



## State of New Jersey

PHILIP D. MURPHY  
*Governor*

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF THE ASSISTANT COMMISSIONER  
WATERSHED AND LAND MANAGEMENT  
401 EAST STATE STREET  
PO BOX 401-07B  
Trenton, NJ 08625

SHAWN M. LATOURETTE  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

May 31, 2023

Elizabeth A. Klein  
Director  
Bureau of Ocean Energy Management  
1849 C Street NW  
Washington, D.C. 20240

Karen J. Baker  
Chief, Office of Renewable Energy Programs  
Bureau of Ocean Energy Management  
1849 C Street NW  
Washington, D.C. 20240

Re: Atlantic Shores Offshore Wind, LLC

Dear Ms. Klein and Ms. Baker,

On September 30, 2021, Atlantic Shores Offshore Wind, LLC (“Atlantic Shores”) submitted to the New Jersey Department of Environmental Protection (“NJDEP”) a federal consistency certification and a copy of the Construction and Operation Plan (“COP”) for the proposed construction and operation of the wind energy project known as the Atlantic Shores South project (the “Project”). The Project consists of up to 200 wind turbine generators that will be located in federal offshore waters approximately 8.7 miles from the New Jersey shoreline within Bureau of Ocean Energy Management (“BOEM”) Lease Area OCS-A 0499 (“Lease Area”) as well as accompanying electric transmission cables from the Lease Area to two landfall points in Atlantic and Monmouth counties, respectively.

Although the Project’s Lease Area does not fall within a Geographic Location Description for purposes of 16 USC § 1456(c)(3)(A) and the implementing regulations at 15 CFR Part 930 Subparts D and E, following a request by the NJDEP, Atlantic Shores voluntarily submitted the consistency certification to NJDEP to review for any reasonably foreseeable effects of the Project on coastal use or resources for consistency with the enforceable policies of the New Jersey Coastal Zone Management Program.

NJDEP and Atlantic Shores have mutually agreed to stay the NJDEP six-month consistency review period consistent with 15 CFR§ 930.60(b) to provide sufficient time for discussions, meetings, and exchange of materials between Atlantic Shores and

NJDEP.

The purpose of this letter is to notify BOEM of this stay agreement consistent with 15 CFR § 930.60(b), which is an extension of the first stay agreement as agreed upon by NJDEP and Atlantic Shores. Pursuant to the attached stay agreement executed on May 31, 2023, the NJDEP consistency decision in this matter is due no later than January 12, 2024. The NJDEP will notify BOEM when it issues a final decision in this matter.

Please contact Janet Stewart at (609) 633-2289 or by email at Janet.Stewart@dep.nj.gov should you have any questions.

Sincerely,

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Katrina Angarone  
Assistant Commissioner  
Watershed and Land Management

cc Atlantic Shores Offshore Wind, LLC  
David Kaiser, NOAA  
Kerry Kehoe, NOAA  
Jeffrey Payne, NOAA



**State of New Jersey**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

**AGREEMENT TO STAY SIX-MONTH REVIEW PERIOD**

**Between**

**New Jersey Department of Environmental Protection**

**And**

**Atlantic Shores Offshore Wind, LLC**

The New Jersey Department of Environmental Protection (“NJDEP”) and Atlantic Shores Offshore Wind, LLC hereby agree as follows.

On September 30, 2021, Atlantic Shores Offshore Wind, LLC submitted a federal consistency certification to NJDEP for the proposed construction and operation of a wind energy project, known as the Atlantic Shores project (the “Project”), consisting of up to 200 wind turbine generators that will be located in federal offshore waters approximately 8.7 miles off the New Jersey shoreline within Bureau of Ocean Energy Management (“BOEM”) Lease Area OCS-A 0499 (“Lease Area”) as well as accompanying electric transmission cables from the Lease Area to two landfall points in Atlantic and Monmouth counties, respectively.

Although the Lease Area does not fall within a Geographic Location Description for purposes of 16 USC § 1456(c)(3)(A) and the implementing regulations at 15 CFR Part 930 Subparts D and E, following a request by the NJDEP, Atlantic Shores Offshore Wind, LLC voluntarily submitted a federal consistency certification to the NJDEP that allows the review of any reasonably foreseeable effects of the Project on coastal use or resources for consistency with the enforceable policies of the New Jersey Coastal Zone Management Program. Therefore, the proposed project is subject to NJDEP review pursuant to the Coastal Zone Management Act (CZMA), 16 U.S.C. § } 1451-1466, and the CZMA's implementing regulations at 15 CFR part 930, subpart D and subpart E. In accordance with 15 CFR § 930.60(b), and in consideration of the parties' mutual interest that the State have additional time to fully assess the proposed project's consistency with the state's enforceable policies, the NJDEP and Atlantic Shores Offshore Wind, LLC mutually agree to the following dates and to stay the NJDEP CZMA six-month review period as specified herein.

- Date the NJDEP 6-month review period commenced: October 1, 2021
- Date the 6-month review period was to end: April 1, 2022
- Date that the first stay began: October 1, 2021
- Date that the first stay ended: December 29, 2022
- Date the 6-month review period ends and the NJDEP consistency decision was due: June 29, 2023
- Date the second stay begins: May 31, 2023
- Date the second stay ends at which time the remainder of the six-month review period (30 days) shall commence: December 14, 2023
- Date the NJDEP consistency decision is due: January 12, 2024

NJDEP will issue its consistency decision on or before January 12, 2024, unless NJDEP and Atlantic Shores Offshore Wind, LLC mutually agree in writing to another later date. The NJDEP and Atlantic Shores Offshore Wind, LLC mutually agree that the NJDEP may issue its consistency decision during the stay period and before the end of the stay if the NJDEP determines it has received sufficient information. Furthermore, should NJDEP conclude its review earlier than anticipated by this agreement, then NJDEP will issue its consistency decision at the earliest possible time prior to January 12, 2024. Any other modification or revocation of this agreement will be mutually agreed upon in writing by NJDEP and Atlantic Shores Offshore Wind, LLC.

These agreements made and entered  
by:

\_\_\_\_\_ 5/31/2023  
 Katrina Angarone  
 For New Jersey Department of Environmental Protection Date

DocuSigned by:  
  
 \_\_\_\_\_ 5/31/2023  
 Jennifer Daniels, Development Director  
 Atlantic Shores Offshore Wind, LLC Date

CC: BOEM  
 NOAA