



**Exhibit 3: Location of Facilities
and Surrounding Land Use**

Cider Solar Farm
Towns of Oakfield and Elba
Genesee County, New York

Matter No. 21-01108

EXHIBIT 3: LOCATION OF FACILITIES AND SURROUNDING LAND USE

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Abbreviations

A-R District	Agricultural-Residential District
B District	Business District
C District	Commercial District
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Administration
FIRM	Flood Insurance Rate Map
FPO Zone	Flood Plain Overlay Zone
GGSG	Green Genesee Smart Genesee
GIS	Geographic Information System
I District	Industrial District
kV	kilovolt
L-C District	Land Conservation District
MHO Zone	Mobile Home Overlay Zone
MW	megawatt
NOAA	National Oceanographic and Atmospheric Administration
NWR	National Wildlife Refuge
NYAC	New York Archaeological Council
NYCRR	New York Codes, Rules, and Regulations
NYS	New York State
NYPA	New York Power Authority
NYS	New York State
NYSDAM	New York State Department of Agriculture and Markets
NYSDEC	New York State Department of Environmental Conservation

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NYSDOT	New York State Department of Transportation
NYSERDA	New York State Energy Research and Development Authority
NYSOPRHP	New York State Office of Parks, Recreation and Historic Preservation
NYSDPS	New York State Department of Public Service
PUD District	Planned Unit Development District
R or R-1 District	Residential District
REC	recognized environmental condition
R&A District	Residential and Agricultural District
USGS	United States Geological Survey
WMA	Wildlife Management Area

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Glossary of Terms

Applicant	Hecate Energy Cider Solar LLC
Project	Refers to the proposed Cider Solar Farm, an up to 500-megawatt utility scale solar project that will be comprised of photovoltaic panels, inverters, access driveways, electrical collection lines, point of interconnection/substation, construction staging areas, fencing and plantings, located on private land in the towns of Elba and Oakfield, Genesee County, New York.
Project Area	Refers to the Project Site and surrounding/adjacent land totaling approximately 7,518 acres.
Project Footprint	Refers to the limit of temporary and permanent disturbance within the Project Site caused by the construction and operation of all components of the Project totaling approximately 2,452 acres.
Project Site	Refers to those privately owned parcels under option to lease, purchase, easement or other real property interests with the Applicant in which all Project components will be sited totaling approximately 4,650 acres.
Study Area	Refers to the area evaluated for specific resource identification and/or resource impact assessment. The size of this area is appropriate for the target resource and takes into account the project setting, the significance of resource or impact being identified or evaluated, and the specific survey distances included in Chapter XVIII, Title 19 of NYCRR Part 900. As appropriate, the Study Area for each type of survey or resource impact assessment is provided in the respective sections within the Application.

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The content of Exhibit 3 is provided in conformance with Chapter XVIII, Title 19 of the New York Codes, Rules, and Regulations (NYCRR) § 900-2.4, as follows.

a) United States Geological Survey Maps

Figure 3-1: *Proposed Project* shows the location of the Cider Solar Farm (Project). The Project is located on 67 parcels of leased private land owned by 31 land holding entities in the towns of Elba and Oakfield, Genesee County, New York. Per the requirements of 19 NYCRR § 900-2.4(a), the Project components represented on Figure 3-1 are mapped on United States Geological Survey (USGS) 1:24,000 topographic quadrangles developed using, among other sources, USGSTopo (MapServer). USGSTopo provides data in a Geographic Information System (GIS) accessible format and depicts information consistent with the USGS 7.5-minute (1:24,000) quadrangle topographic maps at large scales.

1) Proposed Project Location

As shown in Figure 3-1, the Project Area is located north-centrally within Genesee County, approximately 5 miles north of the City of Batavia. It is roughly bound by County Route 9/Albion Road to the west, Miller Road and vacant land to the east. Lockport Road bisects the Project Area from east to west, while State Route 98 traverses the eastern portion of the Project. The Project Area is located to the north and west of the Village of Elba, and north of the Village of Oakfield. The northern portion of the Project Area is bisected by the New York Power Authority (NYPA) 345 kilovolt (kV) Dysinger – New Rochester transmission line and the Empire Gas Pipeline, which are located adjacent to each other and run east-west through the Project. Approximately 60% of the Project is located in the Town of Elba, while 40% is located in the Town of Oakfield. The proposed Project substation interconnects to the NYPA transmission line in the center of the Project Area, west of Graham Road in the Town of Elba. Figure 3-1 shows the locations of Project components including solar panels, buried electrical collection lines, inverters, security fence, the substation, switchyard, laydown yards and access roads. Additional detail regarding the Project Area is included in Section (d) of this Exhibit, as well as in Exhibit 2: *Overview and Public Involvement*.

2) Off-site Utility Interconnections

No offsite transmission line or gen-tie is proposed. Figures 3-1a and 3-1b provide the on-site locations of the proposed substation and switchyard located west of Graham Road in the Town of Elba. The Project will interconnect on-site to the NYPA Dysinger – New Rochester 345-kV transmission line to deliver power to the New York State (NYS) energy grid.

3) Project Footprint

The Project Footprint, which refers to the limit of temporary and permanent disturbance resulting from the construction and operation of all components of the Project, comprises 2,452 acres. The Project Footprint includes limits of clearing and earthwork for all Project components, as well as built facilities. Table 3-1: *Total Disturbance within the Project Footprint* summarizes anticipated temporary and permanent disturbance acreages associated with construction and operation of the Project, by component. Maintained areas, including areas around the solar arrays inside the security fenceline, comprised of herbaceous seed mixes and periodically and routinely mowed during the life of the Project. Refer to

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Section (q) and Figure 3-8: *Overlays on Aerial Photos* of this Exhibit, which provides the location of Project components over aerial photography, for an illustration of the Project Footprint.

Table 3-1: Total Disturbance within the Project Footprint

Project Component	Permanent Impact (conversion to built facilities) – acres	Temporary Impact – acres	Permanent Conversion (Forest/Shrub to herbaceous) – acres	Total Impact – acres
Solar Panels, Maintained Areas ¹ and Steel Posts	0.9	1991.62 ²	187.3	2178.9
Buried Electrical Collection		42.4	8.2	50.6
Access Roads	52.8	41.6	3.5	98.0
Substation/Switchyard	5.7			5.7
Laydown Areas		19.2	0.0 ³	19.3
Interconnection/Overhead Electric Line	0.0 ⁴	0.9	0.3	1.2
Security Fence	6.4	79.9	10.9	97.2
Inverter Pads	0.8			0.8
<i>Total</i>	66.7	2175.8	210.3	2451.7

¹Includes those areas not covered by panels or other permanent project component

² Areas where panels are installed and impacting herbaceous or agricultural land which would be converted to another ground cover after construction and during operation

³ Actual Value = 0.03

⁴ Actual Value = 0.003

b) Area Maps

Figure 3-2: *Tax Jurisdictions* illustrates the location of municipal boundaries and taxing jurisdictions, including school districts, within 5 miles of the Project Area.

c) Description of Project Components Relative to Taxing Jurisdiction

As depicted in Figure 3-2, the Project is located in the Towns of Oakfield and Elba, Genesee County. The Project is also located within both the Elba and Alabama-Oakfield School Districts. The total Project Footprint is 2,452 acres, of which 1,523 acres (62%) are located in the Town of Elba and 929 acres (38%) are located in the Town of Oakfield. The Project substation and associated interconnection facilities are located in the Town of Elba. Table 3-2: *Total Disturbance by Tax Jurisdiction* presents the total disturbance by tax jurisdiction within the Project Footprint.

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Table 3-2: Total Disturbance by Tax Jurisdiction

Project Component	Town of Elba – Total Disturbance (Acres)	Town of Elba – Total Disturbance (%)	Town of Oakfield – Total Disturbance (Acres)	Town of Oakfield – Total Disturbance (%)	Elba School District – Total Disturbance (Acres)	Elba School District – Total Disturbance (%)	Alabama-Oakfield School District – Total Disturbance (Acres)	Alabama-Oakfield School District – Total Disturbance (%)
Buried Electrical Collection	38.1	2%	12.5	1%	38.1	2%	12.5	1%
Maintained Areas ¹	871.0	36%	540.9	22%	871.5	36%	540.4	22%
Access Roads	58.5	2%	39.5	2%	58.8	2%	39.2	2%
Substation/Switchyard	5.7	0%	0.0	0%	5.7	0%	0.0	0%
Laydown Areas	12.7	1%	6.6	0%	12.7	1%	6.6	0%
Interconnection/Overhead Electric Line	1.2	0%	0.0	0%	1.2	0%	0.0	0%
Solar Panels and Steel Posts	473.5	19%	293.5	12%	473.8	19%	293.3	12%
Security Fence	61.6	3%	35.6	1%	61.7	3%	35.6	1%
Inverter Pads	0.5	0%	0.3	0%	0.5	0%	0.3	0%
Total	1522.8	62%	929.0	38%	1523.8	62%	927.9	38%

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There are no proposed Project ancillary features located outside of the Project Footprint.

d) Existing Land Use

To map existing land use within the Study Area, land use classifications from parcel data (property class codes) were obtained. This public information, Figure 3-3a (Figure 3-3: *Current Land Uses*), Land Use, shows the existing land uses (based upon property class codes) including and within 1,000 feet from the boundary of the Project Area. Figure 3-3b illustrates land use based upon Orleans County Planning Department within 5 miles of the Project Area.

The Project Area consists of approximately 7,518 acres of land; the Project Site includes approximately 4,650 acres within the Project Area; and the Project Footprint is approximately 2,452 acres within the Project Site, which is comprised of 67 parcels of private land by 31 land holding entities. Based upon the publicly available tax parcel property class codes, the Project Area is primarily comprised of agricultural and residential land uses. The Project Area consists of level to rolling hills with predominantly active agricultural land (4,142 acres; 55%), followed by interspersed with forested land, and rural residential developed land. Low density rural residential development comprises approximately 517 acres, or 7% of the Project Area, and occurs along road frontages, and family-owned farms are located within and adjacent to the Project Area.

While the Project Area does not include areas of population density, the Village of Elba is located immediately south of the Project Area; the Village of Oakfield to the southwest. The Town of Barre is located to the north, and the Town of Byron to the east. A western portion of the Project Area is located in the hamlet of East Oakfield, at the intersection of Fisher Road with Lockport Road. The nearest area of more intensive land use and population is Batavia, located approximately 5 miles to the south of the Project Area, and Brockport located approximately 12 miles to the northeast of the Project Area.

There are two airports (Genesee County Airport and Pine Hill Airport) and one heliport (Troop A Headquarters) within 5 miles of the Project Area. As discussed in Appendix 8-B: *Glare Hazard Analysis* in Exhibit 8: *Visual Impacts* of this Application, glare is not predicted to affect pilots landing at the Genesee County Airport or the Pine Hill Airport, helicopters hovering 500 feet above the Troop A Headquarters heliport, nor any other pilots approaching airports within 10 miles of the Project Area.

Institutional, community and municipal uses and facilities (e.g., schools, places of worship, libraries, post offices) within the Study Area are shown on Figure 3-2. Schools, libraries, places of worship, and post offices are located within the Study Area within the Villages of Oakfield and Elba. Specifically, the Village of Elba contains one school, one post office, and one place of worship. The Village of Oakfield contains four places of worship, one post office, and one library. However, none of these facilities are located within the Project Site.

As discussed in Exhibit 11: *Terrestrial Ecology* of this Application, Stantec evaluated the Project Area's land use and land cover using ExtractX™ remote sensing service (satellite imagery and interpretation of vegetative communities) coupled with LiDAR. Land use and land cover data was field verified throughout further reconnaissance and field investigations, including wetland and stream surveys conducted, as described in Exhibit 13: *Water Resources and Aquatic Ecology* and Exhibit 14: *Wetlands* of this

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Application. Exhibit 11 (Figure 11-1, Terrestrial Ecology) shows the Project Area overlaid by land cover data. Based upon this data, the dominant landcover class in the Project Area is active agriculture, followed by forestland. Additional detail regarding landcover classes within the Project Area is provided in Exhibit 11.

Within the Project Footprint, the vast majority of land (2,159 acres; 88%) is currently used for active agricultural purposes (specifically row crops), which are further described in Exhibit 15: *Agricultural Resources* of this Application. The remaining land use is comprised successional forestland (203 acres; 8%) and grassland/pastureland (54 acres; 2%), with disturbed/developed land and other land cover types comprising the remaining 2%.

e) Existing Major Facilities

Existing overhead and underground major facilities for electric, gas, and telecommunications overlapping with the Study Area are shown on Figures 3-1a and 3-1b. These data were obtained from USGS topographic maps, aerial imagery interpretation, and other publicly available data sources. Two existing overhead NYPA transmission lines, including the NYPA Dysinger – New Rochester 345-kV Transmission Line (proposed interconnection), and the Empire Gas Pipeline cross through the Project Site in an east to west direction, north of Lockport Road. The rights of ways (ROW) of these facilities were surveyed and are depicted in Design Drawings in Appendix 5-A: *Civil Design Drawings* in Exhibit 5: *Design Drawings* of this Application. Project infrastructure will cross the electric and gas transmission lines in 8 locations, including 3 crossings of collocated access roads and buried collection lines, 2 crossings for access roads and 3 crossings for buried electrical collection lines. The Applicant is coordinating with New York Power Authority and Empire Gas to obtain appropriate permissions and provide design information for these crossings. The required permissions will be obtained prior to construction.

To accommodate Project components, the Applicant has engaged with NYPA regarding two suggested re-routes of existing NYPA access roads to the NYPA ROW (one north of Lockport Road and west of Fisher Road, and one north of Lockport Road and east of Fisher Road). Alternative access to the ROW have been identified and the Applicant will continue to coordinate with NYPA to relocate the access.

Information regarding telecommunications facilities is included in Exhibit 20, Effects of Communications.

f) Project Site

Figure 3-3a includes a map of all parcels under lease or purchase option with the Applicant in which Project components will be sited (Project Site) as well as lands outside of the Project Site within 1,000 feet showing current land use designations, tax parcel number and owner of record of each parcel, and publicly known proposed use plans for these properties.

g) Zoning Districts

19 NYCRR § 900-2.4(g) requires “a map of existing zoning districts and proposed zoning districts within the study area and a description of the permitted and the prohibited uses within each zone. For ‘floating’ or ‘overlay’ zones that are not specifically attributable to a specific mapped zoning district, describe the applicable substantive criteria that apply for establishment of the overlay zone.” Pursuant to 19 NYCRR §

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900-1.2(bx), “Study area means the area generally related to the nature of the technology and the setting of the proposed site. Unless otherwise provided in this Part,... for facilities within components spread across a rural landscape, the study area shall at a minimum include the area within a radius of at least five (5) miles from all generating facility components, interconnections and related facilities.” The Applicant prepared Figure 3-4: *Zoning Districts* and Appendices 3-A(1): *Local Zoning Laws and Ordinances* and 3-A(2): *Local Zoning Maps* of this Application for purposes of providing information responsive to the requirements of 19 NYCRR § 900-2.4(g). Figure 3-4 illustrates existing municipal zoning districts within 1,000 feet of the Project Area. There are 13 communities within five (5) miles of Project components: The towns of Elba, Oakfield, Shelby, Barre, Clarendon, Alabama, Byron, Pembroke, Batavia, Strafford, city of Batavia, and Villages of Elba and Oakfield. Accordingly, the 1,000 foot survey was selected to provide a useful, legible survey of the zoning districts that comprise the Project Area

Appendices 3-A(1) and 3-A(2) contain the local zoning laws and ordinances and zoning districts for the eleven (11) municipalities identified above that are outside of the Project Area, but within five (5) miles of Project components as defined by subsection (bx). The zoning laws and ordinances contained in Appendix 3-A(1) describe the permitted and prohibited uses within each zoning district in each of the 13 municipalities. The zoning maps in Appendix 3-A(2) depict the zoning districts within each of the 13 municipalities. As these municipalities are located outside of the Project Area, the zoning requirements contained in Appendix 3-A(1) are not applicable to the Project.

All Project components and infrastructure are proposed to be located in the Towns of Elba and Oakfield in Genesee County. The zoning laws, ordinances, and maps for the Towns of Elba and Oakfield are provided in Appendix 24-B. The Villages of Elba and Oakfield are located south of the Project Area. An online search was conducted to obtain zoning information, including research on local governmental websites and the New York State Department of State’s Local Laws Search database (New York Department of State 2020). In addition, applicable zoning information was reviewed with the Towns of Elba and Oakfield during the local agency consultation process as required by 19 NYCRR § 900-1.3(a). The zoning requirements in these districts are applicable to the Project, as discussed below and in Exhibit 24.

The Applicant proposes that the information provided in this Exhibit, Appendices 3-A(1) and 3-A(2), Exhibit 24, and Appendix 24-B satisfies the requirements of 19 NYCRR § 900-2.4(g); however, to the extent the Office believes that the Applicant has not complied with the technical requirements of 19 NYCRR § 900-2.4(g), the Applicant requests a waiver of such requirements to the extent necessary.

This part summarizes the existing zoning districts for the Towns of Elba and Oakfield, as depicted in Figure 3-4, including a description of each zoning district and the permitted and prohibited uses within each district.

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Town of Elba

The Town of Elba Zoning Law, revised on June 14, 2001, divides the town into four zoning districts and two overlay zones. The four zoning districts include the Agricultural-Residential District (A-R), the Residential District (R), the Business District (B), and the Planned Unit Development District (PUD). The two overlay zones include the Mobile Home Overlay (MHO) Zone and Flood Plain Overlay Zone (FPO).

The Project Area primarily coincides with the A-R District, with some overlap occurring in a Single Family Residential (R-1) District and an MHO Overlay Zone at the southwesterly edge of the Project Area. The Project Footprint will be entirely located in the A-R District.

Permitted land uses within the A-R District include the following: farms and all agricultural uses; one- and two-family dwellings; single mobile homes; home occupations within the principal dwelling and/or inside a building or structure accessory to the dwelling; churches and other places of worship, including parish houses, convents, rectories, and parsonages; schools; public parks and playgrounds; libraries; municipal buildings, water systems, and similar public uses; farm water supply; private stables; vegetable storage and package facilities; roadside stands; and accessory use, building storage, and packing facilities. Uses permitted with a special use permit include the following: multi-family dwellings, motels, wind energy conversion system-production model, outdoor recreation facilities, indoor recreation facilities, clubs airport landing strips, animal kennels, motor vehicle repair shops, community centers, professional offices, nursing homes, public utilities, public stables, commercial greenhouses, cluster residential developments, temporary mobile homes, animal shelters, adult care facilities, animal waste storage facilities, commercial excavation, day treatment center, all-terrain vehicle, snowmobile, go-kart, motorcycle, and motor vehicle race tracks and courses, commercial communications towers, home occupations, skilled trade shops, small engine repair shops, and solar energy facilities.

Permitted land uses within the R-1 District include the following: single family dwellings; churches and other places of worship including parish houses, convents, rectories, and parsonages; schools, public parks, playgrounds, libraries, municipal buildings, water systems, and similar public uses; farms and all usual agricultural operation, excluding the stabling of farm animals; roadside stands; and accessory uses and buildings. Uses permitted with a special use permit include the following: two-family dwellings, multi-family dwelling(s), wind energy conversion system-production model, home occupations, outdoor recreation facilities, temporary mobile homes, professional offices, community centers, nursing homes, public utilities, adult care facilities, child day care facilities, day treatment center, cluster residential developments.

Permitted land uses within the B District include the following: retail uses and services, restaurants, motels, commercial greenhouses kennels, professional offices, personal service businesses, wholesale trades, offices, banks, and adult uses. Uses permitted with a special use permit include the following: drive-in businesses, motor vehicle repair shops, small engine repair shops, gasoline stations, gasoline station-markets, indoor recreation facilities, motor vehicle sales, recreational vehicle and mobile home sales and service, public utilities, light industrial uses involving the processing, fabrication, assembly or packaging of previously prepared or refined materials, warehousing, storage, or distribution establishment, machinery and transportation equipment, sales, service, and repair, freight and/or trucking

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terminals, contractor's yards, child day care centers, recyclables handling and recovery facilities, self-service storage facilities, commercial communication towers, and small engine repair shops.

The PUD District, while not designated as an overlay district, is created through an application process, which includes a rezoning of land. The purpose of the PUD District is to “permit greater flexibility, more creative and imaginative design and utilization of innovative land development techniques while promoting more economical and efficient use of land, buildings, circulation systems and utilities, to provide harmonious land uses which offer a high level of amenities, to permit a mixture of residential and/or non-residential uses, and to preserve natural and scenic qualities of the site during the development process. No specific permitted uses are listed, but the district regulations indicate that a rezoning may be requested for the creation of a PUD district, which must be accompanied by a specific plan, that will set forth the uses to be permitted. Upon approval of the Town Board, such plan would become the zoning regulations for the rezoned parcel.

The FPO Overlay Zone is shown on the Town of Elba Zoning Map “for informational purposes only to identify potential areas of special flood hazard, to ensure coordinated review of zoning and flood damage prevention regulations, and to minimize the threat of flood damages.” The Town of Elba has a Flood Damage Prevention Local Law, which imposes construction requirements on structures located within the FPO.

Permitted land uses within the MHO Overlay Zone include single mobile homes on individual lots. Uses permitted with a special use permit include the following: mobile home parks. The MHO Overlay Zone provides for these additional uses in that portion of the base A-R District which it overlays.

The Town of Elba recently adopted a local law on April 8, 2021, which amended the Zoning Law to regulate solar energy facilities. The Town Board recognized that solar energy systems are a “safe, abundant, renewable and non-polluting resource” and sought to allow them within the Town generally. As amended, the Town’s zoning law permits “Tier 3 Solar Energy Systems,” which is defined to include the Project, in the AR and B Districts.

Town of Oakfield

The Town of Oakfield Zoning Ordinance, adopted in 1981, established five districts including the Residential and Agriculture (R&A) District, the Residential (R) District, the Commercial (C) District, the Industrial (I) District, and the Land Conservation (L-C) District.

In the Town of Oakfield, the Project Area and the Project Footprint coincides with the R&A District, and the L-C District.

Permitted uses within the R&A District include the following: single-family detached dwellings (≥700 sq. ft.); two-family dwellings (≥650 sq. ft. per unit); mobile homes (≥600 sq. ft.); farms and related farming activities provided that no off-premise manure shall be stored within 100 feet of a property boundary; farm water supply, conservancy, and fire protection ponds, located no less than 100 feet from any street or property line; municipal parks, playgrounds, and buildings as deemed appropriated; home occupation; churches and similar places of worship, parish houses, convents, and other facilities of recognized religious groups.

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Accessory uses and buildings incidental to and on the same lots as the principal use are allowed as follows:

- Private garages and carports.
- Swimming pools, tennis courts, and other recreational facilities for private, noncommercial use.
- Customary farm buildings for storing products or equipment located on the same parcel as the primary use.
- Customary farm buildings for housing farm animals located a maximum of 100-feet from an adjoining zone.
- Dwellings for domestic, household employees or farm workers employed on the same property as the primary use.
- Roadside farm stands for the sale of farm products produced on the adjacent property, set back at least 30 feet from the edge of the pavement. Limit one stand per farm.
- Signs, fences, and off-street parking subject to further provisions.

Uses permitted in the R&A District with a special use include: public utility uses, exclusive of office buildings, maintenance buildings and yards and equipment storage yards, non-commercial landing strips, industrial agricultural and commercial agricultural operations, mobile home parks and mobile home subdivisions, stripping of topsoil and sod, campsites, artificial lakes, cemeteries, excavation for specified purposes, dog kennels, model shop, pattern shop, machine shop or welding, auto body repair shop, small engine and small machines repair shop, sporting club, limited to trap shooting, skeet shooting, sporting clay shooting, and archery and fishing, golf courses, golf driving ranges, golf retail and/or pro shops, restaurants and other entities or accessories associated with golfing, temporary wind data gathering towers for a period not to exceed two years from issuance of permit, which permit may be renewed for one additional two-year period for good cause shown, non-commercial Wind Energy Systems.

Uses permitted in the R District include: single family detached dwellings with a minimum floor area of 700 square feet, churches and other similar places of worship, parish houses, convents, and other such facilities of recognized religious groups, public parks, playgrounds and buildings deemed appropriate by the Town Board, home occupations, farms and related farming activities provided that no off-premise manure or farm ponds shall be within 100 feet of an adjoining property line, except the keeping of farm animals, home and farm gardens, two-family dwellings with a minimum floor area of 650 square feet per unit.

Accessory uses and buildings incidental to and on the same lots as the principal use are allowed as follows:

- Agricultural buildings and structures.
- Private garages and carports.

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- Swimming pools, tennis courts and other recreational facilities for private, noncommercial use.

Uses permitted in the R District with a special use permit include: cemeteries, excavations for artificial lakes, gravel pits, and topsoil removal, public utility structures, educational and cultural institutions, mobile home parks and mobile home subdivisions. single mobile homes for a period of one year while constructing a residential dwelling on the same lot, dog kennels, the keeping of farm animals, on a lot which is adjacent to a commercially zoned lot located in the Village of Oakfield, a used car lot.

Uses permitted in the C District include: motor vehicle sales, services and parking, stores and shops for conducting of wholesale or retail trade and business, offices, and banks.

Uses permitted in the C District with a special use permit include: drive through banks, restaurants, drive-in restaurants, bowling alleys and similar community services and places of entertainment, gasoline stations, gasoline station-markets, or public garages, motels and auto courts, dog kennels, and food warehousing and distribution centers.

Uses specifically prohibited in the I District include: dwelling units and lodging rooms, other than watchmen's.

Uses permitted in the I District include: manufacturing, warehousing, the fabrication and assembly of industrial parts and materials in metal, plastic, glass, wood, paper or similar materials, the mining, processing and storage of minerals, industrial and scientific research and development facilities, commercial greenhouses, home farm and market gardens operations, accessory structures and uses necessary and customarily a part of a permitted use, and all business uses, wholesale trades and businesses, transportation yards and terminals, liquid fuels in underground storage, the warehousing, distribution and sales of bulk solid and gaseous fuels, building materials and supplies and equipment.

Uses permitted in the I District with a special use permit include: sanitary landfills, car washes, motor vehicle service stations, public garages for storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding, stripping of top soil and of sod, other manufacturing, processing or storage uses determined by the Town Planning Board and Town Board to be of the same general character as other permitted uses and found not to be obnoxious, unhealthful or offensive by reasons of the potential emission or transmission of noise, vibration, smoke, dust, odors, toxic or noxious matters, glare or heat, planned unit development, dog kennels, and non-commercial Wind Energy Systems.

Permitted uses with the L-C District include the following: farms and related farming activities provided that no off-premise manure shall be stored within 100 feet of a property boundary; and farm water supply, conservancy and fire protection ponds located not less than 100 feet from any street or property line. Accessory uses and buildings incidental to and on the same lots as the principal use are allowed as follows:

- Customary farm buildings for the storage of products or equipment located on the same parcel as the primary use.
- Customary farm buildings for housing farm animals shall not be located less than 100 feet from an adjoining zone.

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Uses permitted in the L-C District with a special use permit include: dog kennels.

Incentive Zoning. While not technically an overlay district, the Town of Oakfield has an incentive zoning section of its Zoning Ordinance, which allows for deviations from the Town's zoning restrictions (incentives) for a list of acceptable amenities. "All zoning districts are designated eligible for zoning incentives." Incentives, including use changes and zoning district changes, are permitted with the exception of incentives for commercial wind energy systems. Thus, with incentive zoning approval, solar energy facilities may be permitted in any zoning district within the Town.

h) Municipality Comprehensive Plan

The Town of Elba and the Town of Oakfield both have an adopted comprehensive plan applicable to the Project Area. Genesee County has adopted a Genesee County Smart Growth Plan. The Project is consistent with these plans. Copies of the referenced plans are provided in Appendix 3-B: *Comprehensive Land Use Plans* and are found online at:

- <https://www.co.genesee.ny.us/departments/planning/smartgrowth.php> ([Genesee County Smart Growth Plan](#)).
- <http://elbanewyork.com/wp-content/uploads/2018/06/Comprehensive-Plan.pdf> ([Town of Elba Comprehensive Plan](#)).
- <https://townofoakfieldny.com/comprehensive-plan/> ([Town of Oakfield Comprehensive Plan](#)).

Town of Elba

The Town of Elba first adopted its comprehensive plan on July 8, 1999. The plan has been updated in May 2004 and then revised again in May 2007. The plan consists of four parts, the first detailing the current status and trends in the community, the second addressing implications for the future for the Town of Elba, the third summarizing input from surveys of residents, and the fourth listing specific recommendations for action.

Part 1 details the total population of the Town, the Town's age distribution, educational background, family income, occupational background, households and residences, and businesses operating in the Town. Part 2 then addresses each of these categories and discusses trends and potential impacts that may result in the future. Part 3 reports the results of surveys. Of note, residents noted that preserving the rural character of the community was important, but also favored light industry as it would provide tax revenue to the Town. Also noted in the 2006 summary was support for commercial wind farms. "Most people feel that commercial wind towers would not affect the rural character of the Town and they would support a commercial wind energy project if one was proposed in the Town." Part 4 then runs through the specific recommendations. This would include, but not be limited to permitting industrial and commercial development while protecting agricultural resources.

Further, it is settled law that a municipality's comprehensive plan is not limited to a specific planning document; rather, it consists of "the municipality's zoning law, zoning map, and zoning decisions over time." *Udell v. Haas*, 21 N.Y.2d 463, 472 (1968) (holding that the comprehensive plan is garnered from the master plan, the zoning law itself, and the zoning map). On April 8, 2021, the Town of Elba adopted

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Local Law No. 1 of 2021, which amended the zoning law to address solar energy facilities. It should be noted that prior to Local Law No. 1 of 2021, the Town of Elba had solar regulations in place, which permitted solar energy facilities. In adopting the amendments to the zoning law in 2021, the Town Board reaffirmed that solar energy facilities, including large-scale facilities, are consistent with the Town's comprehensive plan. Specifically, the Town Board noted that solar energy facilities were permitted to "take advantage of a safe, abundant, renewable and non-polluting energy resource," "to decrease the cost of electricity to the owners of residential and commercial properties, including single-family houses," "to increase employment and business development in the Town of Elba, to the extent reasonably practical, by furthering the installation of Solar Energy Systems," and to mitigate impacts and ensure the facilities are sited appropriately.

Town of Oakfield

The Oakfield Alabama Comprehensive Plan "represents the culmination of a joint planning effort undertaken by the Towns of Oakfield and Alabama and the Village of Oakfield." This was an effort to "formulate a common vision for managing future growth and development. It was designed to be consistent with the principles of the Genesee County Smart Growth Plan (discussed below). The Town of Oakfield's goals and objectives, as discussed in the plan, are to promote the expansion public water to appropriate areas in the Town, provide for economic development, protect and preserve agriculture, maintain and enhance community character, protect the environmental features and resources of the community, encourage a diversity of housing types in the Town, and maintain and promote efficiency of government.

Further, the Town of Oakfield has an incentive zoning section of its Zoning Ordinance which, while not permitted to be utilized for commercial wind project, may be utilized for large-scale solar energy facilities. In addition, the Town recommended, but did not adopt a Solar Zoning Ordinance noted that "it is in the public interest to provide for and encourage renewable energy systems and a sustainable quality of life. Solar energy systems are appropriate in all zoning districts when measures are taken . . . to minimize adverse impacts on neighboring properties and protect the public health safety and welfare." In addition, the Oakfield Zoning Ordinance permits public utility uses in the A&R and R Districts, further confirming the Project's consistency with the comprehensive plan.

Genesee County

In 2019, a Genesee County Technology and Utilities Focus Group monitoring report was published, which encouraged municipalities to adopt draft language from the "Green Genesee Smart Genesee" (GGSG) project into "outdated" municipal zoning laws regarding solar development (Genesee County 2019). The GGSG is supported by a partnership that includes Genesee County Planning, Genesee County Economic Development Center, New York Green, and four municipalities: Towns of Batavia, Oakfield, Alabama, and the Village of Oakfield. In addition to local support, a grant from NYS Energy Research and Development Authority (NYSERDA) was obtained under the Cleaner Greener Communities grant program. The primary goal of the program is to "encourage communities to create public-private partnerships and develop regional sustainable growth strategies in such areas as emissions control, energy efficiency, renewable energy, low-carbon transportation, and other carbon reductions" (CC Environment & Planning 2015).

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i) Map of Publicly Known Proposed Land Uses

The Applicant conducted a review of publicly available information, corresponded with state and local officials, and conducted community outreach to obtain information on proposed land uses within the Study Area. Based on conversations with officials from the Towns of Elba and Oakfield, the Applicant is not aware of any other development proposals for the parcels within the Project Area nor Project Site. Subsequent review of publicly available information has not identified any other proposed change to the existing land uses within the Study Area.

Section (l) of this Exhibit provides additional detail regarding compatibility with existing land use plans.

j) Maps of Specially Designated Areas

Table 3-3: *Specially Designated Areas within the Project Area* provides a list of specially designated areas assessed for their potential presence within the Project Area, the data sources reviewed, and identifies the specially designated areas that are present, if any. Specially designated areas identified within 5 miles of the Project Area are also depicted on Figure 3-5: *Specially Designated Areas*.

Table 3-3: Specially Designated Areas within the Project Area

Specially Designated Areas	Presence within Project Area
Designated Coastal Areas	None present within Project Area.
Inland Waterways and Local Waterfront Revitalization Program Areas	None present within Project Area.
Groundwater Management Zones	None present within Project Area.
Designated Agricultural Districts under NYSDAM Law	Present within Project Area. See Figure 3-5 and description in Part 3(j) of this exhibit for further detail.
Flood-Prone Areas	Present within Project Area. See Figure 3-5 and description in Part 3(j) of this exhibit for further detail.
Critical Environmental Areas Designated Pursuant to Article 8 of the ECL (NYS Department of Environmental Conservation 2020)	None present within Project Area.
Coastal Erosion Hazard Areas	None present within Project Area.

Sources: Federal Emergency Management Administration (FEMA) Flood Insurance Rate Maps FIRMs (Accessed 2020); National Conservation Easement Database (Accessed 2020); NYSGIS Clearinghouse (Accessed 2020).

Agricultural Districts

According to the Cornell IRIS and the New York State Department of Agriculture and Markets (NYSDAM; 2018), 2,434 acres; (99%) of the Project Footprint is located within Genesee County Agricultural District #2. Please find additional detail regarding the presence of Designated Agricultural Districts within the Project Footprint at Exhibit 15.

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Flood-prone Areas

A 1-Percent Annual Chance Flood Zone exists within the Project Site (associated with Oak Orchard Creek), as shown in Figure 3-5. As per the Federal Emergency Management Administration (FEMA) National Flood Map Web Service, the FEMA Q3 National Flood Layer displayed on Figure 3-6: *Recreational and Other Sensitive Land Uses* was derived from Flood Insurance Rate Maps (FIRMs) dated 1981 through 1984. FEMA notes that the Q3 data be “considered as an advisory tool for general hazard awareness, education, and floodplain management. The flood hazard maps displayed on [the FEMA National Flood Map Web Service] are not the legal document to be used when making a single site flood hazard determination” (FEMA 2020). Genesee County, in coordination with FEMA, is undergoing an effort to develop a DFIRM Database (digital data) as well as update the FIRMs countywide. However, these data will not be made available until 2022. Refer to Exhibit 6: *Public Health, Safety, and Security* of this Application for additional detail regarding floodplains located in the Project Site. The Applicant consulted with officials from the Towns of Elba and Oakfield to determine whether there are local regulations applicable to the flood-prone areas. Neither the Town of Elba nor Oakfield have adopted local laws or ordinances that place additional requirements on construction in the Project Area that coincides with the 1-Percent Annual Chance Flood Zone.

k) Maps of Recreational Resources and Other Sensitive Land Uses

Recreational areas and other sensitive land uses within 5 miles of the Project Area (Study Area) are identified in Figure 3-6. Table 3-4: *Recreational Resources and Other Sensitive Land Uses within the Project Area* presents a summary of these resources within the Project Area, which are further described below.

Table 3-4: Recreational Resources and Other Sensitive Land Uses within the Project Area

Recreational or Other Sensitive Resource	Presence within Project Area
Wild, Scenic, and Recreational River Corridors	None present within Project Area.
Known Archaeological, Geologic, Historic, or Scenic Areas	Present within Project Area, but not Project Footprint. See Figure 3-6 and description regarding geologic sites in Section (k) of this exhibit for further detail. Archaeological sites are confidential pursuant to Section 304 of the National Historic Preservation Act and 9 NYCRR § 427.8 and are not shown in Figure 3-6. Refer to Exhibit 9: <i>Cultural Resources</i> .
Open Space, Parks, Designated Trails, and Other Local Recreation Areas	Present within Project Area. See Figure 3-6 and description in Part 3(k) of this exhibit for further detail.
Designated Wilderness, or Forest Preserve Lands	None present within Project Area.
Conservation Easement Lands	None present within the Project Area.
Designated Scenic Byways	None present within Project Area.
Natural Heritage Communities and Nature Preserves	None present within Project Area.
Public-Access Fishing Areas	None present within Project Area.

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Recreational or Other Sensitive Resource	Presence within Project Area
Major Communication and Utility Uses and Infrastructure	Present within Project Area, as described in Section (e) of this Exhibit.
Institutional, Community and Municipal Uses and Facilities (e.g., schools, churches, libraries, post offices)	None present within the Project Area.

Source: NYSGIS Clearinghouse (Accessed 2020); NYS Office of Parks, Recreation and Historic Preservation (NYS OPRHP) Cultural Resources Information System (CRIS) (Accessed 2020).

Known Archaeological, Geologic, Historic, or Scenic Areas

Cultural resources associated with the Project and surrounding area are related to both Precontact Period and Historic archaeological sites. The Project Area is considered to be sensitive for mid-to-late nineteenth century farmstead sites due to the presence of numerous historic map-documented structures and extant historic structures in proximity to the Project and surrounding area. Historic cultural features associated with the historic farmsteads/homesteads include middens, wells, privies, or foundations that could be present within the Project Area and surrounding area. Refer to Exhibit 9: *Cultural Resources* of this Application for more information on the sensitivity of archeological and historical resources within the vicinity of the Project.

Following the New York Archaeological Council's (NYAC) Standard's for Cultural Resource Investigations and the Curation of Archaeological Collections in New York State (1994), Section 304 of the National Historic Preservation Act, and 9 NYCRR § 427.8, archaeological sites are confidential and are not shown on Figure 3-6. Locations of archaeological sites have been included only in reports provided to the NYS Office of Parks, Recreation and Historic Preservation (NYS OPRHP) and the Office.

As shown on Figure 3-6, one unique geologic feature is located within the Project Area adjacent to the Oak Orchard State Wildlife Management Area (WMA). However, no unique geologic features fall within the Project Footprint.

Open Space, Parks, Designated Trails, and Other Local Recreational Areas

Sensitive receptors located in proximity to the Project Area include the Oak Orchard State WMA, Iroquois National Wildlife Refuge (NWR), and a state-designated heritage area. The corner of the Oak Orchard State WMA, which includes several designated trails (i.e., Albion Trail, Genesee Sno Packers Snowmobile Trail, and Oak Orchard Access Trail), extends into the northwestern corner of the Project Area; however, the Oak Orchard State WMA is not located within the Project Footprint. The Oak Orchard State WMA offers passive recreation opportunities including hunting, hiking, and wildlife observation. The Iroquois NWR is located outside of the Project Site and Project Footprint and, therefore, is not expected to be impacted by the Project. The state-designated heritage area falls within 5 miles of the Project Area but does not overlap with the Project Site nor Project Footprint.

Three local parks are located south of the Project Area, as shown on Figure 3-6, within the Villages of Oakfield and Elba. However, these parks are not located within the Project Area nor Project Footprint. According to Genesee County (2021), eight other local area parks are within the Study Area as shown on Figure 3-6, within the Villages of Oakfield and Elba. Six of these parks are located within the City of

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Batavia, one within the Town of Batavia and one within the Town of Byron. More information on other potential sensitive receptors is included in Exhibit 8 of this Application.

I) Compatibility of the Project with Existing and Proposed Land Uses and Land Use Plans

Land use in the Project Area includes a mix of agricultural, rural residential, and forested areas. The Project Area contains some rolling hills with predominantly agricultural land interspersed with some wooded land and low density rural residential development. The predominant land use and land cover in the Project Area is active agriculture, including row crops, industrial farm practices, and pastureland. Other public utility infrastructure occurs within the Project Area, including a natural gas compressor station, and a utility corridor comprising the NYPA electric transmission and Empire gas transmission facilities. The centers of population in proximity to the Project Area are Batavia (approximately 5 miles south) and the villages of Oakfield (less than 2 miles south-southwest) and Elba (less than 1 mile south-southeast). Therefore, the Project Site is removed from centers of population and associated land uses that the Project may conflict with during operation.

With respect to land use plans, as noted in Section (h) above, the Towns of Elba and Oakfield have adopted comprehensive plans, as has Genesee County. The Town of Elba's comprehensive plan notes its support for renewable energy, and its recently adopted revisions to its Zoning Law confirm that solar energy facilities, including large-scale facilities, are consistent with the Town's comprehensive plan. The Town Board adopted legislative findings that solar energy facilities are permitted to "take advantage of a safe, abundant, renewable and non-polluting energy resource," "to decrease the cost of electricity to the owners of residential and commercial properties, including single-family houses," "to increase employment and business development in the Town of Elba, to the extent reasonably practical, by furthering the installation of Solar Energy Systems," and to mitigate impacts and ensure the facilities are sited appropriately. In the Town of Oakfield, economic development is noted as an important goal in addition to preserving agricultural uses. Oakfield's zoning ordinance permits public utility uses, including solar facilities, in the R&A and R Districts and its Solar Ordinance notes that "it is in the public interest to provide for and encourage renewable energy systems and a sustainable quality of life. Solar energy systems are appropriate in all zoning districts when measures are taken . . . to minimize adverse impacts on neighboring properties and protect the public health safety and welfare." In 2019, a Genesee County Technology and Utilities Focus Group monitoring report was published, which encouraged municipalities to adopt draft language from the GGSG project into "outdated" municipal zoning laws regarding solar development to "encourage communities to create public-private partnerships and develop regional sustainable growth strategies in such areas as emissions control, energy efficiency, renewable energy, low-carbon transportation, and other carbon reductions."

The operation of the Project is compatible with the existing land uses in the Project Area. The primary and predominant land use in the Study Area is agricultural, and solar projects serve to preserve future agricultural land uses once the operational life of the project is over. Additionally, the Project operation will include maintained meadow condition largely on land that is actively cultivated, serving to protect agricultural/productive soils, reduce run off into area streams, and increase infiltration. The Project will create minimal noise, and limited transportation effects to the surrounding area and in fact, after construction and implementation of screening/plantings of the Project is complete, will produce similar or

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less noise, transportation and visual impact than if farm operations were carried out in the Project Area. There will be no air emissions nor water discharges during Project operation, nor will operation result in any odor effects to the surrounding area.

As summarized in Section (i), correspondence with State and local officials and the ongoing community outreach has not identified any proposed change to the existing land uses within the Project Area. There are three utility-scale energy projects in the vicinity of the Project Area including: the 280-megawatt (MW) Excelsior Energy Center in the Town of Byron located approximately 2 miles east; the 200-MW Orleans Solar Project in the towns of Barre and Shelby located approximately 3 miles northwest, and the 200-MW Heritage Wind Project in the Town of Barre located approximately 1.5 miles north. The Applicant is not aware of any other proposed land uses within 1 mile of the Project Area that Project construction and/or operation may negatively impact.

As described in Section (h), the Project is consistent with the 1997 Genesee County Comprehensive Plan as it is a clean, efficient source of renewable energy and supports the Plan's objective to promote alternative energy sources at larger development projects. As described in Exhibit 24: *Local Laws and Ordinances* of this Application, the Project has been designed to comply with all applicable substantive requirements of the Towns of Oakfield and Elba, except those that the Applicant requests be waived.

For a descriptive summary on the potential impacts of noise, visual, and transportation effects to the surrounding areas, please see Exhibits 7, 8, and 16, respectively.

m) Compatibility of the Above-ground Interconnections with Existing and Proposed Land Uses

The Project's substation and switchyard, which are located on privately held agricultural land within the Project Footprint, are compatible with existing, potential, and proposed land uses. The proposed switchyard connecting to the NYPA 345-kV transmission line will be located directly adjacent to the substation. The line length between the NYPA 345-kV line and the switchyard will be approximately 223 feet. The lines connecting cables between the switchyard and substation are expected to be approximately 424 feet in length. These overhead interconnections are on agricultural land immediately adjacent to the 345-kV transmission line.

Land use within the substation area is agricultural and includes the existing 250-foot ROW encompassing the NYPA electric transmission and Empire Gas pipeline facilities. The interconnection facilities include limited above ground structures and are compatible with existing land uses.

The visual impact of the substation is evaluated as a part of the Project's Visual Impact Assessment (Appendix 8-A: *Visual Impact Assessment* in Exhibit 8 of this Application).

n) Compatibility of the Underground Interconnections with Existing and Proposed Land Uses

The Project's underground components, including the collection lines, are compatible with the existing land uses within 300 feet from the centerline of such components. As shown in Appendix 5-A: *Civil Design Drawings* in Exhibit 5: *Design Drawings* of this Application, the Project's underground electrical trenches will be limited to within the boundaries of the Project Footprint. The Project's underground

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collection system, proposed throughout the Project Footprint, will transition directly to the proposed substation, located on site.

As shown on Figures 3-1a and 3-1b, the existing NYPA 345-kV transmission line is located within the Project Area. The Applicant is actively coordinating with NYPA to ensure that no adverse effect to its corridor will result from proposed crossings of the utility right-of-way. No Project-related underground components will impact off-site existing or proposed land uses.

o) Conformance with Coastal Zone Management Policies

The Project is not located within a New York State designated coastal area or within direct proximity of coastal areas or designated inland waterways. Accordingly, there are no Coastal Management Program Policies applicable to the Study Area. The Project is not located in, or adjacent to, areas mapped by the National Oceanographic and Atmospheric Administration (NOAA). Therefore, the Project Area is not mapped on NOAA navigation charts.

p) Aerial Photographs

Figure 3-7: *Aerial Photographs* provides aerial photographs within the Project Area and an area extending out 2 miles. The aerial photograph mapping is depicted on multiple sheets at a scale allowing the identification and discrimination of natural and cultural features. The Figure 3-7 map set is presented at a 1:18,000 scale to enable identification of existing natural and cultural resources. Additional information about aerial photography presented in this Exhibit is included in Section (r). To further comply with the requirements of 19 NYCRR § 900-2.4(d), Appendix 3-C includes a digital Google Earth file (.kmz file format) of the Project Area and a 5-mile buffer boundary layer, allowing views of aerial photographs within 5 miles of the Project.

q) Overlays on Aerial Photographs

Figure 3-8 represents aerial photography overlaid with proposed Project components, interconnection route, and access roads in order to show the relationship with existing structures and vegetation cover types field-verified by the Applicant. For illustrative purposes, the Figure 3-8 map set is presented at a 1:9,600 scale to enable identification of existing land uses overlaid with Project components. The Applicant is not aware of any material changes in land use that have occurred since the aerial photographs (satellite photography) were taken in June 2020.

Exhibit 5 also overlays the proposed Project components, access roads, and limits of clearing or other changes to topography, vegetation, or man-made structures at a larger scale with additional detail.

r) Aerial Photograph Information

Aerial photographs reflect current Project Area conditions and indicate the photographer and date photographed. Figures 3-7 and 3-8 were prepared using satellite imagery purchased on June 6, 2020 from WorldView-3 Satellite Sensor, a satellite sensor licensed by the NOAA (Satellite Imaging Corporation 2020). Imagery provided by WorldView-3 is collected at a 30-centimeter resolution.

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s) Community Character

As discussed in Sections (a) and (d), the Project is proposed within the Towns of Oakfield and Elba, which include a mix of agricultural, rural residential, and forested areas. The Project Area is roughly bound by County Route 9/Albion Road to the west, Miller Road and vacant land to the east. The Project Area contains some rolling hills with predominantly agricultural land interspersed with some wooded land and low density rural residential development. The predominant land use and land cover in the Project Area is active agriculture, including row crops, industrial farm practices, and pastureland. The centers of population in proximity to the Project Area are Batavia (approximately 5 miles south) and the villages of Oakfield (less than 2 miles south-southwest) and Elba (less than 1 mile south-southeast).

Project operation will not negatively impact the current community character of the Towns of Elba and Oakfield because the Project is quiet; has no air emissions or odors; its profile is relatively low at a maximum of 15 feet (the solar panels at their maximum height are approximately the same height as field corn); there will be no heavy traffic for operation and maintenance; it will demand few if any local services; and it will be effectively screened by proposed and existing natural vegetative buffers. It is to be noted that the conversion of agricultural lands to power generation facilities would be observable and representative of an alteration of the existing visual character within the broader landscape comprised of these individual project areas. Exhibit 8 further addresses potential visibility (including cumulative impacts) and proposed mitigation measures. Exhibit 7: *Noise and Vibration* of this Application contains the acoustical analysis and compliance with sound design goals and applicable substantive standards.

As discussed in Exhibit 16: *Transportation Resources* of this Application, during Project construction, the increased truck traffic from workers, construction vehicles, and delivery vehicles might present an additional collision risk on nearby roadways. Daily, construction workers are anticipated to represent between 225 and 315 round trips. Construction workers will likely arrive by 7:00 AM and leave around 7:00 PM, although departure times may vary seasonally, depending on daylight hours. This timing for worker departures should prevent the peak of construction worker traffic to avoid impacting typical peak rush hour traffic on nearby roadways. To minimize the risk of accidents, the Applicant will require contractors to drive at safe speeds and install a warning sign for oncoming traffic at the entrance to the Project Site off NY Route 98 and Lockport Road.

Recreational resources in the vicinity of the Project include the Oak Orchard State Wildlife Management Area (located immediately adjacent to the northwestern corner of the Project Area), Albion Trail, Genesee Sno Packers Snowmobile Trail, and Oak Orchard Access Trail, and parks within the Villages of Oakfield and Elba; however, none of these public use land areas are within the Project Area or will be adversely affected by the Project. Portions of the Project Area are also used for hunting.

The Project preserves community character while promoting renewable energy. The Project will temporarily remove farmland from active agricultural uses during the life of the Project; however, the farmland will be preserved for future use, as described in the Project's Decommissioning Plan (Appendix 23-A: *Decommissioning and Site Restoration Plan* in Exhibit 23: *Site Restoration and Decommissioning* of this Application). The Decommissioning Plan outlines measures the Applicant will take to restore the Project Site to its prior land use(s), upon the conclusion of the operational life of the Project.

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t) Repurposed Sites

1) Sites Not Remediated Under NYSDEC

The Project is not located on a repurposed site with a history of environmental contamination; therefore, the requirements of 19 NYCRR § 2.4(t) are not applicable to the Project. Nevertheless, the Applicant performed a Phase 1 Environmental Site Assessment (ESA) for due diligence purposes. A copy of the Phase 1 ESA is included as Appendix 3-D. The Phase I ESA was conducted in conformance with the requirements of ASTM International Designation E2247-16 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessments Process for Forestland or Rural Property, except as may have been modified by the scope of work, and terms and conditions, requested by the Client.

The Phase 1 ESA did not reveal evidence of recognized environmental conditions (RECs) in connection with the Project Area. Several items of note and *de minimis* conditions were identified during the ESA, a summary of which is provided in Appendix 3-D. However, based on the ESA findings, it is not anticipated that hazardous substances would be encountered during construction and/or operation of the Project.

2) NYSDEC Remediated Sites

The Project is not located on a remediated site; therefore, the requirements of 19 NYCRR § 900-2.4(t) are not applicable to the Project.

u) Oil, Gas, and Mining Solution Wells

1) Survey

According to NYSDEC, most oil and gas wells in New York are located in the western part of the state, with the majority located in Allegany, Cattaraugus, Chautauqua and Erie Counties. They can be found in a variety of locations, including forests, fields, and residential areas. NYSDEC maintains records for approximately 23,000 unplugged wells, including approximately 2,400 confirmed abandoned wells. The Project Site, being located in northern Genesee County, is at the far northern extent of most oil and gas well activity in New York. To determine the presence of oil, gas and mining solution wells, the Applicant consulted publicly available data maintained by NYSDEC Division of Mineral Resources. According to this dataset, there are no known oil, gas or mining solution wells located in the Project Site or the Project Footprint. See Figure 3-9: *Oil, Gas and Mining Solution Wells*.

Beyond the boundaries of the Project Site, there are two gas wells located in the vicinity of the Project as illustrated in Figure 3-9 and summarized in Table 3-5: *Gas Wells Located Off-Site*.

Table 3-5: Gas Wells Located Off-Site

Owner	API Number	Well Name	Well Type	Status	Depth
F.E. Petrolueum Corp.	31037103110000	Woodbine	Gas Wildcat	Plugged and Abandoned	658 Feet
John J. Kasmer Farm LLC	31037229370000	Kasmer 1	Gas Development	Active	670 Feet

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Woodbine is located on non-participating land, approximately 300 feet south of the nearest point of the Project Site, south of North Byron Road. Kasmer 1 is located on non-participating land, approximately 700 feet south of the nearest point of the Project Site on Quaker Hill Road. Well locations were based upon the Oil and Gas Searchable Database, the New York State Mines and Wells mapping tool, DEC info Locator, and the Open Data NY website (accessed April 5, 2021).

Due to the location of the Project in NYSDEC Region 8, and identification of two NYSDEC wells within the vicinity of the Project Site, pursuant to 19 NYCRR § 900-2.4(u), the Applicant commissioned Dudek to conduct a UAV-Magnetometer survey using MagArrow UAV system consisting of a multi-rotor DJI M-600 UAV platform. According to this survey, there are no oil and gas infrastructure located in the Project Footprint.

2) Survey Maps

Figure 3-9 illustrates the locations of NYSDEC identified wells relative to Project components and the limit of disturbance. As stated above, according to NYSDEC data and the results of the magnetometer survey, no wells are located on the Project Site. Based upon this data, the Project components will be setback more than 300 feet from the identified gas wells. The Applicant does not propose to construct permanent structures or buildings. As no wells are located on the Project Site, there are no well access points on the Project Site.

3) Setback and Access Requirements

No waiver from the setback and access points to offsite identified wells is required.

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References

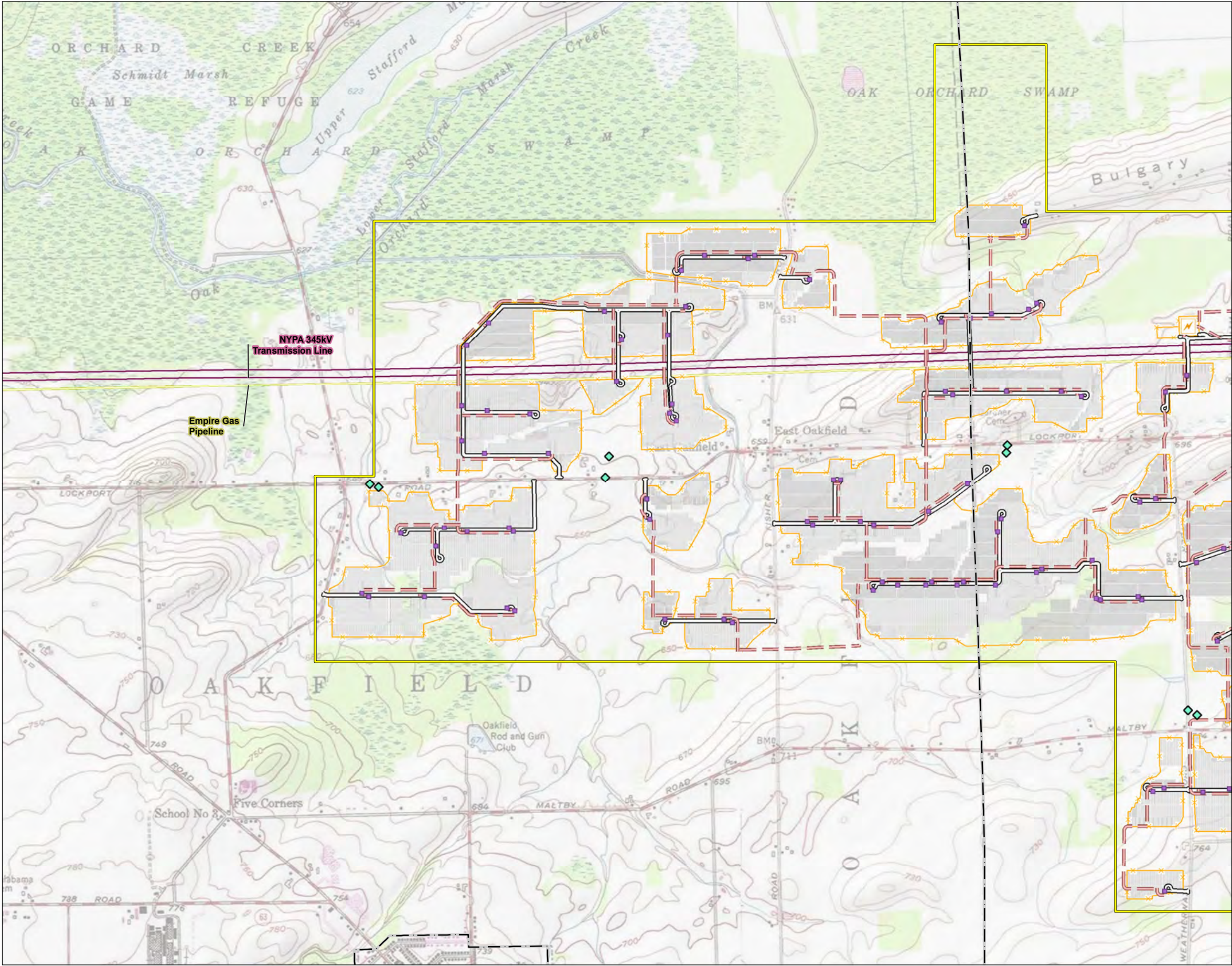
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EXHIBIT 3: LOCATION OF FACILITIES AND SURROUNDING LAND USE

Matter No. 21-01108

FIGURES

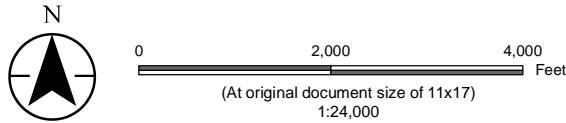
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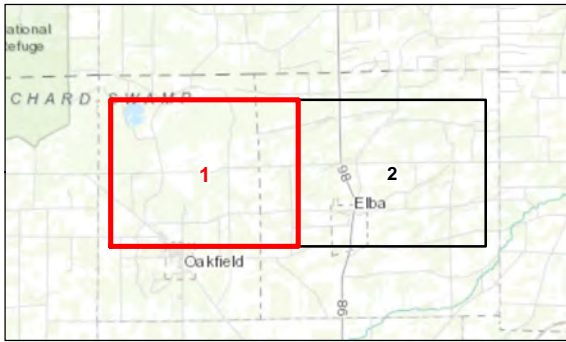
Legend

- Project Area
- Proposed Project
 - Substation and Switchyard
 - Inverter
 - Laydown Area
 - PV Panel Array
 - Collection Line
 - Fence Line
 - Access Road
- Existing Features
 - NYPA Transmission Line
 - Empire Gas Pipeline
 - Railroad *
 - Municipal Boundary

* There are no Railroads or Switchyards within map extent.



Notes
1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
2. Data Sources: HIFLD (<https://gi.dhs.gov/HIFLD>), NYS GIS Clearinghouse (<https://gis.ny.gov>)
3. Background: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community
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Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
TR by EE on 2021-04-23
IR by NL on 2021-04-23

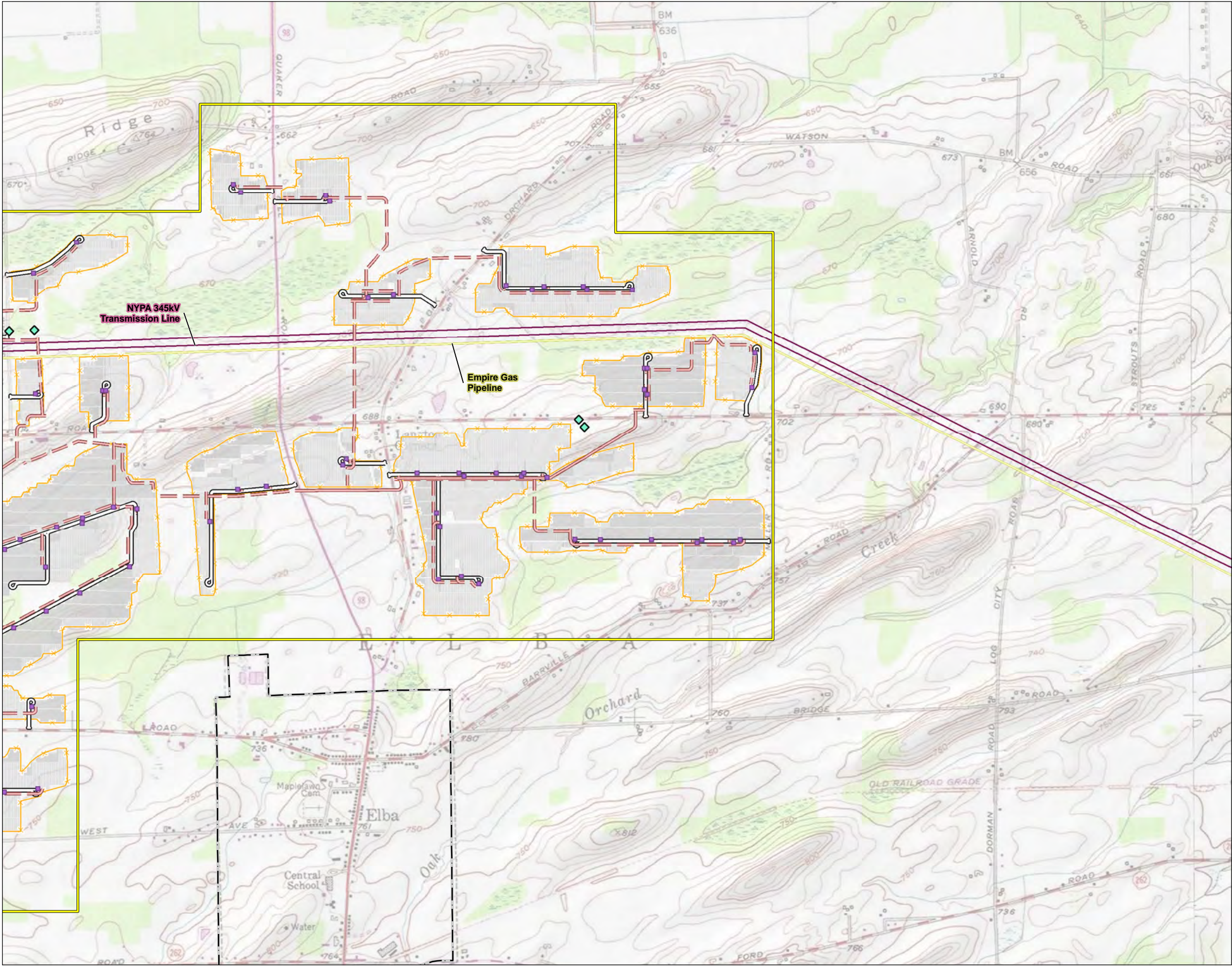
Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REVA

Figure No.
3-1

Title
**Proposed Project
Map 1 of 2**

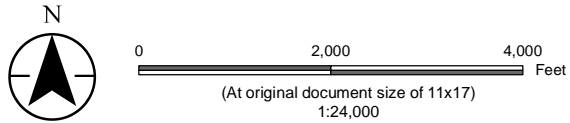
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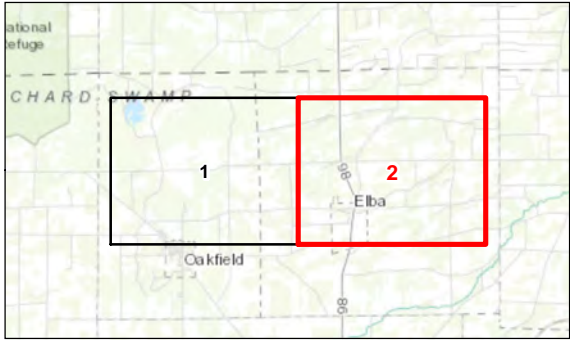
Legend

- Project Area
- Proposed Project
 - Substation and Switchyard
 - Inverter
 - Laydown Area
 - PV Panel Array
 - Collection Line
 - Fence Line
 - Access Road
- Existing Features
 - NYPA Transmission Line
 - Empire Gas Pipeline
 - Railroad *
 - Municipal Boundary

* There are no Railroads or Switchyards within map extent.



Notes
1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
2. Data Sources: HIFLD (<https://gi.dhs.gov/HIFLD>), NYS GIS Clearinghouse (<https://gis.ny.gov>)
3. Background: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community
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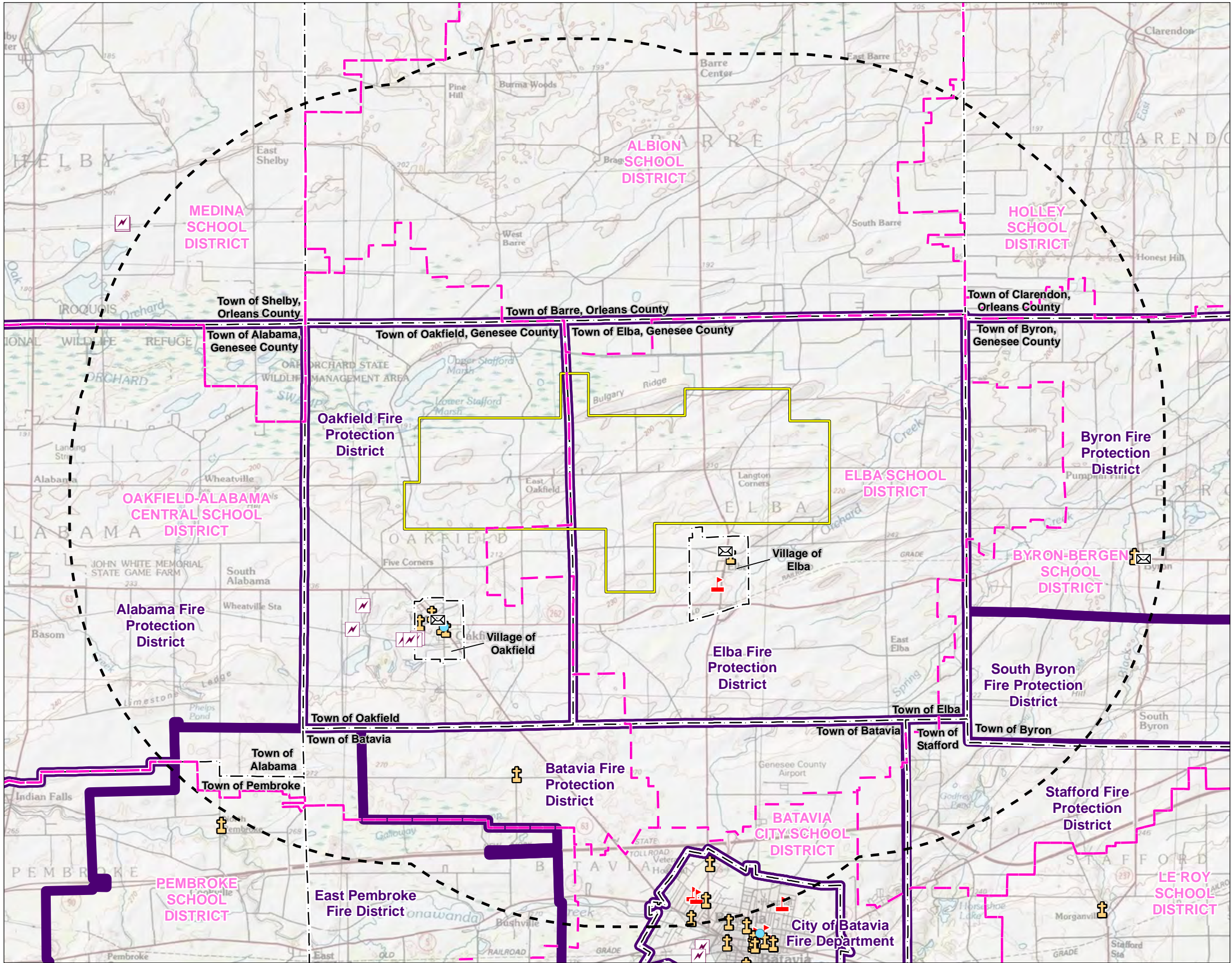
Project Location: Towns of Elba and Oakfield, Genesee County, NY
Prepared by AS on 2021-03-30
TR by EE on 2021-04-23
IR by NL on 2021-04-23

Client/Project: Hecate Energy Cider Solar LLC, Cider Solar Farm
190502038 REVA

Figure No. 3-1

Title: Proposed Project
Map 2 of 2

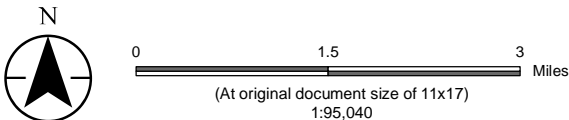
U:\190502038\03_data\gis\mxd\Application\Exhibit3\Fig_3-2_Tax_Jurisdictions_CSF.mxd Revised: 2021-05-19 By: astapleton



Legend

- Project Area
- 5-miles from Project Footprint
- Existing Features**
 - Substation
 - Library
 - Place of Worship
 - Post Office
 - School
- NYS School District
- Genesee County Fire District
- Municipal Boundary

*Orleans County Fire Districts not spatially available at the time of this Application.



- Notes**
- Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - Data Sources: Genesee County Planning, HIFLD (<https://gil.dhs.gov/HIFLD>), NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - Background: Copyright:© 2013 National Geographic Society, i-cubed National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, increment P Corp.



Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
TR by EE on 2021-04-23
IR by NL on 2021-04-23

Client/Project

Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REV B

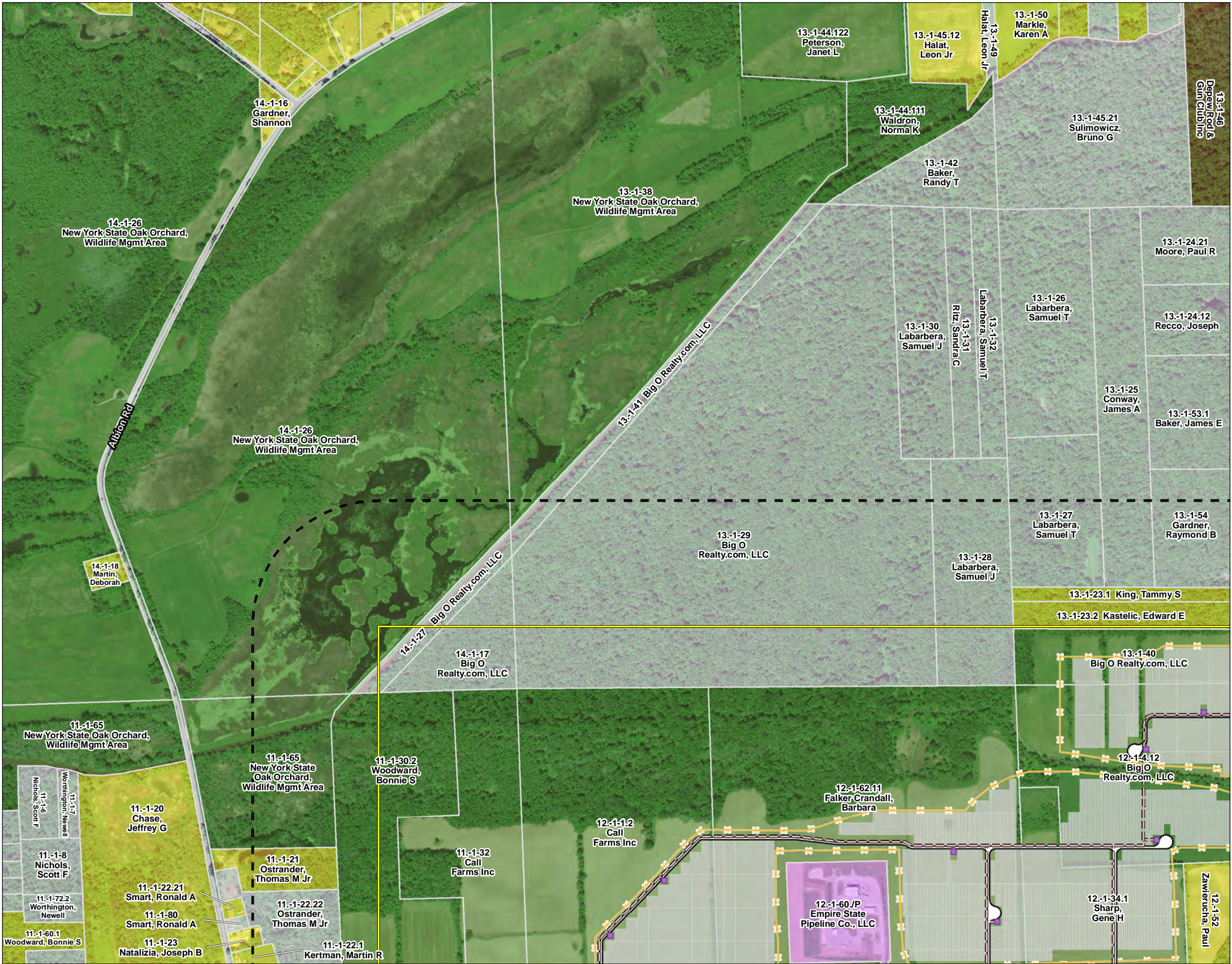
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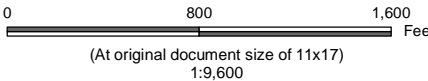
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Map 1 of 1

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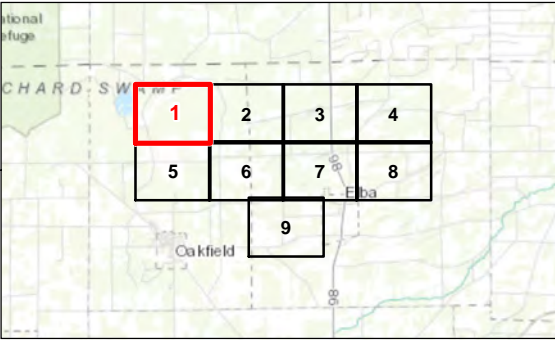


Legend

- Project Area
- 1,000 feet from Project Area
- Proposed Project
 - Substation and Switchyard
 - Inverter
 - PV Panel Array
 - Collection Line
 - Fence Line
 - Access Road
 - Laydown Area
- Existing Features
 - Municipal Boundary
- Land Use (Property Class Code)
 - Agricultural
 - Residential
 - Vacant Land / Unclassified
 - Commercial
 - Recreation & Entertainment
 - Community Services
 - Industrial
 - Public Services
 - Wild, Forested, Conservation Lands & Public Parks



- Notes
- Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - Background: WorldView-3 satellite imagery purchased on June 6, 2020



Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
TR by XX on 2021-04-23
IR by NL on 2021-04-23

Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

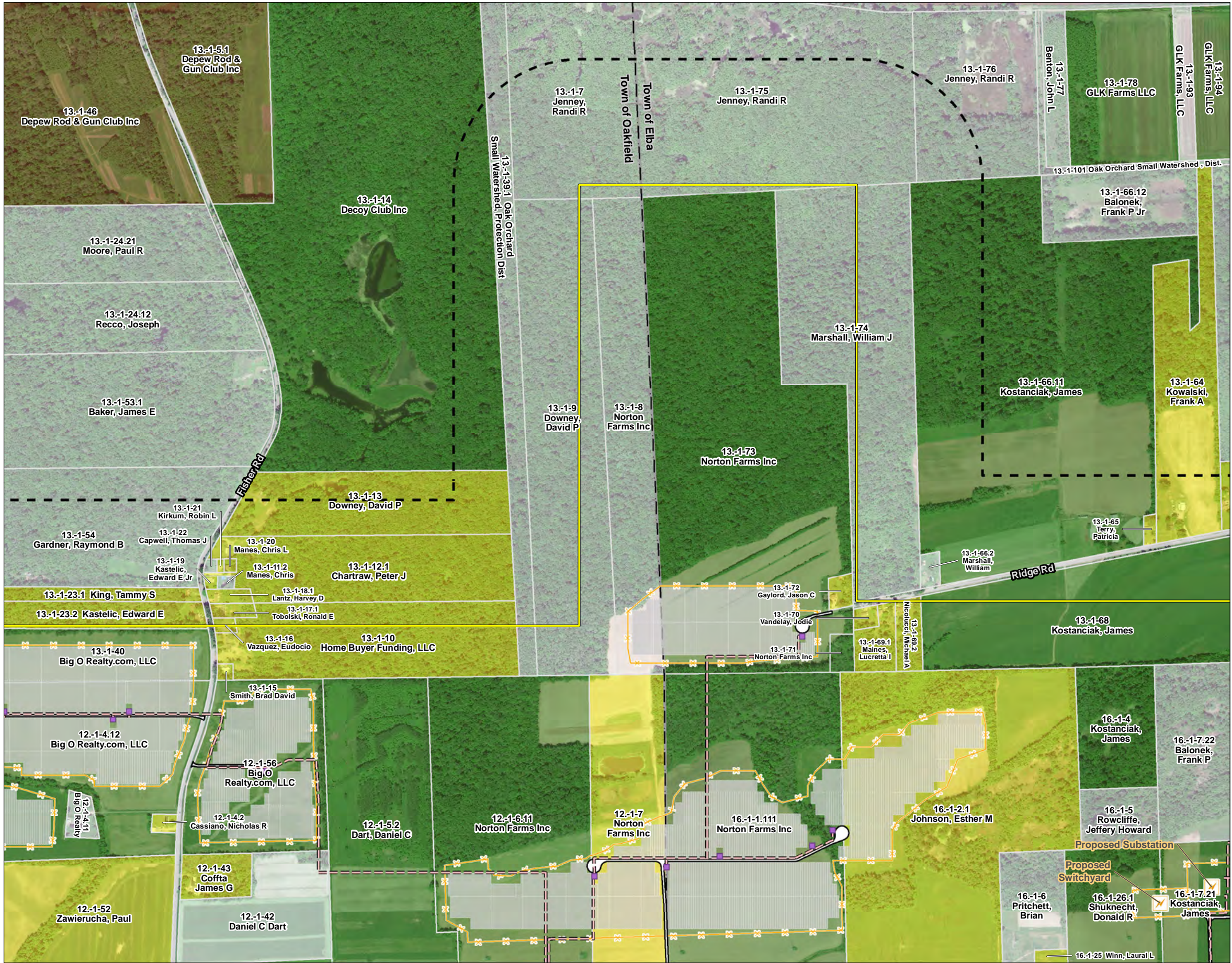
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Figure No.

3-3a

Title
Current Land Uses
Map 1 of 9

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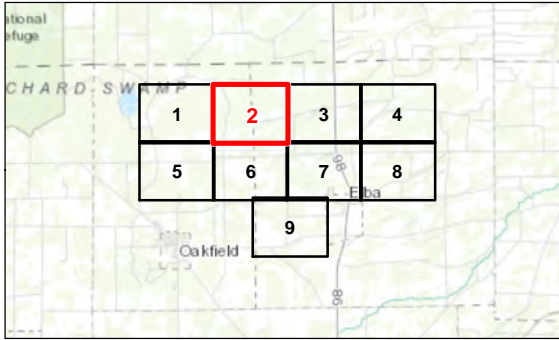
Legend

- Project Area
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0 800 1,600 Feet
(At original document size of 11x17)
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- Notes
- Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - Background: WorldView-3 satellite imagery purchased on June 6, 2020



Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
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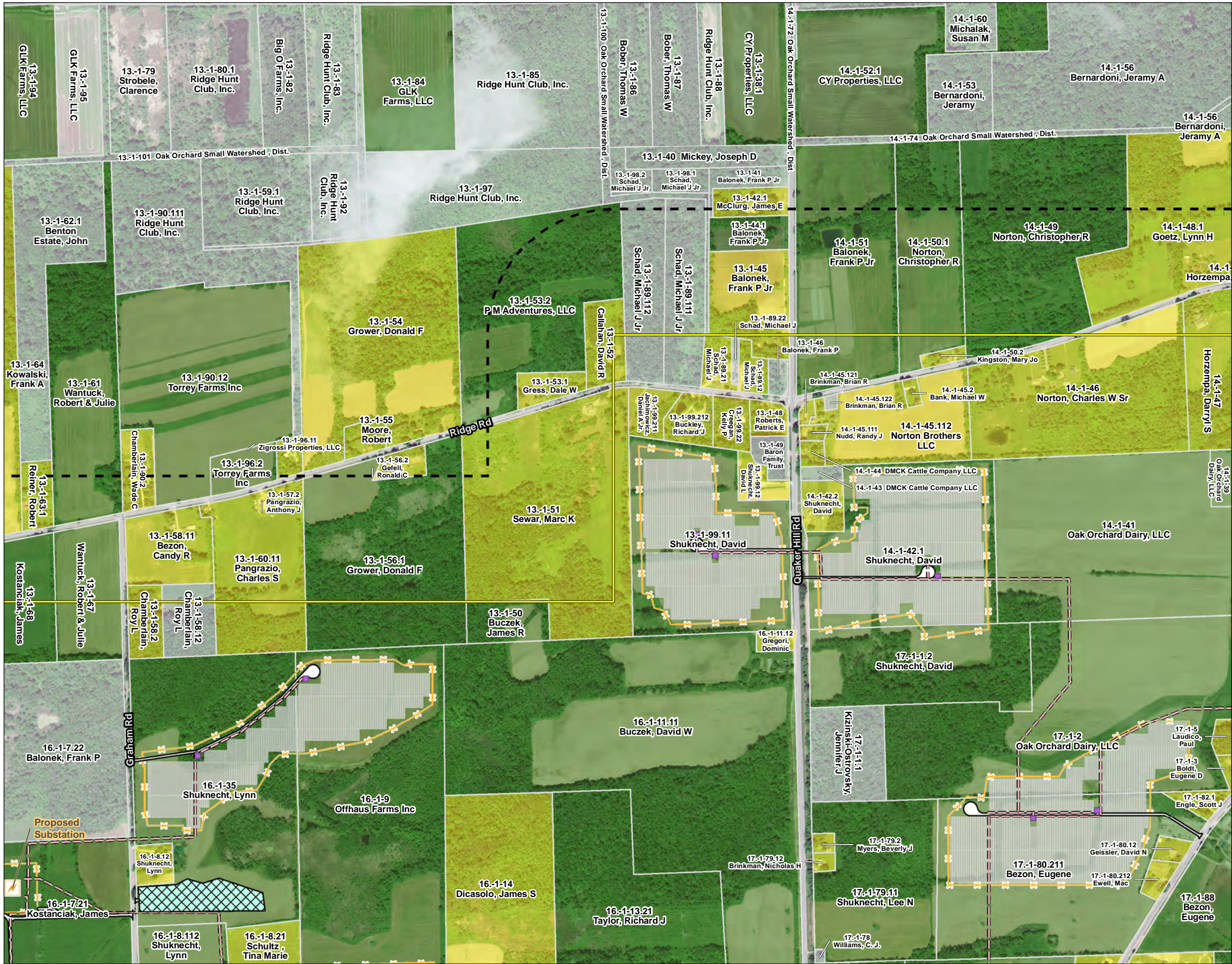
Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REV B

Figure No.
3-3a

Title
Current Land Uses
Map 2 of 9

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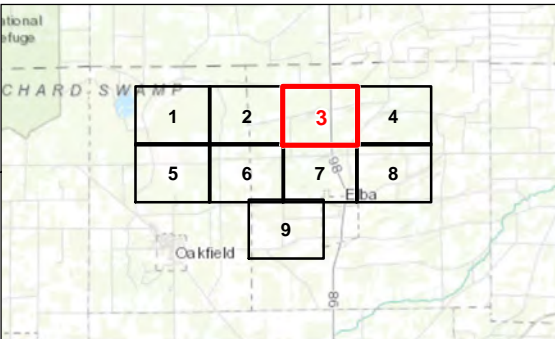
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- Project Area
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0 800 1,600 Feet
(At original document size of 11x17)
1:9,600

- Notes
- Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - Background: WorldView-3 satellite imagery purchased on June 6, 2020



Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
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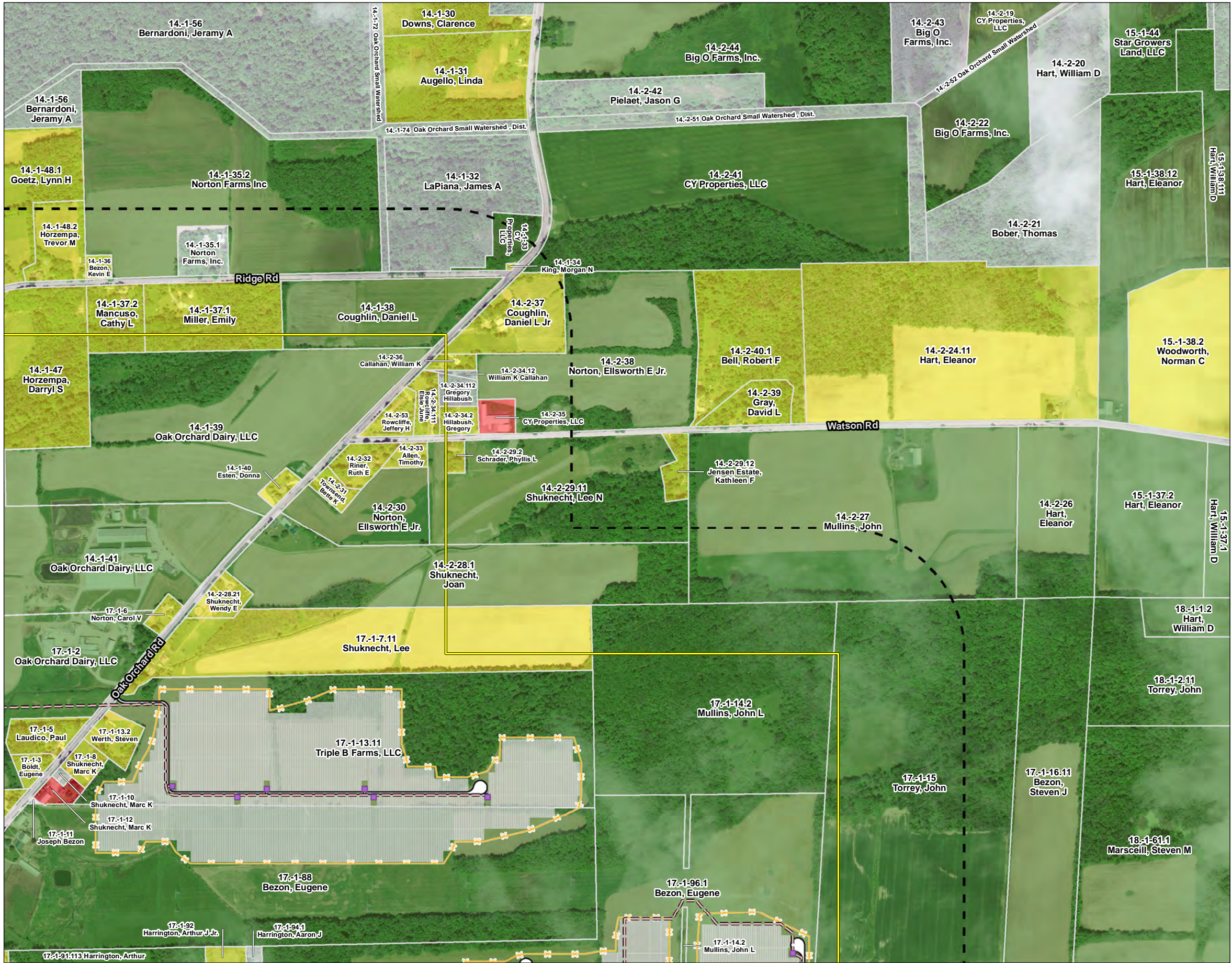
Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REV8

Figure No.
3-3a

Title
Current Land Uses
Map 3 of 9

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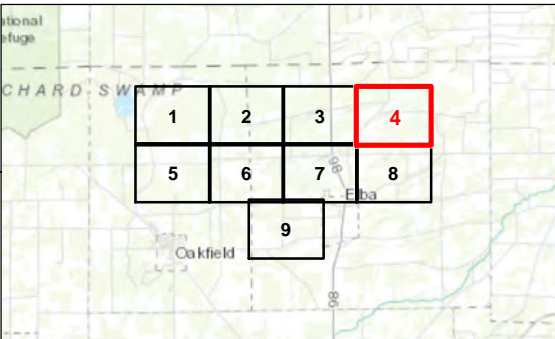
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- Project Area
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0 800 1,600 Feet
(At original document size of 11x17)
1:9,600

- Notes
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 - Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - Background: WorldView-3 satellite imagery purchased on June 6, 2020



Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
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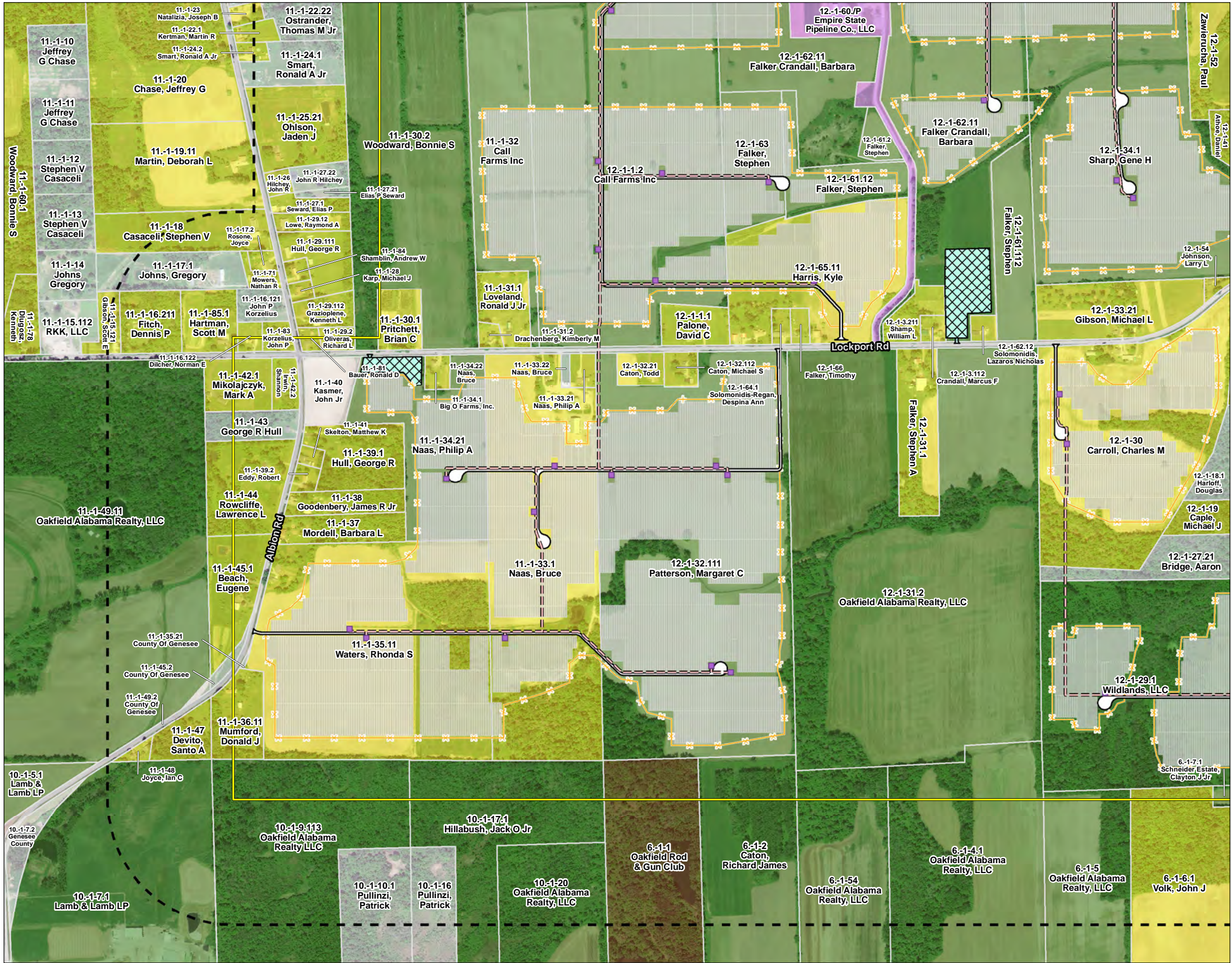
Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REV B

Figure No.
3-3a

Title
Current Land Uses
Map 4 of 9

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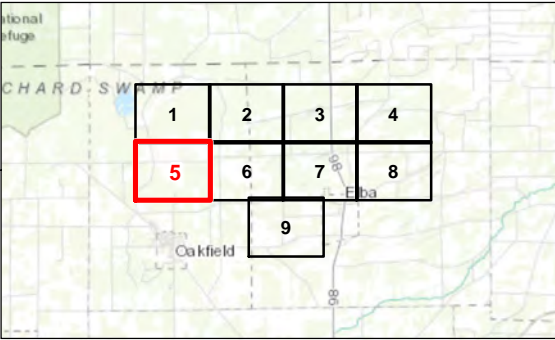
Legend

- Project Area
- 1,000 feet from Project Area
- Proposed Project
 - Substation and Switchyard
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 - PV Panel Array
 - Collection Line
 - Fence Line
 - Access Road
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 - Industrial
 - Public Services
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0 800 1,600 Feet
(At original document size of 11x17)
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- Notes
- Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - Background: WorldView-3 satellite imagery purchased on June 6, 2020



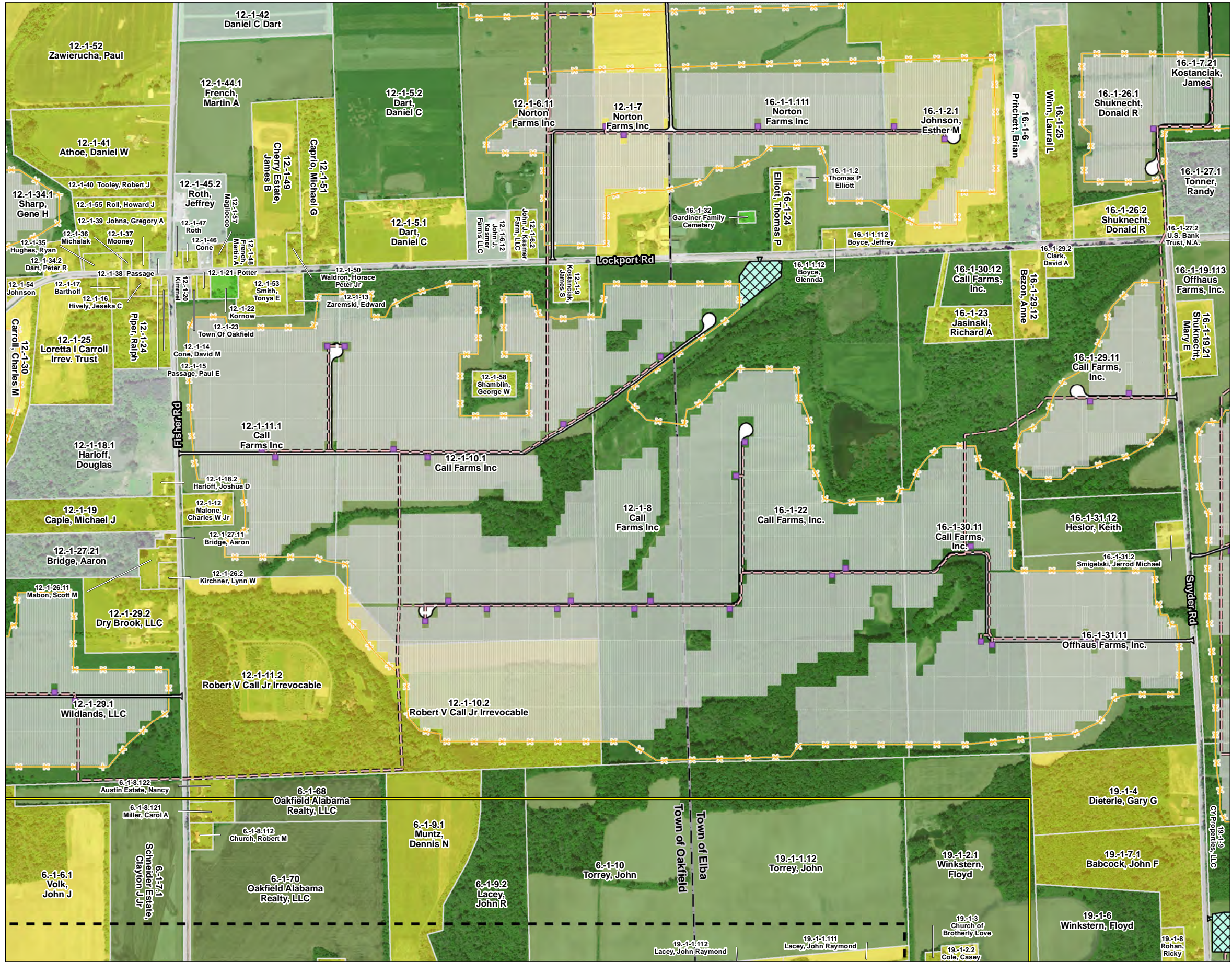
Project Location
Towns of Elba and Oakfield
Genesee County, NY

Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

Figure No.
3-3a

Title
Current Land Uses
Map 5 of 9

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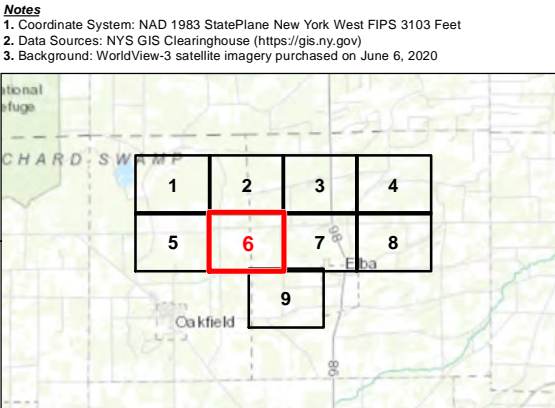


Legend

- Project Area
- 1,000 feet from Project Area
- Proposed Project
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 - Recreation & Entertainment
 - Community Services
 - Industrial
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 - Wild, Forested, Conservation Lands & Public Parks



0 800 1,600 Feet
(At original document size of 11x17)
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Project Location: Towns of Elba and Oakfield, Genesee County, NY
Prepared by AS on 2021-03-30
TR by XX on 2021-04-23
IR by NL on 2021-04-23

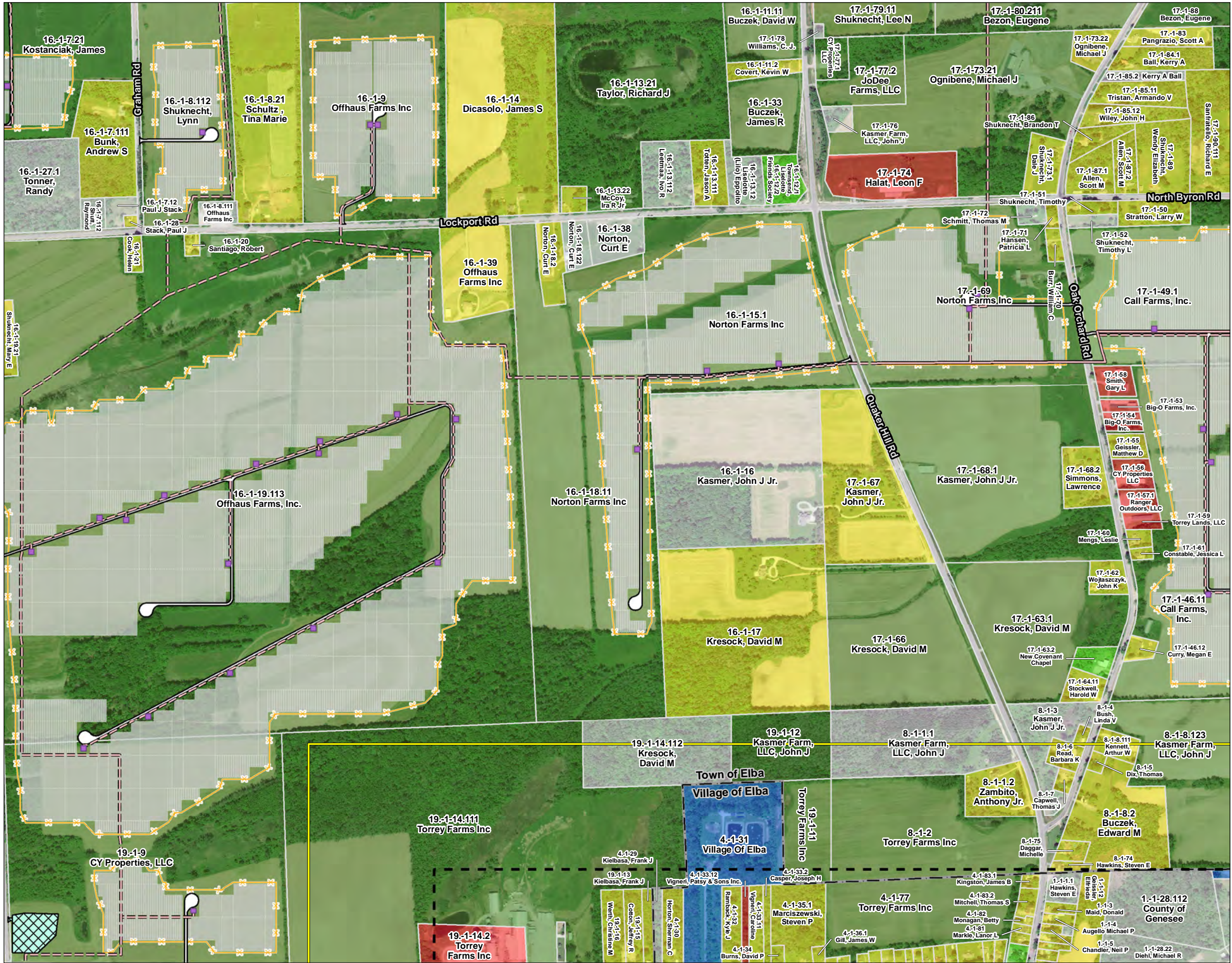
Client/Project: Hecate Energy Cider Solar LLC, Cider Solar Farm
190502038 REV B

Figure No.

3-3a

Title: Current Land Uses
Map 6 of 9

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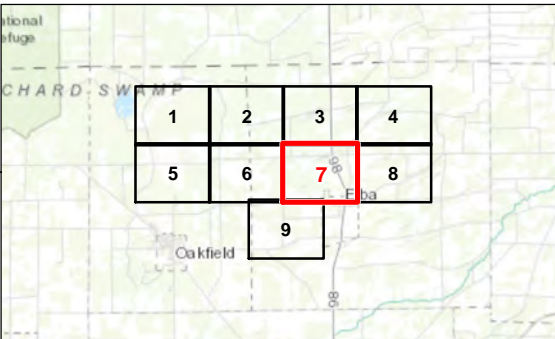
Legend

- Project Area
- 1,000 feet from Project Area
- Proposed Project
 - Substation and Switchyard
 - Inverter
 - PV Panel Array
 - Collection Line
 - Fence Line
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0 800 1,600 Feet
(At original document size of 11x17)
1:9,600

- Notes
- Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - Background: WorldView-3 satellite imagery purchased on June 6, 2020



Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
TR by XX on 2021-04-23
IR by NL on 2021-04-23

Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

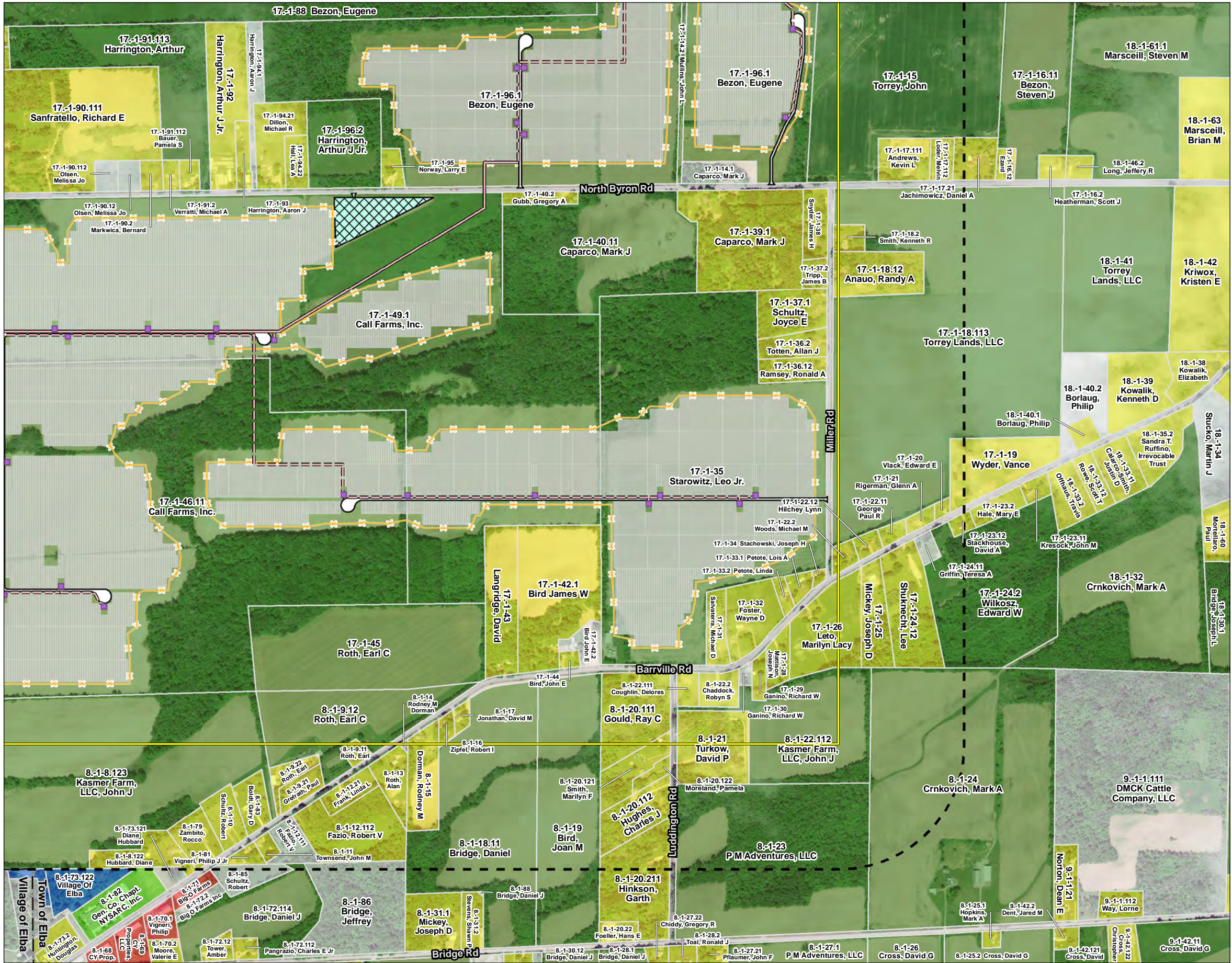
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Figure No.

3-3a

Title
Current Land Uses
Map 7 of 9

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Legend

- Project Area
- 1,000 feet from Project Area
- Proposed Project

- Substation and Switchyard
- Inverter
- PV Panel Array
- Collection Line
- Fence Line
- Access Road
- Laydown Area

Existing Features

- Municipal Boundary

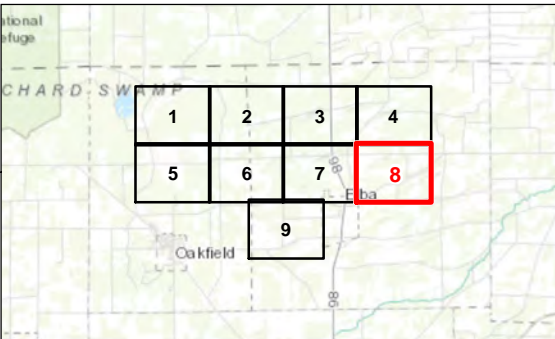
Land Use (Property Class Code)

- Agricultural
- Residential
- Vacant Land / Unclassified
- Commercial
- Recreation & Entertainment
- Community Services
- Industrial
- Public Services
- Wild, Forested, Conservation Lands & Public Parks



0 800 1,600 Feet
(At original document size of 11x17)
1:9,600

- Notes
- Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - Background: WorldView-3 satellite imagery purchased on June 6, 2020



Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
TR by XX on 2021-04-23
IR by NL on 2021-04-23

Client/Project

Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REV B

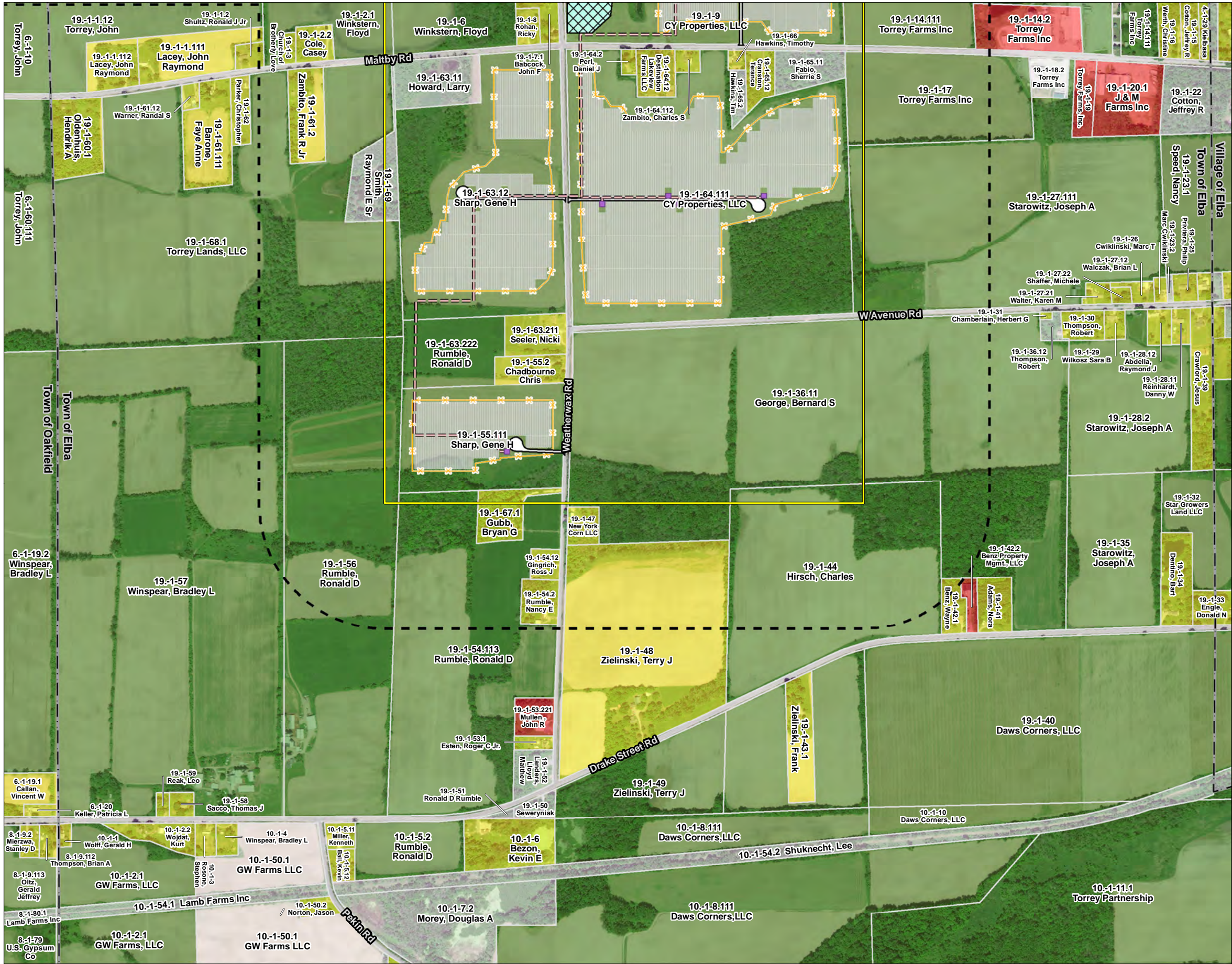
Figure No.

3-3a

Title

Current Land Uses
Map 8 of 9

U:\190502038\03_data\gis\mxd\Application\Exhibit3\Fig_3-3a_Current_Land_Uses_CSF.mxd Revised: 2021-05-21 By: astapleton



Legend

- Project Area
- 1,000 feet from Project Area

Proposed Project

- Substation and Switchyard
- Inverter
- PV Panel Array
- Collection Line
- Fence Line
- Access Road
- Laydown Area

Existing Features

- Municipal Boundary

Land Use (Property Class Code)

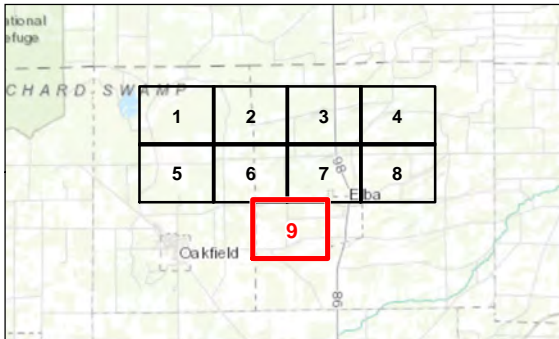
- Agricultural
- Residential
- Vacant Land / Unclassified
- Commercial
- Recreation & Entertainment
- Community Services
- Industrial
- Public Services
- Wild, Forested, Conservation Lands & Public Parks



0 800 1,600 Feet
(At original document size of 11x17)
1:9,600

Notes

- Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
- Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
- Background: WorldView-3 satellite imagery purchased on June 6, 2020



Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
TR by XX on 2021-04-23
IR by NL on 2021-04-23

Client/Project

Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REV9

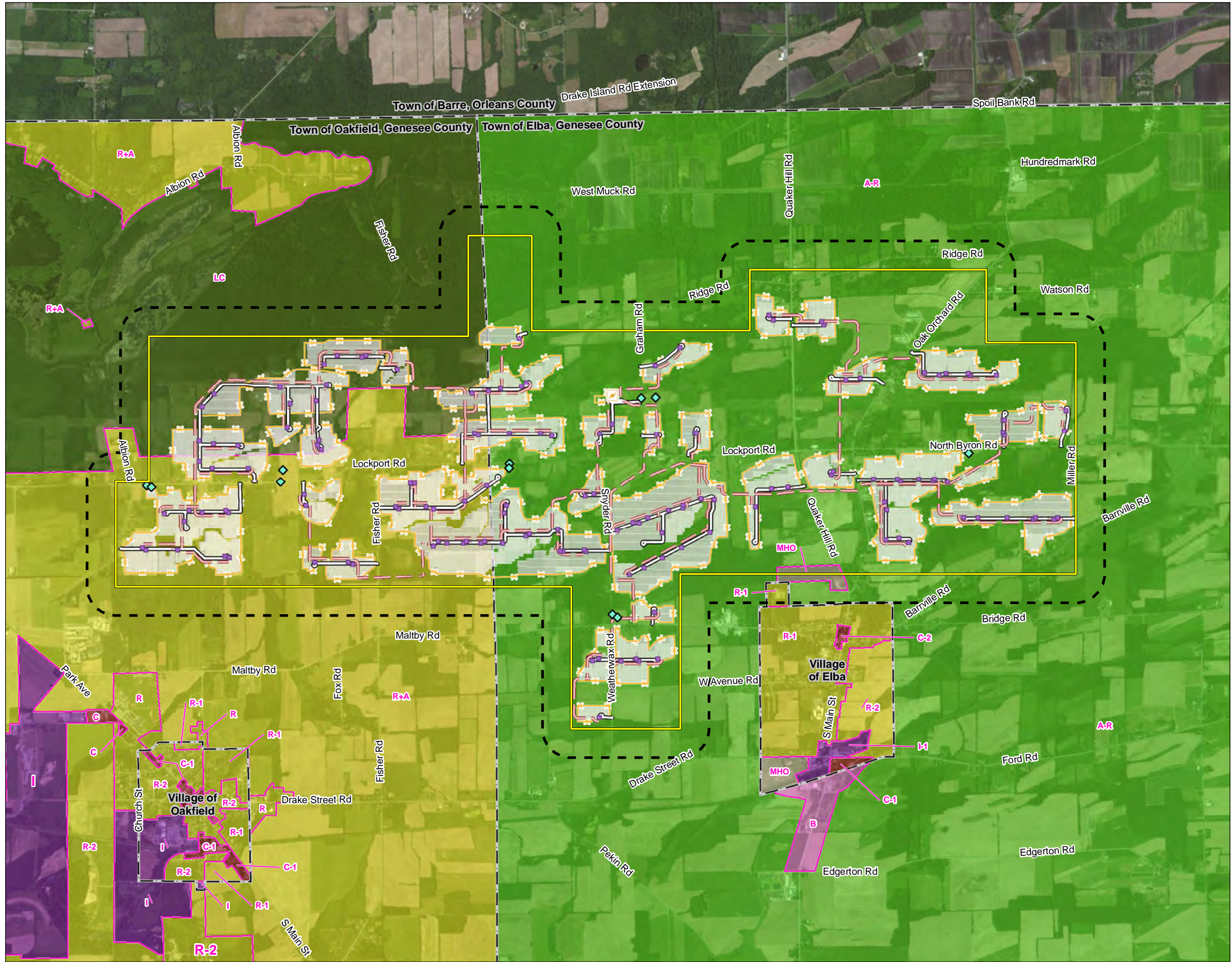
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3-3a

Title

Current Land Uses
Map 9 of 9

U:\190502038\03_data\gis\mxd\Application\Exhibit3\Fig_3-4_Zoning_Districts_CSF.mxd Revised: 2021-05-14 By: astapleton



Legend

- Project Area
- 1,000 feet from Project Area

Proposed Project

- Substation and Switchyard
- Inverter
- Laydown Area
- PV Panel Array
- Collection Line
- Fence Line
- Access Road

Existing Features

- Municipal Boundary

Genesee County Zoning District

- Agricultural Residential (A-R)
- Business (B)
- Commercial (C, C-1, C-2)
- Industrial (I, I-1)
- Land Conservation (LC)
- Mobile Home Overlay (MHO)
- Residential (R, R-1, R-2, R+A)



0 3,500 7,000 Feet
(At original document size of 11x17)
1:42,046

Notes
1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
2. Data Sources: Genesee County Planning, Zoning Districts; NYSDEC (<https://giservices.dec.ny.gov/gis/maw/>), NYS GIS Clearinghouse (<https://gis.ny.gov>)
3. Background: National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, increment P Corp.
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
TR by EE on 2021-04-23
IR by NL on 2021-04-23

Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REV B

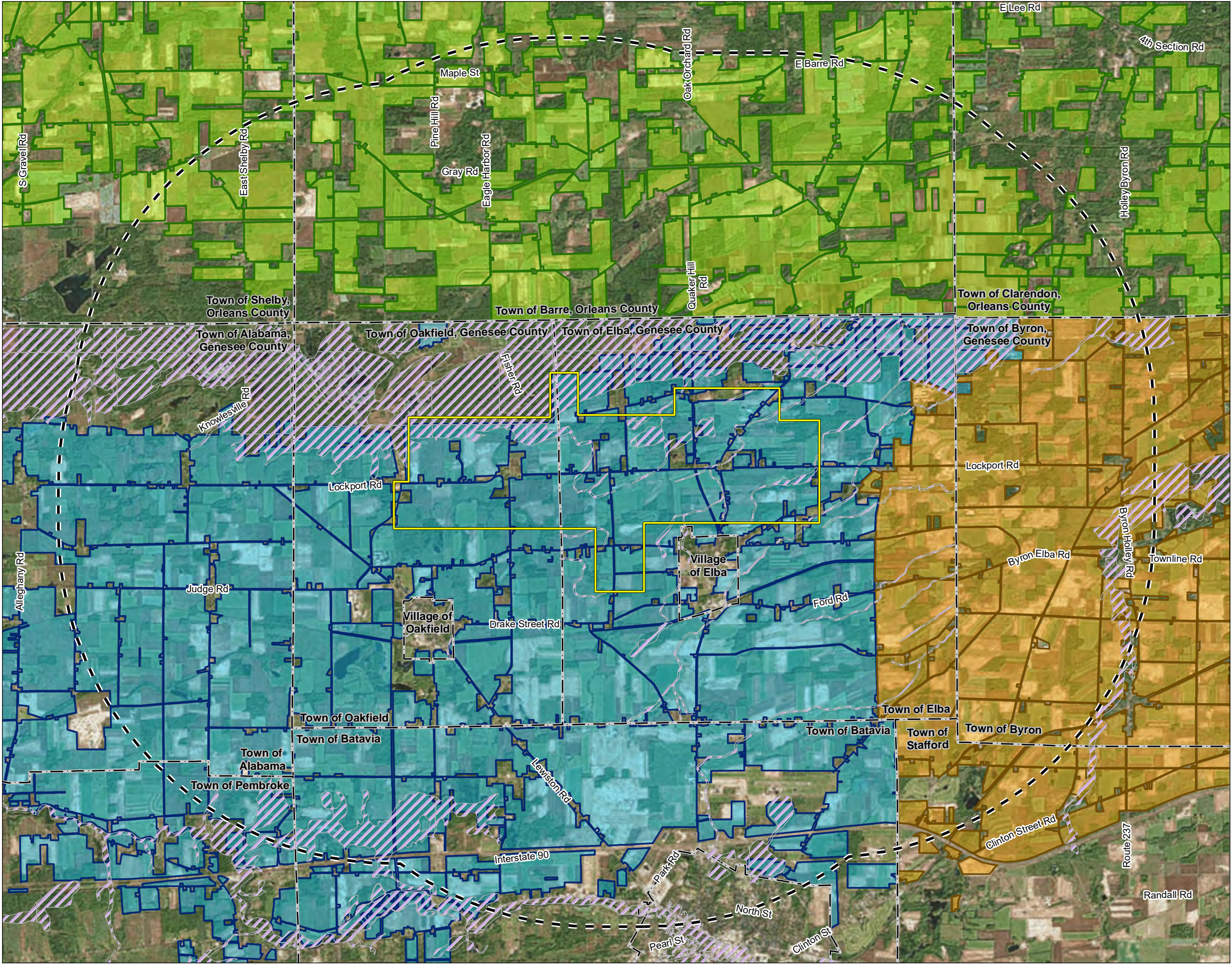
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Title

Zoning Districts
Map 1 of 1

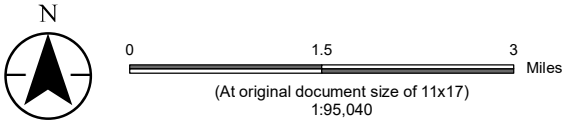
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Legend

- Project Area
- 5-miles from Project Footprint
- Existing Features
 - Municipal Boundary
- FEMA Flood Zones
 - 1% Annual Chance Flood (Q3)*
- Agricultural Districts
 - Genesee County Ag. District 2 (GENE002)
 - Genesee County Ag. District 4 (GENE004)
 - Orleans County Ag. District 1 (ORLEcn1)

*Orleans County FEMA Floodplain not spatially available at the time of this Application.



Notes
1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
2. Data Sources: NCED (<https://www.conservationssement.us>); NYS GIS Clearinghouse (<https://gis.ny.gov>)
3. Background: National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, increment P Corp.
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
4. As per the FEMA National Flood Map Web Service, the FEMA Q3 National Flood Layer displayed on this figure was derived from Flood Insurance Rate Maps (FIRMs) dated 1981 through 1984. FEMA notes that the Q3 data be "considered as an advisory tool for general hazard awareness, education, and floodplain management. The flood hazard maps displayed on [the FEMA National Flood Map Web Service] are not the legal document to be used when making a single site flood hazard determination" (FEMA 2020).



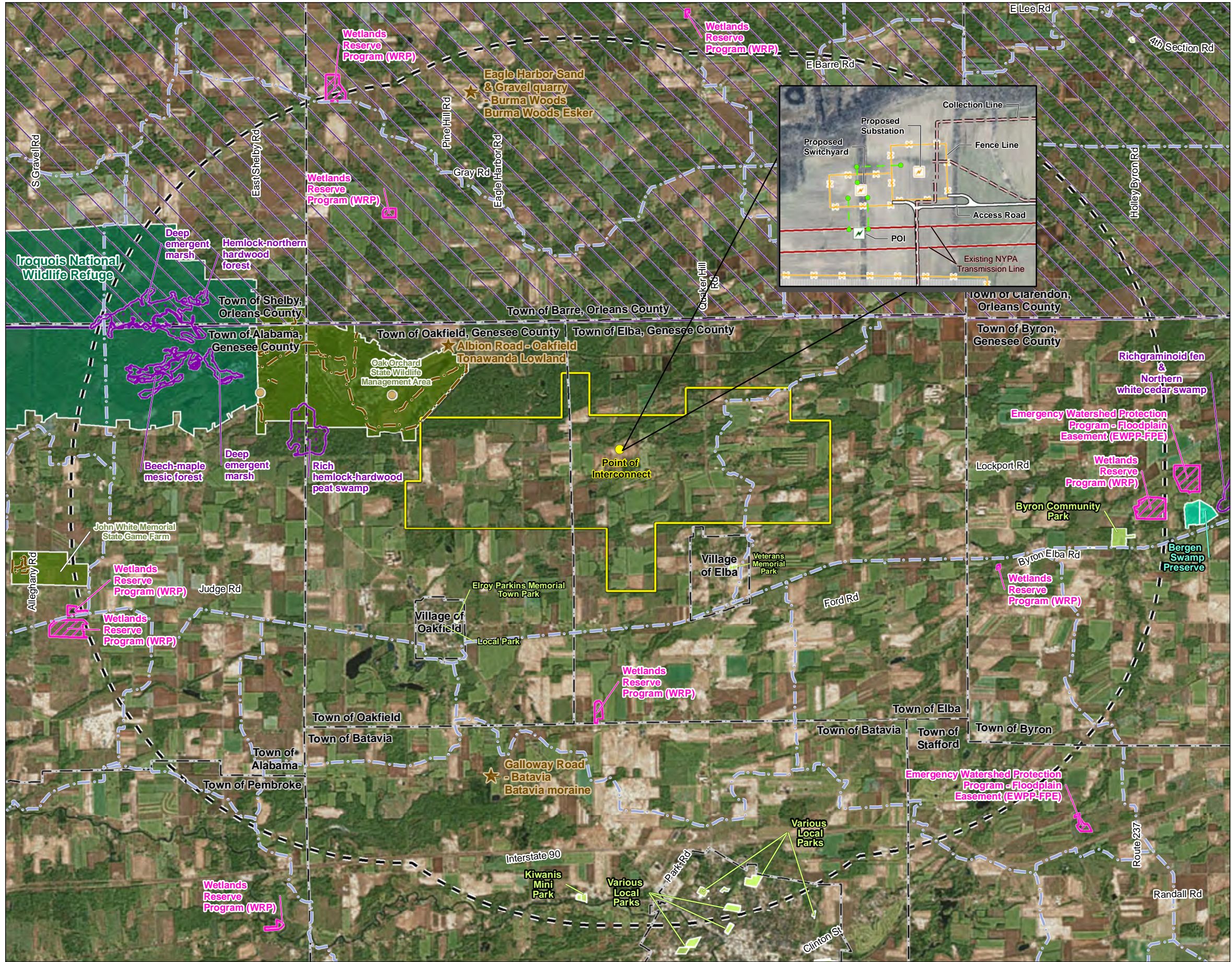
Project Location
Towns of Elba and Oakfield
Genesee County, NY
Prepared by AS on 2021-03-30
TR by EE on 2021-04-23
IR by NL on 2021-04-23

Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm
190502038 REV B

Figure No.
3-5

Title
Specially Designated Areas

U:\190502038\03_data\gis\mxd\Map\Exhibit3\Fig_3-6_Recreational_and_Other_Sensitive_Land_Uses_CSF.mxd Revised: 2021-05-20 By: asatapleton



Legend

- Project Area
- 5-miles from Project Footprint

Existing Features

- NYSDEC Recreation Area
- Unique Geologic Feature
- NYSDEC Trails
- NYS Snowmobile Trail
- Local Park/ Recreation/ Conservation Land
- State Park/ Recreation/ Conservation Land
- National Park/ Recreation/ Conservation Land
- NGO Nature Reserve or Preserve
- State Heritage Area
- Natural Heritage Community
- Conservation Easement
- Municipal Boundary



0 1.5 3 Miles
(At original document size of 11x17)
1:95,040

Notes
1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
2. Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
3. Background: Esri, Maxar, Earthstar Geographics, USDA FSA, USGS, AeroGrid, IGN, IGP, and the GIS User Community



Project Location
Towns of Elba and Oakfield
Genesee County, NY

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Client/Project

Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REVB

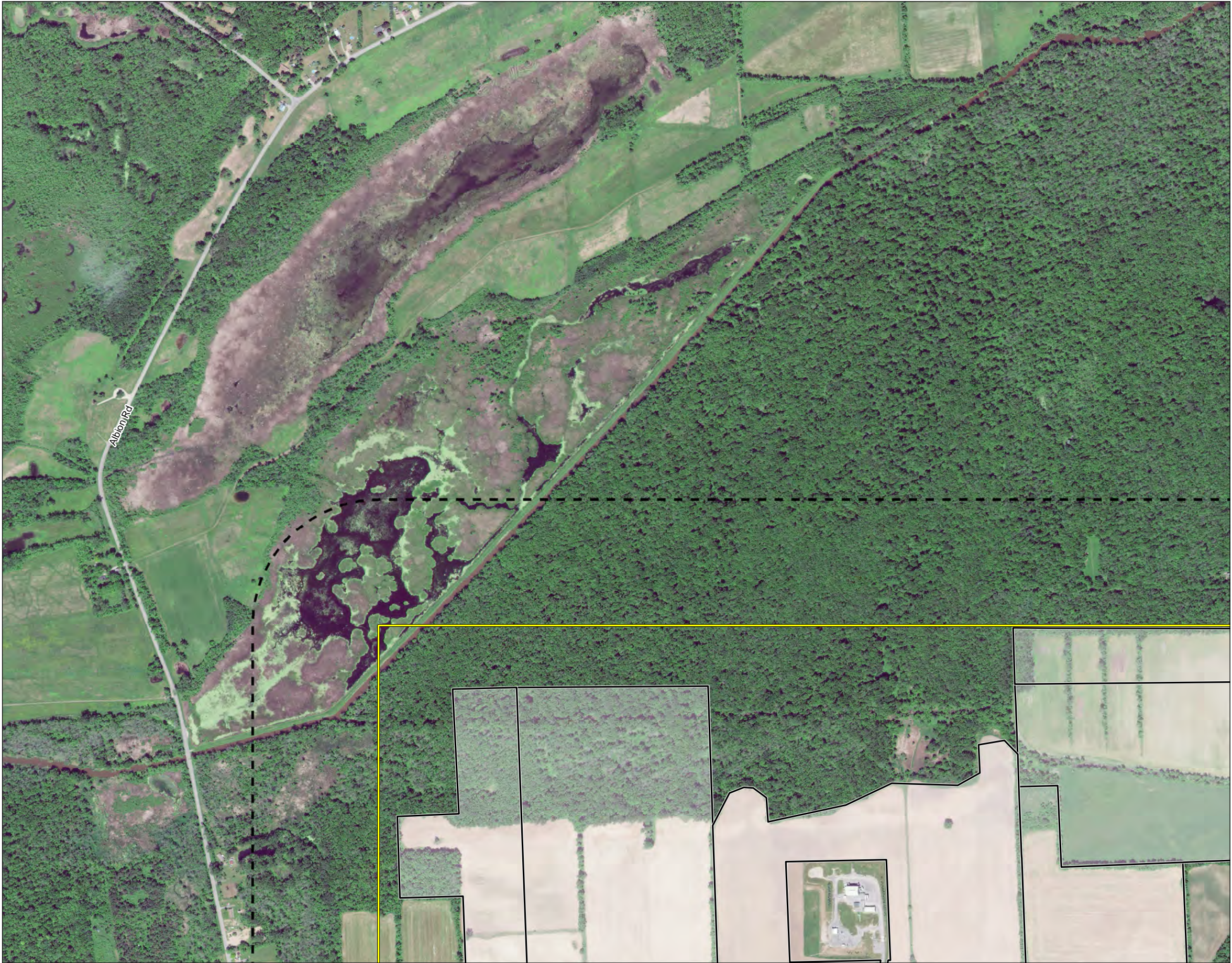
Figure No.

3-6

Title

Recreational and Other Sensitive Land
Uses

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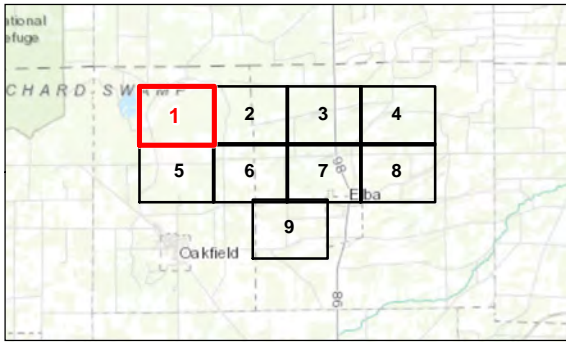
Legend

- Project Area
- 1,000 feet from Project Area
- Project Site
- Existing Features
- Municipal Boundary



0 800 1,600 Feet
(At original document size of 11x17)
1:9,600

- Notes**
- 1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - 2. Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - 3. Background: WorldView-3 satellite imagery purchased on June 6, 2020



Project Location
Towns of Elba and Oakfield
Genesee County, NY

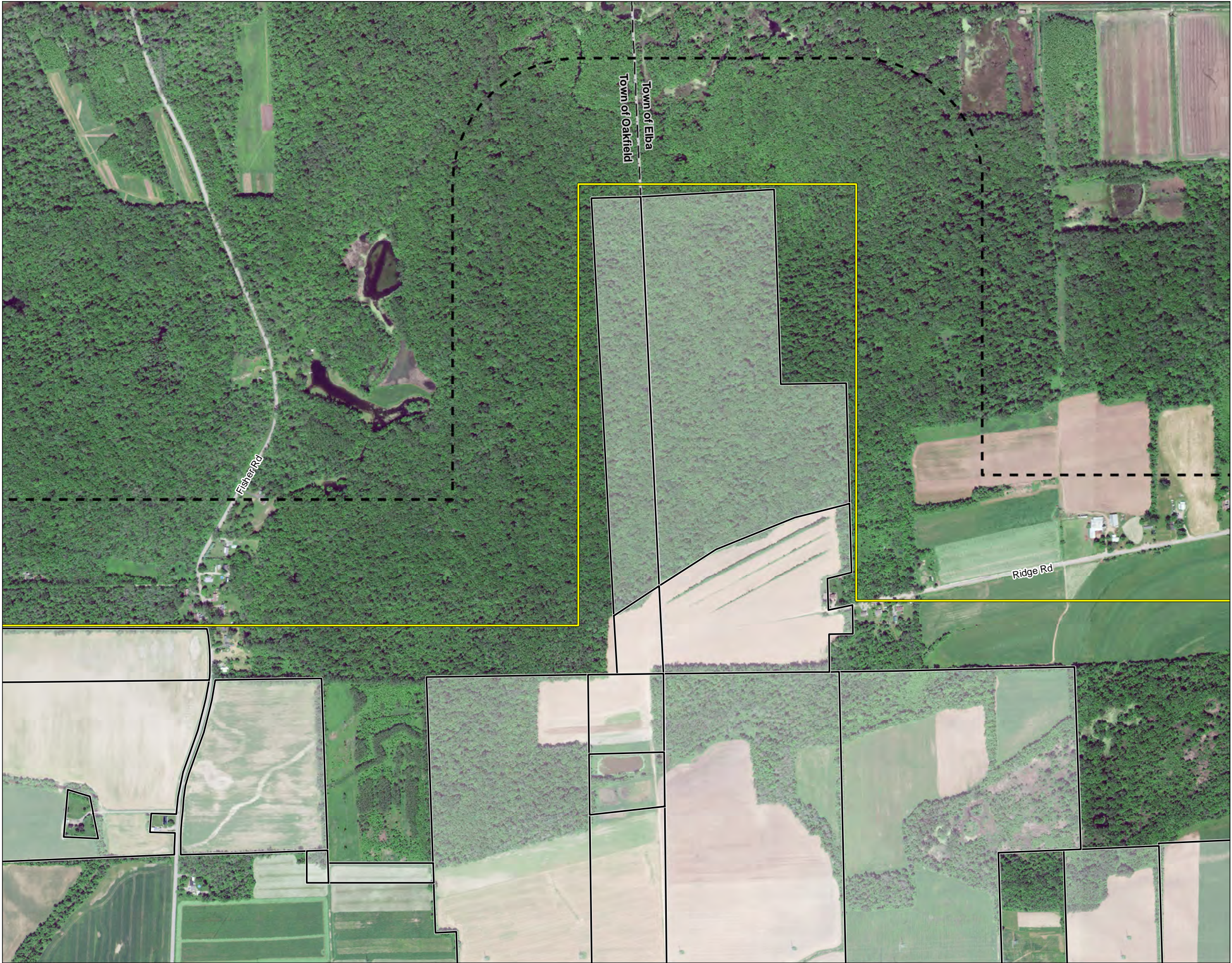
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TR by EE on 2021-04-23
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Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REVA

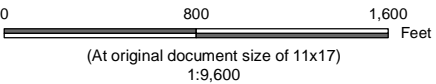
Figure No.
3-7

Title
**Aerial Photographs
Map 1 of 9**

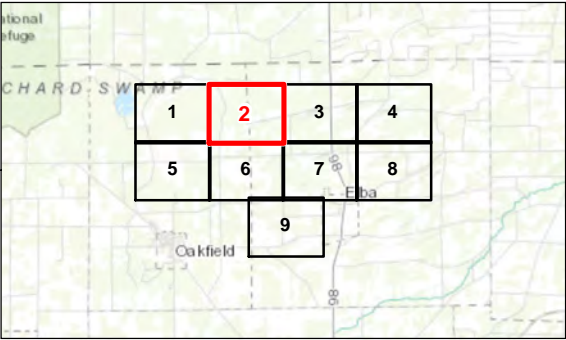


Legend

- Project Area
- 1,000 feet from Project Area
- Project Site
- Existing Features
- Municipal Boundary



- Notes**
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Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

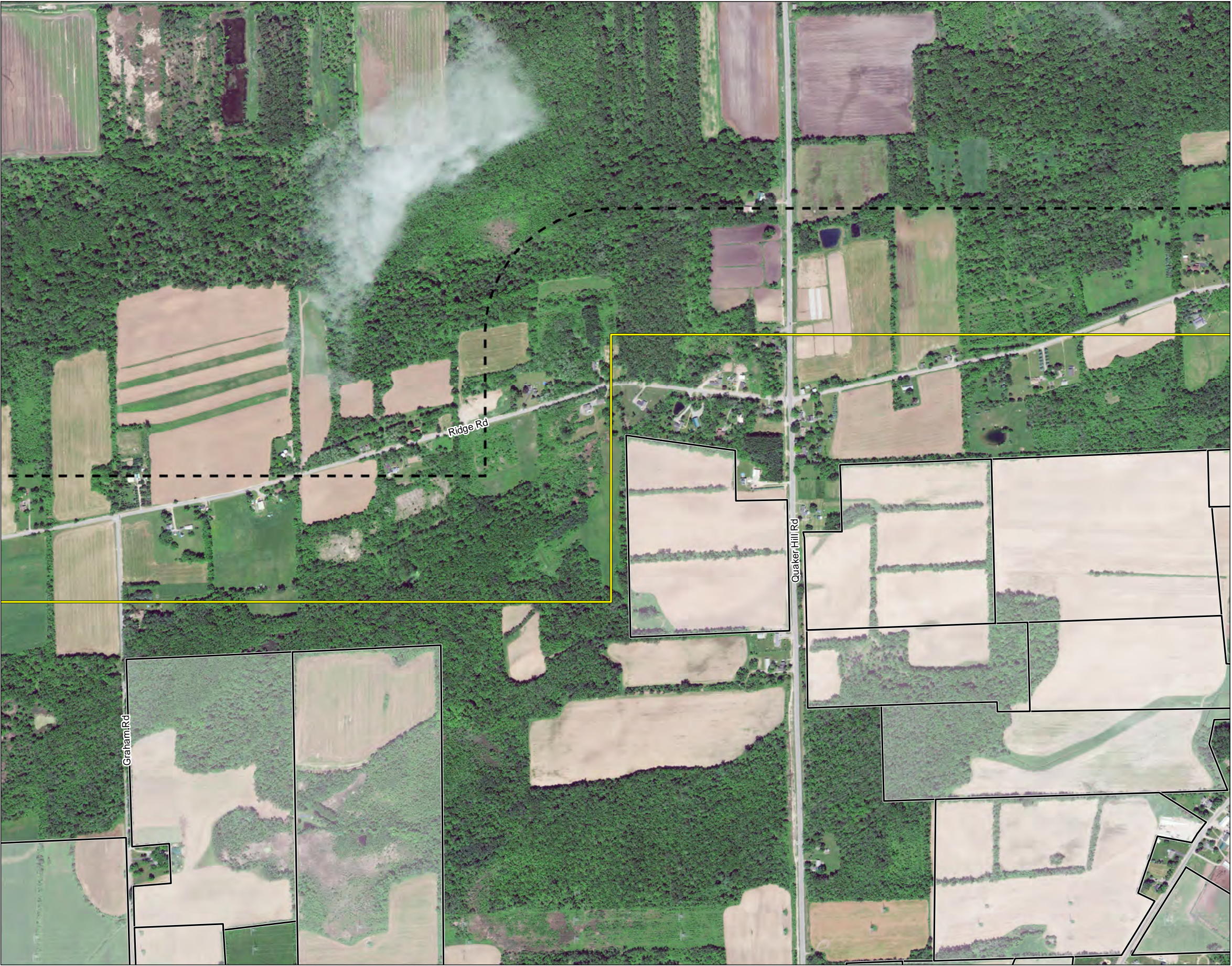
190502038 REVA

Figure No.
3-7

Title
**Aerial Photographs
Map 2 of 9**

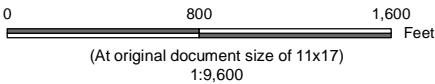
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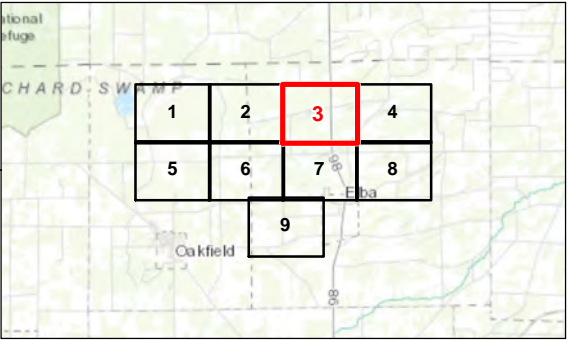


Legend

- Project Area
- 1,000 feet from Project Area
- Project Site
- Existing Features
- Municipal Boundary



- Notes**
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Project Location
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Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REVA

Figure No.
3-7

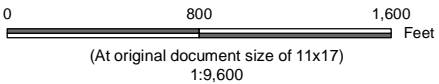
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Map 3 of 9**

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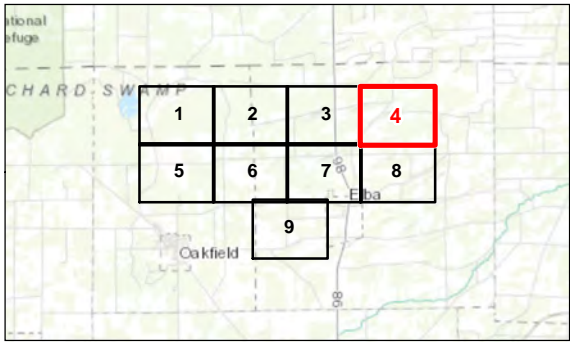


Legend

- Project Area
- 1,000 feet from Project Area
- Project Site
- Existing Features
- Municipal Boundary



- Notes**
- 1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
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Project Location: Towns of Elba and Oakfield, Genesee County, NY
Prepared by AS on 2021-03-30, TR by EE on 2021-04-23, IR by NL on 2021-04-23

Client/Project: Hecate Energy Cider Solar LLC, Cider Solar Farm
190502038 REVA

Figure No.: 3-7

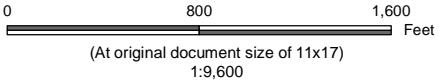
Title: Aerial Photographs
Map 4 of 9

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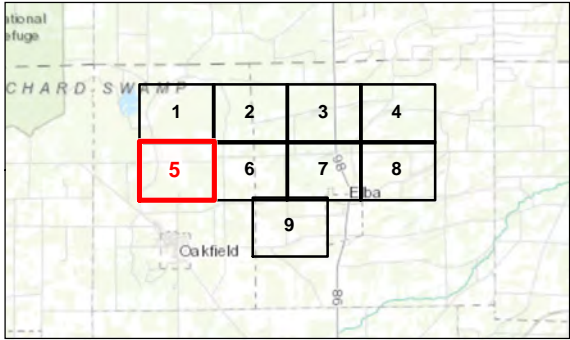


Legend

- Project Area
- 1,000 feet from Project Area
- Project Site
- Existing Features
- Municipal Boundary



- Notes**
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 - 3. Background: WorldView-3 satellite imagery purchased on June 6, 2020



Project Location
Towns of Elba and Oakfield
Genesee County, NY

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Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REVA

Figure No.
3-7

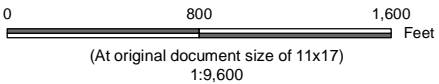
Title
**Aerial Photographs
Map 5 of 9**

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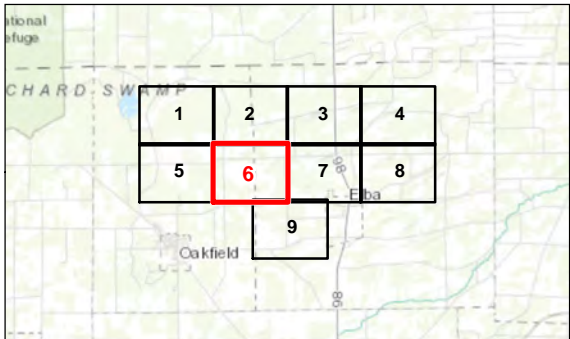


Legend

- Project Area
- 1,000 feet from Project Area
- Project Site
- Existing Features
- Municipal Boundary



- Notes**
- 1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - 2. Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - 3. Background: WorldView-3 satellite imagery purchased on June 6, 2020



Project Location Prepared by AS on 2021-03-30
Towns of Elba and Oakfield TR by EE on 2021-04-23
Genesee County, NY IR by NL on 2021-04-23

Client/Project 190502038 REVA

Hecate Energy Cider Solar LLC
Cider Solar Farm

Figure No.

3-7

Title

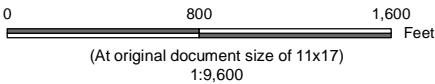
Aerial Photographs
Map 6 of 9

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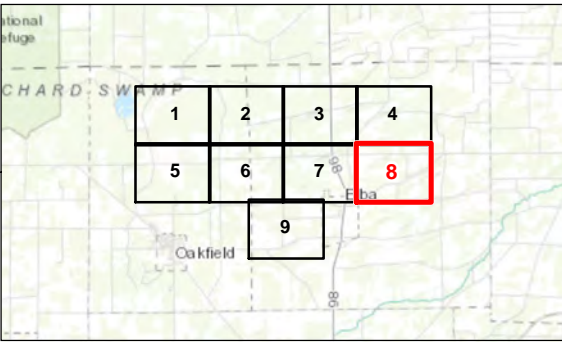


Legend

- Project Area
- 1,000 feet from Project Area
- Project Site
- Existing Features
- Municipal Boundary



- Notes**
- 1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - 2. Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - 3. Background: WorldView-3 satellite imagery purchased on June 6, 2020



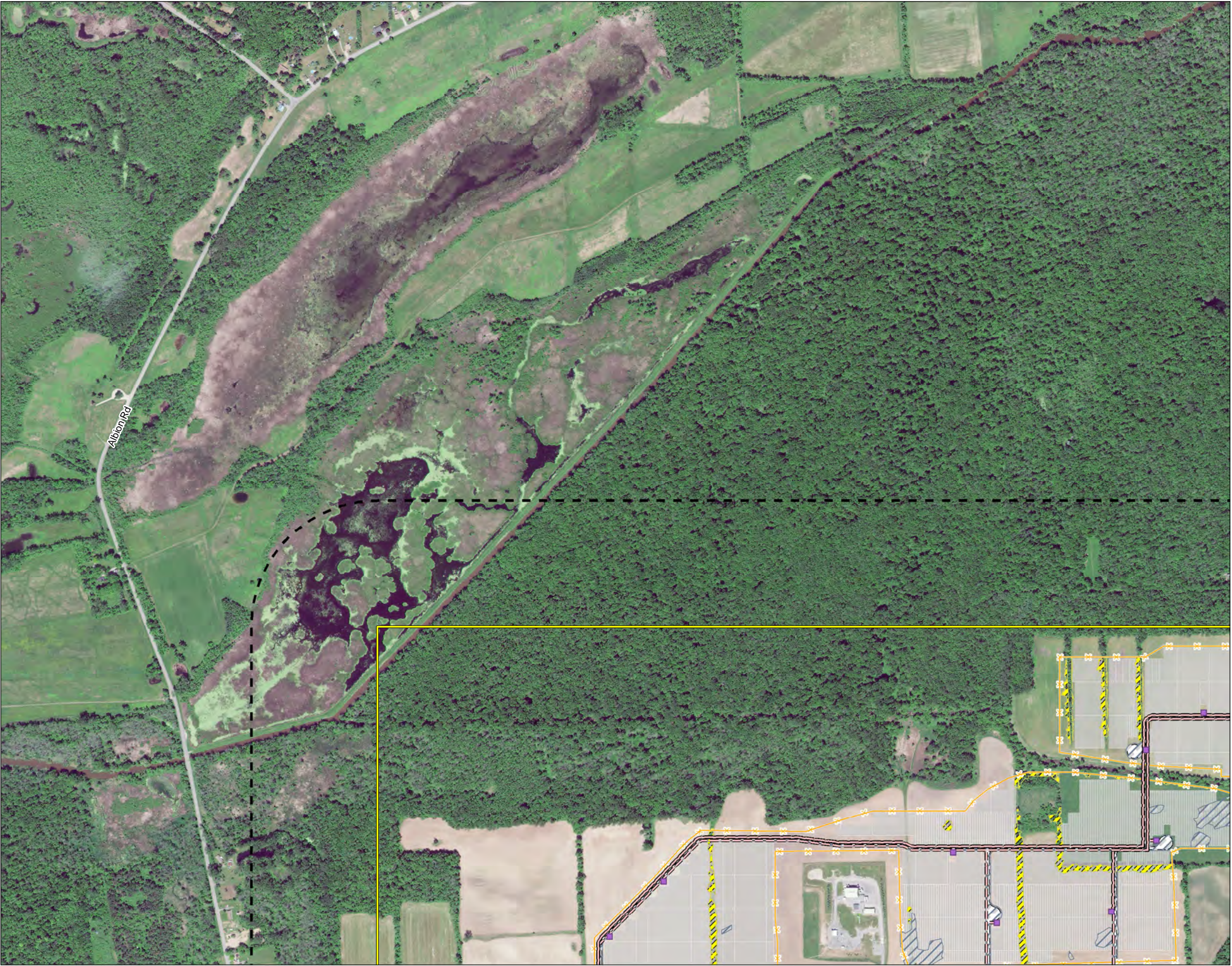
Project Location: Towns of Elba and Oakfield, Genesee County, NY
Prepared by AS on 2021-03-30, TR by EE on 2021-04-23, IR by NL on 2021-04-23



Client/Project: Hecate Energy Cider Solar LLC, Cider Solar Farm
190502038 REVA

Figure No.: 3-7



Title: Aerial Photographs, Map 8 of 9

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






Legend

-  Project Area
-  1,000 feet from Project Area



Proposed Project

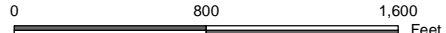

-  Substation and Switchyard
-  Inverter
-  PV Panel Array
-  Collection Line
-  Fence Line
-  Access Road
-  Laydown Area

Existing Features

-  Municipal Boundary

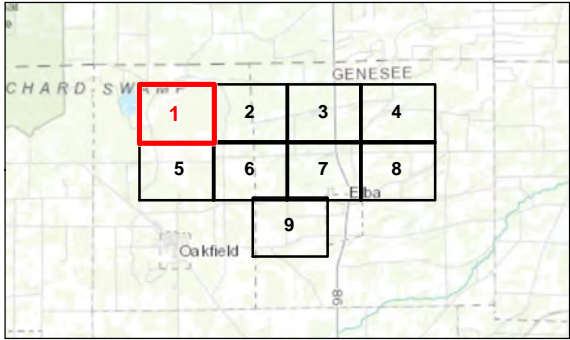
Limits of Clearing and Grading

-  Clearing Boundary
-  Grading Boundary



(At original document size of 11x17)
1:9,600

Notes
1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
2. Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
3. Background: WorldView-3 satellite imagery purchased on June 6, 2020



Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
TR by EE on 2021-04-23
IR by NL on 2021-04-23

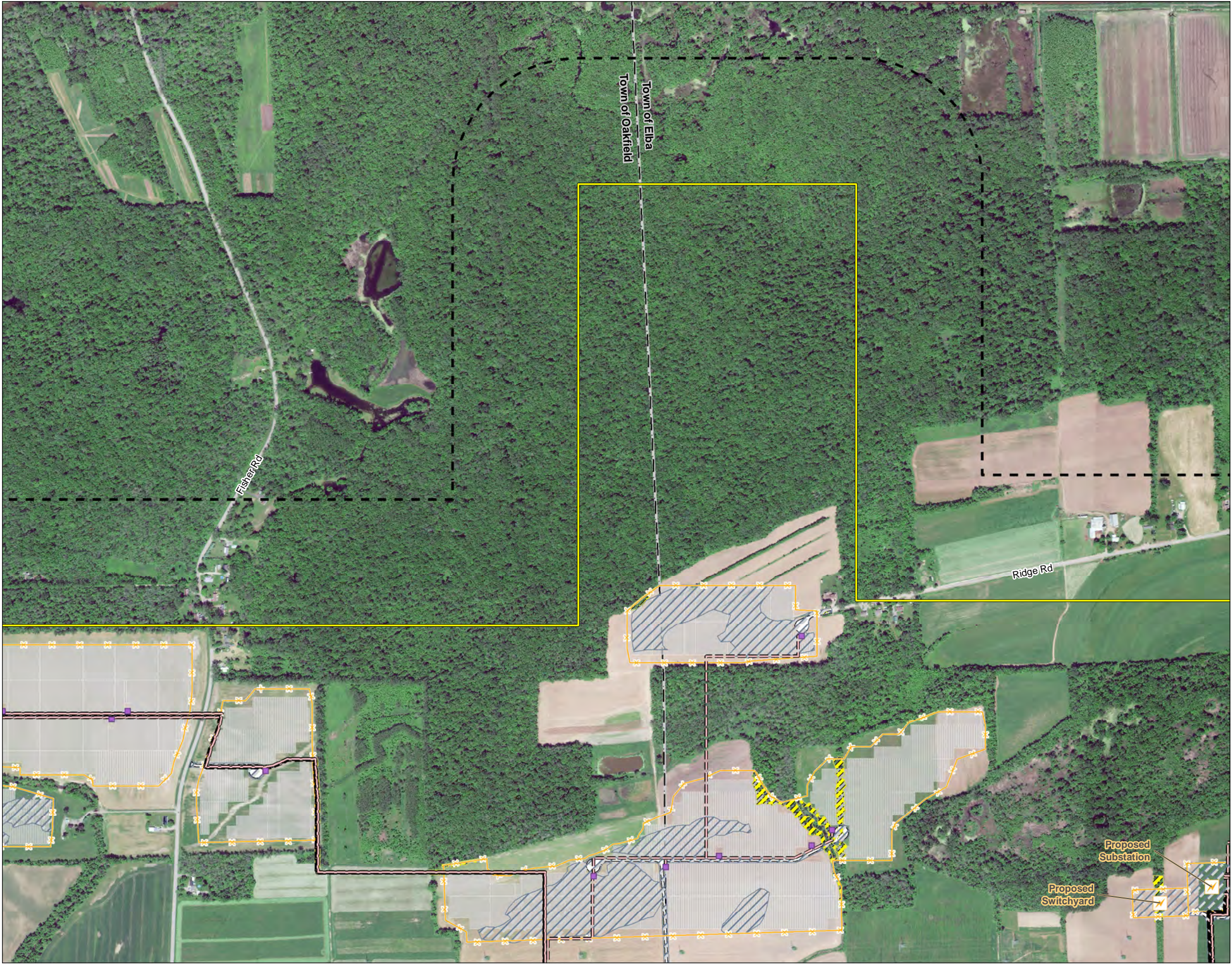
Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REVA

Figure No.
3-8

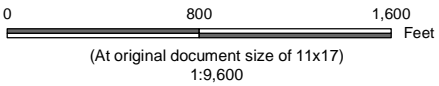
Title
**Overlays on Aerial Photographs
Map 1 of 9**

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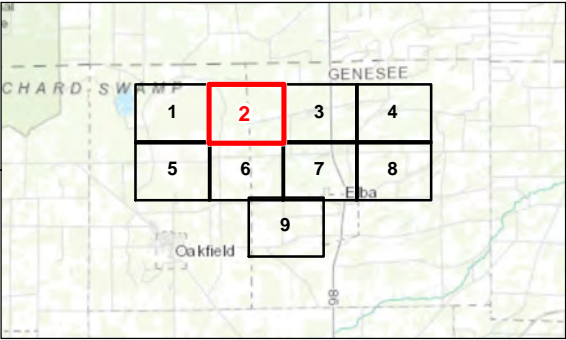


Legend

- Project Area
- 1,000 feet from Project Area
- Proposed Project**
 - Substation and Switchyard
 - Inverter
 - PV Panel Array
 - Collection Line
 - Fence Line
 - Access Road
 - Laydown Area
- Existing Features**
 - Municipal Boundary
- Limits of Clearing and Grading**
 - Clearing Boundary
 - Grading Boundary



- Notes**
- 1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - 2. Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - 3. Background: WorldView-3 satellite imagery purchased on June 6, 2020



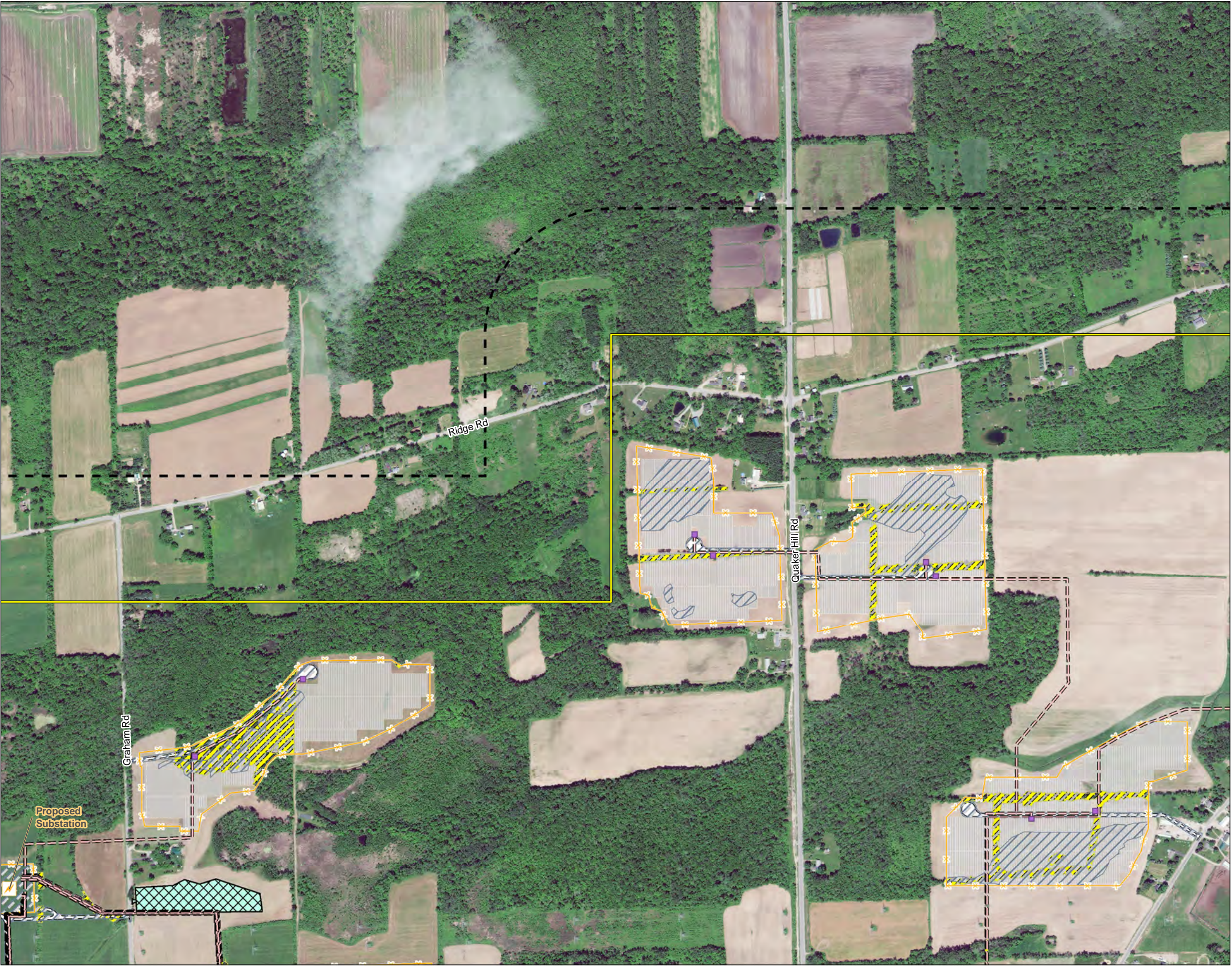
Project Location: Towns of Elba and Oakfield, Genesee County, NY
Prepared by AS on 2021-03-30, TR by EE on 2021-04-23, IR by NL on 2021-04-23

Client/Project: Hecate Energy Cider Solar LLC, Cider Solar Farm
190502038 REVA

Figure No.: 3-8

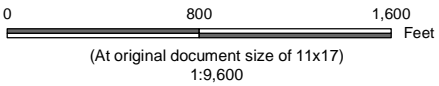
Title: **Overlays on Aerial Photographs**
Map 2 of 9

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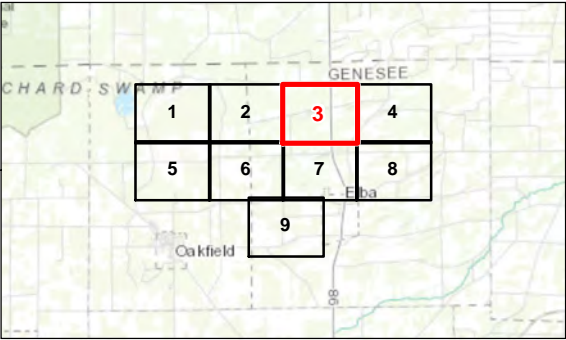


Legend

- Project Area
- 1,000 feet from Project Area
- Proposed Project
 - Substation and Switchyard
 - Inverter
 - PV Panel Array
 - Collection Line
 - Fence Line
 - Access Road
 - Laydown Area
- Existing Features
 - Municipal Boundary
- Limits of Clearing and Grading
 - Clearing Boundary
 - Grading Boundary



- Notes**
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Project Location: Towns of Elba and Oakfield, Genesee County, NY
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Client/Project: Hecate Energy Cider Solar LLC, Cider Solar Farm
190502038 REVA

Figure No.: 3-8

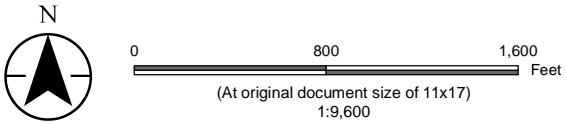
Title: Overlays on Aerial Photographs
Map 3 of 9

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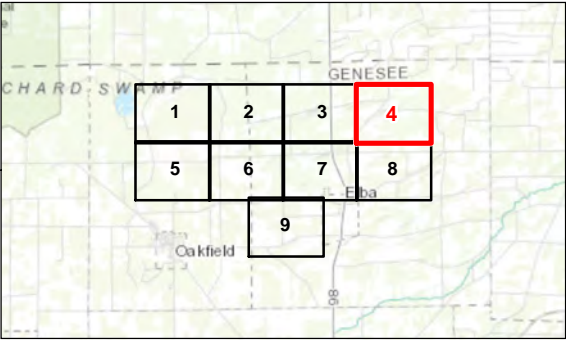


Legend

- Project Area
- 1,000 feet from Project Area
- Proposed Project**
 - Substation and Switchyard
 - Inverter
 - PV Panel Array
 - Collection Line
 - Fence Line
 - Access Road
 - Laydown Area
- Existing Features**
 - Municipal Boundary
- Limits of Clearing and Grading**
 - Clearing Boundary
 - Grading Boundary



- Notes**
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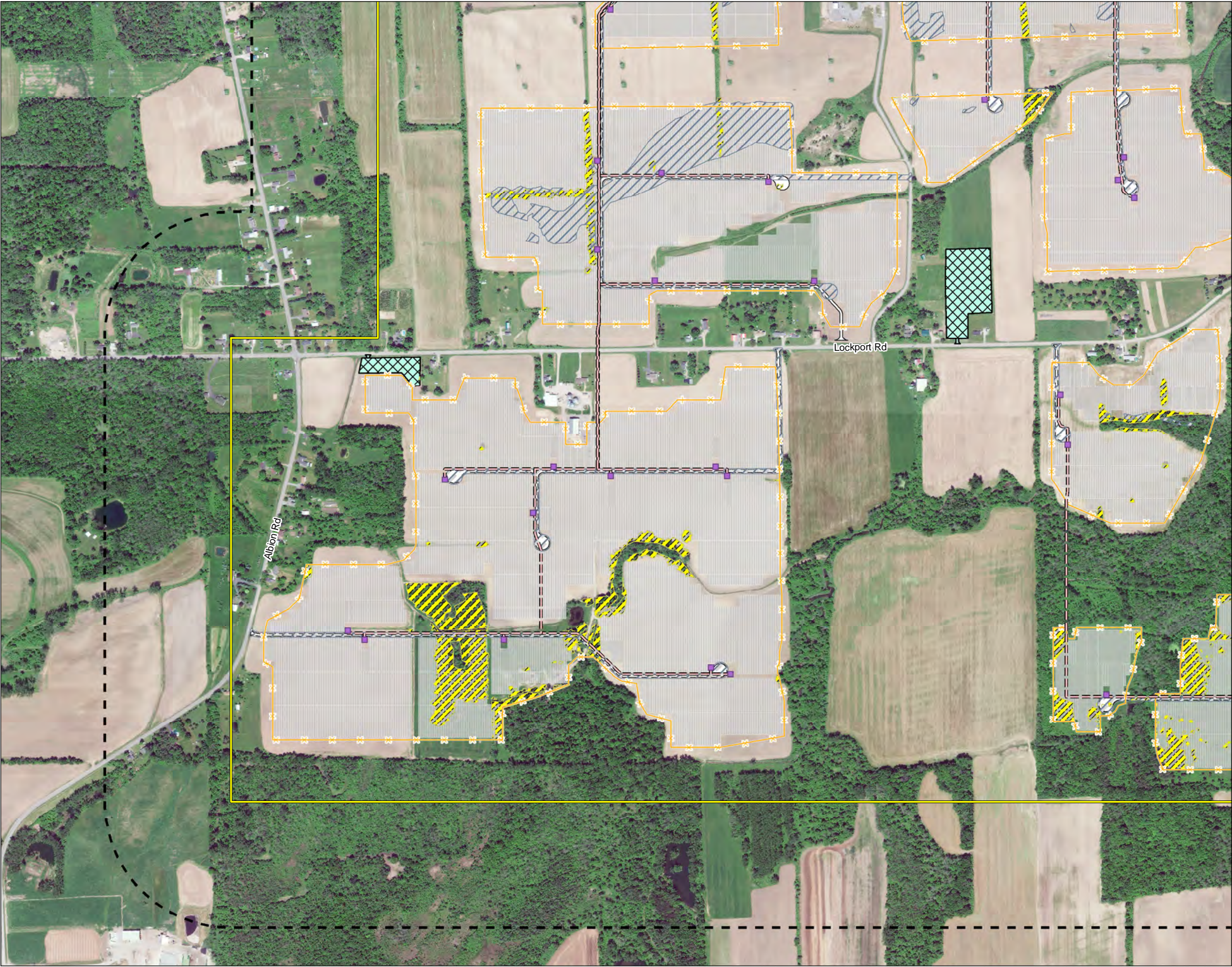
Project Location: Towns of Elba and Oakfield, Genesee County, NY
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Client/Project: Hecate Energy Cider Solar LLC, Cider Solar Farm
190502038 REVA

Figure No.: 3-8

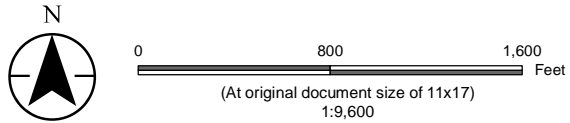
Title: Overlays on Aerial Photographs
Map 4 of 9

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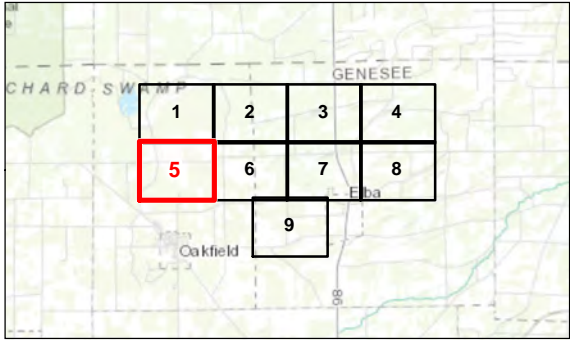


Legend

- Project Area
- 1,000 feet from Project Area
- Proposed Project**
 - Substation and Switchyard
 - Inverter
 - PV Panel Array
 - Collection Line
 - Fence Line
 - Access Road
 - Laydown Area
- Existing Features**
 - Municipal Boundary
- Limits of Clearing and Grading**
 - Clearing Boundary
 - Grading Boundary



- Notes**
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 2. Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
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Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
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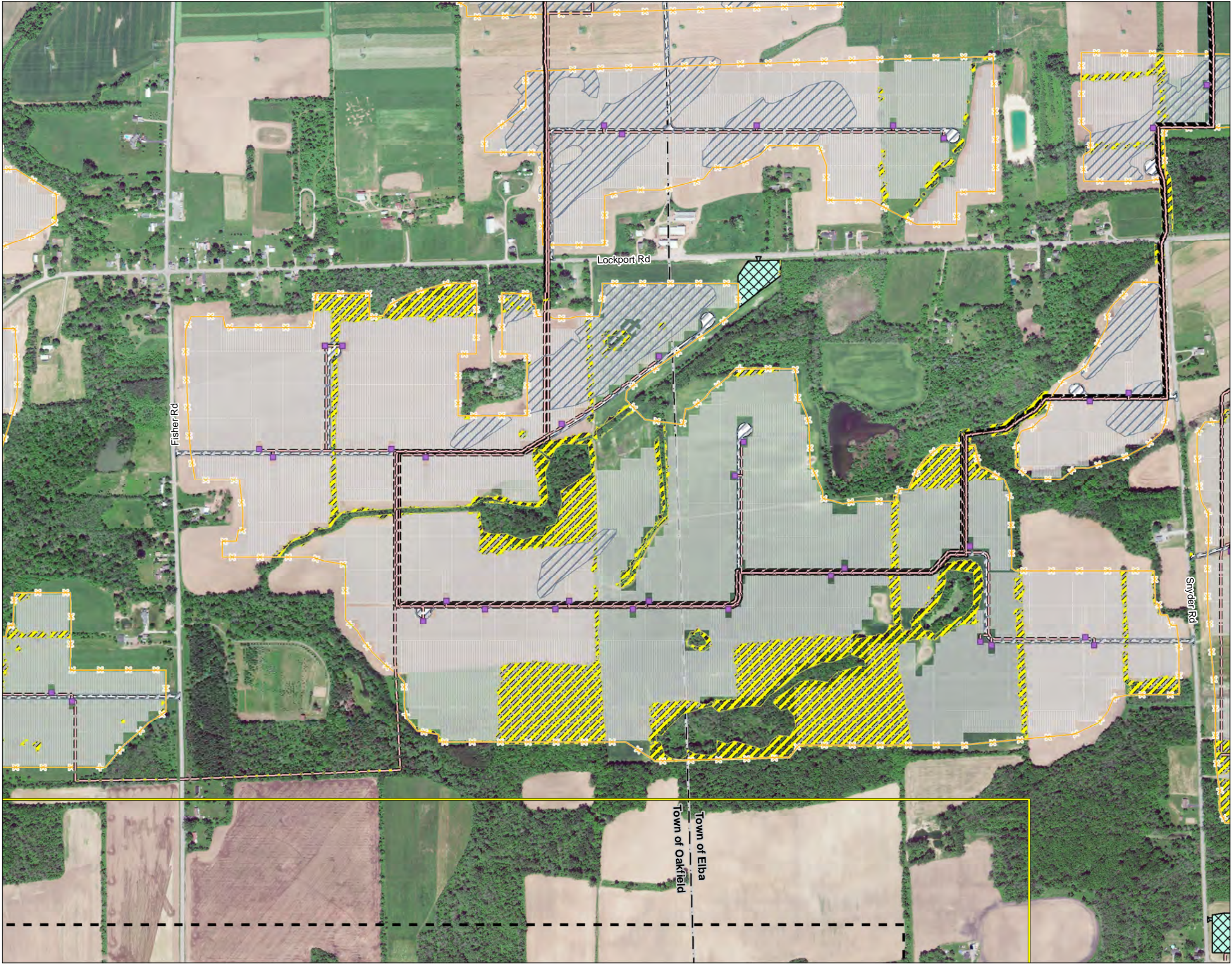
Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REVA

Figure No.
3-8

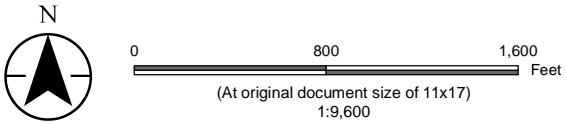
Title
**Overlays on Aerial Photographs
Map 5 of 9**

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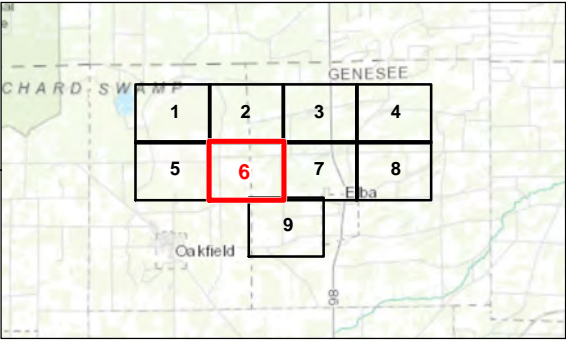


Legend

- Project Area
- 1,000 feet from Project Area
- Proposed Project**
 - Substation and Switchyard
 - Inverter
 - PV Panel Array
 - Collection Line
 - Fence Line
 - Access Road
 - Laydown Area
- Existing Features**
 - Municipal Boundary
- Limits of Clearing and Grading**
 - Clearing Boundary
 - Grading Boundary



- Notes**
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 - 3. Background: WorldView-3 satellite imagery purchased on June 6, 2020



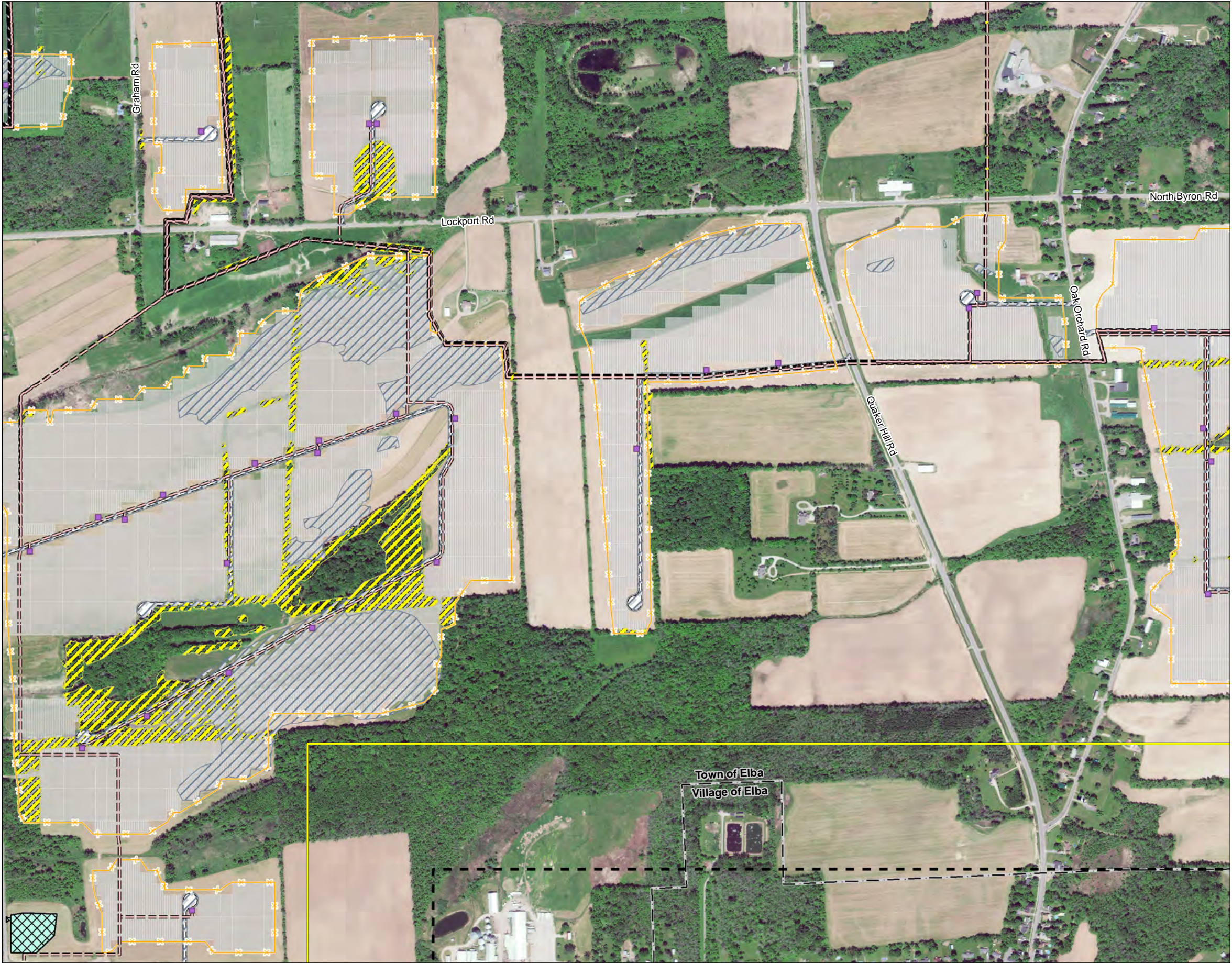
Project Location: Towns of Elba and Oakfield, Genesee County, NY
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Client/Project: Hecate Energy Cider Solar LLC, Cider Solar Farm
190502038 REVA

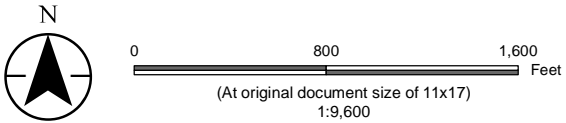
Figure No.: **3-8**

Title: **Overlays on Aerial Photographs**
Map 6 of 9

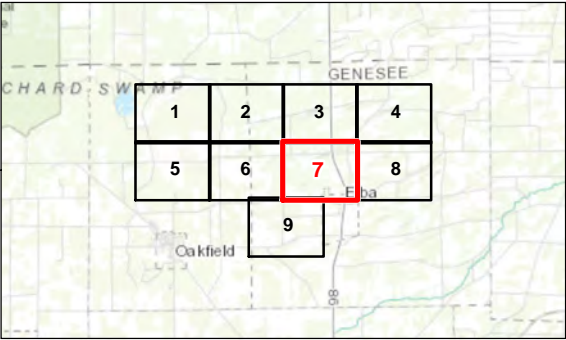
U:\190502038\03_data\gis\mxd\Application\Exhibit3\Fig_3-8_Overlays_on_Aerial_Photos\CSF.mxd Revised: 2021-04-28 By: astapleton



- Legend
- Project Area
 - 1,000 feet from Project Area
- Proposed Project
- Substation and Switchyard
 - Inverter
 - PV Panel Array
 - Collection Line
 - Fence Line
 - Access Road
 - Laydown Area
- Existing Features
- Municipal Boundary
- Limits of Clearing and Grading
- Clearing Boundary
 - Grading Boundary



- Notes
- Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - Background: WorldView-3 satellite imagery purchased on June 6, 2020



Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
TR by EE on 2021-04-23
IR by NL on 2021-04-23

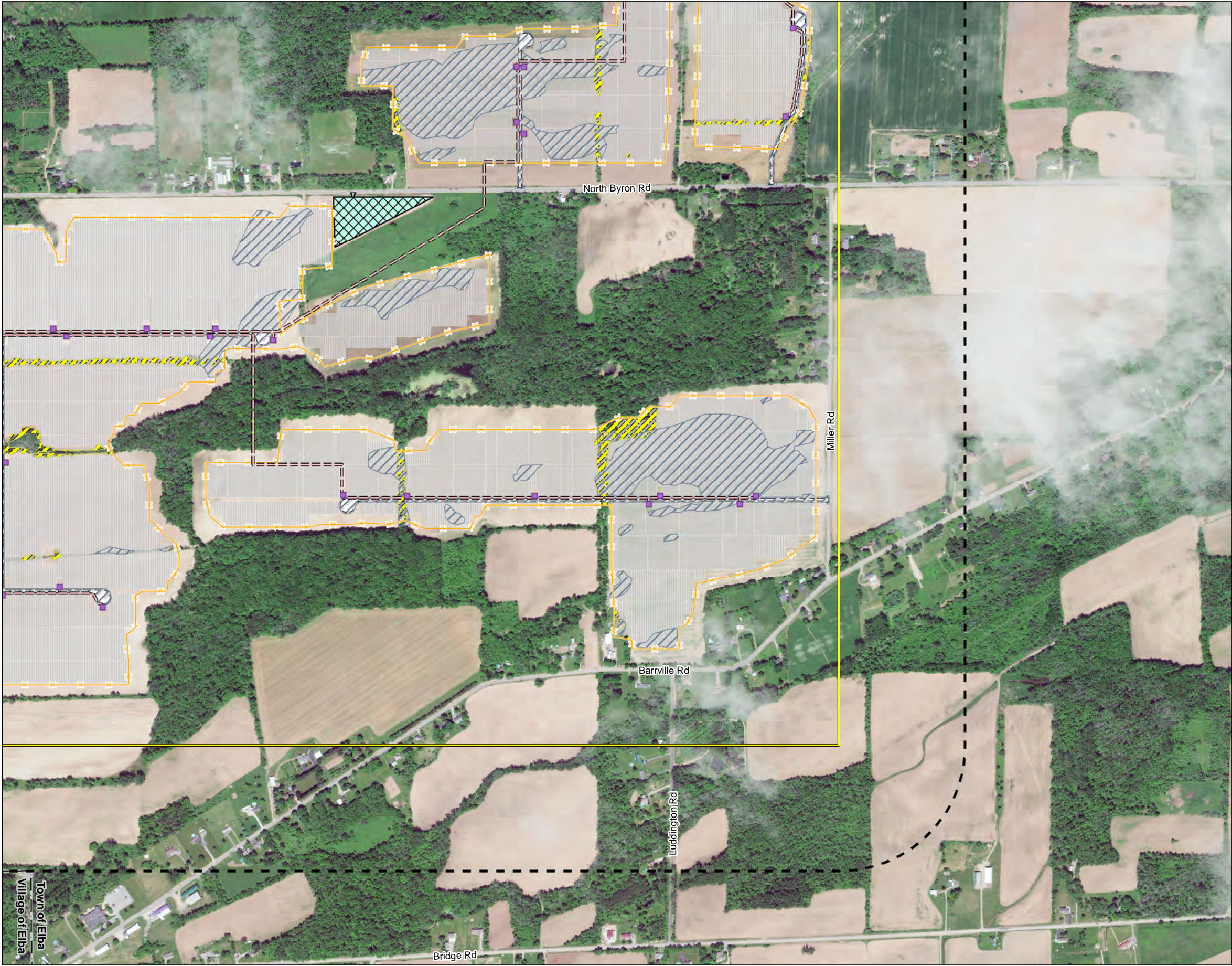
Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REVA

Figure No.
3-8

Title
Overlays on Aerial Photographs
Map 7 of 9

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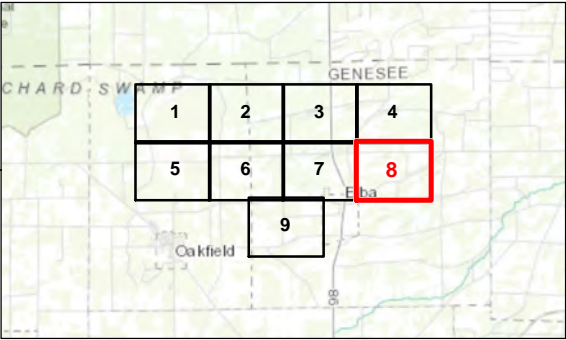
Legend

- Project Area
- 1,000 feet from Project Area
- Proposed Project
 - Substation and Switchyard
 - Inverter
 - PV Panel Array
 - Collection Line
 - Fence Line
 - Access Road
 - Laydown Area
- Existing Features
 - Municipal Boundary
- Limits of Clearing and Grading
 - Clearing Boundary
 - Grading Boundary



0 800 1,600 Feet
(At original document size of 11x17)
1:9,600

- Notes
- 1. Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - 2. Data Sources: NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - 3. Background: WorldView-3 satellite imagery purchased on June 6, 2020



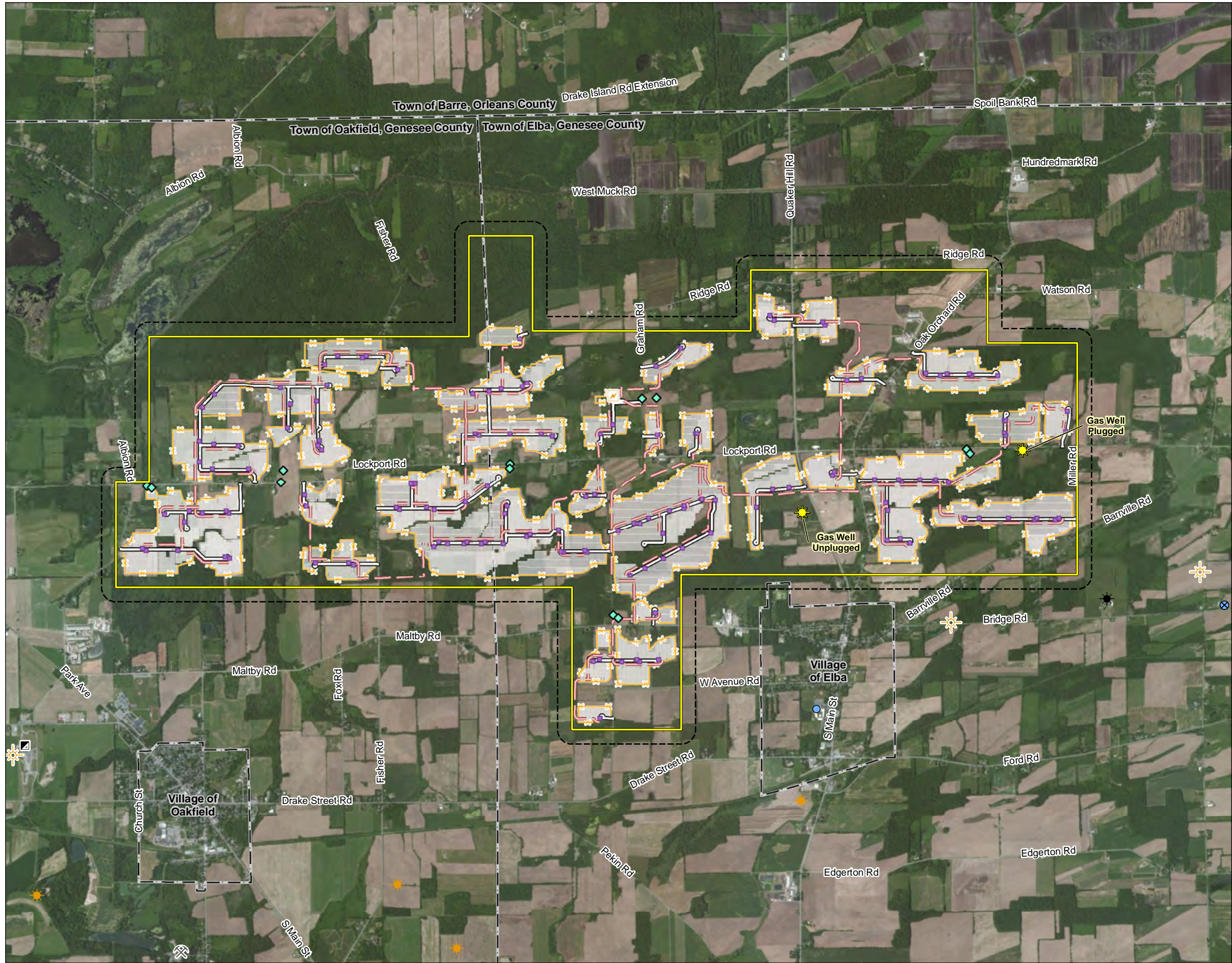
Project Location: Towns of Elba and Oakfield, Genesee County, NY
Prepared by AS on 2021-03-30
TR by EE on 2021-04-23
IR by NL on 2021-04-23

Client/Project: Hecate Energy Cider Solar LLC, Cider Solar Farm
190502038 REVA

Figure No.: 3-8

Title: Overlays on Aerial Photographs
Map 8 of 9

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Legend

- Project Area
- 500 feet from Project Area

Proposed Project

- Substation and Switchyard
- Inverter
- Laydown Area
- PV Panel Array
- Collection Line
- Fence Line
- Access Road

Existing Features

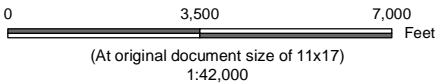
- Municipal Boundary

Permitted Mine

- Unconsolidated Mine
- Underground Mine

Oil, Gas, & Other State Regulated Wells

- Dry Hole
- Gas Well Plugged
- Gas Well
- Other Well
- Gas Well (Within 500 Feet of Proposed Areas to be Disturbed)
- Other Well Plugged



- Notes
- Coordinate System: NAD 1983 StatePlane New York West FIPS 3103 Feet
 - Data Sources: NYSDEC (<https://giservices.dec.ny.gov/gis/maw/>), NYS GIS Clearinghouse (<https://gis.ny.gov>)
 - Background: Esri, Maxar, Earthstar Geographics, USDA FSA, USGS, Aerogrid, IGN, IGP, and the GIS User Community



Project Location
Towns of Elba and Oakfield
Genesee County, NY

Prepared by AS on 2021-03-30
TR by EE on 2021-04-23
IR by NL on 2021-04-23

Client/Project
Hecate Energy Cider Solar LLC
Cider Solar Farm

190502038 REV B

Figure No.
3-9

Title
Oil, Gas, and Mining Solution Wells