

Solar Update October 2022

On September 27th, the NYS Office of Renewable Energy Siting (“ORES”) told Hecate Energy Columbia County that the information most recently submitted by the Chicago-based developer was insufficient for ORES to conclude that Hecate’s siting permit application for Shepherd’s Run was “complete”. ORES issued a second “Notice of Incomplete Application”, and required Hecate to provide another supplemental submission addressing each “deficiency” described in a 17-page Hecate to-do list.

Here’s a brief recap of Hecate’s efforts to get State approval to construct and operate a 60-megawatt capacity, utility-scale solar facility on 228 acres of mostly prime farmland in Craryville:

January 2020: Under Article 10 of the Public Service Law, Hecate starts its quest for a siting permit by filing a Public Information Program (PIP) Plan

August 2020: Still under Article 10, Hecate files its Preliminary Scoping Statement with the State Board on Electric Generation Siting and the Environment

May 2021: Hecate switches to the streamlined permitting processes of Section 94-c of the Executive Law

March 8, 2022: Hecate files its application with ORES

May 9, 2022: ORES issues first Notice of Incomplete Application and gives Hecate a 20-page to-do list

July 29, 2022: Hecate resubmits application with additional information

September 27, 2022: ORES issues second Notice of Incomplete Application

So, two years and nine months into its efforts to get the State’s approval to build a large solar energy facility in Craryville, Hecate now has been told that its application requires considerably more work: internal inconsistencies need to be explained and resolved and vague summary claims need to be replaced by clear, data-supported statements capable of analysis and verification by ORES’ staff. Only then can ORES “complete its review and make a recommendation approve or deny the requested Siting Permit.”

An example of Hecate’s lack of specificity in its application concerns something I have been addressing in my Solar Updates for many months: Hecate’s unwillingness to

incorporate most of the *ad hoc* Working Group's recommendations into the Shepherd's Run proposal. In its Supplemental Application response to ORES' *first* Notice of Incomplete Application, Hecate vaguely asserted that it already had made significant changes to the proposal in response to the Working Group's recommendations. To its credit, ORES refused to accept Hecate's broad claim. Instead, it directed Hecate to "specifically identify and reference the Working Group's recommendations" that it has adopted. And when Hecate provides specifics, ORES will learn what we already know: that Hecate is unresponsive to the community's biggest concerns about Shepherd's Run because maximizing profits outweighs Hecate's so-called desire to be a "community partner".

At previous Town Board meetings, I have bemoaned Hecate's unwillingness to adopt recommendations from the *ad hoc* Working Group, citing in particular the proposed creation of a 300-acre community-accessible green space to protect view sheds, effectively screen many of the solar arrays from nearby homes, and offer nature walks and bicycling trails to Copakeans and visitors. *Hecate refuses to adopt this visionary recommendation*, which could turn Shepherd's Run from an eyesore into a tourist attraction. *And Hecate refuses to provide financial compensation for homeowners* with properties that would be most directly and adversely impacted by Shepherd's Run.

ORES is requiring Hecate to provide much more information about Shepherd's Run's likely impact on view sheds, and is requiring visual simulations of view points that we've long requested Hecate to provide.

The potential negative impacts on wetlands and local waterways — in particular Taghkanic Creek, an important source of drinking water for Hudson — from construction and operation of Shepherd's Run, has been raised anew by a group of concerned Copakeans. And this evening the Town Board will adopt a Resolution calling on ORES to continue to deem Hecate's Shepherd's Run application incomplete unless and until Hecate can prove conclusively that there will be no negative impact on water quality. In the meantime, Copake's Environmental Engineering firm is conducting a comprehensive review of this critical issue.

As proposed, Shepherd's Run is too big and poorly sited for our small town. We will continue to pursue all avenues to resolve our concerns. ORES appears to be taking a careful look at what a 60 Megawatt solar installation would mean for our rural community, but we object to both the process by which its regulations were adopted, and

the substance of those regulations (which were written by an energy industry consultant with Hecate as a client!). Our pending appeal of the lawsuit challenging the ORES regulations proceeds.

Thank you.

Richard Wolf
Copake Deputy Supervisor