development will be a critical part of meeting our state's clean energy goals, but in order for this to happen, we have to connect what we produce, and the offshores, to our grid here that's already existing and will be built to expand. Your approval of today's application is not just going to create a lot more renewable power -- like many of the folks here have talked about today -- but it's also going to create quality, good-paying union jobs which are absolutely critical for sustaining and creating quality middle-class jobs here in New Jersey. The men and women of the Laborers, LiUNA, are already on the ground supporting preconstruction efforts, mapping out existing conduits for all of our underground infrastructure, and helping to make sure that we know where to put the new conduits that we're going to run this new energy through. Your approval today is just going to allow us to continue that work safely and appropriately and help us meet New Jersey's clean energy goals.

So, in supporting clean power, supporting good-paying union jobs, we strongly encourage you to approve this application today.

Thank you.

MR. BROPHY: Thank you.

Andy Goodpaster.

**A N D Y G O O D P A S T E R:** The carbon issue has been disputed by the EUN intergovernmental panel on climate change these--

MR. BROPHY: Sorry, can you state your name for the record?

MR. GOODPASTER: It's Andy Goodpaster.

BOEM has said that it's not a big issue in these things. The real issue in this thing is the exposure to EMFs. There's clearly bias in the studies. This research is showing bias from the industry and the power line studies. And, they're actually talking about a number of things that aren't even reported about adult cancers; childhood brain cancer; adult leukemia; adult brain cancer; and other cancers. The level -- if they put a 275 (indiscernible)-  
- kV cable down each street, the forest streets in the Duck Town in the urban area, that will be a 2-ampere-per-meter level, which, at 33 feet away from it will be two and half times what is known to cause more childhood leukemia. Thirty-three feet from the center of the cable, the government is saying that walls really don't stop EMF like metal does. So, 33 feet from the center of the road -- if they put them in the center -- if it's a 275 cable, AC.

The-- Pallitto Field is-- I was there last Saturday, and they're running it right through the middle of the field. And, that would have to be the full load. They're splitting it here into four parts or, like three, four it's like just a little puzzle. This would be the full voltage here. So, they're going to have to put four, five, 275 kV lines in here, which would do the same thing.

But, they would peak. So, it would be like if they put the 230 kV cables in there, it might peak at like 18 amps per meter, which is 150 times what is known to cause more childhood leukemia.

The Egg Harbor route doesn't go through 1 mile of residential area. That was what Ørsted was going to use. They're gone. You can put it there.

MR. AKHTER: I'm sorry, your time's up if you want to conclude your messages.

MR. GOODPASTER: OK.

Thank you.

MR. BROPHY: Thank you.

Laurie Goldsmid.

**L A U R I E G O L D S M I D:** Hello, My name is Laurie Goldsmid. I'm from Brigantine, New Jersey.

And, I'm with Anne Zaneski; I'm speaking with her. She has what you questioned. And, she has said-- I just wanted to let you know what she's talking about so everybody understands.

Sorry if I'm not prepared; this isn't my thing.

I think she said-- Oh my God, they're texting me too much.

Well, one thing is specifically Block 1, Lots 58 and 59 in the notice and public hearing. But, the permits say Lots 57 to 60, so that's a mistake. I'm also curious personally, if these notices were sent out in all the different languages of all the people in this ward in Atlantic City, because it's the most diverse section of Atlantic City, and I'm not sure that they would understand what your letter even said.

So, from Anne, it is spelled out on Page 2 in the bullet points for everything that she had put in her comments. And then, I'll go to the rest.

Yes, not fair because it's supposed to be a land of equal or greater value. Unusable, undeveloped swamp land, no matter how much, is not fair trade. It's a joke because it's already protected land by virtue of being wetlands. It's double-dipping. The land that they're giving to Atlantic City is behind Atlantic City High School, which is all wetlands, from what I understand. And, for more for their business, (indiscernible) you all should've received a letter from Suzanne Moore on the 18<sup>th</sup>. And, it's just stating that we were not noticed of the land, the diversion change. We asked multiple times to get it, and we did not receive it from them. People from our group have made up a-- Have you all received this in your emails? And, they were supposed to be getting more information of where they changed the route from, too. And, we haven't received it yet. So, the people aren't able to even know if this is a good idea or a bad idea for them. And, the fact that going by a school -- this is just me being a mom -- going by a school is not a good idea any time, with all the noise and the construction that they're going to have to go through in the area to put this cable through in front of the Sovereign Avenue School. It's not a good idea.

We offer another -- another route in this paperwork if you've had a chance to look at it -- that won't disrupt all of the residents, and all of the school and everything else. We are-- We do stand by not being for the offshore wind, period. But, the diversion route would be a great idea to take a look at.

I don't really have anything else prepared.

MR. AKHTER: Thank you.

MR. BROPHY: Thank you.

Jeanette Burgeron.

**J E A N E T T E B U R G E R O N:** Hello.

Jeanette Burgeron, Hamilton, New Jersey, Mercer County.

The Atlantic Shores Project will provide clean energy to one fifth of New Jersey households -- more than half a million homes in New Jersey. Clean energy means cleaner air for our children and poor communities; lower energy costs; good-paying union jobs; and lower respiratory disease rates. Offshore wind is regulated to protect and monitor the marine and avian life that are so important to local and coastal economies. Each project is responsible for mitigating risks to fisheries, marine mammals, and protected bird species. Research from current wind farms in western U.S. have identified effective ways to protect California condors from striking blades, for example. And, the same can be done for red knots and other migratory birds. According to the Audubon Society, bigger threats to birds are habitat loss, window strikes, and free-roaming cats. All of these threats need equal attention to address the recent sharp decline in avian populations.

Even with all the benefits of clean energy, the fossil fuel industry lobbies legislators and misinforms the public to kill offshore wind projects. So, big oil and gas keep profiting while we pay for the pollution they create with our money and health. New Jersey needs to develop offshore wind projects in addition to solar, battery, and geothermal energy to respond to the extreme weather disasters that have damaged and will continue to hurt New Jersey and its residents. We must try and learn from this new technology and not rely on fossil fuels, which harm our health, economy, and environment.

I recently learned that someone from the DEP mentioned that they were told by a large hotel in Atlantic City that it had concerns about the visual impact of the turbines on hotel guests, but was surprised to learn that guests actually enjoyed seeing the slow, constant movement of the blades.

And, I hope you vote in favor of the project.

MR. BROPHY: Thank you.

Doug O'Malley.

**D O U G O' M A L L E Y:** Thank you, Mr. Chairman and Members of the Committee.

My name is Doug O'Malley; I serve as Director of Environment New Jersey. I'm also testifying this morning on behalf -- as the co-chair -- of the Jersey Renews, a coalition which represents more than 70 organizations including business, labor, faith, environment, and (indiscernible) organizations; as well as a board member for the Work Environment Council, which is the original Blue Green Alliance Association in America.

I'm here mainly because, when I've testified before at the State House Commission, it's directly about the impacts. And, I wanted to thank the conversation at the beginning of this hearing regarding over-noticing. Obviously public notice is always critical. I know Senator Smith referenced, it's always good to have more notice than less. And, in terms of the actual impacts -- and I want to focus my testimony just a little bit more on that-- oftentimes in front of this Commission, there's a question of what are the alternatives? And, we've already heard some conversation this morning about those alternatives. I think it's critical to understand that DEP's mantra regarding all projects -- but certainly offshore wind projects -- is the effort to avoid, eliminate, and mitigate impacts. And, that's what we've seen here.

We've seen it here from the testimony to ensure that the impacts that are seen are reduced.

I think it's also critical to know, too, that in terms of, kind of options, for offshore wind -- and this is, again, this is not obviously the first offshore wind project in the world. It's certainly not the first offshore wind project in America. You need to have -- obviously have interconnection, right? And, so, it's not as if there's a way to kind of magically get the power from turbines somehow into the electric grid without having an onshore transmission. So, I think that's critical to note here, too.

In terms of the direct mitigation, the amount of acreage that's being replaced is 12 times that being impacted, which is obviously a strong-- That's a strong standard that we support. The key difference between this project and most others is that the mitigation on the impact and the acreage is that this project will actually help to reduce impacts from emissions that are having a direct impact on Atlantic City right now. Atlantic City is a barrier island, and just earlier this year in Nature, it was ranked as one of the most vulnerable cities to sea level rise. And, there's a very simple reason why that's true. And, that's because sunny-day flooding -- which has increased to more than 30 days over the course of the last 20 years -- is estimated to reach 355 days in a moderate emissions scenario by the end of this decade. So, when we talk about impacts to a barrier island, this is the impact we're seeing. DEP estimates that there'll be a sea level rise of up to 2 feet by 2050, and up to 6 feet by 2100. So, kind of think of Duck Town; think of communities in Atlantic City; think of the communities that are already seeing sunny-day flooding. This is only going to exacerbate, and this project helps mitigate it.

And, finally, I'll conclude my testimony by referencing, and thank you, Mr. Chair, for referencing the Executive Orders EO--

MR. AKHTER: Sorry, your three minutes has expired.

So, could you please conclude your remarks.

MR. O'MALLEY: OK.

Last sentence. EO7, EO92, and EO3-- 300 plus. All those Executive Orders are also based in the Offshore Wind Economic Development Act passed in 2010, and signed into by Governor Christie.

Thank you.

MR. AKHTER: Thank you.

MR. BROPHY: Thank you.

All right, any other questions or comments from the Committee Members?

MR. AKHTER: Is there another member of the public who'd like to speak?

MR. BROPHY: That's all that was on our list.

MR. AKHTER: I'll allow it if there's other members of the public who'd--

Please come to the chair and introduce yourself, please.

**RICHARD ISAAC:** Thank you.

Good morning, Commissioners. Hi, I am Richard Isaac, Chair of the Sierra Club New Jersey Chapter.

Sierra Club, of course, as you all know and heard before, is the oldest environmental organization in the country, over 130 years old.

First, thank you for the opportunity to speak on this issue.

Let me be clear, the Sierra Club fully supports offshore wind that is done environmentally and reasonably, and, as Sierra Club New Jersey Chapter sees that offshore wind here is being planned in an environmentally responsible way, we give this our full support.

As we all know, climate change is accelerating. There is already so much carbon dioxide in the air that even if we stopped carbon emissions today, the climate will continue to get warmer, with resulting ocean acidification; warming of the ocean; and more intense weather events and storms, like what we have recently seen with Hurricane Milton and Helene. Clearly, we need now to act. We need now to act to address climate change as quickly as possible. While increasing both energy efficiency and the use of solar power are vitally important in addressing climate change, the fact is that large offshore wind projects can create substantial amounts of electricity and must be included as well.

Each proposed offshore wind project will generate approximately the same amount of electricity currently created by each of New Jersey's existing fossil fuel power plants, and will be able to make a substantial contribution in helping transition away from fossil fuel energy to help New Jersey successfully fulfill its energy master plan and achieve 100% clean energy.

One last paragraph and then I'm done.

Regarding where electricity may be coming onto land, please be aware that Sierra Club was born preserving open space, and, takes this proposed Green Acres diversion and other proposed Green Acres diversions very seriously. But, in this case here in Atlantic City, because there will be no permanent net loss of park land, and moving ahead with the project will

not only help address climate change, but in doing so will also help slow down sea level rise and maintain local businesses, this proposal is clearly a win-win.

We urge the State House Commission to approve this Green Acres diversion.

Thank you.

MR. AKHTER: Thank you.

MR. BROPHY: Thank you.

Assemblyman.

**ASSEMBLYMAN PAUL KANITRA:** Thank you very much.

Assemblyman Paul Kanitra, representing the 10<sup>th</sup> Legislative District. But, before I was an Assemblyman, I was a Mayor at Point Pleasant Beach, and I came -- as one of my last acts as mayor -- to the State House to talk about last year, how Ørsted was so financially inept, and how they've been bailed out multiple times before; how they were going to collapse; and nobody listened. And, they went through J.P. Morgan; they went through all this historical stuff; and then they bailed out of one of the projects.

So, I'm here today to warn everybody about what's going to happen if we continue this ideological quest for green energy. And, I heard somebody earlier talk about, this is against big oil and gas. This *is* big oil and gas. Let nobody confuse anything here. These aren't mom-and-pop green-energy companies. This is Shell Oil that is behind a lot of the wind projects. These are big, international, multi-conglomerate type companies that are just trying to diversify their portfolio with wind energy. It's not environmentally friendly; the blades aren't recyclable; it's destroying the environment. It's all built with diesel fuel and fossil fuel and everything along those lines. In my committee -- in my utilities committee -- just a couple weeks ago, we had this

own administration's head of the Division of Rate Council come to us, and beg us to stop mandating stuff like this, to stop moving forward with this Don Quixote-like quest for green energy. Because, he said how it is destroying the rates that our taxpayers are paying for energy. And, here we are, and we're doing it again. We're already doing it again. The average monthly electric bill in New Jersey is expected to increase between 3.6% and 8.6% in 2024. By the end of 2025, New Jersey ratepayers will likely see electricity bill increases of as much as 29%.

And, why is that? Well, again, everybody who testified at our committee a couple weeks ago said it's because of this ideological pursuit; picking winners and losers in energy; and deciding that we're going to throw all this taxpayer money, subsidies, public land, easements, go against the will of local municipalities and people; all of this stuff for this quest, and we're not investing in traditional infrastructure that actually is powering the State. NERC came out and said we're not going to have enough power to power New Jersey this winter. New Jersey, a decade ago, was a net exporter of energy. We're now a net *importer* of energy because we're not investing in the right stuff; because all the campaign contributions that have flown around to make sure that we get all this green stuff through and so people can have some campaign talking points.

This whole thing is a mess. This whole thing is a shell game. And, oh, by the way, the energy that we're importing now? Most of it's coming from places like Pennsylvania, where my grandfather and my great-grandfather worked as coal miners. And, it's all coming from dirty fuel anyway.

I'm done, thank you very much.

MR. AKHTER: Thanks, Assemblyman.

MR. BROPHY: Any other comments from any Commission Members?

Hearing none. Take roll on a vote.

Mr. Akhter?

MR. AKHTER: Yes.

MR. BROPHY: Mr. Binder?

MR. BINDER: Yes.

MR. BROPHY: Mr. Shabazz?

MR. SHABAZZ: Yes.

MR. BROPHY: Senator Smith?

SENATOR SMITH: Yes.

MR. BROPHY: Senator Bucco?

SENATOR BUCCO: No.

MR. BROPHY: Assemblyman Karabinchak?

ASSEMBLYMAN KARABINCHAK: Yes.

MR. BROPHY: Assemblywoman Muñoz?

ASSEMBLYWOMAN MUÑOZ: No.

MR. BROPHY: We have five in favor.

OK. Looks like that passes.

I guess we just need a motion to adjourn?

SENATOR BUCCO: So moved.

MR. BROPHY: Senator Bucco.

MR. AKHTER: Second.

MR. BROPHY: Akhter.

All in favor.

Thank you, thanks everyone.

**(MEETING CONCLUDED)**