

SECTION 94-c PROCESS AND ORES

94-c Background, Application, and Issuance

- Introduced in late 2020 for large-scale renewable energy projects
- Established the Office of Renewable Energy Siting (ORES) to review projects and issue final permitting decisions
- Final Regulations and Uniformed Standards and Conditions (USCs) became effective March 3, 2021
- ORES must issue a final state permitting decision no later than one year after a Permit Application is deemed complete

USCs and Site-Specific Requirements

- Projects must be designed to avoid or minimize, to the maximum extent practicable, adverse environmental impacts
- USCs outline design requirements for large-scale projects to standardize design expectations
- Site-specific requirements crafted by ORES can augment the USCs
- Mitigation programs are designed to offset potential adverse environmental impacts that cannot be avoided

Local Compliance and Permit Issuance

- ORES must make finding that the project, along with permit conditions, would comply with applicable local laws and regulations
- ORES can elect not to apply a local law that is unreasonably burdensome in view of Climate Leadership and Community Protection Act (CLCPA) targets and the environmental benefits of the project
- Municipalities submit statements of compliance with local laws no later than 60 days after issuance of draft permit conditions

Intervenor Funds

- Upon the filing of a 94-c application, North Seneca Solar Project will post an intervenor fund (\$1,000/MW) which can be sought by local community intervenors and host towns
- 75% of funds are reserved for local agencies
- Application and instructions for filing can be found on the ORES website at <https://ores.ny.gov/resources>
- Must apply for funds within 30 days of application filing

Application for Intervenor Funds to:

New York State Office of Renewable Energy Siting
Attn: Request for Local Agency Account Funding
99 Washington Avenue
Albany, NY 12231-0001