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GOVERNOR ANDREW M. CUOMO

GOVERNOR CUOMO ANNOUNCES NEW PROPOSED REGULATIONS AS PART OF THE ACCELERATED RENEWABLE ENERGY GROWTH AND COMMUNITY BENEFIT ACT TO COMBAT CLIMATE CHANGE

Draft Regulations Open for Public Review and Comment

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

Regulatory Framework Will Accelerate and Jumpstart Clean Energy Project Development and Speed Jobs Recovery In Response to the COVID-19 Pandemic

Governor Andrew M. Cuomo today announced the availability of proposed regulations that would implement the nation-leading [Accelerated Renewable Energy Growth and Community Benefit Act](#). The [draft regulatory framework](#) will dramatically speed up the siting and construction of major renewable energy projects to combat climate change and help jumpstart the state's economic recovery from the COVID-19 pandemic. The Act and the resulting regulations will also accelerate progress toward the Governor's nation-leading clean energy and climate goals - including the directive to obtain 70 percent of the state's electricity from renewable sources - as mandated under the state's Climate Leadership and Community Protection Act.

"The COVID-19 pandemic and climate change are two of the greatest challenges New York has ever faced, but we are tackling both head-on and our nation-leading climate agenda is quickly creating good jobs and generating billions in economic investment, while ensuring that our most vulnerable communities have clean air to breathe," **Governor Cuomo said**. "These regulations will supercharge our growing green economy and reaffirm New York's position as a definitive hub of the clean energy sector through a revamped and rapid process for building and delivering emissions-free power."

As part of the Act, New York State created the 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. All large-scale, renewable energy projects larger than 25 megawatts will be required to seek a permit through ORES 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.

ORES Deputy Executive Director Houtan Moaveni said, "The proposed regulations mark an important step forward in helping New York transition to clean renewable energy sources. I'm pleased to have worked with several of our state agency partners, trade associations representing both local governments and industry and the conservation community to advance these comprehensive regulations. I look forward to getting feedback from members of the public over the next few months as we work to finalize the regulations. The Accelerated Renewable Energy Growth and Community Benefit Act, combined with the proposed regulations, 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."

ORES, in consultation with the New York State Department of Public Service, Department of Environmental Conservation, the Department of Agriculture and Markets, and New York State Parks, Recreation & Historic Preservation, has developed a set of uniform standards and conditions to avoid or minimize, to the maximum extent practicable, any potential significant adverse environmental impacts related to the siting, design, construction and operation of a major renewable energy facility. The new siting process provides a one-stop process with increased certainty and predictability to develop renewable energy projects in New York State. The ORES approach proactively addresses the key recurring issues in siting and permitting large-scale renewable projects, effectively de-risking the permitting process.

The proposed regulations will encourage local governments and communities to participate in the permitting process by requiring project applicants to consult with local governments and community members before filing an application, provide public notices at various milestones throughout the permitting process and make application materials available in both electronic and paper format. Draft siting permits will be subject to public review and comment and adjudicatory hearings will be required when significant and substantive issues are identified. Additionally, for each project, municipalities and community intervenors will have access, as appropriate, to funds that will assist them in reviewing the project.

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. 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 standards and conditions that will support expedited project development, bringing new jobs while combating climate change.

The proposed regulations were developed with stakeholder and community input, underscoring the state's commitment and stakeholder interest in efficiently developing more renewable energy at a quicker pace. The proposed regulations as well as uniform standards and conditions are now available at <https://ores.ny.gov/> for public comment pursuant to the State Administrative Procedure Act.

As part of the State's ongoing commitment to community engagement, ORES will seek public comment during the initial development of uniform standards and conditions through five public hearings across the state as well as two virtual public hearings, while complying with public health and safety guidelines due to the circumstances presented by the COVID-19 pandemic. More information on the public hearings can be found at <https://ores.ny.gov/>.

New York State's Nation-Leading Climate Agenda

Governor Cuomo's nation-leading climate agenda is the most aggressive climate and clean energy initiative in the nation, calling for an orderly and just transition to clean energy that creates jobs and continues fostering a green economy as New York State recovers from the COVID-19 pandemic. Enshrined into law through the Climate Leadership and Community Protection Act, New York is on a path to reach its mandated goals of economy wide carbon neutrality and achieving a zero-carbon emissions electricity sector by 2040, including 70% renewable energy generation by 2030. It builds on New York's unprecedented ramp-up of clean energy including a \$3.9 billion investment in 67 large-scale renewable projects across the state, the creation of more than 150,000 jobs in New York's clean energy sector, a commitment to develop 9,000 megawatts of offshore wind by 2035, and 1,800 percent growth in the distributed solar sector since 2011. Under Governor Cuomo's leadership, New York will build on this progress and reduce greenhouse gas emissions by 85 percent from 1990 levels by 2050, while ensuring that at least 35 percent with a goal of 40 percent of the benefits of clean energy investments benefit disadvantaged communities, and advancing progress towards the state's 2025 energy efficiency target of reducing on-site energy consumption by 185 TBtus.

About ORES

On April 3, 2020, New York State enacted the Accelerated Renewable Energy Growth and Community Benefit Act (the Act), landmark legislation aimed at improving the siting and construction of large-scale renewable energy projects in an environmentally responsible and cost-effective manner. The Act establishes the first-of-its-kind Office of Renewable Energy Siting, which 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. For more information on ORES, please visit <https://ores.ny.gov/>.

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