



CREATING GOOD JOBS, A CLEAN ENVIRONMENT, AND A FAIR AND THRIVING ECONOMY

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Comments on the Notice of Intent (NOI) to Prepare an Environmental Impact Statement (EIS) for the Atlantic Shores Offshore Wind projects offshore New Jersey.

Docket No. BOEM–2021–0057

As a coalition of the nation’s largest labor unions and environmental groups, collectively representing millions of members and supporters, the BlueGreen Alliance thanks you for the opportunity to submit these comments to inform the preparation by the Bureau of Ocean Energy Management (“BOEM”) of an Environmental Impact Statement (EIS) for the review of a construction and operations plan (COP) submitted by Atlantic Shores. The expeditious permitting of this project is critical to meet New Jersey’s ambitious goal of 7,500 MW of offshore wind energy by 2035.

We thank you in advance for your review of this project’s socioeconomic and environmental impacts, and early consideration of stakeholder input. A thorough federal analysis is necessary for projects to move nimbly through the permitting process in compliance with state and federal laws, and for all offshore wind projects to rise to this industry’s potential as a transformational solution to the intersecting environmental, public health, and economic crises of our time. As the White House wrote in its recent offshore wind Fact Sheet:¹

“The President recognizes that a thriving offshore wind industry will drive new jobs and economic opportunity up and down the Atlantic Coast, in the Gulf of Mexico, and in Pacific waters. The industry will also spawn new supply chains that stretch into America’s heartland, as illustrated by the 10,000 tons of domestic steel that workers in Alabama and West Virginia are supplying to a Texas shipyard where Dominion Energy is building the Nation’s first Jones Act compliant turbine installation vessel.

“Federal leadership, in close coordination with states and in partnership with the private sector, unions and other key stakeholders is needed to catalyze the deployment of offshore wind at scale.

“...the Administration is taking coordinated steps to support rapid offshore wind deployment and job creation:

1. Advance ambitious wind energy projects to create good-paying, union jobs

¹ White House, FACT SHEET: Biden Administration Jumpstarts Offshore Wind Energy Projects to Create Jobs, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/03/29/fact-sheet-biden-administration-jumpstarts-offshore-wind-energy-projects-to-create-jobs/>

2. Investing in American infrastructure to strengthen the domestic supply chain and deploy offshore wind energy
3. Supporting critical research and data-sharing.”

In the National Environmental Policy Act (“NEPA”), Congress declared “that it is the continuing policy of the Federal Government...to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.” In undertaking an EIS of the Atlantic Shores project, BOEM should ensure it is fulfilling that policy by taking efforts to create a high-road offshore wind industry that:

- Maximizes the creation of quality, family-sustaining, union jobs;
- Expands domestic manufacturing along a robust domestic supply chain;
- Delivers community benefits with attention to improving access to low-income and Black, Brown, Indigenous, and People of Color (“BIPOC”);
- Mitigates risks associated with potential impacts to fisheries; and
- Protects marine ecosystems by avoiding, minimizing, mitigating and monitoring environmental impacts.

BOEM should carefully consider the benefits, as well as the potential adverse impacts, of this proposed action as required by the Council for Environmental Quality regulations and numerous court decisions.² To achieve all of this in preparation of the EIS for Atlantic Shores, and in regards to all offshore wind project development off U.S. shores, we appreciate your attention in analyzing the following matters:

Environmental Impacts

To comply with state and federal policies and achieve all necessary permits, all offshore wind energy must be developed in an environmentally responsible manner that avoids, minimizes and mitigates impacts to ocean wildlife and habitat and traditional ocean uses, meaningfully engages stakeholders from the start, and uses the best available science and data to ensure science-based and stakeholder-informed decision making. This includes analysis of cumulative impacts and adaptive management strategies, obtaining all necessary and relevant data, and requires BOEM to identify all methodologies, and indicate when information is incomplete or unavailable, acknowledge scientific disagreement and data gaps, and evaluate intermediate adverse impacts based on approaches or methods generally accepted in the scientific community. Avoiding sensitive habitat areas, requiring strong measures to protect wildlife throughout each state of the development process, and comprehensive monitoring of wildlife and habitat before, during, and after construction, are all essential for the responsible development of offshore wind energy.

Socio-Economic Impacts

To achieve the Biden Administration’s vision for maximizing union job creation and comply with NEPA’s requirement that federal projects “fulfill the social, economic, and other requirements of present and future generations of Americans,” the EIS should include a robust analysis of socioeconomic impacts associated with Atlantic Shores COP.

In particular, BOEM’s analysis of socioeconomic impacts should include consideration of and incentives to ensure Atlantic Shores’ commitments around use of domestic content; Project Labor Agreements (PLAs), Labor Peace Agreements (LPA’s), Community Benefits Agreement (CBAs); utilization of registered apprentices and other labor-management training programs, protection against worker misclassification and wage theft, neutrality agreements, local hire, and prevailing wage. BOEM’s analysis

² The National Environmental Policy Act in Glickman, R.L., Markell, D.L., Mandelker, D.R., Tarlock, A.D., & Anderson, F.R. (2003). Environmental Protection: Law and Policy, 4th edition. Chapter 3.

should also account for impacts on fisheries and engage fishing industry stakeholders at all possible opportunities.

In its proposed sale notice (PSN) for the sale of commercial wind energy leases on the Outer Continental Shelf (OCS) in the New York Bight, BOEM stated that high road labor standards, specifically PLAs, may support the achievement of Outer Continental Shelf Lands Act factors“—including expeditious development and potentially more years of receipt of operating fees—by assuring labor stability.”³

Plans to support utilization and growth of a domestic supply chain should be analyzed and evaluated to maximize U.S. employment for the projected life cycle of the project. A recent study by researchers at Princeton University found that increasing domestic content in renewable energy projects can create tens of thousands of American jobs without significantly increasing capital costs.⁴

The EIS should also evaluate the programs necessary for training and expanding the domestic workforce with an emphasis on ensuring opportunities for displaced energy workers, as well as fostering equitable access to career pathways in the industry. Particular attention should be paid to creating jobs in construction as well as operations and maintenance for residents of the impacted region.

When done right, offshore wind power will create thousands of high-quality, family-sustaining jobs in manufacturing, construction, operations and maintenance, and in the development of port facilities, transmission, and other associated infrastructure. We appreciate your work to prepare an EIS, informed by early-stakeholder input, and to conduct a diligent socioeconomic review of this project so that we may realize the thousands of jobs and millions of dollars in economic benefits that will be provided by offshore wind.

Signed,



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³ Department of the Interior, *Atlantic Wind Lease Sale 8 (ATLW-8) for Commercial Leasing for Wind Power on the Outer Continental Shelf in the New York Bight—Proposed Sale Notice*, Available Online: <https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/86-FR-31524.pdf>

⁴ Erin N. Mayfield and Jesse D. Jenkins, *Working Paper: Influence of High Road Labor Policies and Practices on Renewable Energy Costs, Decarbonization Pathways, and Labor Outcomes*, April 13, 2021. Available online: https://www.dropbox.com/sh/ad9pzifo9w1a49u/AAC2milGD44MlwXo1Sk7EAgsa?dl=0&preview=Working_Paper-High_Road_Labor_and_Renewable_Energy-PUBLIC_RELEASE-4-13-21.pdf