

Stop Energy Sprawl



The RAPID Act, NY's Climate Legislation & How We Can Fight Back

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CLIMATE CHANGE IS REAL NY'S CLIMATE ACTION PLAN IS NOT

[Learn More](#)

About *Stop Energy Sprawl*

Stop Energy Sprawl is a coalition of community groups, municipalities, and elected officials from localities in New York State targeted by land-wasting large-scale wind & solar projects located far from where that energy is needed.

Our Objective:

Push back on the State's unrealistic energy plan,
Push to get Home Rule back, and
Put municipalities in the position to fend off large scale solar and wind projects

(so we protect our farmland, pastures, sacred lands, historic & cultural resources, woodlots, wetlands & waterbodies, and prevent harm to our environment and ecosystem)





NY's Climate Action Legislation

- Everything Bad Happens in the Budget!
- NY's Lawmakers are using "cover of budget" to advance legislation injurious to upstate NY communities



NY's Climate Action Legislation

IMPACT (NYSERDA contracts):

October 2021 Review:

- 72 Projects
- 22 Developers
- 15 Out-of-State
- 3 Foreign

Over 2/3 of Developers were out-of-state or foreign.

- Climate Change is Real but...
- NY's Laws fail to address it equitably or adequately.
- Targets low-income, rural communities who often do not have the resources, tools, talents, and techniques to defend themselves
- Enables and enriches incompetent, aggressive developers
- Sends NYers' hard-earned dollars out-of-state and out-of-country with little economic benefit.
- Will fundamentally change targeted communities
- Will destabilize the electric grid, by relying on intermittent, unreliable wind / solar

The “RAPID”
Act, Part O of
the proposed
2025 Budget

- Nearly 40 pages
- Tucked into the 2025 budget
- ORES moves to Dept. of Public Service (DPS)
- Repeals 94-C but...
 - ORES regs (NYCRR 900) remain in place
- ORES to site major electric transmission facilities
- ORES would be able to grant eminent domain, extinguish conservation easements
- All projects “in flight” are preserved
- 1.5 years to generate reg for transmission facilities
- Creates a “Farmland Protection Workgroup”

The “RAPID”
Act Lowers
Standards for
environmental
protection,
eminent
domain

Lower standards for transmission siting actions

- Requires decision within a year or automatically approved (Eminent domain excepted from automatic approval)
- Reduces standard for overriding local laws
“unreasonably burdensome in view of the CLCPA targets, the environmental benefits, and in the case of a transmission facility, the public need for the proposed project.”
- Reduces standard for environmental review
Taking into account the CLCPA targets, the environmental benefits, and in the case of a transmission facility, the public need for the proposed project.
- Eminent Domain law changing to include
if the property is to be used for the construction of a major electric transmission facility, as defined under article eight of the public service law, with respect to which a siting permit has been issued under such law, a statement that such permit relating to such property has been issued and is in force.

The “RAPID”
Act reflects
legislative
trends &
eradication of
Home Rule



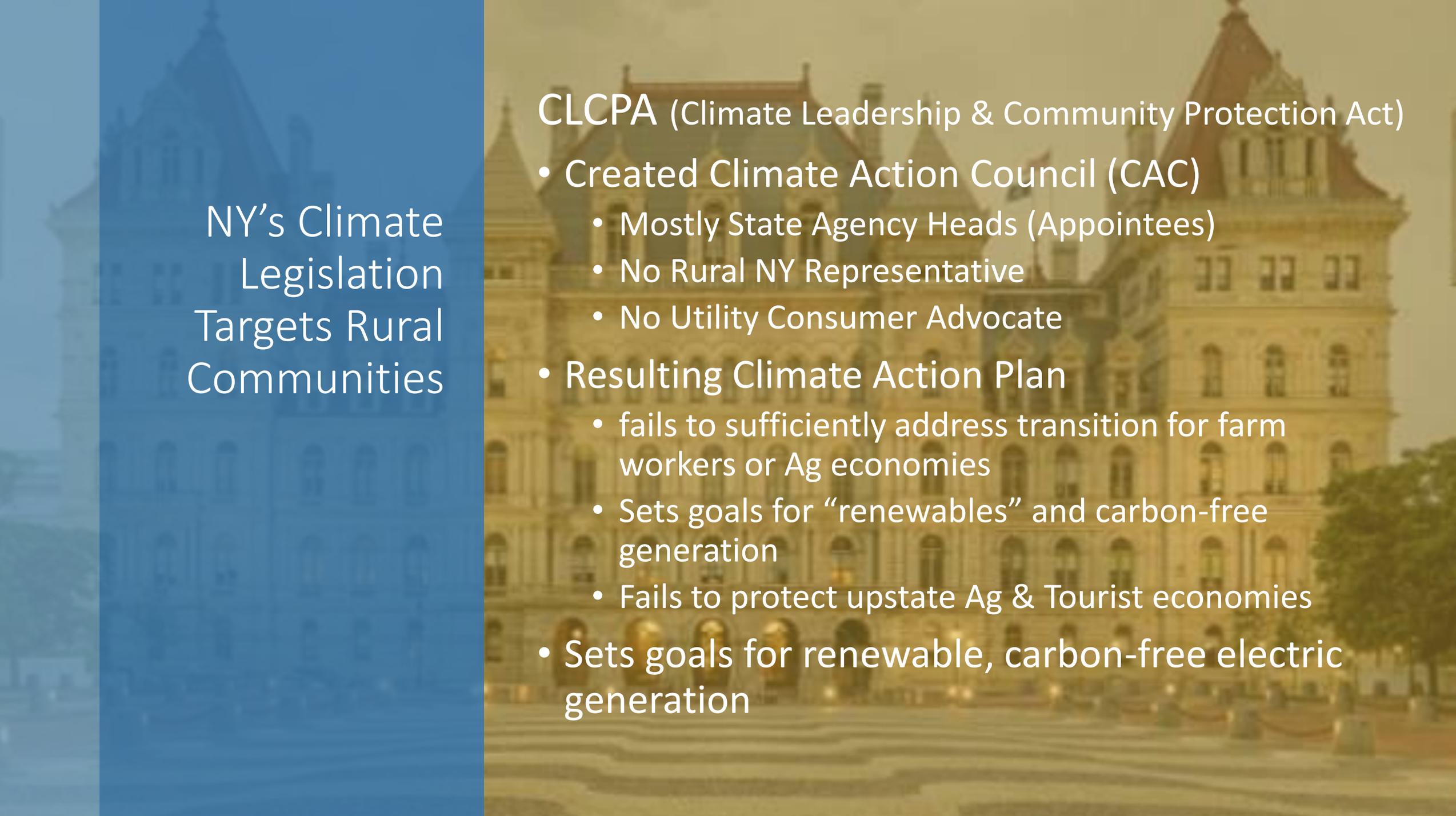
- Weakening of SAPA (Article 78)

- Last year’s budget (Part N) exempted Tax’s property rate giveaway to wind / solar developers from SAPA
- Part O exempts DPS regulatory changes due to incorporation of ORES from SAPA

- The march towards eminent domain for renewable energy plants



- In 2023, NY Power Authority directed to start building renewable power plants (if private sector was too slow)
- Part O expressly grants eminent domain to ORES
- What will next year bring?

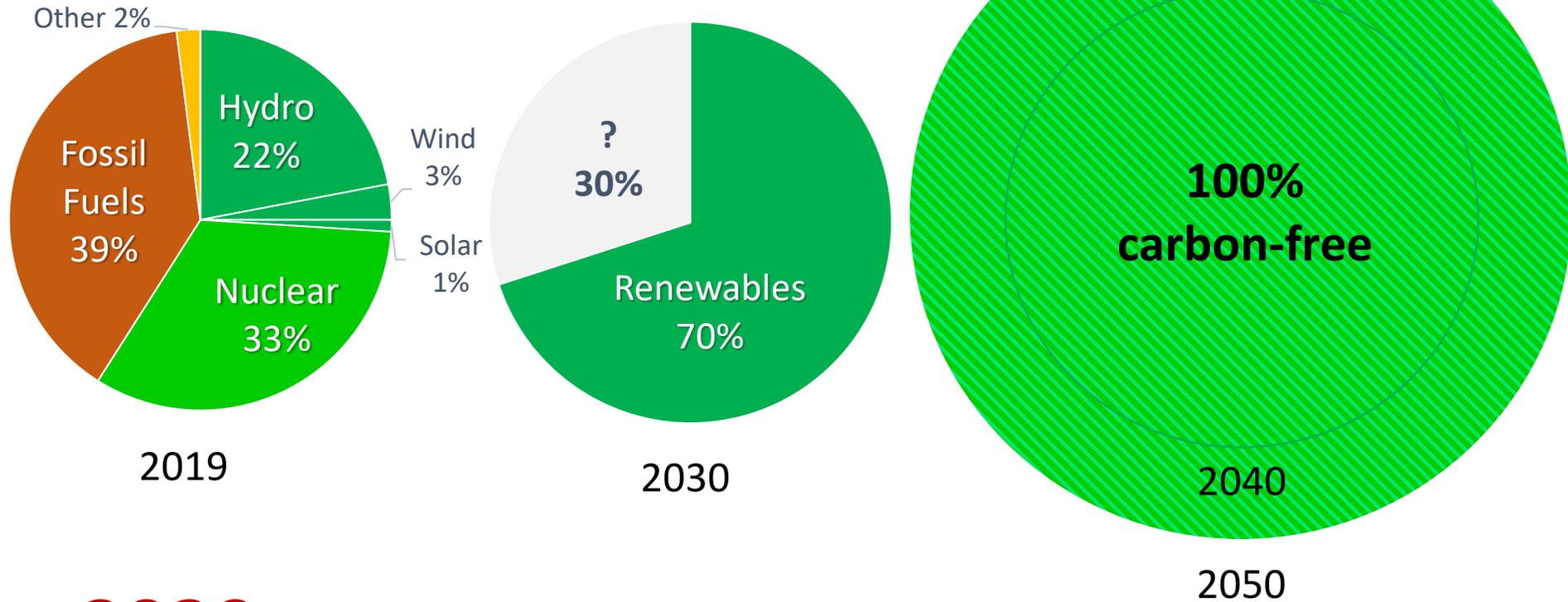


NY's Climate Legislation Targets Rural Communities

CLCPA (Climate Leadership & Community Protection Act)

- Created Climate Action Council (CAC)
 - Mostly State Agency Heads (Appointees)
 - No Rural NY Representative
 - No Utility Consumer Advocate
- Resulting Climate Action Plan
 - fails to sufficiently address transition for farm workers or Ag economies
 - Sets goals for “renewables” and carbon-free generation
 - Fails to protect upstate Ag & Tourist economies
- Sets goals for renewable, carbon-free electric generation

2019 NYS Climate Leadership & Community Protection Act (CLCPA)

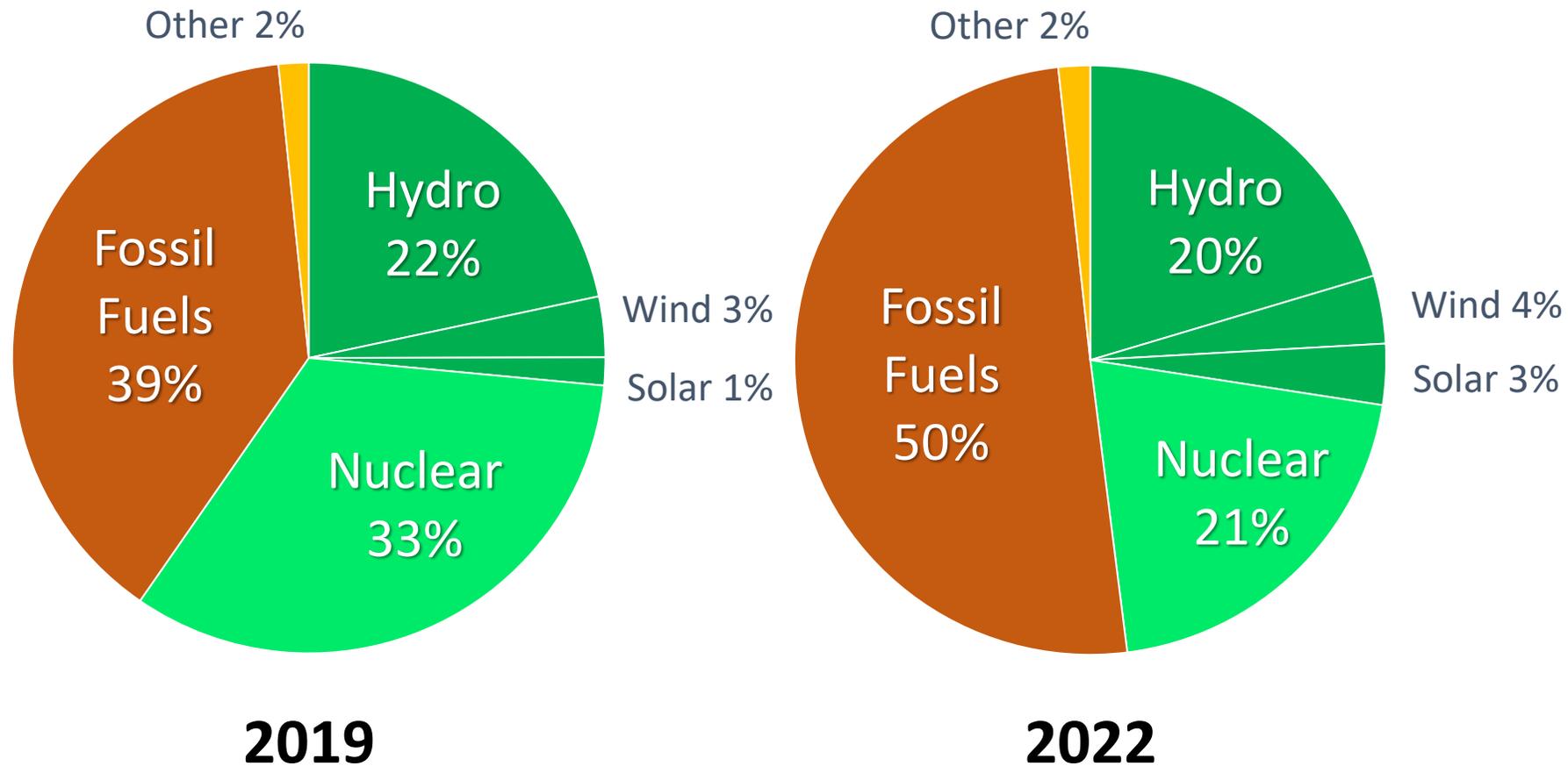


2030 70% electricity from “renewables”

2040 100% carbon-free electricity

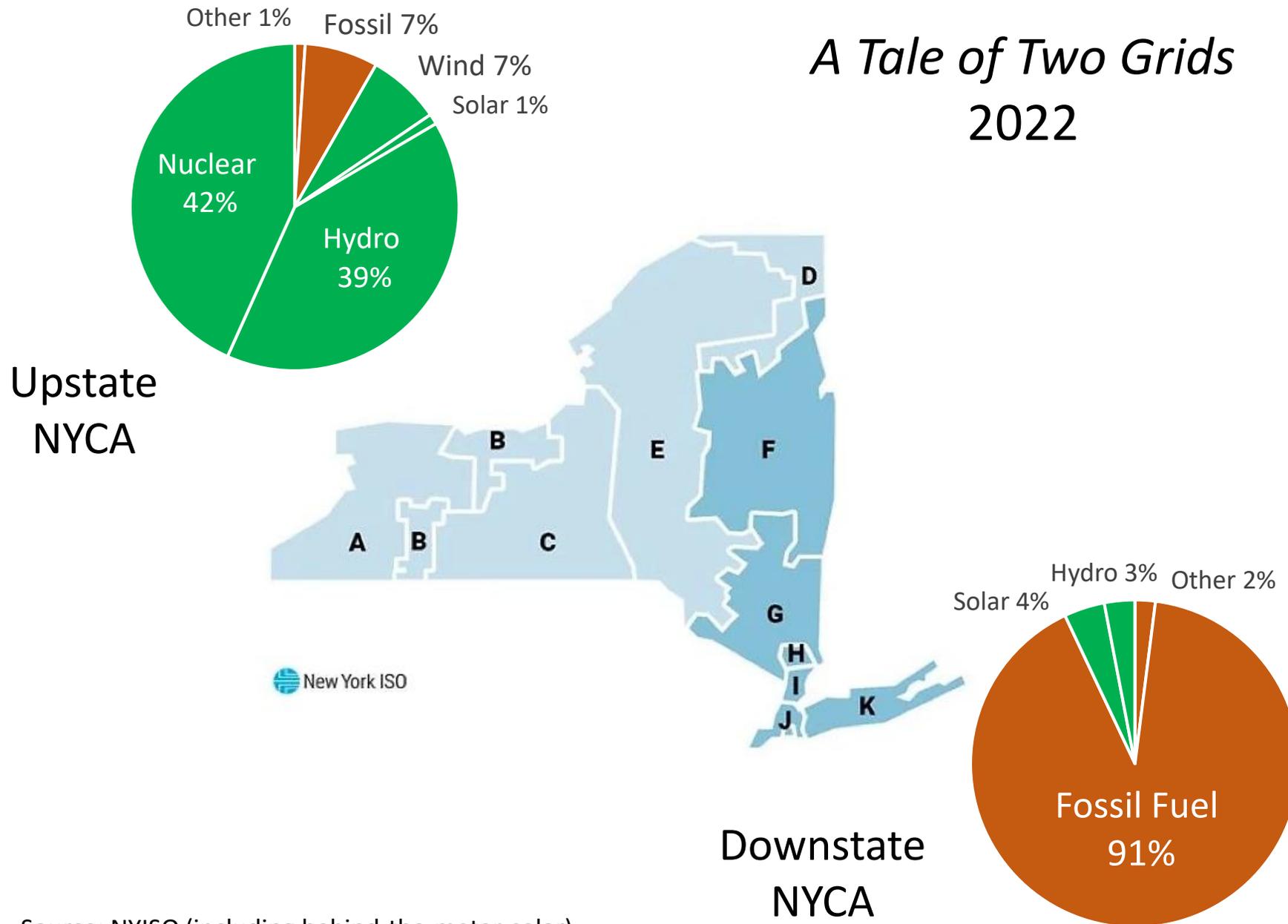
2050 85% reduction in statewide greenhouse gas emissions

Since passage of CLCPA, New York has gone backwards.



10-15 Million tons of *avoidable* greenhouse gas emissions (CO₂_e) each year from ***fossil fuels***

A Tale of Two Grids 2022



Source: NYISO (including behind-the-meter-solar)

So let's look at New York's plan...

LARGE-SCALE SOLAR: **55,321 MW**

48,497 MW utility-scale (single axis tracking) + 6,824 MW community solar
(assuming 1/2 of distributed generation is ground-mounted community solar)



387,000 acres (@ 5-7 acres/MW_{AC})

= **432-605 square miles** (single-axis tracking panels)

22 square miles lost each year for decades



22 sq mi



From Kris Martin
on Twitter:

327,000 acres of
farmland

NYFarmer @NYFarmer · Dec 31, 2023
Can anyone tell me how many acres of upstate farmland will have to go under solar panels to meet goals #solar



301 115 571 76K

You reposted
Kris Martin
@ksvsm

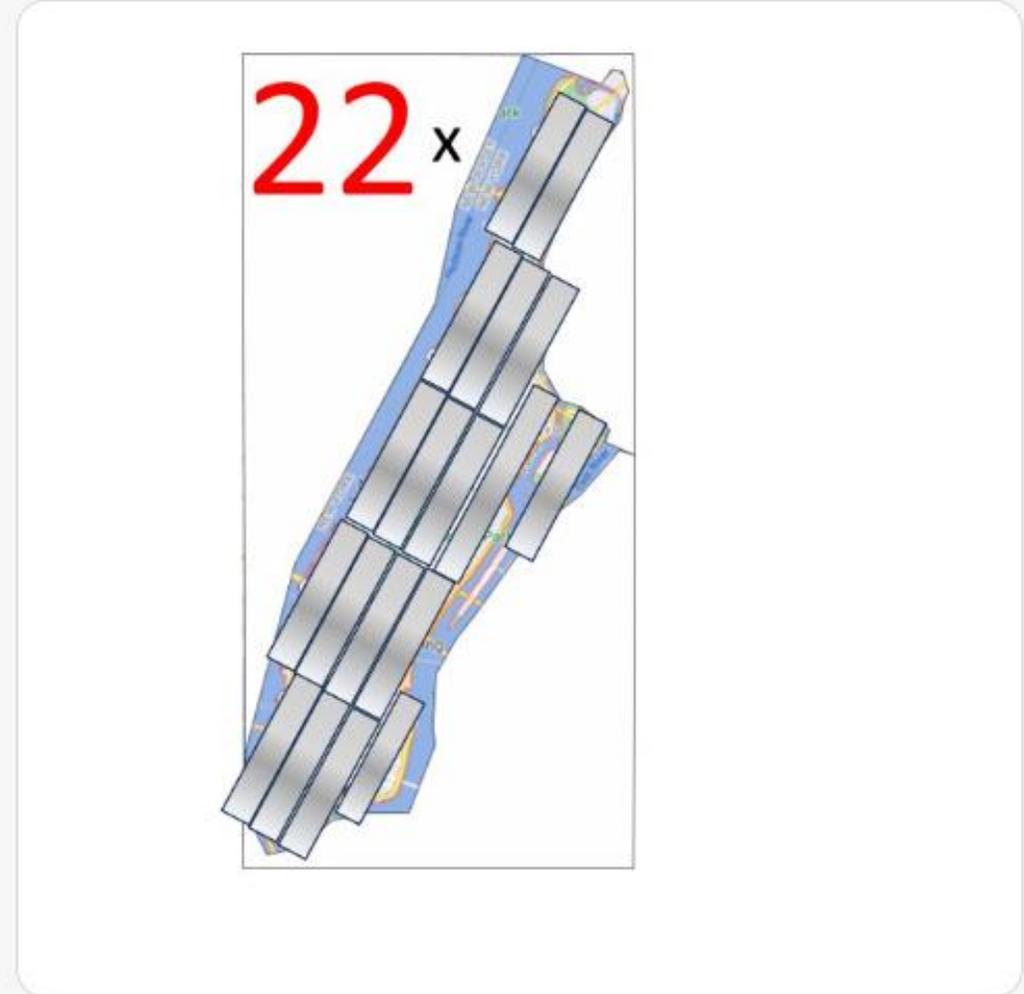
We'll need about 50,000 MWac by 2050, and 84% is expected to go on farmland (esp. cropland). So we'll convert about 5% of our farmland to solar at this rate: ~327,000 acres.

9:24 AM · Jan 1, 2024 · 729 Views



Stop Energy Sprawl @StopEnergySprawl · Jan 1

For comparison, Manhattan Island's land mass is about 14600 acres. Based on current project footprints, one would need to cover Manhattan head to foot with solar 22 times in order to get to the 327,000 acres in NY's "plan".
Why would we do this to life-sustaining farmland?



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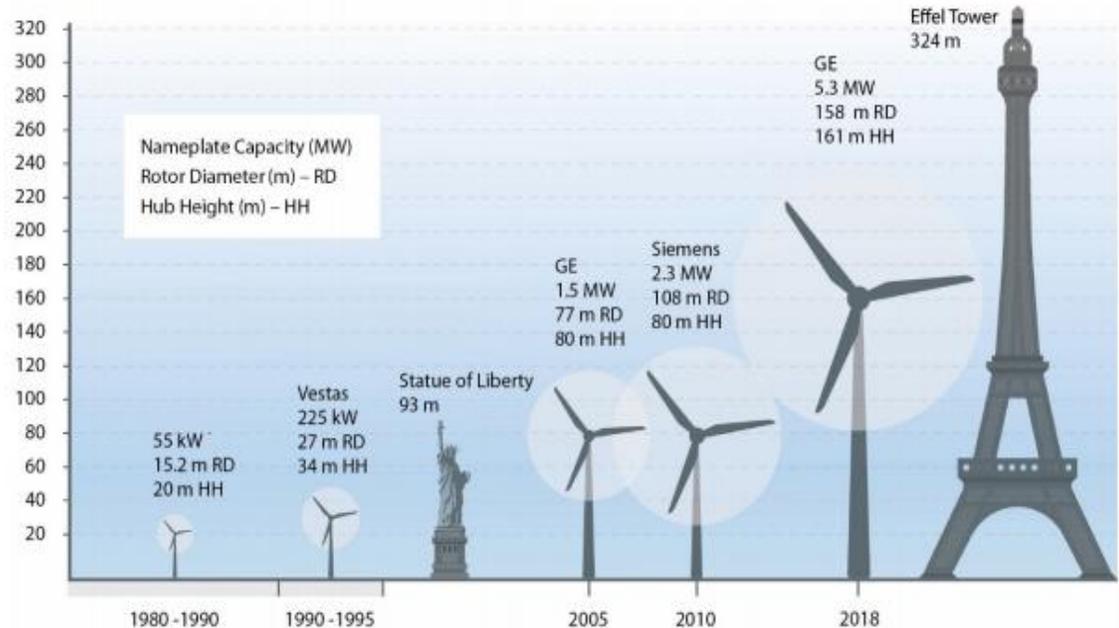
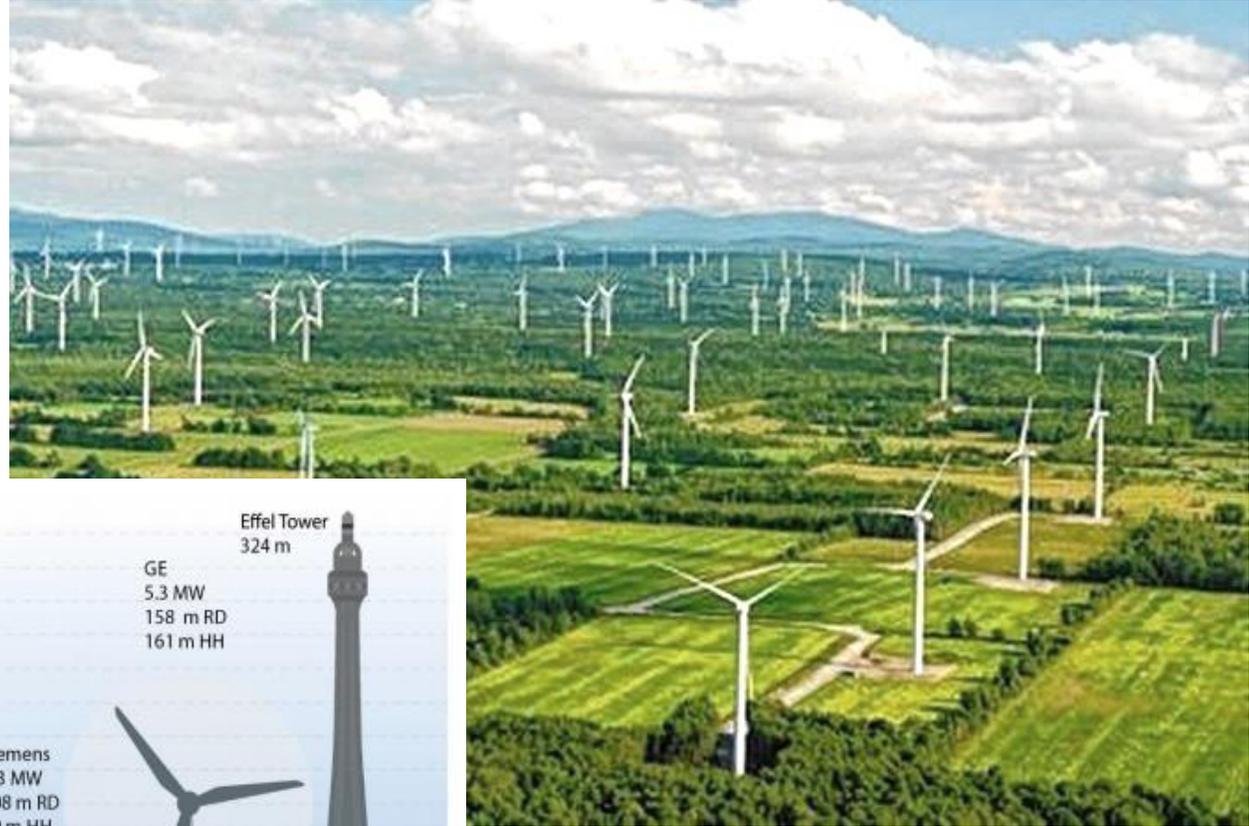
ON SHORE WIND: 10,348 MW + 6,397 MW (imported)

(2192 MW in-state in 2022)



1631-2719 turbines (@ 3-5 MW each)

*A new wind turbine
upstate every 5 days
starting now*



OFFSHORE WIND: 17,231 MW

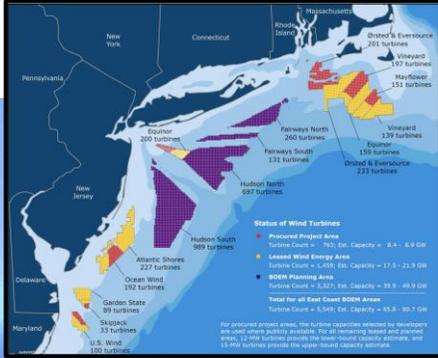
(CLCPA: 9000 MW)



1723 turbines (@ 10 MW each)

A new wind turbine every

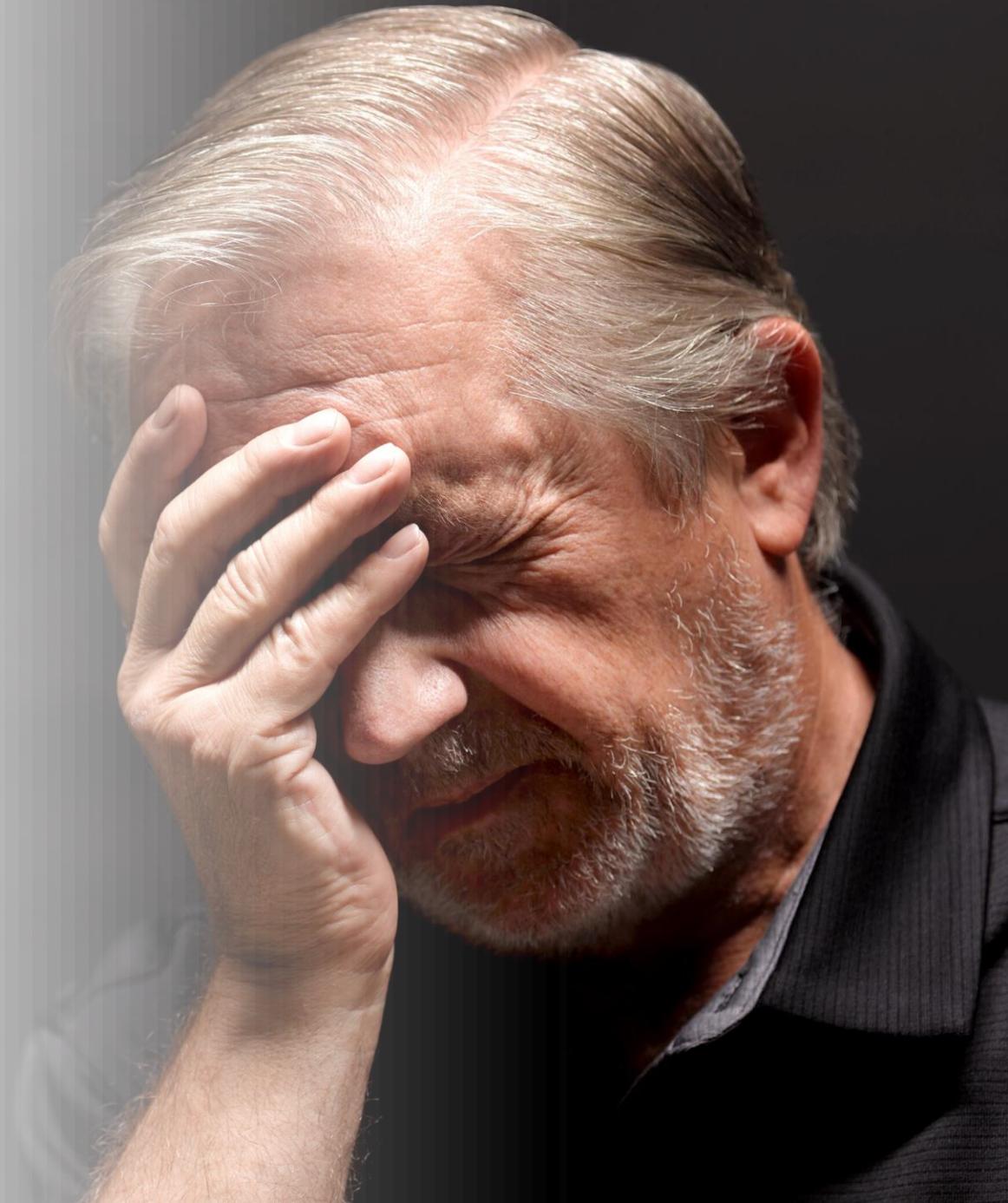
5 days starting now



—

The CLCPA goals clearly can not be met

Legislative focus turns to
how to save it (instead
of a sober analysis)



NY's Climate Legislation Targets Rural Communities



§94-c: Accelerated renewable siting

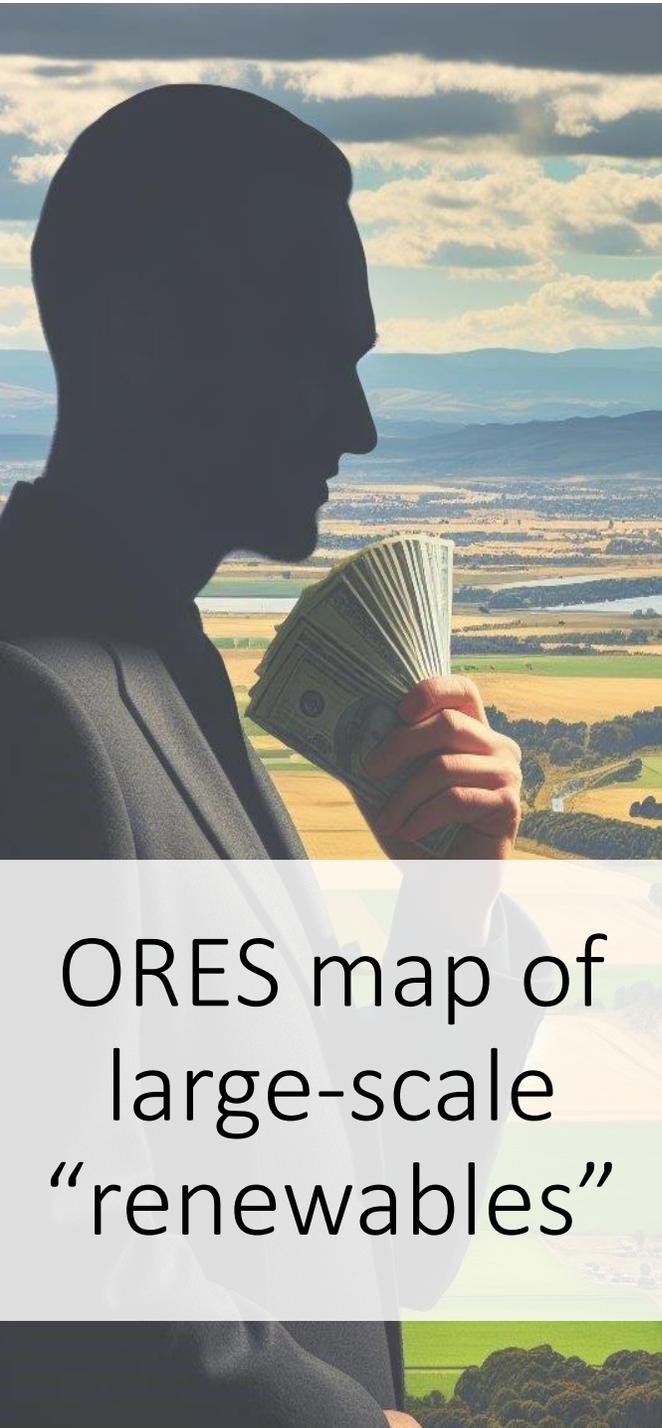
- Created Office of Renewable Energy Siting (ORES) to expedite approval of solar /wind projects > 20MW
- ORES has sole discretion to site new large-scale, renewable electric generating plants
- ORES can dismiss local laws considered “unreasonably burdensome”
- No local representation in decision
- Preempts environmental review under SEQRA
- Limits review to 1 year, otherwise project is automatically approved

IMPACT:

Discriminates against small communities by removing Home Rule and severely limiting local input into projects pursued in their communities.



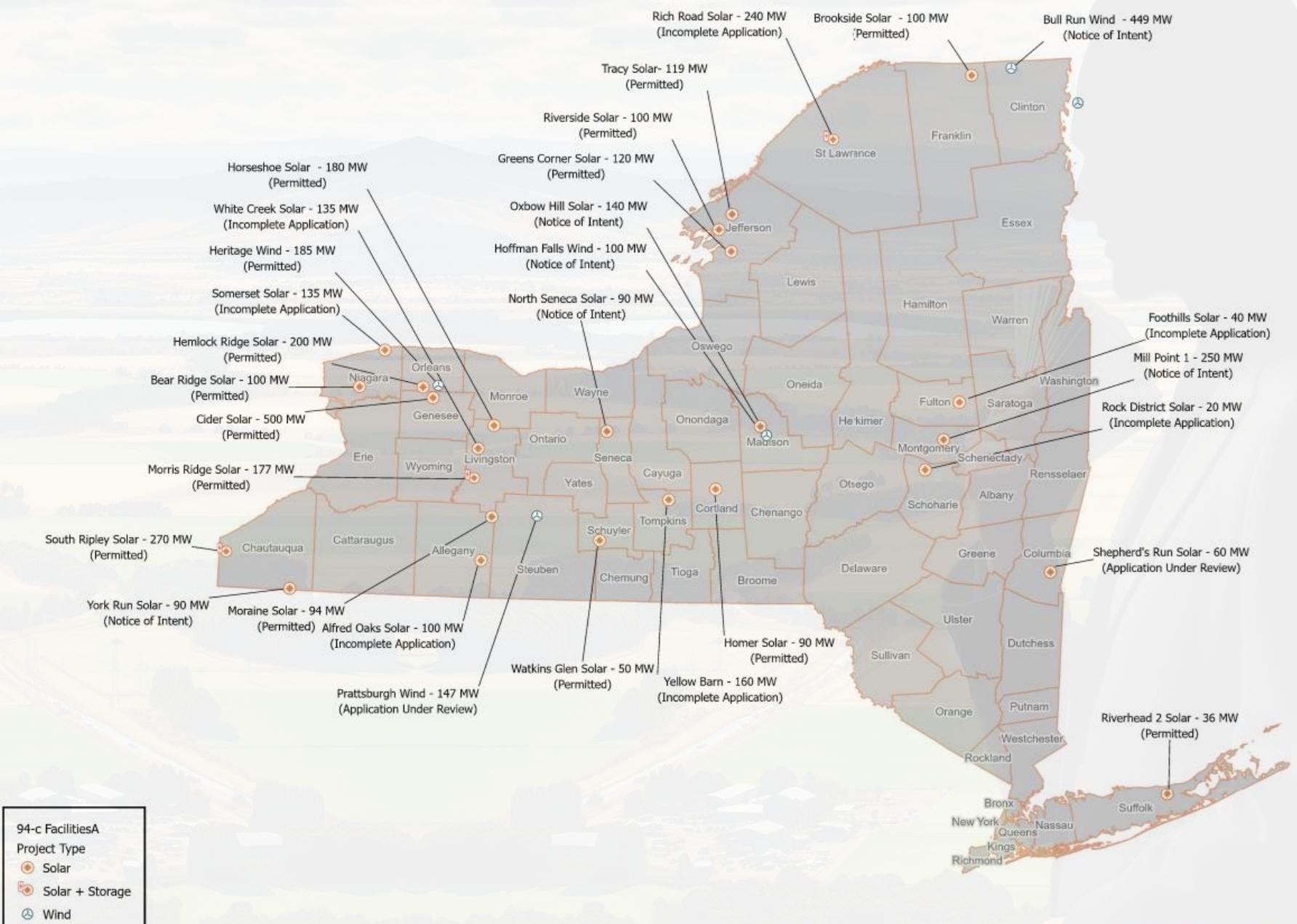
“Eliminating [home rule] entirely to promote green energy could exacerbate New York’s ever-present upstate-downstate, rural-urban divides.”



ORES map of large-scale “renewables”

Office of Renewable Energy Siting (ORES)

Executive Law § 94-c Permit Applications (as of December 14, 2023)



It's About Greed, Not Green

- Rural NY is a Profit Opportunity
 - False Promise of Jobs
 - False Promise of Tax Dollars
- Tens of Billions of NY Ratepayer & Taxpayer \$\$
 - For Construction
 - For Renewable Energy Certificates
 - For Energy Produced



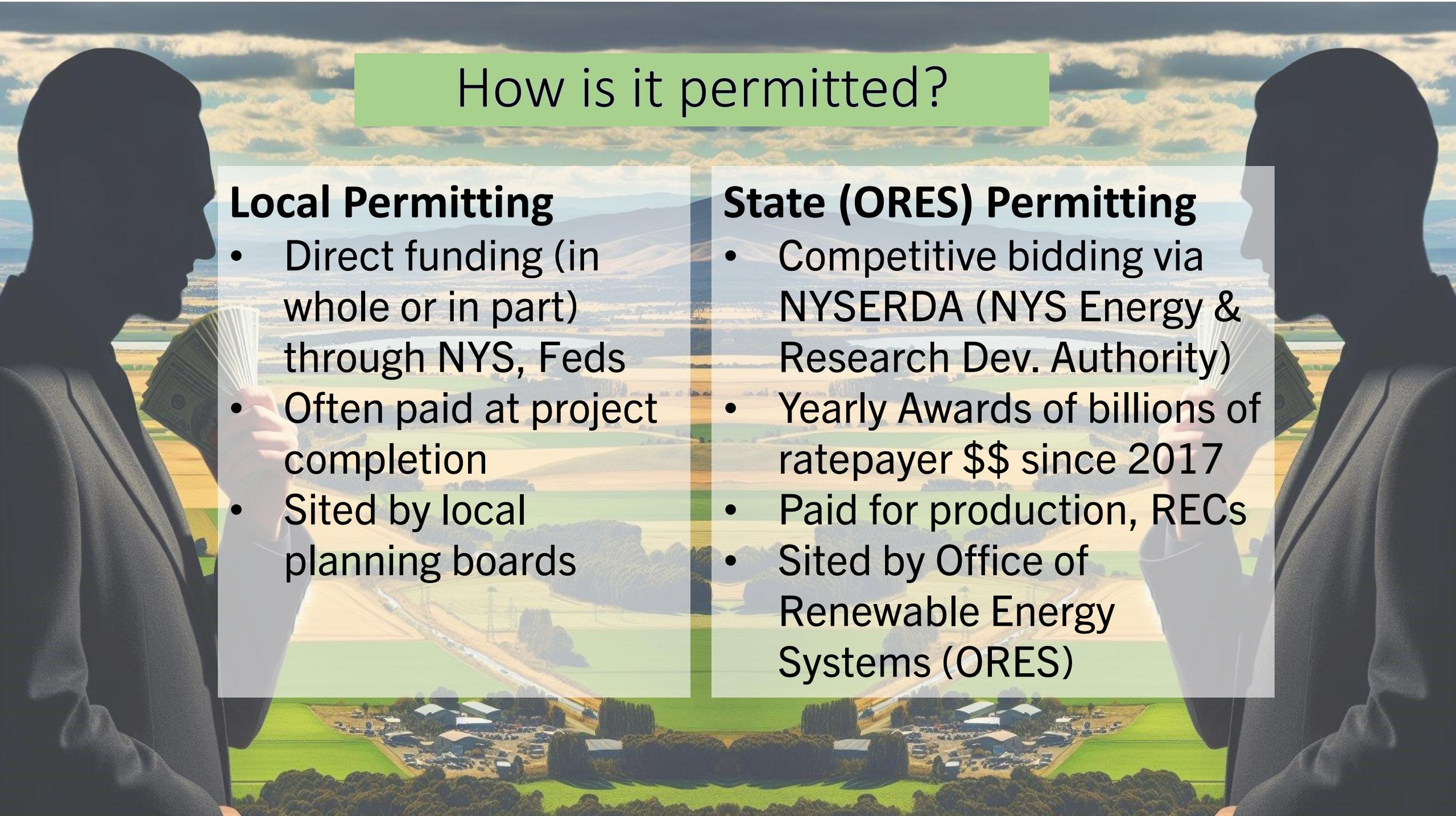
How does this happen?



Landowners



- NYS commits a lot of money to Wind & Solar
- Developers are attracted (“incentivized”) to come to NYS
- They whisper in the ears of landowners
- They sign folks up, create a project and apply for a permit



How is it permitted?

Local Permitting

- Direct funding (in whole or in part) through NYS, Feds
- Often paid at project completion
- Sited by local planning boards

State (ORES) Permitting

- Competitive bidding via NYSERDA (NYS Energy & Research Dev. Authority)
- Yearly Awards of billions of ratepayer \$\$ since 2017
- Paid for production, RECs
- Sited by Office of Renewable Energy Systems (ORES)

NY's Legislature Doubles Down on Intermittent Wind / Solar

IMPACT:

Ensures rural communities are not fairly compensated through fair tax revenues

Threatens to use the power of the State (eminent domain) to meet the energy needs of the State's urban areas.

Reverses environmental conservation efforts in our communities



- **2021 RPTL 575b – *more incentives!***
 - gives wind/solar special property assessment methodology
 - Up to 75% less
 - Residents pick up the difference
- **2023 Methodology exempted from SAPA (Part N)**
- **2023 NYPA directed to develop renewable electric plants if industry not fast enough**
- **2024 proposal to give ORES authority to site transmission facilities: the “RAPID Act”**

What Can I Do?

“Upstate rural communities should be asking for collaboration and accountability, and a halt to top-down mandates driven by the renewables industry and well-meaning but poorly educated climate activists.”

- Write your Elected Representatives
 - Use One of Stop Energy Sprawl’s suggested letters
 - You can email, write, call or comment on the budget
 - Do it today!
- Get your Town to send Stop Energy Sprawl’s template resolution to the Gov. & your reps
- Recognize the long-term threat is from State legislation
- Convince the State to pursue a diverse set of carbon-free energy sources
- Work with others to reduce State incentives to convert forest & farmland and to help defend our communities

Take Action to Assure What's Right for Our Communities

- Engage
 - Your Neighbors,
 - Town Boards,
 - Town Planning Boards,
 - County & IDA,
 - School Board,
 - State Assemblymember
 - State Senator
 - Other Community Organizations
- Circulate petitions,
- Post comments,
- Write Letters to the editor, other media
- Write / Email / Call Elected Officials
- Run for Office
- Get informed

• *Work with Coalitions like Stop Energy Sprawl*



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THANK YOU!

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