

May 2020 Solar update

As I've been reporting, Chicago-based energy developer Hecate Energy, is planning to site an industrial-size solar energy facility in Copake. They call it "Shepherd's Run". Sited within a 900-acre project area, it would generate 60 megawatts of electrical power using 200,000 solar panels. The proposed site is located near the intersection of State Route 23 and County Route 7, with most of the area located south of 23. And there also may be a series of 53'-long shipping containers housing lithium ion batteries to store electricity. If Hecate includes these in its final plan, they would be fixed onto concrete foundation pads, situated directly east of the existing NYSEG Craryville substation along Route 23.

For now, Hecate is proceeding under a law known as Article 10, which allows developers to largely circumvent local zoning laws and approval processes, and to get State approval instead. As required, Hecate filed a "Public Involvement Program", which broadly outlines Hecate's proposal, but is light on details. At the end of June, it is likely to file a "Preliminary Scoping Statement" ("PSS"), which would likely provide more information.

A letter dated May 5th was sent by the New York State Board on Electric Generation Siting and the Environment to Supervisor Mettler and also to Matt Murrell, Chair of the Columbia County Board of Supervisors. As its name suggests, the Siting Board makes siting decisions on industrial-size renewable energy facilities, largely usurping local authority in the process. The letter was a reminder that Covid-19 notwithstanding, the Siting Board continues to move projects along. It told us what we already knew: that within 15 days of Hecate filing a PSS, Copake and the County must submit nominations for the two *ad hoc* seats on the seven-person Siting Board that will consider Hecate's application.

On the legislative front, our State Senator, Daphne Jordan is co-sponsoring a bill that would require a municipality to approve by referendum the siting of any large-scale renewable energy facility within its borders. A companion bill recently has been filed in the Assembly, and we have reached out to our Assemblywoman, Didi Barrett, to learn of whatever involvement she might have on the Assembly side. I should add that Senator Jordan's legislative assistant told me he does not think that the Senate bill will make it out of committee this session, due to reductions to the legislative agenda caused by the pandemic.

We continue to explore options with our solar attorney, and continue to learn more about the new law, known as Section 94-c, and plans for a new "Office of Renewable Energy Siting", which would

further reduce Copake's participation in, and ability to influence, siting decisions regarding the Shepherd's Run project.