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**NEW YORK STATE ANNOUNCES PASSAGE OF ACCELERATED  
RENEWABLE ENERGY GROWTH AND COMMUNITY BENEFIT ACT AS  
PART OF 2020-2021 ENACTED STATE BUDGET**

***Will Advance Renewable Energy, Drive Statewide Economic Growth  
and Create Jobs as Part of Governor Cuomo's Nation-Leading Climate  
Agenda***

***New, First in The Nation Office Will Streamline Process for  
Environmentally Responsible and Cost-Effective Siting of Large-Scale  
Renewable Energy Projects Across the State***

***Establishes Critical Tools for Achieving the State Mandate to Obtain 70  
Percent of the State's Electricity from Renewable Sources by 2030 and  
Other Nation-Leading Goals of the Climate Leadership and Community  
Protection Act***

New York State public authorities and agencies announced the passage of legislation as part the FY 2020-2021 state budget to dramatically speed up the siting and construction of clean energy projects to combat climate change and help jumpstart the state's economic recovery from the COVID-19 health crisis. The Accelerated Renewable Energy Growth and Community Benefit Act (the Act) will create a first in the nation Office of Renewable Energy Siting to improve and streamline the process for environmentally responsible and cost-effective siting of large-scale renewable energy projects across New York while delivering significant benefits to local communities. The act, which will be implemented by the New York State Department of State, New York State Energy Research and Development Authority, Department of Public Service, Department of Environmental Conservation, New York Power Authority and the

Empire State Development Corporation, will accelerate progress towards Governor Cuomo's nation-leading clean energy and climate goals -- including the mandate to obtain 70 percent of the state's electricity from renewable sources -- as identified under the state's Climate Leadership and Community Protection Act.

**Secretary of State Rossana Rosado said,** “As the country’s leader in addressing climate change, Governor Cuomo has put New York at the forefront of efforts to combat climate change and this new law will help achieve a quick transition to using clean renewable energy resources in our state. The Accelerated Renewable Energy Growth and Community Benefit Act demonstrates how forward-thinking policy can be used to boost the state economy and create jobs while bringing abundant, clean, renewable energy to all New Yorkers.”

**Alicia Barton, President and CEO, NYSERDA said,** “While Governor Cuomo and the State work tirelessly to defeat COVID-19, we must continue to move forward and confront our climate crisis in order to protect New Yorkers from the dangerous consequences of a changing climate. This new law will support a rapid transition to clean renewable energy sources and ensure that our enormous pipeline of large-scale renewable energy projects can be responsibly permitted, bolster the state’s economy, and deliver health, environmental, and economic benefits to all New Yorkers.”

This groundbreaking legislation developed and passed with significant stakeholder and community advocate support underscores the state's commitment to efficiently develop renewable energy. By creating a new siting process specifically designed for renewable energy facilities, the Act will accelerate new private investment and job growth in the green economy at a time New Yorkers need it most.

The State's existing energy generation siting process was designed for siting fossil-fuel electric generating plants and was established prior to the adoption of New York’s critical nation-leading clean energy and environmental mandates under its new climate law. As the state seeks solutions to getting the economy back on track after overcoming the COVID-19 crisis, restarting renewable energy construction will play a central role in the green economy. The new siting process will establish uniform environmental standards and conditions that will support expedited project development, bringing new jobs while combating climate change.

This comprehensive legislation re-frames the renewable energy development

process with the following major components:

**Establish Office of Renewable Energy Siting:**

Under a first-of-its-kind Office of Renewable Energy Siting (Siting Office), housed within the Department of State, the State will consolidate the environmental review of major renewable energy facilities and provide a single forum to ensure that siting decisions are predictable, responsible, and delivered in a timely manner along with opportunities for input from local communities.

The new office will:

- Establish regulations and uniform standards that encompass the environmental impacts common to large, renewable energy projects, and identify mitigation measures to address those impacts.
- Require that uniform and site-specific standards and conditions must achieve a net conservation benefit to any impacted endangered and threatened species.
- Authorize DEC to use funds from projects permitted through the new siting office to implement an endangered and threatened species mitigation bank fund.
- Develop draft permits for public comment and local community input, and ensure that complete applications are acted upon within one year, except in the case of certain former commercial and industrial sites, which will be reviewed within six months.

As part of the State's ongoing commitment to community engagement, the Siting Office will seek public comment during the initial development of uniform standards and conditions through four public hearings across the state. Additionally, for each project, municipalities and community intervenors will have access, as appropriate, to funds that will assist them in reviewing the project and aid them in providing comments to advise the Siting Office on the project's compliance with local laws with respect to the environment, public health and safety.

All large-scale, renewable energy projects larger than 25 megawatts will be required to seek an approved permit through the Siting Office for new construction or expansion. Projects already in the initial phases of the current Article 10 siting process through the State's Siting Board may remain in Article 10 or opt-in to the new siting process. New projects sized between 20 and 25 megawatts will also be able to opt-in. Until the Siting Office establishes new siting standards, projects that apply to the new siting process must be designed to meet current Article 10 standards.

“As we continue to respond to COVID-19, New York is not losing sight of our comprehensive efforts to address the threat of climate change. We continue to act aggressively to protect the environment and our communities through our ongoing programs to reduce the greenhouse gas emissions that contribute to climate change,” **said DEC Commissioner Basil Seggos.** “Today’s announcement is critical in our efforts to promote renewable energy resources and help achieve New York’s nation-leading clean energy goals while supporting economic vitality across the state and advancing a cleaner, greener environment for generations to come.”

### **Clean Energy Resources Development and Incentives Program:**

To ensure that renewable energy development is targeted to maximize economic development and natural resource protection, the Act also creates a Clean Energy Resources Development and Incentives Program that will be administered by NYSERDA. Through this program, NYSERDA will work with its State partners and local communities to rapidly advance new "Build-Ready" projects, prioritizing the development of existing or abandoned commercial sites, brownfields, landfills, former industrial sites, and abandoned or underutilized sites. NYSERDA, in consultation with the Department of Public Service, New York State Urban Development Corporation, and other agencies, will immediately begin pursuing site control and pre-construction development activities, including siting, resource feasibility assessments, design, planning and other appropriate activities necessary to establish build-ready sites. Once sites are fully permitted and developed, NYSERDA will competitively auction the developed sites, bundled with contracts for renewable energy payments, to provide a fully de-risked package for private developers to construct and operate projects at these sites. NYSERDA has already begun collaborating with state agencies and other partners to identify an initial set of underutilized sites that may be viable to host a renewable energy project with a shortlist of sites under consideration.

### **Host Communities Benefits:**

In order to ensure that renewable energy projects deliver benefits to the local communities where they are built, the Act establishes several programs. First, NYSERDA will develop a Host Community Benefit Program as part of its build-ready initiative, which will offer property owners and communities tangible benefits and incentives for hosting renewable energy facilities.

The Act also creates a new program that will be established by the Public Service Commission, which will provide utility bill discounts or other environmental benefits or compensation for the benefit of residents of host

communities.

Finally, in order for communities to participate in the new siting process, NYSERDA will administer a local intervenor fund for the benefit of local agencies and community intervenors.

**Grid Planning and Energy Delivery Constraint Relief (Transmission):**

The last category of major provisions under the Act will help to prioritize the planning, investment and responsible development of grid infrastructure, which will allow for renewable energy power to be delivered to where it is needed in the state. Under the Act, the State will develop a State Power Grid and Study Program to accelerate the planning and build out of bulk and local transmission and distribution infrastructure to ensure that renewable energy can be reliably and cost-effectively delivered to power New York homes and businesses. The Act establishes an aggressive and comprehensive approach to accelerate the investment in and development of a reliable, state-of-the-art grid including:

- Directing the Department of Public Service, in consultation with NYSERDA, the New York Power Authority, the Long Island Power Authority, the state's grid operator and utilities, to conduct a comprehensive study to identify cost-effective distribution, local and bulk electric system upgrades and file the study with the Public Service Commission.
- Directing the Public Service Commission to establish a distribution and local transmission system capital program, with associated milestones and reviews, for each utility in need of local upgrades in their service territory.
- Developing a bulk transmission investment program, for the projects identified in the comprehensive study, that not only accelerates development through existing planning and development processes, but also relies upon and fully leverages the New York Power Authority's unique capability to expeditiously construct new transmission, by itself or in partnership with others.
- Applying a streamlined siting process of no more than nine months from complete application for transmission infrastructure built within existing rights-of-way.

**John B. Rhodes, CEO of the Department of Public Service, said:** “As we continue to battle COVID-19, we still need stay the course on our ambitious and necessary clean energy and clean energy jobs goals. This landmark act provides for responsible, smart, and swift permitting and siting so that New Yorkers can be sure they will have the renewable energy we need.

“We, at NYPA, thank the Governor and the legislature for enacting this nation-leading legislation that empowers NYPA to be at the forefront of the fight against climate change, driving the charge to meet the state’s aggressive clean energy goals,” said **Gil C. Quiniones, NYPA President and CEO**. “By building new transmission to help deliver clean energy to more New Yorkers and engaging in public-private partnerships, NYPA and its partners will lead New York’s transformation to a clean energy economy.”

**Empire State Development Acting Commissioner and President & CEO-designate Eric Gertler said**, "Governor Cuomo’s renewable energy siting plan is not just a responsible environmental policy, but its a smart economic development strategy. The Accelerated Renewable Energy Growth and Community Benefit Act ensures New York remains as the forefront of the green economy and provides the clean energy needed to fuel the Empire State."

“The NYISO recognizes the importance of infrastructure investment in the New York power grid in order to achieve the State’s clean energy goals. These proposals will enable necessary transmission development, and better position the grid to reliably deliver clean power for New Yorkers,” **said Richard Dewey, NYISO President and CEO**