New York State

Office of Renewable Energy Siting and Electric Transmission

Annual Report for the Calendar Year 2025

May 2026

Table of Contents

I. Introduction 1
II. Overview 1
III. 2025 Permitting Activities 3
A. Applications Received 3
B. Permits Approved / Denied and Decision-making Time Frames 4
1. 2025 Permits Approved / Denied 4
2. Decision-Making Time Frames 5
3. Comparison 2021-2025 (Permits approved -- averages) 6
C. Potential adverse environmental impacts of the facility identified and addressed by uniform standards and conditions (USCs) 6
D. Site-Specific Conditions 7
E. Substantive Local Law Compliance and Waivers 10
F. Application Fees and Local Agency Account Fees 12
G. Off-Site Mitigation 13
IV. Adjudicatory Proceedings and Alternative Dispute Resolution 15
V. Judicial Review 17
VI. Conclusion and Executive Director's Evaluation of Overall Public Need for Major Renewable Generation Facilities and Major Electric Transmission Facilities 17
A. Overall Need 17
B. Progress towards CLCPA goals and additional measures to achieve those goals 19

I. Introduction

Pursuant to Public Service Law (PSL) § 148, the Office of Renewable Energy Siting and Electric Transmission (ORES or the Office) respectfully submits this annual report for the calendar year 2025.

2025 was a significant year for ORES and for New York's clean energy future. Pursuant to the RAPID Act, ORES was relocated to the Department of Public Service and its jurisdiction expanded to include major electric transmission facilities. ORES staff successfully integrated into DPS and promulgated draft regulations to implement this expanded authority; the Office is now poised to accept applications for transmission facilities under Article VIII of the Public Service Law. In 2025, ORES also issued nine permits for major renewable energy projects with a combined capacity of over one gigawatt of clean energy, the most permits issued in any single year since the Office's inception. Each permit was issued following a thorough review process to ensure environmental protection and full consideration of social and economic factors. As New York works towards a clean, reliable, and resilient electric grid, ORES is entering 2026 well-positioned to accelerate the permitting of both generation and transmission projects critical to the State's clean energy future.

II. Overview

ORES was established in 2020 by the Renewable Energy Growth and Community Benefit Act (Act) (L 2020, Chapter 58, part JJJ, effective April 3, 2020). The purpose of the Act was to establish a program to expedite the regulatory review for the siting of major renewable energy (MRE) facilities to meet the targets of the 2019 Climate Leadership and Community Protection Act (CLCPA). Among the CLCPA targets are:

a. Minimum of 70 percent of statewide electric generation produced by renewable energy systems by 2030;
b. Statewide electrical demand energy system to generate zero emissions by 2040; and
c. Procurement of at least 9 GW of offshore wind by 2035; 6 GW of photovoltaic solar generation by 2025; and support for 3 GW of statewide energy storage capacity by 2030.[1]

The centerpiece of the Act was the enactment of Executive Law § 94-c, which established a siting permit requirement for the construction of a new major renewable energy facility or the increase in capacity of an existing facility. The purpose of § 94-c was to consolidate environmental review and permitting of major renewable energy facilities to provide a single forum to undertake a coordinated and timely review of proposed facilities to meet the

[1] New York State Public Service Law §66-p. These targets have since been expanded by the Public Service Commission to 10.5 GW of photovoltaic solar generation by 2030 and 6 GW of statewide energy storage capacity by 2030. See Case 21-E-0629, In the Matter of Advancement of Distributed Solar, Order Expanding NY-Sun Program (issued April 14, 2022), Case 21-E-0629, In the Matter of the Advancement of Distributed Solar, Order Approving NY-Sun Program Modifications (issued April 24, 2025), and Case 18-E-0130, In the Matter of Energy Storage Deployment Program, Order Establishing Updated Energy Storage Goal and Deployment Policy (issued June 20, 2024).

State's renewable energy goals while ensuring the protection of the environment and consideration of all pertinent social, economic, and environmental factors in decision making. Established within the Department of State, ORES replaced the Public Service Law article 10 Board on Electric Generation Siting and the Environment (Siting Board) for the siting of major renewable energy facilities with a capacity of 25 MW or greater. Facilities 20 MW and larger could choose to opt in to ORES review.

In 2024, the Legislature enacted the Renewable Action through Project Interconnection and Deployment (RAPID) Act (L 2024, Chapter 58, part O, effective April 20, 2024). The RAPID Act repealed Executive Law § 94-c, repealed the former Public Service Law article VIII, and enacted a new Public Service Law article VIII entitled "Siting of Renewable Energy and Electric Transmission" (Article VIII) (see RAPID Act §§ 2, 11). The RAPID Act also transferred the Office from the Department of State to the Department of Public Service, continued all existing functions, powers, duties, and obligations of the Office under Executive Law former § 94-c, and added new functions, powers, duties, and obligations related to major electric transmission siting (see id. §§ 3, 4). The purpose of the RAPID Act is to consolidate the environmental review, permitting, and siting in this State of both major renewable energy facilities and major electric transmission facilities subject to Article VIII, and to provide ORES as a single forum for the coordinated and timely review of such projects to meet the State's renewable energy goals and ensure the reliability of the electric transmission system, while also ensuring the protection of the environment and consideration of all pertinent social, economic and environmental factors in the decision. The RAPID Act also authorized ORES, in consultation with the Department of Public Service (DPS), and subject to approval by the Public Service Commission (Commission), to promulgate rules and regulations to implement a new siting permit program for major electric transmission facilities. Those regulations became effective on March 9, 2026.

With respect to ORES's regulations at 19 NYCRR part 900 (Part 900), the RAPID Act transferred Part 900 to 16 NYCRR chapter XI, and continued Part 900 in full force and effect subject to conforming changes, such as the substitution of numbering, names, titles, citations, and other non-substantive changes to be filed with the Secretary of State (see RAPID Act § 7). ORES filed the conforming changes with the Secretary of State as a new 16 NYCRR part 1100. Part 1100 became effective July 17, 2024, and continued as the effective regulation in 2025, therefore, major renewable energy generation facility citations discussed below refer to the 2024 Part 1100 numbering.

With respect to electric transmission, the RAPID Act directed ORES to establish a set of uniform standards and conditions (USCs) for the siting, design, construction, and operation of major electric transmission facilities. The USCs were thoughtfully designed to avoid, minimize, or mitigate, to the maximum extent practicable, any potential significant adverse environmental impacts that are common to the construction and operation of such facilities. As noted above, on March 9, 2026, ORES adopted the new RAPID Act regulations, including general procedures at 1100, major renewable energy generation facilities at 1101, and major electric transmission facility siting regulations at Part 1102. Throughout 2025, however, applications for certificates

for major electric transmission facilities continued to be processed pursuant to Public Service Law Article VII.

ORES and its staff have been fully integrated into the Department of Public Service, continuing their mission as a permitting authority within the Department.

III. 2025 Permitting Activities

A. Applications Received

In 2025, ORES received nine applications for major renewable energy facility siting permits. The following chart shows the applications received in 2025.

DMM Matter No.	Project	Type	Nameplate Capacity (MW)	Developer	Town(s)	County(ies)	Date of Application Submission
23-03027	Sugar Maple Solar	Solar	125	AES	Croghan/ Wilna	Jefferson/ Lewis	2/6/2025
23-03029	Altona Wind	Wind	97.5	AES/ Valcour	Altona	Clinton	3/7/2025
23-03032	Clinton Wind	Wind	106.5	AES/ Valcour	Clinton	Clinton	3/14/2025
23-03031	Chateaugay Wind	Wind	116.5	AES/ Valcour	Chateaugay	Franklin	6/30/2025
23-02991	Two Rivers Solar	Solar	200	Boralex	Brasher/ Massena	St. Lawrence	6/30/2025
23-03033	Ellenburg Wind	Wind	91	AES/ Valcour	Ellenburg	Clinton	7/21/2025
23-03030	Bliss Wind	Wind	100.5	AES/ Valcour	Eagle	Wyoming	8/12/2025
23-03034	Wethersfield Wind	Wind	136	AES/ Valcour	Wethersfield/ Eagle	Wyoming	8/14/2025
23-03014	Cayuga Lake Solar	Solar	60	AES	Lansing	Tompkins	10/21/2025

The following chart shows the number of applications received from 2021 through 2025.

Technology	Year	Number of Applications	Total Nameplate Capacity (MW)
Solar	2021	12	1,942
	2022	2	194
	2023	7	820
	2024	9	1,322
	2025	3	385
Wind	2021	1	184.5
	2022	1	147
	2023	0	0
	2024	2	199
	2025	6	648
	Total	**43**	**5,841.5**

Despite federal permitting, supply chain, and other challenges, the Office expects a continued influx of permit applications. Effective March 9, 2026, new permit applications are subject to the revised ORES regulations.

B. Permits Approved / Denied and Decision-making Time Frames

1. 2025 Permits Approved / Denied

In 2025, ORES issued a total of nine major renewable energy facility siting permits. Eight of the permits were for solar energy generation facilities and one permit was for a wind energy generation facility. None of the permits included approval of battery energy storage (BESS) facilities. The following chart shows the projects approved in 2025.

DMM Matter No.	Project	Type	Nameplate Capacity (MW)	Developer	Town	County	Application Submitted Date	Permit Issued Date
23-02997	White Creek Solar	Solar	135	AES	Leicester/ York	Livingston	12/7/2023	2/27/2025
23-02971	Rock District Solar	Solar	20	Greenbacker Renewable Energy Company	Seward/ Carlisle	Schoharie	4/18/2023	4/22/2025
23-02984	Foothills Solar	Solar	40	Boralex	Mayfield	Fulton	12/6/2023	4/22/2025
23-02987	York Run Solar	Solar	90	CS Energy	Busti/ Kiantone	Chautauqua	1/22/2024	4/22/2025
23-02998	Oxbow Hill Solar	Solar	140	Cypress Creek Renewables	Fenner	Madison	4/23/2024	7/10/2025
23-02990	Fort Covington Solar	Solar	250	Boralex	Fort Covington	Franklin	7/16/2024	8/21/2025
23-02986	Yellow Barn Solar	Solar	160	CS Energy	Groton/ Lansing	Tompkins	11/3/2023	8/21/2025
23-02974	North Seneca Solar	Solar	90	Savion	Junius/ Waterloo	Seneca	3/4/2024	8/21/2025
23-02976	Hoffman Falls Wind	Wind	100	Liberty Renewables	Fenner/ Nelson/ Eaton/ Smithfield	Madison	2/15/2024	12/22/2025
		Solar	**925**					
		Wind	**100**					
	Total	**Total**	**1,025**					

No permits were denied in 2025. One permit application was withdrawn by Moss Ridge Solar, LLC on April 7, 2025 (ORES DMM Matter No. 24-03042), for a 60-megawatt solar electric generating facility proposed to be located in the Town of DeKalb, St. Lawrence County.

The following chart shows the number of projects and total nameplate capacity approved by ORES from 2021 through 2025.

Technology	Year	Number of Permit Issued	Total Nameplate Capacity (MW)
Solar	2021	2	213
	2022	5	1,050
	2023	7	873
	2024	3	465
	2025	8	925
Wind	2021	0	0
	2022	1	184.8
	2023	0	0
	2024	1	147
	2025	1	100
	Total	**28**	**3,957.8**

In 2025, the Office approved the greatest amount of nameplate capacity since 2022, significantly contributing to achievement of the State's CLCPA goals (2022 approvals included applications transferred from Article 10).

2. Decision-Making Time Frames

ORES is required to issue a decision within one year of deeming the application complete. Applications proposed on a repurposed site must be approved or denied within six months of being deemed complete. The table below shows the time ORES took to render decisions on applications in 2025.

DMM Matter No.	Project	Initial Application Submission Date	Notice of Complete Application Date	Permit Issuance Date	Days from Complete Application to Permit Issuance or Denial
23-02997	White Creek Solar	12/7/2023	7/15/2024	2/27/2025	227
23-02971	Rock District Solar	4/18/2023	6/10/2024	4/22/2025	316
23-02984	Foothills Solar	12/6/2023	6/25/2024	4/22/2025	301
23-02987	York Run Solar	1/22/2024	10/9/2024	4/22/2025	195
23-02998	Oxbow Hill Solar	4/23/2024	11/18/2024	7/10/2025	234
23-02990	Fort Covington Solar	7/16/2024	2/11/2025	8/21/2025	191
23-02986	Yellow Barn Solar	11/3/2023	10/15/2024	8/21/2025	310
23-02974	North Seneca Solar	3/4/2024	1/13/2025	8/21/2025	220
23-02976	Hoffman Falls Wind	2/15/2024	12/20/2024	12/22/2025	367
				Average Time, Days (Months)	**262 (8.6)**

ORES has met its one-year decision statutory obligation for every application since its inception. In 2025, ORES rendered a decision in less than the statutory timeframe for every

application except Hoffman Falls Wind, which was issued on the statutory 1-year deadline.[2] ORES has not received any applications for facilities proposed on a repurposed site.

3. Comparison 2021-2025 (Permits approved -- averages)

Year	Total Permits Approved	Average Days from Application Submission to Complete Application	Average Days from Complete Application to Final Permit Issuance
2021	2	0[3]	166[4]
2022	6	121[5]	253[6]
2023	7	262	278
2024	4	315	289
2025	9	277	262
Total	**28**	**225**	**261**

The Office has continued to meet its statutory mandate to issue or deny permits within 12 months of application completeness. Most permits were issued in significantly less than 12 months (averaging 8.6 months for 2025). In 2025 ORES issued nine permits, within the statutory timeframes and without compromising environmental and community protections.

C. Potential adverse environmental impacts of the facility identified and addressed by uniform standards and conditions (USCs)

The applicable uniform standards and conditions (USCs) for the siting, design, construction, and operation of each type of major renewable energy facility, are set out at 16 NYCRR subpart 1100-6 (effective date July 17, 2024). The USCs were designed to avoid or minimize, to the maximum extent practicable, any potential significant adverse environmental impacts related to the siting, design, construction, and operation of a major renewable energy facility. The USCs address a broad range of issues relevant to the common impacts for each type of major renewable energy facility, including land based solar and wind facilities. The USCs are applied to all facilities unless modified by site-specific conditions to address project-specific or site-specific impacts not fully addressed by the USCs.

The Subpart 1100-6 USCs (effective date July 17, 2024) were organized as follows:

[2] For Hoffman Falls Wind, one calendar year from application completeness fell on a Saturday. By operation of law, the statutory deadline was moved to the following Monday, which is when the final permit was issued.

[3] Pursuant to the regulations effective at the time of application submission, 19 NYCRR § 900-3.2(a)(2), the two permits issued in 2021 qualified as pending Public Service Law Article 10 facilities for which a completeness determination had been issued pursuant to PSL Article 10 and were therefore deemed complete upon filing with ORES.

[4] Id. The information reported here uses "submission date" as a proxy for "complete application date" for the subject facilities.

[5] This average includes three facilities with permits issued in 2022 that, pursuant to the regulations effective at the time of application submission, 19 NYCRR § 900-3.2(a)(2), qualified as pending Public Service Law Article 10 facilities for which a completeness determination had been issued pursuant to PSL Article 10, and were therefore deemed complete upon filing.

[6] Id. The information reported here uses "submission date" as a proxy for "complete application date" for the subject facilities.

§1100-6.1 Facility Authorization
§1100-6.2 Notifications
§1100-6.3 General requirements
§1100-6.4 Facility construction
- (a) Construction hours
- (b) Environmental and agricultural monitoring
- (c) Pre-construction meeting
- (d) Construction reporting and inspections
- (e) Flagging
- (f) Dig Safely NY
- (g) Natural gas pipeline cathodic protection
- (h) Pole numbering
- (i) Fencing
- (j) Air emissions
- (k) Construction noise
- (l) Visual mitigation
- (m) General environmental requirements
- (n) Water supply protection
- (o) Threatened and endangered species
- (p) Wetlands, waterbodies, and streams
- (q) Wetlands
- (r) Work in NYS-protected waters
- (s) Agricultural resources
- (t) Hazardous materials
- (u) Cultural resources avoidance, minimization and mitigation plan

§1100-6.5 Facility Operation
- (a) Noise limits for wind facilities
- (b) Noise standards for solar facilities
- (c) Operational compliance
- (d) Annual inspections
- (e) Equipment replacement
- (f) Interconnection changes
- (g) Facility transmission interconnection related incidents
- (h) Facility malfunction

§1100-6.6 Decommissioning

D. Site-Specific Conditions

In its review of siting permit applications, ORES is authorized to draft site-specific permit terms and conditions (SSCs) to address site-specific environmental impacts not addressed by the USCs, including provisions for the avoidance or mitigation of those impacts, while considering the CLCPA targets and the environmental benefits of the proposed major renewable energy facility.

The following chart shows the number and description of SSCs applied in permits issued in 2025.

DMM Matter No.	Project	Number of Site-Specific Conditions	Subject Matter of Site-Specific Conditions
23-02997	White Creek Solar	6	● Final design plans; ● Phased notice to proceed; ● Final NCBP requirement; ● Visual Impact Minimization and Mitigation Plan (VIMMP) Final Screen Planting Plan requirement; ● Agricultural co-utilization plan requirement; ● Final decommissioning and site restoration plan.
23-02971	Rock District Solar	7	● Final design plans; ● Final VIMMP requirements that the final screening planting plan comply with local substantive requirements, including preventing glare at a specific location; ● Final NCBP requirement; ● Blasting is prohibited unless ORES approves Blasting Plan; ● Agricultural co-utilization plan requirement; ● Final geotechnical engineering report requirement to verify if karst features are present, and if so, provide Karst Mitigation Plan; ● Phased notice to proceed.
23-02984	Foothills Solar	5	● Final design plans to include trench breakers or intercept drain lines in areas of fragipan soils to minimize subsurface erosion; ● Phased notice to proceed; ● Final VIMMP Screen planting plan requirement; ● Agricultural co-utilization plan requirement; ● NYS Adirondack Park Agency (APA) requirement and coordination.
23-02987	York Run Solar	8	● Final design plans to include setback requirements for active and inactive wells and operational procedures to plug wells; ● Final safety response plan to address maintenance and emergency access to decommissioned wells and train personnel on Well Protection Plan; ● Well Protection Plan requirement including pre-construction surveys to locate wells and gas pipelines, procedures for unknown well and gas line discovery and notification, and protocols for inadvertent disturbances; ● Final Visual Impact Minimization and Mitigation Plan (VIMMP) requirement; ● Final NCBP requirement; ● Phased notice to proceed; ● Agricultural co-utilization plan requirement; ● Deadline extension requirement.
23-02998	Oxbow Hill Solar	6	● Final design plans to include procedures on unknown oil, natural gas, and/or solution mining well discovery; ● Phased notice to proceed; ● Deadline extension requirement; ● Final NCBP requirement; ● Final VIMMP requirement;

DMM Matter No.	Project	Number of Site-Specific Conditions	Subject Matter of Site-Specific Conditions
			● Agricultural co-utilization plan requirement.
23-02990	Fort Covington Solar	6	● Final design plans; ● Phased notice to proceed; ● Final VIMMP requirement; ● Agricultural co-utilization plan requirement; ● Final NCBP requirement; ● Deadline extension requirement.
23-02986	Yellow Barn Solar	6	● Final design plans to include trench breakers or intercept drain lines in areas of fragipan soils to minimize subsurface erosion and procedures on unknown oil and/or natural gas well discovery; ● Final VIMMP Screen planting plan requirement; ● Final NCBP requirement; ● Agricultural co-utilization plan requirement; ● Phased notice to proceed; ● Deadline extension requirement.
23-02974	North Seneca Solar	5	● Final design plans to include existing oil and gas wells and pipelines, Supplemental Well Survey Report, and procedures for unknown oil or natural gas well discovery; ● Phased notice to proceed; ● Final VIMMP Screen Planting Plan requirement; ● Final NCBP requirement; ● Agricultural co-utilization plan requirement.
23-02976	Hoffman Falls Wind	12	● Final design plans to include trench breakers or intercept drain lines in areas of fragipan soils to minimize subsurface erosion and setback requirements for wind turbine towers; ● Blasting is prohibited unless ORES approves Blasting Plan, which must meet minimum requirements of the NYSDOT Geotechnical Engineering Manual GEM-22; ● Phased notice to proceed; ● Final safety response plan to address facility access points and emergency responder training program; ● Supplemental Magnetometer Report requirement; ● Final noise modeling; ● Mitigation measures to address potential cumulative noise impacts associated with the facility; ● Noise Complaint Resolution Protocol requirement; ● Screen Planting Plan to include replacement plantings for removed hedgerows and a final shadow flicker curtailment plan; ● Mitigation requirements for final NCBP; ● Deadline extension requirement; ● Construction mitigation plan to prevent any effects from microwave interference during construction and identifies Fresnel zone(s) to avoid structure or equipment placement.

Each application is carefully evaluated by ORES staff to determine what, if any, SSCs should be recommended. This evaluation is based on the specific impacts, design, and site setting particular to the facility. Several SSC's have been established through precedent and are used to help address specific issues not captured in USCs. For example, ORES might include a SSCs to allow for phased work through issuance of a Notice to Proceed (NTPs) to accommodate the construction schedule, at the applicant's request. No party has ever objected to this SSC. Common SSCs also include Final Net Conservation Benefit Plan (NCBP) requirements, Visual Impacts Minimization and Mitigation Plan (VIMMP) requirements, and Agricultural co-utilization plan requirements to address the unique circumstances of those projects. Some site specific conditions, for example the SSC pertaining to mitigation of microwave interference in Hoffman Falls Wind, are developed as a result of settlement or judicial determinations during the draft permit review process.

E. Substantive Local Law Compliance and Waivers

To help New York achieve the goals of the Climate Leadership and Community Protection Act, Article VIII establishes a State-level consolidated permitting process for major renewable energy facilities. While local permitting requirements are preempted by Article VIII, substantive provisions of local law remain applicable. To issue a siting permit, ORES must find that a facility conforms with applicable local substantive requirements. However, based upon an applicant's request and justification, the Office may elect not to apply a substantive local law requirement based on a finding that as applied to the proposed facility, the local law provision is unreasonably burdensome in view of the CLCPA targets and the environmental benefits of the facility. For each local law relief request, applicants must provide a statement of justification, supported by facts and analysis, that demonstrates the burden of compliance, whether design changes could eliminate the need for the relief, whether the relief is the minimum necessary, and that any resulting adverse impacts are mitigated to the maximum extent practicable.
Requests for relief are carefully reviewed by ORES Staff, who make recommendations regarding the request in the Draft Permit. Staff local law relief recommendations are reviewed by Administrative Law Judges and the Executive Director during the permit review process.

The following chart shows the approximate number and description of local law provisions applicable to projects and relief approvals by ORES in the permits approved in 2025.

DMM Matter No.	Project	Number of Substantive Local Law Provisions Applicable to the Project	Number of Substantive Local Law relief Requests Granted	Percentage Compliance	Subject Matter of Local Law Reliefs
23-02997	White Creek Solar LLC	71	10	86	Agricultural resources; noise; decommissioning security, timelines, and removal; PFAS and GenX chemicals; participating setbacks
23-02971	Rock District Solar, LLC	58	7	88	Fencing; non-participating setbacks; participating setbacks; decommissioning removal; agricultural resources; undergrounding requirement
23-02984	Foothills Solar, LLC	64	10	84	Height Limits; screening; setbacks; agricultural resources; decommissioning timeline and removal; allowable use; participating setbacks
23-02987	York Run Solar, LLC	228	9	96	Access roads; clearing; decommissioning security; screening; natural resources; participating setbacks; height limits
23-02998	Oxbow Hill Solar, LLC	48	2	96	Use prohibition; fence height
23-02990	Fort Covington Solar LLC	0	0	n/a	n/a
23-02986	Yellow Barn Solar, LLC	175	9	95	Agricultural resources; access roads; natural resources; decommissioning security, timelines, and removal; screening; non-participating setbacks
23-02974	North Seneca Solar Project, LLC	49	2	96	Decommissioning; height limit
23-02976	Hoffman Falls Wind, LLC	171	21	88	Allowable use; non-participating setback; fencing requirement; height limits; noise; natural resources; screening; glare; general setbacks; construction hours; decommissioning timeline, security, and removal
	Total/ Average	**786**	**70**	**91**	

With respect to major electric generation siting permits approved in 2025, ORES required compliance with approximately 91% of the substantive local law provisions applicable to the subject facilities. Approximately 9% of local law requirements were not applied. The most frequent relief involved local law provisions related to local decommissioning security

requirements. Typically, these requests for relief are associated with higher contingency factors, credit for salvage value, and the frequency of updating cost estimates. In these instances, ORES provided limited relief from local law provisions, instead applying the ORES decommissioning and security requirements, which provides consistency to developers while being sufficiently protective of municipal interests. The second most common relief provided was from local law setback requirements, most commonly where a project spans across adjacent property lines. Without this relief, project components would have to be arbitrarily sited further apart, increasing the project's footprint, cost, and environmental impacts. This type of relief is commonly granted at the local level.

To date, ORES has approved 84.5% of relief requests. ORES has only fully approved 8.4% of relief requests, providing only limited relief for 76.1% of requested waivers.

F. Application Fees and Local Agency Account Fees

Pursuant to 16 NYCRR 1100-1.5, each application for a major renewable energy facility siting permit must be accompanied by an application processing fee in an amount equal to $1,000 dollars for each megawatt of capacity. In addition, pursuant to 16 NYCRR 1100-1.4(a)(8), the applicant must provide a local agency account fund (LAAF) fee in an amount equal to $1,000 dollars for each megawatt of capacity. Funds from this account are awarded to municipalities, local agencies, and potential community intervenors to offset the expenses for hiring experts and participating in public comment periods, issues determination procedures, and any adjudicatory proceedings on an application. The following chart shows the total application fees and local agency account fund (LAAF) fees collected in 2025.

DMM Matter No.	Project	Application Filing Date	Total Application Fees	Total LAAF Fees
23-00053	Two Rivers Solar	1/27/2025	$200,000	$200,000
23-03027	Sugar Maple Solar	2/6/2025	$125,000	$125,000
23-03029	Altona Wind Repowering	3/7/2025	$107,500	$107,500
23-03032	Clinton Wind Repowering	3/14/2025	$110,500	$110,500
23-03030	Bliss Wind Repowering	8/13/2025	$110,500	$110,500
23-03031	Chateaugay Wind Repowering	6/30/2025	$116,500	$116,500
23-03033	Ellenburg Wind Repowering	7/21/2025	$91,000	$91,000
23-03034	Wethersfield Wind Repowering	8/14/2025	$136,000	$136,000
23-03014	Cayuga Lake Solar	10/21/2025	$60,000	$60,000
		Total	**$1,057,000**	**$1,057,000**

The following chart shows the total local agency account funds awarded in 2025.

DMM Matter No.	Project	LAAF Award Date	Total LAAF Available	Total LAAF Awarded	Municipalities	Community Intervenors
24-03041	Shepherd's Run Solar	2/19/2025	$42,000	$42,000	$31,500	$10,500
23-03002	Agricola Wind	3/13/2025	$99,000	$99,000	$74,250	$24,750
23-02998	Oxbow Hill Solar	3/26/2025	$140,000	$105,000	$105,000	n/a
23-02984	Foothills Solar (Supplemental Award)	3/26/2025	$10,000	$10,000	$10,000	n/a
23-03027	Sugar Maple Solar	4/2/2025	$125,000	$93,750	$93,750	n/a
23-02986	Yellow Barn Solar (Supplemental Ruling)	4/11/2025	$40,000	$40,000	$40,000	n/a
23-03029	Altona Wind Repowering	5/6/2025	$107,500	$80,625	$80,625	n/a
23-03032	Clinton Wind Repowering	5/12/2025	$110,500	$82,875	$82,875	n/a
23-03031	Chateaugay Wind Repowering	8/28/2025	$116,500	$72,875	$72,875	n/a
23-03033	Ellenburg Wind Repowering	9/9/2025	$91,000	$68,250	$68,250	n/a
23-03034	Wethersfield Wind Repowering	9/24/2025	$136,000	$102,000	$102,000	n/a
23-03030	Bliss Wind Repowering	10/9/2025	$110,500	$82,875	$82,875	n/a
23-03014	Cayuga Lake Solar	12/16/2025	$60,000	$60,000	$60,000	n/a
		Total	**$1,388,000**	**$1,043,375**	**$1,008,125**	**$35,250**

The Local Agency Account Fund process saw important changes in 2025. ORES established quarterly deadlines to ensure timely submissions and included in the instructions for recipients. Utilizing stakeholder input, submission forms were modified and the requirements for invoice summary sheets and separate submission forms were eliminated. Authorizations for disbursements now occur typically within five business days or less; in 2025, 156 vouchers were processed and authorized for disbursement for expenditures incurred by counties, municipalities, and community intervenor groups, totaling $1,367,836.92.

G. Off-Site Mitigation

Pursuant to Public Service Law § 138(2), ORES is authorized to approve off-site mitigation for adverse environmental impacts that are not avoided or completely addressed by the uniform standards and conditions (USCs) and the site-specific conditions (SSCs) provided by ORES for a major renewable energy facility. In addition, ORES is authorized to approve a fee to be paid by the applicant in-lieu of off-site mitigation to fund projects to achieve required mitigation. For threatened and endangered species, the mitigation must result in a net conservation benefit.

ORES authorizes off-site mitigation for impacts to threatened and endangered species, freshwater wetlands, and cultural resources, proposed in the applicant's net conservation benefits plan, wetlands restoration and mitigation plan, and cultural resource mitigation and offset plan, respectively. ORES permits include a determination of impacts that could not be avoided and

therefore must be mitigated. During final design, some projects may be modified, resulting in revised (often lower) impacts and therefore revised mitigation requirements. Approval of the permittee's off-site mitigation proposals generally occurs during the pre-construction compliance phase of the project, when the final mitigation plans must be submitted by the permittee for review and approval. Permittees may choose to conduct their own off-site mitigation projects, pay fees into DEC's Endangered and Threatened Mitigation Bank Fund, or purchase off-site mitigation credits from a third-party provider.

The following table describes projects where off-site threatened and endangered species mitigation was required, within permits issued in 2025. Eight projects required mitigation resulting in net conservation benefit.

DMM Matter No.	Project	Type of Off-Site Mitigation Approved	Amount of Mitigation Required
23-02997	White Creek Solar	Grassland Birds	220.94 acres
23-02971	Rock District Solar	Grassland Birds	62.56 acres
23-02987	York Run Solar	Grassland Birds	89.36 acres
23-02998	Oxbow Hill Solar	Grassland Birds	79.7 acres
23-02990	Fort Covington Solar	Grassland Birds	507.49 acres
23-02986	Yellow Barn Solar	Grassland Birds	175.24 acres
23-02974	North Seneca Solar	Grassland Birds	87.49 acres
23-02976	Hoffman Falls Wind	Grassland Birds	71.61 acres[7]
23-02976	Hoffman Falls Wind	Northern Long-Eared Bat	11 bats[8]

Permittees have the option to pay a fee into the DEC Endangered and Threatened Species Mitigation Bank Fund. However, no projects utilized the Fund in 2025. With several projects moving towards construction in 2026, the Fund is available for Permittees to meet their net conservation benefit requirements.

The following table describes projects where off-site wetland mitigation was required in permits, and the total fees approved for such mitigation. Six permits included a requirement for off-site wetland mitigation. No in-lieu fees were approved or collected.

[7] Subsequent to permit issuance, on April 6, 2026, the Office issued a revised take determination based on a revised facility layout submitted by the Permittee. The revised layout removed 6 turbines and presented a final turbine model selection resulting in increased total nameplate generating capacity of 109.8 MW. The decreased footprint reduced impacts to grassland birds, requiring mitigation of 41.67 acres.

[8] The increased generation capacity increases calculated take of northern long-eared bats to 11 and the required mitigation to 12 northern long eared bats.

DMM Matter No.	Project	Type of Off-Site Mitigation Approved	Amount of Mitigation Required
23-02997	White Creek Solar	Wetlands	0.7 acres
23-02987	York Run Solar	Wetlands	8.6 acres
23-02990	Fort Covington Solar	Wetlands	34.6 acres
23-02986	Yellow Barn Solar	Wetlands	4.46 acres
23-02974	North Seneca Solar	Wetlands	0.04 acres
23-02976	Hoffman Falls Wind	Wetlands	2.55 acres

New York has an abundance of wetlands and nearly every new development, of any kind, is near or contains wetlands. The ORES process encourages careful siting that entirely or almost entirely avoids wetlands.

The following table describes projects where off-site cultural resources mitigation was required in permits, and the total fees approved for such mitigation.

DMM Matter No.	Project	Type of Off-Site Mitigation Approved	Amount of Mitigation Required	Fee In-Lieu of Off-Site Mitigation Approved or Collected
23-02997	White Creek Solar	Cultural Resources	23 State/National Register Eligible or Listed Properties	$56,000
23-02997	White Creek Solar	Cultural Resources	1 National Historic Landmark	
23-02974	North Seneca Solar	Cultural Resources	7 State/National Register Eligible or Listed Properties	TBD
23-02976	Hoffman Falls Wind	Cultural Resources	128 State/National Register Eligible or Listed Properties	TBD

Three permits included a requirement for off-site cultural resources mitigation. Cultural mitigation is typically achieved through the funding of local cultural resources projects, for example, through local historic societies.

IV. Adjudicatory Proceedings and Alternative Dispute Resolution

Hearing proceedings on an application and draft siting permit issued by ORES include public comment hearings, an issues conference and, if necessary, an evidentiary hearing. The issues conference, which is conducted by an Administrative Law Judge (ALJ), is used to determine whether factual issues raised by an applicant and intervenors, including municipalities and community intervenors, require an evidentiary hearing. If not, the ALJ issues an order of disposition that cancels the hearing, resolves the legal issues raised by the parties, and directs issuance of the final siting permit, thereby concluding the proceeding.

Throughout the hearing process, parties may settle any or all issues in a matter without the need for a decision by the ALJ or the Executive Director on appeal. The parties may negotiate settlements among themselves, or with the assistance of a mediation ALJ. If the parties settle all issues in a matter, the ALJ terminates further proceedings and directs issuance of the final siting permit.

The following chart provides information regarding the 16 NYCRR subpart 1100-8 hearing process.

ORES DMM Matter No.	Case Name	Final Decision	Issues Conference Oral Argument Held	Evidentiary Hearing Held	Settled Without Hearing	Permit Issued
23-02997	White Creek Solar LLC	ALJ Order of Disposition (1/3/2025)	N	N	Y	2/27/2025
23-02971	Rock District Solar, LLC	ALJ Order of Disposition (12/13/2024)	N	N	N	4/22/2025
23-02984	Foothills Solar, LLC	ALJ Order of Disposition (12/26/2024)	N	N	N	4/22/2025
23-02987	York Run Solar, LLC	ALJ Order of Disposition (4/2/2025)	N	N	Y	4/22/2025
23-02998	Oxbow Hill Solar, LLC	ALJ Order of Disposition (5/21/2025)	N	N	N	7/10/2025
23-02990	Fort Covington Solar LLC	ALJ Order of Disposition (7/28/2025)	N	N	Y	8/21/2025
23-02986	Yellow Barn Solar, LLC	ALJ Order of Disposition (6/27/2025)	N	N	Y	8/21/2025
23-02974	North Seneca Solar Project, LLC	ALJ Order of Disposition (7/9/2025)	N	N	Y	8/21/2025
23-02976	Hoffman Falls Wind, LLC	ED Decision (12/22/2025)	N	Y	N	12/22/2025

In 2025, one siting permit (Hoffman Falls Wind, LLC) was issued after an evidentiary hearing and a decision by the Executive Director. The remaining eight siting permits issued in 2025 concluded at the issues conference stage of the proceeding by an ALJ order of disposition. In five of those matters, the parties reached agreements resolving some or all of the issues in the case.

V. Judicial Review

In 2024 and 2025, two on-going judicial proceedings challenging ORES regulations and the Bear Ridge Solar, LLC, siting permit reached final conclusion, and one judicial proceeding was commenced challenging the Prattsburgh Wind, LLC, siting permit.

In Matter of Town of Copake v New York State Office of Renewable Energy Siting, the Town of Copake and 12 other municipalities and private entities commenced a combined CPLR article 78 proceeding and declaratory judgment action challenging ORES's former regulations at 19 NYCRR part 900 on home rule and other grounds. In 2021, the Supreme Court, Albany County, rejected the challenge and dismissed the petition / complaint. On appeal, the Appellate Division, Third Department, affirmed (216 AD3d 93 [2023]). In 2024, the New York State Court of Appeals dismissed petitioners' appeal as of right due to the lack of a substantial constitutional question (41 NY3d 990 [2024]), thereby concluding the litigation.

In Matter of Town of Cambria v New York State Office of Renewable Energy Siting, the Town of Cambria commenced a CPLR article 78 proceeding seeking to annul and vacate the siting permit ORES issued to Bear Ridge Solar. In 2024, the Appellate Division, Fourth Department, confirmed the permit and dismissed the petition (228 AD3d 1334). In early 2025, the New York State Court of Appeals denied the Town's motion for leave to appeal, thereby terminating the litigation in ORES's favor (42 NY3d 912).

In Matter of Prattsburgh Preservation Alliance, Inc. v New York State Office of Renewable Energy Siting and Electric Transmission, (CV-24-2046) petitioner Prattsburgh Preservation Alliance commenced a CPLR article 78 proceeding in December 2024 challenging the siting permit issued to Prattsburgh Wind, LLC. On March 25, 2026, oral argument was held before the Appellate Division, Third Department. On May 14, 2026, the Appellate Division, Third Department affirmed the permitting decision of the Office.

VI. Conclusion and Executive Director's Evaluation of Overall Public Need for Major Renewable Generation Facilities and Major Electric Transmission Facilities

Pursuant to PSL § 148, the ORES Executive Director is required to provide an evaluation of the overall need for major renewable generation facilities and major electric transmission facilities as a part of this annual report. The Executive Director's evaluation follows.

A. Overall Need

The facts, figures, and analyses contained in this report demonstrate the Office's unprecedented success in implementing its statutory mandate to accelerate renewable energy permitting while enhancing environmental and community protections. ORES will continue to demonstrate its capabilities as an implementor of State energy policy in the years to come.

The Comprehensive Reliability Plan (CRP) issued by the NYISO observed that about 25% of the state's electric generating capacity is from fossil-fuel-based generation in operation for more than 50 years, and 7% of New York's fossil fuel fleet is 70 years or older. The NYISO

highlighted several recommendations to ensure that the aging generation fleet does not result in system reliability issues. Specifically, one recommendation from the report is accelerating the entry of the solar, wind, and storage facilities already in the queue, which the CRP concludes "…can significantly improve reliability if they reach commercial operation on schedule."[9] The buildout of renewable energy generation is critical to the State's economic development and provides additional, much-needed electrons during peak and baseline demand scenarios when such resources generate power.

Renewable energy projects are built on the private property of interested landowners who stand to receive significant benefits. Often, these benefits help large landowners retain their significant property holdings and continue activities such as forestry or farming on lands not occupied by the projects (and sometimes concurrently in project areas). These critical facilities are built without sacrificing New York's environment and the quality of its communities. The continued development of these resources is critically dependent on the goodwill and constructive relationships with private landowners. As such, ORES will continue to engage with these stakeholders in a sensible and respectful manner.

In addition to its nation-leading work in renewable energy permitting, throughout 2025, ORES developed revised regulations reflecting the RAPID Act and Public Service Law Article VIII, including major electric transmission facility siting regulations. Though there were no applications under Public Service Law Article VIII for major electric transmission facilities in 2025, there were a large number of applications for major transmission facilities pursuant to Public Service Law Article VII. With the promulgation of new regulations pursuant to PSL Article VIII in 2026, the Office anticipates several Article VIII transmission applications in the near future. The Office will also continue to review Part 102 applications. The table below shows the status of current Article VII and anticipated Article VIII and Part 102 applications[10].

Status	Article VII	Anticipated Article VIII	Anticipated Part 102	Total
Application Not Yet Filed	0	Up to 11	3	Up to 14
Application Filed	20	0	0	20
Permitted (Pre Construction)	1	0	0	1
Under Construction	3	0	0	3
Total	**24**	**Up to 11**	**3**	**Up to 38**

[9] 2025-2034 Comprehensive Reliability Plan, New York Independent System Operator, November 21, 2025 at 11, available at https://www.nyiso.com/documents/d/guest/2025-2034-comprehensive-reliability-plan.

[10] Applications under 16 NYCRR Part 102 are for limited scale electric transmission projects processed by the Office that do not trigger the thresholds of Article VII.

B. Progress towards CLCPA goals and additional measures to achieve those goals

ORES continues to provide a critical contribution to New York's renewable energy specific CLCPA goals. From its inception to 2025, the Office has issued 28 permits totaling over 5.8 GW of wind and solar generation.

The Coordinated Grid Planning Process (CGPP)[11] provides an ongoing assessment of the projected generation and transmission needs to maintain a reliable and CLCPA compliant power system in New York. The CGPP anticipates that New York will need to add a significant amount of additional wind and solar generation between 2025 and 2030, indicating there is a continued need to advance major renewable energy facilities and transmission upgrades to achieve the 70 percent renewable energy target in the CLCPA.

I'm confident the reforms implemented in the Article VIII regulations adopted by ORES on March 9, 2026, combined with the organizational maturity and expertise of the Office, will enhance the timeliness of reviews and further contribute to a cost-effective pathway to achieving the State's climate goals. During the remainder of 2026, the Office will continue to focus on the implementation of these new regulations to ensure realization of the benefits and strong environmental protections in the RAPID Act rulemaking. With 28 permits issued as of 2025, ORES has a proven record of successfully fulfilling the legislature's vision of nation-leading renewable energy permitting. The need for renewable energy is as great as ever in New York. Backed by a highly experienced staff and the most rigorous environmental standards in the nation, ORES is well-positioned to accelerate New York's clean energy future and support the economic prosperity that depends on it.

Jason Zehr
Interim Executive Director
Office of Renewable Energy Siting and Electric Transmission
New York State Department of Public Service

[11] DMM Case 20-E-0197, Proceeding on Motion of the Commission to Implement Transmission Planning Pursuant to the Accelerated Renewable Energy Growth and Community Benefit Act.