



SOLAR POWER

This is a supplement to the Citizen's Guide, which provides basic information about Adirondack Park Agency regulations.

The Adirondack Park Agency Act and APA regulations implementing the Freshwater Wetlands Act and the Wild, Scenic, and Recreational Rivers System Act establish permitting requirements and shoreline restrictions for certain activities within the Adirondack Park. In some instances, these permitting requirements and shoreline restrictions may affect solar power projects.

Solar Power and APA Permitting

A solar power project will likely require an Agency permit if:

- The purpose of the project is to create a business for selling energy offsite;
- The project will involve APA-jurisdictional wetlands; or
- Any structure will be greater than 40 feet in height.

A permit may also be required if solar power structures will be located within a critical environmental area or a Scenic or Recreational river area.¹

Utility-scale solar projects over 25 megawatts (MW) in nameplate capacity under the jurisdiction of the New York State Office of Renewable Energy Siting (ORES) or utility-scale solar projects between 20-25 MW in nameplate capacity that opt into ORES siting permit review do not require a permit from the APA. However, ORES regulations require consultation between ORES and the APA throughout their review of a utility-scale solar project.

¹ Solar power structures may also be reviewed by the Agency as part of a project that requires a permit for other reasons, such as the construction of a single family dwelling in a Resource Management land use area.

Solar Power and Adirondack Shorelines

Regardless of whether a permit is required, the following restrictions apply:

- Individual solar power structures greater than 100 square feet in size, and multiple attached structures that together measure more than 100 square feet in size, are prohibited within the following distances of any lake, pond, or navigable river or stream:
 - 50 feet on Hamlet lands;
 - 50 feet on Moderate Intensity Use lands;
 - 75 feet on Low Intensity Use lands;
 - 75 feet on Rural Use lands; and
 - 100 feet on Resource Management lands.

- Solar power structures of any size are prohibited within:
 - 150 feet of the mean high water mark of a designated Recreational river;
 - 250 feet of the mean high water mark of a designated Scenic river;
 - ¼ mile of the mean high water mark of a designated Wild river.

This flyer is intended to provide general information regarding Agency jurisdiction. Other provisions or restrictions may apply if an Agency permit or variance is required or if the property has previously been subject to Agency review.

Please contact the Agency with any questions at 518-891-4050. For a binding written response as to whether a specific proposal requires Agency review, please submit a Jurisdictional Inquiry Form (JIF). The JIF form is available on the Agency website at www.apa.ny.gov/Forms/jiform.pdf.