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STATE OF NEW YORK



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PREVENTION  
SUBCOMMITTEE ON CANNABIS

September 18, 2025

Zeryai Hagos, Executive Director  
New York State Office of Renewable Energy Siting (ORES)  
Department of Public Service  
1220 Washington Avenue  
Albany, NY 12226

Dear Mr. Hagos,

I am writing to urge ORES to reject Hecate Energy's most recent application for the Shepherd's Run solar project in Copake, Columbia County. Hecate has not provided any meaningful updates since its last application this past spring. Worse, we have learned two new pieces of information that give us pause and should trouble ORES as well: the company is now in a legal dispute with its lenders and is also ignoring a state agency's determination. In my view, Hecate has demonstrated bad faith throughout the entire application process, and ORES should move to deny its proposal once and for all.

I have written to ORES on several occasions, most recently in February, to express several serious concerns about the Shepherd's Run project. I continue to have these same concerns as Hecate has made no meaningful amendments to their proposal and has refused to address them in any serious way. The fact remains that this project was denied on the merits just a year and a half ago. I fail to see how this project could possibly be approved when the facts, and the proposal itself, have not meaningfully changed; in fact, they have gotten worse.

In addition to the existing reasons clearly demonstrating the project's unsuitability, Hecate is now embroiled in a lawsuit that calls into serious question the company's financial stability and practices. In August, we learned that two of its lenders have filed a motion against Hecate stating that it is in default under their loan agreements. Hecate's lenders allege that the company is insolvent and unable to pay debts. If Hecate is experiencing these financial difficulties now, what happens once the Shepherd's Run project is underway?

In another worrisome development, one of New York State's own agencies has stated that the project will be detrimental to preserving some of our state's history and is a bad idea. The New York State Historic Preservation Office (SHPO) has determined that Shepherd's Run would have a significant negative impact on

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five National Registry-eligible properties in the Copake area. While only SHPO can make the determination for National Register eligibility, "integrity of location" is one of the key criteria in evaluating a historic property for National Register designation. Thus, if Shepherd's Run goes forward, it would severely compromise the natural and agricultural "setting" and hamlet, all but guaranteeing that these five locations would no longer be considered for historic status. This would remove a potential tourism draw, close avenues to grants and tax incentives, and limit the upside growth of property values. We understand that SHPO contacted Hecate directly about this issue, but its outreach was ignored, providing yet another example of how Hecate has disregarded not just the prospective host community, but the State of New York overall.

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. I strongly urge you to take this new information into account, and to heed the warnings of town officials, local residents, and your partner agencies, who all continue to voice significant and valid concerns. No amount of time, review, or consideration will ever make Shepherd's Run good for the Copake community or the Hudson Valley, and you should reject its application. Should any further information be required, please do not hesitate to contact me or my District Director, Elisabeth Tavarez, at [tavarez@nysenate.gov](mailto:tavarez@nysenate.gov) or 845-331-3810.

Sincerely,

New York State Senate, District 41

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