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**NYS ISSUES DRAFT PERMIT FOR COPAKE SOLAR PROJECT;
CRITICS CHARGE THREAT TO SCHOOL SAFETY**

The Hudson Valley is the site of the latest battle between Governor Kathy Hochul's steamroller approach to meeting New York State's renewable energy goals, and community control over health, safety and quality of life.

On November 18, 2025 the New York State Office of Renewable Energy Siting (ORES) issued a Draft Permit for Hecate Energy's Shepherd's Run, a controversial 42 MW industrial solar facility to be built directly adjacent to the K-12 Taconic Hills Central Schools in Copake, NY., disregarding warnings about fire risks.

The Draft Permit comes at a time when court documents indicate Hecate is in default on two loans, raising questions about its ability to fulfill all permit conditions. The New York Green Bank, a division of the New York State Energy Research and Development Authority (NYSERDA), previously lent Hecate \$60 million.

"This draft permit should never become final," states Sara Traberman of Sensible Solar for Rural New York (SSRNY), which has opposed the project for the last six years. Public hearings will be held in January, 2026.

Fire Risk to Taconic Schools

"This proposed 215-acre solar project poses a direct smoke and fire threat to the more than 1000 students and teachers of the Taconic Hills Central Schools," states Sara Traberman of SSRNY.

"The Draft Permit allows a field of solar panels right next to the school. It is extremely difficult to fight a brush and equipment fire in a field of panels, especially for volunteer fire

departments with limited manpower and resources, since the panels remain live for as long as the sun shines,” says William Murphy, a retired Battalion Chief with the FDNY, veteran of 911, and a Copake homeowner. “A brush or equipment fire would pose a major risk of toxic smoke exposure to the kids and staff at the Taconic Schools,” he states.

The ORES Draft Permit fails to require an evacuation plan for the school and nearby residences in the event of fire, despite numerous comments to the agency pointing out this deficiency in Hecate’s permit application, SSRNY states.

Financial Stability Unclear

This draft permit comes at a time when new questions have arisen about Hecate’s financial stability. Last July two lenders filed documents in a Delaware court indicating Hecate was in default on one loan and in forbearance due to non-payment on another. “This raises questions as to whether Hecate will fulfill all permit obligations,” says Sara Traberman of SSRNY.

Among those who have lent Hecate money is the New York Green Bank, a division of the NYSERDA, which made a \$60 million loan to Hecate in December, 2022. “Is Hecate in default on its loan to the Green Bank? We don’t know. However the loan creates an appearance of a conflict of interest. One state agency lent money to Hecate, while another, ORES, is charged with deciding on a permit to Hecate which could benefit Hecate’s finances. How can we be sure the public interest is protected through this permit process given this conflict?”

Traberman asks.

Elected Officials Oppose

Virtually all elected officials in the region have indicated their opposition to the Shepherd’s Run project. A September 18, 2025 letter to ORES, NY State Senator Michelle Hinchey, Chair of the Senate Agriculture Committee, says, “As I have stated consistently, I struggle to understand why this project is still under active discussion, even as the reasons to reject it continue to multiply.”

On February 5, 2025, Didi Barrett, NY Assemblymember and Chair of the Assembly Energy Committee, wrote Governor Hochul emphasizing that “Community Protection” is part of the Climate Leadership and Community Protection Act (CLCPA). She said: “It has been my experience that from the outset, Hecate has failed to act in good faith.....the developer of this 42 megawatt project has requested to override a staggering 16 local laws, more than any other application before ORES.”

Outgoing Mayor Kamal Johnson of the City of Hudson in a January 28, 2025 letter to ORES expressed “deep concern” regarding the proposed siting of Shepherd’s Run within the Taghkanic Creek watershed, stating, “The Taghkanic Creek supplies 100% of the water for the City of Hudson. Concerns for the safety of our water supply led to the City of Hudson’s Common Council adopting a resolution in October 2024 entitled *A Resolution In Opposition To Proposed Siting Of The Shepherd’s Run Solar Project.*”

Prime Agricultural Land, Historic Places Imperiled

The facility would be built on what is now cattle pasture and corn fields. Two years ago, ORES denied Hecate’s application to build a 60MW solar facility at Shepherd’s Run when a farmer withdrew his land from the project and sold it to Craryville Farms LLC, which declined to lease any land to Hecate. Hecate then reapplied to build a 42 MW facility in basically the same location.

At least five sites eligible for the National Register of Historic Places will be adversely affected, according to the New York State Historic Preservation Office (NYSHPO). Catherine Mikic, President of the Arcadia Alliance, a Copake-based historic preservation and environmental advocacy organization, says “The siting of the 42MW Shepherd’s Run in the historic farming hamlet of Craryville is deeply cynical and reckless. It will imperil prime heritage farmland, the protected Taghkanic Creek Watershed, and the viability of National Register-eligible sites that are crucial to Copake’s rural economy, culture and quality of life.”

What’s Next

ORES will accept written comments on the draft permit for the next 60 days. There will be public hearings on the project on January 21 and 22, 2026 at the Copake Town Hall. ORES has until September 15, 2026 to issue or deny a final NYS permit for the project. It is unclear how the project may be affected by federal policy on renewable energy, including disappearing tax breaks.

“Governor Hochul is now taking an ‘all of the above’ approach to energy policy. Rather than approving all renewable energy projects willy nilly, Governor Hochul should start rejecting projects like Shepherd’s Run that endanger schools and communities, while supporting technologies like rooftop solar that benefit everyone,” says Sara Traberman of SSRNY.

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Attachments: ORES Draft Permit; NY Green Bank Hecate Transaction Profile

