

McCoy, Ms. Ann Marie

From: Ekblad, Dazzle L (DEC)
Sent: Tuesday, February 21, 2017 12:37 PM
To: Niklas Moran
Cc: Carla Castillo (ccastillo@hudsonvalleyrc.org)
Subject: FW: Town of Bethel - Qs on CSCC actions

Hi Niklas – meant to copy you on the email below, just as an FYI.

Dazzle Ekblad

NYSDEC Office of Climate Change
518-402-8417

From: Ekblad, Dazzle L (DEC)
Sent: Tuesday, February 21, 2017 12:28 PM
To: 'Karen London' <naarlondon2@gmail.com>
Cc: Carla Castillo (ccastillo@hudsonvalleyrc.org) <ccastillo@hudsonvalleyrc.org>
Subject: RE: Town of Bethel - Qs on CSCC actions

Karen,

Thank you for pointing this out – it does look like there is a gap in the tiered points for 6.6 regarding ordinances for large solar (since the Unified Solar Permit only covers residential PV arrays of 25kW or less). This gap is something we will consider when we are making revisions to the CSCC requirements and creating the “3.0” version of CSCC.

It looks to me like you might have at least two options:

- Apply for points under **6.6** by explaining how the new solar law reduces costs and incentivizes PV installations. In my prior email, I did not mean to imply that 6.6 does not apply to the Bethel’s solar law; I was aiming to point out the core of the requirements and how to meet them. If I am understanding correctly, it sounds like you can make the argument that since the town has chosen to allow a 15-year exemption from property tax increases due to solar installations, it is an incentive because the town is foregoing tax income and an owners of a PV array is avoiding increases in his/her taxes due to an increase in property value from the value of the PV array. Property taxes can be seen as a kind of maintenance cost for having a PV array. Without seeing the details of your documentation, I cannot give any guarantees, but it sounds like you might be able to provide evidence that the new law reduces costs. Under the new law, do applicants also potentially avoid the costs of seeking a zoning variance since large-scale PV arrays are allowed in all zoning districts?
- If it seems like a better fit to you, examine **action 11.2** – Implement an action using an innovative approach (5 pts.). This would mean that the town would apply for points based on the assumption that they have used an innovative approach to action 6.3.

Let me know if you have further questions.

Dazzle Ekblad

NYSDEC Office of Climate Change
518-402-8417

From: Karen London [<mailto:naarlondon2@gmail.com>]
Sent: Wednesday, February 01, 2017 1:26 PM
To: Ekblad, Dazzle L (DEC) <Dazzle.Ekblad@dec.ny.gov>
Cc: Carla Castillo (ccastillo@hudsonvalleyrc.org) <ccastillo@hudsonvalleyrc.org>
Subject: Re: Town of Bethel - Qs on CSCC actions

Hello, Dazzle,

Thank for you for your helpful response. I will review the provisions you cite with regards to the conservation easement.

One further question. The Bethel Green Committee has worked the past 5 months on our new solar law and it is poised for adoption in two weeks. It is unlikely to satisfy 6.6, but I would hope that we could secure 2 points for its adoption under Action Item 6.3 "***Adopt a Renewable Energy Ordinance.***" We already adopted the Unified Solar Permit (2 points) but this new law is far more extensive and covers small and large ground solar energy installations, in addition to rooftop solar, and encourages all of the foregoing (allowed in every zoning district for example). But the "How to Secure Points" section, for some reason just references small and large wind turbine ordinances, not solar, to my surprise. (And the Unified Solar Permit only addresses roof-top solar of 12 kW or less that meets other requirements so it doesn't even address all rooftop solar.)

Since our solar law addresses small and large ground installations, can we secure 2 points just like if we had done wind? (There's insufficient wind in Bethel according to a study done so wind is not relevant for us.) I hope you can confirm this please since it certainly is the "Adoption of a Renewable Energy Ordinance" and the Town is the first in Sullivan County to adopt a solar law encouraging installations.

Many thanks,
Karen

On Wed, Feb 1, 2017 at 12:50 PM, Ekblad, Dazzle L (DEC) <Dazzle.Ekblad@dec.ny.gov> wrote:

Hello Karen,

I've copied Carla Castillo, your regional Clean Energy coordinator, to keep her updated on your status and interest in CSC certification. In the future, Carla or one of her CEC team members might be available to answer your questions if I am not available.

You are always welcome to ask clarifying questions about the requirements. Be aware, however, that I cannot make any guarantees of any CSCC points ahead of time on my own, especially without seeing the final reports, etc. The CSCC review team will review any documentation submitted by Bethel and make the determination at that point in time.

Regarding **CSCC action 4.3**, it sounds like the Cornell grad student study you describe would be eligible for points, as long as it "analyzes the potential for at least one, if not more, renewable energy technologies" and takes into account "geographical and local considerations, policy considerations, financing options, costs, and risks". Although there is a difference between a comprehensive feasibility study performed by an engineer or renewable energy expert and a study done by students (and that is what the manual is pointing out, as a caveat to working with students), that does not mean a study resulting from a collaboration between Bethel and a Cornell class would not be eligible for points.

Regarding **CSC Action 6.6**, Bethel's documentation would need to show how the new law reduces the direct costs of installation (or maintenance) of EE or RE projects (in this case, solar installations) for residents (and/or businesses) in order to be considered an incentive.

Regarding the conservation easement for the **Smallwood Preserve**, it sounds like it fits better under an action that is focused on awarding points for implementation of a specific land preservation project (like perhaps 7.12, 7.13, or 7.17 – there's tiered points for conservation easements/protection of specific high-priority sites under these actions) rather than one like 6.19 which is focused broadly on zoning and regulations. You can search the PDF of the CSCC manual for "conservation easements" to sort for relevant actions.

Regarding an information campaign on **Energize NY** in concert with Sullivan County, I think are points that Bethel might be eligible for, depending on how the campaign is implemented and whether a connection is made to climate change in the message. I'd recommend reviewing the applicability of actions like 8.9, 9.1, 9.2, and 10.3.

Dazzle Ekblad

[518-402-8417](tel:518-402-8417)

From: Karen London [mailto:naarlondon2@gmail.com]
Sent: Monday, January 30, 2017 9:08 AM
To: Ekblad, Dazzle L (DEC) <Dazzle.Ekblad@dec.ny.gov>
Subject: Fwd: Opportunity to inquire about CSC Manual Compliance

Hello Dazzle,

A few other questions in addition to the below from last week:

1. The Town of Bethel anticipates enacting a new solar law at its next Board meeting which will encourage solar installations by minimizing requirements for rooftop and small ground installations and specifying planning board criteria for large scale ground installations (defined as generating energy for off-site consumption/users). The stated goal of the new law is to encourage solar and to support and contribute to achievement of State solar generation goals. The new law also specifically maintains the Section 487 Real Property Tax Law "opt in" so as to maintain the 15 year exemption from any property tax increase due to the solar installation "improvements".

Can the adoption of this law secure the Town 6 points under CSC Action Item 6.6 for incentivizing renewable energy projects? (We anticipate more than one "solar farm" project since several farmers leased land. We already adopted the Unified Solar Permit under 6.3 a year or so ago so can secure 2 points under Action Item 6.3.)

2. About two years ago, the Town did an amazing thing purchasing environmentally sensitive land that was going to be used for high density housing and entering into a Conservation Easement to protect it. This is now known as the "Smallwood Preserve" and is currently being developed for community use with hiking/snowshoe/cross country ski trails, seating areas near a beautiful stream, and other community use. Can we submit the Conservation Agreement in order to secure the 4 points under Action Item 6.19 (Preserve Natural Areas Through Zoning or Other Regulations)?

3. Sullivan County recently enacted a law to facilitate the Energize NY Finance Program--an action outside of the Town's legal authority. However, the Town would like to help promote Energize NY to assist the town's small businesses. If we undertook an information campaign in concert with the County, might we secure any points for our efforts?

Thanks for your response.

Karen London

----- Forwarded message -----

From: Karen London <naarlondon2@gmail.com>
Date: Thu, Jan 26, 2017 at 12:55 PM
Subject: Opportunity to inquire about CSC Manual Compliance
To: "Ekblad, Dazzle L (DEC)" <dazzle.ekblad@dec.ny.gov>

Hello Dazzle,

I am the Co-Chair of the Town of Bethel's Green Committee working on achieving CSC certification for our Town.

I have a number of questions regarding satisfaction of certification manual requirements that I hope you might be able to answer. The one most urgent this week pertains to Manual Item 4.3. The Town has been interested in evaluating a capped landfill site for a possible solar installation. We were fortunate to secure a screening study of the site by the US EPA, Region 2 and now have the further opportunity to have a graduate level engineering class at Cornell University "take on" our initiative (with the EPA study as a starting point) as a semester-long project and prepare a Feasibility Study and Request for Proposals. The Professor has included the language of Action Item 4.3 in the Course Description in terms of the needed deliverables.

Action Item 4.3 specifically notes that "some communities may also want to consider working with a local university to analyze renewable energy options as a student project" and later "Local governments could also consider working with a local university with relevant expertise to complete the initial analysis" but then later notes that "they are not a substitute for a more comprehensive feasibility study performed by an engineer or renewable energy expert."

So this is a little confusing! As a small (4200 residents), rural community, we are thrilled to have both the EPA study and the Cornell Grad level engineering class assist us for free. Given the likely quality of the deliverables from this Cornell engineering students under the direction of a engineering professor, can we be assured that the final report (deliverable in mid-May) will secure 3 points towards certification for the Town of Bethel?

Many thanks,

Karen London