

## December 2020 Solar Update

Richard Wolf, Deputy Town Supervisor

We have been reporting for many months that Hecate Energy Columbia County is seeking to develop a utility-scale, industrial-size solar power plant in Craryville. Since late January, Hecate has said Shepherd's Run would use 200,000 solar panels to generate 60 Megawatts of capacity, and that the plant's footprint would occupy up to 500 acres in Craryville. On Monday, Hecate revealed that its footprint remains large, but a bit less large: 360 acres, 280 of which would hold the 200,000 solar panels.

On December 9th, Hecate's Project Developer, Alex Campbell hosted two Zoom "Virtual Open Houses" at which he presented information to the attendees about the proposed project. Supervisor Mettler and I both attended the afternoon session, and I also attended the evening one. Interest in the proposed project is high. Approximately 80 people were on the afternoon Zoom; 100 attended the evening session. Several people attended both sessions. More people wanted to attend in the evening, but were unable to do so because Hecate inadvertently capped the maximum number at 100. Presumably their Zoom account will be adjusted to accommodate more people at future meetings.

The presentation identified the locations upon which Hecate intends to site the solar panel arrays. Mr. Campbell called this the "Initial Layout". I am not going to review the intended locations now. You'll find them on the Shepherd's Run website.

A couple of points made yesterday require correction or clarification.

First, regarding residents' property taxes. As we discussed at last month's Town Board meeting, Copake and the Taconic Hills Central School District have opted out of Real Property Tax Law Section 487, thereby denying Hecate an otherwise automatic 15-year tax exemption for Shepherd's Run. If it is built, the town intends to tax the project at its full assessed value. Mr. Campbell twice said this "opting out" would result in tax increases for homeowners who have or who acquire solar panels for their homes. This is incorrect. Copake's tax assessor reports that it is not the practice in Columbia County for towns to tax *residential* solar. And to be clear, this is *not* done in Copake, and we do not intend to change this.

Second, State laws. Diane Valden reported in the November 26th issue of the Columbia Paper that Ancram residents may sign up for shares in a solar farm through a company (a community solar subscription manager) that works with facilities in Albany, Dutchess and Ulster Counties. Residents receive reductions in their energy bills and a signing bonus as well. Some Gallatin residents already do this. When a questioner asked last evening why Copake residents would not get a direct benefit from Shepherd's Run the way Ancram residents will, Mr. Campbell's response was that "Ancram was proceeding under 94(c), and Copake has asked that Hecate stay with Article 10." He said residents get a reduction under 94(c), but not under Article 10. This created a misimpression, until two speakers pointed out that (1) Article 10 does not preclude an energy bill reduction — it doesn't address it, and (2) Ancram has not been targeted by a developer for a solar project at all. It is not now a potential site, so neither Article 10 nor Section 94(c) is relevant to the Ancram situation..

By the way, we consider Article 10 the lesser of the two State law "evils". Both ignore Home Rule, but Article 10 provides better opportunities for Copake to participate in the State's permitting process, and is a more thorough process than the much more streamlined process of 94(c). Remember, Article 10 procedures lead to approval by a State Siting Board, and Copake has only two *ad hoc* members, while the Governor appoints the 5 permanent members.

Regulations have not yet been promulgated for 94(c), and when they are, Hecate can decide which process to follow. If Hecate sticks with Article 10, it is unlikely that it will be because Copake asked Hecate to do so. Its decision will likely be governed by an assessment as to which process gets them to application approval more quickly.

Third, property values. Mr. Campbell continues to assert that Shepherd's Run would not cause reductions in property values, and he cites an industry consultant group's study. On the other hand, we have seen studies by *independent academic researchers* that conclude exactly the opposite. It is counter-intuitive to believe that a home whose residents have enjoyed views of Copake's "rural charm" across the road will not lose significant value when "rural charm" is replaced by an in-your-face view of thousands of solar panels.

Fourth, State financial incentives. Contrary to Mr. Campbell's assertion that we have been misrepresenting that Hecate is to receive a \$43 billion subsidy from the State, "money in Hecate's pocket". Two things: first, the number we've used is \$43 million, not \$43 billion, and second, we've consistently reported that Hecate's contract with NYSERDA (NYS Energy Research and Development Authority) would yield, over its 20-year term, a total of approximately \$43 million in renewable energy credits, and that this would be based upon Hecate delivering stipulated quantities of energy each year.

Finally, Copake's willingness to "work with Hecate". Mr. Campbell implied yesterday that the Town is uninterested or unwilling to meet with Hecate. This is untrue.

If it really is interested in working with the Town and making Shepherd's Run a win-win, here's a serious suggestion for Hecate: why not prepare and present to Copake a "base case" alternative proposal that works within Copake's Zoning Law? That is, show us plans for a series of smaller, connected facilities that can be shielded from view, honoring Copake's 10-acre rule, with the understanding that larger facilities could be possible through the Zoning Law's variance process, if you could demonstrate that a larger site could be effectively screened upon construction, and not in 5 to 15 years. Try this approach. You have nothing to lose by seeing how much capacity you might be able to build by *following local laws*. It wouldn't be 60 Megawatts, but it could be significant capacity, and it could come on line much sooner than either State process would allow.

Work with us. Follow our laws. Respect Home Rule. Demonstrate that Hecate *does* care about Copake. Help Copake become a leader in championing renewable energy. And let us demonstrate to you that Copake truly and enthusiastically supports renewable energy. To coin a phrase, **let's together do "sensible solar"**. Then, go out and replicate the win-win elsewhere, helping New York reach its laudable renewable energy goals.

Incidentally, the Stipulations Process is continuing. Hecate, Copake and other interested parties are seeking to agree on the studies that will be undertaken to assess the likely impacts of the project on the area.

For those of you who may be new to this issue, the Copake website ([TownofCopake.org](http://TownofCopake.org)) has a Solar Updates page with lots of information.

Thank you.