

## Solar Update

As I reported last month, Hecate Energy has again applied for a siting permit for Shepherd's Run. This time they are asking New York State's Office of Renewable Energy Siting and Electric Transmission (ORES) for approval to construct a 42 -megawatt (MW) solar factory on 215 acres of mostly prime farmland in Craryville. Hecate's plan includes clear-cutting 40 forested acres, despite the importance of trees for capturing carbon emissions.

We've been arguing that the proposed site for Shepherd's Run is incredibly inappropriate for a solar factory. It would be sited on wetlands, adjacent to the Taghkanic Creek (the source of Hudson's drinking water), and would take prime-soil farmland out of agricultural production. As if this isn't enough to disqualify it, many thousands of solar panels, plus inverters, lay down areas, access roads, connecting lines and other equipment would mar the rural landscape from State Route 23 south along County Route 7 towards Cambridge Road. This road is the gateway into important tourist destinations, beautiful Copake Lake and Copake Hamlet. We shudder to think about what the impact will be of a large factory plunked down in the middle of our beautiful rural landscape. How will it affect tourism and agriculture, the pillars of Copake's economy? What will happen to the values of the homes directly across the road from Shepherd's Run?

Some comparative research conducted by Sara Traberman demonstrates conclusively just how wrong Hecate's proposed site location really is. To explain, state law allows developers of utility-size solar projects, with projected generating capacities of at least 25 MW, to ask ORES to override local laws it decides are "unduly burdensome." "Unduly burdensome" apparently means "costly" or "inconvenient." In its application, Hecate wants ORES to waive *16 local laws* for its 42 MW proposal. Ms. Traberman has compared Hecate's ask to waiver requests from developers of other, much larger, proposed facilities currently before ORES. She found that, for example, the 250 MW Fort Covington Solar needs no local laws waived; the 100 MW Fort Edward Solar's developer seeks 3 waivers; the 160 MW Yellow Barn Solar facility is requesting 8 waivers; and the developer of the 200 MW Two Rivers Solar proposal, close to 5 times the size of Shepherd's Run, seeks 6. That's right – much larger facilities require many fewer local laws to be overridden by New York State. Why? The answer couldn't be more obvious: Hecate wants to put Shepherd's Run in exactly the wrong place! The Taconic Hills School Campus, residences, wetlands, Taghkanic Creek, prime-soils farmland. Why insist on putting Hecate's factory in this beautiful rural spot in Craryville? Simple: because a transmission station is very close by, right across Route 23, and because a landowner is willing to lease the land for this purpose. It's less costly to build near a transmission station – Hecate's siting decision is a function of one consideration: corporate profits.

In a recent letter to the editor of the Columbia Paper, Hecate's project developer demonstrated his disdain for us rural yokels. He actually tried to tell the paper's readers that Hecate's mission was to save Copake from other developers, who would swoop in and bring dense, urban-style development and residential housing, forever removing agricultural land from production! Follow the twisted logic here: by digging concrete pilings into the ground and covering the prime soil with solar panel arrays, Hecate is working to preserve Copake's rural character!

Hecate's letter generated two responses. The first pointed out Hecate's true objective: profits. Make no mistake: Hecate is in this for the money, pure and simple. It is unwilling to spend a little extra to screen its solar factory with mature trees, opting instead for saplings that won't do much of anything for 20 - 25 years. It won't compensate the most adversely affected homeowners for what are sure to be plummeting property values.

The second response called out the cynicism of Hecate's false claim to be Copake's savior, reminding readers of facts that Hecate conveniently ignored: Copake has a robust system for effective stewardship of its lands. Our 2011 Comprehensive Plan, 2014 Farmland Protection Plan, and our Zoning Code maintain and preserve balance between agriculture and development, and between open spaces and residential and commercial development. Proposals to subdivide land are examined carefully by the zoning and planning boards. Major developments (5 or more lots) must be "flexible lot subdivisions." 60% of the affected land must be conserved as open space. Copake doesn't need Hecate's help to protect its character, rural charm and appropriate land use.

Special thanks go to our Assemblymember Didi Barrett. She has written a very strong letter to Governor Kathy Hochul, noting that "Hecate has failed to act in good faith, neither communicated with nor addressed the concerns of the Town leadership and the community as a whole." Assemblymember Barrett points out that Hecate's current application does not reflect recommendations of the Working Group, on which she served for several years, and fails to take into consideration the State Department of Environmental Conservation's newly enacted wetlands regulations.

Our attorney and environmental engineering firm are reviewing Hecate's application. Where would it site the components that were planned for the 60-acre parcel that was sold from under Hecate, torpedoing their first application? Where would they put the lay down areas? The access road? How would these impact the wetlands? Taghkanic Creek? Hudson Mayor Kemal Johnson has written to ORES, urging it to consider Hecate's application incomplete unless and until it can prove the factory won't harm Hudson's drinking water.

Very soon, ORES will decide whether Hecate's current application is "complete" – meaning that ORES concludes it has enough information to decide whether to issue a draft permit. If so, ORES would have 60 days to issue one. That would be followed by another 60-day period for parties to submit objections and comments on the draft permit. Then, there might be a hearing, as almost happened at the beginning of last year. Ultimately, ORES would decide whether to grant Hecate a siting permit. If however, ORES were to issue a "Notice of Incomplete Application," Hecate would have 90 days to respond, and the process would resume.

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Town Supervisor