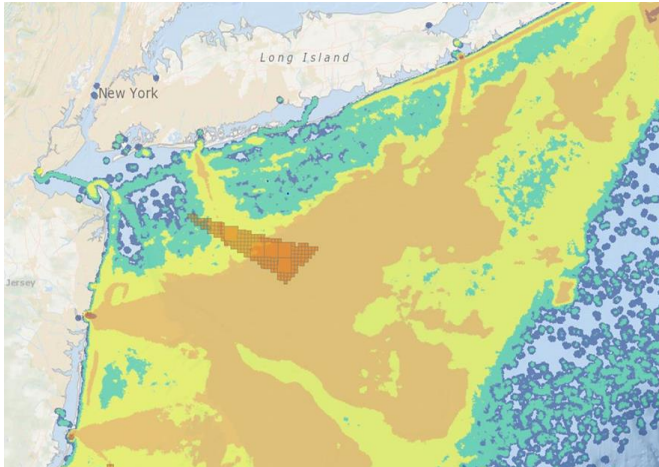


# Re-Site the Wind Energy Area in New York Bight

## A Flawed Leasing Process:

In 2011, the New York Power Authority, on behalf of the Long Island-New York City Offshore Wind Collaborative, selected a 127 square mile portion of the New York Bight (shown in the figure below) and applied for a commercial wind lease there. In accordance with its “Smart from the Start” policy, the Bureau of Ocean Energy Management (“BOEM”) then issued a request to determine whether there was any competitive interest for the site. Two other companies responded affirmatively. In 2014, BOEM issued a Call for Information for the same area. Responses to the Call revealed that the proposed area is critical to a wide range of maritime activities.



*Vessel Monitoring System (VMS) data showing scallop fishing activity in New York Bight. Values increase from green to yellow to red. Proposed wind area is shaded triangle left of center.*

Despite the abundance of uses in the area, BOEM is moving forward with an environmental review of the project. The “Smart from the Start” process allows any company to submit an unsolicited bid for an ocean area of its choosing, without consideration of existing uses. Only far later, after costly site selection and physical suitability analyses have occurred, does the agency even request information from the public. Then, that information is merely presented in environmental impact statements, with no guidelines for how much conflict is too much to proceed. This process makes the burden of showing that a wind farm is *not* appropriate in a given area almost impossible, and it amounts to adverse possession of ocean lands.

## A Sea of Conflicts:

The fishing industry refers to the area in question as the “Mudhole” or “Cholera Bank.” The commercial scallop fishery alone catches several million dollars of scallops per year in the proposed wind energy area, and many more fisheries also operate there, including for squid, monkfish, summer flounder, herring, and quahog. These fish are landed in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Virginia. It also hosts recreational angling, and contains designated Essential Fish Habitat for more than 35 federally-managed fish species including Atlantic cod, yellowtail flounder, bluefin tuna, and several skate and shark species.

The Mudhole is sandwiched between the vessel traffic separation lanes for New York Harbor, which require substantial buffer zones for safety. The World Shipping Council and Port Authority of New York and New Jersey have already expressed concerns about the area’s proximity to sea lanes.

A wind energy facility in this location would also interfere with the operation of eleven high frequency radars in NY, NJ, and RI, according to comments from the National Ocean Service and Rutgers University. The radar network provides information critical to search and rescue activities, oil spill response, and beach closures due to high bacterial levels.

Finally, the Mudhole is teeming with wildlife. It is an important migratory area for numerous bird and bat species, and contains several federally-endangered species including North Atlantic right, humpback, and fin whales, Atlantic sturgeon, and several sea turtle species. A wind farm would impact all of these species.