

ACT 186 - 2023

TO: HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive urging the adoption of the attached "Act establishing a municipal renewable energy system siting database." This Act may be referred to as the "Renewable Energy Database Act."

Your Committee is aware that the implementation of renewable energy systems is a critical step towards decreasing greenhouse gas emissions from fossil fuels and reducing some types of air pollution. Renewable energy systems may also foster economic development by creating jobs in manufacturing and installation.

Your Committee has been informed that municipalities within the County have expressed interest in siting renewable energy systems within their boundaries, but may need assistance with technical expertise or information to attract developers.

Your Committee is advised that this Act will help municipalities within the County develop renewable energy projects, by establishing a database to promote the siting of renewable energy systems on municipal property. The County-hosted database would allow municipalities to publish information on a public-facing website, including their renewable energy goals, to help position renewable energy systems on municipal property. The database would be actively managed and updated regularly by the Director of the County's Office of Energy Conservation and Sustainability.

Dated: September 19, 2023
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.



Colin J. Smith

COMMITTEES ON

Public Works & Transportation

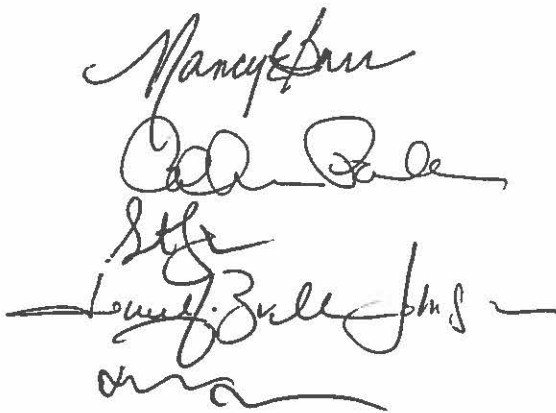
Environment, Energy & Climate

Your Committee acknowledges that this legislation is patterned after proposed New York State legislation (S.9474, A.9602 of 2021-2022).¹ The State bill was endorsed for passage by Environmental Advocates NY, a nonprofit corporation dedicated to protecting the air, land, water and health of all New Yorkers. *See* attached memo.

Your Committee is informed that the proposed project does not meet the definition of an action under New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning, dated January 12, 2023, which is on file with the Clerk of the Board of Legislators. Your Committee concurs in this conclusion.

Based on the foregoing, your Committee recommends the passage of this Act.

Dated: _____, 2023
White Plains, New York



Environment Energy + Climate

SCM-04/12/23



Public Works and Transportation

COMMITTEE ON

¹ Neither the Senate bill nor the Assembly bill advanced out of committee.

FISCAL IMPACT STATEMENT

SUBJECT: Renewable Energy Database NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense TBD

Total Current Year Revenue _____

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations Other (explain)

Identify Accounts: 101-11-0730-4380

Potential Related Operating Budget Expenses: Annual Amount TBD

Describe: An Act establishing a municipal renewable energy system siting database.

There will be a cost associated with compiling the information provided by the municipalities.

Potential Related Operating Budget Revenues: Annual Amount _____

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

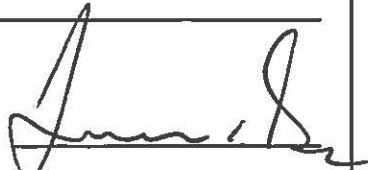
Next Four Years: _____

Prepared by: Debra Ogden

Title: Sr. Budget Analyst

Department: Budget

Date: September 18, 2023


Reviewed By: _____
Budget Director
9/18/23

ACT NO. 186 - 2023

An Act establishing a
municipal renewable energy
system siting database.

BE IT ENACTED by the County Board of the County of Westchester as follows:

Section 1. This Act establishes a database for municipalities within the County that are interested in siting renewable energy systems on available land within their boundaries. This database will allow municipalities to publish their renewable energy goals and will facilitate the development of renewable energy systems. Implementing renewable energy systems is a critical step towards decreasing greenhouse gas emissions from fossil fuels and reducing some types of air pollution. Renewable energy systems may also foster economic development by creating jobs in manufacturing and installation.

§ 2. For the purposes of this Act, the term “renewable energy systems” means systems that generate electricity or thermal energy through the use of any of the following technologies: solar thermal, photovoltaics, on-land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

§ 3. The Director of the County’s Office of Energy Conservation and Sustainability (the “Director”), or the Director’s designee, shall establish and manage a municipal renewable energy siting database to help municipalities within the County facilitate the deployment of renewable energy systems on municipal property within their boundaries.

§ 4. Any municipality seeking to participate in the database shall be entitled to provide information to the Director to be included in the database. The database shall be publicly available and, at a minimum, include the following information:

- a. the contact information for a designated municipal representative;
- b. the type or types of renewable energy systems that the municipality is interested in developing;
- c. an estimate of the amount and type of available municipal property;
- d. a summary of applicable municipal laws concerning the environment or public health safety to facilitate compliance with any applicable permitting process;
- e. any other information the Director deems relevant.

§ 5. The database shall be actively managed and updated regularly by the Director or the Director's designee.

§ 6. The County's Department of Planning shall provide any technical assistance to help promote siting.

§ 7. The Director is required to engage in outreach efforts to the municipalities within the County, in order to educate them about the existence and function of the database.

§ 8. This Act shall take effect 180 days after enactment.



EANY SUPPORTS Renewable Energy Database



S.9474 (May)

A.9602 (Cusick, et al.)

Explanation:

The 2019 Climate Leadership and Community Protection Act (CLCPA) requires 70% renewable energy by 2030 and 100% zero-emission electricity by 2040. In order for New York State to meet these ambitious and vital mandates, it must be as easy as possible for municipalities across the state to deploy renewable energy systems.

This legislation directs NYSERDA to create and maintain a centralized, publicly accessible database where local governments can identify municipally owned parcels that are available to host renewable energy systems. The regularly updated database would include detailed information about the properties, the type of renewable systems desired by the municipality, and any local laws that would have to be considered in the state's Office of Renewable Energy Siting Permitting Process. These properties would also be eligible to participate in NYSERDA's Build Ready Program to expedite permitting for any would-be developers.

The database will serve as another tool the state can use to achieve the renewable energy and zero-emission mandates of the CLCPA. It will help provide certainty for renewable energy developers by acting as a one-stop shop to match developers with willing municipal partners. With technical and permitting assistance from NYSERDA, communities can repurpose otherwise undesirable land and be assured that they will be able to enjoy the health and economic benefits renewable energy systems deliver on their terms.

Summary:

This bill would amend the public authorities law directing NYSERDA to create and manage a municipal renewable energy system siting database and to provide technical assistance to help promote renewable energy siting on municipally owned land. The bill would amend section 1902 of the public authorities law by adding municipally owned lands available for renewable siting to the list of properties prioritized by NYSERDA's Build Ready Program.

STATE OF NEW YORK)
)
WESTCHESTER COUNTY) ss.

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 186 - 2023, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on October 2, 2023, and approved by the County Executive on October 12, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 12th day of October, 2023.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

