

Resolution No. ___ February 21, 2023

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, the Taghkanic Creek is a waterway designated by the State of New York that flows through Hillsdale, Copake and Taghkanic and supplies water to the City of Hudson and also supports clean drinking water in the Towns of 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, the Taghkanic Headwaters Conservation Plan emphasizes the value of large, connected forests and streams in the Taghkanic Creek's Watershed to protect abundant and clean water and wildlife, as well as the ability of wildlife to move across the landscape;

WHEREAS, it will take the cooperation of municipalities and partners to implement the Taghkanic Headwaters Conservation Plan and to conserve our important resources in Columbia County, 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 noting that preserving natural connections between habitats is critical for wildlife movement, climate adaptation, and resilient ecosystems; 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; and

WHEREAS, the City of Hudson has long maintained a clean and safe water supply for its citizens consistently meeting all drinking water standards, and would oppose any action by any entity which would jeopardize the integrity of the City’s water supply;

NOW, THEREFORE BE IT

RESOLVED that the City of Hudson 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, the City of Hudson ~~or any Columbia County Town~~; and it is further.

RESOLVED, that the City of Hudson 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 Columbia County Town.

Introduced_____

Approved_____

Seconded_____

By_____

Mayor