

524 Copake Lake Road Extension
Craryville, NY 12526

VIA Email (res@nyserday.ny.gov)

Match 1, 2024

NYSERDA
Attn: RSRFP3201 Designated Contacts
17 Columbia Circle
Albany, NY 12203-6399

RE: **RESRFT23-1 – Sensible Solar Opposition to Hecate Energy Columbia County 1 LLC bid For Proposed Shepherd’s Run Solar Project**

Dear RESRFP23-1 Designated Contacts:

I am writing to advise you why Hecate Energy Columbia County 1 LLC (“Hecate”) should be disqualified from receiving any REC award for the Shepherd’s Run solar project in Craryville, NY.

NYSERDA’s RFP very clearly states that a minimum requirement for a Bid is that the Proposer has applied for a permit, and can demonstrate that it will be granted in 12 months. Hecate currently has no pending application at ORES. Hecate *itself* states in its Public Involvement Program Plan (“PIP”) on the NYSERDA site, that it **plans to submit** an application for a permit for a 42MW facility **“in May 2024, and it might not be granted for 18 months.”** Thus, it seems very clear that Hecate, by its own admission, cannot and will not meet NYSERDA’s minimum requirements for a Bid in this RFP cycle.

Beyond the fact that Hecate does not meet NYSERDA’s own minimum requirement, I write to advise you of Hecate’s actions under the now dismissed Case Number 21-02553 which reflect their bad corporate character, and should also disqualify them from participating in further involvement with NYSERDA:

1. There has been no genuine effort to meaningfully engage stakeholders beyond the minimum activities required by 94-c. This is evidenced by the fact that the PIP plan recently submitted is the old PIP plan for Case Number 21-02553. **Hecate didn’t even bother to update it, and there is a lot of incorrect information listed. How can anyone take Hecate seriously that they’re collaborating with stakeholders when they don’t even know who the correct stakeholders are??**

For example:

- Hecate shows Daphne Jordan as Copake's State Senator but Copake's State Senator is Michelle Hinchey who was elected in 2022 when Senator Daphne decided not to run.
- Terry Sullivan is no longer on the Town Board.
- Robert Haight and Will Morningstar are on the Town Board, but not listed.
- Julie Cohen, Planning Board Chair, is listed twice — once as chair, once as Member.
- Eli Geminder, Planning Board Member, is not listed.
- Mary Ann Carrick is Chair of the Conservation Advisory Committee.
- Chris Quinby, listed as Deputy Chairperson of Parks & Recreation Commission, died last fall. The current Deputy is Stephanie Poucher.
- Hecate names the old Superintendent (Dr. Neil Howard) of Taconic Hills Central Schools District, rather than Lynnette Brunger who was appointed in September 2023. By the way, despite Hecate's website claims that i) they began conversations with the Taconic Hills Central School District in early 2021 about many programs Hecate will commit to develop with the school's collaboration and ii) their commitment "to facilitate or fund these programs to meet the THCS's objectives and keep the Working Group up to date with progress", neither the school nor the Working Group has heard from Hecate regarding these programs.

Also, you'll note that Hecate's PIP Log shows the last entry as January 2023. ***More than a year has gone by with NO outreach or consultation with anyone concerning the project.*** Hecate's PIP also refers to their Shepherd's Run website with the following comment: "While still under initial development, this website will describe the permitting process and provide Project updates throughout the development and construction phases of the Project to keep the community informed of the Project's status." Still under development? 8 years after "initial outreach and site assessment?"

2. What we do know is that Hecate absolutely **DID NOT** keep the community informed of the Project's status, especially in Q4 2023. In fact, they **MISLED** the community by circulating a brochure in December 2023 (attached), including the following misinformation:
 - The first bullet point under Project Details states the project is 60MW. We now know that Hecate's lease option with the owner of a key 60 acre parcel expired in September 2023 and was never renewed, a fact Hecate was aware of when circulating the brochure to the community. This ultimately led to the project application being dismissed by ORES. Hecate's incompetence in managing a simple lease renewal, and their failure to disclose this information to ORES, the public, and Town officials is a clear sign that they do not operate with transparency, and should not play any role in NY's energy plans.

- In the same brochure, Hecate claimed that they incorporated concepts from local landscape architects in the Working Group into the Landscape Plan. Here is what one of the landscape architects actually stated in a recent email to me:

“The design plans did not incorporate the working group's recommendations to have the buffer plantings respond to site specific micro-climatic site conditions, be deployed in a more naturalistic layout, or provide greater species diversity.

The layout plans for the final submitted project replicated the same regularized pattern for the layout of plant species with no change to plant type or distribution to acknowledge both the environmental and aesthetic impact of such a larger scale planting effort. Localized hydrological and soils conditions must be mapped and responded to in the design for the buffer landscape. Similarly, the arrangement of plants should mimic the way that localized ecosystems appear with stands of similar species of both woody and herbaceous plants that change based on their context.”

- More misleading information in the brochure: “Hecate is working to thoughtfully implement a co-utilization plan including sheep grazing and beekeeping.” However, in a RevealNews.org podcast published on January 6, 2024 (<https://revealnews.org/podcast/sunblocked-resistance-to-solar-in-farm-country/>), Matt Levine, Hecate Representative, answered a question (at the 34 minute mark) about whether Shepherd’s Run would have farming and grazing under the solar panels: **“Matt says Hecate has sheep grazing under another solar project in New York, but at this time, for Shepherd’s Run, they can only commit to looking into the feasibility of it.”**

I respectfully urge you to reject any REC contract bid related to Hecate’s Shepherd’s Run Solar Project. As noted earlier, Hecate does not meet the minimum requirement for such a bid, has submitted misleading information to both NYSERDA and the community, and has proven itself to be untrustworthy to participate in NY’s energy future.

Sincerely,



Sara V. Traberman