



119 Washington Avenue, Suite 103  
Albany, NY 12210  
518.432.1405  
info@aceny.org | www.aceny.org

**MEMORANDUM IN OPPOSITION AS WRITTEN TO**  
**S.2956-A (Hinchey) / A.2888-A (Barrett)**  
**In relation to authorizing the NYSERDA to develop a clean energy outreach  
and community planning program**

June 2023

The Alliance for Clean Energy New York **opposes S.2956-A/A.2888-A as written**, with concerns it will have unintended consequences. This bill, by amending the public authorities law, would authorize the New York State Energy Research and Development Authority (NYSERDA) to develop a clean energy outreach and community planning program as well as new renewable energy planning tools and resources for local governments including a mapping tool. The bill would also impose a new fee on the development of renewable energy projects.

While we agree that cultivating and facilitating more discussion between renewable energy developers and communities can improve communication and the distribution of reliable information, but there is the potential for the mapping tool to be used in a way that removes lands from consideration for solar development. It can also impede a landowner's ability to lease their land and to bring in additional income.

Regrettably, this legislation would also establish a new fee, administered by the Office of Renewable Energy Siting (ORES), that can be assessed for the purpose of recovering costs incurred by NYSERDA in relation to administering this outreach and community planning program.

ACE NY is concerned that the bill, as written, would have the unintended consequence of thwarting many renewable energy projects in different stages of development and could interfere with the pace of construction and the state's ability to reduce greenhouse gas emissions and reach its clean energy goals.

New York's comprehensive environmental review, permitting and siting process already requires project developers to avoid, minimize, and mitigate all impacts. Moreover, the New York State Agricultural Technical Working Group is working hard to better understand and manage the potential interactions between renewable energy development and agricultural lands and operations. The same can be said for the State's Farmland Protection Working Group. Both initiatives – in which ACE NY is participating, involve state agencies, farmers, agricultural organizations, renewables developers and other stakeholders – play a vital role in informing policy on this issue.

The New York agricultural sector is vital to our economy. Solar is vital to meeting our climate goals. Agriculture and renewable energy working together can advance both objectives. As written, this bill will create additional obstacles to renewable energy development including projects that seek to incorporate agriculture into their solar project.

**For the above reasons, the Alliance for Clean Energy New York opposes this legislation as written.** For more information contact Deb Peck Kelleher, Deputy Director of ACE NY, at (c) 518-698-3211. All of ACE NY's memos on legislation are available at <https://www.aceny.org/legislative-actions>.