

Town of Copake

Resolution Number 30 of October 13, 2022

Opposition to Proposed Siting of the Shepherd's Run Solar Project within the Taghkanic Creek Watershed

WHEREAS, on August 5, 2020, Hecate Energy Columbia County 1 LLC did file a Preliminary Scoping Statement pursuant to Article 10 of the New York State Public Service Law, by which Hecate detailed its plans to construct Shepherd's Run Solar Facility, to be sited within the Taghkanic Creek Watershed located in the Town of Copake and Hamlet of Craryville, New York; and

WHEREAS, on May 4, 2021 Hecate Energy Columbia County elected to subject its Shepherd's Run proposal to the 94-c permitting process rather than that of Article 10, and did on March 8, 2022 file a siting permit application with the Office of Renewable Energy Siting pursuant to Section 94-c of the New York State Executive Law; and

WHEREAS, Taghkanic Creek is a waterway designated by the State of New York that flows through the Town of Copake and specifically through the Hamlet of Craryville, and does supply water to the City of Hudson and also supports clean drinking water in Taghkanic, Hillsdale, Claverack, and Copake; and

WHEREAS, in 2022 the Columbia Land Conservancy published the Taghkanic Headwaters Conservation Plan, which seeks to protect the Taghkanic Creek and the Taghkanic Creek's Watershed; and

WHEREAS, on August 11, 2022 the Commissioner of the Department of Environmental Conservation announced the completion of the Taghkanic Headwaters Conservation Plan and applauded the Columbia Land Conservancy for their work in producing this Plan; and

WHEREAS, on August 13, 2022, the Town Board of the Town of Copake voted unanimously to approve the Taghkanic Headwaters Conservation Plan; and

WHEREAS, pursuant to the Codes and Regulations of the City of Hudson, the Taghkanic Creek Watershed is specifically protected by state regulation 10 NYCRR 109.1, which states, "No person, including State agencies or political subdivisions having jurisdiction, shall perform any act or grant any permit or approval which may result in the contravention of the standards for raw water quality..."; and

WHEREAS, neither Hecate Columbia County nor the New York State Office of Renewable Energy Siting have sufficiently considered the Taghkanic Headwaters Conservation Plan, the applicability of 10 NYCRR 109.1, or the potential adverse impacts of the construction and operation of the proposed Shepherd's Run facility on the Taghkanic Creek Watershed and the drinking water of Hudson, Taghkanic, Hillsdale, Claverack, and Copake;

NOW, THEREFORE BE IT

RESOLVED that the Town Board of the Town of Copake urges the New York State Office of Renewable Energy Siting to continue to deem the application of Hecate Energy Columbia County 1, LLC incomplete

unless and until Hecate can provide evidence that the construction of Shepherd's Run, and once constructed, the presence of Shepherd's Run, will not negatively impact the Taghkanic Creek Watershed, or the water quality in the City of Hudson or any other Columbia County Town; and it is further.

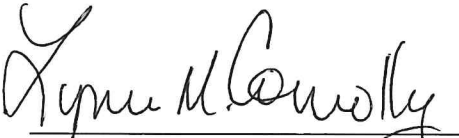
RESOLVED, that the Town Board of the Town of Copake urges the Columbia County Board of Supervisors to pass a Resolution urging the New York State Office of Renewable Energy Siting to continue to deem the application of Hecate Energy Columbia County 1, LLC incomplete unless and until Hecate can provide evidence that the construction of Shepherd's Run, and once constructed, the presence of Shepherd's Run, will not negatively impact the Taghkanic Creek Watershed, or the water quality in the City of Hudson or any other Columbia County Town.

Roll Call Vote The foregoing Resolution, offered by Supervisor Mettler and seconded by Councilperson Wolf, was duly put to a roll call vote as follows:

Resolution #30
Dated October 13, 2022
Copake, New York

Roll Call Vote.

Supervisor Mettler	yes
Councilperson Wolf	yes
Councilperson Gansowski	yes
Councilperson Judd	yes
Councilperson Sullivan	yes


Lynn M. Connolly, Town Clerk

(seal)

October 13, 2022