MEMO IN SUPPORT OF
A.9508-A / S.7508-A (Part JJJ) - Executive Budget
In Relation to accelerating the growth of renewable energy facilities to meet
NY’s climate action and clean energy goals

March 9, 2020

Invenergy supports legislation that would improve and accelerate the siting of renewable energy projects. The existing permitting process under Article 10 is broken. Unless New York takes steps now, the state will not meet its nation-leading clean energy goal of 70% renewable electricity by 2030 established in the Climate Leadership and Community Protection Act. Part JJJ of the Executive Budget proposes a fix to the broken permitting process, while still maintaining strong environmental protection and engaging local communities. Invenergy supports Part JJJ and urges the legislature to pass these measures.

Invenergy is a leading independent renewable energy company with more than 24,000 megawatts of clean energy projects in operation, construction, or contracted. This includes three operating wind projects in Wyoming and Steuben Counties and one solar project on Long Island. These projects were built under a permitting regime prior to Article 10. Since its inception in 2011, no renewable generating facilities have been built under the Article 10 process. Invenergy has spent more than ten years partnering with New York communities and invested millions of dollars to build additional wind, solar, and energy storage development projects needed to meet New York State goals. The changes proposed in Part JJJ are critical for developers like Invenergy to advance renewable energy projects on the timeline necessary to meet CLPCA goals.

Part JJJ promises to speed-up the permitting process in a few critical ways. First, the bill directs a newly established Renewable Energy Siting agency under the Department of Economic Development to set uniform conditions for the siting, construction, and operation of renewable energy projects. Under Article 10, the siting process is unpredictable, with inconsistent requirements and moving goalposts that result in delays that increase project costs after contracts are executed. These standard conditions would provide the certainty needed for developers to build projects on time and on budget.

Second, Part JJJ proposes a predictable and firm 12-month deadline for permit review while maintaining the opportunity for local governments to participate throughout the process. Because community input is critical to the success of renewable energy projects,
Part JJJ keeps the requirement to abide by local laws or obtain a waiver based on a local law being “unreasonably burdensome”. Part JJJ also sets aside twice the amount of intervenor funds for municipal governments as Article 10 to hire the experts they may need.

Third, the proposal expands economic development and benefits for communities that host renewable energy projects. The bill will allow communities that host renewable energy projects to receive lower electricity prices. This is a direct benefit for ratepayers in the community and is frequently requested by host communities. The bill also directs NYSERDA to assist communities on the method for assessing proposed renewable energy projects for property taxes.

Last, the proposal makes improvements and simplifies species impact mitigation for renewable projects. Under the Article 10 process, mitigation is developed on a project-by-project basis and is often delayed by the administrative time it takes to find and approve a mitigation site. Part JJJ provides for DEC to look statewide to find the best mitigation sites to develop a bank. Renewable projects will fund the mitigation bank according to their environmental impact.

We thank you for your time and consideration of these critical changes needed to make New York a leader in clean energy. Working together, we can make that happen. Please reach out with any questions or comments.

Sincerely,

Kaley Bangston
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Invenergy