
Large-Scale Renewable Energy Siting in New York: Background and Perspectives



April 21, 2021

Overview

- The Climate Leadership and Community Protection Act (CLCPA): renewable energy targets
- New York's current energy mix
- Article 10: NY's first attempt at siting reform
- Accelerated Renewable Energy Growth and Community Protection Act

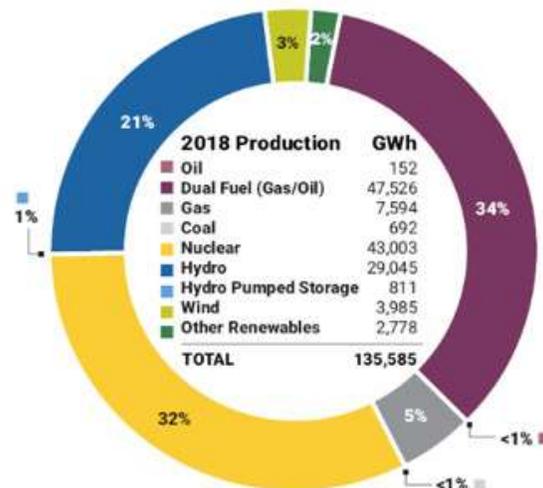


Climate Leadership and Community Protection Act (CLCPA)

- Net-zero emissions statewide by 2050
- Codified (and in some cases raised) goals concerning
 - Clean Energy Standard
 - Offshore wind
 - Distributed solar
 - Storage
 - Energy Efficiency

A Grid in Transition - Clean Energy Goals

- New York's clean energy goals are reshaping the grid.



Economy-wide GHG reductions

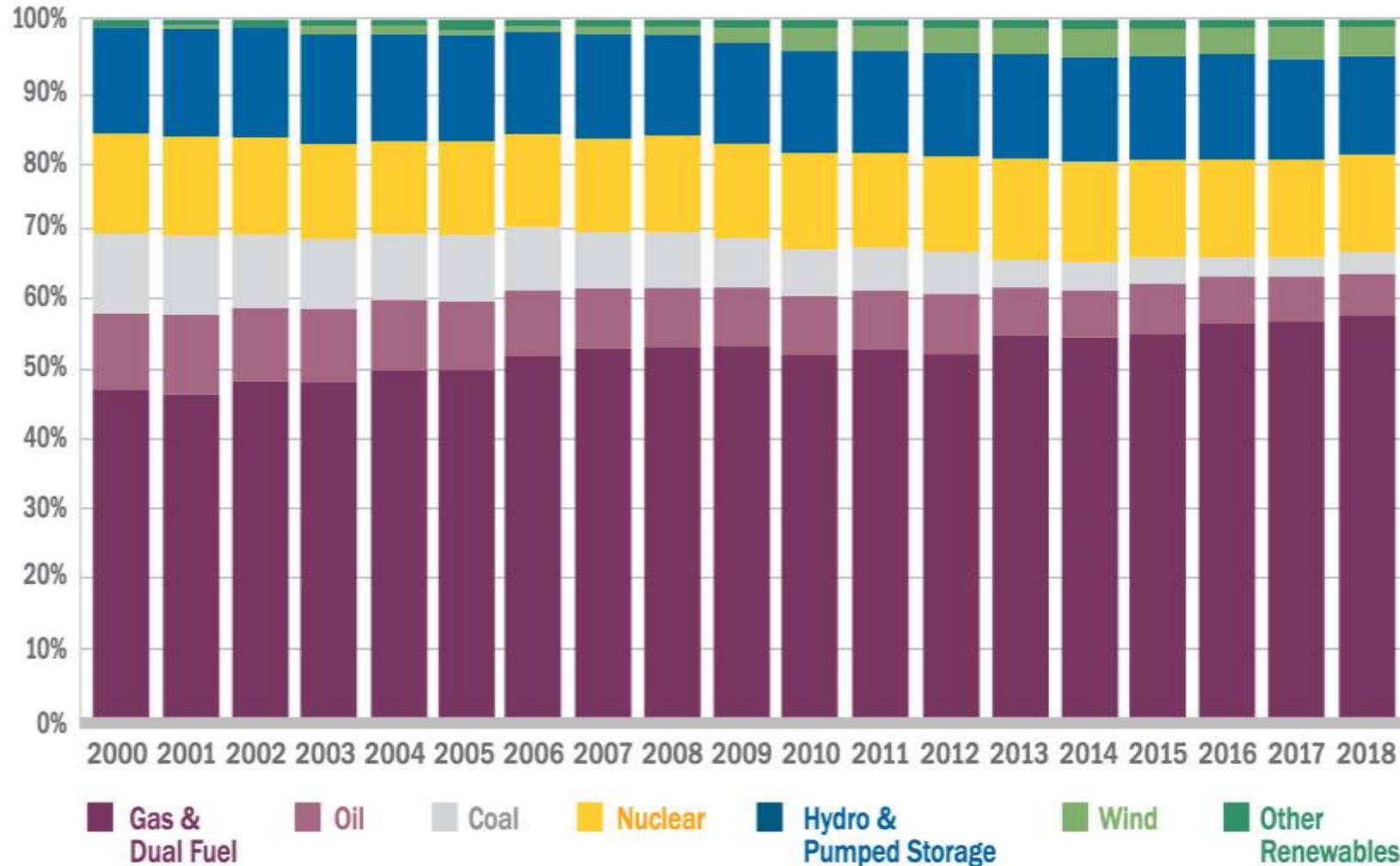
- Commits NY to reaching net zero greenhouse gas emissions
 - 40% reductions from 1990 levels by 2030
 - 85% reductions from 1990 levels by 2050
- Covers all sectors of the economy
 - includes electricity and fuels that are imported from out of state
- Allows the remaining 15% of emissions to be offset through projects that remove GHGs from the atmosphere



Electric Sector Clean Energy Targets

- Overall electric sector target
 - **70% clean energy by 2030**
 - **100% emissions free by 2040**
- Sector specific targets
 - 9,000 MW of OSW by 2035
 - 6,000 MW of distributed solar by 2025
 - 3,000 MW of energy storage by 2030
 - 185 TBtu of EE savings by 2025

Proportion of Electricity Generation in New York by Fuel Type, 2000-2018

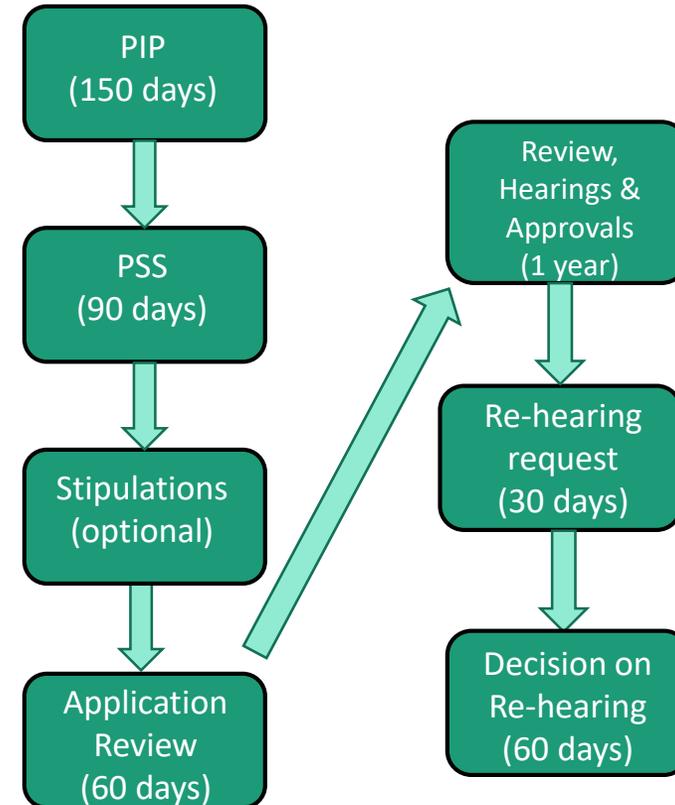


Article 10 of Public Service Law

- Applies to electric generating facilities over 25 MW (facilities under 25 MW are governed by SEQRA)
- Current version established by the New York Power Act of 2011
- vests the **New York State Board on Electric Generation Siting and the Environment** with authority to issue Certificates of Environmental Compatibility and Public Need for construction and operation of these facilities
- **Siting Board:** DPS (Chair), DEC, DOH, NYSERDA, Dept. of Econ. Dev., plus 2 ad hoc members from local community

Summary of Article 10 Process

- Pre-Application Phase
 - Public Involvement Program Plan (PIP)
 - Preliminary Scoping Statement (PSS)
- Stipulations
 - Optional phase with no timeline
- Application Phase
 - Deficiency Notices
 - Completeness Determination
- Post-Application / Hearing Phase
 - Issues Conference, Discovery, Testimony, Hearings, Briefing
 - Recommended Decision, Certificate, Re-hearing
- Compliance Phase (not defined)
 - Certificate Conditions
 - Construction



TOTAL = 2+ years statutory min.

Article 10 Queue is Significant and Growing

- <http://www3.dps.ny.gov/W/PSCWeb.nsf/All/763B187DD5A792DE8525847400667D6B?OpenDocument>
- **58 projects in Article 10 Queue as of April 2021**
 - Nearly all are renewables
 - 38 solar/solar + storage projects
 - 16 wind projects
 - 3 gas projects
 - 1 WTE project

THE PROBLEM WITH ARTICLE 10

- Process has led to **significant time delays and costs**
- Each party has his/her individual concerns which cumulatively add up to costly and complicated conditions
- **How can we speed up this process in order to meet state renewable energy goals without sacrificing environmental review or public discussion?**

Accelerated Renewable Energy Growth & Community Benefit Act

- **Passed in April 2020**
- **Major provisions:**
 - **Office of Renewable Energy Siting**
 - **Clean Energy Resources Development and Incentives Program**
 - **Transmission Investment Program**
 - **Host community benefits program**

Office of Renewable Energy Siting

- **streamlined permitting process (one calendar year)**
- **Rulemaking to establish standard conditions for design, construction and operation of facilities**
- **“Unreasonably burdensome” local laws can be struck down**
- **Intervention**

Clean Energy Resources Development and Incentives Program

- **“Build ready” sites**
- **Auction process**

Transmission Investment Program

- **Comprehensive power grid study**
- **Accelerated transmission investment program**

Host Community Benefits Program

- Essentially a bill discount program for communities that host these facilities
- Provides a bill discount of \$500/MW for solar projects and \$1,000/MW for wind projects per year for 10 years
- Applies to individual residential utility customers in “host communities”

ORES Siting Regulations

- Draft regs issued in September 2020
- **Purpose:** establish general permit standards for siting design, construction and operation that all projects will have to meet
- Finalized in March 2021. Available at <https://ores.ny.gov/regulations>
- Regs include most of what has been required under Article 10, but speeds up the process to 1 year/6 months once application is complete

Questions

- Will this new process work to speed up siting for LSR projects?
- Will the expedited process allow for legitimate concerns to be sufficiently addressed?
- Will local community concerns be adequately addressed under this process?
- Is the decision to use utility bill discounts for host communities likely to reduce opposition to these projects?