



**Appendix 14-A: Wetlands Jurisdictional Determination**



**Office of  
Renewable  
Energy Siting**

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GOVERNOR

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ACTING EXECUTIVE DIRECTOR

**Wetlands Jurisdictional Determination  
April 2, 2021**

Pursuant to § 900-1.3(e)(2), Hecate Energy Cider Solar LLC provided a draft wetland delineation report entitled “Wetland and Stream Delineation Report and Function and Value Assessment,” dated November 2020, as well as shapefiles dated submitted March 2021 for Hecate Energy Cider Solar Farm, Genesee County, New York.

Pursuant to § 900-1.3(e)(4), the Office of Renewable Energy Siting (the Office or ORES), in consultation with the New York State Department of Environmental Conservation (NYSDEC), hereby provides in Attachments A and B specific jurisdictional determinations for state regulated wetlands identified in the draft wetland delineation report and shapefiles. The information provided in Attachment A, with the three minor changes noted, together with Attachment B, will be necessary for developing Exhibit 14 (§900-2.15) in support of an application to the Office for a major renewable energy facility.

Please note that this determination only applies to major renewable energy facilities covered by Section 94-c of New York Executive Law and 19 NYCRR Part 900. This determination does not cover other projects, nor does it cover determinations under other applicable federal, state, or local jurisdictions, such as the Army Corps of Engineer’s regulatory program under Section 404 of the Clean Water Act. Please contact those entities regarding their potential regulatory jurisdiction.

This determination is valid for a period of five years from the date of this letter. After five years, determinations and delineations will be considered expired and subject to change until a new determination or delineation is conducted and ORES extends this determination or issues a new jurisdictional determination.

CC: NYSDEC

## Attachment A

### Office of Renewable Energy Siting

Wetland specific jurisdictional determination for wetlands from draft wetland delineation report

| Wetland Delineation ID <sup>1</sup> | Acreage  | Category <sup>2</sup> | State Wetland ID | Wetland Classification | Changes <sup>3</sup> |
|-------------------------------------|----------|-----------------------|------------------|------------------------|----------------------|
| 01_20200930_WL112                   | 0.522256 | Mapped                | BN-1             | 3                      |                      |
| 02_20200929_WL39                    | 2.374389 | Mapped                | BN-4             | 2                      |                      |
| 02_20200929_WL40                    | 0.628514 | Unmapped >12.4        | NA               | NA                     |                      |
| 02-20200708-WL-01                   | 2.891171 | Mapped                | BN-4             | 2                      |                      |
| 02-20200708-WL-02                   | 0.568202 | Mapped                | BN-4             | 2                      |                      |
| 02-20200708-WL-02                   | 2.582503 | Mapped                | BN-4             | 2                      |                      |
| 02-20200709-WL-04                   | 0.049311 | Mapped                | BN-6             | 2                      |                      |
| 02-20200709-WL-05                   | 0.049425 | Mapped                | BN-6             | 2                      |                      |
| 02-20200709-WL-06                   | 0.244138 | Mapped                | BN-6             | 2                      |                      |
| 02-20200710-WL-07                   | 0.290374 | Mapped                | BN-6             | 2                      |                      |
| 02-20200710-WL-08                   | 0.211065 | Mapped                | BN-7             | 2                      |                      |
| 02-20200710-WL-08                   | 5.59621  | Mapped                | BN-7             | 2                      |                      |
| 02-20200710-WL-10                   | 2.375764 | Mapped                | BN-9             | 2                      |                      |
| 02-20200710-WL-11                   | 0.222467 | Mapped                | BN-9             | 2                      |                      |
| 02-20200713-WL-13                   | 0.07388  | Mapped                | BN-4             | 2                      |                      |
| 02-20200713-WL-13                   | 0.385789 | Mapped                | BN-4             | 2                      |                      |
| 02-20200714-WL-16                   | 2.884057 | Mapped                | BN-9             | 2                      |                      |
| 02-20200714-WL-17                   | 0.219275 | Mapped                | BN-10            | 3                      |                      |
| 02-20200715-WL-18                   | 1.035823 | Mapped                | BN-11            | 3                      |                      |

| Wetland Delineation ID <sup>1</sup> | Acreage  | Category <sup>2</sup> | State Wetland ID | Wetland Classification | Changes <sup>3</sup> |
|-------------------------------------|----------|-----------------------|------------------|------------------------|----------------------|
| 02-20200715-WL-18                   | 0.057326 | Mapped                | BN-11            | 3                      |                      |
| 02-20200715-WL-18                   | 0.461999 | Mapped                | BN-11            | 3                      |                      |
| 02-20200715-WL-18                   | 0.298356 | Mapped                | BN-11            | 3                      |                      |
| 02-20200715-WL-18                   | 0.52559  | Mapped                | BN-11            | 3                      |                      |
| 02-20200715-WL-18                   | 3.161286 | Mapped                | BN-11            | 3                      |                      |
| 02-20200715-WL-19                   | 0.037472 | Mapped                | BN-11            | 3                      |                      |
| 02-20200716-WL-18                   | 2.909715 | Mapped                | BN-11            | 3                      |                      |
| 02-20200716-WL-22                   | 0.140152 | Mapped                | BN-11            | 3                      |                      |
| 02-20200716-WL-24                   | 0.071792 | Mapped                | BN-10            | 3                      |                      |
| 02-20200716-WL-24                   | 0.085086 | Mapped                | BN-10            | 3                      |                      |
| 02-20200716-WL-24                   | 0.059409 | Mapped                | BN-10            | 3                      |                      |
| 02-20200716-WL-24                   | 1.643888 | Mapped                | BN-11            | 3                      |                      |
| 02-20200720-WL-32                   | 0.346523 | Mapped                | BN-2             | 2                      |                      |
| 02-20200721-WL-35                   | 1.787573 | Mapped                | BN-2             | 2                      |                      |
| 02-20200721-WL-37                   | 2.714504 | Mapped                | BN-4             | 2                      |                      |
| 02-20200721-WL-37                   | 0.371252 | Mapped                | BN-4             | 2                      |                      |
| 02-20200721-WL-38                   | 0.226776 | Mapped                | BN-4             | 2                      |                      |
| 02-20200721-WL-39                   | 0.361543 | Mapped                | BN-4             | 2                      |                      |
| 02-20200721-WL-40                   | 11.57416 | Unmapped >12.4        | NA               | NA                     |                      |
| 02-20200721-WL-41                   | 1.321893 | Unmapped >12.4        | NA               | NA                     |                      |
| 02-20200723-WL-49                   | 11.76145 | Unmapped >12.4        | NA               | NA                     |                      |
| 02-20200723-WL-50                   | 0.173285 | Unmapped >12.4        | NA               | NA                     |                      |
| 02-20200723-WL-50                   | 0.915839 | Mapped                | BN-12            | 2                      |                      |
| 02-20200723-WL-50                   | 0.109729 | Mapped                | BN-12            | 2                      |                      |
| 02-20200723-WL-50                   | 7.014872 | Mapped                | BN-12            | 2                      |                      |
| 02-20200724-WL-51                   | 1.61291  | Mapped                | BN-12            | 2                      |                      |

| Wetland Delineation ID <sup>1</sup> | Acreage  | Category <sup>2</sup> | State Wetland ID | Wetland Classification | Changes <sup>3</sup>                         |
|-------------------------------------|----------|-----------------------|------------------|------------------------|----------------------------------------------|
| 02-20200930-WL-18                   | 0.063739 | Mapped                | BN-11            | 3                      |                                              |
| 02-20201001-WL-08                   | 3.28333  | Mapped                | BN-7             | 2                      |                                              |
| 1_07202020_WL31                     | 1.197519 | Mapped                | BN-13            | 2                      |                                              |
| 1_07202020_WL31                     | 5.400011 | Mapped                | BN-13            | 2                      |                                              |
| 1_07222020_WL45                     | 1.684419 | Mapped                | BN-15            | 2                      |                                              |
| 1_07232020_WL51                     | 2.418461 | Mapped                | BN-1             | 3                      |                                              |
| 1_07232020_WL52                     | 0.500047 | Mapped                | BN-1             | 3                      |                                              |
| 1_07232020_WL52                     | 0.061917 | Mapped                | BN-1             | 3                      |                                              |
| 1_07232020_WL52                     | 1.390417 | Mapped                | BN-1             | 3                      |                                              |
| 1_202000925_WL52                    | 2.582858 | Mapped                | BN-1             | 3                      |                                              |
| 1_20200706_WL01                     | 0.636565 | Mapped                | OK-1             | 1                      |                                              |
| 1_20200706_WL01                     | 1.523009 | Mapped                | OK-1             | 1                      | Removed ditch running East/West ( ±250 feet) |
| 1_20200706_WL01                     | 0.383753 | Mapped                | OK-1             | 1                      |                                              |
| 1_20200709_WL09                     | 0.504766 | Mapped                | OK-1             | 1                      |                                              |
| 1_20200714_WL20_01                  | 0.079821 | Unmapped >12.4        | NA               | NA                     |                                              |
| 1_20200714_WL20_02                  | 1.950557 | Unmapped >12.4        | NA               | NA                     |                                              |
| 1_20200714_WL20_03                  | 0.144125 | Unmapped >12.4        | NA               | NA                     |                                              |
| 1_20200714_WL20_04                  | 0.146322 | Unmapped >12.4        | NA               | NA                     |                                              |
| 1_20200714_WL20_05                  | 0.192224 | Unmapped >12.4        | NA               | NA                     |                                              |
| 1_20200714_WL20_06                  | 0.409674 | Unmapped >12.4        | NA               | NA                     |                                              |
| 1_20200714_WL20_07                  | 0.501633 | Unmapped >12.4        | NA               | NA                     |                                              |
| 1_20200714_WL20_08                  | 7.861007 | Unmapped >12.4        | NA               | NA                     |                                              |
| 1_20200715_WL15                     | 0.147005 | Mapped                | BN-13            | 2                      |                                              |
| 1_20200715_WL15                     | 0.087253 | Mapped                | BN-13            | 2                      |                                              |
| 1_20200715_WL20                     | 0.271589 | Unmapped >12.4        | NA               | NA                     |                                              |

| Wetland Delineation ID <sup>1</sup> | Acreage  | Category <sup>2</sup> | State Wetland ID | Wetland Classification | Changes <sup>3</sup>                |
|-------------------------------------|----------|-----------------------|------------------|------------------------|-------------------------------------|
| 1_20200715_WL20                     | 0.317891 | Unmapped >12.4        | NA               | NA                     |                                     |
| 1_20200715_WL22                     | 3.664682 | Unmapped >12.4        | NA               | NA                     |                                     |
| 1_20200715_WL23                     | 1.857745 | Unmapped >12.4        | NA               | NA                     |                                     |
| 1_20200715_WL24                     | 6.48859  | Unmapped >12.4        | NA               | NA                     |                                     |
| 1_20200715_WL25                     | 0.361122 | Mapped                | BN-13            | 2                      |                                     |
| 1_20200715_WL28                     | 0.257459 | Mapped                | BN-13            | 2                      |                                     |
| 1_20200715_WL29                     | 1.133875 | Mapped                | BN-13            | 2                      |                                     |
| 1_20200715_WL29                     | 10.96659 | Mapped                | BN-13            | 2                      |                                     |
| 1_20200715_WL30                     | 1.709685 | Mapped                | BN-13            | 2                      |                                     |
| 1_20200716_WL27                     | 0.077126 | Unmapped >12.4        | NA               | NA                     |                                     |
| 1_20200716_WL28                     | 1.505004 | Mapped                | BN-13            | 2                      |                                     |
| 1_20200716_WL28                     | 0.536321 | Mapped                | BN-13            | 2                      |                                     |
| 1_20200716_WL28                     | 1.281625 | Mapped                | BN-13            | 2                      |                                     |
| 1_20200720_WL31                     | 0.419222 | Mapped                | BN-13            | 2                      |                                     |
| 1_20200720_WL32                     | 0.00011  | Mapped                | BN-13            | 2                      |                                     |
| 1_20200720_WL32                     | 0.030991 | Mapped                | BN-13            | 2                      |                                     |
| 1_20200720_WL33                     | 0.319437 | Mapped                | BN-14            | 3                      |                                     |
| 1_20200720_WL33                     | 0.995117 | Mapped                | BN-14            | 3                      |                                     |
| 1_20200720_WL40                     | 1.15791  | Mapped                | BN-13            | 2                      |                                     |
| 1_20200722_WL46                     | 0.314998 | Mapped                | BN-15            | 2                      |                                     |
| 1_20200722_WL46                     | 0.583963 | Mapped                | BN-15            | 2                      |                                     |
| 1_20200722_WL47                     | 0.158779 | Mapped                | BN-1             | 3                      |                                     |
| 1_20200722_WL47                     | 2.414519 | Mapped                | BN-1             | 3                      |                                     |
| 1_20200722_WL48                     | 0.00824  | Mapped                | BN-1             | 3                      |                                     |
| 1_20200722_WL49                     | 1.365022 | Mapped                | BN-1             | 3                      |                                     |
| 1_20200723_WL53                     | 1.006466 | Mapped                | BN-1             | 3                      | Removed separated ditch (±170 feet) |

| Wetland Delineation ID <sup>1</sup>                                                                                                                                                                                                                                                      | Acreage  | Category <sup>2</sup> | State Wetland ID | Wetland Classification | Changes <sup>3</sup>                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------|------------------|------------------------|-----------------------------------------------------------------|
| 1_20200723_WL53                                                                                                                                                                                                                                                                          | 0.594728 | Mapped                | BN-1             | 3                      | Removed portion of wetland under transmission line (±0.3 acres) |
| 1_20200723_WL54                                                                                                                                                                                                                                                                          | 0.136549 | Mapped                | BN-14            | 3                      |                                                                 |
| 1_20200723_WL54                                                                                                                                                                                                                                                                          | 0.71108  | Mapped                | BN-14            | 3                      |                                                                 |
| 1_20200922_WL105                                                                                                                                                                                                                                                                         | 0.218765 | Mapped                | OK-11            | 2                      |                                                                 |
| 1_20200922_WL106                                                                                                                                                                                                                                                                         | 1.504988 | Mapped                | OK-11            | 2                      |                                                                 |
| 1_20200923_WL108                                                                                                                                                                                                                                                                         | 0.362071 | Mapped                | OK-1             | 1                      |                                                                 |
| 1_20200923_WL109                                                                                                                                                                                                                                                                         | 2.955281 | Unmapped >12.4        | NA               | NA                     |                                                                 |
| 1_20200925_WL111                                                                                                                                                                                                                                                                         | 1.203939 | Mapped                | BN-2             | 2                      |                                                                 |
| 1_2020921_WL103                                                                                                                                                                                                                                                                          | 0.068705 | Mapped                | OK-11            | 2                      |                                                                 |
| 1_2020921_WL103                                                                                                                                                                                                                                                                          | 0.041197 | Mapped                | OK-11            | 2                      |                                                                 |
| 1_2020921_WL103                                                                                                                                                                                                                                                                          | 0.689733 | Mapped                | OK-11            | 2                      |                                                                 |
| 1_2020921_WL103                                                                                                                                                                                                                                                                          | 0.185157 | Mapped                | OK-11            | 2                      |                                                                 |
| 1_2020921_WL103                                                                                                                                                                                                                                                                          | 1.699459 | Mapped                | OK-11            | 2                      |                                                                 |
| 1_2020921_WL103                                                                                                                                                                                                                                                                          | 0.115932 | Mapped                | OK-11            | 2                      |                                                                 |
| Off-Site Wetland                                                                                                                                                                                                                                                                         | 2.486078 | Mapped                | OK-11            | 2                      |                                                                 |
| <sup>1</sup> ID assigned by applicant in draft wetland delineation report.<br><sup>2</sup> Includes mapped wetlands and unmapped wetlands with a total area greater than 12.4 acres in size.<br><sup>3</sup> Changes include any minor adjustments to features provided by the applicant |          |                       |                  |                        |                                                                 |

Attachment B  
Hecate Energy Cider Solar Farm  
Locations of Minor Changes to Draft Wetland Delineation Report

