

Inter-County Association of Western New York

% Steuben County Legislature, 3 East Pulteney Square, Bath, New York 14810

Phone (607) 664-2247

Email: achapman@steubencountyny.gov or bscotchmer@steubencountyny.gov

Carol Ferratella, President – Steuben
Mark Rondinaro, 1st Vice President – Schuyler
L. Thomas Sweet, 2nd Vice President – Chemung
Amanda L. Chapman, Secretary – Steuben
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Representing the Counties of Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Tompkins, Wayne, Wyoming, and Yates

RESOLUTION NO. IC-007-24

MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE IN OPPOSITION TO PART "0" OF THE GOVERNORS ARTICLE VII REVENUE BILL REGARDING THE SITING OF MAJOR ELECTRIC TRANSMISSION FACILITIES, ALSO KNOWN AS THE "RAPID" ACT.

WHEREAS, the New York State SFY 2025 Enacted Budget includes the adoption of Part 0 of the Transportation, Economic Development, and Environmental Conservation budget bill entitled the Renewable Action through Project Interconnection 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, , 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, , the RAPID Act will constitute a significant deprivation of Private Property Rights by extending 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, , 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, , 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, the Inter-County Association of Western New York, representing 2.9 million citizens in the State of New York, strongly opposes the adoption of Part 0 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, the Inter-County Association of Western New York calls on the Governor of New York, members of the State Senate, and members of the State Assembly to ensure that Part 0, and particularly the offending provisions identified herein, be excluded from the New York State budget or any other legislation; and be it further

RESOLVED, the Inter-County Association of Western New York 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, copies of this resolution shall be forwarded to Honorable Kathy Hochul, New York State Governor; all members of the New York State Senate; all members of the New York State Assembly and the New York State Association of Counties.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I hereby certify that the foregoing is a true and correct transcript of a resolution duly adopted by the Inter-County Association of Western New York while in session in Chemung County on the 19th day of April, 2024.

Dated: April 29, 2024
Bath, New York



Amanda L. Chapman, Secretary
Inter-County Association of Western New York