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Roberta Reardon, Co-Chair
Just Transition Working Group
Climate Action Council
New York State Energy Research and Development Authority

Transmitted via email: kara.allen@nyserda.ny.gov

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Dear Chairwoman Reardon and the Just Transition Working Group members,

Since the Climate Action Council's (CAC) inception I have watched their meetings online. The November 4, 2020 Just Transition Working Group meeting was most informative. Specifically, slide 6 University of Colorado Boulder "ensure that decision making process for climate and energy solutions are truly public and representative of those most impacted". And slide 10 Canadian Task Force "Just transition means that society shares the cost of transitioning to a low-carbon economy. It would be unjust for workers and communities in affected sectors to shoulder the full cost of transition."

Watching CAC meetings it appears that the intent is for the decision making process to be inclusive and equitable. This makes the absence of rural New York landowners from the CAC working groups even more concerning. The abutting landowners to solar and wind power plants are those most impacted by the siting, construction, and operation of thousands upon thousands of renewable energy power plants across upstate and western New York. (*see Exhibit A*) This [interactive map](#) locating solar power plants 1MWac and larger is derived from NYISO and NYSIR data. The omission of these long term stakeholders may lead to Gov. Cuomo's administration's inability to achieve their ambitious goal of 70% renewable energy by 2030.

My 84 year old mother is an abutting property owner to an approved 10MWac solar power plant in rural upstate New York. She first learned of the 65 acre project with 45,455 photovoltaic panels on July 11, 2019 from a one page photocopied notification for the public hearing on July 18th. I would like to share our experience with how solar power plants are being proposed and approved in economically disadvantaged rural towns across New York State.

1. Neighbors and town residents are not informed of projects until days before a public hearing.
 - a) Towns fail to uphold Open Meeting Law requiring that draft meeting minutes are posted at town hall or on the town website within two weeks.
 - b) Developers omit public information session mailings to abutting property owners.
 - c) Developers omit abutting residences, cross roads, and north arrows from their renderings. (*see Exhibit B*)

2. Developers omit application information and rural towns don't know what to ask for.
 - a) Developers provide Federal Aviation Administration's "Determination of No Hazard to Air Navigation" in place of glare studies to unsophisticated planning boards. (*see Exhibit C*)
 - b) Single line electrical drawings for basic system layout, energy storage, and tracking panels are omitted or redacted by developers claiming protection of intellectual property rights.
 - c) Visual analysis omit views, abutting residences, and winter leaf-off conditions
 - d) Developers fail to follow NYSERDA decommissioning guidelines leaving towns and landowners exposed to incomplete removal and additional costs.

3. Energy Storage Solutions (ESS) infrastructure and details are not submitted to the town, incorporated into stormwater pollution prevention plans, or mentioned in the approved resolution, site plan, or negative declaration. Yet NYSERDA awards developers \$2,358,000 for each 5MWac ESS. (*see Exhibit D*)

What has happened in my hometown is not unique. Solar and wind developers chase New York State subsidies and incentives, obtain project permits, and immediately sell the project. This leaves towns, neighboring landowners, and project owners to resolve inadequacies, errors, and omissions during construction, operation, and decommissioning at their own expense.

Over the past 16 months I have met with residents opposing power plants across New York State. They inform me of their crops being destroyed with herbicides, town corruption, and developer harassment. The solar power plant next to my property included a condition that the abandoned house be demolished. Curiously, the house exploded at 6:30 AM Sunday March 8, 2020 with such a force that abutting State Route 7 was closed for four hours. There was no evidence left to conduct an arson investigation. There was no media coverage.

The majority of New York's renewable energy power plants are being sited in county's with the lowest average mean income. The residents do not have the finances, knowledge, or time to legally protect themselves during or after a power plants approval process. Zachary Wellstood's statement at the Article 10 hearing for Hecate Greene in Coxsackie describes the development of a 50MWac solar power plant within economically his disadvantaged town. (*see Exhibit E*)

Rural New York State landowners are the stakeholders whom are directly and permanently impacted by renewable energy power plants. Our land use, property values, and development potential will be impacted for generations. There is no way to visually screen a power plant from satellite imagery which is used to evaluate land use and values. The state appears to be making

decisions about our lands without our input. We would like to be included in CAC's discussion of what is happening to our communities and our landscapes. I welcome the opportunity to speak with the Just Transition work group and the Climate Action Council. There are thousands upon thousands of other landowners that also want to be heard.

One suggestion I have is that the state provide towns an independent solar expert available for consultation on planning, SEQR, Article 10 /Article 23 compliance, and complaints. Residents and property owners should not have to pay for independent experts to review solar and wind power plant applications that generate untold wealth for the developers and provide electricity for users well outside our geographic region and even our state.

Please, do not hesitate to contact me with any questions or concerns, lynnebruning@gmail.com. Thank you for your time and consideration.

Respectfully,

Lynne Bruning

cc: Lara Skinner, Executive Director, The Worker Institute, Cornell University

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