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Save LBI Sues U.S. Agencies and Atlantic Shores Offshore Wind, Challenging Federal Approvals Greenlighting Marine Ecosystem Devastation, Including Risks to Critically Endangered Whales

LONG BEACH ISLAND (LBI), NEW JERSEY, January 13, 2025 – Save LBI, an organization that has been actively litigating issues surrounding marine mammal, human health, economic and other impacts connected to offshore wind industrialization off New Jersey since 2022, has filed suit against the U.S. Department of Commerce, National Marine Fisheries Service, Bureau of Ocean Energy Management, U.S. Department of Interior, the Environmental Protection Agency and the Atlantic Shores Offshore Wind project for violations of a number of federal environmental statutes.

“This lawsuit serves as the first of its kind, launching a wide-ranging challenge against Atlantic Shores’ federal approvals, based on violations of environmental statutes such as the National Environmental Policy Act, the Endangered Species Act, the Marine Mammal Protection Act, the Outer Continental Shelf Lands Act, the Coastal Zone Management Act, and the Clean Air Act,” said Thomas Stavola, Jr., Esq., the attorney representing Save LBI. “We believe we have organized a compelling case that will demonstrate that these federal agencies were derelict in their respective duties to take critical information into account, and moreover, made arbitrary assumptions that entirely failed to disclose and consider the injurious impacts of the Atlantic Shores South project.”

Bob Stern, Ph.D., the primary plaintiff and president of Save LBI, further explained, “For example, “The agencies assume, incorrectly, that no North Atlantic right whales will suffer injury

or death as a result of the Atlantic Shores South project. The evidence contradicts that assumption. In fact, our review and independent mathematical analysis shows a systematic underestimation of impact, and clearly indicate that the noise caused by pile driving, and, soon after, perpetual operational noise, will injure and kill high numbers of marine mammals, and, yes, injure and kill a number of North Atlantic right whales, a critically endangered animal that cannot afford to suffer any deaths given their numbers are now less than 340 total.”

The lawsuit ultimately seeks to have all federal approvals rescinded and the Atlantic Shores South project halted - stopping construction and preventing devastation to marine mammal life in the NJ/NY Bight Regional waters. Eight other co-plaintiffs have joined Save LBI in this action, many of whom will be severely economically impacted due to the egregious harm to the marine ecosystem and the aesthetic, recreational blight imposed on the Jersey Shore via the circa 200 1,000-foot-plus high monstrosities slated to be constructed starting less than 9 miles east of Long Beach Island.

These inexcusable damages by the Atlantic Shores South project are not limited to marine mammal devastation, but also include significant impacts to tourism, shore economies, statewide energy bills, national defense, vessel navigation, and home values- all of which have been swept under the rug by much of the mainstream media, many elected officials, the Atlantic Shores company, and the federal agencies in their inexplicable haste to approve a project still in search of a clear purpose and need.

“We hope this lawsuit will serve as the vehicle to finally illuminate the damage being wrought here and to impose significant pressure on Atlantic Shores to withdraw, as their obfuscation of the true project’s effects are indefensible. The agencies simply cannot objectively argue that their approvals were made in accordance with the best science,” concluded Bob Stern.

This lawsuit was filed in federal court in the United States for the District of New Jersey on January 10, 2025.

About Save LBI

Save Long Beach Island (Save LBI) is an organization of citizens and businesses on and off the Island working together to protect the ocean and Long Beach Island and neighboring communities from the destructive impact of the Atlantic Shores project and potentially other offshore wind projects. As a not-for-profit, non-partisan entity, we do not endorse any political candidates but vigorously pursue policies and actions that protect the Island and New Jersey communities. The organization is led by Beach Haven resident Bob Stern, a Ph.D. engineer with experience in environmental law who previously managed the U.S. Department of Energy’s office overseeing environment protection related to energy programs and projects.

Save LBI is fighting to stop the ill-conceived Atlantic Shores projects. Please visit SaveLBI.org to join the fight and consider making a donation.