

## Solar Update

Now that the state has given Hecate a draft siting permit for its Shepherd's Run solar factory, it's time to recognize the process for what it is: it's rigged in favor of developers and against local towns.

ORES (Office of Renewable Energy Siting and Transmission) operates pursuant to a law misleadingly called the Climate Leadership and Community Protection Act. I say "misleading" because ORES ignores the "Community Protection" part. In all the applications submitted by developers to ORES, it has never granted party status to a town, or, as they hypocritically call towns, "host communities." In our case, ORES has chosen to override sixteen of Copake's zoning regulations, which were carefully crafted and designed to protect the very land upon which Shepherd's Run is supposed to be built.

ORES claims that each regulation is "unduly burdensome," presumably meaning that compliance would cut into Hecate's bottom line, or would make the project unbuildable because the site is mostly on prime agricultural land, wetlands, and streams. ORES refuses to explain its reasoning, writing only that each decision is "(b)ased upon the record in this case." The state has failed to explain why it capitulated completely to Hecate's demands and ignored Copake's concerns about what a solar factory would do to our town.

The proposed construction site is convenient to Hecate – close to a point of connection to the NYSEG grid, with landowners willing to sacrifice both their neighbors (whose property values will plummet) and Craryville's prime agricultural lands as they pocket Hecate's money – but Shepherd's Run is all wrong for Copake.

The proposed site contains numerous wetlands and streams; ORES will allow the developer to ignore required 100-foot setbacks to protect them. Hecate will be allowed to cut down more than 30 acres of carbon-collecting trees. There's the issue of fire safety. Many solar arrays will be adjacent to the Taconic Hills Central School District campus. Should a fire occur, almost 1100 students, and teachers and staff, would be at risk from toxic smoke and/or fire. Hecate has provided no evacuation plans. In addition, one of the access routes for emergency vehicles goes through wetlands and over a stream, and it is too narrow to accommodate a fire truck.

The State Historic Preservation Office (SHPO) has concluded that five National Registry eligible-properties will be "adversely affected" by the solar factory. ORES has ignored this finding and recommendations made by SHPO. It's one state agency ignoring the other!

Where is the Governor on this? When she learned of community opposition to a bill to expedite creation of a wind farm off Long Beach, Long Island, Governor Hochul vetoed that bill, writing, "It is incumbent on Renewable Energy developers to cultivate and maintain strong ties to their host communities." The last time Hecate met with me or any other Copake official was in March 2024, nineteen months ago. When I spoke recently with the governor's office, I said that Copake must receive the same consideration as did Long Beach.

An ORES administrative law judge will convene public hearings here at Town Hall on January 21 and 22 at 2pm and 6pm. Virtual hearings will be held on January 27. These hearings will be opportunities for Copakeans to speak out – to tell ORES what Shepherd's Run will do to our town. If enough of us do that, maybe the governor finally will hear us and do something.

The Governor needs to respect Home Rule. She needs to veto Shepherd's Run.

Richard Wolf  
Town Supervisor