



Resolution
Board of Supervisors
County of Columbia
New York

Resolution No. 135-2023

Sponsored by Supervisor

**A RESOLUTION IN OPPOSITION TO PROPOSED SITING OF THE SHEPHERD'S RUN
SOLAR PROJECT WITHIN THE TAGHKANIC CREEK WATERSHED**

UPON, recommendation of the Finance Committee; at a special meeting held on the 8th day of March, 2023;

WHEREAS, on August 5, 2020, Hecate Energy Columbia County 1 LLC did file a Preliminary Scoping Statement pursuant to Article 10 of the New York State Public Service Law, by which Hecate detailed its plans to construct Shepherd's Run Solar Facility, to be sited within the Taghkanic Creek Watershed located in the Town of Copake and Hamlet of Craryville, New York; and

WHEREAS, on May 4, 2021 Hecate Energy Columbia County elected to subject its Shepherd's Run proposal to the 94-c permitting process rather than that of Article 10, and did on March 8, 2022 file a siting permit application with the Office of Renewable Energy Siting pursuant to Section 94-c of the New York State Executive Law; and

WHEREAS, the Taghkanic Creek is a waterway designated by the State of New York that flows through Hillsdale, Copake and Taghkanic and supplies water to the City of Hudson and also supports clean drinking water in the Towns of Taghkanic, Hillsdale, Claverack, and Copake; and

WHEREAS, in 2022 the Columbia Land Conservancy published the Taghkanic Headwaters Conservation Plan, which seeks to protect the Taghkanic Creek and the Taghkanic Creek's Watershed; and

WHEREAS, the Taghkanic Headwaters Conservation Plan emphasizes the value of large, connected forests and streams in the Taghkanic Creek's Watershed to protect abundant and clean water and wildlife, as well as the ability of wildlife to move across the landscape;

WHEREAS, it will take the cooperation of municipalities and partners to implement the Taghkanic Headwaters Conservation Plan and to conserve our important resources in Columbia County, and

WHEREAS, on August 11, 2022 the Commissioner of the Department of Environmental Conservation announced the completion of the Taghkanic Headwaters Conservation Plan and applauded the Columbia Land Conservancy for their work in producing this Plan noting that preserving natural connections between habitats is critical for wildlife movement, climate adaptation, and resilient ecosystems; and

WHEREAS, pursuant to the Codes and Regulations of the City of Hudson, the Taghkanic Creek Watershed is specifically protected by state regulation 10 NYCRR 109.1, which states, "No person, including State agencies or political subdivisions having jurisdiction, shall perform any act or grant any permit or approval which may result in the contravention of the standards for raw water quality..."; and

WHEREAS, neither Hecate Columbia County nor the New York State Office of Renewable Energy Siting have sufficiently considered the Taghkanic Headwaters Conservation Plan, the applicability of 10 NYCRR 109.1, or the potential adverse impacts of the construction and operation of the proposed Shepherd's Run facility on the Taghkanic Creek Watershed and the drinking water of Hudson, Taghkanic, Hillsdale, Claverack, and Copake;

Resolution No. 135-2023 (page 2)

NOW, THEREFORE BE IT

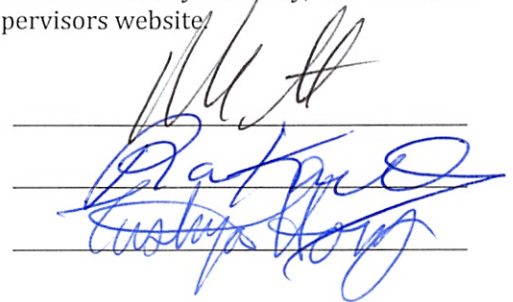
RESOLVED, that the Columbia County Board of Supervisors urges the New York State Office of Renewable Energy Siting to continue to deem the application of Hecate Energy Columbia County 1, LLC incomplete unless and until Hecate can provide evidence that the construction of Shepherd's Run, and once constructed, the presence of Shepherd's Run, will not negatively impact the Taghkanic Creek Watershed, or the water quality in the City of Hudson, or any Columbia County Town; and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Columbia County Attorney, the Columbia County Treasurer, NYS Senate and Assembly, and posted to the Board of Supervisors website.

Approved:


Robert J. Fitzsimmons, County Attorney

Resolution
Committee



STATE OF NEW YORK
COUNTY OF COLUMBIA} ss:

This is to certify that I, undersigned Clerk of the Board of Supervisors of the County of Columbia, have compared the foregoing resolution with the original resolution, now on file in the office of said clerk, and which was adopted by said Board of Supervisors on the 8th day of March 2023, and that the same is true and correct transcript of such original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Board of Supervisors this 9th day of March, 2023.


Kelly S. Baccaro, Clerk of the Board