

Clean Energy Resources Development and Incentives: The Build-Ready Program Annual Progress Report, 2020

Final Report | April 2021

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NYSERDA provides resources, expertise, and objective information so New Yorkers can make confident, informed energy decisions.

Our Vision:

New York is a global climate leader building a healthier future with thriving communities; homes and businesses powered by clean energy; and economic opportunities accessible to all New Yorkers.

Our Mission:

Advance clean energy innovation and investments to combat climate change, improving the health, resiliency, and prosperity of New Yorkers and delivering benefits equitably to all.

NYSERDA Record of Revision

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Clean Energy Resources Development and Incentives: The Build-Ready Program Annual Progress Report, 2020

Case 15-E-0302 Final Report

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Abstract

The Build-Ready Program Annual Progress Report is intended to inform the Public Service Commission (PSC), other State agencies, market participants, and additional parties interested in the progress of the Build-Ready Program. More specifically, this report provides information on progress made in achieving the Build-Ready Program's stated goals and objectives as described in the Accelerated Renewable Energy Growth and Community Benefit Act (the Benefit Act) and the Order Approving the Build-Ready Program (the Order) as well as provides an update on the commitments and expenditure of associated funding as of December 31, 2020.

Keywords

Build-Ready Program, Build-Ready Project, Renewable Energy Project, Underutilized, Community Benefits

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Executive Summary

The Build-Ready Program Annual Progress Report is intended to inform the Public Service Commission (PSC), Department of Public Service (DPS), other State agencies, market participants, and additional parties interested in the progress of the Build-Ready Program. More specifically, this report provides information on progress made in achieving the Build-Ready Program's stated goals and objectives as described in the Accelerated Renewable Energy Growth and Community Benefit Act (the Benefit Act) and the Order Approving the Build-Ready Program (the Order) as well as provides an update on the commitments and expenditure of associated funding as of December 31, 2020.

The Build-Ready Program was created via legislation in April 2020. The first year of the Build-Ready Program focused on establishing the Build-Ready Program, aligning and coordinating with relevant government agencies and personnel, as well as identifying and developing project sites. Section 1 of the report provides a summary of the Build-Ready Program achievements over this first year including (1) fulfilling statutory requirements, (2) recruiting and hiring full-time equivalent (FTE) staff, (3) competitively procuring technical and legal consultants, (4) coordinating with government agencies to identify potential Build-Ready project sites, (5) developing processes and procedures for advancing Build-Ready projects, (6) developing a resource that describes the different benefits available to communities that host a Build-Ready project, (7) launching a site nomination request for information (RFI) process to encourage communities and local governments to recommend sites for consideration as a Build-Ready project, and (8) conducting outreach and awareness on the Build-Ready Program. Section 2 discusses Build-Ready projects under development. Section 3 provides a status update on the use of Build-Ready Program funding, and section 4 outlines the Build-Ready Program's priorities and plans for 2021.

As the Build-Ready Program and its projects continue to progress, subsequent annual reports will provide additional details on the portfolio under development and those sold via a competitive Renewable Energy Certificate (REC) procurement process ("auction"), including information on the agreements negotiated with host communities and the proceeds collected and reinvested into the Build-Ready Program.

1 Background

In July 2019, New York State enacted the Climate Leadership and Community Protection Act (Climate Act), which mandates, in part, that 70 percent of the statewide electricity load comes from renewable energy resources by the year 2030. In April 2020, the Accelerated Renewable Energy Growth and Community Benefit Act (Benefit Act) was passed into law as part of the fiscal year 2020–2021 State budget. The Benefit Act advances the goals of the Climate Act by expediting the regulatory review and siting of renewable energy and transmission facilities, providing benefits to host communities,¹ minimizing impacts to the environment, and by ensuring the energy generated by these new renewable facilities can be efficiently and cost-effectively delivered to regions of the State where needed.²

Specifically, the Benefit Act directs the New York State Energy Research and Development Authority (NYSERDA) to develop and implement the Clean Energy Resources Development and Incentives Program (the Build-Ready Program) to advance renewable energy projects on underutilized sites. The Benefit Act further directs NYSEDA to prioritize the development of existing or abandoned commercial sites, brownfields, landfills, former commercial or industrial sites, and dormant electric generating sites for eventual competitive auction to private developers, bundled with a long-term contract for Renewable Energy Certificates (REC).

As indicated in the Benefit Act, a major priority of the Build-Ready Program is to ensure that renewable energy projects deliver benefits directly to the local communities in which they are built, including consideration of environmental justice impacts. By focusing both on project commerciality and on community benefits, the Build-Ready Program will ensure that at the point of auction, Build-Ready projects are both financially sound and community-supported to solicit sufficient interest from the private sector to construct, maintain, and operate a project long-term.

On June 5, 2020, NYSEDA filed a petition to implement the Build-Ready Program to facilitate the development of renewable generation in New York State. On October 15, 2020, the New York Public Service Commission (PSC) issued its Order Approving the Build-Ready Program (the Order) and associated funding.³

The Order requires NYSERDA to submit an annual report on the Build-Ready Program by April 1, 2021, and annually thereafter, and requires that the report provide a summary of: (1) achievements in the prior year versus planned achievements; (2) plans for the coming year; (3) an accounting of proceeds, less program and administration expenses, earned; (4) a status update on the use and status of the Clean Energy Fund (CEF) cash balances; (5) a status update on the portfolio of projects under development; (6) a list of the sites auctioned for development and the identity of the winning bidders; (7) the amount of renewable energy production from the auctioned sites; and (8) the amount and type of host community benefits provided. This Annual Progress Report fulfills NYSERDA's initial reporting requirement under the Order.

During the first year of the Build-Ready Program, NYSERDA focused its activities on developing the Build-Ready Program and conducting initial site prospecting and development. This included (1) fulfilling statutory requirements, (2) recruiting and hiring full-time equivalent (FTE) staff, (3) competitively procuring technical and legal consultants, (4) coordinating with government agencies to identify potential Build-Ready project sites, (5) developing processes and procedures for advancing Build-Ready projects, (6) creating a resource that describes the different benefits available to communities that host Build-Ready renewable energy projects, (7) launching a site nomination request for information (RFI) process to encourage communities and local governments to recommend sites for consideration as a Build-Ready project, (8) conducting outreach and awareness on the Build-Ready Program, and (9) advancing an initial suite of sites to project development.

As such, this first annual report is centered on progress and achievement in establishing the Build-Ready Program and site prospecting and development as of December 31, 2020. Over the next year, NYSERDA's focus will shift to program implementation with an emphasis on building a sufficient pipeline to advance sites on an annual basis and continuing to make progress on site development of existing priority projects. The focus will also continue to include promoting the benefits of the Build-Ready Program to communities and local governments, investigating new ways the Build-Ready Program can further support the goals of the Benefit Act and the Climate Act, while developing the auction process for Build-Ready projects. Thus, subsequent annual reports are anticipated to provide more detail on the portfolio of projects under development and auctioned, including information on the host community agreements.

2 Program Achievements

During the first year of the Build-Ready Program, NYSERDA made significant progress in establishing the Build-Ready Program and in site identification and development. The following subsections describe the achievements as of December 31, 2020.

2.1 Program Creation and Goals

In accordance with the directives in the Benefit Act, NYSERDA filed a petition on June 5, 2020 to implement the Build-Ready Program in order to facilitate and expedite siting and development of community and environmentally compatible renewable energy facilities in furtherance of the Climate Act.⁴ The petition described NYSERDA's activities and plans for the Build-Ready Program and requested approval and funding to initiate and advance the Build-Ready Program through 2025. On August 28, 2020 NYSERDA submitted a supplement to the petition, Clean Energy Resources Development and Incentives: Build-Ready Program for Commercial Developers, a factsheet that provides the Build-Ready Program's plans for engaging with commercial developers and minimizing conflicts while speeding up the development of renewable energy facilities.⁵ PSC issued: Order Approving Build-Ready Program (Order) on October 15, 2020, providing authorization for the Build-Ready Program and associated funding.⁶

The Benefit Act directed NYSERDA to develop procedures and protocols for establishing and transferring Build-Ready sites to the private sector, including procedures for notifying municipalities when a Build-Ready site is identified as well as procedures for determining whether a potential site is in or near an environmental justice area and whether a Build-Ready project would adversely affect the community. The PSC issued further guidance to NYSERDA on developing procedures and protocols for the Build-Ready Program. NYSERDA was required to file an implementation plan within 90 days of the Order that included criteria for site selection (procedures for coordinating with other State agencies in the site selection process and procedures for the site disposition process) as well as scoring criteria for the evaluation of bids submitted in response to a Build-Ready request for proposal (RFP). NYSERDA developed the Build-Ready Program Implementation Plan and filed the document on January 12, 2021.⁷ Finally, in accordance with the Order, NYSERDA is submitting this first Build-Ready Program Annual Progress Report.

2.2 Recruiting and Hiring Program Staff

As described in the petition and Order, while NYSERDA understands the conditions that make a site suitable for renewable development, NYSERDA has not previously played the role of a developer in identifying, assessing, acquiring, designing, permitting, and interconnecting renewable facilities. As such, NYSERDA proposed creating an internal development and project management team as well as a team of professional consultants to support the creation and execution of the Build-Ready Program. Specifically, NYSERDA planned to hire six new full-time equivalent (FTE) staff to implement the Build-Ready Program and to contribute expertise in project management, site identification, project development, permitting, and legal support. As of December 31, 2020, NYSERDA had recruited six new FTE staff including a program director, senior development associate leading program management, a permitting specialist and project manager, a site prospecting specialist and project manager, an interconnection specialist and project manager, and a legal advisor. Two staff started their positions in December 2020 and one staff member started in January 2021. NYSERDA aims to have the remaining staff in place by the end of the first quarter of 2021. With the staff onboard, the Build-Ready Team is working diligently to quickly advance the goals of the Build-Ready Program.

2.3 Technical and Legal Consultants

In one of the first acts undertaken on behalf of the new Build-Ready Program, NYSERDA advanced contracts with professional consultants to provide technical and legal expertise in support of all aspects of project development.

2.3.1 Technical Consultants

Two firms were selected to support site identification activities for the Build-Ready Program under the Large-Scale Renewables Site Prospecting Services. These firms will support the identification of parcels that present opportunities for development under the Build-Ready Program. Each firm will provide regionally based land agents to serve as a single and consistent point of contact for landowners, local government, and related stakeholders for assigned sites. For sites that appear viable after preliminary screening, the site prospecting consultant will advise NYSERDA on engagement strategies and best practices in connection with acquisition of site control. Other related tasks assigned to the site prospecting consultant firms may include, but are not limited to, research on local property records and zoning laws, mapping services, and attendance at open houses and public hearings.

In addition, under the Large-Scale Renewable Site Assessment and Delineation Mini-Bid in May 2020, a deep roster of highly qualified engineering firms was chosen to provide support in three categories:

1. Interconnection Analysis
2. Environmental Site Assessment and Permitting
3. Engineering, Resource Assessment, and Project Design

Through various analyses, this consultant team advances the review of sites through a staged screening process with services including, but not limited to, interconnection application support, critical issues analysis, site delineation, environmental studies, permitting, site design, resource engineering, and other related services. Each stage of the screening analysis is designed to minimize NYSERDA investment costs while identifying conflicts and solutions, or fatal flaws, to cost-effectively develop a site.

To further support the development of the Build-Ready Program, NYSERDA contracted with a private consultant with extensive in-State renewable energy development experience to provide overarching advice and guidance.

2.3.2 Legal Consultants

In April 2020, NYSERDA issued RFP 3300 Mini-Bid seeking legal services to support the operations of the Build-Ready Program. Two firms were chosen to support the program whereby one firm supports regulatory decision making, program design, strategy, and opportunities, and the other firm supports real estate matters, including the negotiation of transactions with individual sites. Additional external legal support will be procured in 2021 to support formal environmental permitting and interconnection processes for specific projects.

2.4 Coordinating with Government Agencies

As directed in the Benefit Act and the Order, NYSERDA has and continues to coordinate with other State agencies/authorities and other governmental bodies to implement the Build-Ready Program including, but not limited to, the Department of State (DOS), Department of Environmental Conservation (DEC), the Empire State Development (ESD), Office of General Services (OGS), New York Power Authority (NYPA), Department of Public Service (DPS), the Department of Correction and Community Supervision (DOCCS), and the United States Environmental Protection Agency (EPA) RE-Powering America's Land regional team.

At the outset of the Build-Ready Program, NYSERDA began a foundational collaborative effort of working with other State agencies/authorities to expeditiously generate an initial pipeline of site opportunities to screen for technical viability. Interagency channels established during that time, as well as new relationships stemming from various organic external interactions with additional agencies, stakeholders and non-governmental organizations, continue to support program implementation and site consultations.

Furthermore, the Build-Ready Program is conducting significant outreach to local governments where potentially viable sites are identified, including outreach to the county, town, and local Industrial Development Agency (IDA), and the Regional Economic Development Councils (REDC).

2.5 Project Development Processes and Procedures

The Build-Ready Program developed an implementation plan and submitted it to the PSC on January 12, 2021. The document formalizes the processes and procedures the Build-Ready Program will follow in site prospecting, project development, and project auctioning and transfer.

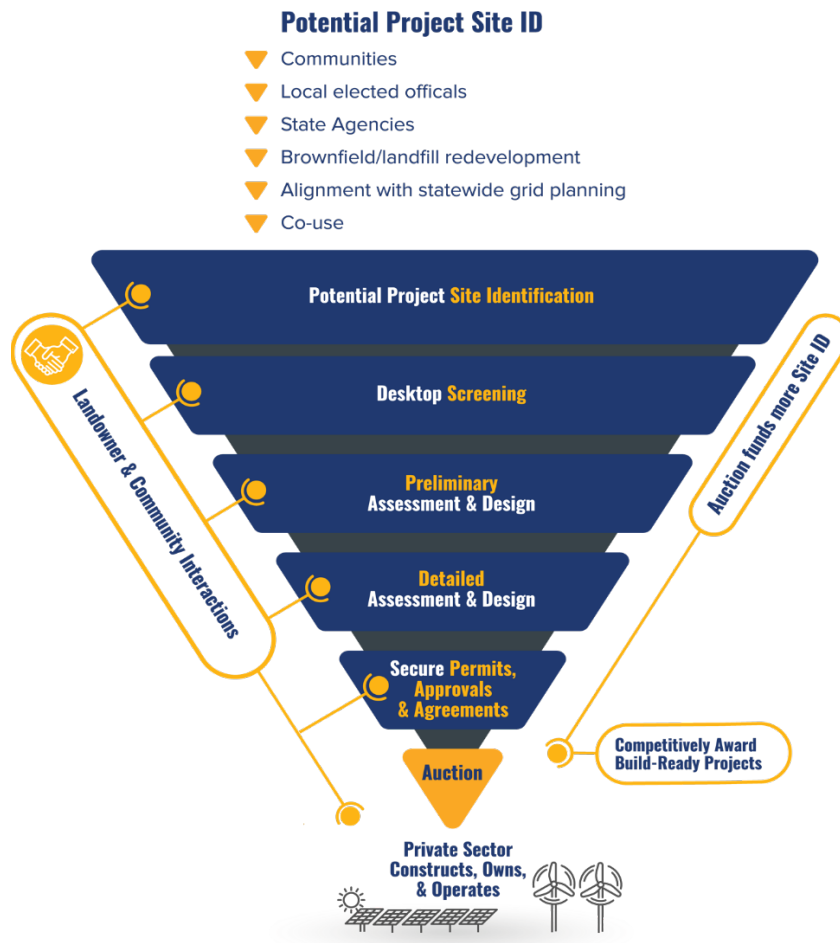
The implementation plan fulfills NYSERDA's requirement under the Order and describes the protocols NYSERDA will follow to implement the Build-Ready Program. This includes close coordination with relevant State agencies and host communities to expeditiously obtain necessary approvals and permits to advance projects to auction. In addition to obtaining formal approvals, the protocols emphasize NYSERDA's focus on cultivating cooperative relationships with host communities to ensure that Build-Ready projects are customized to each community's needs and priorities, including consideration of environmental justice impacts, and delivery of benefits directly to the local communities in which they are built. The protocols aim to ensure that at the point of auction projects are financially sound and community supported to solicit sufficient interest from the private sector to construct, maintain, and operate a project long-term. Although the protocols focus on the screening and development process of project sites for solar photovoltaic (PV) facilities, the Build-Ready Program staff plans to adapt these protocols where appropriate to investigate and develop other types of renewable-energy projects that are consistent with NYSERDA's statutory authority.

The protocols describe the increasingly detailed set of steps—which are similar to how commercial developers assess and develop sites—that the Build-Ready Program will take to de-risk Build-Ready projects. As depicted in Figure 1, the major stages in the Build-Ready Program include:

1. **Potential Project Site Identification.** Screen potential sites using Geographic Information System (GIS) technology and other renewable industry software to determine potentially suitable project sites, and to exclude unsuitable sites for renewable energy development.
2. **Desktop Screening.** Sites that pass the initial suitability scan will progress to a desktop screening, a stepwise procedure to further evaluate and determine suitability including evaluating the landscape, interconnection feasibility and cost, and host community support. If a site is deemed suitable, the Build-Ready Team will begin negotiating and executing site control agreements.
3. **Preliminary Assessment and Design.** Conduct a more comprehensive assessment of sites and initiate engineering design, environmental diligence, land-use diligence, interconnection studies, and continue to engage with the host community by beginning informal discussions regarding community needs and host-community benefits.
4. **Detailed Assessment and Design.** Develop a coordinated project schedule, conduct detailed engineering design, including civil and electrical, pursue interconnection, complete required environmental studies to comply with the required permitting regulations,⁸ finalize land use and site control, begin negotiating payment in lieu of taxes (PILOT) agreement and Host Community Agreement(s) (HCA).
5. **Secure Permits, Approvals, and Agreements.** Secure applicable environmental permits, land-use approvals, interconnection agreements, and community agreements including PILOT and HCA to facilitate the auction and transfer of the project to a private developer.
6. **Auction** (bid sale via competitive solicitation). Prepare a project for sale to a private developer, execute a competitive solicitation for RECs produced by the project, transfer⁹ the project to the winning bidder-developer, and exercise oversight over the project maintaining informal relations with the host community.

Although these stages are presented as discrete steps, the stages of development will necessarily overlap and will be adapted based on the characteristics and development needs of a given project, as well as the optimal point in the development process to auction a project to a private developer. It is anticipated that a “typical” Build-Ready project will take from three and a half to four years from site identification to commercial operation date (COD)—the timeline is highly dependent on site-specific issues that may arise during the project development process.

Figure 1. Build-Ready Process Overview



The Build-Ready Program is applying these protocols as it assesses project sites, pursues site control, and advances the project development process.

2.6 Community Benefits

Two of the major goals of the Build-Ready Program are to (1) engage with host communities to identify, design, and develop renewable energy projects that provide host community benefits customized to each community’s needs and priorities, including consideration of environmental justice impacts and (2) encourage and foster local understanding about the importance of renewable energy and the value that it can bring to local communities. Part of the Build-Ready Program’s theory of change is that by focusing development on underutilized property, it can help communities turn these sites into valuable

revenue-generating clean energy projects and in doing so engender greater support for renewable energy. To assist in realizing these goals and communicating the universe of opportunities to prospective host communities, in 2020, NYSERDA developed a community benefits resource.¹⁰ The resource provides background information on the Build-Ready Program including (1) who is involved in the program and how it works, (2) the potential benefits and how they are secured, and (3) a summary of how the Build-Ready projects are designed and completed.

The potential benefits include brownfield grants at the federal and State level, job opportunities such as workforce development, job training, and opportunities for disadvantaged communities and veterans, direct financial benefits such as utility cost savings, PILOT agreements,¹¹ or host community agreements (HCAs),¹² and other benefits including community improvements, technical support from NYSERDA, and recreational and scenic enhancements. The community benefits resource provides more details and some real-world examples of these benefits.

Once a site is identified within a host community, NYSERDA will reach out to local officials to discuss the project and gather initial local input. NYSERDA will work closely with the local government and landowners to identify and review the potential benefits and develop an optimal package of benefits that best meets the needs and priorities of the local community, while balancing project economics. NYSERDA will offer free training and technical assistance for local government officials or landowners who would like to better understand renewable energy siting, zoning, permitting, PILOTs, project economics and more. NYSERDA will work with the host community to finalize and execute a legally binding agreement(s), which is likely to include a PILOT agreement and an HCA. NYSERDA and the community negotiate how and when benefits accrue and execute the agreements.

Once the project is auctioned and awarded to a private developer to construct and operate, all permits, approvals, and legal agreements, including the PILOT and HCA, will be transferred to the awardee. NYSERDA and the awardee will collaborate closely to ensure that the resulting project delivers the benefits negotiated with the host community.

2.7 Site Identification

The Build-Ready Program is coordinating with State and Federal agencies, local governments, technical consultants, and the public to identify and assess potential sites for Build-Ready projects. Using data gathered from different stakeholders, the Build-Ready Program has compiled a database of over 500 potential sites including:

- State and municipally owned sites
- New York State Department of State’s Brownfield Opportunity Areas Program sites¹³
- DEC remediation sites (Brownfield Cleanup Program, Environmental Restoration Program, State Superfund Program, and Voluntary Cleanup Program)
- DEC Reclaimed Mine Land sites
- U.S. EPA’s RE-Powering America’s Land¹⁴ and Resource Conservation and Recovery Act (RCRA)¹⁵ sites
- New York State Independent System Operator (NYISO) Gold Book annual report documenting Generator Deactivations¹⁶
- Current and former airport sites
- Sites identified through NYSERDA’s site nominations request for information (RFI) (see section 2.7.1)
- Industrial sites
- Underutilized greenfield sites

The Build-Ready Team is making significant progress in assessing the suitability of the identified sites and is advancing several sites into project development as discussed in Section 3.

2.7.1 Site Nomination Request for Information

To expedite the identification of potential Build-Ready sites, NYSERDA issued Large-Scale Renewables “Build-Ready” Site Nomination Request for Information (RFI) 4464 in July 2020.¹⁷ The RFI provides the opportunity for elected officials, community members, private companies, or other interested parties to nominate sites for consideration as a Build-Ready project. As of December 31, 2020, the Build-Ready Program received 14 nominations. Most of the nominations are on formerly developed lands and the nominators preferred solar facilities over other renewable energy technologies. The nominations were evenly split between publicly and privately owned lands. Table 1 provides a summary of the site nominations received and reviewed as of December 31, 2020.

Once the Build-Ready Program receives a site nomination, it conducts preliminary screening of the site to assess technical feasibility and suitability for the Build-ready Program. After conducting the assessment, the Build-Ready Team holds a phone call with the nominee to gather more information including the site history and the nominee’s ideal plans for the site. Following the call, the Build-Ready Team conducts in-depth desktop screening and determines if the site is suitable for further assessment.

After making the determination, the Build-Ready Team communicates the decision, rationale, and any next steps to the site nominee. Seven of the fourteen nominated sites are undergoing more detailed review and the remaining seven sites were deemed unsuitable. The Build-Ready Program will continue to accept and evaluate site nominations in the coming year.

Table 1. Summary of Build Ready Nominations

	Number of Nominations	Percentage of Nominations
Energy Source		
Solar	11	79%
Wind	2	14%
Biomass	1	7%
Ownership Type		
Private	7	50%
Public	7	50%
Land Usage Type		
Landfill	4	29%
Current and Former Electrical Generating Sites	2	14%
Current and Former Commercial or Industrial Sites	3	21%
Greenfield/Agriculture	5	36%

2.7.2 Site Identification Progress

The Build-Ready Team is following a thorough process for assessing the viability of the over 500 potential sites to determine if they are suitable for renewable energy development. When assessing the sites, the Build-Ready Team classifies sites as “screened,” “actively screening,” “on-deck,” or “priority.” Screened sites are those that have gone through a preliminary screening and were deemed unsuitable for renewable energy project development. Actively screening sites have passed the preliminary screening and are undergoing in-depth desktop screening to assess viability and risks. On-deck sites have passed desktop screening and are considered potentially feasible for renewable energy development, and outreach to site owners and/or local governments is advancing. A priority site is one that has passed desktop screening, site owner and host community interest is confirmed, and basic preliminary assessments such as an in-person site walk through (assuming property access is granted) and a wetland screening are completed. At this stage, site

control is advanced, and the remaining preliminary assessments are undertaken. If the site continues to be technically and financially feasible after the preliminary assessments are complete, the site progresses through the remaining site development procedures including detailed assessments; securing permits, approvals, and agreements; and auction. Of the over 500 sites screened, 356 sites are active screening, six sites are on-deck, five sites are priority sites, and the remainder are considered closed because they are unsuitable and no longer under consideration. Table 2 provides a summary of the sites screened by the Build-Ready Program.

Table 2. Summary of Sites Screened as of December 31, 2020

Site Type	Total Number of Sites	Active Screening	On-Deck Sites	Priority Sites	Closed
Brownfield	75	71	1	0	3
Landfill	28	23	3	0	2
Current and former electric generating sites	4	0	0	0	4
Current and former commercial or industrial sites	218	201	0	1	16
State/municipal owned sites	62	55	2	4	1
Greenfield/Agricultural ¹⁸	59	0	0	0	59
Other ¹⁹	61	61	0	0	0
Total	507	411	6	5	85

2.8 Public Outreach and Awareness

During 2020, the Build-Ready Program developed resources and conducted significant outreach to local governments, communities, State agencies, utilities, and other stakeholders to increase understanding and awareness of the program. The Build-Ready Program developed several factsheets including one for local governments that describes the purpose of the Build-Ready Program, outlines the benefits communities can receive from hosting renewable energy projects, and makes it easy for interested local governments to contact the Build-Ready Program. Another factsheet geared toward commercial developers describes the Build-Ready Program’s approach to developing sites, while minimizing conflict with commercial developers.²⁰ In addition, the Build-Ready Program prepared a comprehensive slide deck on the community benefits available to communities that host a Build-Ready project.²¹ The Build-Ready Program also hosted informational webinars on the Build-Ready Program

itself, on the Benefit Act, and on the site nomination RFI.²² In addition, NYSERDA staff presented the Build-Ready Program at several virtual events including for the Center for Creative Land Recycling and Redevelopment, the Association of Counties Planning Directors, and the NYS Economic Development Council. Table 3 provides a full list of webinars and virtual events conducted in 2020. The Build-Ready Program also has a dedicated webpage on the NYSERDA website where interested parties can learn more about the program.²³ Outreach and engagement with interested stakeholder groups and general public webinars will continue to build understanding about the Build-Ready Program and the opportunity it offers host communities.

Table 3. Build-Ready Webinar Dates and Target Audience

Webinar Topic	Date	Audience
Build-Ready Program	May 1, 2020	Public
Accelerated Renewable Energy Growth and Community Protection Act	May 21, 2020	Public
Center for Creative Land Recycling NYS Redevelopment Summit	June 25, 2020	Public
Build-Ready Program	July 17, 2020	Association of County Planning Directors
Build-Ready Site Nomination RFP	August 4, 2020	Public
Build-Ready Site Nomination RFI	August 6, 2020	NYS Economic Development Council

3 Portfolio of Projects Under Development

3.1 Priority Sites

As of December 31, 2020, the Build-Ready Program identified five priority sites that are advancing into site control and/or pre-development activities. As illustrated in Figure 2, the five sites include three sites in the North Country, one in the Finger Lakes, and another in Western New York. The five sites are located on underutilized areas, including former commercial and industrial properties and a former mining operation. The following section provides more detail on the five sites and Table 4 provides a summary of each.

It is important to note that while a site may advance to priority, this does not mean that it will ultimately complete the development process and proceed to auction. As development progresses, the Build-Ready Program will gather more information on a site and may learn that there is an insurmountable technical or financial obstacle(s) that makes the area infeasible to develop for renewable energy at this time. Although the Build-Ready Program will endeavor to limit attrition, some level of attrition is probable.

Figure 2. Build-Ready Priority Sites

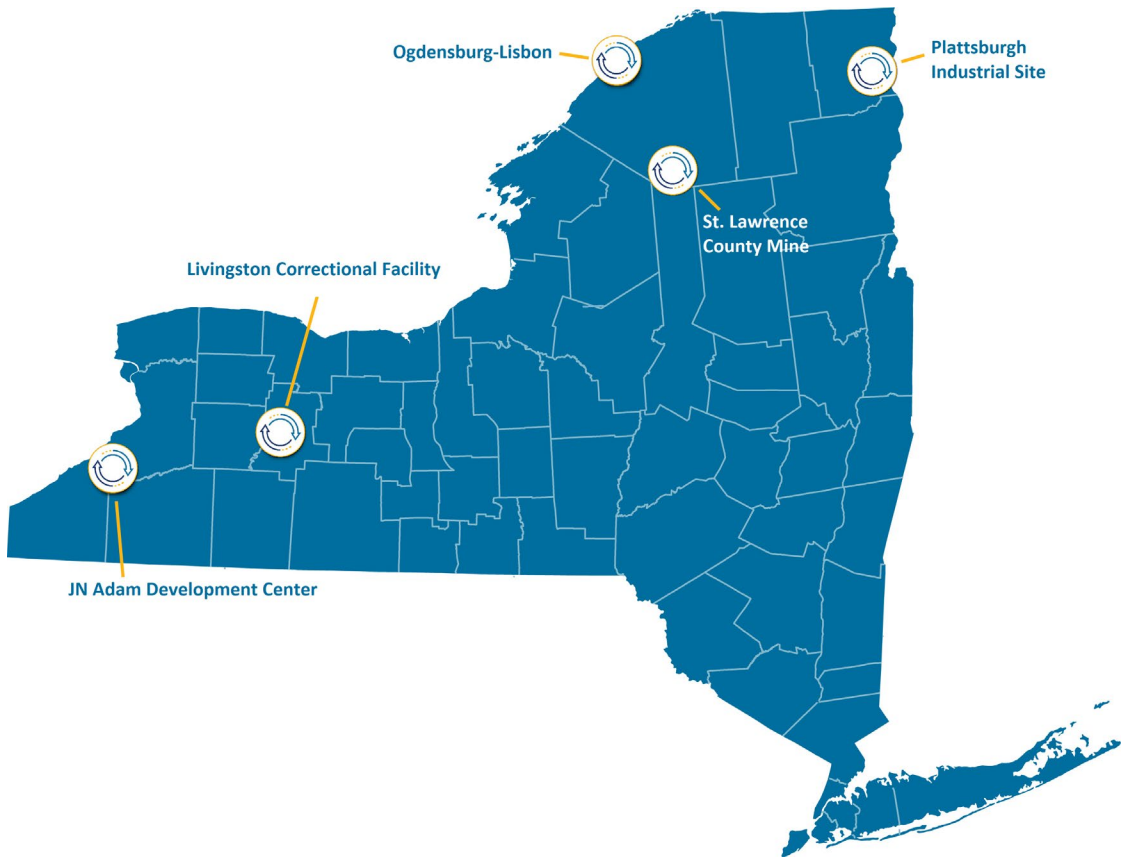


Table 4. Summary of Build-Ready Priority Sites

Name	Type	County	Potential Buildable Acreage	Technology	Potential MW Capacity
St. Lawrence County Mine	Former Industrial/Mine	St. Lawrence	172	Solar	20
Plattsburgh Industrial Site	Former Commercial and Industrial	Clinton	210	Solar	25-35
Livingston Correctional Facility	Underutilized/State-owned	Livingston	64	Solar	10
JN Adams Development Center	Underutilized/State-owned	Cattaraugus	129	Solar	15-20
Ogdensburg-Lisbon	Underutilized	St. Lawrence	75	Solar	13

3.1.1 St. Lawrence County Mine

The Build-Ready Program is advancing a solar (solar photovoltaic) project on a privately owned former iron ore mine that was closed in the 1970s. The project is to be sited on a former tailings pile with a potential buildable area of 172 acres for an estimated 20 megawatts (MW) solar capacity project. The Build-Ready Program is progressing with efforts to secure site control, environmental diligence, interconnection request preparations, and engaging the host community.

3.1.2 Plattsburgh Industrial Site

The Plattsburgh Industrial site is the former Clinton County Airport facility and located both in a disadvantaged community²⁴ and New York State Opportunity Zone²⁵ with approximately 210 acres of buildable land for an estimated 25–35 MW capacity solar project. The Town of Plattsburgh’s Master Plan has identified a redevelopment strategy for the former airport. The Build-Ready Team is working to develop a design for the solar project and an interconnection plan that complements the master plan. The project is undergoing environmental diligence and interconnection feasibility options to better inform future discussions with key stakeholders.

3.1.3 Livingston Correctional Facility

The Livingston Correctional Facility site is a former medium security facility that was closed in September 2019. It is an underutilized State-owned site with a potential buildable area of 64 acres for an estimated 10 MW capacity solar project. The Build-Ready Program is working closely with DOCCS, OGS and ESD to identify the best path forward for the disposition of this property. Meanwhile, the Build-Ready Program is progressing with environmental diligence, interconnection request preparations, and host community engagement.

3.1.4 JN Adam Development Center

The JN Adams Development Center is a surplus State-owned site (Office of People with Developmental Disabilities/Dormitory Authority of the State of New York). The facility was closed for residential use in 1998 and vacated by staff in 2003. The site has approximately 129 buildable acres and the Build-Ready Program is planning a 15–20 MW solar project. The Build-Ready Program is advancing site control discussions, environmental diligence, and interconnection request preparations.

3.1.5 Ogdensburg-Lisbon

This underutilized site is in the City of Ogdensburg and the Town of Lisbon and would involve several landowners with the Ogdensburg Bridge and Port Authority controlling the majority of the potential buildable acreage. The site is in the vicinity of an environmental justice area, which may trigger further evaluation through the permitting process. The site is well suited for a solar project with an estimated buildable area of 75 acres and an estimated project capacity of 13 MW. The Build-Ready Program is advancing site control discussions, environmental diligence, interconnection request preparations, and host community engagement.

4 Use and Status of Funding

The Order approved the Build-Ready Program budget of \$71.8 million through 2025 and authorized the use of \$50 million of Clean Energy Fund (CEF) cash balances to initially fund the Build-Ready Program. The proceeds from auctioned sites will be used to repay the CEF funds. Thereafter, the proceeds will be reinvested into the Build-Ready Program to support the advancement of additional project sites. Table 5 provides a financial status report of the Build-Ready Program through December 31, 2020 and Table 6 provides a summary of expended and remaining funds through December 31, 2020. Notably, there are no proceeds to report at this time because the Build-Ready Program has not started auctioning sites. In 2021, the Build-Ready Program anticipates significant growth in expenditures as the Build-Ready Program shifts from setup to implementation including (1) the salaries of six FTE staff, (2) substantial support from technical and legal consultants, on-site prospecting, and project specific environmental permitting, interconnection, and engineering and design, (3) disbursement of lease option payments, interconnection fees, permitting costs, and (4) system development costs for software services to support efficient and effective execution of the Build-Ready Program including the ability to track costs and revenues on a project by project basis.

Table 5. Build-Ready Financial Status Report for Calendar Year 2020 (Amount in 000s)

	<u>Amount</u>
<u>Revenues/sources of funds</u>	
Site disposition fees	\$ -
Clean energy fund resources (temporarily used) *	247.8
Financial backstop guarantee	-
Investment income	-
Total	<u>247.8</u>
<u>Expenses/use of funds</u>	
Program administration	26.9
Program support	220.5
System Development Costs	-
Clean energy fund resources (returned)	-
NYS Cost Recovery Fee	0.3
Total	<u>247.8</u>
Surplus/(deficit)	<u>-</u>
Cumulative surplus/(deficit)	<u>\$ -</u>
Cash balance at 12/31/2020	<u>\$ -</u>

*NYSERDA is authorized to use any cash balances in the CEF through the "Bill-As-You-Go" funding mechanism to satisfy Build-Ready Program cash payments until such funds are replenished and restored to the CEF through ongoing Build-Ready site disposition. Sufficient CEF cash balances were available at calendar year end 2020 to temporarily fund calendar year 2020 Build-Ready expenses.

Table 6. Summary of Build-Ready Program Funding December 31, 2020 (Amount in 000s)

Category	Total Funding	Cumulative Spending	Remaining Funding
Salaries and Overhead	\$13,500	\$26.9	\$13,473.1
Technical, consultant, and legal support	\$56,500	\$220.5	\$56,279.5
System development	\$1,000	-	\$1,000
New York State Cost Recovery Fee Expense	\$800	\$.3	\$799.7
Total	\$71,800	\$247.8	\$71,552.2

5 Program Plans for 2021

The Build-Ready Program's first year was dominated by program development, in addition to site identification and development. The major activities included fulfilling statutory requirements, recruiting and hiring staff, competitively procuring technical and legal consultants, coordinating with government agencies to identify potential Build-Ready project sites, developing processes and procedures for advancing Build-Ready projects, developing a resource that describes the different benefits available to communities that host a Build-Ready renewable energy project. Furthermore, the project moved ahead with site identification by launching a site nomination request for information (RFI), conducting outreach and awareness on the Build-Ready Program, and advancing an initial set of sites for development. As the Build-Ready Program is now established and well underway, the focus over the next year will be on execution and implementation. Special attention will be on building a sufficient pipeline of sites to advance additional projects, promoting the benefits of the Build-Ready Program to communities and local governments and investigating new ways the Build-Ready Program can further support the goals of the Benefit Act and the Climate Act.

Specifically, the major priorities for 2021 include onboarding the remaining Build-Ready Program staff, adding to the priority site list, continuing to advance the priority sites through site control, permitting, interconnection, design and the host community benefits package, and preparing for auction. The Build-Ready Program also plans to increase stakeholder awareness of Build-Ready opportunities through marketing and community outreach activities, including (1) presentations at State, regional, local, and industry events, (2) the site nomination RFI process, and (3) community outreach and workshops. Finally, the Build-Ready Program will continue to develop the competitive auction process for projects and investigate early auction options and the feasibility of small-scale sites (<10 MW). The Build-Ready Program looks forward to augmenting on the momentum from 2020 and making significant progress in fulfilling the goals and objectives of the Benefit Act, Order, and the Build-Ready Program in 2021.

Endnotes

- ¹ As used herein, the term “host community” refers generally to elected and non-elected officials, boards, and the general public, as appropriate.
- ² NYSERDA. “Petition Clean Energy Resource Development.” 5 June 2020. Available at: <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={A391FA8F-5E21-480C-88DC-B2F7BCB2D172}>
- ³ New York Public Service Commission. CASE 15-E-0302 - Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard. “Order Approving Build-Ready Program.” Issued and Effective October 15, 2020. Available at: <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={B0F6CC45-490C-48A7-B0FB-6D3C7924993C}>
- ⁴ NYSERDA. “Petition Clean Energy Resource Development.” 5 June 2020. Available at: <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={A391FA8F-5E21-480C-88DC-B2F7BCB2D172}>
- ⁵ NYSERDA. “Clean Energy Resources Development and Incentives Build-Ready Program: For Commercial Developers.” August 2020. Available at: <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={FA112665-1906-4CAA-9F62-39EB31F64B89}>
- ⁶ New York Public Service Commission. CASE 15-E-0302 - Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard. “Order Approving Build-Ready Program.” Issued and Effective October 15, 2020. Available at: <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={B0F6CC45-490C-48A7-B0FB-6D3C7924993C}>
- ⁷ NYSERDA. “Build-Ready Implementation Plan.” 12 January 2021. Available at: <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={277A546B-8DD7-4D19-8532-E4049B1141E1}>
- ⁸ Build-Ready Projects with a nameplate generating capacity of 25 MW or more will be required to seek a permit through ORES for new construction or expansion. N.Y. Exec. Law § 94-c(2)(h). New projects with a nameplate capacity between 20 and 25 MW will have the option to opt-in to the ORES permitting process. N.Y. Exec. Law § 94-c(4)(g). Projects with a nameplate capacity of less than 20 MW will follow the traditional permitting process and be subject to SEQRA regulations. 6 NYCRR Part 617. Both permitting pathways carry specific requirements for pre-application studies, consultations and approval processes. If a Project is in the 20–25 MW range, the Build-Ready Team will assess both pathways to determine the most favorable approach based on cost, schedule and other relevant considerations.
- ⁹ NYSERDA is currently investigating whether and how to form a limited liability holding company to facilitate the transfer of all permits, property rights, approvals, and agreements to a private developer. The Build-Ready Team will effectuate the transfer of Build-Ready Projects in accordance with NYSERDA’s lawful authority.
- ¹⁰ NYSERDA. “Build Ready Community Benefits Package.” 2020. Available at: <https://www.nyserdera.ny.gov/-/media/Files/Programs/Clean-Energy-Standard/Build-Ready-Community-Benefits-Package---Dec2020.pdf>
- ¹¹ For communities that allow tax exemptions under Real Property Tax Law Section 487, the PILOT agreement is an annual payment that replaces any real-property tax revenue a project would have otherwise generated.
- ¹² HCAs may take the form of additional payments, but can also include educational programs, local infrastructure upgrades, environmental restoration, recreational facilities, or other community priorities such as workforce development initiatives. Because PILOT payments must be distributed among taxing jurisdictions according to preset tax rates, HCAs offer an opportunity to retain more benefits locally as they are flexible and can be tailored to community priorities.
- ¹³ New York Department of State, Office of Planning & Development. Division of Development. “Brownfield Opportunity Areas Program.” <https://www.dos.ny.gov/opd/programs/brownFieldOpp/index.html>
- ¹⁴ U.S. Environmental Protection Agency. “RE-Powering America’s Land: Siting Renewable Energy on Potentially Contaminated Lands, Landfills, and Mine Sites.” <https://www.epa.gov/re-powering>
- ¹⁵ New York Department of Environmental Conservation. “Hazardous Waste Management.” <https://www.dec.ny.gov/chemical/8486.html>

- ¹⁶ New York Independent System Operator (NYISO). 2020. “Gold Book: Load and Capacity Data.” <https://www.nyiso.com/documents/20142/2226333/2020-Gold-Book-Final-Public.pdf>
- ¹⁷ NYSERDA. “Large-Scale Renewables “Build-Ready” Site Nomination (RFI-4464).” https://portal.nyscrda.ny.gov/CORE_Solicitation_Detail_Page?SolicitationId=a0rt000000x7vDZAAAY
- ¹⁸ The greenfield and agricultural sites are adjacent to underutilized sites the Build-Ready Program is assessing. The sites would serve as an adjoining parcel to create a larger site for a Build-Ready Project.
- ¹⁹ Other includes cancelled private developer projects (21), Federally owned sites (11), First Nation grounds (6), Cemetery (1), Transmission (greenfield corridor or with easy access to transmission interconnection) (22), and sites under 10 acres (11).
- ²⁰ NYSERDA. “Clean Energy Resources Development and Incentives Build-Ready Program: Local Governments.” 2020. Available at: <https://www.nyscrda.ny.gov/-/media/Files/Publications/Fact-Sheets/build-ready-local-government.pdf>;
- NYSERDA. “Clean Energy Resources Development and Incentives Build-Ready Program: For Commercial Developers.” 2020. Available at: <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={FA112665-1906-4CAA-9F62-39EB31F64B89}>
- ²¹ NYSERDA. “Build Ready Community Benefits Package.” 2020. Available at: <https://www.nyscrda.ny.gov/-/media/Files/Programs/Clean-Energy-Standard/Build-Ready-Community-Benefits-Package---Dec2020.pdf>
- ²² All Build-Ready Program Webinars can be accessed from the Build-Ready webpage at: <https://www.nyscrda.ny.gov/All-Programs/Programs/Clean-Energy-Standard/Landowners-and-Local-Governments/Build-Ready-Program>
- ²³ NYSERDA Build-Ready Program Webpage. Available at: <https://www.nyscrda.ny.gov/All-Programs/Programs/Clean-Energy-Standard/Landowners-and-Local-Governments/Build-Ready-Program>
- ²⁴ NYSERDA. “Disadvantaged Communities.” <https://www.nyscrda.ny.gov/ny/disadvantaged-communities>
- ²⁵ Empire State Development. “Opportunity Zone Program.” <https://esd.ny.gov/opportunity-zones>

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