

P.L. 2018, CHAPTER 21, *approved May 30, 2018*
Senate, No. 1217 (*First Reprint*)

1 AN ACT concerning offshore wind energy and amending P.L.2010,
2 c.57.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 4 of P.L.2010, c.57 (C.48:3-87.2) is amended to read as
8 follows:

9 4. a. The board **may** ¹**shall** may¹ approve, subject to the
10 project obtaining the necessary permits, approvals, and authorizations
11 from the Department of Environmental Protection, a qualified wind
12 energy project located in territorial waters offshore of a municipality in
13 which casino gaming is authorized, and authorize offshore wind
14 renewable energy certificates for that project. Any such project shall
15 be a nominal 20 megawatts and no more than 25 megawatts in
16 nameplate capacity and comply with the requirements set forth in
17 section 3 of P.L.2010, c.57 (C.48:3-87.1) , and the cumulative number
18 of wind turbines approved for the project shall not exceed six .

19 b. ¹**Within 30 days following** Upon¹ the date of enactment of
20 P.L. , c. (pending before the Legislature as this bill), the board
21 shall ¹**provide a 90-day period for the submission of an amended**
22 accept a submitted¹ application under ¹**this section** section 3 of
23 P.L.2010, c.57 (C.48:3-87.1)¹ for the qualified wind energy project to
24 be located in territorial waters offshore of a municipality in which
25 casino gaming is authorized for which ¹**an original** an¹ application
26 therefor had been submitted to the board prior to the date of enactment
27 of P.L. , c. (pending before the Legislature as this bill). The
28 ¹**board's review of this amended application shall be limited to**
29 addressing any modifications that may be needed to meet any concerns
30 expressed or considered by the board prior to the date of enactment of
31 P.L. , c. (pending before the Legislature as this bill) specifically
32 concerning the issues of turbine selection and substantiation of
33 financial viability.

34 Following conclusion of the 90-day period required by this
35 subsection, the board shall from time to time provide a period for
36 submission of applications under this subsection that may differ in
37 length from the 90-day period provided in this subsection **board may**
38 consider relevant information filed in connection with the prior
39 application in undertaking its review and, notwithstanding the
40 requirements set forth in subsection d. of section 3 of P.L.2010, c.57
41 (C.48:3-87.1), shall make a final determination on the application

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted April 5, 2018.

1 within 90 days of the date a complete application is filed with the
2 board¹ .

3 (cf: P.L.2010, c.57, s.4)

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5 2. This act shall take effect immediately.

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10 Requires BPU consideration and approval of amended
11 application for qualified wind energy project offshore in certain NJ
12 territorial waters.