



ENVIRONMENTAL REPORT

Application Information

Application			
File & Activity Number(s)	Admin Complete Date	20th Day	90TH DAY
0102-24-0001.1 LUP240002	02/16/2024		8/12/24 (CAFRA)
Environmental Specialist	Environmental Engineer	Applicant Name/Contact	Consultant Name/Contact
Becky Mazzei	N/A	ASOW Services – O&M Facility c/o Jennifer Daniels	Scott McBurney smcburney@edrdpc.com
Permit Type		Site Visit?	
CAFRA Individual Permit-Commercial/Industry/Public WFD IP-Commercial/Industrial/Public (Waterward)		No	
Block(s)/Lot(s)		X	Y
[567, 2]		512301.61	197469.58
Municipality	County	Address	
Atlantic City	Atlantic	801 N. Maryland Avenue	
Previously Issued Authorizations or Violations Onsite?			
0102-24-0001.1 LUP240002 – WFD IP was issued 5/9/24 authorizing a new bulkhead at this site			
0000-21-0022.1 CDT210001 – Federal Consistency issued to ASOW South on 4/1/24 for an offshore wind turbine array and transmission cables within BOEM Lease Area OCS-A 0499			
Project Description			
<p>The applicant has proposed a support facility (e.g., warehouse, office, quayside and vessel mooring) on this site for the Atlantic Shores Offshore Wind Services, LLC portfolio of offshore wind projects.</p> <p>The portion of the project above the MHWL is a 20,000 SF three-story warehouse/office building with 9 parking spaces, an interior circulation drive, stormwater management, and a sewer main extension.</p> <p>The portion of the project below the MHWL is a vessel mooring facility within Clam Creek, which will consist of three 4' x 34' gangways leading to three 9' x 92' floating docks, 15 dolphins, and three hydraulic cranes on pile-supported mono-masts. These structures will support up to five (5) crew transfer vessels (CTVs) or other type vessels for the maintenance of offshore wind turbines. The floating docks will be aluminum and provided with potable water service and electric service for power and lighting. Three hydraulic cranes on pile-supported mono-masts are located in the water adjacent to the quayside to enable loading/offloading operations of four vessels.</p>			

Administrative History

- Receive SHPO Comments: February 8, 2024
- Application Administratively Complete: February 16, 2024
- Published Special Notice in DEP Bulletin: March 6, 2024

- Receive T&E Comments: March 14, 2024
- Issued CAFRA Deficiency: March 15, 2024
- Response to CAFRA Deficiency: April 13, 2024
- Begin CAFRA Public Comment: May 15, 2024
- 90th Day Deadline (WFD): May 15, 2024
- WFD Withdrawn: June 6, 2024
- End CAFRA Public Comment: June 13, 2024
- 120th Day Deadline (WFD): June 14, 2024 (withdrawn)
- WFD Resubmitted: July 3, 2024
- 90th Day Deadline (CAFRA): August 12, 2024
- 90th Day Deadline (WFD): September 30, 2024

Public Comments

Comments from the public were received for this application. Many of the comments were directed at off-shore wind development in general and not specifically the O&M Facility that is the subject of this application. These concerns, which ranged from concerns with water contamination, subsidence, EMFs, impacts to tourism, tree removal, concerns about sinkholes, trenching impacts, effects on property values, aesthetic impacts, air quality impacts, and the untested technology of wind power were addressed in the Department's findings for the ASOW South Federal Consistency (0000-21-0022.1 CDT210001) issued 4/1/24.

Additional concerns were expressed about not having adequate time for the public to comment on this application. The subject application is for the in-water and upland structures proposed as part of the Operations and Maintenance Facility, and the regulatory review timeframes were adhered to as outlined above. Public comments were accepted at all times during the review, including during statutorily defined comment periods.

Lastly, there were concerns about impacts to finfish migratory pathways (7:7-9.5) and secondary impacts associated with the O&M facility, specifically, does the approval of the O&M Facility make the development of offshore wind more likely. Compliance with the finfish migratory pathways rule (9.5) and secondary impacts (7:7-14.3) is addressed in the report below.

Several comments were also received in support of the project.

Flood Hazard Information

Waterbody & Riparian Zone			
Stream Classification	Stream Name	Sub-Watershed	Watershed
FW2-NT/SE1	Clam Creek	Reeds Bay / Absecon Bay & tribs	Reeds Bay / Absecon Bay & tribs
Comments/Notes			

Waterbody & Riparian Zone

The site is located on a barrier island; therefore, no riparian zone exists on-site.

Structure Information

☒ Not Applicable

Dredging Information

☒ Not Applicable

Although dredging is not proposed under the current application, the applicant has noted that Atlantic City has received authorization to dredge in Clam Creek and the surrounding areas (DLRP WFD Permit 0102-20-0001.1 LUP210001 issued 2/23/22).

Tidelands Information

☐ Not Applicable

Tidelands

Does the Property require a tidelands Instrument?

☐ Yes ☒ No

Map No.

196-2064

Is there an existing conveyance?

☒ Yes ☐ No

If Yes, Describe

Comments

The subject site is included in areas that the State of New Jersey Granted to the City of Atlantic City on March 15, 1920 for the consideration of \$18,000.00. (Tidelands grant (Liber A-1 pg. 16 File 1276))

Aerial Photo Interpretation

☐ Not Applicable

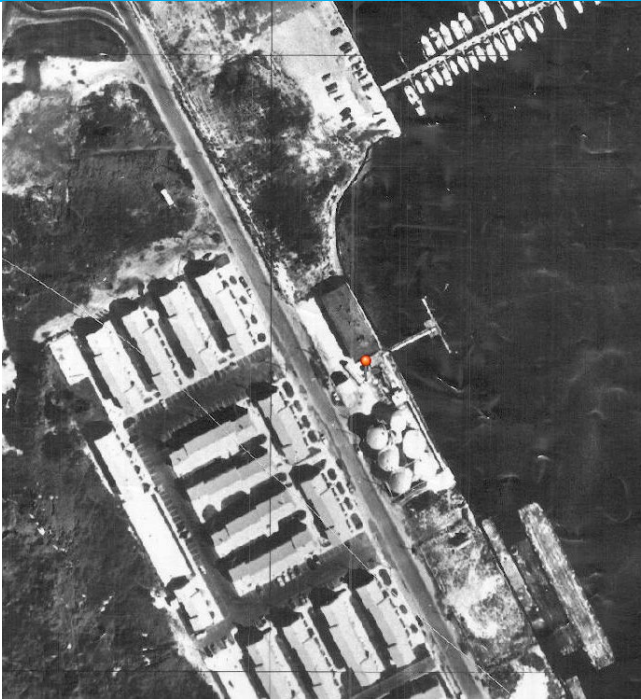
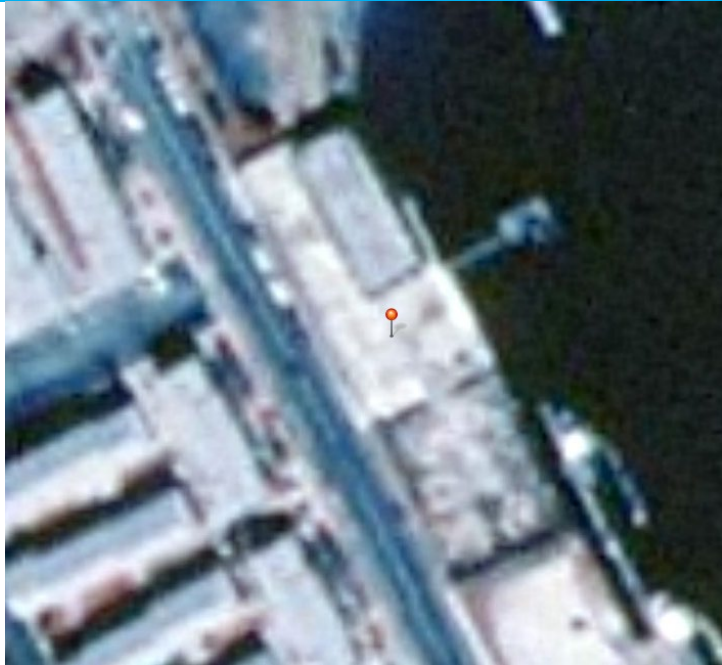
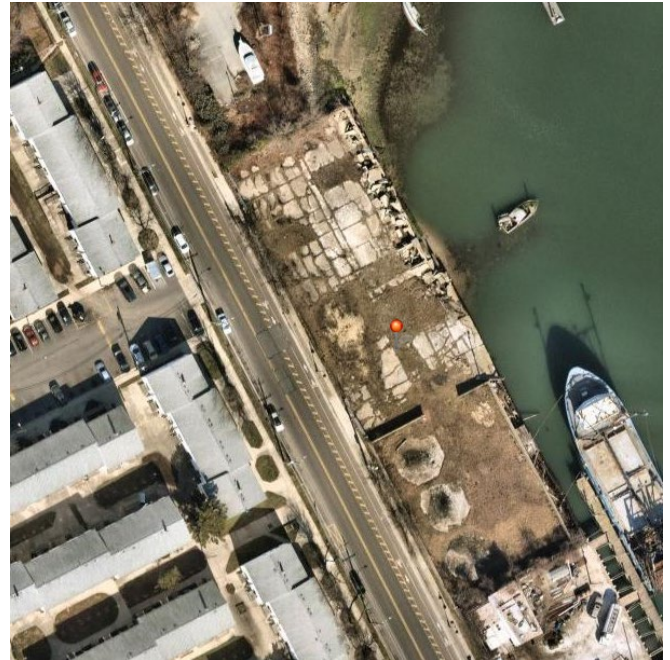
Photo & Design Requirements	
1970 Aerial	2023 Aerial
 <p>No mapped coastal wetlands; site bulkheaded and developed with tank farm and dock</p>	 <p>No change</p>
1995 Aerial	2023 Aerial

Photo & Design Requirements



Appears to be 100% impervious by CAFRA definition



Wetland Information

☒ Not Applicable

No mapped or freshwater wetlands are present on-site or within 150' of the site.

Shellfish Information

☐ Not Applicable

Shellfish		
1963 Classification	1986 Classification	Other Maps
1963 Plate 4 Little Egg Harbor to Longport - Moderate		1980 – Soft clam beds
Is a deed restriction required?	Was it added as condition of the permit?	Water Classification
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Prohibited
Is a Shellfish contribution required?	If yes, follow the equation: $SF \text{ (beyond MHWL)} \times (.75 \text{ (hard clam high, soft clam) or } .35 \text{ (moderate hard clam)}) \times (.25) \times (31.6) = \$$	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A		

Submerged Aquatic Vegetation Information

☐ Not Applicable

Submerged Aquatic Vegetation (SAV)		
1979 Map Name	1986 Map Name	Other Maps
Oceanville – not mapped	N/A	N/A

T&E Information

☐ Not Applicable

Endangered & Threatened Species			
Is a E&T Review Required?	Date Sent	In NJEMS?	Did you Receive Comments?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Is a US Fish & Wildlife Review Required? <small>Applicable Permit Types: FWW GP 2/4/5/6/7/10A/10B/11/13 15/17/18/20/22/23/24/26/27</small>	Date Sent	In NJEMS?	Did you Receive Comments?
N/A		<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Landscape Region	Species (including mussels)	NHP Review? <small>Check Grid layer and letter to see if a T&E Flora or CWD Species Review is required</small>	Vernal Pool Review?
<input checked="" type="checkbox"/> Atlantic Coastal <input type="checkbox"/> Delaware Bay <input type="checkbox"/> Marine <input type="checkbox"/> Piedmont Plains <input type="checkbox"/> Pinelands <input type="checkbox"/> Skylands <input type="checkbox"/> Freshwater Mussel	Osprey, Black Skimmer, Peregrine Falcon, Yellow-crowned Night Heron, Black-crowned Night Heron, Least Tern	No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Comments			
In comments dated 3/14/24, the T&E Unit determined that no adverse impact to suitable habitat for State-listed species is anticipated as a result of the proposed project.			

Fishery Resource Information

☒ Not Applicable

Navigation Information

☐ Not Applicable

Navigation	
Are the structures within 50 ft. of an authorized navigation channel?	Site is located on
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Natural Waterbody <input type="checkbox"/> Lagoon
Lagoon Width	Is the structure less than 20% of the width of the lagoon?
	<input type="checkbox"/> Yes <input type="checkbox"/> No
Comments	

Deed Restriction Information

☐ Not Applicable

As a condition of the permit, the applicant will be required to deed restrict the public access project they construct to satisfy their Public Access requirement.

ACOE Information

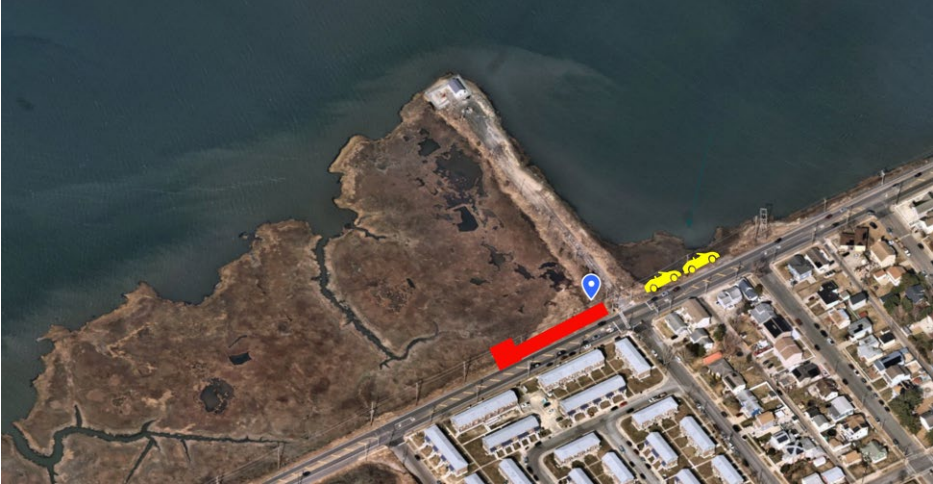
☐ Not Applicable

ACOE		
Does project require Army Corps of Engineers approval?	If yes, which SPGP applies?	If yes, can DLUR issue?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> SPGP17 <input type="checkbox"/> SPGP19	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Comments		
The permit will be conditioned upon the applicant obtaining authorization from ACOE for the construction of the docks and in-water cranes.		

Public Access Information

☐ Not Applicable

Public Access		
Is public access required at the site or offsite?	Was public access previously required?	If yes, what is the length of walkway required? (Linear Feet)
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A
Comments		
The applicant is required to provide public access for this project under both the Public Access Rule and the Public Access Law, since the project is the construction of a new commercial facility on a tidal water. Due to the narrow configuration of the site and safety concerns with loading and unloading barges utilizing cranes, it is not feasible to construct public access on-site.		

Public Access
<p>The applicant is pursuing the following public access project to satisfy the public access requirement for this permit: the construction of a walkway, viewing platform, and parking at the intersection of West End Avenue and Annapolis Avenue in Atlantic City. The adjacent wetlands area is mapped T&E habitat and contains an osprey nest. The proposed platform was redesigned to ensure a minimum 600’ buffer from the osprey nest.</p>

<p>As a condition of this permit, the applicant will be required to continue coordinating with the Department on finalizing the design of the public access project and will be required to deposit funds in escrow for this project within specific timeframes. The permit will also require the project to be deed restricted.</p>

SHPO Information

☐ Not Applicable

SHPO				
Is a SHPO Review Required?	Trigger for Review	Date Sent	In NJEMS?	Did you Receive Comments?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Exceeds 20 ac & adjacent to a water body <input type="checkbox"/> Structure over 50yrs old <input type="checkbox"/> Bridge or Culvert Disturbance <input type="checkbox"/> Letter from a concerned citizen <input type="checkbox"/> Archeological Grid No: <div></div>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Comments				

SHPO

In comments dated 2/8/24, SHPO determined that there are no buildings, structures, sites, objects, or historic districts on or adjacent to the project location that are listed in, or that have been identified as eligible for listing in the New Jersey or National Registers of Historic Places. Although the project setting is sensitive for archaeological sites, the project only has a low potential to affect historic and archaeological remains. Consequently, the HPO does not recommend further consideration prior to permit issuance.

Stormwater Requirements

☐ Not Applicable

Stormwater Management					
Is this Considered a Major Development? <i>See Criteria & Notes Below to Help Make a Determination (if any of the boxes below are checked, a Stormwater Review is required)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Project Engineer Assigned	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	NJEMS?	<input checked="" type="checkbox"/>
Comments					
The engineer's review has determined compliance with the Stormwater Management Rules.					

Planning Area Information

☐ Not Applicable

Planning Areas			
Highlands Preservation Area? <i>Does this project require a Highlands Permit or Coordination?</i>	Date Sent	In NJEMS?	Did you receive comments back?
No		<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Pinelands Preservation Area? <i>Does this project require a pinelands authorization?</i>	Date Sent	In NJEMS?	Did you receive comments back?
No		<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Meadowlands Preservation Area? <i>Applied for a Meadowlands Wetland Certificate?</i>	Date Sent	In NJEMS?	Did you receive comments back?
No		<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Contaminated Site? <i>Consult with ODST</i>	Date Sent	In NJEMS?	Did you receive comments back?

Planning Areas			
Yes – see Remediation Review below	N/A	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
CAFRA Area?	Impervious Cover Limits CAFRA?	CAFRA Forested?	Coastal Wetlands?
Yes	Existing Impervious	No	No
Is a Green Acres Review Required?	Date Sent	In NJEMS?	Did you receive comments back?
No		<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Is an EPA Review Required?	Date Sent	In NJEMS?	Did you receive comments back?
No		<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Is this located in an Environmental Justice Overburdened Community?	Notes	Is the project Located in a Sewer Service Area?	Notes
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Atlantic County SSA
Comments			
The applicant provided letters demonstrating adequate capacity for sewer and water. The letter from the Atlantic City Sewerage Company states that they reviewed the conceptual design of the proposed force main sewer extension (which is shown on the site plans) and found it to be potentially viable, but that the design will need to be formally reviewed and finalized. The applicant will need to meet all ACSC requirements and may be required to fully fund the design, construction, inspection, and permitting to construct the entire sewer service.			

Mitigation Requirements

☒ Not Applicable

Remediation Review

☒ Not Applicable

Remediation			
LRSP or Direct Oversight	LRSP Name	LRSP Number	SRP Project Manager (If Applicable)
Yes	Richard Simun, Parsons Engineering	590510	
Was a Remedial Action Workplan submitted to the SRP Program?	SRP File Number	RAWP Date (If applicable)	Is a Fill Use Plan Required?
NJEMS indicates the site is in post NFA Monitoring for the Groundwater CEA	007378		
Is an eco-review required? Was it approved by BEERA?	Are the any landfills onsite? Are closure or disruption permits required?	Solid Waste PI Number (If applicable)	Is the site deed restricted?
	No		No

Remediation		
Is there is a CEA onsite?	Is there Historic Fill?	GIS layers in the SRP section of the ODST app <i>Chromate Sites, Dry Cleaners, Mercury Sites etc.</i>
Groundwater CEA	Yes	Groundwater CEA
Comments		
<p>This site was formerly utilized as a marine bulk petroleum storage and distribution facility and has been subject to environmental investigations since the early 1990s. Following these investigations, the NJDEP had issued No Further Action (NFA) letters for the soil and groundwater at the site. However, several Recognized Environmental Conditions (RECs) were identified in the 2021 Phase I ESA that were not identified or addressed in prior environmental investigations. The applicant has retained a Licensed Site Remediation Professional (LSRP) to address historic fill and monitoring groundwater as part of conditions of the NFA. The applicant is also in the process of preparing a Request for Closure report for the NJDEP. The NJDEP is monitoring groundwater contamination for the site with a Classification Exception Area (CEA) (Case No. 90-03-07-1224).</p>		

Environmental Review Elements

Waterfront Development & CAFRA Environmental Elements

Individual Permit Requirements for Special Areas – Subchapter 9 (7:7 et al)

Citation	Activity	Not Applicable	Analysis
7:7-9.2	Shellfish Habitat	<input type="checkbox"/>	Mapped but prohibited
7:7-9.3	Surf Clam Areas	<input checked="" type="checkbox"/>	
7:7-9.4	Prime Fishing Areas	<input checked="" type="checkbox"/>	
7:7-9.5	Finfish Migratory Pathways	<input type="checkbox"/>	Public comment was received expressing concern with compliance with this rule. This rule prohibits structures which create a physical barrier to the movement of fish and development which lowers water quality to such an extent as to interfere with the movement of fish. The 3 cranes are located adjacent to the bulkhead and the docks are floating, so neither would be a physical barrier to fish movement. The cranes and docks will also not lower water quality. Marine pump outs are proposed to service the O&M vessels.
7:7-9.6	Submerged Aquatic Vegetation (SAV)	<input checked="" type="checkbox"/>	
7:7-9.7	Navigation Channels	<input checked="" type="checkbox"/>	
7:7-9.8	Canals	<input checked="" type="checkbox"/>	
7:7-9.9	Inlets	<input checked="" type="checkbox"/>	
7:7-9.10	Marina Moorings	<input checked="" type="checkbox"/>	
7:7-9.11	Ports	<input type="checkbox"/>	

Citation	Activity	Not Applicable	Analysis
7:7-9.12	Submerged Infrastructure Routes	<input checked="" type="checkbox"/>	
7:7-9.13	Shipwreck & Artificial Reef Habitats	<input checked="" type="checkbox"/>	
7:7-9.14	Wet Borrow Pits	<input checked="" type="checkbox"/>	
7:7-9.15	Intertidal & Subtidal Shallows	<input type="checkbox"/>	<p>The cranes will result in a de minimis impact to ISS for the placement of 4 monomasts that will support the cranes. The cranes themselves will be above the water. Due to the narrow site constraints, it is not feasible to relocate the monomasts out of ISS.</p> <p>The total impact for all 4 monomasts is 28.4 SF. The impact is associated with a water dependent use. Mitigation is not required in that it meets the filling rule at 12.14(e).</p>
7:7-9.16	Dunes	<input checked="" type="checkbox"/>	
7:7-9.17	Overwash Areas	<input checked="" type="checkbox"/>	
7:7-9.18	Coastal High Hazard Areas	<input checked="" type="checkbox"/>	
7:7-9.20	Barrier Island Corridor	<input checked="" type="checkbox"/>	
7:7-9.21	Bay Islands	<input checked="" type="checkbox"/>	
7:7-9.22	Beaches	<input checked="" type="checkbox"/>	
7:7-9.23	Filled Water's Edge	<input type="checkbox"/>	The site is considered Filled Water's Edge. The project is in compliance with this rule in that it is a water dependent use.
7:7-9.24	Existing Lagoon Edges	<input checked="" type="checkbox"/>	
7:7-9.25	Flood Hazard Area	<input type="checkbox"/>	The engineer has determined compliance with the FHA rules.
7:7-9.26	Riparian Zones	<input checked="" type="checkbox"/>	No riparian zone on barrier island.
7:7-9.27	Wetlands	<input checked="" type="checkbox"/>	
7:7-9.28	Wetland Buffer	<input checked="" type="checkbox"/>	
7:7-9.29	Coastal Bluff	<input checked="" type="checkbox"/>	
7:7-9.30	Intermittent Stream Corridors	<input checked="" type="checkbox"/>	
7:7-9.31	Farmland Conservation Areas	<input checked="" type="checkbox"/>	
7:7-9.32	Steep Slopes	<input checked="" type="checkbox"/>	
7:7-9.33	Dry Borrow Pits	<input checked="" type="checkbox"/>	
7:7-9.34	Historic & Archeological Resources	<input type="checkbox"/>	See SHPO section above – no concerns

Citation	Activity	Not Applicable	Analysis
7:7-9.35	Specimen Trees	<input checked="" type="checkbox"/>	
7:7-9.36	Endangered or Threatened Wildlife or Plant Species Area	<input type="checkbox"/>	See T&E Section above – no concerns
7:7-9.37	Critical Wildlife Habitat Area	<input checked="" type="checkbox"/>	
7:7-9.38	Public Open Space	<input checked="" type="checkbox"/>	
7:7-9.39	Special Hazard Areas	<input checked="" type="checkbox"/>	
7:7-9.40	Excluded Federal Land	<input checked="" type="checkbox"/>	
7:7-9.41	Special Urban Areas	<input type="checkbox"/>	Atlantic City is a special urban area. The construction of cargo docks at this vacant property will not adversely affect the City, and is encouraged to be located in a Special Urban Area under 15.4.
7:7-9.42	Pinelands National Reserve & Pinelands Protection Area	<input checked="" type="checkbox"/>	
7:7-9.43	Meadowlands District	<input checked="" type="checkbox"/>	
7:7-9.44	Wild & Scenic River Corridors	<input checked="" type="checkbox"/>	
7:7-9.45	Geodetic Control Reference Marks	<input type="checkbox"/>	Comments from NJDOT dated 2/12/24 confirmed that there are no geodetic markers in the vicinity.
7:7-9.46	Hudson River Waterfront Area	<input checked="" type="checkbox"/>	
7:7-9.47	Atlantic City	<input type="checkbox"/>	The project is located in Atlantic City. However, none of the provisions of this rule apply to this type of project.
7:7-9.48	Lands & Waters Subject to Public Trust Rights	<input type="checkbox"/>	Clam Creek is subject to public trust rights.

Individual Permit Requirements for General Water Areas – Subchapter 12 (7:7 et al)

Citation	Activity	Not Applicable	Analysis
7:7-12.2	Shellfish Aquaculture	<input checked="" type="checkbox"/>	
7:7-12.3	Boat Ramps	<input checked="" type="checkbox"/>	
7:7-12.4	Docks & Piers for Cargo & Commercial Fisheries	<input type="checkbox"/>	The project includes the construction of three 4' x 34' gangways leading to three 9' x 92' floating docks and 15 dolphins, which is the minimum necessary to support the mooring of 5 vessels. These structures will not pose a threat

Citation	Activity	Not Applicable	Analysis
			to navigation and are not anticipated to block access to the marina to the north. The associated upland use complies with all relevant CZM rules.
7:7-12.5	Recreational Docks & Piers	<input checked="" type="checkbox"/>	
7:7-12.6	Maintenance Dredging	<input checked="" type="checkbox"/>	Although dredging is not proposed under the current application, the applicant has noted that Atlantic City has received authorization to dredge in Clam Creek and the surrounding areas (DLRP WFD Permit 0102-20-0001.1 LUP210001 issued 2/23/22).
7:7-12.7	New Dredging	<input checked="" type="checkbox"/>	
7:7-12.8	Environmental Dredging	<input checked="" type="checkbox"/>	
7:7-12.9	Dredged Material Disposal	<input checked="" type="checkbox"/>	
7:7-12.10	Solid Waste or Sludge Dumping	<input checked="" type="checkbox"/>	
7:7-12.11	Filling	<input type="checkbox"/>	<p>The de minimis fill associated with the crane monomasts is in support of a proposed water dependent use at this site, specifically loading and unloading vessels that will support maintenance of offshore wind turbines.</p> <p>The upland portion of the site is narrow and does not provide adequate room for the cranes with the proposed footprint of the upland facilities and vehicular circulation.</p> <p>No adverse impacts to fisheries or T&E habitat are anticipated as a result of this project.</p>
7:7-12.12	Mooring	<input checked="" type="checkbox"/>	
7:7-12.13	Sand & Gravel Mining	<input checked="" type="checkbox"/>	
7:7-12.14	Bridges	<input checked="" type="checkbox"/>	
7:7-12.15	Submerged Pipelines	<input checked="" type="checkbox"/>	
7:7-12.16	Overhead Transmission Lines	<input checked="" type="checkbox"/>	
7:7-12.17	Dams & Impoundments	<input checked="" type="checkbox"/>	
7:7-12.18	Outfalls & Intakes	<input checked="" type="checkbox"/>	
7:7-12.19	Realignment of Water Areas	<input checked="" type="checkbox"/>	
7:7-12.20	Vertical Wake or Wave Attenuation Structures	<input checked="" type="checkbox"/>	
7:7-12.21	Submerged Cables	<input checked="" type="checkbox"/>	

Citation	Activity	Not Applicable	Analysis
7:7-12.22	Artificial Reefs	<input checked="" type="checkbox"/>	
7:7-12.23	Living Shoreline	<input checked="" type="checkbox"/>	
7:7-12.24	Miscellaneous Uses	<input checked="" type="checkbox"/>	

Individual Permit Requirements for Impervious Cover & Vegetative Cover for General Land Areas & Certain Special Areas – Subchapter 13 (7:7 et al)

The applicant has demonstrated that the site was 100% impervious on the 1995 aerial. The project is therefore entitled to 100% impervious cover, which is proposed.

Individual Permit Requirements for General Location Rule – Subchapter 14 (7:7 et al)

Citation	Activity	Not Applicable	Analysis
7:7-14.1	Linear Development	<input checked="" type="checkbox"/>	
7:7-14.2	Basic Location Rule	<input type="checkbox"/>	As part of the offshore wind initiative, the project will promote public welfare by supporting energy production that reduces greenhouse gas emissions. No impacts to fisheries or T&E habitat are anticipated.
7:7-14.3	Secondary Impacts	<input type="checkbox"/>	The proposed project is an O&M Facility to support the offshore wind project that received a Federal Consistency Determination (0000-21-0022.1 CDT210001). The approval of this facility does not indicate the Department's position on any future proposed activities by ASOW. Any future proposed regulated activities by ASOW on this site or any other location will require separate permit authorization from the Department. As a result, no secondary impacts are anticipated.

Individual Permit Requirements for Use Rule – Subchapter 15 (7:7 et al)

Citation	Activity	Not Applicable	Analysis
7:7-15.2	Housing	<input checked="" type="checkbox"/>	
7:7-15.3	Resort/Recreational	<input checked="" type="checkbox"/>	

Citation	Activity	Not Applicable	Analysis
7:7-15.4	Energy Facility	<input type="checkbox"/>	The proposed facility meets the definition of Energy Facility, which includes onshore support bases and marine terminals for energy production. 15.4(g) states that repair and maintenance facilities for vessels and equipment for offshore activities are encouraged in the Urban Area. Atlantic City is a Special Urban Area, so this type of project is encouraged in this location.
7:7-15.5	Transportation	<input checked="" type="checkbox"/>	
7:7-15.6	Public Facility	<input checked="" type="checkbox"/>	
7:7-15.7	Industry	<input checked="" type="checkbox"/>	
7:7-15.8	Mining	<input checked="" type="checkbox"/>	
7:7-15.9	Port	<input checked="" type="checkbox"/>	
7:7-15.10	Commercial Facility	<input checked="" type="checkbox"/>	
7:7-15.11	Coastal Engineering	<input checked="" type="checkbox"/>	
7:7-15.12	Dredged Material Placement on Land	<input checked="" type="checkbox"/>	
7:7-15.13	National Defense Facility	<input checked="" type="checkbox"/>	
7:7-15.14	High Rise Structure	<input type="checkbox"/>	Based on submitted architectural plans, the proposed warehouse/office building will exceed 60' in height. Per 15.14(c), this Rule does not apply to development in Atlantic City.

Individual Permit Requirements for Resource Rule – Subchapter 16 (7:7 et al)

Citation	Activity	Not Applicable	Analysis
7:7-16.2	Marine Fish & Fisheries	<input checked="" type="checkbox"/>	
7:7-16.3	Water Quality	<input type="checkbox"/>	Site is located within an approved sewer service area. No adverse impacts to water quality are anticipated.
7:7-16.4	Surface Water Use	<input checked="" type="checkbox"/>	

Citation	Activity	Not Applicable	Analysis
7:7-16.5	Groundwater Use	<input checked="" type="checkbox"/>	
7:7-16.6	Stormwater Management Use	<input type="checkbox"/>	See Engineer's report- complies
7:7-16.7	Vegetation	<input checked="" type="checkbox"/>	
7:7-16.8	Air Quality	<input type="checkbox"/>	In comments dated 2/26/24, the Bureau of Evaluation and Planning reviewed the Traffic Engineering Evaluation, dated 12/13/2023 and determined that the project will not significantly affect ambient air quality. The proposed project will generate less than 200 new peak hour vehicle trips; therefore, no further air quality review for traffic generation is required.
7:7-16.9	Public Access	<input type="checkbox"/>	Public Access is required to be provided – see Public Access Info section above
7:7-16.10	Scenic Resources & Design	<input type="checkbox"/>	The project is visually compatible with its surroundings in that it is bordered to the north and south by marina/commercial dock uses, and to the east by Oersted's O&M Facility that was recently constructed. To the west is townhomes which have been present since 1970 when the site was a tank farm, and which have been adjacent to the site in its blighted state since the 1990s. 16.10(d) governing separation from the water and required view corridors is not applicable in Atlantic City.
7:7-16.11	Buffers and Compatibility of uses	<input type="checkbox"/>	As stated in 16.10 above, the project is compatible with adjacent land uses. No vegetated buffers are required.
7:7-16.12	Traffic	<input type="checkbox"/>	The site will only include 9 parking spaces; therefore, an LOS analysis is not required for this project.
7:7-16.13	Subsurface Sewage Disposal Systems	<input checked="" type="checkbox"/>	
7:7-16.14	Solid & Hazardous Waste	<input checked="" type="checkbox"/>	

Section 10 CAFRA NJSA 13:19 Requirements

Citation	Activity	Analysis
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Citation	Activity	Analysis
N.J.A.C. 7:7-1.4(b)1	Conforms with all applicable air, water and radiation emission and effluent standards and all applicable water quality criteria and air quality standards.	As discussed above, the project will conform to all applicable air, water and effluent standards and all applicable water quality criteria and air quality standards. There are no proposed radiation emissions. The project complies with this standard.
N.J.A.C. 7:7-1.4(b)2	Prevents air emissions and water effluents in excess of the existing dilution, assimilative, and recovery capacities of the air and water environments at the site and within the surrounding region.	As discussed above, the project complies with the Stormwater Management rules. The Bureau of Evaluation and Planning confirmed that there are no concerns with air emissions from this project. The project complies with this standard.
N.J.A.C. 7:7-1.4(b)3	Provides for the collection and disposal of litter, recyclable material and solid waste in such a manner as to minimize adverse environmental effects and the threat to the public health, safety, and welfare.	The facility will utilize municipal and/or County trash and recycling services. The project complies with this standard.
N.J.A.C. 7:7-1.4(b)4	Would result in minimal feasible impairment of the regenerative capacity of water aquifers or other ground or surface water supplies.	As discussed above, the project complies with the Stormwater Management rules, and therefore complies with this standard.
N.J.A.C. 7:7-1.4(b)5	Would cause minimal feasible interference with the natural functioning of plant, animal, fish, and human life processes at the site and within the surrounding region.	As discussed above, the project is not anticipated to permanently impact any plant, animal, fish, and human life processes. The upland portion of the site is heavily disturbed.
N.J.A.C. 7:7-1.4(b)6	Is located or constructed so as to neither endanger human life or property nor otherwise impair the public health, safety, and welfare.	The project is not anticipated to endanger human life or property nor otherwise impair the public health, safety, and welfare. The project is required to comply with all applicable State, Federal, and local regulations
N.J.A.C. 7:7-1.4(b)7	Would result in minimal practicable degradation of unique or irreplaceable land types, historical or archeological areas, and existing public scenic attributes at the site and within the surrounding region.	As discussed above, there are no SHPO concerns with the project. There are no existing public scenic attributes at the site. The project complies with this standard.
N.J.A.C. 7:7-1.4(b)8	Provides, pursuant to standards established by rule or regulation adopted pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), on-site public access to the waterfront and adjacent shoreline, or off-site public access to the waterfront and adjacent shoreline if on-site public access is not feasible as determined by the department. Nothing in this subsection shall be construed to abrogate or otherwise affect any public access obligations or requirements of any permit, administrative order, consent decree, or court order in effect prior to the effective date of P.L.2015, c.260.	As discussed above, the applicant will be constructing a public access project as a condition of this permit.

Statement of Authorization

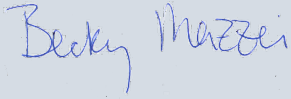
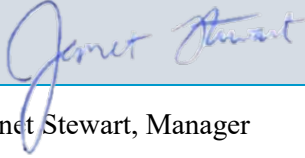
The authorized activities allow for the permittee to undertake impacts to regulated areas as described below. Additional impacts to regulated areas without prior Department approval shall constitute a violation of the rules under which this document is issued and may subject the permittee and/or property owner to enforcement action, pursuant to N.J.A.C. 7:7-29.1

Conditions

See permit

Recommendation

As described above, the proposed project activities comply with the environmental standards set forth in N.J.A.C. 7:7.

Signatures			
Prepared By:		Date	8/9/24
	Becky Mazzei, Environmental Specialist 3		
Approved By:		Date	8/9/2024
	Janet Stewart, Manager		