

Town of Richfield Resolution 3 of 2020

(Town/County) Richfield/Otsego Resolution Number 3 Date March 16, 2020

TITLE: Requesting the Withdrawal of the State Budget's Energy Siting Amendment

WHEREAS: NYS is a Home Rule State, which basically means that any and all powers of the State emanate from the people.

WHEREAS: Per the NYS Constitution, Article IX, it is our statutory obligation to protect the health, safety and welfare of citizens of our community.

WHEREAS: On Feb 21, 2020, Governor Cuomo proposed a Budget Amendment "to dramatically speed up the permitting and construction of renewable energy projects."

WHEREAS: This amendment could be passed with the Budget by April 1st, replacing the current Article 10 process with a radically new method for siting renewable energy projects.

WHEREAS: The stated purpose of this proposed far-reaching change is to enhance the execution of the *Climate Leadership and Community Protection Act (CLCPA)*.

WHEREAS: Although the objectives of the CLCPA sound admirable, there is no empirical scientific proof that industrial wind energy (compared to Nuclear, Hydro or Gas) saves any consequential amount of Carbon Dioxide (CO₂).

WHEREAS: Conversely, there is considerable scientific evidence that onshore industrial wind energy projects will likely be a *net economic liability* to NYS host communities. This will be particularly burdensome to social justice communities.

WHEREAS: There is extensive scientific evidence that onshore industrial wind energy projects will likely result in adverse health effects to some citizens of NYS host communities.

WHEREAS: There is substantial scientific evidence that industrial wind energy projects will likely cause extensive eco-system damage to onshore NYS host communities, or to marine locales where offshore wind projects are sited.

WHEREAS: This amendment will effectively remove any meaningful input from citizens, towns, counties, local environmental groups, and community businesses regarding the siting and regulation of renewable energy projects.

WHEREAS: The new process is structured such that scientific data, or testimony from qualified experts, will have little bearing regarding siting regulations and approval.

WHEREAS: Once an application is submitted, the new Office of Renewable Energy Siting (ORES) has 60 days to review and determine if it is complete. If the ORES decision is **not** made in that time, the application is *automatically* deemed complete!

WHEREAS: Once an application is determined to be complete, ORES has 12 months to approve the project. If the ORES decision is **not** made in that time, the application is *automatically* approved! There is no provision for extending this time limit.

WHEREAS: The Governor's proposal also seems to indicate that the State might get into the ownership and/or operation of renewable energy generation. Such a profound change would also severely limit the ability of local communities to regulate such industrial projects.

WHEREAS: All of these proposed changes are not only in conflict with our Home Rule rights, but are also contrary to our obligation to protect the health, safety and welfare of our constituents.

RESOLVED: The Town/County Richfield/Otsego formally requests that this Budget Amendment be withdrawn before the Budget is voted on. Additionally we petition the State to respect our Home Rules rights, and to defend our authority to regulate renewable energy projects as the citizens of our community see fit.

Motion by Eckler to accept TBR #3 of 2020, second by Seamon.

Bello-yes

Eckler-yes

Frigault-yes

Seamon-yes

Palevsky-yes

From the minutes of the Richfield Town Board on March 16, 2020.

Maggie Young

Richfield Town Clerk