

Solar Update  
July 2022  
Richard Wolf, Deputy Town Supervisor

Let me begin with a brief status report on where Hecate's Shepherd's Run application stands at ORES, the State's Office of Renewable Energy Siting — the office that will decide if Hecate's proposal will be built on 228 mostly farmland acres in Craryville. As of this morning, Hecate's siting application remains "incomplete".

ORES issued a "Notice of Incomplete Application" on May 9th, one week after the *ad hoc* "Working Group" — supporters and opponents of Shepherd's Run, public interest groups (Columbia Land Conservancy and Scenic Hudson), volunteer landscape architects and people from Cornell — pointed out to ORES that the application Hecate had filed was missing important, required information. Hecate quickly responded — two days later — to the Working Group's complaint to ORES by submitting 84 additional items to be filed with the application. Even this wasn't enough.

But, we have little reason to believe that ORES will balance the State's renewable energy goals with the adverse impacts of a utility-size power plant on the character and environment of Copake. Under New York law, ORES can override the requirements and objectives Copake's Zoning Code, Farmland Protection Law and Comprehensive Plan if their provisions are "unduly burdensome". And, given its decisions in other cases, we are very concerned that ORES will waive Copake's local laws based solely on Hecate's request and representations, and without even considering what the Town has to say — namely, that our local laws are critical to protecting Copake's rural and agricultural character.

Recently, Hecate sent Copakeans a "Dear Neighbor" letter. The letter tried to establish Hecate as a community partner collaborating with the Working Group to improve the Shepherd's Run proposal. It ticks off a short list of *actual* project improvements: reducing the size from 480 to 220 acres "inside the fence" (it's actually 228 acres and a total of 255 acres that will be permanently disturbed by the project); eliminating battery storage; and, using wildlife-friendly fencing instead of chain-link

fencing. Indeed, a reader could well believe that Hecate, Copake and the Working Group are largely in agreement, working together in Kumbaya-like harmony.

But what the letter actually does is present a set of, to use a phrase much in vogue these days, “alternative facts”.

The *ad hoc* Group worked very hard, and made a series of smart, forward-thinking recommendations to improve Shepherd’s Run. But contrary to Hecate’s claims, it has *not* integrated most of the recommendations into its still-incomplete application. Our attorneys conducted a comprehensive review of Hecate’s application and submitted to ORES and Hecate the results, which clearly demonstrate that Hecate has chosen not to adopt the vast majority of the recommendations. To give you two examples: one of the Working Group’s truly visionary recommendations called for the creation of a 300-acre community-accessible Greenspace to screen many of the solar arrays, and turn Shepherd’s Run from an eyesore into a tourist attraction. This recommendation is not included in Hecate’s application. And the Working Group recommended financial compensation for homeowners with properties that would be most directly impacted by Shepherd’s Run. This too is missing from Hecate’s application.

We will post our analysis of Hecate’s response to each of the Working Group’s recommendations on the Town of Copake website. I invite everyone to check it out, and understand the extent to which the “Dear Neighbor” letter exaggerates Hecate’s collaboration.

This Board commends the Working Group for its efforts, supports its recommendations, and urges Hecate to adopt them all.

Thank you.