

ONTARIO COUNTY  
Agricultural Enhancement Board

*Fredrick Lightfoote, Chairman*

April 9, 2019

Ms. Kate Tylutki  
Senior Environmental Analyst  
Division of Agricultural Protection and Development  
New York Department of Agriculture and Markets  
1 Winners Circle  
Albany, NY 12235

Re: Final 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 Ms. Tylutki,

The Ontario County Agricultural Enhancement Board has reviewed the proposed project offers the following comments for consideration:

- The proposed project will result in the loss of approximately 30 acres of prime farmland on a parcel that is identified in the Ontario County Agricultural Enhancement Plan – 2018 as a Priority Land for Protection. It is included in the county plan because it was also identified in the Town of Farmington's Farmland Protection Plan.

As proposed, the landowner will be able to continue their agricultural operation at its current scale. The Board recognizes the landowner's right to pursue development of uses allowed in the zoning district. However, it is concerned about the potential for the cumulative significant loss of prime agricultural land where commercial solar PV systems are allowed uses in zoning districts (such as A-80) where agriculture is the predominant land use and is a priority for protection.

- The applicant should be required to determine if there are any surface or subsurface agricultural drainage systems that will be impacted by the proposed project. Damage or removal of such infrastructure can adversely impact the viability of the farmland remaining on the parcel and adjoining farmland which may be connected to the sites system.
- §165-65.3 H. (5) [4] *Decommissioning* states, "Stabilization and revegetation of the site with native seed mixes and/or plant species (excluding invasive species) to minimize erosion." The Board recommends that conditions be placed on any approval that requires restoration of the site to productive farmland (including surface and subsurface drainage infrastructure) in a manner that is specified by the OC Soil and Water Conservation District or any successor agency and as may be required by Town law or condition of local approval.
- The Board also supports the provisions in §165-65.3 H. Abandonment and Decommissioning regarding the provision of adequate financial surety for the restoration of the site to productive agriculture.

Thank you for the opportunity to comment on this project

Sincerely,



Frederick Lightfoote,  
Chairman

Cc Supervisor Peter Ingalsbe, Town of Farmington