



Agriculture and Markets

ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

February 27, 2019

Max Joel, Program Manager
NY Sun- NYSEDA
17 Columbia Circle
Albany, NY 12203

RE: Final Notice of Intent – Notice of Intent to Undertake an Action Within an Agricultural District Delaware River Solar, Yellow Mills Solar Project in the Town of Farmington, Ontario County Agricultural District No.1

Dear Mr. Joel:

I have determined that the enclosed Final Notice of Intent, filed with this Department by NYSEDA, for the advance of public funds for the construction of a 7 MW Solar System, located in the Town of Farmington, within Ontario County Agricultural District No 1., is complete.

The Final Notice has been forwarded to the Commissioner of Environmental Conservation, the Advisory Council on Agriculture, and the County Agricultural and Farmland Protection Board. In consultation with them, the Commissioner shall review the proposed action during the next forty-five (45) day period commencing February 27, 2019 and make an initial determination whether the action will have an unreasonably adverse effect on the continuing viability of a farm enterprise, or enterprises within the district and state environmental plans, policies and objectives. Furthermore, the Department will be exploring acceptable mitigation options for the proposed project during the next thirty (30) days.

Please be advised that the Department's acceptance as complete of the Final Notice of Intent for the proposed action does not authorize commencement of the project. In order to comply with the provisions of Section 305(4), no funds may be advanced to construct the facility or to acquire land within the district until the Notice process has been completed as set forth in Section 305(4).

Please do not hesitate to contact me, at (518) 457-2851 if you have any questions regarding your Notice filing.

Sincerely,

Kate Tylutki
Senior Environmental Analyst

cc: Fred Lightfoote, Chair, Ontario County AFPB
Ron Brand, Director of Planning and Development, Town of Farmington
Peter Dolgos, Senior Vice President, Delaware River Solar

File: AP 19/008-NOI