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

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

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

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

b. [Within 30 days following] Upon the date of enactment of P.L. , c. (pending before the Legislature as this bill), the board shall [provide a 90-day period for the submission of an amended] accept a submitted application under [this section] section 3 of P.L.2010, c.57 (C.48:3-87.1) for the qualified wind energy project to be located in territorial waters offshore of a municipality in which casino gaming is authorized for which an original application therefor had been submitted to the board prior to the date of enactment of P.L. , c. (pending before the Legislature as this bill). The board’s review of this amended application shall be limited to addressing any modifications that may be needed to meet any concerns expressed or considered by the board prior to the date of enactment of P.L. , c. (pending before the Legislature as this bill) specifically concerning the issues of turbine selection and substantiation of financial viability.

Following conclusion of the 90-day period required by this subsection, the board shall from time to time provide a period for submission of applications under this subsection that may differ in length from the 90-day period provided in this subsection board may consider relevant information filed in connection with the prior application in undertaking its review and, notwithstanding the requirements set forth in subsection d. of section 3 of P.L.2010, c.57 (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:

Senate SBA committee amendments adopted April 5, 2018.
within 90 days of the date a complete application is filed with the board, (cf: P.L.2010, c.57, s.4)

2. This act shall take effect immediately.

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