

PO Box 160
Quaker Street, NY 12141

Doreen Harris, President New York State Energy Research and Development Authority
Basil Segos, Commissioner Department of Environmental Conservation
Climate Action Council
Draft Scoping Plan Comments
NYSERDA
17 Columbia Circle
Albany, NY 12203-6399

Submitted via email: scopingplan@nyserdera.ny.gov

July 1, 2022

Re: Bruning December 1, 2020 letter to the Climate Action Council

Dear Doreen Harris and Basil Segos,

On December 1, 2020 I submitted the enclosed three page letter and supporting Exhibits A through E to Roberta Reardon and the Just Transition Working Group. This letter documents my experience with NYSERDA contractor Eden Renewables Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC facilities located at 13590 Duanesburg Road, Delanson, Schenectady County New York 12053.

I requested that the Climate Action Council include representation from those most impacted by the siting, construction, operation and decommission of solar, wind and battery energy storage facilities, and the rural landowners neighboring these industrial facilities.

And I suggested that the state provide an ombudsman or independent solar expert available to rural municipalities and taxpayers for consultation on planning, SEQR, Article 10 /Article 23 compliance, and complaints.

As of July 1, 2022 I have not received a response from the state, the CAC has not included rural landowners at the negotiation table, and has not provided an ombudsman for rural stakeholders.

The draft scoping plan does not appear to consider the rural host communities and neighboring landowners. This oversight may foster local opposition to the state's climate energy goals.

Please revise the draft scoping plan to consider rural taxpayers and provide the requested assistance to the rural host municipalities.

Thank you for your time and consideration.

Respectfully,
Lynne Bruning
720-272-0956
lynnebrunig@gmail.com

Enc: December 1, 2020 letter from Lynne Bruning to Roberta Reardon and Just Transition Working Group

PO Box 160
Quaker Street, NY 12141
720-272-0956
lynnebruning@gmail.com

Roberta Reardon, Co-Chair
Just Transition Working Group
Climate Action Council
New York State Energy Research and Development Authority

Transmitted via email: kara.allen@nyserda.ny.gov

December 1, 2020

Dear Chairwoman Reardon and the Just Transition Working Group members,

Since the Climate Action Council's (CAC) inception I have watched their meetings online. The November 4, 2020 Just Transition Working Group meeting was most informative. Specifically, slide 6 University of Colorado Boulder "ensure that decision making process for climate and energy solutions are truly public and representative of those most impacted". And slide 10 Canadian Task Force "Just transition means that society shares the cost of transitioning to a low-carbon economy. It would be unjust for workers and communities in affected sectors to shoulder the full cost of transition."

Watching CAC meetings it appears that the intent is for the decision making process to be inclusive and equitable. This makes the absence of rural New York landowners from the CAC working groups even more concerning. The abutting landowners to solar and wind power plants are those most impacted by the siting, construction, and operation of thousands upon thousands of renewable energy power plants across upstate and western New York. (*see Exhibit A*) This [interactive map](#) locating solar power plants 1MWac and larger is derived from NYISO and NYSIR data. The omission of these long term stakeholders may lead to Gov. Cuomo's administration's inability to achieve their ambitious goal of 70% renewable energy by 2030.

My 84 year old mother is an abutting property owner to an approved 10MWac solar power plant in rural upstate New York. She first learned of the 65 acre project with 45,455 photovoltaic panels on July 11, 2019 from a one page photocopied notification for the public hearing on July 18th. I would like to share our experience with how solar power plants are being proposed and approved in economically disadvantaged rural towns across New York State.

1. Neighbors and town residents are not informed of projects until days before a public hearing.
 - a) Towns fail to uphold Open Meeting Law requiring that draft meeting minutes are posted at town hall or on the town website within two weeks.
 - b) Developers omit public information session mailings to abutting property owners.
 - c) Developers omit abutting residences, cross roads, and north arrows from their renderings. (*see Exhibit B*)

2. Developers omit application information and rural towns don't know what to ask for.
 - a) Developers provide Federal Aviation Administration's "Determination of No Hazard to Air Navigation" in place of glare studies to unsophisticated planning boards. (*see Exhibit C*)
 - b) Single line electrical drawings for basic system layout, energy storage, and tracking panels are omitted or redacted by developers claiming protection of intellectual property rights.
 - c) Visual analysis omit views, abutting residences, and winter leaf-off conditions
 - d) Developers fail to follow NYSERDA decommissioning guidelines leaving towns and landowners exposed to incomplete removal and additional costs.

3. Energy Storage Solutions (ESS) infrastructure and details are not submitted to the town, incorporated into stormwater pollution prevention plans, or mentioned in the approved resolution, site plan, or negative declaration. Yet NYSERDA awards developers \$2,358,000 for each 5MWac ESS. (*see Exhibit D*)

What has happened in my hometown is not unique. Solar and wind developers chase New York State subsidies and incentives, obtain project permits, and immediately sell the project. This leaves towns, neighboring landowners, and project owners to resolve inadequacies, errors, and omissions during construction, operation, and decommissioning at their own expense.

Over the past 16 months I have met with residents opposing power plants across New York State. They inform me of their crops being destroyed with herbicides, town corruption, and developer harassment. The solar power plant next to my property included a condition that the abandoned house be demolished. Curiously, the house exploded at 6:30 AM Sunday March 8, 2020 with such a force that abutting State Route 7 was closed for four hours. There was no evidence left to conduct an arson investigation. There was no media coverage.

The majority of New York's renewable energy power plants are being sited in county's with the lowest average mean income. The residents do not have the finances, knowledge, or time to legally protect themselves during or after a power plants approval process. Zachary Wellstood's statement at the Article 10 hearing for Hecate Greene in Coxsackie describes the development of a 50MWac solar power plant within economically his disadvantaged town. (*see Exhibit E*)

Rural New York State landowners are the stakeholders whom are directly and permanently impacted by renewable energy power plants. Our land use, property values, and development potential will be impacted for generations. There is no way to visually screen a power plant from satellite imagery which is used to evaluate land use and values. The state appears to be making

decisions about our lands without our input. We would like to be included in CAC's discussion of what is happening to our communities and our landscapes. I welcome the opportunity to speak with the Just Transition work group and the Climate Action Council. There are thousands upon thousands of other landowners that also want to be heard.

One suggestion I have is that the state provide towns an independent solar expert available for consultation on planning, SEQR, Article 10 /Article 23 compliance, and complaints. Residents and property owners should not have to pay for independent experts to review solar and wind power plant applications that generate untold wealth for the developers and provide electricity for users well outside our geographic region and even our state.

Please, do not hesitate to contact me with any questions or concerns, lynnebruning@gmail.com. Thank you for your time and consideration.

Respectfully,

Lynne Bruning

cc: Lara Skinner, Executive Director, The Worker Institute, Cornell University

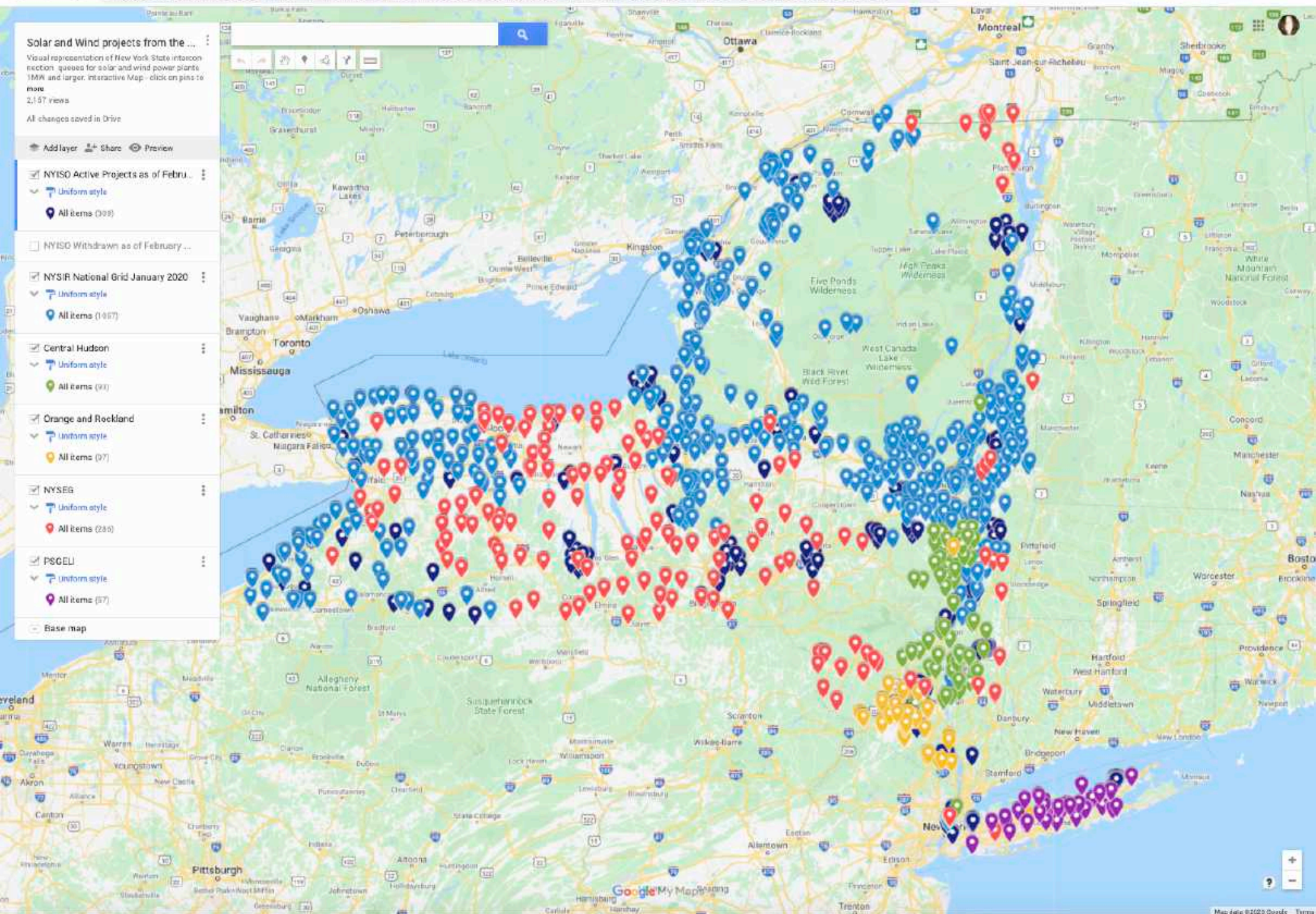
enc: Exhibits PDF

EXHIBIT

A

Interactive Map of NYISO and NYSIR interconnection queues

google.com/maps/d/edit?mid=Tr2HBTTJigE42iqlp44CBbqbGTJcmQZ3f&ll=42.932171969503344%2C-76.36591322061965&z=8



EXHIBIT

B



Oak Hill Farms

Location: Duaneburg, NY - [View map](#)
 Status: Under Development

Oak Hill Farm I and II (or Oak Hill Farms) consist of two sites, each with a capacity of approximately 7.5 MWp, enough to power about 2,450 homes. The site is average agricultural land with good opportunities for creating pollinator-friendly wildflower meadows and agricultural usage with sheep grazing.

A community benefit fund will be established for the lifetime of the solar farm to bring economic, social and environmental benefits to the community. [Learn more about other benefits our solar farms bring to](#)

Omitted cross street abutting homesteads north arrow street address energy storage

★ Omitted Homestead



EDUCATIONAL BENEFITS

We organise trips to the solar farm so children from local schools can learn about science, technology and energy generation.



SECURITY

Traditional rural fencing and discreet CCTV cameras will be used around the perimeter of the site to maintain security.



WILDFLOWER MEADOWS

The land around and beneath the solar panels will be sown with native wildflowers and grasses to support habitats for bees and other pollinators.

EXISTING TREES

The site is surrounded by mature trees and forestry, which screens it effectively from public view as well as providing important wildlife habitats.



BEEHIVES

Beehives on the solar farm will provide pollination services to support local farmers and agriculture.



BIRD AND BAT BOXES

These will be located around the perimeter of the site to encourage bats to roost and birds to nest.



SHEEP GRAZING

The land around the solar panels will be maintained where economically feasible by sheep grazing in autumn, after the meadows have seeded, to keep land in food production.



SOLAR PANELS

The panel arrays are single axis trackers and will generate enough clean power for the equivalent of over 1,225 homes.

EXHIBIT

C



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2018-AEA-8786-OE

Issued Date: 10/17/2018

Stephanie Puliafico
Eden Renewables
333 Broadway
Suite 460
Troy, NY 12180

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Solar Panel Oak Hill Solar 1
Location:	Duanesburg, NY
Latitude:	42-43-37.00N NAD 83
Longitude:	74-14-59.00W
Heights:	1135 feet site elevation (SE) 11 feet above ground level (AGL) 1146 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 04/17/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (404) 305-6531, or darin.clipper@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-AEA-8786-OE.

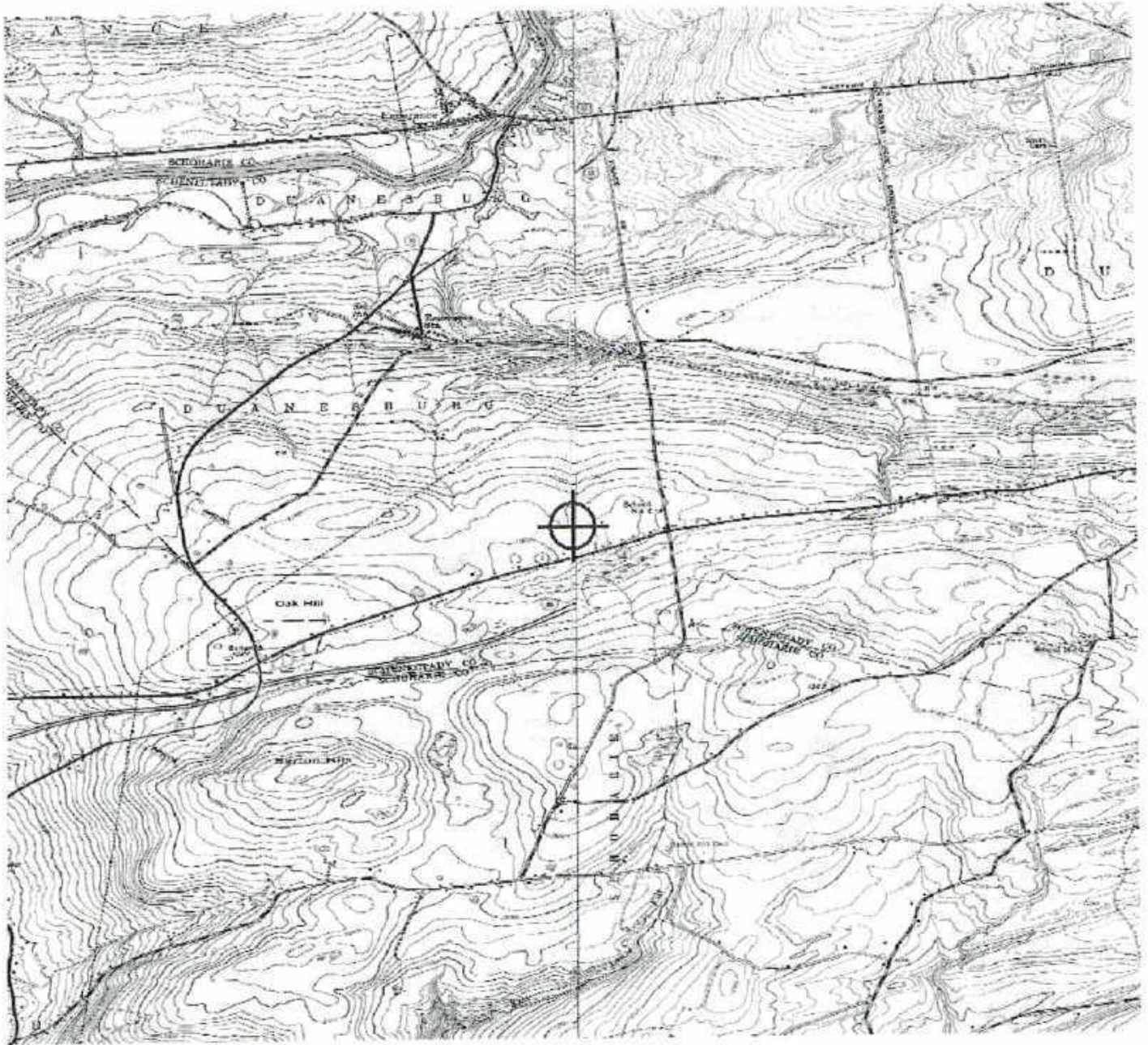
Signature Control No: 369136517-387675828

(DNE)

Darin Clipper
Specialist

Attachment(s)
Case Description
Map(s)

Solar Farm



EXHIBIT

D

From: noreply@salesforce.com on behalf of [Benjamin Falber](#)
To: gillian.black@edenrenewables.com; [Stephanie Puliafico](#)
Cc: [Neligan, Alison L \(NYSERDA\)](#); erda.sm.energystorage
Subject: 13590 Duaneburg Rd - Retail Storage applications 191916 and 214694
Date: Thursday, October 3, 2019 12:31:45 PM

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi Stephanie, Gillian,

I have updated the status of this application to pending approval and submitted it to our legal team & senior management for final approval.

Looking at the SEQR neg dec in your associated NY-Sun applications 191916 and 181604 for this site and the zoning/planning board approval for the site, I do not see any mention of storage. I see mention of storage in the meeting minutes in the notes and attachments for this project application, so this application can move forward. Ultimately, we'll be looking for these items by the time we reach milestone 1 along with the other items detailed in the retail storage program manual (<https://www.nyserda.ny.gov/retailstorage>). This note applies to both your retail storage applications 214683 and 214694 (Oak Hill Solar 1 and Oak Hill Solar 2) at this site.

Thank you,

Ben

Application Number 0000214683

From: [Stephanie Puliafico](#)
To: [erda.sm.energystorage](#); [Gillian Black](#)
Subject: Fwd: Application 214683 - 13590 Duaneburg Rd - Retail Storage
Date: Tuesday, October 1, 2019 4:12:30 PM
Attachments: [Eden OH1 E-101-SLD.pdf](#)
[Eden OH2 E-101-SLD.pdf](#)
[Eden OH2 Dynapower BTM enclosure 600kWh.pdf](#)
[Eden OH2 xgi 1500 datasheet rev j december 2018.pdf](#)
[Eden OH2 SDI ME2 286s Technical Specs.pdf](#)
[Eden OH2 Dynapower DPS-500 cut sheet.pdf](#)
[Eden OH2 Dynapower DPS-500 Specification January 2019.pdf](#)
[Eden ELMBROOK E-101-SLD.pdf](#)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Ben,

See attached, corrected SLD, apologies for uploading the wrong ones. Also attached are the equipment cut sheets. I also uploaded the SLD for Brookview Road just in case you need that one too.

I am working with the towns to get minutes for you.

Thanks,
Stephanie

On Tue, Oct 1, 2019, 2:56 PM Retail Energy Storage <energystorage@nyserda.ny.gov> wrote:

Stephanie,

Provide the following 2 items within the next 24 hours to prevent your application from being rejected:

- Hardware specification documents. The zoning application form is helpful, though we also require the hardware specification documents for the application.
- Zoning board meeting minutes. The zoning and planning form is missing the storage capacity value and I see it does include a note on storage. However, we require the zoning board meeting minutes as well.

Can you confirm that the 11790 kWh is the usable installed energy storage capacity in kilowatt hours (kWh) measured in AC power? I'm not seeing this clearly labeled on the design drawing or site plan.

Thank you,

Ben

Application Number 0000214683



NYSERDA

ANDREW M. CUOMO
Governor

RICHARD L. KAUFFMAN
Chair

ALICIA BARTON
President and CEO

October 28, 2019

Stephanie Puliafico
Eden Renewables, LLC
333 Broadway
Suite 460
Troy, NY 12180
Email: stephanie.puliafico@edenrenewables.com
Subject: Contract #145721

Dear Stephanie Puliafico,

NYSERDA is pleased to inform you that we have approved your Project Application #214694 Contract #145721 for incentives under the Retail Energy Storage Incentive Program. **Your award in the amount of \$2,358,000.00 is contingent upon the installation and grid interconnection of a 5,000.00 kW/11,790.00 kWh** (useable installed energy capacity measured in AC) energy storage system at 13686 Duanesburg Road, Delanson, NY 12053, as outlined in the Project Application. This approval is subject to the terms and conditions set forth in the Project Application, Retail Energy Storage Incentive Program Manual, and Participation Agreement.

Please note that this letter does not commit NYSERDA to pay any potential incentive or cost incurred. You may now begin submitting the required deliverables to earn the milestone payment. Payment by NYSERDA is contingent upon approval of the required deliverables.

The energy storage project must be completed within 730 calendar days of the Program approval date. NYSERDA may require a satisfactory photo or field inspection of the completed project prior to the milestone payment.

Refer to the Program Manual for all Program rules and requirements. The Contractor is responsible for ensuring compliance of the system with all applicable laws, regulations, rules and standards. The system must meet the requirements set forth in the Battery Energy Storage Guidebook published by NYSERDA, which is based on the 2021 International Fire Code, even if these requirements are greater than those required by the local authority having jurisdiction.

Thank you for your participation in the Retail Energy Storage Incentive Program, and for your commitment to the promotion of clean energy in New York State.

Sincerely,

Signature: _____
NYSERDA Authorized Signatory

New York State Energy Research and Development Authority

Albany
17 Columbia Circle, Albany, NY 12203-4399
(P) 1-888-NYSERDA (P) 518-862-1091
nysesda.ny.gov info@nysesda.ny.gov

Buffalo
72E Exchange Street
Suite 821
Buffalo, NY
14203-1484
(P) 716-843-1522
(P) 716-843-0156

New York City
1359 Broadway
15th Floor
New York, NY
10018-7842
(P) 212-971-8342
(P) 518-862-1091

**West Valley Site
Management Program**
9030-B Route 215
West Valley, NY
14171-9500
(P) 716-942-9960
(P) 716-942-9961



NYSERDA

ANDREW M. CUOMO
Governor

RICHARD L. KAUFFMAN
Chair

ALICIA BARTON
President and CEO

October 28, 2019

Stephanie Puliafico
Eden Renewables, LLC
333 Broadway
Suite 460
Troy, NY 12180
Email: stephanie.puliafico@edenrenewables.com
Subject: Contract #145716

Dear Stephanie Puliafico,

NYSERDA is pleased to inform you that we have approved your Project Application #214683 Contract #145716 for incentives under the Retail Energy Storage Incentive Program. **Your award in the amount of \$2,358,000 is contingent upon the installation and grid interconnection of a 5,000 kW/11,790 kWh (useable installed energy capacity measured in AC) energy storage system** at 13590 Duanesburg Rd, Delanson, NY 12053, as outlined in the Project Application. This approval is subject to the terms and conditions set forth in the Project Application, Retail Energy Storage Incentive Program Manual, and Participation Agreement.

Please note that this letter does not commit NYSERDA to pay any potential incentive or cost incurred. You may now begin submitting the required deliverables to earn the milestone payment. Payment by NYSERDA is contingent upon approval of the required deliverables.

The energy storage project must be completed within 730 calendar days of the Program approval date. NYSERDA may require a satisfactory photo or field inspection of the completed project prior to the milestone payment.

Refer to the Program Manual for all Program rules and requirements. The Contractor is responsible for ensuring compliance of the system with all applicable laws, regulations, rules and standards. The system must meet the requirements set forth in the Battery Energy Storage Guidebook published by NYSERDA, which is based on the 2021 International Fire Code, even if these requirements are greater than those required by the local authority having jurisdiction.

Thank you for your participation in the Retail Energy Storage Incentive Program, and for your commitment to the promotion of clean energy in New York State.

Sincerely,

Signature: _____
NYSERDA Authorized Signatory

New York State Energy Research and Development Authority

Albany
17 Columbia Circle, Albany, NY 12203-4399
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Buffalo
72E Exchange Street
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(P) 716-843-0156

New York City
1359 Broadway
19th Floor
New York, NY
10018-7842
(P) 212-971-8342
(P) 518-862-1091

**West Valley Site
Management Program**
9030-B Route 215
West Valley, NY
14171-9500
(P) 716-942-9960
(P) 716-942-9961

Purchase Order

**New York State
Energy Research and Development Authority**
17 Columbia Circle
Albany NY 12203
United States

Supplier: 0000087324
Eden Renewables, LLC
333 Broadway
Suite 460
Troy NY 12180

Dispatch via Print

Purchase Order 0000144525	Date 11/22/2019	Revision	Page 1
Freight Terms FOB Destination		Ship Via Common	
Buyer Benjamin Falber	Phone 518/862-1090	Currency USD	

Ship To: MAIN
17 Columbia Circle
Albany NY 12203
United States

Bill To: 17 Columbia Circle
Albany NY 12203
United States

Tax Exempt? Y **Tax Exempt ID:**

Line-Sch	Item/Description	Mfg ID	Quantity	UOM	PO Price	Extended Amt
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1- 1	Retail Storage		1.00	EA	2,358,000.00	2,358,000.00 11/22/2019
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Schedule Total 2,358,000.00

Contract ID: 00000000000000000000145716

Contract Line: 1 Release: 1

Item Total 2,358,000.00

Total PO Amount 2,358,000.00

EXHIBIT

E

Hon. James Costello
Hon. Ashley Moreno
New York State Board on Electric Generation Siting and the Environment,
New York State Department of Public Service
Empire State Plaza, Agency Building 3
Albany, New York 12223

Re: Case Number 17-F-0619

Application of Hecate Energy Greene 1 LLC, Hecate Energy Greene 2 LLC, and Hecate Energy Greene County 3 LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for Construction of a Solar Electric Generating Facility Located in the Town of Coxsackie, Greene County

October 5, 2020

Dear Hon. Costello and Hon. Moreno:

My name is Zachary Wellstood. I was born and raised in Coxsackie; my family lives in Coxsackie; my family also owns and operates a small business in Coxsackie. I am currently a second-year PhD student. I am abundantly in support of renewable energy and a 'Green New Deal' as stepping-stones to a more ethical, equitable, and sustainable future for us all. Climate change is a real result of human activity.

I am also 26, which means that I am a future caretaker of our community and a member of the rising generation to whom the problems of the past, present, and near future are being passed down. Any unforeseen consequences over the 25+ year lifespan of Hecate's proposed project will be my generation's responsibility to deal with.

I oppose the current Article 10 proposal on the following grounds:

- » I oppose Hecate's business practices: by centering their business model on first acquiring land privately from landowners, they have pitted those who stand to gain from land leases against community members with genuine and valid concerns for their home and its well-being. Hecate has fractured and strained personal relationships between community members in a very small town. This is socially irresponsible and unethical behavior, and shows from the very beginning that this company stands outside of our community and does not have our community's best interests at heart.
- » I oppose the extent of proposed solar development in Coxsackie without sufficient analysis of its cumulative effects. Hecate's proposal is one of seven in Coxsackie. As far as

I can tell, there is *no* long-term study of the *cumulative* effects of these developments on our environment, community, or economy. Research that does exist casts doubt on Hecate's claims about the impact of solar; for instance, with respect to property values, Gaur and Lang (2020) find:

'Our preferred model suggests that property values in the treatment group **decline by 1.7%** (\$5,751) on average compared to those in the control group after the construction of a nearby solar installation, all else equal. This translates to an annual willingness to pay of \$279 per household to avoid disamenities associated with proximity to the installations. However, this average effect obscures heterogeneity. We find substantially larger negative effects for properties within 0.1 miles and properties surrounding solar sites built on farm and forest lands in non-rural areas.' (Gaur & Lang 2020:18, emphasis mine)

- » I oppose the proposal because it is unclear to me **why residential land and active farmland in the center of town are the preferable choice** for this project. I would like to reference the EPA's RE-Powering America's Land initiative (<https://www.epa.gov/re-powering>) to reclaim brownfields, toxic waste sites, and decommissioned industrial property. So far as I know, Hecate has not produced any explicit arguments against reclaiming waste sites, yet RE-Powering America's Mapper lists 4,498 potential sites available for reclamation in NY (<https://geopub.epa.gov/repoweringApp/>).

Why is Hecate proposing to build *new* industrial sites on agricultural and residential land, when **we should instead focus on repurposing existing sites and investing in rooftop solar for home and business owners?** As stated by Gaur and Lang (2020:2), 'solar arrays use significant amounts of land (about 5 acres per MW of capacity), and may create local land use disamenities.' The logic of consuming enormous tracts of arable and residential land in the name of 'sustainability' is akin to cutting off our arms so that we can run faster because we weigh less.

I have the impression that Hecate (and other companies) have chosen Coxsackie because of cheap land for high payoff: According to the 2010 Census and 2020 estimates (<https://www.census.gov/quickfacts/greenecountynewyork>) Greene County has a negative growth rate over the last 10 years, 13% of the county lives below the poverty line (above the national average), the per-capita mean income is ~\$27,000 (below the state and national averages), and there is a steadily aging population (40%+ will be older than 55 by 2030 — https://www.hudsonvalley360.com/news/greenecounty/ny-ranks-no-1-in-population-decline/article_da1303a4-2586-59e7-9079-8f9128fe3825.html).

In light of these statistics, it is clear that Greene County (including Coxsackie) represents **a county under economic distress**, and the choice of Hecate and other solar companies to propose 2,500-3,500 acres of solar plants in Coxsackie can be described as **no less than predatory**. According to Hecate, Hecate's estimated contribution to Coxsackie is ~\$128,000 per year for ~35 years which amounts to ~\$4.48 million total. By contrast, Hecate's estimated revenue is \$22,000,000 per year (\$150 per MW x 50 MW x 8 hours x 365 days; N. Harm, p.c.). Over 35 years, that amounts to ~\$770,000,000 of revenue. Let's put that into perspective: 4.48 million seconds is equivalent to **51 days**; 770 million seconds is equivalent to **24 years** — that is how big a discrepancy there is between Hecate's potential revenue and their proposed contribution to Coxsackie. Hecate's contribution to Coxsackie over ~35 years is approximately **0.5% of their total estimated revenue**. The Coxsackie-Athens school budget alone is \$33.2 million this year. It doesn't add up.

Hecate's contribution of \$128,000 per year is only symbolic, to make us feel like we benefit somehow, and at what expense? Coxsackie takes on the environmental risk of Hecate's project. Coxsackie loses arable land. Coxsackie loses viewshed. Coxsackie's property values drop. And so on. Our homes are affected directly, and all of this just for \$128,000 per year?

Is there *no way* that Coxsackie can generate \$128,000 per year in an equitable way by investing in **local infrastructure, local business, education, arts, continuing to develop tourism, and responsible renewables such as rooftop solar for homeowners and local businesses**? Hecate's solar plant offers only 3-5 long term jobs (<https://www.greenecountysolar.info/faqs/>), and construction of the facility would likely draw on out-of-county or out-of-state companies (Kowalski 2020).

Leasing cheap land from economically depressed rural communities to turn an exorbitant profit appears to be part of Hecate's *modus operandi*, see Kowalski's (2020) article in *Energy Network News* for the complexities of a project of theirs targeting a similar community in rural Ohio. **Construction of industrial-scale renewable power plants in struggling rural communities exploits and perpetuates existing socioeconomic and class inequalities, while growing the wealth gap which divides us already.**

'The politics of renewable energy can be seen as left versus right. But when it comes to siting large renewable-energy projects, **the divide is increasingly about rich versus poor**. "Wind developers don't target the tony communities, like near Hillary Clinton's house in Chappaqua, or Westchester County," says Joni Riggle, a resident of Chautauqua County, who opposes the Cassadaga project. "The people who live in those places have

the financial clout to fight Big Wind.” (Bryce 2020)

That is why Hecate and its competitors are descending upon Coxsackie right now, and it is fundamentally unjust.

- » On the basis of Princeton Hydro’s Sept. 24th correspondence, I oppose Hecate’s proposed project due to its potential environmental impact on local ecology and on Sleepy Hollow Lake. Princeton Hydro’s report states:

‘In a best case scenario these [best management practices] would function together, almost as a quasi-treatment train to ensure that there are no downstream impacts to Sleepy Hollow Lake.’ (p11)

This report suggests that even in complying with additional preventative measures, there is at best no guarantee whether there will be downstream impacts on Sleepy Hollow Lake and the surrounding environment. The consequences remain unknowable (see especially pp. 9-12).

- » I object to the purported use of herbicides as described in the Princeton Hydro report: ‘The primary control will be through the use of herbicides glyphosate and triclopyr (under various brand names) including spraying, girdling, and injection. Hand pulling may be used in limited cases. Pesticide application regulations are cited, but not otherwise explained,’ (p.9). This seems to stand in direct contradiction to the information on Hecate’s website which reads: ‘Vegetation management will primarily be done with periodic mowing and trimming. Little or no chemical vegetation control is planned. If any is used, it will be far less than farms or golf courses typically use.’ Such contradictory information is a red flag, and **it is not the first time Hecate has given conflicting information** about their land management practices (for instance, saying that they will plant pollinator-friendly undergrowth, but then saying they will mow the undergrowth). Further, if herbicides are used under various brand names, how can we be sure that the chosen brands do not contain other active (damaging) ingredients as well? Who holds Hecate accountable for this long-term?
- » I further object because it is a well-known fact that the quarries and mines around the proposed developments have been central to the cultural heritage and history of indigenous Algonquian peoples for 10-12,000 years (Parker 1925). The redaction of Hecate’s archeological report submitted to the NYS Department of Parks, Recreation and Historical Service obscures whether development of this area will inhibit access to, threaten, or destroy these tangible relics of local culture and history.

- » Approving Hecate's project in just a few hasty years is irresponsible when the consequences will last 25+ years and impact ~17,000 households and 2,500-3,500 acres. I believe that it is unethical for the state to supersede the county in making such impactful choices. There is no one who knows the land like the people who call that land *home*. It is unjust and unreasonable to fast-track international, multi-million-dollar companies for significant development of long-term projects like Hecate's. Here I would like to quote Smith's (2018) article about a related conflict between solar companies and the rights of Native Americans:

'For solar energy to be successful at the scale required by climate change mitigation, solar facilities must be harmonized with the ecosystem, agriculture, and human needs. If local communities are excluded, and knock-on effects are overlooked, **the benefits of renewable energy could be outweighed by negative consequences**. But if innovative strategies and inclusive approaches continue to gain momentum, the future of solar energy will be bright.' (Smith 2018, emphasis mine)

I believe that the responsible way forward for true environmental and climate justice *and* empowerment of rural communities is to involve the rural communities in renewable utility projects from the very beginning. Developers and the state should **actively survey and interview the whole community** (Davis 2016) and **discuss the community's wants and needs** *before* lands are secured and proposals are written; **decision making should be collaborative from the start to the end**.

If local communities are foregrounded and local voices are given due respect, rather than nominal participation through ad hoc Siting Board representation, our local communities can thrive, and **the effect of community-first renewable development will be inherited from the county by the state and the nation**.

'There are other solutions to prevent global warming and replacing fossil fuels through renewable energy, namely residential solar installment as an avenue towards affordable solar energy. Millions of homes around the world have roofs staring into the sky waiting for a useful purpose. **Solar installation on individual homes can provide the same result as solar power plants - clean, renewable energy - but using space already available**. Implementation of new technology to modernize the electrical grid and create decentralized, distributed electricity generation is already underway to take advantage of this type of individualized solar [. . .] **Each action to conserve one species or serve the needs of a minority population helps shape the philosophy of conservation and justice we as a society propagate into the future. Just as the character of a person is judged by his or her daily acts, our society's legacy will be measured by the sum of its individual actions, large or small.**' (Trinastic 2015, emphasis mine)

I offer the following alternative vision to this proposal:

- » Foremost, land-greedy industrial solar plants **should not be built on residential and agricultural land**; instead, Hecate should focus on the reclamation of brownfields, waste sites, and decommissioned industrial properties, in the spirit of the EPA's RE-Powering America's Land initiative. In tandem, there should be **significant investment in rooftop solar for individual homeowners and corporate landowners**.
- » Hecate's proposal should be **rejected** due to the reasons outlined above and due to objections raised by other members of our community. Furthermore, **no proposal in Coxsackie should be approved unless all solar plant proposals can be considered together**. These proposed projects will have a significant cumulative effect; if they are approved one by one, independently of one another, we miss the bigger picture of what is at stake and how our community will be affected.
- » I suggest that Coxsackie (and Greene County) commit themselves to New York State's sustainability goals by holding a town hall to discuss **community-owned solar** (Bozuwa 2018, Farrell 2016) as a viable alternative to Hecate's proposed industrial utility. Large-scale industrial development like Hecate's is not in the best interest of our town, environment, or economy, but **community-owned solar can provide equivalent benefits, while retaining local authority and ownership** over the solar project and its outcomes (ibid).
- » In the event that an industrial solar utility is approved on residential/agricultural land without community consent, I believe the utility company should be bound to invest significantly more money into the community than Hecate currently proposes. For example, if Hecate's solar plant is approved against our wishes, I advocate for an agreement which mandates that the company must return at least 50% of the annual proceeds to the community — a certain percentage paid to the county, a certain percentage paid to the town, and a certain percentage to be paid as yearly dividends to each household in the town of Coxsackie. This model could have significant social impact, but again, I **do not** support Hecate's proposal, and as stated above, I advocate instead for (i) the reclamation of existing sites, (ii) investment in individual and corporate rooftop solar and (iii) community-owned solar spearheaded by the town of Coxsackie and Greene County.

Thank you for your attention in this matter,
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