

Exhibit 15: Agricultural Resources

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

Matter No. 21-01108

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Abbreviations

A-R Agricultural Residential District

L-C Land Conservation District

LU/LC land use/land cover

MHO Mobile Home Overlay Zone

MSG Mineral Soil Group

MW megawatt

NYCRR New York Codes, Rules, and Regulations

NYS New York State

NYSDAM New York State Department of Agriculture and Markets

NYSDEC New York State Department of Environmental Conservation

ORES Office of Renewable Energy Siting

R&A Residential and Agriculture District

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Glossary of Terms

Applicant Hecate Energy Cider Solar LLC

Environmental Monitor An Applicant designee that oversees Project construction, restoration,

and monitoring in agricultural areas and serves as the agricultural point

of contact and acts as a liaison between landowners, Project

construction personnel, and New York State Department of Agriculture and Markets regarding agriculture-related matters for the Project.

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 15 is provided in conformance with Chapter XVIII, Title 19 of the New York Codes, Rules, and Regulations (NYCRR) § 900-2.16, as follows.

a) Agricultural Study Area

19 NYCRR § 900-2.16(a) requires information at the tax parcel level, including "an assessment within the study area, which shall include the following data sets and illustrations..." Pursuant to 19 NYCRR § 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." There are thousands of parcels within five (5) miles of Project components. The application of a five (5) mile study area and the attendant requirements of particular provisions of this Section would result in overly burdensome productions of documents and analysis that would add little to the consideration of the Project. The figure prepared for this Exhibit depicts tax parcels within 1,000 feet of the Project Area. 19 NYCRR § 900-2.16(a) requires information at the tax parcel level, including "an assessment within the study area, which shall include the following data sets and illustrations: ... (1) Land in NYS Certified Agricultural Districts by tax parcel; [and] (2) Land receiving Real Property Agricultural Value Assessment by tax parcel." As the Project is located in a New York State (NYS) Certified Agricultural District, to show every parcel in a NYS Certified Agricultural District within five (5) miles of the Project Area, the Applicant would have to submit a large book of maps or even books of maps as part of the Application. Furthermore, analyzing whether each parcel in the study area is receiving a Real Property Agricultural Assessment would take an overly burdensome amount of time. The Project Site consists of 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. Therefore, this section contains an assessment of land within the Project Site that is located in a NYS Certified Agricultural District and land receiving Real Property Agricultural Value Assessment. The Applicant selected the Project Site as the study area because the Real Property Agricultural Value Assessments for land within the Project Site will be affected by the construction of the Project. The Real Property Agricultural Value Assessments for land outside of the Project Site will not be affected by the construction of the Project. Accordingly, the Applicant requests that the Office of Renewable Energy Siting (ORES) accept the Project Site as the study area for purposes of 19 NYCRR § 900-2.16(a)(1) and (2) in lieu of the default five (5) mile study area.

19 NYCRR § 900-2.16(a)(6) requires an assessment of "active agricultural businesses and/or facilities and all related infrastructure." Given the breadth of what "all related infrastructure" could encompass, depicting such infrastructure would require an extensive set of maps as there are approximately 10 active agricultural businesses in the Project Site alone. As this area is within an Agricultural District, this would again be an overly burdensome undertaking. Accordingly, the Applicant requests that ORES accept the Project Site as the study area for purposes of 19 NYCRR § 900-2.16(a)(6) in lieu of the default five (5) mile study area.

19 NYCRR § 900-2.16(b) requires "maps showing the following within the study area: (1) Field-verified active agriculture land use (including all lands involved in the production of crops, livestock and livestock

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products for three (3) of the last five (5) years) ...(4) Locations of known suspected sub-surface drainage systems (including outlets), surface drainages, irrigation lines, or other unique agricultural facilities;...[and] (6) NYS Agricultural Land Classification Mineral Soil Groups (MSGs) 1 through 10 for impacted agricultural areas within the facility site." Given the number of parcels within five (5) miles, as noted above, performing this analysis is infeasible. The Applicant conducted direct outreach to participating landowners to obtain a history of agricultural practices conducted on each participating parcel and conducted field verification of active agricultural lands. The Applicant prepared Figure 15-4: Mineral Soil Groups and Field-Verified Active Agriculture for purposes of this requirement, which depicts field-verified active agricultural land uses within the Project Site; the locations of known suspected subsurface drainage systems (including outlets), surface drainages, irrigation lines, or other unique agricultural facilities within the Project Site; and NYS Agricultural Land Classification MSGs 1 through 4 for impacted agricultural areas within the Project Site. Data on agricultural uses within a five (5) mile study area is publicly available from National Landcover Database Data; however, compiling this information for purposes of this Exhibit would require that the Applicant submit a book of maps. Instead, the Applicant has provided a link to the publicly available database: (https://www.mrlc.gov/data/references/nationalland-cover-database-2016-landcover-imperviousness-nlcd2016). GIS data layers for NYS Agricultural Land Classification MSGs 5 through 10 are not publicly available and the Applicant was not otherwise able to obtain these data. The Applicant selected the Project Site as the study area to align with the requirements for the Agricultural Plan under 19 NYCRR §§ 900-2.16(c), 900-15.1 and the New York State Department of Agriculture and Markets (NYSDAM) Guidelines, which require, to the maximum extent practicable, the avoidance, minimization, and mitigation of impacts to active agricultural lands within NYS Agricultural Land Classified Soil Groups 1 through 4. Such avoidance, minimization and mitigation is required for impacts to active agricultural lands subject to ground disturbance within such soil groups as a result of construction and operation of the Project. Ground disturbance will be concentrated to the Project Site. Accordingly, the Applicant requests that ORES accept the Project Site as the study area for purposes of 19 NYCRR § 900-2.16(b)(1), (4), and (6) in lieu of the default five (5) mile study area.

1) Lands within NYS Certified Agricultural Districts

According to data gathered from the Cornell Institute for Resource Information Science and NYSDAM (2018), the vast majority of the Project Area (6,588 acres; 84%) is located within Genesee County Agricultural District #2. The Project Area includes a total of approximately 7,845 acres, while the Project Site includes approximately 4,650 acres, and the Project Footprint is comprised of approximately 2,452 acres. Approximately 2,434 acres (99%) of the Project Footprint is located within Agricultural District #2. Figure 15-1: *Agricultural Districts by Tax Parcel*, depicts parcels within 1,000 feet from the Project Area that are located in State-certified Agricultural Districts, as well as each corresponding tax parcel identifier, as stated in Section (a) of this Exhibit.

Within Genesee County, approximately 64% of lands are located within a State-certified Agricultural District (Genesee County 2017). Genesee County manages the Agricultural District program, including the inclusion and removal of specific parcels from the Districts, as well as the required eight-year review/renewal process. The County is currently undertaking a review of properties in their respective Agriculture Districts and is observing continued participation at a high level (Genesee County 2017).

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2) Lands Receiving Real Property Agricultural Value Assessment

As indicated in Section (a) of this Exhibit, this section contains an assessment of land within the Project Site receiving Real Property Agricultural Value Assessment. The Applicant selected the Project Site as the study area because the Real Property Agricultural Value Assessments for land within the Project Site will be affected by the construction of the Project. Information on the current parcels receiving Real Property Agricultural Value Assessments by tax parcel number and the year by which each parcel may be subject to payment under Agricultural District Law within the Project Site is provided in Table 15-1: Lands Receiving Real Property Agricultural Value Assessment.

Table 15-1: Lands Receiving Real Property Agricultural Value Assessment

Project Site Parcel ID	Subject to Real Property Agricultural Value Assessment (Year-end)
Town of Elba	
121-10.2	This parcel is not currently subject to real property agricultural value assessment
131-73	2024
131-99.11	2024
141-39	2024
141-41	2027
141-42.1	2024
161-1.111	2024
161-15.1	2024
161-18.11	2024
161-19.113	2024
161-2.1	2024
161-22	2024
161-26.1	2024
161-26.2	2024
161-29.11	2024
161-30.11	2024
161-30.12	2024
161-31.11	2024
161-35	2024
161-38	This parcel is not currently subject to real property agricultural value assessment
161-7.21	2024
161-8.112	2024
161-9	2024
171-1.2	2024

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Project Site Parcel ID	Subject to Real Property Agricultural Value Assessment (Year-end)
171-13.11	2024
171-2	2024
171-35	2024
171-46.11	2024
171-49.1	2024
171-69	2024
171-73.21	This parcel is not currently subject to real property agricultural value assessment
171-77.2	2027
171-80.211	2024
171-88	2024
171-96.1	2024
191-55.111	2024
191-63.12	2024
191-63.222	2024
191-64.111	2024
191-9	2024
Town of Oakfield	
111-32	2024
111-33.1	2028
111-34.21	2024
111-34.22	This parcel is not currently subject to real property agricultural value assessment
111-35.11	2024
121-1.2	2024
121-10.1	2024
121-11.1	2024
121-11.2	2024
121-27.21	This parcel is not currently subject to real property agricultural value assessment
121-29.1	2024
121-30	2024
121-32.111	2024
121-34.1	2024
121-4.12	2024
121-42	2024
121-5.2	2024

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Project Site Parcel ID	Subject to Real Property Agricultural Value Assessment (Year-end)
121-56	2024
121-6.11	2024
121-61.12	2024
121-62.11	2024
121-63	2024
121-65.11	2024
121-7	2024
121-8	2024
131-40	2024
131-8	2024

Source: Genesee County 2020a, 2020b.

3) Municipal Zoning Districts

The Project Area is located within the Towns of Elba and Oakfield and to the north of the Villages of Elba and Oakfield. The portion of the Project Area within the Town of Elba is located in the Agricultural Residential (A-R) District. A very small section of the southeastern boundary of the Project Area intersects a Mobile Home Overlay (MHO) Zone; however, no Project components will be located within the MHO Overlay Zone. The portion of the Project Area located within the Town of Oakfield is located on lands zoned as Residential and Agriculture (R&A) District and Land Conservation (L-C) District. Within the towns, there are no overlay districts designated for renewable energy. A detailed depiction of existing zoning districts within the Towns of Elba and Oakfield is included in Figure 3-4: *Zoning Districts* within Exhibit 3: *Location of Facilities and Surrounding Land Use* of this Application. Exhibit 3 of this Application also summarizes the existing zoning districts for the Towns of Elba and Oakfield, including a description of each zoning district and the permitted and prohibited uses within each district.

4) Farmland Classification Mapping

This section contains an assessment of farmland within the Project Site for the reasons described in Section (a) of this Exhibit. Vegetation and land use mapping (land use/land cover classes; LU/LC) in the Project Area was classified using the ExtractX[™] remote sensing service (using satellite imagery collected June 2020), aerial photography, and on-site observations. Each land cover type, including agricultural lands, within the Project Area is depicted in Figure 15-2: *Land Cover and Active Agriculture*, as well as provided in Exhibit 11: *Terrestrial Ecology* of this Application. The dominant landcover class in the Project Site is active agriculture, followed by forestland. Agricultural lands in the Project Site are comprised of active agricultural land (both row crops and mowed/maintained hayfields) and there are numerous family and commercial farms and farm structures in the Project Site. Row crops comprise approximately 68% (3,143 acres) of the Project Site, and less than 1% (23 acres) of the total Project Site is maintained hayfields. Additionally, there is approximately 3.5% (161 acres) of the Project Site where the dominant land cover is grasslands or pasturelands.

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Relative to agricultural soils, the Project Site includes approximately 41% (1,912 acres) of land classified as Prime Farmland, 27% (1,252 acres) as Prime Farmland if Drained, 19% (891 acres) as Farmland of Statewide Importance, and 13% (596 acres) as Not Prime Farmland (Natural Cooperative Soil Survey 2020). A map of the existing farmland classifications within the broader Project Area is included as Figure 15-3: *Proposed Project Impacts to Agricultural Resources*. A discussion of how the Project will avoid or minimize impacts to agricultural production areas and the effects the Project has on use of the land for future farming operations is included in Section (b)(3) of this Exhibit.

5) Existing Energy Infrastructure and Completed Renewable Energy Facilities

Figure 15-2 illustrates known existing major existing electric and gas energy facilities within the Project Site, which include two aboveground electric transmission lines (owned and operated by New York Power Authority), and one underground gas transmission line (owned and operated by Empire Pipeline). Each of these linear facilities crosses the Project Site east to west, north of Lockport Road. As discussed in Exhibit 20: *Effect on Communications* of this Application, all underground utilities within the Project Footprint will be identified and located prior to construction and will be avoided during construction activities in order to avoid impacts to existing lines.

Based upon publicly available information, there are no other completed utility scale renewable energy facilities occurring within the Project Area or within a mile of the proposed Project Footprint. Based upon a review of the New York State Department of Public Service and ORES websites, as if the time of this Application, there are three proposed renewable energy facilities located in Genesee County and neighboring Orleans County. These include the 280-MW Excelsior Energy Center in the Town of Byron located approximately two (2) miles east; the 200-MW Orleans Solar Project in the towns of Barre and Shelby located approximately three (3) miles northwest; and the 200-MW Heritage Wind Project in the Town of Barre located approximately one and a half (1.5) miles north.

6) Active Agricultural Businesses and Related Infrastructure

The Project Site is located within Genesee County Agricultural District #2 and includes approximately 3,166 acres (68%) of land designated as actively farmed.

For the reasons provided in Section (a) of this Exhibit, active agricultural infrastructure was identified with the Project Site. This infrastructure is depicted on Figure 15-2 and includes structures typical to small-scale agricultural operations. Agricultural-related business operations located on participating parcels within the Project Site include Big O Realty LLC, Call Farms Inc. (including Wildlands LLC), CY Properties LLC, JoDee Farms LLC, Norton Farms Inc, Oak Orchard Dairy LLC, Offhaus Farms Inc., and Triple B Farms LLC. Additional operations within the Project Area, but outside of the Project Site (i.e., on non-participating parcels), include Lamb Farms and Torrey Farms. A discussion of how the Project will impact agricultural soils and the effects the Project has on use of the land for future farming operations is included in Section (b)(3) of this Exhibit, below.

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7) Potential Construction Impacts and Methods to Facilitate Farming During Construction

Potential impacts to agricultural land during construction will occur primarily from equipment movement and the installation of Project components including solar panels, mounting posts, inverters, access roads, buried electrical collection lines, temporary construction laydown areas and the substation. Most of these impacts will displace farming practices on agricultural lands during the operational life of the Project, while some construction activities will only create temporary disturbances to farming activities.

Although the solar panels and maintained areas, i.e., those areas within the fenceline not covered by panels or another project component, will cover approximately 2,178.9 acres total and 2,159 acres of active agricultural land, only 0.9 acres of permanent ground disturbance will occur for the installation of racking systems and associated steel posts. The Project's racking system will be pile-driven to minimize subsurface ground disturbance. Areas under panel arrays would be taken out of agricultural production during the operational life of the Project, estimated to be a maximum of 30 years. Once Project construction has been completed, a native seed mixture will be used as ground cover to enable soil recovery, replenish soil nutrients and mitigate soil erosion. The Project will avoid using pesticides and herbicides, to the extent practicable, and surface grading will be limited to the minimal amount necessary to accommodate panel areas, access road and substation areas. A total of 2,159 acres of land will be removed from agricultural use during the operational life of the project. However, once decommissioned, agricultural land sited within the Project Footprint will be restored and able to return to its prior land use condition.

Traditional row crop agricultural use is not anticipated to resume within the Project Footprint during operation. However, throughout Project development, the Applicant has engaged with participating landowners to site Project components in a manner that will allow landowners to continue using the remainder of their land outside of the fence and Project Footprint for agricultural purposes. The Project enables the agricultural land to be used for solar energy production, which will ensure that parcels remain intact during the life of the Project, rather than being sold or subdivided for other purposes. This allows for continued agricultural use on parcels excluded from the Project by the participating landowners and protects the viable agricultural land for future use at the end of the Project's useful life.

8) Temporary and Permanent Impacts on Agricultural Production Areas

Impacts on agricultural production areas for the life of the Project include the construction of solar arrays, inverters, access roads, substation, and switchyard and associated fencing and access roads, as depicted on Figure 15-3. Temporary impacts would result from the installation of construction laydown areas, and disturbance from installation of some buried collection lines outside of the fence which are located in agricultural areas. There would be minimal permanent impacts (less than one acre) on agricultural production areas, as described in the following paragraph, as the Project will be decommissioned and the Project Site will be restored in accordance with the Applicant's *Decommissioning and Site Restoration Plan* (Appendix 23-A of this Application). During the operation of the Project, the Applicant will comply with its Agricultural Plan (see Section (c) of this Exhibit, below).

¹ Measures that may be necessary to prevent the introduction of invasive species are further discussed in Exhibit 13: *Water Resources and Aquatic Ecology* of this Application.

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Together, these plans will ensure that agricultural production areas can resume on the Project Site after decommissioning.

Approximately 2,159 acres of agricultural disturbance, including both temporary and permanent disturbance, are anticipated to occur within the Project Footprint. The temporary disturbance will be caused by grading and laydown areas. The Project will likely select a panel system that will not require grading in the panel areas. However, proposed contours depicted in the Design Drawings take into consideration the conservative grading approach to achieve a 7% maximum slope throughout the panel areas, totaling approximately 291 acres. Moreover, not all agricultural production areas within the Project Footprint will be physically disturbed. For example, areas under panels are not disturbed, although taken out of agricultural operation during the life of the Project. Additionally, access roads will impact approximately 47 acres (less than 1%) of agricultural lands; inverters will impact less than 1 acre (less than 0.1%) of agricultural lands; and the substation and switchyard will impact 5.4 acres (0.3%) of agricultural lands within the Project Footprint. At the conclusion of operation, the Project Site can be returned to its current state for future agricultural uses, as further discussed in the *Decommissioning and Site Restoration Plan*.

The Applicant has made significant efforts to minimize impacts to existing and future use of agricultural lands within the Project Site through minimization of the Project Footprint and less intrusive construction methods. To insure impacts to agricultural lands are minimized to the maximum extent practicable, the Project will comply with the NYSDAM Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands requirements, dated October 18, 2019 ("NYSDAM Guidelines"). Refer to Section (c) of this Exhibit for detail on the Applicant's Agricultural Plan to avoid, minimize, and mitigate agricultural impacts to active agricultural lands, to the maximum extent practicable, consistent with NYSDAM Guidelines.

During earth moving activities, best management practices, such as erosion and sediment controls and stormwater management, will be utilized to stabilize soils and reduce sediment and silt transport. Additionally, impacts to agricultural soils will be minimized through the use of trenchless installations measures for some portions of the electrical collection lines. Overhead lines are not proposed in agricultural fields. Following the completion of construction, the Project Footprint will be revegetated, which will allow for long-term soil stabilization throughout the life of the Project.

Lease payments, to be made by the Applicant to the landowners, will provide a stable income to support landowners' agricultural operations on nearby fields. Through collaboration with landowners, the Applicant has designed the Project Footprint to enable these continued agricultural operations outside of the Project Footprint. The Applicant continues to engage with landowners to explore opportunities for shared uses, such as livestock grazing; however, these opportunities are not being proposed at this time. This type of co-use could be implemented any time during operation of the Project, depending on the economic feasibility and terms to be negotiated between the Applicant and the landowner. The approximately 2,198 acres of the Project Site that will remain undeveloped may continue to be used for agricultural purposes.

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b) Agricultural Resources Mapping

1) Field-verified Active Agricultural Land

For the reasons described in Section (a) of this Exhibit, this section contains an assessment of field-verified active agricultural land within the Project Site. As discussed in Section (a)(4) of this Exhibit, above, agricultural lands were identified based upon a combination of remote sensing, review of current satellite imagery/orthoimagery, and field verification. Based upon this, 3,166 acres of the Project Site are active agricultural land consisting primarily of row crops, and to a lesser extent managed/mowed hayfields. To determine the status of agricultural land production within the last five years, the Applicant conducted direct outreach to participating landowners within the Project Footprint to verify agricultural practices over the last five years. Based on these outreach efforts, all of the 3,166 acres of active agricultural lands on the Project Site (68% of the Project Site) have been field-verified as having been used as active agricultural lands for at least three of the past five years.

Figure 15-4 depicts active agricultural areas, as well as areas within the broader Project Area falling within MSGs 1 through 4. More information regarding MSGs is included in Section (b)(8) of this Exhibit, below.

Agricultural land use within the Project Site represents a portion of the larger agricultural land use within the geographic region. According to Genesee County (2017), a total of 187,317 acres within Genesee County were used for farming practices; thus, the Project will temporarily displace approximately 1.2% of the county's farmland during the operation of the Project. The use of this land for renewable energy generation has other, positive socioeconomic effects, as further described in Exhibit 18: Socioeconomic Effects of this Application. In addition, the lease payments to landowners will provide a stable income and allow for continued agricultural production on nearby fields. Therefore, on balance, the Project will not create an adverse economic impact on local agricultural businesses and services.

2) Agricultural Production Acreage

The Project Footprint will occupy approximately 2,159 acres currently utilized for agricultural production as row crops and hayfields. Of the 2,159 acres, 19.3 will be used temporarily for construction laydown yards, will be restored after construction, and can be returned to agricultural production when construction is complete. For the operational life of the Project, 2,452 acres of the Project Footprint will be used for the operation of the Project, and these lands will not remain in agricultural use. However, this land will be preserved for future agricultural use once the Project is decommissioned and restored. Land outside of the Project Footprint may continue to be utilized for agricultural production, as desired by the landowner.

3) Landowner-imposed Development Restrictions

The Applicant has consulted with the agricultural landowners to identify areas of concern during the siting process. The current Project layout and design takes into consideration landowners farming practices. Additionally, the future operation and maintenance of the Project takes into consideration ongoing and adjacent farming practices. No specially designated restricted areas, (e.g., no herbicide use) have been imposed by landowners.

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Agricultural activities outside the fence line and on adjacent parcels can continue as there will be no offsite staging and/or storage used for the construction of the Project. The Applicant worked with participating landowners to identify specific properties that should be preserved to allow for continued agricultural use and development. This allows the landowners to continue existing agricultural operations, including growth of crops and to support continued manure spreading. The land outside the Project Facility fence remains available to landowners for agricultural use and development.

4) Unique Agricultural Facilities

Locations of known or suspected sub-surface drainage systems (including outlets), surface drainages, irrigation lines, or other unique agricultural facilities are depicted on Figure 15-3. Several water lines and culverts are located within the proposed Project Site. However, the Project has been designed to avoid adverse impacts to these facilities, to the maximum extent practicable. No publicly available information on the presence of drainage tiles within the Project Area was identified. Based upon observable ground conditions, the Applicant's consultant noted evidence of drainage features in six locations during wetland delineations within the Project Site, four of which are present within the Project Footprint. More information regarding impacts to drainage features and plans for remediation is included in Section (d) of this Exhibit.

5) United States Department of Agriculture Soil Mapping

Refer to Exhibit 10: *Geology, Seismology and Soils* (Figure 10-2: *Soil Types within the Project Area*) of this Application, for detailed mapping of United States Department of Agriculture soils within the Project Site.

6) NYS Agricultural Land Classification Mineral Soil Groups

Table 15-2: *Mineral Soil Group Classifications within the Project Footprint* provides acreages of agricultural areas within NYS Agricultural Land Classification MSGs 1 through 4² that are within the Project Footprint. MSGs 5 through 10 were not spatially available³; therefore, acreages of agricultural areas within these MSGs within the Project Footprint were not calculated. Approximately 49% (1,208 acres) of the Project Footprint occurs within MSGs 1 through 4, which NYSDAM considers to be highly productive soils (NYSDEC 2021).

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² MSG soil types 1–4 were obtained from the MSG Soil Groups spatial dataset created for use in national, regional, and state-wide resource planning and analysis of soils data which was publicly available on September 18, 2020.
³ MSG soils types 5–10 are not included in the MSG Soil Groups spatial dataset. NYS Agricultural Land Classification MSGs are available in tabular format. Stantec contacted NYSDAM to inquire whether a spatial dataset was available containing soil series and MSG 1–10. A representative from NYSDAM replied on May 11, 2021 and indicated that there is no dataset that contains this information.

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Table 15-2: Mineral Soil Group Classifications within the Project Footprint

Mineral Soil Group Classification	Acres within Project Footprint	% of Project Footprint
1	82	3%
2	846	34%
3	241	10%
4	39	2%
Total	1,208	49%

Mineral Soil Groups 1 through 4 are depicted on Figure 15-4. Refer to Section (c) of this Exhibit and Appendix 15-A: *Agricultural Plan* of this Application for measures the Applicant will implement to avoid, minimize, and mitigate agricultural impacts to active agricultural lands as a result of the Project.

c) Agricultural Plan

An *Agricultural Plan* was prepared by the Applicant to address impacts and mitigation to active agricultural lands, as defined in 19 NYCRR § 900-2.16(c), within New York State Agricultural Land MSGs 1-4 and to conform with NYSDAM Guidelines. The *Agricultural Plan* includes the use of a third-party Environmental Monitor that is qualified as an agricultural monitor in accordance with 19 NYCRR §§ 900-6.4(b)(4), 6.4(s).

d) Remediation Plan

1) Potential Impacts to Surface and Subsurface Drainages

Impacts to surface and subsurface drainages are outlined in Exhibit 13: *Water Resources and Aquatic Ecology* and Exhibit 14: *Wetlands* of this Application. As described in Exhibit 13 of this Application, the Project will cross 32 delineated streams, none of which are NYS protected streams, with access roads, buried collection lines, and fencing installations. Project components have been sited to avoid temporary or permanent impacts to surface waters to the maximum extent practicable. Certain construction activities have the potential to result in direct and/or indirect impacts to surface drainages, including surface waters that drain agricultural fields. These activities include the installation of access roads (and associated culverts), upgrading of existing farm lanes, and installation of buried electrical collection lines and fence. Impacts related to the construction of access road and collection line crossings will be minimized to the maximum extent practicable by utilizing existing crossings and by crossing at narrow wetland and waterbody locations where feasible. In addition, implementation of best management practices outlined in Appendix 13-C: *Stormwater Pollution Prevention Plan* and Appendix 13-D: *Spill Prevention, Control, and Countermeasure Plan* of this Application will avoid or minimize impacts to the maximum extent practicable.

Permanent impacts to subsurface water resources are not anticipated to result from the construction or operation of the Project. Temporary impacts to subsurface drainages within the Project Footprint will be avoided to the maximum extent practicable. The Project design is intended to maintain existing drainage patterns and will reduce overall drainage as outlined in the *Stormwater Pollution Prevention Plan*. Disruption of existing drainage features will be avoided, to the maximum extent practicable, and

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stormwater management has been designed to avoid downstream impacts. The Applicant will consider the need to implement any corrective measures throughout the operation of the Project, including the implementation of the Decommissioning and Site Restoration Plan and in response to any issues identified through the complaint resolution process described in the Applicant's Complaint Management Plan, which will be provided to ORES in accordance with the compliance filing requirements set forth in 19 NYCRR § 10.2(e)(7).

The Applicant's consultant noted evidence of drainage features in 6 locations incidentally during wetland delineations within the Project Site, 4 of which are present within the Project Footprint. No publicly available information on the presence of drainage tiles within the Project Area was identified.

2) Measures to Repair Drainage Systems

The Applicant will retain current surface drainage patterns and install a significant surface drainage system in accordance with the Project *Stormwater Pollution Prevention Plan* comprised of dry swales, slope protection, storm pipes, culverted crossings of surface water features, and vegetated filter strips that accommodate water quantity generated by the Project. Where drainage features such as swales, agricultural ditches and drainages, and culverts are impacted by Project construction, they will be repaired and restored. The construction contractor will promptly mark and record any exposed or damaged culverts or pipes revealed during grading, excavation, land compaction, or topsoil stripping, and will immediately notify the Environmental Monitor. As land disturbance conditions require, a site-specific plan will be prepared, in consultation with the landowner, for the replacement or repair of crushed/severed culverts and pipes. In situations where damage to a surface or subsurface drainage feature is discovered by the environmental monitor or construction contractor, prompt repair or replacement will be completed prior to the restoration phase, to the extent practically feasible.

e) Agricultural Co-utilization Plan

As discussed in Section (b)(3) of this Exhibit, although the Applicant will continue to explore opportunities for agricultural co-utilization, such as livestock grazing, throughout the life of the Project, these opportunities are not being proposed at this time. The sections of the Project Site outside of the Project Footprint that remain undeveloped after construction may continue to be used for agricultural purposes.

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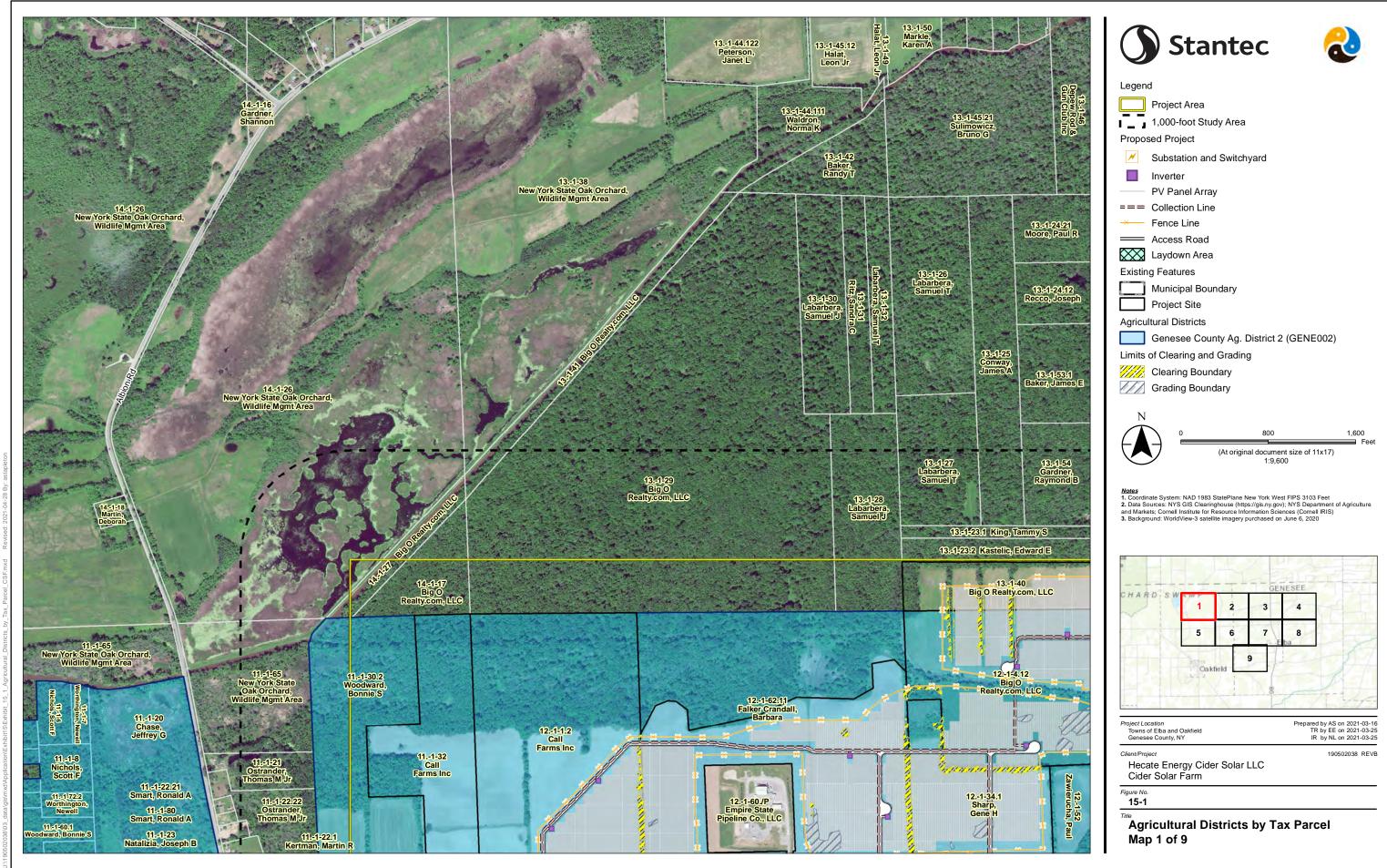
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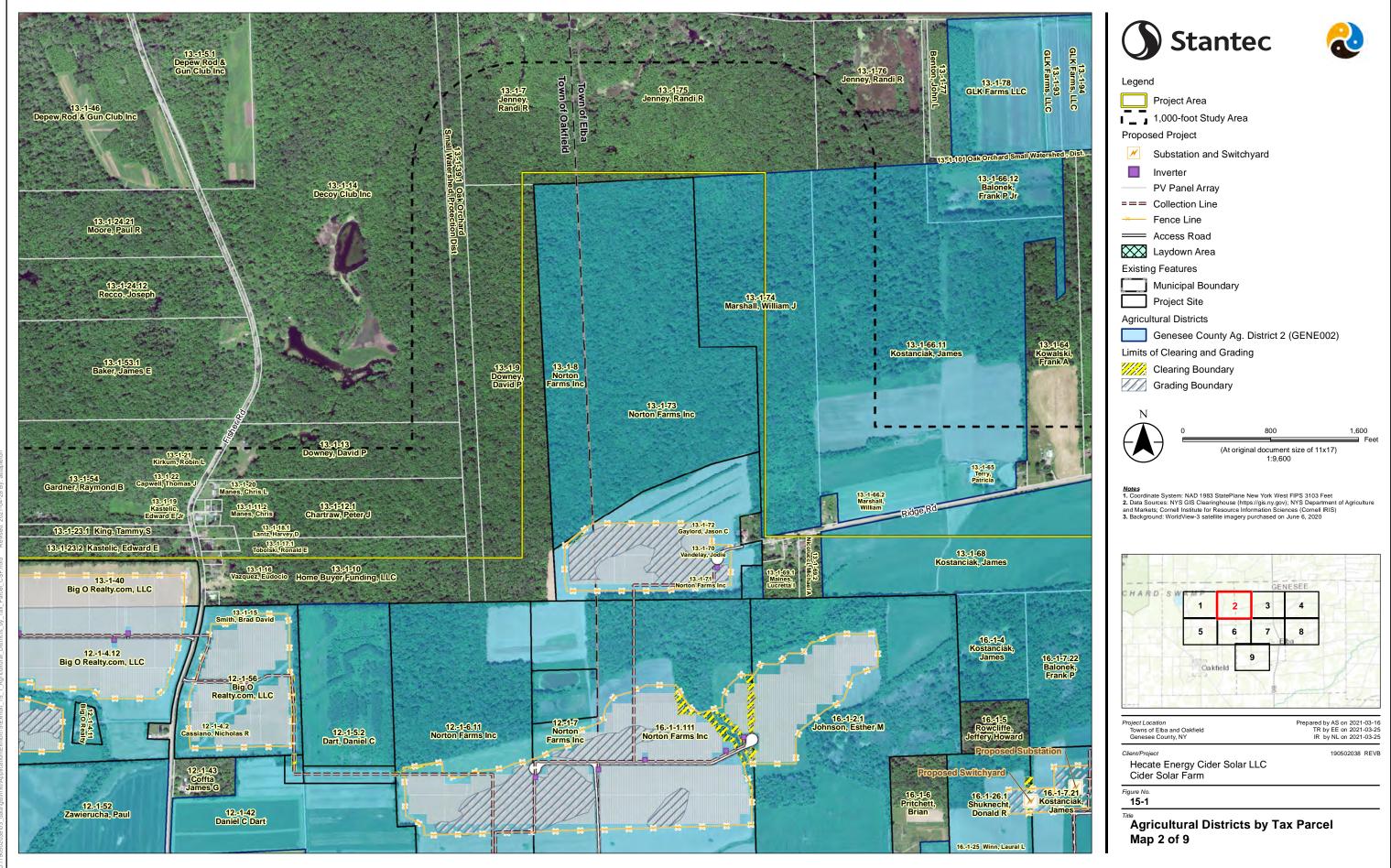
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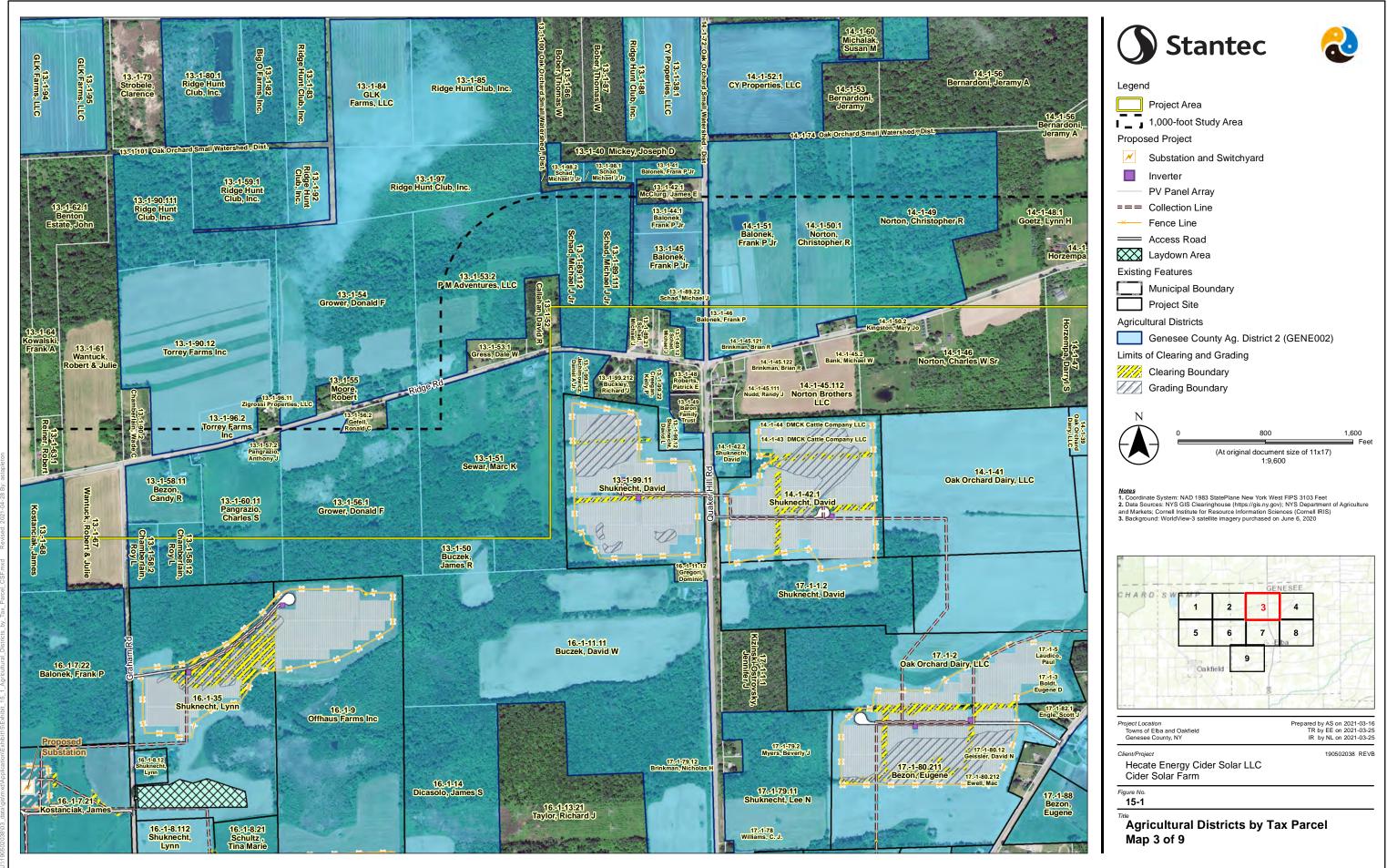
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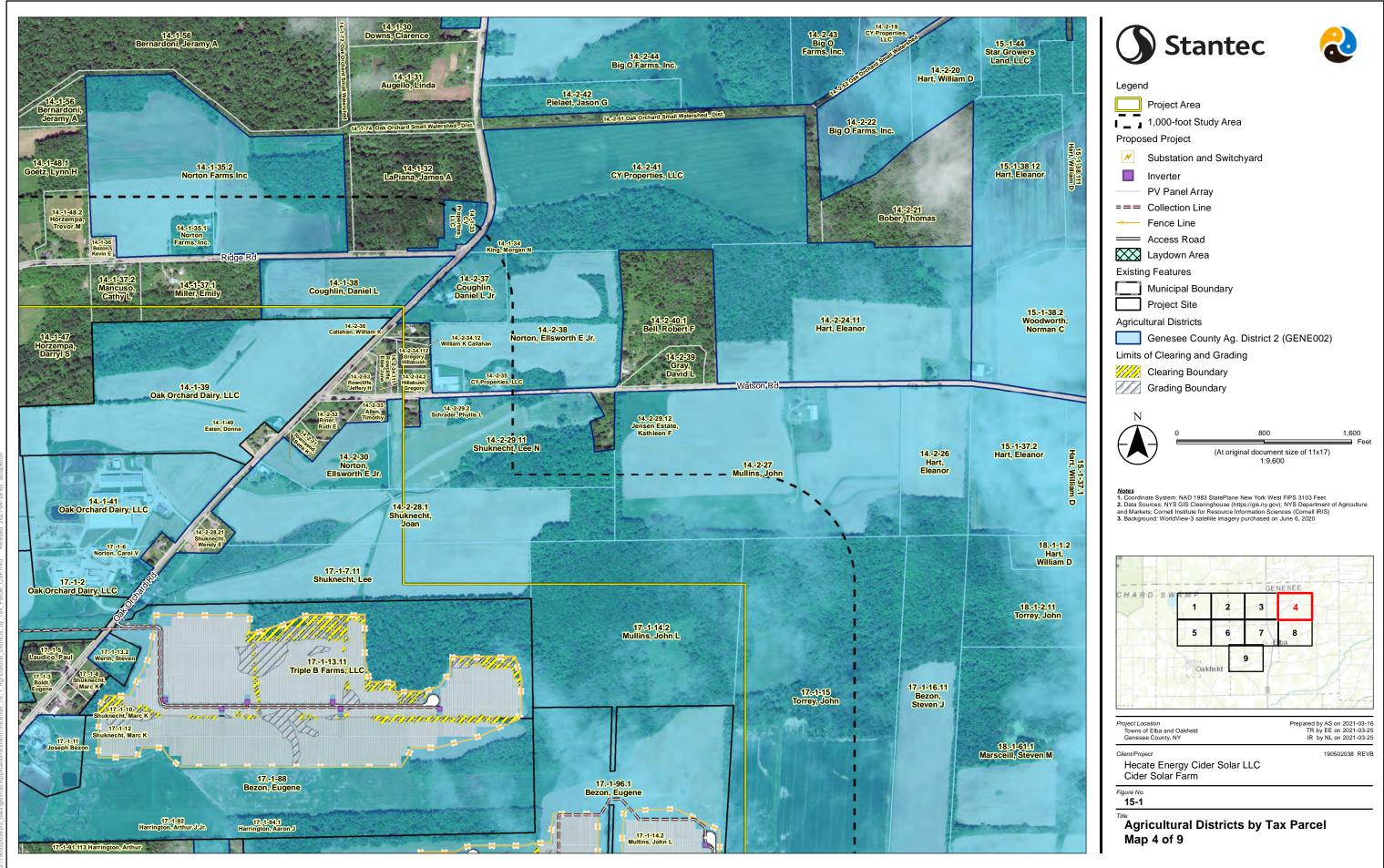
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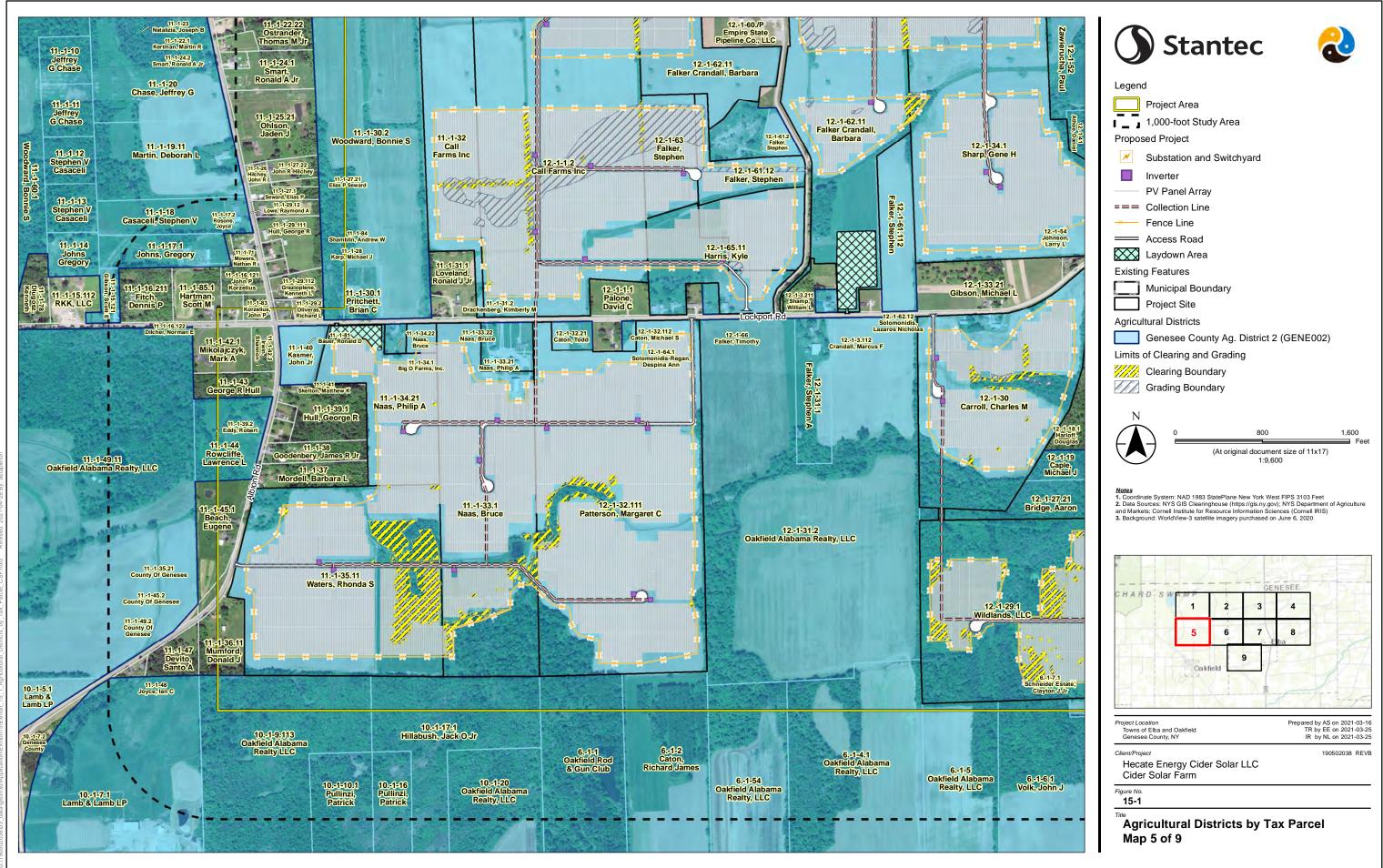
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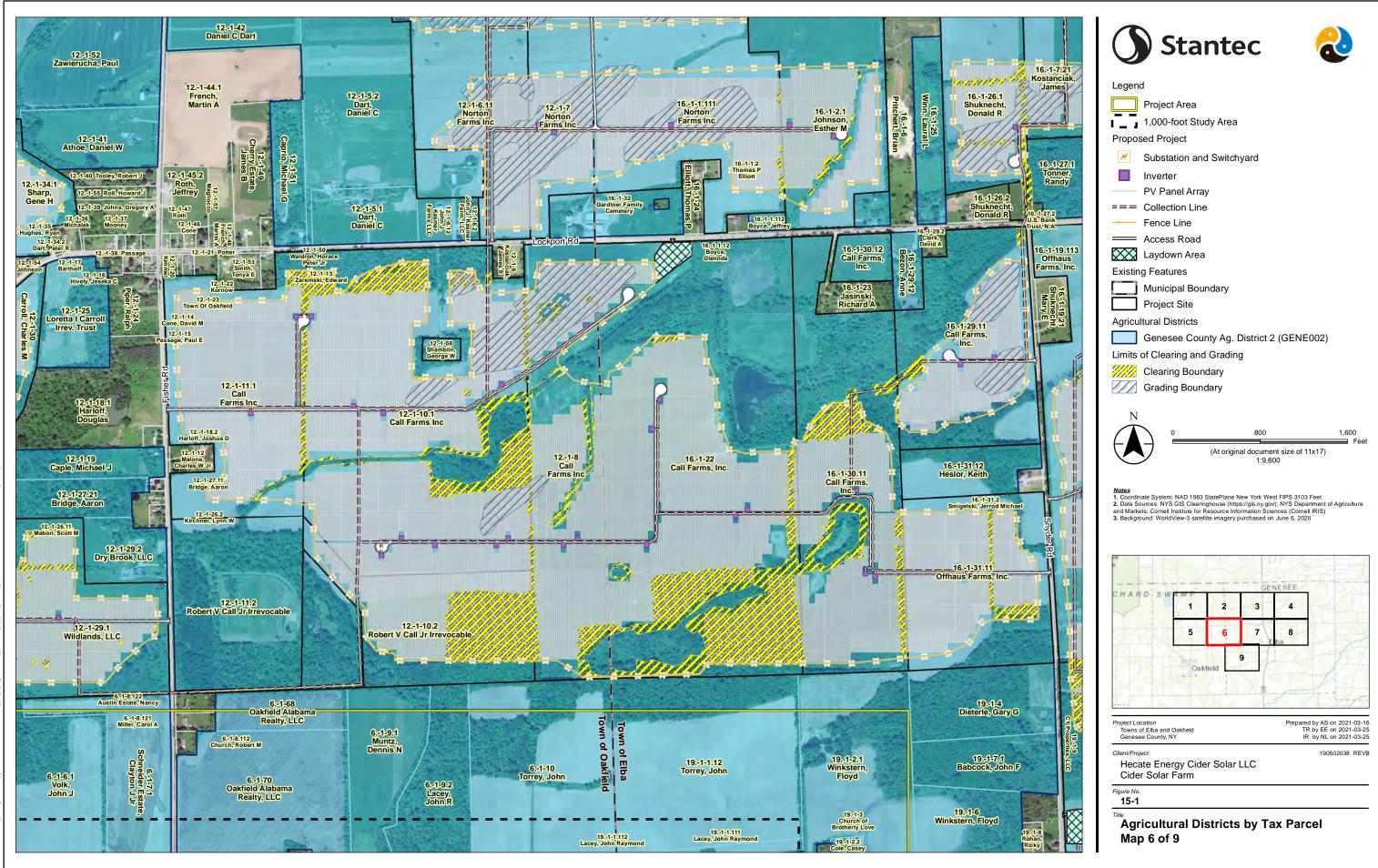


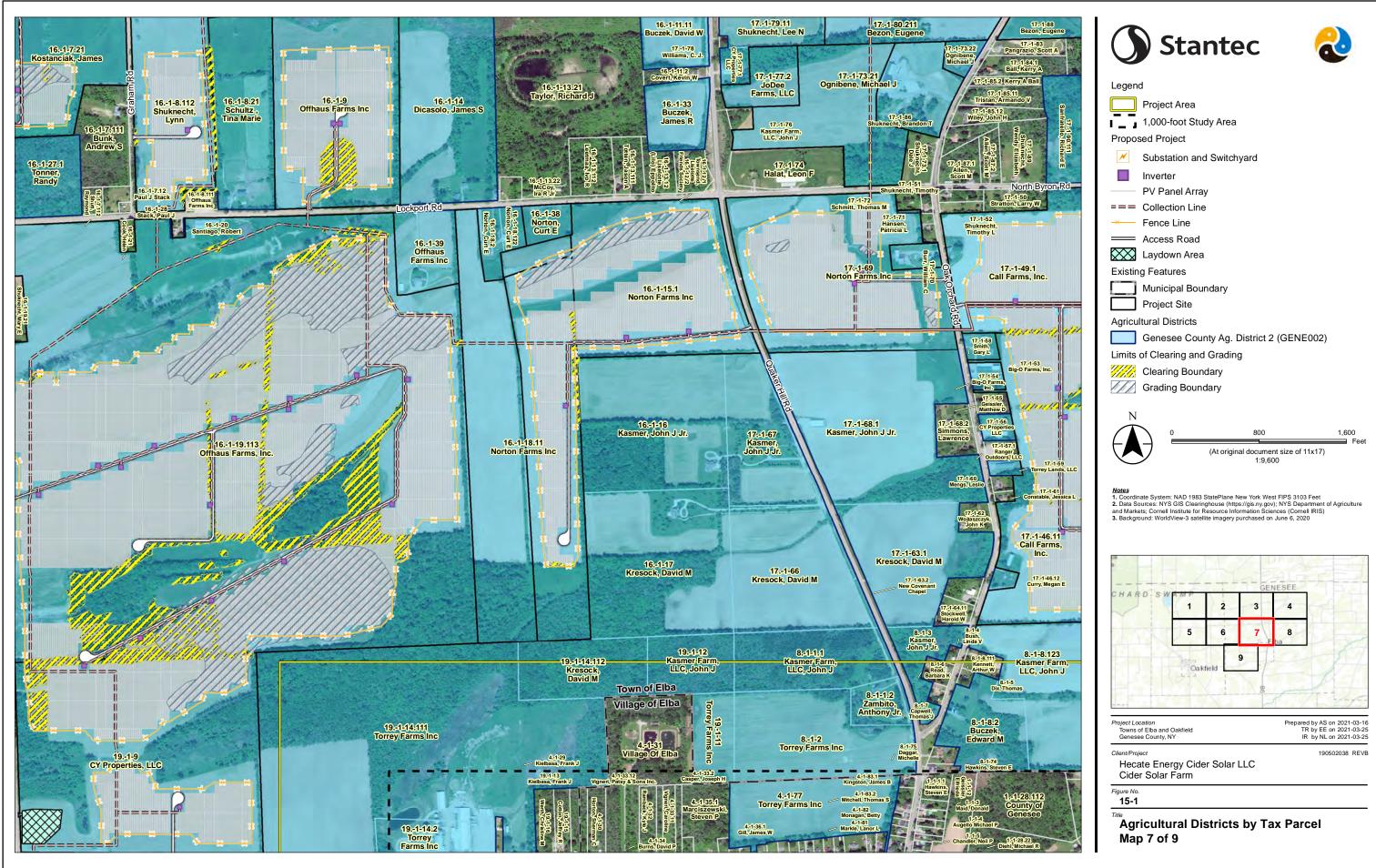


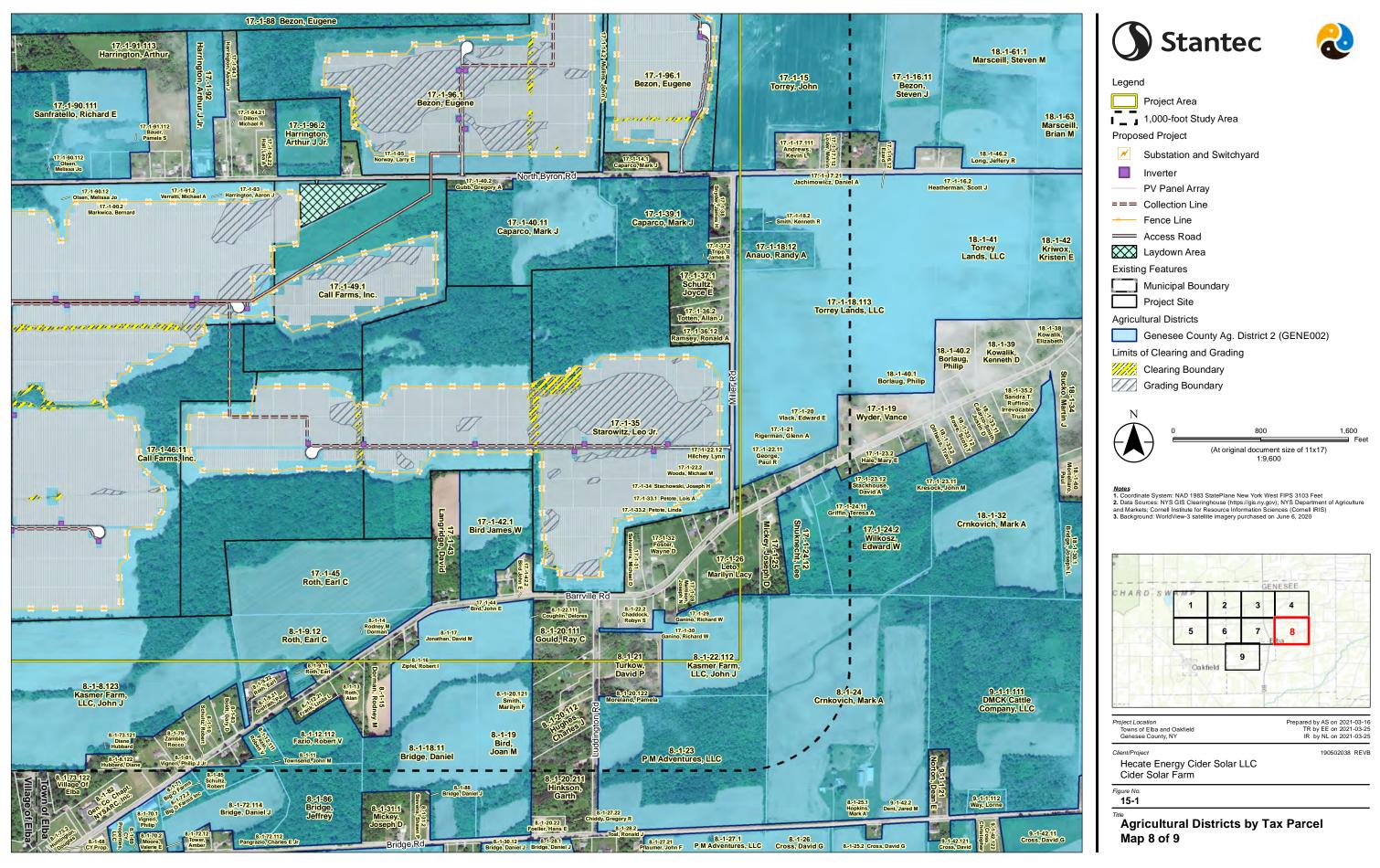


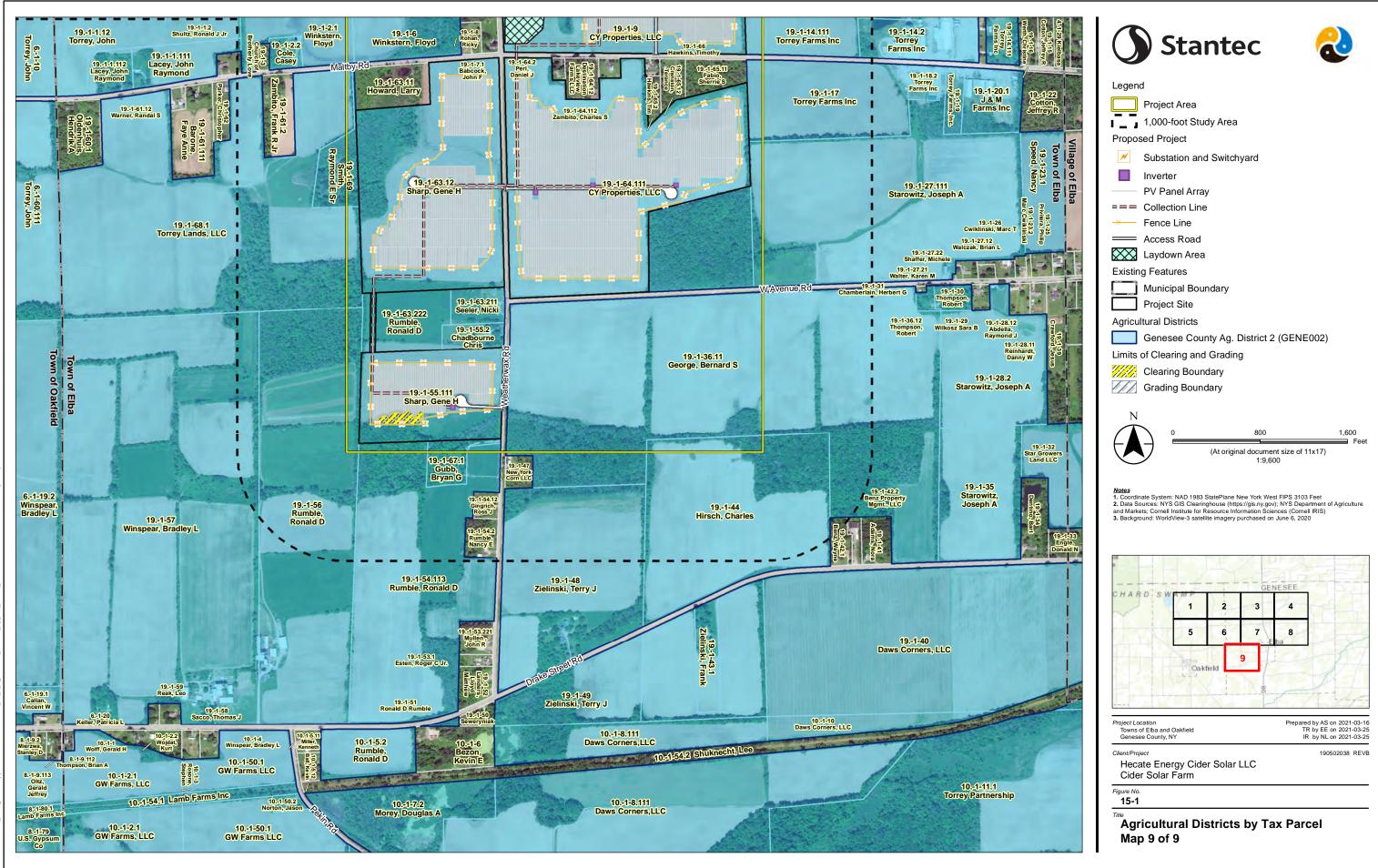




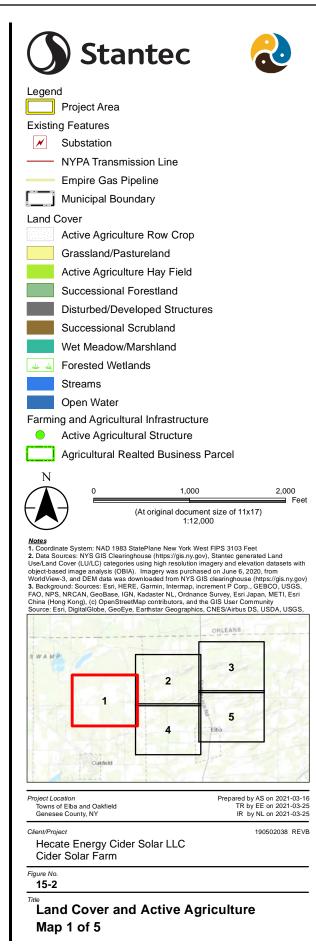


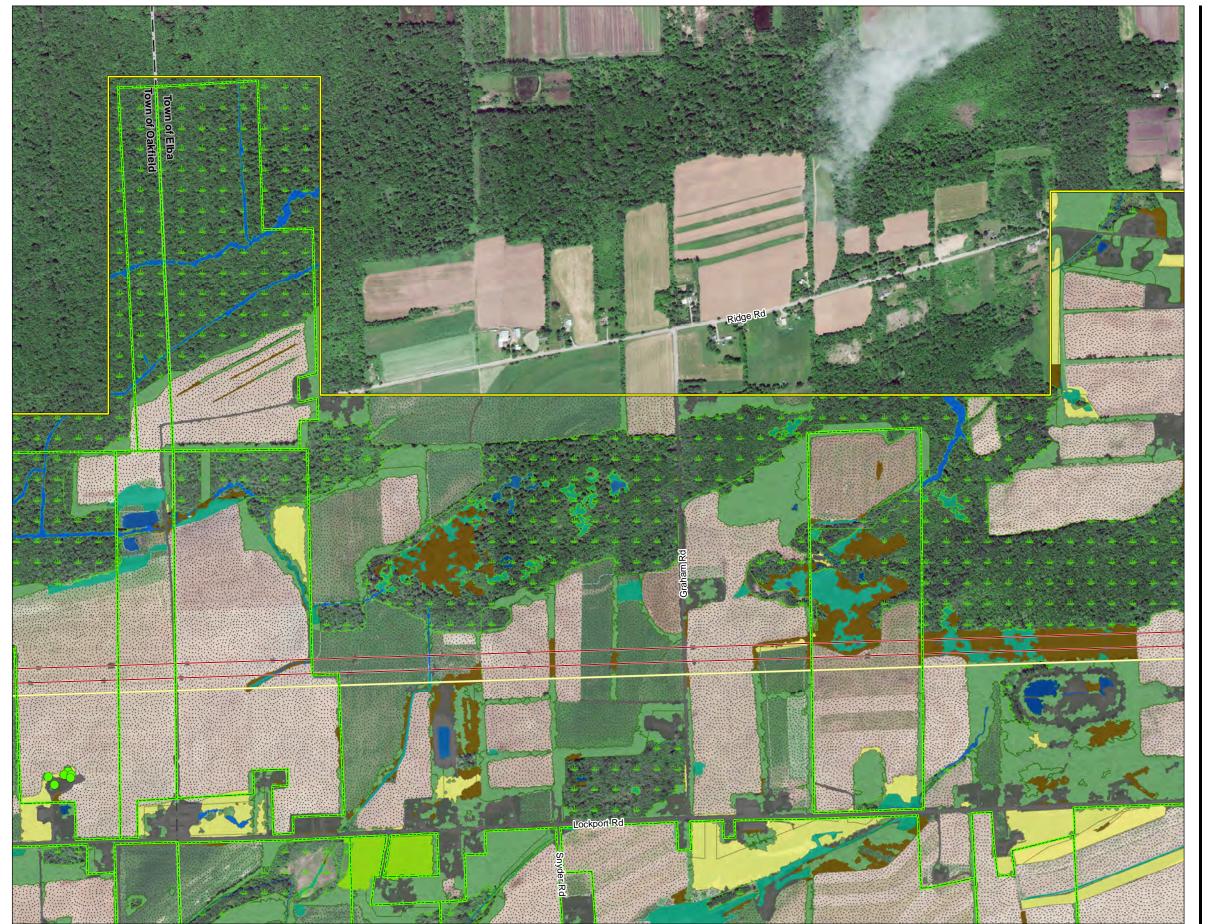


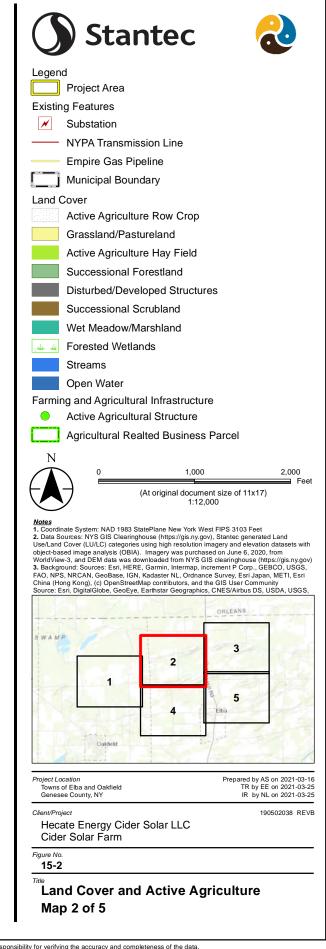




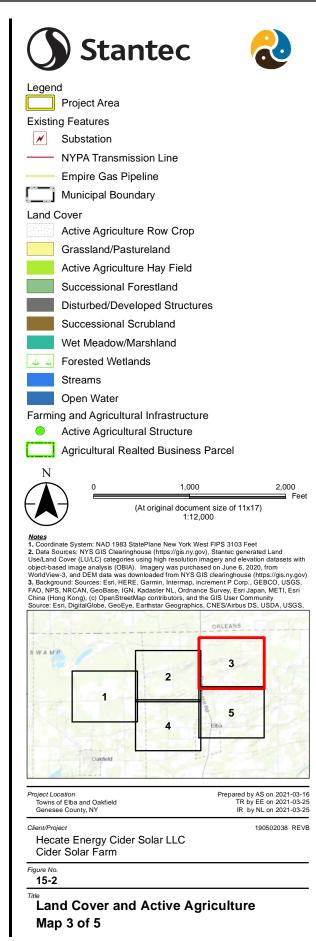




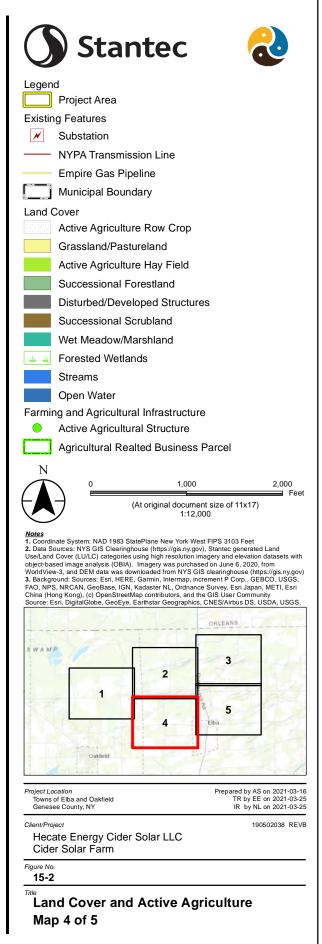


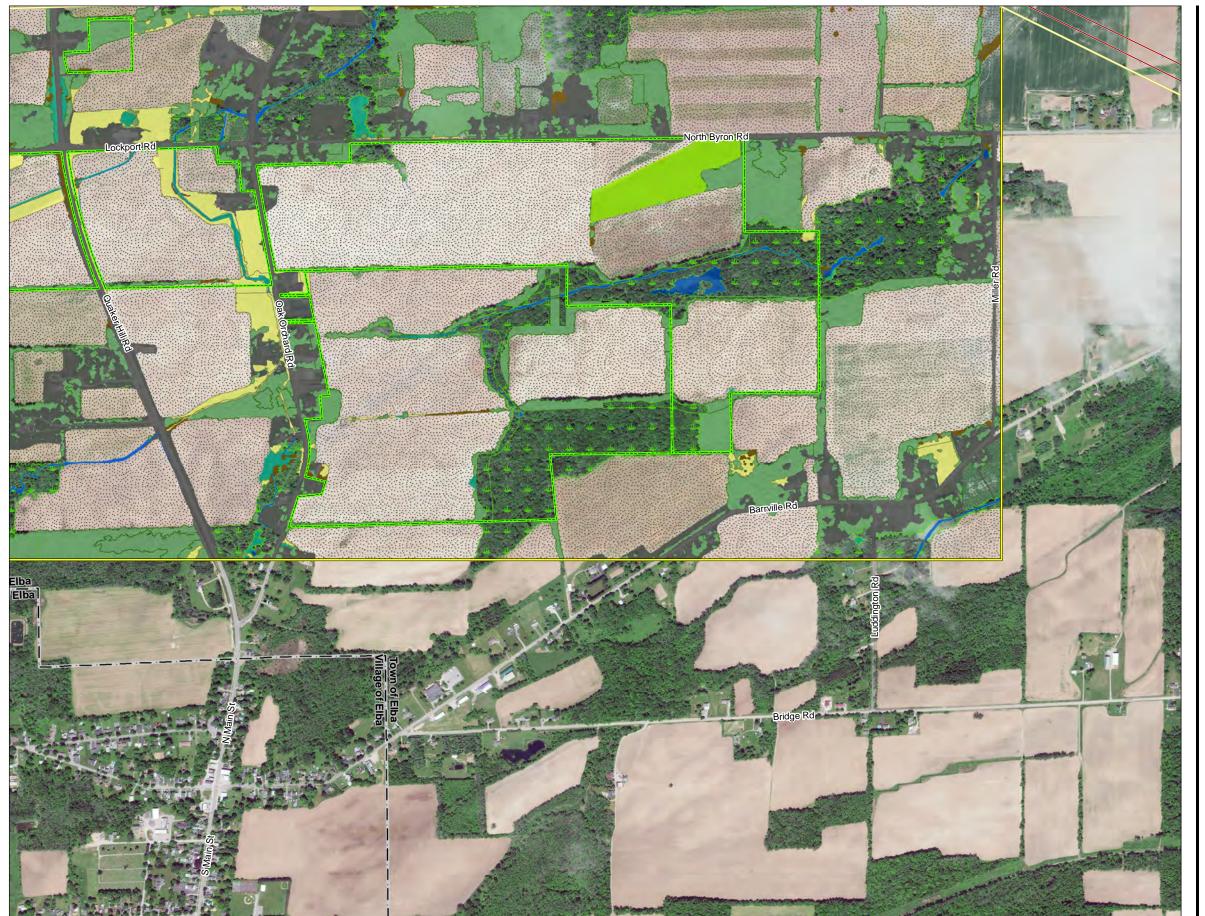


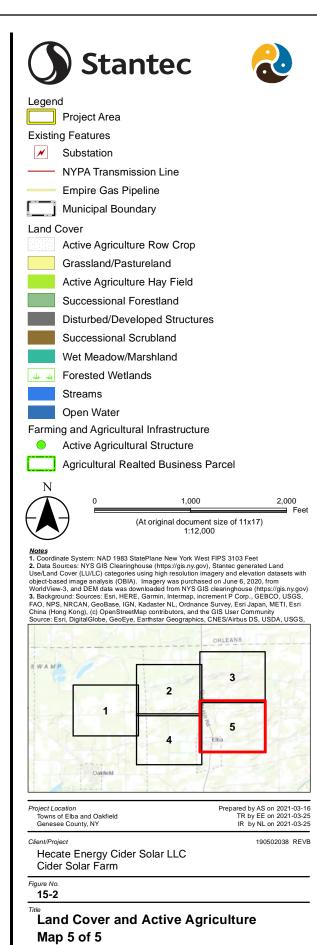


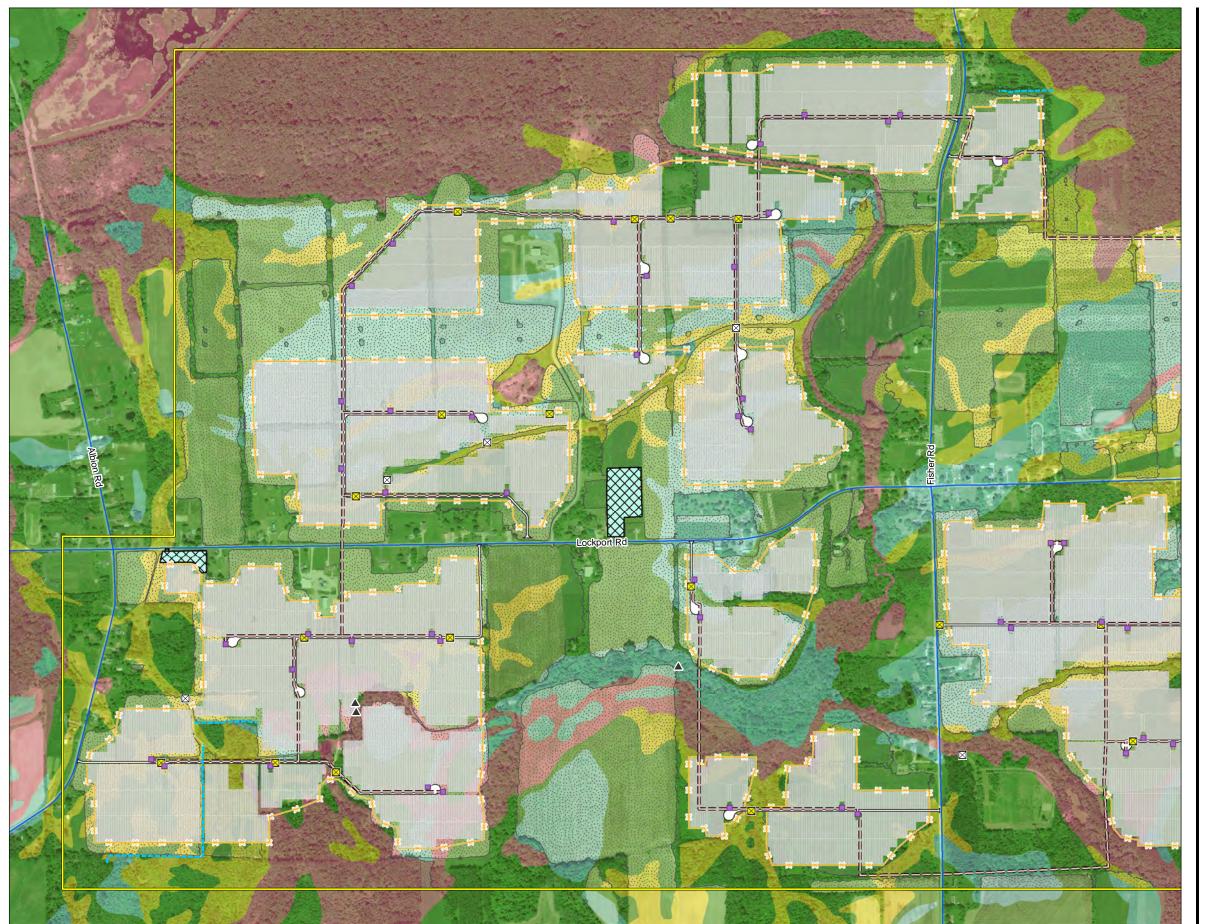


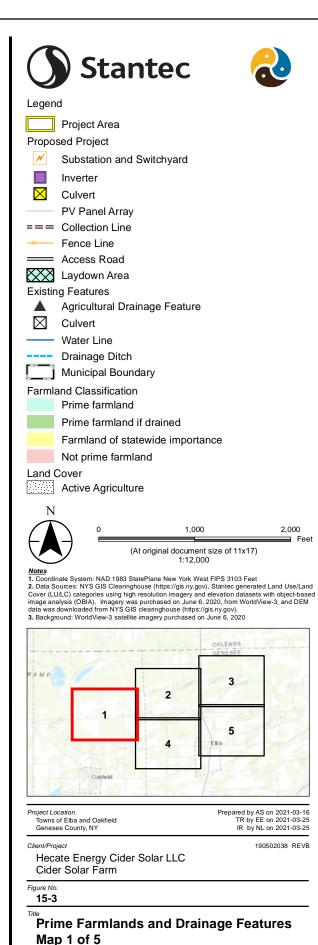


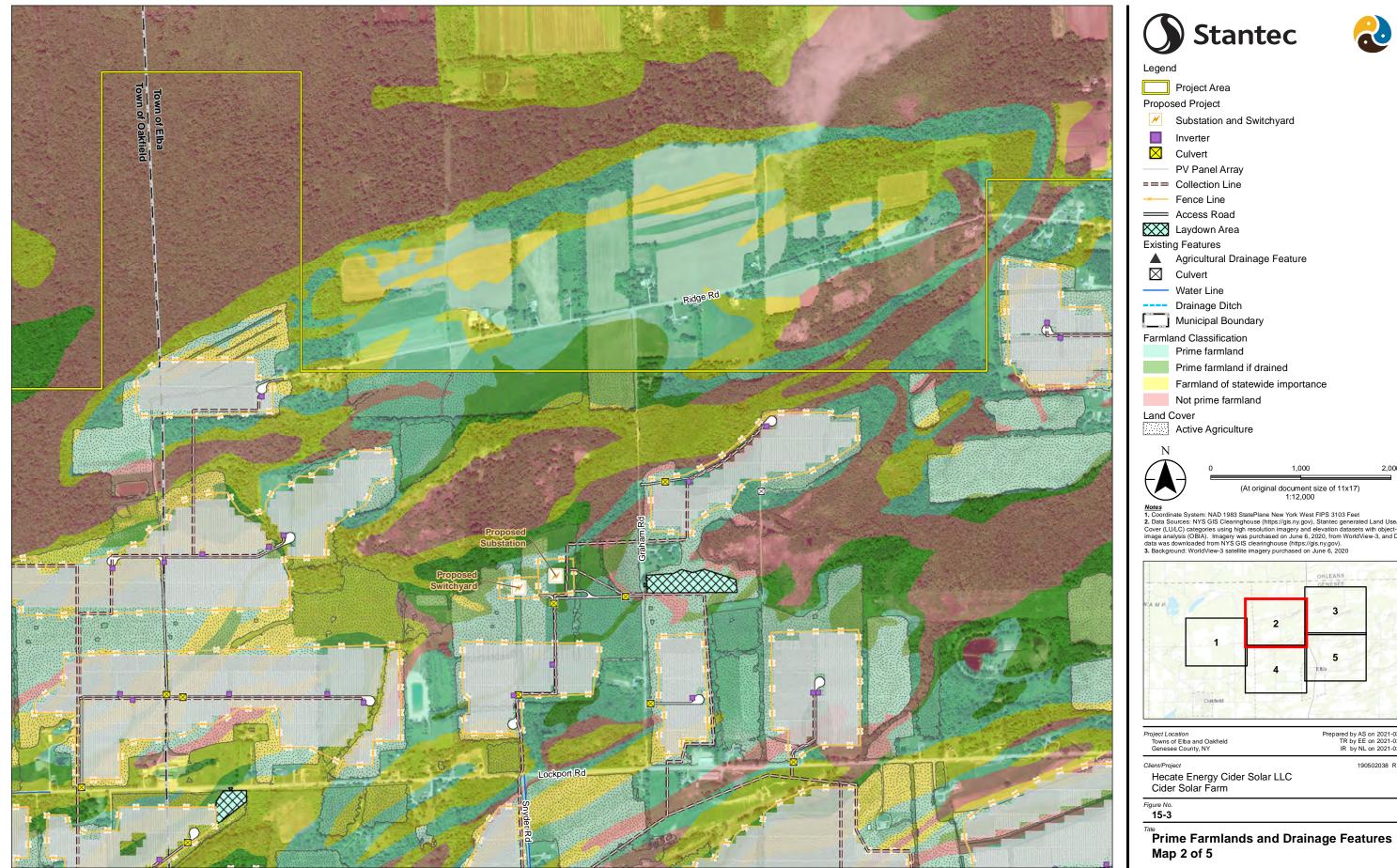


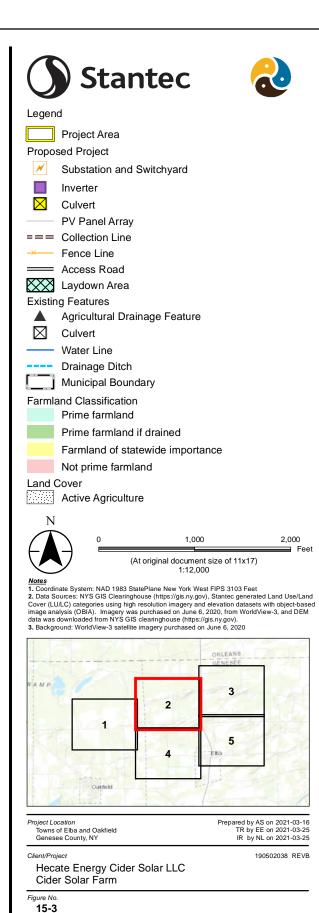




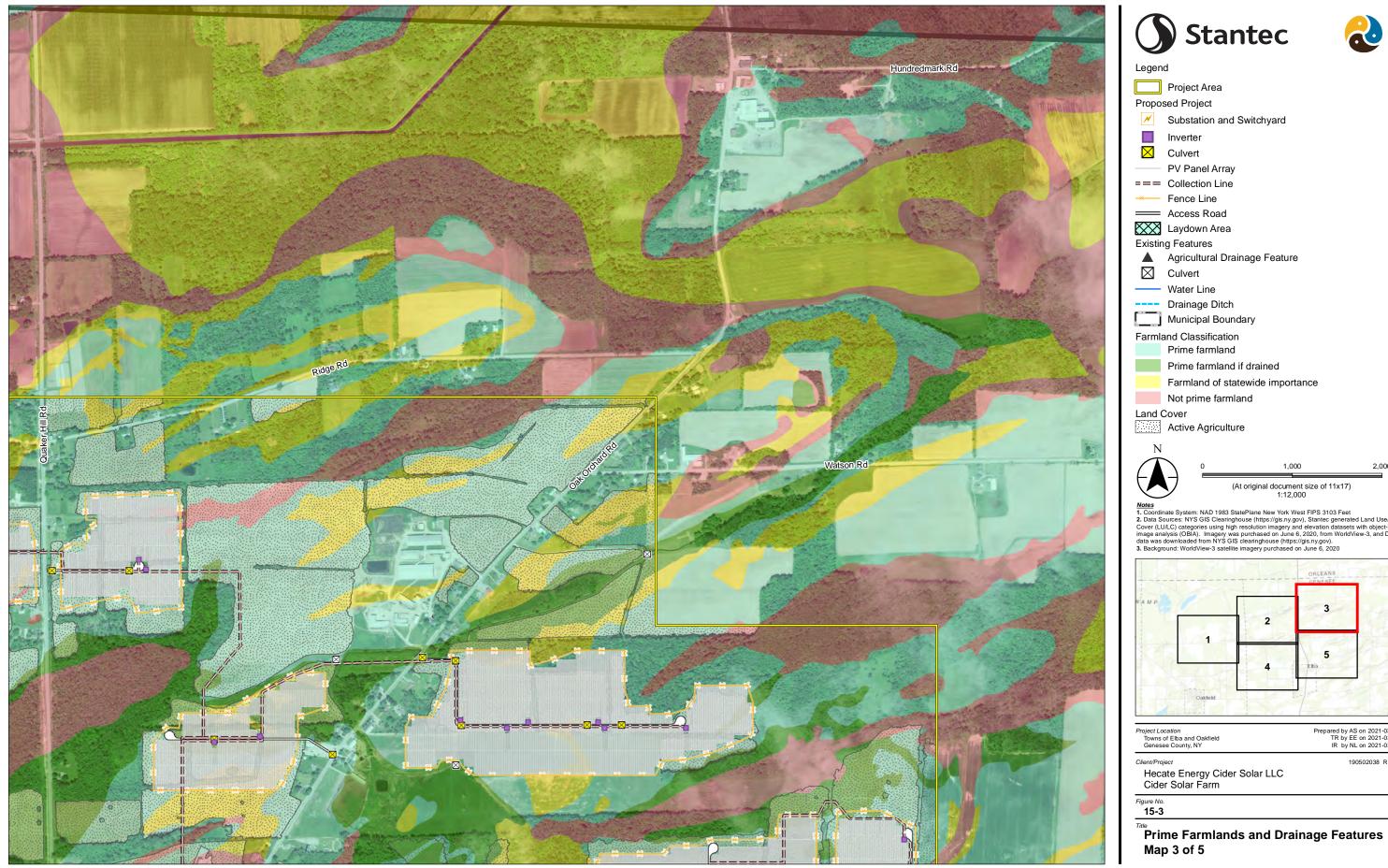


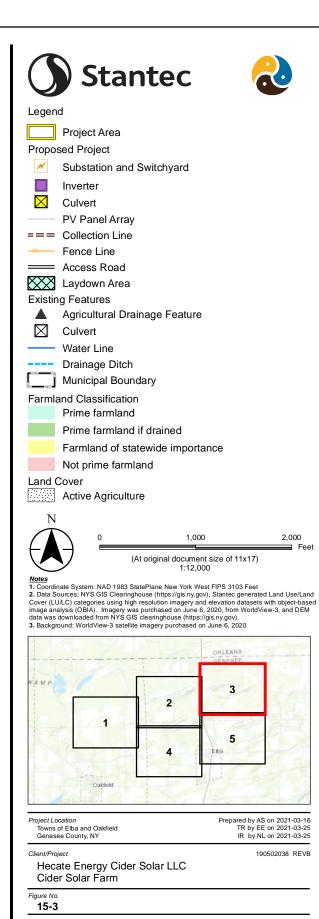


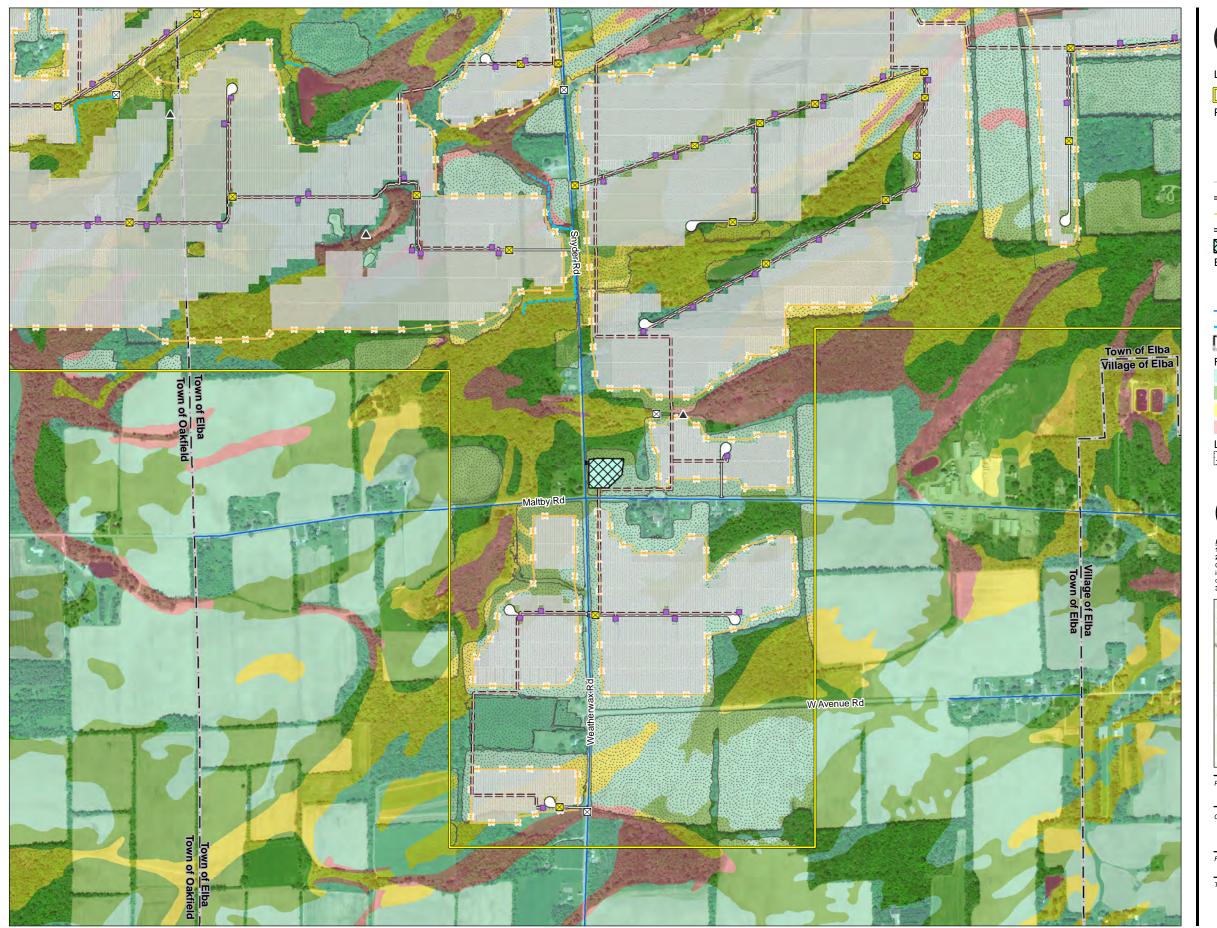


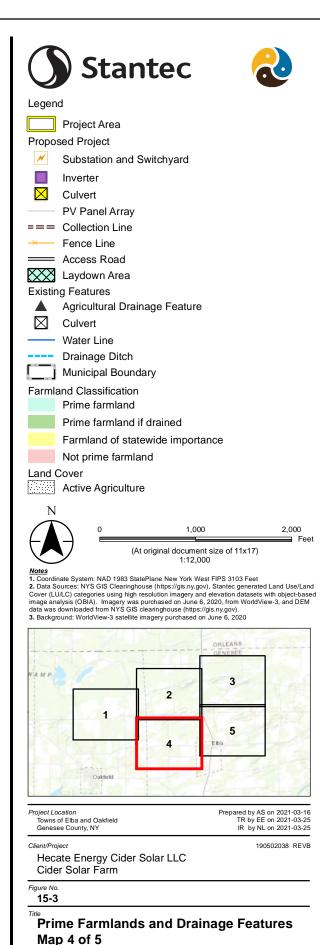


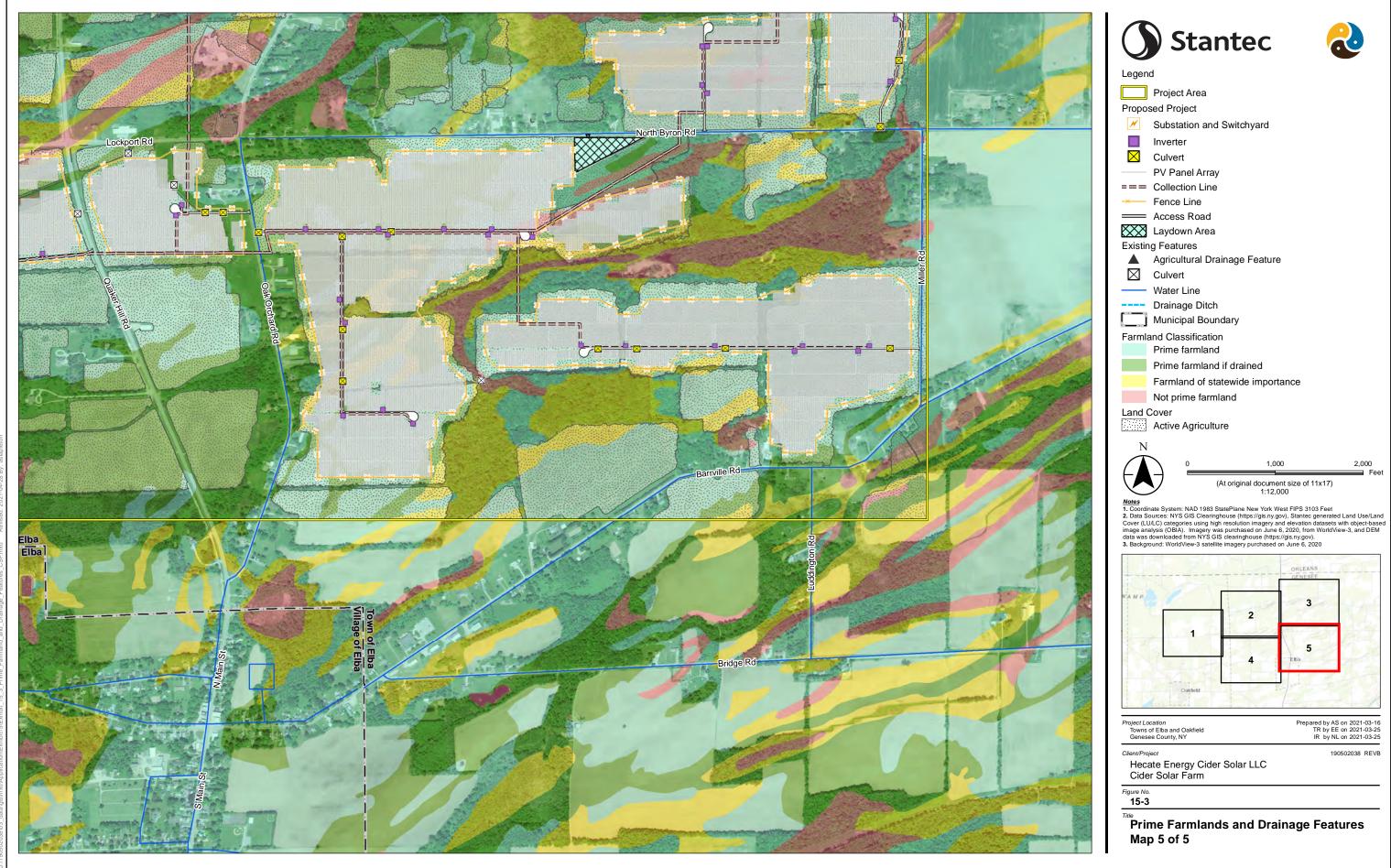
Map 2 of 5

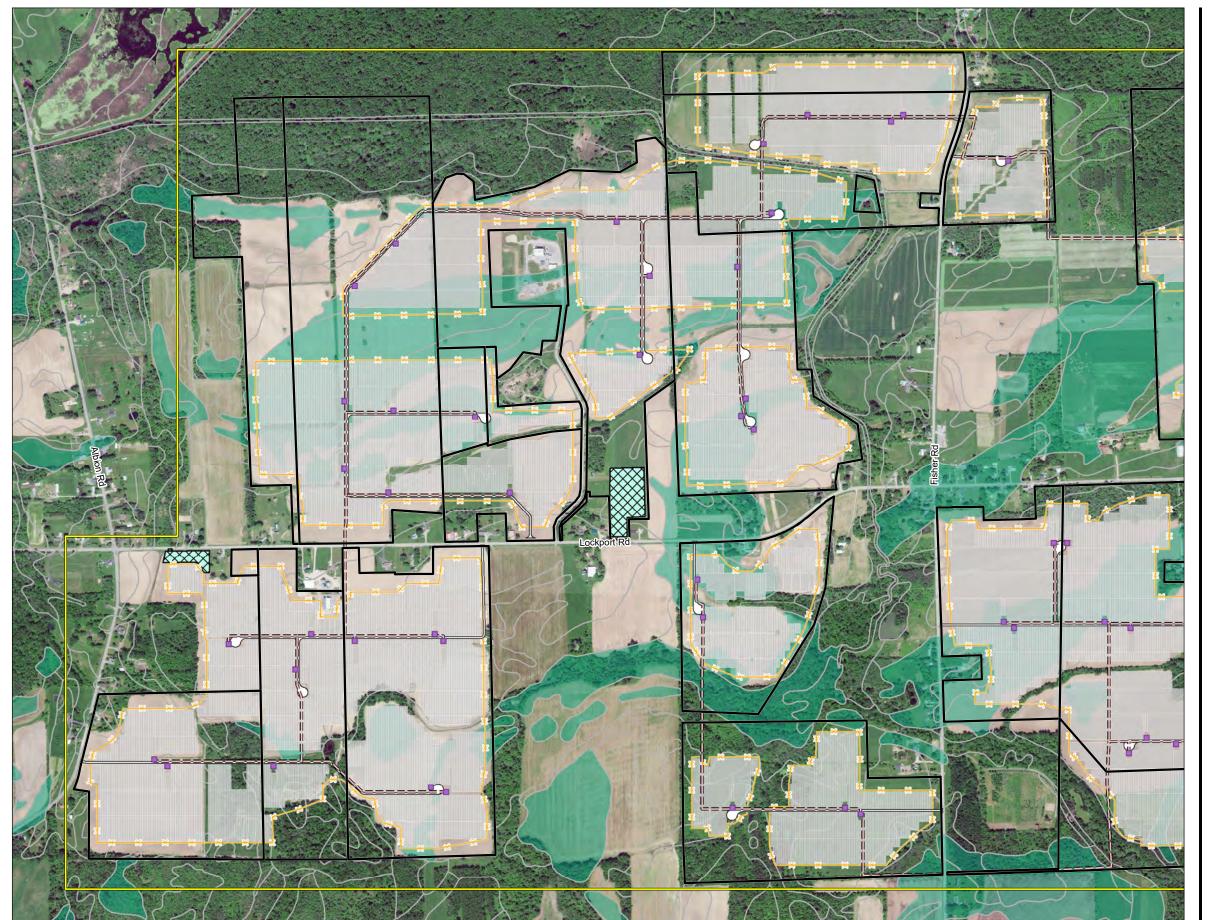
















Proposed Project

Substation and Switchyard

Inverter

PV Panel Array

=== Collection Line

Fence Line

— Access Road Laydown Area

Existing Features

Fleld-Verified Active Agriculture*

Mineral Soil Groups 1-4**

Soil Boundary

_____ Municipal Boundary

*Field Verified Active Agriculture represents parcels in which the landowner(s) confirmed to have active agriculture on some or all of the parcel within the last 3 to 5 years.

**MSG soil types 1–4 were obtained from the MSG Soil Groups spatial dataset which was publicly available on September 18, 2020. MSGs 5–10 were not spatially available at the time of this Application.



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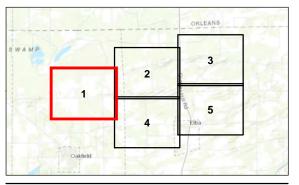
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3. Background: WorldView-3 satellite imagery purchased on June 6, 2020

4. Field Verified Active Agriculture confirmed via telephone survey during January 2021 by Hecate Energy LLC.



Project Location
Towns of Elba and Oakfield
Genesee County, NY

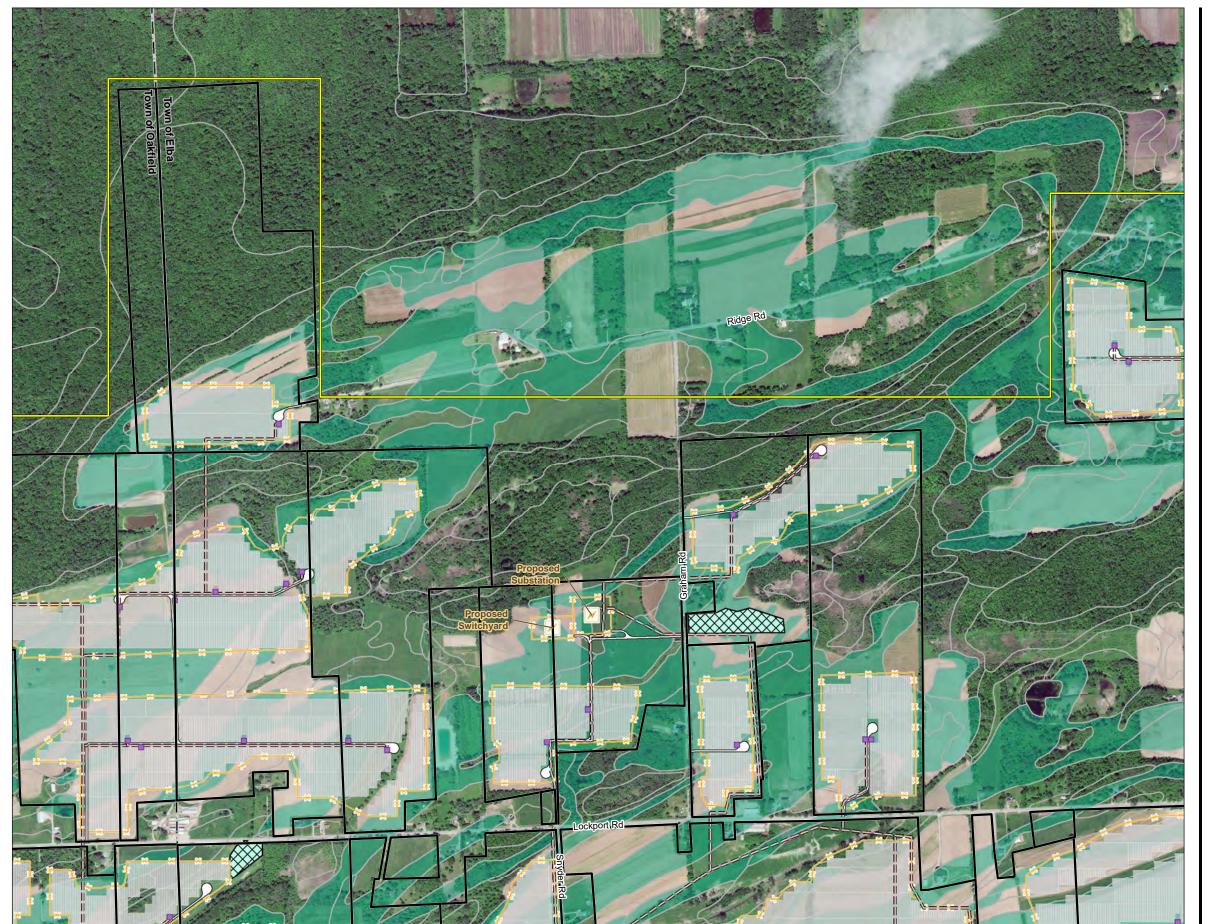
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Hecate Energy Cider Solar LLC Cider Solar Farm

15-4

Mineral Soil Groups and Field-Verified **Active Agriculture** Map 1 of 5





Substation and Switchyard



Project Area

Proposed Project

Inverter

PV Panel Array === Collection Line

Fence Line

— Access Road

Laydown Area

Existing Features

Fleld-Verified Active Agriculture*

Mineral Soil Groups 1-4**

Soil Boundary

Municipal Boundary

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Hecate Energy Cider Solar LLC Cider Solar Farm

15-4

Mineral Soil Groups and Field-Verified **Active Agriculture** Map 2 of 5







Proposed Project

Substation and Switchyard

Inverter

PV Panel Array

=== Collection Line Fence Line

— Access Road

Laydown Area

Existing Features

Fleld-Verified Active Agriculture*

Mineral Soil Groups 1-4**

Soil Boundary

Municipal Boundary

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Project Location
Towns of Elba and Oakfield
Genesee County, NY

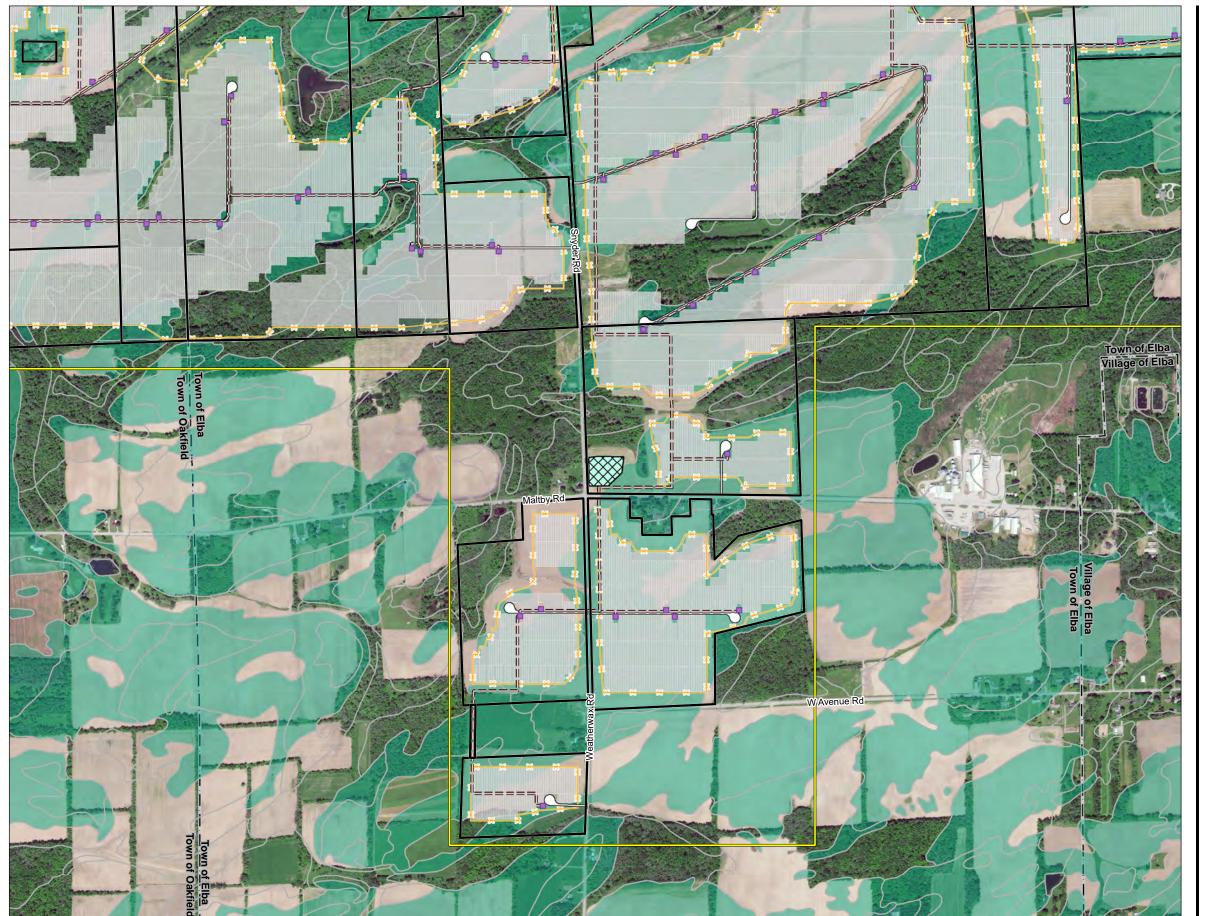
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Hecate Energy Cider Solar LLC Cider Solar Farm

15-4

Mineral Soil Groups and Field-Verified **Active Agriculture** Map 3 of 5







Proposed Project

Substation and Switchyard Inverter

PV Panel Array

=== Collection Line

× Fence Line

— Access Road

Laydown Area

Existing Features

Fleld-Verified Active Agriculture*

Mineral Soil Groups 1-4**

Soil Boundary

Municipal Boundary

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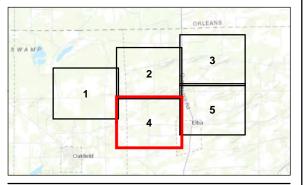
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Project Location
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Hecate Energy Cider Solar LLC Cider Solar Farm

15-4

Mineral Soil Groups and Field-Verified **Active Agriculture** Map 4 of 5







Proposed Project

Substation and Switchyard Inverter

PV Panel Array === Collection Line

Fence Line

— Access Road

Laydown Area

Existing Features

Fleld-Verified Active Agriculture*

Mineral Soil Groups 1-4**

Soil Boundary

Municipal Boundary

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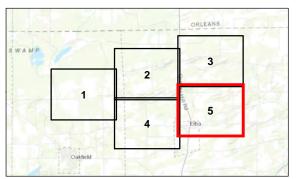
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Mineral Soil Groups and Field-Verified **Active Agriculture** Map 5 of 5