

Emily Dillon

date received 2/16/23 38-2023

From: Concerned citizen <opra+request-40160-c87a5277@requests.opramachine.com>
Sent: Wednesday, February 15, 2023 4:53 PM
To: Erin C. Burke
Subject: OPRA request - Request for moratorium

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Dear Cape May City,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Please provide a copy of the resolution requesting a moratorium on the off shore wind turbines pending the investigation of the whale deaths.

Yours faithfully,

Concerned citizen

Please deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-40160-c87a5277@requests.opramachine.com

Is cityclerk@capemaycity.com the wrong address for OPRA requests to Cape May City? If so, please contact us using this form:

https://opramachine.com/change_request/new?body=cape_may_city

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

<https://opramachine.com/help/officers>

View this OPRA request & responses online:

https://opramachine.com/request/request_for_moratorium

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

date satisfied: 2/16/23
Emily Dillon

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 68-02-2023

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPE MAY
CALLING FOR A MORATORIUM ON SURVEYING AND ACOUSTIC TESTING
RELATED TO OFFSHORE WIND PROJECTS PENDING A THOROUGH
INVESTIGATION INTO THE UNPRECEDENTED DEATHS OF WHALES**

WHEREAS, according to the National Oceanic and Atmospheric Administration (NOAA), ten (10) large dead whales have washed up on the East Coast since December 1, 2022. (<https://www.nj.com/news/2023/02/8th-dead-whale-to-wash-up-around-nj-likely-killed-by-a-vessel-preliminary-exam-shows.html>Five); and

WHEREAS, five (5) whales have washed up on beaches in New Jersey and three (3) in New York. The following whales have washed up recently in New Jersey or New York:

December 5 – a 12-foot infant sperm whale in Keansburg, NJ;
December 6 - a humpback whale in Amagansett, NY;
December 10 - a juvenile humpback whale on Strathmere Beach, NJ;
December 12 - a female sperm in Rockaway Beach in Queens, NY;
December 23 - a 30-foot female humpback whale in Atlantic City, NJ;
January 7 - a 30-foot female humpback whale in Atlantic City, NJ;
January 12 - a 20- to 25- foot long sub-adult humpback whale Brigantine, NJ;
January 30 - a 40-foot adult whale near the south coast of Long Island, NY;

WHEREAS, NOAA currently maintains that there is no evidence that these deaths are attributable to the testing underway. However, NOAA acknowledges that the full results to determine a cause of death may not be available for “weeks and months”. (<https://www.noaa.gov/sites/default/files/2023-01/Transcript-011823-NOAA-Fisheries-Media-Teleconference-East-Coast-whale-strandings-508.pdf>); Pg 13; and

WHEREAS, the Cape May City community is heartbroken over the loss of wildlife; and

WHEREAS, the City of Cape May supports clean energy programs, but seeks to fully understand the cause of these tragic deaths and what can be done to prevent future losses; and

WHEREAS, United States Congressman Jeff Van Drew, New Jersey State Senator Vince Polistina, and the Mayors of Stone Harbor, Brigantine, Margate, Spring Lake, North Wildwood, Wildwood Crest, Mantoloking, Bay Head, Point Pleasant Beach, Long Beach Township, Deal, and Linwood have all called for a moratorium on further activities related to offshore wind projects off the coast until there can be a conclusive determination as to the cause of recent whale fatalities; and

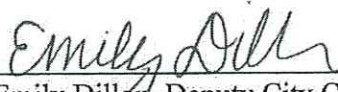
WHEREAS, the Mayor and City Council of the City of Cape May are of the opinion that federal and state agencies with oversight over these projects should determine with confidence

that these activities are not a contributing factor to recent whale deaths before further activities resume for the protection of marine life and ocean resources; and

NOW, THEREFORE BE IT RESOLVED, by the City of Cape May, County of Cape May, State of New Jersey that:

1. The Recital paragraphs are incorporated as if fully set forth.
2. Mayor and City Council shall share its expression by forwarding a copy of this Resolution to Governor Murphy, U.S. Congressman Jeff Van Drew, N.J. State Senator Testa, Assemblyman McClellan, and Assemblyman Simonsen, the County of Cape May, the Municipal Clerks of Cape May County; and
3. This Resolution shall take effect immediately upon passage, according to law.

I, Emily Dillon, Deputy City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on February 7, 2023.


Emily Dillon, Deputy City Clerk

Roll Call	Ayes	Nays	Absent	Abstain	Motion	Second
Yeager	X				X	
Meier			X			
McDade	X					
Baldwin	X					X
Mullock	X					