



# Appendix I-C

## Coastal Zone Management Consistency

# Coastal Zone Management Act Consistency Certification

## Atlantic Shores Offshore Wind

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**March 2021; September 2021; Amended December 2021; Amended April 2022**

## Coastal Zone Management Consistency

The federal Coastal Zone Management Act (CZMA) was enacted by the United States Congress in 1972 (16 §§U.S. Code 1451-1464) and is intended to protect coastal resources with an established goal to “preserve, protect, develop, and where possible, to restore or enhance the resources of the nation’s coastal zone.” The coastal zone is defined as “the coastal waters (including lands therein and thereunder) and adjacent shorelands (including waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of several coastal states, and includes islands, transitional and intertidal areas, salt marshes, wetlands, and beaches.” The Coastal Zone Reauthorization Act Amendments of 1990 further strengthened the act by requiring state programs to better focus on the control of land use activities and cumulative effects of regulated activities within the coastal zones. The CZMA is implemented nationally, and on a state-by-state basis, to maintain consistency with enforceable policies of a state’s federally approved Coastal Zone Management Program (CZMP) or Coastal Resource Management Program (CRMP). The combination of the CZMP and the regulations set forth at 15 Code of Federal Regulation (CFR) Part 930, subparts D, E, or F enables states with approved CZMPs to lead and authorize the coastal zone consistency review for listed activities within the regulated coastal zone or geographic location description (GLD). These states review projects within the coastal zone that are either federally funded, require a federal license or permit, or include any activity that is directly carried out by a federal agency to determine if the proposed project is consistent with the approved CZMA.

In cases where an activity is partly located within the coastal zone and partly located outside the coastal zone there are two scenarios for determining state CZMA jurisdiction:

1. When the coastal zone boundary bisects the activity, where the activity is physically connected across the coastal zone boundary (e.g., wind energy generating facility that is located in both state and Federal waters).
2. When part of the project is located in the coastal zone, and another part of the activity is located outside the coastal zone and is wholly separate, physically, from the part of the activity located in the coastal zone (e.g., a wind energy generating facility that is entirely outside of the coastal zone with an export cable bisected by the coastal zone).

In each of these scenarios, CZM and federal consistency review is treated differently.

In the first case, activities under 15 CFR part 930, subparts D, E, or F that are located in the coastal zone and continues, physically, across the coastal zone boundary is considered an activity that is in the coastal zone. If the activity requires a federal authorization that is listed in a state’s management program, then the entire project is subject to a state’s consistency review. The part of the activity that is located outside the coastal zone would not have to be located in a GLD, or be granted unlisted activity review, in order for the state to review the activity.

In the second case, activities under 15 CFR part 930, subparts D or E are listed in a state’s management program, but part of the activity is located outside the coastal zone or GLD, and is

separate, physically, from the part of the activity located within the coastal zone. In this case, the part of the activity that is outside the coastal zone is subject to federal consistency review, if it is an “associated facility” as defined in 15 CFR 930.11(d), where a proposed facility is a part of the federal activity that is used, in full or in major part, to meet the needs of a federal action and without which the federal action, as proposed, could not be conducted.

This distinction between the two scenarios is made because parts of projects that occur outside the coastal zone (or a GLD):

- may not have a reasonable potential to impact the coastal area.
- are not integral parts of the activity located in the coastal zone; or
- may be authorized by another Federal agency under another federal statute.

In cases where the activity can be separated, § 930.53(a) would apply, and the state would have to seek review of the part of the activity located outside the coastal zone or a GLD as an unlisted activity under § 930.54. Based on this description, the Projects are categorized in the second scenario where the export cable component is bisected by the coastal zone boundary and the wind energy generating facility is separate and wholly outside of the coastal zone.

The Projects’ export cable activities are located within, and just outside of, New Jersey’s designated coastal zone and will require an authorization and issuance of an Individual Permit by the U.S. Army Corps of Engineers (USACE) through Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act (15 CFR Part 930, Subpart D) which will require a federal consistency review under the CZMA (16 USC 1456), §307(c)(3)(A) and 15 CFR Part 930. Federal actions relating to the wind farm portion of the Projects that require Bureau of Ocean Energy Management (BOEM) approval of the Construction and Operations Plan (COP) through 15 CFR Part 930, Subpart E requires a federal consistency certification be made by Atlantic Shores for the portion of the Projects located outside of New Jersey’s Coastal Zone. New Jersey Department of Environmental Protection (NJDEP) can also petition for inclusion in the review process as an unlisted activity since New Jersey does not have a GLD that covers the Offshore Project Area, or Atlantic Shores can voluntarily include New Jersey in the process for federal consistency review of the wind energy generating facility portion of the project. Atlantic Shores intends to voluntarily submit the Federal Consistency to NJDEP for review and certification.

The State of New Jersey administers their federally approved CZMP through the NJDEP Coastal Management Program. The CZMP has a defined boundary and NJDEP has developed a set of enforceable policies to evaluate projects within the coastal zone as defined in the New Jersey Coastal Zone Management (CZM) rules by N.J.A.C. 7:7, 7:7E (July 18, 1994; amended February 20, 2020). These policies address issues of location, use, and resources and provide for a balance between economic development and coastal resources protection. The NJDEP reviews permit applications that address the enforceable policies under the federally approved CZMP and ultimately makes decisions for the location, uses and, delegation of resources for projects.

The New Jersey CZMP is outlined in the Coastal Zone Management Rules (N.J.A.C. 7:7) which establish the requirements for review of development applications under the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et. seq. (CAFRA permits), the Wetlands Act of 1970 N.J.S.A. 13:9A-1 et. seq. (coastal wetland permits), and the Waterfront Development Law N.J.S.A. 12:5-3 (waterfront development permits). The Coastal Zone Management Rules are also used in the review of water quality certificates subject to Section 401 of the Federal Clean Water Act and Federal Consistency Determinations.

The Coastal Zone Management Rules are divided into 29 subchapters. Subchapters 1 through 8 and 17 through 29 apply only to the New Jersey CAFRA, coastal wetlands, and waterfront development permits. Subchapters 9 through 16 address the specific policies that are applicable to all state permits and Water Quality Certificate and Federal Consistency Determination reviews. These subchapters are as follows:

- Subchapter 9: Special Areas – Special Areas within the Coastal Zone that have been identified as valuable resources and are included in this subchapter for additional regulation or special management rules. These Special Areas are either naturally valuable, hazardous, important for human use, sensitive, or require special management.
- Subchapter 10: Standards for Beach and Dune Activities – This subchapter applies to routine beach maintenance, emergency post-storm beach restoration, dune creation and maintenance and the construction of boardwalks.
- Subchapter 11: Standards for Conducting and Reporting the Results of an Endangered or Threatened Wildlife or Plant Species Habitat Impact Assessment and/or Endangered Species – This subchapter outlines the standards for conducting threatened and/or endangered species habitat impact assessment and species habitat evaluation and discusses the standards for reporting results of these assessments.
- Subchapter 12: General Water Areas – This subchapter outlines requirements set forth for general water areas defined as those “which are located below either the spring high water line or the normal water level of non-tidal water that are subject to this Subchapter.”
- Subchapter 13: Requirements for Impervious Surface Cover and Vegetative Cover for General Land Areas and Certain Special Areas – This subchapter represents requirements for impervious surface/vegetative cover in general land areas as they relate to regulated areas in waterfront development areas.
- Subchapter 14: General Location Rules – This subchapter involves rules of location of development and how they relate to secondary impacts.
- Subchapter 15: Use Rules – This subchapter discusses coastal engineering measures and how they relate to major land use categories.

- Subchapter 16: Resource Rules – This subchapter relates coastal engineering measures and methods to a variety of resources outlined in the subchapter.

Table 1 provides a summary of the enforceable program policies and management rules under New Jersey’s CZMP and provides a brief assessment of the Projects’ consistency with the CZMP’s purpose. A citation to specific COP sections is also provided where the necessary data and information required under 15 CFR § 930.58 is presented and analysis discussed to support the policy applicability assessment. The applicable policies and rules are the same for Project 1 and Project 2.

Based on the responses provided in Table 1, the Projects are consistent to the maximum extent practicable with the enforceable policies of the New Jersey Coastal Management Program.

**Table 1: Atlantic Shores New Jersey State Coastal Zone Management Program Consistency Review - Coastal Zone Management N.J.A.C. 7:7**

Policy/Requirement	Response to Policy for Atlantic Shores Offshore Facilities <sup>1</sup>	Response to Policy for Atlantic Shores Onshore Facilities <sup>2</sup>	COP Section Reference
<p><b>Subchapter 9: Special Areas</b> See 7:7-9.1 for the Purpose and scope for Special Areas</p>			
7:7-9.2 Shellfish Habitat	The Offshore Facilities are consistent with this policy because impacts to shellfish habitat from construction and operation activities have been avoided or minimized to the greatest extent practicable.	This policy is not applicable because there is no known shellfish habitat within the vicinity of the Onshore Facilities. Additionally, impacts to water areas that may contain shellfish habitat will be avoided through construction techniques such as horizontal direction drilling (HDD).	Volume I: Section 4.5, Section 4.7, Section 4.8 and Section 4.9 Volume II: Section 4.5 and Section 7.4
7:7-9.3 Surf Clam Areas	The Offshore Facilities are consistent with this policy because export cables will be installed using low impact installation techniques that limit substrate disturbance and sediment suspension, minimizing potential impacts to surface clam areas. Additionally, HDD will be used to install the export cable from the landfall sites to a point in the ocean beyond the toe-of-slope of the beach avoiding surf clam areas. Furthermore, the Projects are consistent with the national interest in developing diversified forms of renewable energy generation to serve the anticipated increase in demand for electric power within the electric markets that will be served by the Projects.	This policy is not applicable because surf clam areas are not located within proximity to the Onshore Facilities.	Volume I: Section 4.5, Section 4.7, Section 4.8 and Section 4.9 Volume II: Section 4.5 and Section 7.4
7:7-9.4 Prime Fishing Areas	The Offshore Facilities are consistent with this policy because the offshore export cable routes have been routed to avoid impacts Prime Fishing Areas as identified on New Jersey’s Specific Sport Ocean Fishing Grounds map. Additionally, installation will involve low impact techniques that will limit substrate disturbance and sediment suspension further minimizing potential impacts to Prime Fishing Areas.	The Onshore Facilities are consistent with this policy because the onshore interconnection cable routes have been routed to avoid impacts to waterbodies by using HDD to install the cable under these resources which are potential prime fishing areas.	Volume I: Section 4.5, Section 4.7, Section 4.8 and Section 4.9 Volume II: Section 4.1, Section 4.2, Section 4.6, Section 7.3, Section 7.4
7:7-9.5 Migratory Fish Pathways	The Offshore Facilities are consistent with this policy because the offshore export cable routes have been routed to avoid or minimize impacts to sensitive habitats including migratory fish pathways. Additionally, offshore facilities will be installed below the ocean bottom and an impede migratory fish pathways.	The Onshore Facilities are consistent with this policy because all onshore development will avoid impacts to tidal waters and rivers by crossing via HDD. This will avoid potential interference with migratory fish pathways.	Volume I: Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 4.6
7:7-9.6 Submerged Vegetation Habitat	This policy is not applicable because submerged aquatic vegetation does not occur within proximity to the Offshore Facilities.	The Onshore Facilities are consistent with this policy because potential direct impacts to all waterbodies will be avoided during construction by HDD, which will also avoid potential impact to submerged vegetation habitat. The Projects will also be constructed according to an approved Soil Erosion Sediment Control plan to minimize potential sedimentation of the adjacent waters.	Volume I: Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 3.2, Section 4.1, and Section 4.2

Policy/Requirement	Response to Policy for Atlantic Shores Offshore Facilities <sup>1</sup>	Response to Policy for Atlantic Shores Onshore Facilities <sup>2</sup>	COP Section Reference
7:7-9.7 Navigation Channels	The Offshore Facilities are consistent with this policy because the installation and/or existence of the offshore export cable routes will not impact navigation channels.	The Onshore Facilities are consistent with this policy because the landfall locations are not located within or adjacent to navigation channels. The onshore interconnection cable routes will cross navigation channels; however, the cables will be placed underneath channels using construction techniques such as HDD.	Volume I: Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 7.3 and Section 7.6
7:7-9.8 Canals	This policy is not applicable because the offshore areas of the Projects do not contain canals.	This policy is not applicable because the offshore areas of the Projects do not contain canals.	Not Applicable
7:7-9.9 Inlets	This policy is not applicable because the offshore areas of the Projects do not contain inlets.	This policy is not applicable because the onshore facilities are not located within or adjacent to any inlets.	Not Applicable
7:7-9.10 Marina Moorings	This policy is not applicable because there are no marinas located proximate to the offshore facilities.	This policy is not applicable because there are no marinas located proximate to the onshore facilities.	Not Applicable
7:7-9.11 Ports	The Offshore Facilities are consistent with this policy because construction, operation, and maintenance of the Offshore Facilities will not adversely affect or interfere with port uses.	The Onshore Facilities are consistent with this policy because construction, operation, and maintenance of the Onshore Facilities will not adversely affect or interfere with port uses.	Volume I: Section 4.5, Section 4.7, and Section 4.8, Section 5.4, and Section 5.6 Volume II: Section 7.5, Section 7.6, and Section 7.9
7:7-9.12 Submerged Infrastructure Routes	The Offshore Facilities are consistent with this policy because the export cables will be buried in the sea floor to protect this infrastructure. Export cable crossings of existing infrastructure will be conducted in a manner as to minimize the likelihood of damage or breakage.	The Onshore Facilities are consistent with this policy because the onshore interconnection cables will cross tidal and nontidal waterbodies via HDD to protect these resources. There is no existing infrastructure known to occur within the onshore waterbodies, but any infrastructure that occurs will be crossed in a manner that will minimize the likelihood of damage or breakage.	Volume I: Section 4.5, Section 4.8, and Section 4.9 Volume II: Section 7.5
7:7-9.13 Shipwreck and Artificial Reef Habitats	The Offshore Facilities are consistent with this policy because the offshore export cables have been routed to avoid shipwrecks and artificial reef habitats.	This policy does not apply because there are no shipwrecks or artificial reefs within the onshore portion of the Projects.	Volume I: Section 4.5 Volume II: Section 4.6 and Section 6.3
7:7-9.14 Wet Borrow Pits	This policy does not apply because there are no borrow pits within the Atlantic Ocean.	This policy does not apply because wet borrow pits are not located within or proximate to the Onshore Facilities.	Volume I: Section 1.1 Volume II: Section 4.1
7:7-9.15 Intertidal and Subtidal Shallows	The Offshore Facilities are consistent with this policy because HDD installation of the export cable from beyond the toe-of-slope of the beach to the landfall site will avoid impacts to intertidal or subtidal shallows.	The Onshore Facilities are consistent with this policy because the portions of the onshore interconnection cable that will occur within these areas will be installed via HDD to avoid impacts to the natural substrate bottom of intertidal and subtidal shallows.	Volume I: Section 4.5, Section 4.8, and Section 4.9 Volume II: Section 4.1
7:7-9.16 Dunes	The Offshore Facilities are consistent with this policy because the export cable will be installed using HDD to avoid any impacts to dunes.	The Onshore Facilities are consistent with this policy because all components of the Projects have been sited and routed to avoid dune areas.	Volume I: Section 4.5, Section 4.8, and Section 4.9 Volume II: Section 2.1, Section 4.1, and Section 4.2



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7:7-9.17 Over wash Areas	The Offshore Facilities are consistent with this policy because any development associated with the offshore export cables will not cause adverse, long-term impacts to the natural functioning of the beach and dune system. The installation method used to landfall the export cables as it relates to beach and dune systems will be via HDD which will avoid impacts.	The Onshore Facilities are consistent with this policy because none of the Projects' components are located within an over wash area.	Volume I: Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 2.1
7:7-9.18 Coastal High Hazard Areas	This policy is not applicable because the Offshore Facilities are not located within a Coastal High Hazard Area and is not a residential or commercial development.	This policy is not applicable because the Onshore Facilities are not residential or commercial development and will occur entirely underground near the coast.	Volume I: Section 4.0, Section 4.5, Section 4.7, Section 4.8, and Section 4.9 Volume II: Section 2.2
7:7-9.19 Erosion Hazard Areas	The Offshore Facilities are consistent with this policy because all development is occurring on the sea floor and the export cable will be installed via HDD from the landfall site to beyond the toe-of-slope of the beach to avoid potential erosion hazard areas.	This policy does not apply because the Onshore Facilities are not located in any erosion hazard areas.	Volume I: Section 4.0, Section 4.5 Volume II: Section 2.2
7:7-9.20 Barrier Island Corridor	The Offshore Facilities are consistent with this policy because the offshore export cable will be installed via HDD to avoid any loss vegetative cover and will not result in additional impervious surfaces.	The Onshore Facilities are consistent with this policy because they will be installed and maintained underground in already disturbed/non-vegetated areas and therefore will not result in the loss of additional vegetative cover or result in additional impervious surfaces.	Volume I: Section 4.5, Section 4.7, Section 4.8, and Section 4.9 Volume II: Section 7.5
7:7-9.21 Bay Islands	This policy does not apply because the Offshore Facilities are not located on any bay islands.	This policy does not apply because the Onshore Facilities are not located within bay islands.	Not Applicable
7:7-9.22 Beaches	The Offshore Facilities are consistent with this policy because the export cable will be installed via HDD from the landfall location to a point beyond the toe-of-slope of the beach, thereby avoiding impacts.	This policy does not apply to the Onshore Facilities because none of the components are located on a beach.	Volume I: Section 4.5, Section 4.7, Section 4.8, and Section 4.9 Volume II: Section 2.2
7:7-9.23 Filled Water's Edge	This policy does not apply to the Offshore Facilities because they are not located within or adjacent to any filled water's edge areas.	The Onshore Facilities are consistent with this policy because all wetlands and waterbodies and associated filled water's edge areas will be avoided by installing the onshore interconnection cables using HDD.	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 4.1, Section 4.2
7:7-9.24 Existing Lagoon Edges	This policy does not apply to the Offshore Facilities because they are not located within or adjacent to any existing lagoon edges.	The Onshore Facilities are consistent with this policy because the onshore interconnection cable will be installed underground within existing roadway, railroad, and utility line rights-of-way. Upon construction completion, these areas will be stabilized and returned to preconstruction contours and elevations.	Volume I: Section 4.7 and Section 4.8 Volume II: Section 4.1
7:7-9.25 Flood Hazard Areas	This policy does not apply to the Offshore Facilities because these facilities do not involve any habitable buildings or construction of railroads, roadways, bridges and/or culverts.	The Onshore Facilities are consistent with this policy because all components of the Projects within flood hazard areas will be installed underground and will comply with the requirements for impervious cover and vegetative cover under N.J.A.C. 7:13.	Volume I: Section 1.3.2 Volume II: Section 2.2

Policy/Requirement	Response to Policy for Atlantic Shores Offshore Facilities <sup>1</sup>	Response to Policy for Atlantic Shores Onshore Facilities <sup>2</sup>	COP Section Reference
7:7-9.26 Riparian Zones	This policy does not apply to the Offshore Facilities because there are no riparian zones proximate to offshore export cable.	The Onshore Facilities are consistent with this policy because riparian zones and riparian zone buffers will be avoided by installing the onshore interconnection cables via HDD and all other components are not located within or adjacent to riparian zones.	Volume I: Section 1.3.2, Section 4.0, Section 4.7, Section 4.8, and Section 4.9 Volume II: Section 4.1
7:7-9.27 Wetlands	This policy does not apply to the Offshore Facilities because there are no wetlands in the offshore portion of the Projects.	The Onshore Facilities are consistent with this policy because wetlands will be avoided. The onshore interconnection cables will be installed under all wetland areas using HDD. All other facility components are located outside of wetland boundaries.	Volume I: Section 1.3.2, Section 4.1, Section 4.5, Section 4.7, Section 4.8, and Section 4.9 Volume II: Section 4.1
7:7-9.28 Wetlands Buffers	This policy does not apply to the Offshore Facilities because there are no wetland buffers in the offshore portions of the Projects.	The Onshore Facilities are consistent with this policy because impacts to wetland buffers will be minimized via HDD installation of the onshore interconnection cables. All other facility components are located outside of wetland buffer areas.	Volume I: Section 1.3.2, Section 4.1, Section 4.5, Section 4.7, Section 4.8, and Section 4.9 Volume II: Section 4.1
7:7-9.29 Coastal Bluffs	This policy does not apply to the Offshore Facilities because there are no coastal bluffs present in the offshore portions of the Projects.	This policy does not apply to the Onshore Facilities because there are no coastal bluffs present in the onshore portions of the Projects.	Not Applicable
7:7-9.30 Intermittent Stream Corridors	This policy does not apply to the Offshore Facilities because there are no intermittent stream corridors present in the Atlantic Ocean.	The Onshore Facilities are consistent with this policy because any intermittent stream corridors will be avoided by installing the onshore interconnection cables using HDD.	Volume I: Section 1.3.2, Section 4.7, and Section 4.8 Volume II: Section 4.1 and Section 4.2
7:7-9.31 Farmland Conservation Areas	This policy does not apply to the Offshore Facilities because there are no Farmland Conservation Areas present.	This policy does not apply to the Onshore Facilities because there are no Farmland Conservation Areas present.	Not Applicable
7:7-9.32 Steep Slopes	This policy does not apply because there are no steep slopes proximate to the Offshore Facilities.	This policy does not apply because there are no steep slopes proximate to the Offshore Facilities.	Not Applicable
7:7-9.33 Dry Borrow Pits	This policy does not apply because there are no dry borrow pits proximate to the Offshore Facilities.	The Onshore Facilities comply with this policy because any dry borrow pits that may be needed for onshore construction will not be located in a prohibited area, will not interfere with local groundwater flow, and will not be filled or graded with prohibited materials.	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 2.1 and Section 2.2
7:7-9.34 Historic and Archaeological Resources	The Offshore Facilities are consistent with this policy because the export cable has been routed to avoid potential offshore archaeological resource areas to the maximum extent practicable.	The Onshore Facilities are consistent with this policy because the landfall locations, interconnection cable routes, and proposed substations are all located within previously disturbed areas and therefore will not interfere with archeological discoveries or established sites.	Volume I: Section 4.1, Section 4.5, section 4.7, and Section 4.8 Volume II: Section 6.1, Section 6.2, and Section 6.3
7:7-9.35 Specimen Trees	This policy does not apply because there are no specimen trees proximate to the Offshore Facilities.	This policy does not apply because there are no specimen trees proximate to the Onshore Facilities.	Not Applicable

Policy/Requirement	Response to Policy for Atlantic Shores Offshore Facilities <sup>1</sup>	Response to Policy for Atlantic Shores Onshore Facilities <sup>2</sup>	COP Section Reference
7:7-9.36 Endangered or Threatened Wildlife or Plant Species Habitats	The Offshore Facilities are consistent with this policy because the construction and routine operations and maintenance phases will implement best management practices and mitigation measures to minimize potential impacts to marine threatened and endangered species.	The Onshore Facilities are consistent with this policy because terrestrial threatened, and endangered species habitat will be avoided to the maximum extent practicable. Additional BMPs will be implemented to further reduce potential impact to the protected species and/or associated habitat.	Volume I: Section 4.1, 4.5, Section 4.7, and Section 4.8 Volume II: Section 4.2, Section 4.3, Section 4.4, Section 4.6, Section 4.7, Section 4.8, and Section 4.9
7:7-9.37 Critical Wildlife Habitat	This policy does not apply because critical wildlife is not proximate to the Offshore Facilities.	The Onshore Facilities are consistent with this policy because the components of the Projects are located within existing developed/disturbed areas which will avoid impact to any critical wildlife habitat that occurs within the vicinity of the Projects.	Volume I: Section 4.1, Section 4.7, and Section 4.8 Volume II: Section 4.2, Section 4.3, Section 4.4, Section 4.6, Section 4.7, Section 4.8, and Section 4.9
7:7-9.38 Public Open Space	This policy is not applicable because there are no areas of public open space within the Offshore Facilities locations.	The Onshore Facilities comply with this policy because any portion of the Projects that falls within public spaces will not adversely affect those open spaces. The majority of Project activities are taking place within pre-existing, paved roadways and other rights-of-way. After the facilities are in operation, they will not interfere with public spaces because all facilities, except the onshore substations, will be located underground.	Volume I: Section 4.1, 4.5, Section 4.7, and Section 4.8 Volume II: Section 4.2, Section 5.0, Section 7.3, and Section 7.5
7:7-9.39 Special Hazard Areas	This policy is not applicable because there are no special hazard areas present within the Offshore Facilities of the Projects.	This policy is not applicable because there are no special hazard areas present within the Onshore Facilities of the Projects.	Not Applicable
7:7-9.40 Excluded Federal Lands	This policy is not applicable because the Offshore Facilities will not be located on excluded federal lands as listed in the NJ Coastal Management Program, Final Environmental Impact Statement (August 1980).	This policy is not applicable because the Onshore facilities will not be located on any excluded federal lands as listed in the NJ Coastal management Program, Final Environmental Impact Statement (August 1980).	Not Applicable
7:7-9.41 Special Urban Areas	The Offshore Facilities are consistent with this policy because the export cable and overall Projects will be a net benefit to the regional economy.	The Onshore Facilities are consistent with this policy because the overall Projects will be a net benefit to the region.	Volume I, Section 2.2 and Section 4.0, Volume II. Section 7.0
7:7-9.42 Pinelands National Reserve and Pinelands Protection Area	This policy is not applicable because the Offshore Facilities are not located within the Pinelands National Reserve or the Pinelands Protection Area.	The Onshore Facilities comply with this policy because all components of the Projects within the Pinelands are located in development management areas which are outside of the protection areas. In addition, these components are being constructed within previously disturbed areas and are using best management practices to minimize impacts.	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 4.1 and Section 4.2
7:7-9.43 Meadowlands District	This policy does not apply to the Offshore Facilities because they are not located within the Meadowlands District.	This policy does not apply to the Onshore Facilities because they are not located within the Meadowlands District.	Not Applicable
7:7-9.44 Wild and Scenic River Corridors	This policy is not applicable because there are no wild and scenic river corridors present within proximity to the Offshore Facilities.	This policy is not applicable because there are no wild and scenic river corridors present within proximity to the Onshore Facilities.	Not Applicable

Policy/Requirement	Response to Policy for Atlantic Shores Offshore Facilities <sup>1</sup>	Response to Policy for Atlantic Shores Onshore Facilities <sup>2</sup>	COP Section Reference
7:7-9.45 Geodetic Control Reference Marks	This policy is not applicable to the Offshore Facilities because there are no geodetic control reference marks within this portion of the Projects.	The Onshore Facilities will be consistent with this policy. Although no geodetic control reference marks are not known to occur, if any are located, they will not be disturbed.	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8
7:7-9.46 Hudson River Waterfront Area	This policy does not apply because the Offshore Facilities are not located within the Hudson River Waterfront Area.	This policy does not apply because the Onshore Facilities are not located within the Hudson River Waterfront Area.	Not Applicable
7:7-9.77 Atlantic City	This policy does not apply because the Offshore Facilities do not affect any restricted or conditional types of development outlined within the policy.	The Onshore Facilities are consistent with this policy because the Projects do not include casino, pier, boardwalk, awning or signage development and the types of development occurring will have minimal impacts to the current city conditions.	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8
7:7-9.48 Lands and Waters Subject to Public Trust Rights	The Offshore Facilities are consistent with this policy because the Projects will not interfere with public trust rights to tidal waterways and their shores.	The Onshore Facilities are consistent with this policy because the Projects will not interfere with public trust rights to tidal waterways and their shores.	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 7.5, Section 7.6, and Section 7.9
7:7-9.49 Dredged Material Management Areas	This policy does not apply because the Offshore Facilities are not located within a dredged material management area.	This policy does not apply because the Onshore Facilities are not located within a dredged material management area.	Not Applicable
<b>Subchapter 10: Standards for Beach and Dune Activities</b>			
See 7:7-10.1 for the Purpose and scope for Standards for Beach and Dune Activities			
7:7-10.2 Standards Applicable to Routine Beach Maintenance	This policy does not apply to the Offshore Facilities because the export cable will be installed under the beach area. Beach maintenance is not proposed as part of the Projects.	This policy does not apply to the Onshore Facilities because none of the facilities are located in a beach area and beach maintenance is not proposed as part of the Projects.	Not Applicable
7:7-10.3 Standards Applicable to Emergency Post-Storm Beach Restoration	This Policy does not apply to the Offshore Facilities because the Projects do not involve emergency post-storm beach restoration.	This policy does not apply to the Onshore Facilities because none of the facilities are located in a beach area and the Projects do not involve beach maintenance.	Not Applicable
7:7-10.4 Standards Applicable to Dune Creation and Maintenance	This policy does not apply to the Offshore Facilities because the Projects do not involve the creation and/or maintenance of dunes.	This policy does not apply to the Onshore Facilities because none of the facilities are located in a dune area and the Projects do not involves the creation and/or maintenance of dunes.	Not Applicable
7:7-10.5 Standards Applicable to the Construction of Boardwalks	This policy does not apply to the Offshore Facilities because the Projects do not involve the construction of boardwalks.	This policy does not apply to the Onshore Facilities because the Projects do not involve the construction of boardwalks.	Not Applicable
<b>Subchapter 11: Standards for Conducting and Reporting the Results of an Endangered or Threatened Wildlife or Plant Species Habitat Impact Assessment and/or Endangered or Threatened Wildlife Species Habitat Evaluation</b>			
See 7:7-11.1 for the Purpose and scope for conducting and reporting Threatened & Endangered species impact assessment and/or habitat evaluation			
7:7-11.2 Standards for Conducting Endangered or Threatened Wildlife or Plant Species Habitat Impact Assessment	This policy describes the standards for conducting an Endangered or Threatened Wildlife/Plant Species Habitat Impact Assessment. Specified standards will be applicable at the time of coordination and filing of permit applications for the Projects.	This policy describes the standards for conducting an Endangered or Threatened Wildlife/Plant Species Habitat Impact Assessment. Specified standards will be applicable at the time of coordination and filing of permit applications for the Projects, if species-specific impact assessments are necessary.	Volume I: Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 4.6 and Section 4.9

## Coastal Zone Management Consistency

The federal Coastal Zone Management Act (CZMA) was enacted by the United States Congress in 1972 (16 §§U.S. Code 1451-1464) and is intended to protect coastal resources with an established goal to “preserve, protect, develop, and where possible, to restore or enhance the resources of the nation’s coastal zone.” The coastal zone is defined as “the coastal waters (including lands therein and thereunder) and adjacent shorelands (including waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of several coastal states, and includes islands, transitional and intertidal areas, salt marshes, wetlands, and beaches.” The Coastal Zone Reauthorization Act Amendments of 1990 further strengthened the act by requiring state programs to better focus on the control of land use activities and cumulative effects of regulated activities within the coastal zones. The CZMA is implemented nationally, and on a state-by-state basis, to maintain consistency with enforceable policies of a state’s federally approved Coastal Zone Management Program (CZMP) or Coastal Resource Management Program (CRMP). The combination of the CZMP and the regulations set forth at 15 Code of Federal Regulation (CFR) Part 930, subparts D, E, or F enables states with approved CZMPs to lead and authorize the coastal zone consistency review for listed activities within the regulated coastal zone or geographic location description (GLD). These states review projects within the coastal zone that are either federally funded, require a federal license or permit, or include any activity that is directly carried out by a federal agency to determine if the proposed project is consistent with the approved CZMA.

In cases where an activity is partly located within the coastal zone and partly located outside the coastal zone there are two scenarios for determining state CZMA jurisdiction:

1. When the coastal zone boundary bisects the activity, where the activity is physically connected across the coastal zone boundary (e.g., wind energy generating facility that is located in both state and Federal waters).
2. When part of the project is located in the coastal zone, and another part of the activity is located outside the coastal zone and is wholly separate, physically, from the part of the activity located in the coastal zone (e.g., a wind energy generating facility that is entirely outside of the coastal zone with an export cable bisected by the coastal zone).

In each of these scenarios, CZM and federal consistency review is treated differently.

In the first case, activities under 15 CFR part 930, subparts D, E, or F that are located in the coastal zone and continues, physically, across the coastal zone boundary is considered an activity that is in the coastal zone. If the activity requires a federal authorization that is listed in a state’s management program, then the entire project is subject to a state’s consistency review. The part of the activity that is located outside the coastal zone would not have to be located in a GLD, or be granted unlisted activity review, in order for the state to review the activity.

In the second case, activities under 15 CFR part 930, subparts D or E are listed in a state’s management program, but part of the activity is located outside the coastal zone or GLD, and is

Policy/Requirement	Response to Policy for Atlantic Shores Offshore Facilities <sup>1</sup>	Response to Policy for Atlantic Shores Onshore Facilities <sup>2</sup>	COP Section Reference
7:7-12.11 Filling	This policy does not apply to Offshore Facilities because filling is not included as part of the Projects.	This policy does not apply to Onshore Facilities because filling is not included as part of the Projects.	Not Applicable
7:7-12.12 Mooring	This policy does not apply to Offshore Facilities because mooring is not included as part of the Projects.	This policy does not apply to Onshore Facilities because mooring is not included as part of the Projects.	Not Applicable
7:7-12.13 Sand and Gravel Mining	This policy does not apply to Offshore Facilities because sand and gravel mining are not included as part of the Projects.	This policy does not apply to Onshore Facilities because sand and gravel mining are not included as part of the Projects.	Not Applicable
7:7-12.14 Bridges	This policy does not apply to Offshore Facilities because construction of bridges is not included as part of the Projects.	This policy does not apply to Onshore Facilities because construction of bridges is not included as part of the Projects.	Not Applicable
7:7-12.15 Submerged Pipelines	This policy does not apply to Offshore Facilities because submerged pipelines are not included as part of the Projects.	This policy does not apply to Onshore Facilities because submerged pipelines are not included as part of the Projects.	Not Applicable
7:7-12.16 Overhead Transmission Lines	This policy does not apply to Offshore Facilities because overhead transmission lines are not included as part of the Projects.	This policy does not apply to Onshore Facilities because overhead transmission lines are not included as part of the Projects.	Not Applicable
7:7-12.17 Dams and Impoundments	This policy does not apply to Offshore Facilities because dams and impoundments are not included as part of the Projects.	This policy does not apply to Onshore Facilities because dams and impoundments are not included as part of the Projects.	Not Applicable
7:7-12.18 Outfalls and Intakes	This policy does not apply to Offshore Facilities because installation of outfalls and intakes are not included as part of the Projects.	This policy does not apply to Onshore Facilities because installation of outfalls and intakes are not included as part of the Projects.	Not Applicable
7:7-12-19 Realignment of Water Areas	This policy does not apply to Offshore Facilities because the realignment of water areas is not included as part of the Projects.	This policy does not apply to Onshore Facilities because the realignment of water areas is not included as part of the Projects.	Not Applicable
7:7-12.20 Vertical Wake or Wave Attenuation Structures	This policy does not apply to Offshore Facilities because the installation of vertical wake or wave attenuation structures is not included as part of the Projects.	This policy does not apply to Onshore Facilities because the installation of vertical wake or wave attenuation structures is not included as part of the Projects.	Not Applicable
7:7-12.21 Submerged Cables	This Policy does not apply to Offshore Facilities because the installation of submerged telecommunication cables is not included as part of the Projects.	This policy does not apply to Onshore Facilities because the installation of submerged telecommunication cables is not included as part of the Projects.	Not Applicable
7:7-12.22 Artificial Reefs	This policy does not apply to Offshore Facilities because the installation of artificial reefs is not included as part of the Projects.	This policy does not apply to Onshore Facilities because the installation of artificial reefs is not included as part of the Projects.	Not Applicable
7:7-12.23 Living Shorelines	This policy does not apply to Offshore Facilities because the installation of living shorelines is not included as part of the Projects.	This policy does not apply to Onshore Facilities because the installation of living shorelines is not included as part of the Projects.	Not Applicable

Policy/Requirement	Response to Policy for Atlantic Shores Offshore Facilities <sup>1</sup>	Response to Policy for Atlantic Shores Onshore Facilities <sup>2</sup>	COP Section Reference
7:7-12.24 Miscellaneous Uses	The Offshore Facilities will be consistent with this policy because specified standards will be applicable at the time of coordination and filing of permit applications for the Projects.	The Onshore Facilities will be consistent with this policy because specified standards will be applicable at the time of coordination and filing of permit applications for the Projects.	Volume I: Section 4.2 and Section 4.4
<b>Subchapter 13: Requirements for Impervious Cover and Vegetative Cover for General Land Areas and Certain Special Areas</b>			
See 7:7-13.1 for the Purpose and scope for Requirements for Impervious Cover and Vegetative Cover for General Land Areas and Certain Special Areas			
7:7-13.3 Impervious Cover Requirements that Apply to Sites in the Upland Waterfront Development and CAFRA Areas	The Offshore Facilities are consistent with this policy because the offshore export cable will be installed and maintained underground via HDD and therefore will not result in an increase of impervious cover.	The Onshore Facilities are consistent with this policy because they will be installed and maintained underground in already disturbed/paved areas and therefore will not result in an increase of impervious cover.	Volume I, Section 4.1, Section 4.5, Section 4.7 and Section 4.8 Volume II: Section 7.5
7:7-13.4 Vegetative Cover Requirements that Apply to Sites in the Upland Waterfront Development and CAFRA Areas	The Offshore Facilities are consistent with this policy because the offshore export cable will be installed and maintained underground via HDD and therefore will not result in the loss of vegetative cover.	The Onshore Facilities are consistent with this policy because they will be installed and maintained underground in already disturbed/non-vegetated areas and therefore will not result in the loss of vegetative cover.	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 4.2
7:7-13.5 Determining if a Site is Forested or Unforested	This policy does not apply to the offshore facilities as they will not be located on a forested site.	The Onshore Facilities are consistent with this policy because they will be installed and maintained underground in already disturbed areas that are non-forested.	Volume I: Section 4.4, Section 4.7, Section 4.8, and Section 4.9 Volume II: Section 4.2 and Section 7.5
7:7-13.6 Upland Waterfront Development Area Regions and Growth Ratings	The Offshore Facilities are consistent with this policy because the export cable will be installed in a region that is assigned a development growth rating and will have minimal impacts to groundwater quality.	The Onshore Facilities are consistent with this policy because they will be located in regions that are already largely developed and are assigned a development growth rating and will have minimal impacts to groundwater quality.	Volume I: Section 4.4 Volume II: Section 3.2 and Section 7.5
7:7-13.7 Determining the Environmental Sensitivity of a Site in the Upland Waterfront Development Area	The Offshore Facilities are consistent with this policy because the cable will be installed via HDD within largely urban locations which will minimize potential adverse impacts to groundwater. Additionally, the location of the Offshore Facilities should be in a low environmental sensitivity area.	The Onshore Facilities are consistent with this policy because they will be installed and maintained underground in previously developed/disturbed areas which should be ranked as low environmental sensitivity. Therefore, further development will have minimal impacts to groundwater quality.	Volume I: Section 4.4 Volume II: Section 3.2 and Section 7.5
7:7-13.8 Determining the Development Potential of a Site in the Upland Waterfront Development Area	The Offshore Facilities do not satisfy the definitions of development type of this policy and therefore, the development potential cannot be determined. However, the Offshore Facilities are consistent with this policy because the proposed Projects are not located within an Upland Waterfront Development Area and will not result in a violation of the Clean Water Act or other similar State laws, rules and regulations.	The Onshore Facilities do not satisfy the definitions of development type of this policy and therefore, the development potential cannot be determined. However, the Onshore Facilities are consistent with this policy because the proposed Projects will not result in a violation of the Clean Water Act or other similar State laws, rules and regulations	Volume I: Section 4.4 Volume II: Section 7.5
7:7-13.9 Determining the Development Potential for a Residential or Minor Commercial Development Site in the Upland Waterfront Development Area	This policy does not apply to the Offshore Facilities because the Projects do not meet the definition of a residential or minor commercial development site.	This policy does not apply to the Onshore Facilities because the Projects do not meet the definition of a residential or minor commercial development site.	Not Applicable

Policy/Requirement	Response to Policy for Atlantic Shores Offshore Facilities <sup>1</sup>	Response to Policy for Atlantic Shores Onshore Facilities <sup>2</sup>	COP Section Reference
7:7-13.10 Determining the Development Potential for a Major Commercial or Industrial Development Site in the Upland Waterfront Development Area	This policy does not apply to the Offshore Facilities because the Projects do not meet the definition of a major commercial or industrial development site.	This policy does not apply to the Onshore Facilities because the Projects do not meet the definition of a major commercial or industrial development site.	Volume I: Section 4.4 Volume II: Section 7.5
7:7-13.11 Determining the Development Potential for a Campground Development Site in the Upland Waterfront Development Area	This policy does not apply to the Offshore Facilities because they do not satisfy the definition of a Campground Development Site.	This policy does not apply to the Onshore Facilities because they do not satisfy the definition of a Campground Development Site.	Not Applicable
7:7-13.12 Determining the Development Intensity of a Site in the Upland Waterfront Development Area	This policy does not apply to the Offshore Facilities because the development intensity is undetermined; however, the facilities are located in intensely developed areas.	This policy does not apply to the Offshore Facilities because the development intensity is undetermined; however, the facilities are located in intensely developed areas.	Volume I: Section 4.4 Volume II: Section 3.2 and Section 7.5
7:7-13.13 Impervious Cover Limits for a Site in the Upland Waterfront Development Area	The Offshore Facilities are consistent with this policy because the offshore export cable will be installed and maintained underground via HDD and therefore will not result in the increase of impervious cover.	The Onshore Facilities are consistent with this policy because they will be installed and maintained underground in already disturbed/paved areas and therefore will not result in an increase of impervious cover.	Volume I, Section 4.1, Section 4.5, Section 4.7 and Section 4.8 Volume II. Section 7.5
7:7-13.14 Vegetative Cover Percentages for a Site in the Upland Waterfront Development Area	The Offshore Facilities are consistent with this policy because the offshore export cable will be installed and maintained underground via HDD and therefore will not result in the loss of vegetative cover.	The Onshore Facilities are consistent with this policy because they will be installed and maintained underground in already disturbed/non-vegetated areas and therefore will not result in the loss of vegetative cover.	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 4.2
7:7-13.15 Coastal Planning Areas in the CAFRA Area	This policy does not apply to Offshore Facilities because components will either be outside of the CAFRA Area or installed and maintained underground.	The Onshore Facilities are consistent with this policy because components of the Projects will be installed within areas that are already developed or disturbed.	Volume I: Section 4.1, Section 4.2, Section 4.4 and Section 4.6 Volume II: Section 4.1 and Section 4.2
7:7-13.16 Boundaries for Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes; non-mainland Coastal Centers	This policy does not apply to Offshore Facilities because the Projects does not propose to alter boundaries for coastal planning areas, CAFRA centers, CAFRA cores, CAFRA nodes or non-mainland coastal centers.	This policy does not apply to Onshore Facilities because the Projects do not propose to alter boundaries for coastal planning areas, CAFRA centers, CAFRA cores, CAFRA nodes or non-mainland coastal centers.	Not Applicable
7:7-13.17 Impervious Cover Limits for a Site in the CAFRA Area	The Offshore Facilities are consistent with this policy because the offshore export cable will be installed and maintained underground via HDD and therefore will not result in an increase in impervious cover.	The Onshore Facilities are consistent with this policy because they will be installed and maintained underground in already disturbed/paved areas and therefore will not result in an increase in impervious cover.	Volume I, Section 4.1, Section 4.5, Section 4.7 and Section 4.8 Volume II. Section 7.5
7:7-13.18 Vegetative Cover Percentage for a Site in the CAFRA Area	This policy does not apply for the Offshore Facilities because there are no forested areas.	The Onshore Facilities are consistent with this policy because the locations of the components of the Projects are located in CAFRA urban center which does not require preservation or planting of trees as part of a project. Additionally, the components of the Projects are located in areas that are already developed and/or disturbed and do not have any vegetation	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 4.2



Policy/Requirement	Response to Policy for Atlantic Shores Offshore Facilities <sup>1</sup>	Response to Policy for Atlantic Shores Onshore Facilities <sup>2</sup>	COP Section Reference
		(forest) cover.	
7:7-13.19 Mainland Coastal Centers	This policy does not apply to the Offshore Facilities as the boundaries of Mainland Coastal Centers do not extend into the Atlantic Ocean.	The Onshore Facilities are consistent with this policy because the limit of impervious surfaces will not exceed the threshold outlined in the policies set forth in N.J.A.C. 7:7-13.17 and 13.18. Additionally, the majority of the components of the Projects will be installed underground within previously developed/disturbed rights-of-way which will not increase the amount of impervious surface.	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 7.5
<b>Subchapter 14: General Location Rules</b>			
See 7:7-14.1 for the Purpose and scope for General Location Rules			
7:7-14.1 Rule on Location of Linear Development	The Offshore Facilities are consistent with this policy because the export cable will not result in a permanent or long-term loss of unique or irreplaceable areas.	The Onshore Facilities are consistent with this policy because the onshore interconnection cable is located almost entirely within develop/disturbed road, highway, railroad, utility line, and pedestrian/bike lane rights-of-way and will not result in a permanent or long-term loss of unique or irreplaceable areas.	Volume I: Section 3.0, Section 4.5, Section 4.7, Section 4.8, and Section 4.9
7:7-14.2 Basic Location Rule	The Offshore Facilities are consistent with this policy because the development and use of the Offshore Facilities will not impact wellbeing of public health, safety, or welfare, or that of the natural environment. The Projects are also of national interest.	The Onshore Facilities comply with this policy because the installation and operation of the facilities will not impact wellbeing of public health, safety, or welfare, or that of the natural environment. The Projects are also consistent with the national interest in developing diversified forms of renewable energy generation to serve the anticipated increase in demand for electric power within the electric markets that will be served by the Projects.	Volume I: Section 1.2, Section 1.3, Section 1.5, and Section 2.0
7:7-14.3 Secondary Impacts	The Offshore Facilities are consistent with this policy because it is not anticipated that the Projects will induce further development. As a result, secondary impacts resulting from further development is anticipated to be minimal.	The Onshore Facilities are consistent with this policy because it is not anticipated that the Projects will induce further development. As a result, secondary impacts resulting from further development is anticipated to be minimal.	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8
<b>Subchapter 15: Use Rules</b>			
See 7:7-15.1 for the Purpose and scope for Use Rules			
7:7-15.2 Housing	This policy does not apply to Offshore Facilities because the development of housing is not included as part of the Projects.	This policy does not apply to Onshore Facilities because the development of housing is not included as part of the Projects.	Not Applicable
7:7-15.3 Resort/Recreational	This policy does not apply to Offshore Facilities because the development of recreational areas is not included as part of the Projects.	This policy does not apply to Onshore Facilities because the development of recreational areas is not included as part of the Projects.	Not Applicable

Policy/Requirement	Response to Policy for Atlantic Shores Offshore Facilities <sup>1</sup>	Response to Policy for Atlantic Shores Onshore Facilities <sup>2</sup>	COP Section Reference
7:7-15.4 Energy Facility	The Offshore Facilities are consistent with this policy because standards for siting of new energy facilities, including associated development activities have been met.	The Onshore Facilities are consistent with this policy because standards for siting of new energy facilities, including associated development activities have been met.	Volume I: Section 4.1, Section 4.2, Section 4.4, and Section 4.6 Volume II: Section 3.2, Section 4.0, Section 5.0, Section 6.0, and Section 7.0
7:7-15.5 Transportation	This policy does not apply to Offshore Facilities because the development of roads, public transportation, bicycle and/or foot paths, or parking facilities is not proposed as part of the Projects.	This policy does not apply to Onshore Facilities because the development of roads, public transportation, bicycle and/or foot paths, or parking facilities is not proposed as part of the Projects.	Not Applicable
7:7-15.6 Public Facility	This policy does not apply to Offshore Facilities because the Projects are private and therefore not a public facility.	This policy does not apply to Onshore Facilities because the Projects are private and therefore not a public facility.	Not Applicable
7:7-15.7 Industry	This policy does not apply to the Offshore Facilities this component does not meet the definition of industrial uses.	This policy does not apply to the Onshore Facilities this component does not meet the definition of industrial uses.	Not Applicable
7:7-15.8 Mining	This policy does not apply to Offshore Facilities because the Projects do not propose new or expanded mining operations.	This policy does not apply to Onshore Facilities because the Projects do not propose new or expanded mining operations.	Not Applicable
7:7-15.9 Port	This policy does not apply to Offshore Facilities because the Projects do not propose new or expanded port development or uses.	This policy does not apply to Onshore Facilities because the Projects do not propose new or expanded port development or uses.	Not Applicable
7:7-15.10 Commercial Facility	This policy does not apply to Offshore Facilities because the Projects do not propose the construction of hotels/motels, retail trade/service establishments or convention centers/arenas.	This policy does not apply to Onshore Facilities because the Projects do not propose the construction of hotels/motels, retail trade/service establishments or convention centers/arenas.	Not Applicable
7:7-15.11 Coastal Engineering	This policy does not apply to Offshore Facilities because the Projects do not propose coastal engineering activities.	This policy does not apply to Onshore Facilities because the Projects do not propose coastal engineering activities.	Not Applicable
7:7-15.12 Dredged Material Placement on Land	This policy does not apply to Offshore Facilities because the Projects do not propose the placement of dredged material on land.	This policy does not apply to Onshore Facilities because the Projects do not propose the placement of dredged material on land.	Not Applicable
7:7-15.13 National Defense Facilities	This policy does not apply to Offshore Facilities because the Projects do not propose the construction of a national defense facility.	This policy does not apply to Onshore Facilities because the Projects do not propose the construction of a national defense facility.	Not Applicable
7:7-15.14 High-Rise Structures	This policy does not apply to Offshore Facilities because the Projects does not propose the construction of high-rise structures as defined by 7:7-15.14.	This policy does not apply to Onshore Facilities because the Projects do not propose the construction of high-rise structures.	Not Applicable

Policy/Requirement	Response to Policy for Atlantic Shores Offshore Facilities <sup>1</sup>	Response to Policy for Atlantic Shores Onshore Facilities <sup>2</sup>	COP Section Reference
<b>Subchapter 16: Resource Rules</b>			
See 7:7-16.1 for the Purpose and scope for Resource Rules			
7:7-16.2 Marine Fish and Fisheries	The Offshore Facilities are consistent with this policy because the construction of the offshore export cables will be constructed in a way that minimizes impacts to marine fish and fisheries in the Atlantic Ocean. Also, these facilities further comply with this policy as it is a permitted coastal activity within this policy.	The Onshore Facilities are consistent with this policy because crossing of waterbodies by the onshore interconnection cables will be installed via HDD to avoid impacts to these areas which will avoid potential impacts to estuarine fish and fisheries in the back bay communities of New Jersey. Also, these facilities further comply with this policy as it is a conditionally acceptable coastal activity within this policy.	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 4.2, Section 4.6, and Section 7.4
7:7-16.3 Water Quality	The Offshore Facilities are consistent with this policy because all development associated with this portion of the Projects will not violate the Federal Clean Water Act or State laws, rules, and regulations. Also, the Projects will adhere to all permit conditions that address water quality protection.	The Onshore Facilities are consistent with this policy because all development associated with this portion of the Projects will not violate the Federal Clean Water Act or State laws, rules, and regulations. Also, the Projects will adhere to all permit conditions that address water quality protection.	Volume I: Section 1.3, Section 4.1, Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 3.2 and Section 4.1
7:7-16.4 Surface Water Use	This policy does not apply because the Offshore Facilities do not require the use of surface water.	This policy does not apply because the Onshore facilities do not require the use of surface water.	Not Applicable
7:7-16.5 Groundwater Use	This policy does not apply because the Offshore Facilities do not require the use of ground water withdrawal.	This policy does not apply because the Onshore Facilities do not require the use of ground water withdrawal.	Not Applicable
7:7-16.6 Stormwater Management	The Offshore Facilities satisfies the definition of a "major development" as per N.J.A.C. 7:8-1.2 and will be consistent with this policy.	The Onshore Facilities satisfies the definition of a "major development" as per N.J.A.C. 7:8-1.2 and will be consistent with this policy.	Volume I: Section 1.3, Section 4.1, Section 4.5, Section 4.7, Section 4.8, and Section 4.9
7:7-16.7 Vegetation	The Offshore Facilities are consistent with this policy because the export cable will be installed via HDD avoiding any impact to vegetation.	The Onshore Facilities are consistent with this policy because the Projects will not result in any significant loss or disturbance to vegetation.	Volume I: Section 4.1, Section 4.5, Section 4.7, and Section 4.8 Volume II: Section 4.1 and Section 4.2
7:7-16.8 Air Quality	The Offshore Facilities are consistent with this policy because the offshore export cables and their installation will conform to all applicable State and Federal regulations, standards and guidelines regarding air quality.	The Onshore Facilities are consistent with this policy because the offshore export cables and their installation will conform to all applicable State and Federal regulations, standards and guidelines regarding air quality.	Volume I: Section 1.3, Section 4.1, Section 4.5, Section 4.7, Section 4.8, and Section 4.9 Volume II: Section 3.1
7:7-16.9 Public Access	This policy does not apply to the Offshore Facilities because the Projects will not alter or otherwise adversely affect public access.	This policy does not apply to the Onshore Facilities because the Projects will not alter or otherwise adversely affect public access.	Not Applicable
7:7-16.10 Scenic Resources and Design	The Offshore Facilities are consistent with this policy because the export cables are buried under the seafloor and beach and will not impact scenic resources.	The Onshore Facilities are consistent with this policy because all components of the Projects within the coastal zone will be underground which will not impact scenic resources.	Volume I: Section 4.1, Section 4.5, Section 4.7, Section 4.8, and Section 4.9 Volume II: Section 5.0

Policy/Requirement	Response to Policy for Atlantic Shores Offshore Facilities <sup>1</sup>	Response to Policy for Atlantic Shores Onshore Facilities <sup>2</sup>	COP Section Reference
7:7-16.11 Buffers and Compatibility of Uses	The Offshore Facilities are consistent with this policy because the export cables are entirely underground and will not need natural or manmade buffers between areas or uses.	The Onshore Facilities are consistent with this policy because all components of the Projects within the coastal zone will be underground and will not need natural or manmade buffers between areas or uses.	Volume I: Section 4.1, Section 4.5, Section 4.7, Section 4.8, and Section 4.9 Volume II: Section 4.1
7:7-16.12 Traffic	The Offshore Facilities are consistent with this policy because the Projects will not permanently impact vehicles, pedestrians or vessels. Traffic will be temporarily impacted during construction but will be the minimum necessary to satisfy safety and/or regulatory requirements.	The Onshore Facilities are consistent with this policy because the Projects will not permanently impact vehicles, pedestrians or vessels. Traffic will be temporarily impacted during construction but will be the minimum necessary to satisfy safety and/or regulatory requirements.	Volume I: Section 4.1, Section 4.5, Section 4.7, Section 4.8, and Section 4.9 Volume II: Section 7.5, Section 7.6, Section 7.8, and Section 7.9
7:7-16.13 Subsurface Sewage Disposal Systems	This policy does not apply to the Offshore Facilities as no subsurface sewage disposal systems are proposed as a part of the Projects.	This policy does not apply to the Onshore Facilities as no subsurface sewage disposal systems are proposed as a part of the Projects.	Not Applicable
7:7-16.14 Solid and Hazardous Waste	The Offshore Facilities are consistent with this policy because the anticipated type of solid waste generated in connection with the Projects does not include prohibited types listed within this policy. All disposal of Offshore Facility waste will conform with all applicable State and Federal regulations.	The Onshore Facilities are consistent with this policy because the anticipated type of solid waste generated in connection with the Projects do not include prohibited types listed within this policy. All disposal of Offshore Facility waste will conform with all applicable State and Federal regulations.	Volume I: Section 4.1, Section 4.5, Section 4.7, Section 4.8, and Section 4.9 Volume II: Section 9.0

<sup>1</sup> The offshore facilities include the export cable corridor from the New Jersey State Waters limit (3 nautical miles from shore) to the Atlantic and Monmouth Landfall Sites.

<sup>2</sup> The onshore facilities include all of the onshore components of the Projects within the NJDEP-defined coastal zone which includes the Atlantic and Monmouth Landfall Sites, transition vaults, and onshore interconnection cables. Onshore substations and/or converter stations and POI substations are not located in the coastal zone.

## REFERENCES CITED

N.J.A.C. 7:7 Coastal Zone Management Rules. NJDEP. February 20, 2020.  
[https://www.nj.gov/dep/rules/rules/njac7\\_7.pdf](https://www.nj.gov/dep/rules/rules/njac7_7.pdf). Date accessed: February 9, 2021.