

Energy Siting Code Training

From Community to Transmission Scale

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Community Scale Up to 25MW

- Distributed Generation Projects
- Community Solar Residential Buy-In Programs
- Arrays to offset municipal/commercial demand
- Necessary to fill-in gaps for targets set by CLCPA that large-scale cannot address

5 MW Project

The Applicant seeks the below permissions or approvals from the Town:

1. A review under the State Environmental Quality Review Act, Article 8 of New York Environmental Conservation Law and NYCRR Part 617 (“SEQRA”). Based on previous correspondence to the Board, the Applicant expects the Board to take the role of Lead Agency. A Long Environmental Assessment Form Part I is included with this application.
2. A Special Use Permit under Section [redacted] Town Code (the “Solar Law”).

Permitting

5 mw Project

Code Official Can be called upon up to 16 times just for the Building Permit, not including fire or other duties

Document Title	Date	# of Copies	Date Rec'd (Electronic or paper)	Receiver Initials
Cover letter from [redacted]	5/1/20			
Project Narrative [redacted] C	5/1/20			
Long Environmental Assessment Form	4/28/20			
Site Plan Drawings by [redacted]	April 2020			
Aquatic Resources Report [redacted]	February 2020			
Habitat Assessment by [redacted]	2/28/20			
Notice of Intent to Undertake an Action Within an Agricultural District	4/28/20			
Arney Solar Photovoltaic Facility Sound Review	April 2020			
Custom Soil Resource Report for New York: Arney	3/27/20			
Glare Gauge Analysis Results: Arney	4/10/20			
Arney Solar Photovoltaic Facility Decommissioning Plan	April 2020			
Arney Solar Photovoltaic Facility Operations and Maintenance Plan	April 2020			
Arney Submittal to US Army Corps of Engineers for Determination of No Jurisdiction	3/11/20			
Arney Submittal to NYS Department of Environmental Conservation for Jurisdictional Determination	2/13/20			
Arney Response from NYS Department of Environmental Conservation for Permit Jurisdiction	3/12/20			

Transmission/Utility Scale

- Moving from Article 10 to The Accelerated Renewable Energy Act and the Office of Renewable Energy Siting
- But! The Act "opt-in" for 20-25MW so local laws still need to be intact and up to date!
- While ground mounted solar excluded from 2020 Building Code, still subject to 2020 Fire Code!
- Put Hourly Rates in an Escrow Fund at the onset of a Project!
 - Estimates on 80 MW project
 - 1) Attorney fees 1500.00
 - 2) Engineering fees 3500.00
 - 3) Code Enforcement fees 2500.00
 - 4) The Town will put the building permit fee in a escrow account and show statements for services if those services go over the amount in escrow the building permit holder will be required to satisfy the escrow account before a certificate of compliance is issued.

Permitting

- Depends on size of array...anywhere from 20-280+ MW
- Core Samples, Distribution and Road level Analysis, Environmental Reviews, talks with landowners.
- Can be in contact anywhere from 56-366 times for the completion of a project
- An informed muni can change the face of a project!
- Community benefits can include outdated infrastructure repairs, park, playground and sports field renovations, EV charging stations, smaller solar PV arrays to offset municipal electricity

Battery Energy Storage Systems

- Falls under local law if not connected to an energy generation project
- Will see this coming more to balance grid between regional generation and downstate demand
- Fire Suppression Systems with water availability important consideration

How to Make the Most of Community Benefits Packages



The Accelerated Renewable Energy and Community Benefit Act

- Office of Renewable Energy Siting
 - Local Muni has 60-day period to review application including local law
 - 3 Community Benefit Options: residential electric discount rate applied, pre-determined project, or agreed upon project between community and developer
- Build-Ready Sites
- Public Comment Period on Community Benefit Packages ends July 3rd on the specific residential electric discount piece/ or comparable environmental benefit
- Webinar
Link: https://us02web.zoom.us/webinar/register/WN_U9ctS1z5RCSTV7c7fm16gQ?fbclid=IwAR2hbiFh7-kX3qAP5SFU6C2FDG0C50Q4OnRww4uvBIJUzKfghN_NjTSxNU

Additional Resources

- <https://www.nyenvlaw.com/public-service-commission-requests-comment-on-community-host-benefit-program-for-renewable-energy-projects/>
- <https://www.nyenvlaw.com/new-renewable-energy-siting-process-passed-into-law-bypasses-community-engagement/>
- <https://www.dos.ny.gov/dcea/pdf/2020%20FCNYS%20June%202019.pdf>
- <http://www.gflrpc.org/guide.html>
- <https://www.nyserda.ny.gov/All%20Programs/Programs/Clean%20Energy%20Siting/Battery%20Energy%20Storage%20Guidebook>
- <https://www.nyserda.ny.gov/All%20Programs/Programs/Clean%20Energy%20Siting/Solar%20Guidebook>