



TOWN of FREEDOM

NEW YORK

Dustin Bliss-Supervisor

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March 8, 2024

Inter-County Association of Western New York
3 East Pulteney Square
c/o Steuben County Legislature
Bath, NY 14810

To whom it may concern,

On February 26, 2024, the Town of Freedom passed a **Resolution Opposing Part O of the Governor's 2025 Article VII Revenue Bill Regarding the Siting of Major Electric Transmission Facilities, Also Known as the "Rapid Act"**. I have sent along with this letter the signed and sealed copy of the resolution.

If you have any other questions, please feel free to reach out to my office at 716-492-0961 EXT 1 or email me at clerk@freedomny.org.

Sincerely,

Mindy M. Holland
Freedom Town Clerk

Town of Freedom

A RESOLUTION OPPOSING PART O OF THE GOVERNOR'S 2025 ARTICLE VII REVENUE BILL REGARDING THE SITING OF MAJOR ELECTRIC TRANSMISSION FACILITIES, ALSO KNOWN AS THE "RAPID" ACT

Resolution #2-2024

February 26, 2024

WHEREAS, New York Governor Hochul has released the Executive Budget Proposal for Fiscal Year 2025, which includes Part O of the Transportation, Economic Development, and Environmental Conservation budget bill entitled the Renewable Action through Project Interconnect and Deployment ("RAPID") Act; and

WHEREAS, the RAPID Act seeks to move the Office of Renewable Energy Siting ("ORES") from the Department of State to the Department of Public Service, and seeks to consolidate and expedite permitting procedures for major renewable energy and electric transmission facilities under a new Article VIII of the Public Service Law; and

WHEREAS, if passed, the RAPID Act will undermine sound environmental review of major electric transmission facilities by requiring ORES to render a permit decision within a single year, otherwise the facility shall be automatically approved, regardless of project size or impact on private property or conservation lands; and

WHEREAS, if passed, the RAPID Act will constitute a significant deprivation of Private Property Rights by extended the power of Eminent Domain to the construction of major electric transmission facilities by large-scale solar and wind developers, said power being currently limited to regulated utilities granted a certificate of environmental compatibility and public need; and

WHEREAS, if passed, the RAPID Act will undermine the protection of natural resources by allowing conservation easements to be extinguished anywhere in the state, including the Adirondack Park and Catskill Parks, for the construction of major electric transmission facilities by large-scale solar and wind developers, said authority being currently limited to regulated utilities granted a certificate of environmental compatibility and public need; and

WHEREAS, if passed, the RAPID Act will further erode home rule and local decision-making enshrined in the New York State Constitution, Local Government Bill of Rights, Statute of Local Governments, and Municipal Home Rule law, usurping the rights of local governments to determine how communities and property within their jurisdictions develop, and contravening the purpose of comprehensive planning outlined in Section 272-A of Town Law; now therefore be it

RESOLVED, that the Town of Freedom strongly opposes the passage of Part O contained in the Governor's Article VII Revenue Bill relating to the expedited siting of major electric transmission facilities, the use of Eminent Domain, and the extinguishing of conservation easements, and be it further

RESOLVED, that the Town of Freedom calls on the Governor of New York, members of the State Senate, and members of the State Assembly to ensure that Part O, and particularly the offending provisions identified herein, be excluded from the New York State budget or any other legislation, and be it further

RESOLVED, that the Town of Freedom opposes state or federal action that would weaken or eliminate New York's long-standing tradition of home rule and local government authority; and be it further

RESOLVED, that the Clerk of the Town of Freedom is hereby directed to provide a copy of this resolution to Governor Kathy Hochul, Lieutenant Governor Antonio Delgado, members of the State Senate, members of the State Assembly, the New York State Association of Counties, the New York State Association of Towns, the Inter-County Association of Western New York, and all others deemed necessary and proper.

Motion by Dustin Bliss and

Seconded by Josh Aarum.

Roll Call:

Councilman Josh Aarum: AYE

Councilman Josh Aarum: AYE

Councilwoman Denise Willard: AYE

Councilman R. Nick Morgan: AYE

Supervisor Dustin Bliss: AYE

Certified by the Freedom Town Clerk this 26th day of February, 2024



Mindy Holland, Freedom Town Clerk

Seal