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1	3/28/2023 Siting Board 18-F-0087
2	NEW YORK STATE BOARD ON
3	ELECTRIC GENERATION SITING AND THE ENVIRONMENT
4	CASE 18-F-0087 - Application of Flint Mine Solar, L.L.C.,
5 6	for a Certificate of Environmental Compatibility and Public Need, Pursuant to Article 10 for Construction of a Solar Electric Generating Facility, located in the Towns
	of Coxsackie and Athens, Greene County.
7	Siting Board Meeting
8	Date: Tuesday, March 28, 2023 @ 10:30 am
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12	TAMMY MITCHELL, Alternate for Rory M. Christian, Chair of the New York State Public Service Commission
13 14	SARA FITZSIMONS, Alternate for Basil Seggos, Department of Environmental Conservation
15 16	KEVIN MALONE, Alternate for James V. McDonald, M.D., M.P.H., Acting Commissioner, New York State Department of Health
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18	VINCENT RAVASCHIERE, Alternate for Hope Knight, Commissioner of the New York State Department of Economic Development
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19	JOHN WILLIAMS, Alternate for Richard L. Kauffman, Chair, New York State Energy Research and Development Authority
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2	(The meeting commenced at 10:31 a.m.)				
3	CHAIR MITCHELL: Good morning. My				
4	name is Tammy Mitchell, I'm the director of the				
5	Office of Electric Gas and Water at the New York				
6	State Department of Public Service. I've been				
7	designated to serve as the alternate, representing				
8	the Chair of the New York State Board on Electric				
9	Generating Siting and the Environment or as it is				
10	also known, the Siting Board. I call this meeting of				
11	the Siting Board to order. Before moving to the				
12	agenda, I would like to introduce the alternates				
13	representing the permanent members of the Siting				
14	Board.				
15	Sara Fitzsimons, alternate				
16	representing the Commissioner of the Department of				
17	Environmental Conservation.				
18	Kevin Malone, alternate representing				
19	the Acting Commissioner of the Department of Health.				
20	Vincent Ravaschiere, alternate				
21	representing the Commissioner of the New York State				
22	Department of Economic Development and John Williams,				
23	alternate representing the Chair of the New York				
24	State Energy Research and Development Authority.				
25	Secretary Phillips, are there any				

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2	changes to the agenda?			
3	SECRETARY PHILLIPS: There are no			
4	changes to the agenda.			
5	CHAIR MITCHELL: Thank you. We will			
6	begin with Case 18-F-0087, Application of the Flint			
7	Mine Solar, L.L.C. for a Certificate of Environmental			
8	Compatibility and Public Need Pursuant to an Article			
9	10 for Construction of a Solar Electric Generating			
10	Facility Located in the Towns of Coxsackie and			
11	Athens, Greene County. Presented by Heather Behnke,			
12	Managing Attorney, Department of Public Service,			
13	Jason Zehr, Chief of Environmental Certification and			
14	Compliance, Office of Electric, Gas and Water,			
15	Department of Public Service is available for			
16	questions.			
17	Ms. Behnke, please begin.			
18	MS. BEHNKE: Good morning, Chair			
19	Designee Mitchell and members of the Board. Before			
20	you today is an order granting a petition for			
21	amendment of the Board's August 4th, 2021 order			
22	granting a Certificate of Environmental Compatibility			
23	and Public Need with Conditions to Flint Mine, L.L.C.			
24	The Certificate approved construction and operation			
25	of a 100 megawatt utility scale, solar electric			

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2	generating facility consisting of up to 454 acres of
3	photovoltaic or P.V. panels together with associated
4	facilities to be located in the Towns of Coxsackie
5	and Athens in Greene County.
6	On August 29th, 2022, Flint Mine Solar
7	filed a Petition for Amendment seeking approval of a
8	proposed modified layout which includes the following
9	changes:
10	Removing P.V. arrays from certain
11	areas and changing the location of certain P.V.
12	module areas; changing alternating current electrical
13	collection lines from messenger supported
14	wiring/racking integrated collection methods to the
15	use of primarily overhead collection lines with
16	limited installation of varied collection line at
17	certain locations to minimize vegetation disturbance
18	and associated visual impacts; changes in proposed
19	grading and the use of single access trackers instead
20	of fixed tile P.V. arrays for certain locations in
21	order to maximize energy production.
22	The amendment petition does not
23	request any waivers of any local laws or changes to
24	any certificate conditions. The secretary to the
25	Siting Board consulted with the Department of Public

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2	Service Staff, the Department of Environmental
3	Conservation and the Department of Health and in a
4	February 16th, 2023 letter, concluded that the
5	proposed modifications would not result in a
6	significant adverse increase to environmental impacts
7	as compared to the certificated project and,
8	therefore, do not constitute a revision that would
9	require a hearing under the regulations.
10	The secretary's letter included a
11	thorough review and addressed the potential impacts
12	of the proposed changes for the project, including
13	visual, archeological, cultural and historic
14	resources, wetlands and streams and threatened and
15	endangered species, all of which are summarized in
16	the order.
17	The Sleepy Hollow Lake Association of
18	Homeowners submitted comments which were addressed in
19	the Secretary's letter and are also addressed in the
20	draft order. The proposed modifications are not
21	anticipated to result in any increase in adverse
22	impacts to the Sleepy Hollow Lake watershed. As
23	specified in the amendment petition, no grading is
24	proposed within 625 feet of Coxsackie Creek or 400
25	feet of Murderer's Creek.

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2	Further, per the final approved Storm
3	Water Pollution Prevention Plan, appropriate erosion
4	and sediment control measures will be installed and
5	maintained at the Project's limit of disturbance to
6	max minimize risks of any potential conveyance of
7	runoff or discharge into the creeks during
8	construction. As such, the modified layout and
9	additional grading are not expected to result in any
10	significant adverse increase to environmental impacts
11	as compared to the certificated facility.
12	The order before you recommends
13	approval of the amendment to the certificate because
14	the modifications proposed in the amendment petition
15	do not constitute any significant increases in
16	adverse impacts compared to those addressed for the
17	certificated project. If the order is approved, all
18	of the certificate conditions will remain applicable.
19	Accordingly, the order before you
20	approves the petition for the amendment of the
21	certificate. That concludes my presentation and
22	we're available for any questions.
23	CHAIR MITCHELL: Thank you, Ms.
24	Behnke. I have no questions on the item. Let me
25	turn to my fellow board members for any comments or

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2	questions. Ms. Fitzsimons?
3	MS. FITZSIMONS: Thank you for your
4	presentation. I have no comments or questions.
5	CHAIR MITCHELL: Thank you. Mr.
6	Malone?
7	MR. MALONE: Thank you. No questions.
8	CHAIR MITCHELL: Mr. Ravaschiere?
9	MR. RAVASCHIERE: No questions or
10	comments.
11	CHAIR MITCHELL: Mr. Williams?
12	MR. WILLIAMS: No questions or
13	comments.
14	CHAIR MITCHELL: Thank you. I will
15	now call for a vote. My own vote is in favor of the
16	recommendation as described. Ms. Fitzsimons?
17	MS. FITZSIMONS: I vote in favor.
18	CHAIR MITCHELL: Mr. Malone?
19	MR. MALONE: I vote in favor.
20	CHAIR MITCHELL: Mr. Ravaschiere?
21	MR. RAVASCHIERE: In favor.
22	CHAIR MITCHELL: Mr. Williams?
23	MR. WILLIAMS: In favor.
24	CHAIR MITCHELL: The order is approved
25	and the recommendation is adopted. Secretary
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2	Phillips, are there any further anything further
3	to come before us today?
4	SECRETARY PHILLIPS: There's nothing
5	more for today.
6	CHAIR MITCHELL: Thank you. We are
7	adjourned.
8	(The meeting commenced at 10:37 a.m.)
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     STATE OF NEW YORK
     I, DANIEL CHRISTIAN, do hereby certify that the foregoing
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     was reported by me, in the cause, at the time and place,
5
    as stated in the caption hereto, at Page 1 hereof; that
6
    the foregoing typewritten transcription consisting of
7
    pages 1 through 8, is a true record of all proceedings had
8
     at the hearing.
9
                   IN WITNESS WHEREOF, I have hereunto
10
     subscribed my name, this the 30th day of March, 2023.
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     DANIEL CHRISTIAN, Reporter
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