

# New York Community Solar Facilities Decommissioning Plan

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June 2020, Version 5

Prepared For:

**Town of Farmington**

Prepared By:

**Delaware River Solar, LLC**

33 Irving Place, Suite 1090

New York, NY 10003

And its affiliates:

NY Farmington I, LLC, NY Farmington II, LLC, and NY Farmington III, LLC

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## 1. Introduction

Delaware River Solar (“**DRS**”), and its affiliates NY Farmington I, LLC, NY Farmington II, LLC, and NY Farmington III, LLC, propose to build three 2.338 Mega Watt (“**MW**”) ac photovoltaic (“**PV**”) solar facilities (“**Solar Facilities**”) at 466 Yellow Mills Road in the Town of Farmington (“**Town**”) under New York State’s Community Solar initiative. The Solar Facilities are planned to have a nameplate capacity of approximately 7.0 megawatts (MW) alternating current (AC) and be built on private land (“**Project Site**”) leased by from the property owner (“**Property Owner**”).

This Decommissioning Plan (“**Plan**”) provides an overview of activities that will occur during the decommissioning phase of the Solar Facilities, including; activities related to the restoration of land, the management of materials and waste, projected costs, and a proposed decommissioning fund agreement overview. These activities are in adherence to Town Code §165.65.3 H. Abandonment and Decommissioning.

The Solar Facilities will have a useful life of thirty (30) years and the lease agreement between DRS and the Property Owner will have a thirty (30) year lease term, subject to five (5) year extensions. This Plan assumes that the Solar Facilities will be dismantled, and the Project Site restored to a state similar to its pre-construction condition, at the thirty (30) year anniversary of the Solar Facilities’ commercial operation date (“**Expected Decommissioning Date**”). This Plan also covers the case of the abandonment of the Solar Facilities, for any reason, prior to the Expected Decommissioning Date.

Decommissioning of the Solar Facilities will include the disconnection of the Solar Facilities from the electrical grid and the removal of all Solar Facilities components, including:

- Photovoltaic (PV) modules, panel racking and supports;
- Inverter units, substation, transformers, and other electrical equipment;
- Access roads, wiring cables, communication tower, perimeter fence; and,
- Concrete foundations.

This Plan is based on current best management practices and procedures. This Plan may be subject to revision based on new standards and emergent best management practices at the time of decommissioning. Permits will be obtained as required and notification will be given to stakeholders prior to decommissioning.

## 2. Conditions to the Issuance of a Special Use Permit

The conditions of the decommissioning plan for the issuance of a Special Use Permit granted by the Town of Farmington Planning Board shall be in accordance with Town Code §165.65.3 H. Abandonment and Decommissioning. Copied below is the entirety of Section 165.65.3.H, with comments added below Special Use Permit Conditions to identify Project details where needed.

### **Farmington Town Code §165.65.3.H. Abandonment and decommissioning.**

(1) Applicability and purpose. This section governing abandonment and decommissioning shall apply to large-scale ground-mounted solar PV systems with a rated capacity of 25 kW or more, hereinafter referred to as "large-scale solar PV systems." It is the purpose of this section to provide for the safety, health, protection and general welfare of persons and property in the Town of Farmington by requiring abandoned large-scale solar PV systems to be removed pursuant to a decommissioning plan. The anticipated useful life of such systems, as well as the volatility of the recently emerging solar industry where multiple solar companies have filed for bankruptcy, closed or been acquired creates an environment for systems to be abandoned, thereby creating a negative visual impact upon the Town. Abandoned large-scale systems may become unsafe by reason of their energy-producing capabilities and serve as an attractive nuisance.

(2) Abandonment. A large-scale solar PV system shall be deemed abandoned if the system fails to generate and transmit electricity at a rate of more than 10% of its rated capacity over a continuous period of one year. A commercial solar PV system also shall be deemed abandoned if, following site plan approval, initial construction of the system has commenced and is not completed within 18 months of issuance of the first building permit for the project.

(3) Extension of time. The time at which a commercial solar PV system shall be deemed abandoned may be extended by the Planning Board for one additional period of one year, provided the system owner presents to the Board a viable plan outlining the steps and schedules for placing the system in service or back in service within the time period of the extension. An application for an extension of time shall be made to the Planning Board by the commercial solar PV system owner prior to abandonment as defined herein. Extenuating circumstances as to why the commercial solar PV system has not been operating or why construction has not been completed may be considered by the Board in determining whether to grant an extension.

(4) Removal required. A commercial solar PV system which has been abandoned shall be decommissioned and removed. The commercial solar PV system owner and/or owner of the land upon which the system is located shall be held responsible to physically remove all components of the system within one year of abandonment. Removal of the commercial solar PV system shall be in accordance with a decommissioning plan approved by the Planning Board.

(5) Decommissioning and removal.

(a) Decommissioning and removal of a commercial solar PV system shall consist of:

[1] Physical removal of all aboveground and below-ground equipment, structures and foundations, including but not limited to all solar arrays, buildings, security barriers, fences, electric transmission lines and components, roadways and other physical improvements to the site.

[2] Disposal of all solid and hazardous waste in accordance with local, state and federal waste disposal regulations.

[3] Restoration of the ground surface and soil.

[4] Stabilization and revegetation of the site with native seed mixes and/or plant species (excluding invasive species) to minimize erosion.

(b) Upon petition to the Planning Board, the Board may permit the system owner to leave certain underground or aboveground improvements in place, provided the owner can show that such improvements are part of a plan to redevelop the site, are not detrimental to such redevelopment and do not adversely affect community character or the environment.

(c) Decommissioning plan. All applications for a commercial solar PV system shall be accompanied by a decommissioning plan to be implemented upon abandonment and/or in conjunction with removal of the system. The decommissioning plan shall address those items listed in § **165-65.3H(5)(a)** above and include:

(6) Special use permit conditions. The following conditions shall apply to all special use permits issued for a large-scale ground-mounted solar PV system. No special use permit shall be issued unless the Planning Board finds that the conditions have been or will be met.

(a) A licensed engineer's estimate of the anticipated operational life of the system.

**Detail Provided by the Projects:**

- See Project Memorandum, August 2018 – stating the projects will have an estimated operational life of 30 years.
- See Bergmann Associates letter, January 29, 2020 – stating the projects will have an estimated operational life of 30 years.

(b) Identification of the party responsible for decommissioning.

**Detail Provided by the Projects:**

- DRS created project specific entities (the “Project Companies”) for each of the three Solar Facilities, which are NY Farmington I, LLC, NY Farmington II, LLC and NY Farmington III, LLC, respectively. Each Project will be responsible for decommissioning of the respective Solar Facility, and each will enter a separate decommissioning agreement with the Town.
- Attached as Appendix II is a draft decommissioning agreement that the Project Companies would typically execute with a town hosting a solar facility. The attached draft decommissioning agreement contemplates the options of posting a bond, cash deposit or Letter of Credit.

(c) Description of any agreement regarding decommissioning between the responsible party and the landowner.

**Detail Provided by the Projects:**

- The lease agreement executed with the Property Owner contains conditions regarding the removal of the Solar Facilities and restoration of the Project Site. This lease agreement is on file with Town Attorney for review.
- The Landowner has provided a written statement indicating their understanding of the Decommissioning requirements of the Town Code.

(d) A schedule showing the time frame over which decommissioning will occur and for completion of site restoration work.

**Detail Provided by the Projects:**

- See Section 4.8 “Schedule of Decommissioning”.

(e) A cost estimate prepared by a licensed professional engineer estimating the full cost of decommissioning and removal of the solar PV system.

**Detail Provided by the Projects:**

- See Section 5 “Cost of Decommissioning”

(f) A financial plan to ensure that financial resources will be available to fully decommission the site.

**Detail Provided by the Projects:**

- See Section 6 “Decommissioning Financial Assurance”

(g) An acceptable form of surety is to be approved by the Planning Board and accepted by the Town Board and filed with the Town Clerk in an amount specified in the above-referenced financial plan. Said acceptable form of surety is to remain in effect for the above-referenced anticipated operational life of the system. In the event the anticipated operational life of the system is amended, then a revised acceptable form of surety is to be approved by the Planning Board, accepted by the Town Board and filed with the Town Clerk.

**Detail Provided by the Projects:**

- See Section 6 “Decommissioning Financial Assurance”

(h) Financial surety. Prior to the issuance of a building permit and every three years thereafter, the commercial solar PV system owner and/or landowner shall file with the Town Clerk evidence of financial surety to provide for the full cost of decommissioning and removal of the solar PV system in the event the system is not removed by the system owner and/or landowner. Evidence of financial surety shall be in effect throughout the life of the system and shall be in the form of an irrevocable acceptable form of surety or other form of surety acceptable to the Planning Board and approved by the Town Board. The irrevocable acceptable form of surety shall include an auto-extension provision to be issued by an A-rated institution solely for the benefit of the Town. The Town shall be entitled to draw upon the acceptable form of surety in the event that the commercial solar

PV system owner and/or landowner is unable or unwilling to commence decommissioning activities within the time periods specified herein. No other parties, including the owner and/or landowner, shall have the ability to demand payment under the letter of credit. Upon completion of decommissioning, the owner and/or landowner may petition the Town Board to terminate the acceptable form of surety. In the event ownership of the system is transferred to another party, the new owner (transferee) shall file evidence of financial surety with the Town Board at the time of transfer, and every three years thereafter, as provided herein.

**Detail Provided by the Projects:**

- See Section 6 “Decommissioning Financial Assurance”

(i) Amount. The amount of the surety shall be determined by the Town Engineer based upon a current estimate of decommissioning and removal costs as provided in the decommissioning plan and subsequent annual reports. The amount of the surety may be adjusted by the Town Board upon receipt of a favorable recommendation from the Planning Board of an annual report containing an updated cost estimate for decommissioning and removal. Any revised surety is to be filed with the Town Clerk's office.

(j) Annual report. The commercial solar PV system owner shall, on a yearly basis from the certificate of compliance issued by the Code Enforcement Officer, provide the Town Code Enforcement Officer a written report showing the rated capacity of the system and the amount of electricity that was generated by the system and transmitted to the grid over the most recent twelve-month period. The report shall also identify any change of ownership of the solar PV system and/or the land upon which the system is located and shall identify any change in the party responsible for decommissioning and removal of the system upon its abandonment. The actual report shall be submitted no later than 45 days after the end of the calendar year. Every third year, to coincide with the filing of evidence of financial surety, the annual report shall also include a recalculation of the estimated full cost of decommissioning and removal of the large-scale solar PV system. The Town Board may require an adjustment in the amount of the surety to reflect any changes in the estimated cost of decommissioning and removal. Failure to submit a report as required herein shall be considered a violation subject to the penalties in Article X of this chapter.

**Detail Provided by the Projects:**

- See Operations and Maintenance Plan, Section 2.

(k) Decommissioning and removal by Town. If the commercial solar PV system owner and/or landowner fails to decommission and remove an abandoned facility in accordance with the requirements of this section, the Town may enter upon the property to decommission and remove the system.

(7) Determination of abandonment. Upon a determination by the Code Enforcement Officer that a commercial solar PV system has been abandoned, the Code Enforcement Officer shall notify the system owner, landowner and permittee by certified mail:

(a) In the case of a facility under construction, to complete construction and installation of the facility within 180 days; or

(b) In the case of a fully constructed facility that is operating at a rate of less than 10% of its rated capacity, to restore operation of the facility to no less than 80% of rated capacity within 180 days, or the Town will deem the system abandoned and commence action to revoke the special use permit and require removal of the system.

(8) Failure to perform notification. Being so classified, if either the system owner, landowner and/or permittee fails to perform as directed by the Code Enforcement Officer within the one-hundred-eighty-day period, the Code Enforcement Officer shall notify the system owner, landowner and permittee, by certified mail, that the solar PV system has been deemed abandoned and the Town intends to revoke the special use permit within 60 days of mailing said notice. The notice shall also state that the permittee may appeal the Code Enforcement Officer's determination to the Town Board and request a public hearing upon the matter.

(a) Said appeal and request for hearing must be made and received by the Town Board within 30 days of mailing notice. Failure by the permittee to submit an appeal and request for hearing within the thirty-day period will result in the special use permit being deemed revoked as stated herein.

(b) In the event the permittee appeals the determination of the Code Enforcement Officer and requests a hearing, the Town Board shall schedule and conduct said hearing within 60 days of receiving the appeal and request. In the event a hearing is held, the Town Board shall determine whether the solar PV system has been abandoned, whether to continue the special use permit with conditions as may be appropriate to the facts and circumstances presented to the Board or whether to revoke the special use permit and order removal of the solar PV system.

(c) Upon a determination by the Code Enforcement Officer or Town Board that a special use permit has been revoked, the decommissioning plan must be implemented and the system removed within one year of having been deemed abandoned or the Town Board may cause the removal at the owner's and/or landowner's expense. If the owner and/or landowner fails to fully implement the decommissioning plan within one year of abandonment, the Town Board may collect the required surety and use said funds to implement the decommissioning plan.

(d) Removal by Town and reimbursement of Town expenses. Any costs and expenses incurred by the Town in connection with any proceeding or work performed by the Town or its representatives to decommission and remove a commercial solar PV system, including legal costs and expenses, shall be reimbursed from the surety posted by the system owner or landowner as provided in § 165-65.3 herein. Any costs incurred by the Town for decommissioning and removal that are not paid for or covered by the required surety, including legal costs, shall be assessed against the property, shall become a lien and tax upon said property, shall be added to and become part of the taxes to be levied and assessed thereon and shall be enforced and collected, with interest, by the same officer and in the same manner, by the same proceedings, at the same time and the same

penalties as are provided by law for the collection and enforcement of real property taxes in the Town.

### **3. The Proponent**

Delaware River Solar LLC (“**DRS**”) and its affiliates NY Farmington I, LLC, NY Farmington II, LLC, and NY Farmington III, LLC will manage and coordinate the approvals process during decommissioning. The Projects will obtain all necessary regulatory approvals that vary depending on the jurisdiction, project capacity, and site location. The Projects will build a long-term relationship with the community hosting the Solar Facilities and will be committed to the safety, health, and welfare of the townships.

Contact information for the proponent is as follows:

<b>Full Name of Company:</b>	<u>Delaware River Solar, LLC and its affiliates NY Farmington I, LLC, NY Farmington II, LLC, and NY Farmington III, LLC</u>
<b>Contact:</b>	<u>Peter Dolgos</u>
<b>Address:</b>	<u>140 E 45th St, Ste 32B-1 New York, NY 10017</u>
<b>Telephone:</b>	<u>(646) 998-6495</u>
<b>Email:</b>	<u>peter.dolgos@delawareriversolar.com</u>

#### **3.1 Project Information**

<b>Address:</b>	<u>466 Yellow Mills Road, Farmington NY 14522</u>
<b>Tax ID:</b>	<u>10.00-1.37.110</u>
<b>Project Size (estimated):</b>	<u>Three Projects totaling approximately 7.0 MW ac</u>
<b>Landowner:</b>	<u>Roger Smith and Carol Smith</u>
<b>Own / Lease:</b>	<u>Lease</u>

### **4. Decommissioning of the Solar Facilities**

At the time of decommissioning, the installed components will be removed, reused, disposed of, and recycled, where possible. All applicable permits will be acquired for site work during decommissioning, and decommissioning notes are shown in the Site Plan. The Project Site will be restored to a state similar to its pre-construction condition. All removal of equipment will be done in accordance with any applicable regulations and manufacturer recommendations, including adherence to the decommissioning suggestions of the New York State Division of Agriculture and Markets “Guidelines for Agricultural Mitigation of Solar Energy Projects”.

It is possible that one or more systems may remain in operation longer than others, or, that all three systems will be retired and decommissioned on the same timeframe. In the instance where less than all three systems are decommissioned together, in any order, each individual system may be retired and decommissioned separately and independent of the operation of the other systems, in accordance with the procedures of this plan, and in accordance with

Town Code. Should one or two systems be retired, leaving one or two other systems to remain in in operation, the systems that will be decommissioned may be decommissioned without interrupting the operation of the system(s) not to be retired.

#### **4.1 Sequence for Decommissioning**

Generally, the decommissioning of a Solar Facilities proceeds in the reverse order of the development and installation processes. Below is the sequence each project will adhere to individually, or together if decommissioned at the same time.

1. Notification of Decommissioning will be made to the Town of Farmington under §165.65.3.H.8 Abandonment and decommissioning (see Sections 4.5 through 6).
2. An updated Decommissioning Cost Estimate and Plan will be provided to the Town for site work permit approval. If less than all three systems are decommissioned together, the Plan and Decommissioning Cost Estimate will describe what remaining decommissioning and site restorations costs will be needed for the remaining system(s). Any reduction in financial security based on a Decommissioning Cost Estimate approved by the Town will be returned to the Project owner after Decommissioning is performed. Any increase in financial security based on a Decommissioning Cost Estimate approved by the Town will be provided by the Project owner.
3. All permits necessary at the time will be obtained prior to decommissioning and site restoration work commencing. The Town shall allow time for all necessary permits to be obtained prior to commencement of decommissioning work. For the avoidance of doubt, no Abandonment may be declared by the Town so long as the necessary permitting work is being conducted. The Projects shall update the Town on the progress of permits being obtained, the expected schedules to obtain them, and of any delays in permitting outside the control of the Town or the Project owner.
4. After permits are obtained, Termination of the Interconnection Agreement(s) with Rochester Gas and Electric (the "Utility") will be completed, and Disconnection(s) will be scheduled.
5. Disconnection from the Utility will be performed.
6. Erosion and sediment controls shall be installed prior to site work commencing.
7. PV modules shall be disconnected, collected, and disposed of at an approved solar

module recycler or waste facility, or reused / resold on the market.

8. All aboveground and underground electrical interconnection and distribution cables shall be removed and disposed off-site by an approved facility.
9. Galvanized steel PV module support and racking system support posts shall be removed and disposed off-site by an approved facility.
10. Electrical and electronic devices, including transformers and inverters shall be removed and disposed off-site by an approved facility.
11. Concrete foundations shall be removed and disposed off-site by an approved facility.
12. Access roads will be removed, except for portions of which the landowner wishes to retain, or, that which are needed for the continued operation of the remaining system(s) if all systems are not decommissioned together.
13. Fencing shall be removed and will be disposed off-site by an approved facility. In the instance where less than all three systems are decommissioned together, fencing will be realigned or newly installed to enclose the remaining systems.
14. Landscaping not necessary to the operations of the system(s) will be removed if desired by landowner. The landowner reserves the right to retain any landscaping not needed for any system on their property for their use.
15. Site restoration shall be completed (see 4.3).
16. Erosion and sediment controls shall be removed.

#### **4.2 Environmental Effects**

Decommissioning activities, particularly the removal of project components could result in environmental effects similar to those of the construction phase. For example, there is the potential for disturbance (erosion/sedimentation) to adjacent watercourses or significant natural features. Mitigation measures similar to those employed during the construction phase of the Solar Facilities will be implemented. These will remain in place until the site is stabilized in order to mitigate erosion and silt/sediment runoff and any impacts on the significant natural features or water bodies located adjacent to the Project Site.

Road traffic will temporarily increase due to the movement of decommissioning crews and equipment. There may be an increase in particulate matter (dust) in adjacent areas during the decommissioning phase. Decommissioning activities may lead to temporary elevated noise levels from machinery and an increase in trips to the Project Site. Work will be undertaken during daylight hours and conform to any applicable restrictions.

#### **4.3 Site Restoration**

Through the decommissioning phase, the Project Site will be restored to a state similar to its pre- construction condition, as described in Site Plan Sheet S-2 – Abandonment and Decommissioning Notes. The Project Companies will:

1. Follow the Departments *Guidelines for Agricultural Mitigation for Solar Energy Projects*, dated April 19, 2018.
2. Restore the site to a state similar to its preconstruction condition of pasture land, and follow the New York State Standards and Specifications for Erosion and Sediment Control (latest version) for soil restoration, seeding, mulching, and/or any other applicable sections as required.
3. After decommissioning and to the maximum extent possible, assist the landowner in merging the subdivided parcels into a single parcel.

All project components (discussed in **Table 1, and as shown in Final Construction Drawings submitted for Building Permit**) will be removed, as required, except as noted in the *Guidelines for Agricultural Mitigation for Solar Energy Projects*, dated April 19, 2018. Restored lands may be seeded with a low-growing species such as clover to help stabilize soil conditions, enhance soil structure, and increase soil fertility.

Upon petition to the Planning Board, the Board may permit the system owner to leave certain underground or aboveground improvements in place, provided the owner can show that such improvements are part of a plan to redevelop the site, are not detrimental to such redevelopment and to not adversely affect community character or the environment.

#### **4.4 Managing Materials and Waste**

During the decommissioning phase a variety of excess materials and wastes (listed in Table 1 attached hereto) will be generated. Most of the materials used in a Solar Facilities are reusable or recyclable and some equipment may have manufacturer take-back and recycling requirements. Any remaining materials will be removed and disposed of off-site at an appropriate facility. The Projects will establish policies and procedures to maximize recycling and reuse and will work with manufacturers, local subcontractors, and waste firms to segregate material to be disposed of, recycled, or reused. Disposal of all solid and hazardous waste will be in accordance with local, state and federal waste disposal regulations.

The Projects will be responsible for the logistics of collecting and recycling the PV modules and to minimize the potential for modules to be discarded in the municipal waste stream. Currently, some manufacturers and new companies are looking for ways to recycle and/or reuse solar modules when they have reached the end of their lifespan. Due to a recent increase in the use of solar energy technology, a large number of panels from a variety of projects will be nearing the end of their lifespan in 30 years. It is anticipated there will be

more recycling options available for solar modules at that time. the Projects will dispose of the solar modules using best management practices at the time of decommissioning.

#### **4.5 Decommissioning During Construction or Abandonment Before Maturity**

In case of abandonment of the Solar Facilities during construction or before its estimated maturity, the same decommissioning procedures as for decommissioning after ceasing operation will be undertaken and the same decommissioning and restoration program will be honored, in so far as construction proceeded before abandonment.

#### **4.6 Decommissioning Of Only Selected Systems**

In the scenario where less than all three systems are decommissioned at the same time, each individual system may be decommissioned separately and independent of the operation of the other systems, in accordance with the procedures of this plan, and in accordance with Town Code. Should less than all three systems be decommissioned together, the sequence of decommissioning in Section 4.1 will be followed for each system that will be decommissioned or set of systems that are to be decommissioned. In all scenarios, the Projects will provide a revised decommissioning cost estimate as part of obtaining local permits to begin such work that will outline the costs to decommissioning and that any necessary adjustments to the financial security held by the Town of Farmington may be based on.

#### **4.7 Decommissioning Notification**

Decommissioning activities may require the notification of stakeholders given the nature of the works at the Facility Site. The Town of Farmington will approve final plans for the commencement of any decommissioning activities. Within six months prior to decommissioning, the Projects will update their list of stakeholders and notify appropriate municipalities of decommissioning activities. Federal, county, and local authorities will be notified as needed to discuss the potential approvals required to engage in decommissioning activities. At the time of this plan draft, stakeholders include:

- The Landowner
- The Town of Farmington
- Rochester Gas and Electric
- The New York State Department of Environmental Conservation
- The United States Army Corps of Engineers

#### **4.8 Approvals**

Well-planned and well-managed renewable energy facilities are not expected to pose environmental risks at the time of decommissioning. Decommissioning of a Solar Facilities will follow standards of the day. the Projects will ensure that any required permits are obtained prior to decommissioning, including approval of the Decommissioning Plan by the Town Planning Board and Town Engineer prior to commencement of decommissioning activity.

This Decommissioning Report will be updated as necessary in the future to ensure that changes

in technology and site restoration methods are taken into consideration.

#### **4.9 Decommissioning Schedule**

The Projects can reasonably state today that the decommissioning and site restoration process is expected to take approximately four (4) months from the start of permitted decommissioning site work, to receiving a certificate of compliance from the Town of Farmington that decommissioning has been completed. Such work is construction activity and is therefore subject to weather and seasonal conditions that may affect such work, and by any development and construction best practices, and applicable permits that are subject to change over time.

Due to January 15, 2020 Planning Board request to approve all decommissioning work activities prior to the start of site work, the mobilization for decommissioning (Decommissioning Mobilization) and restoration work will commence within 180 days of either (a) the Expected Decommissioning Date, (b) the termination date of the lease, or (c) abandonment of the Solar Facility. Decommissioning Mobilization will include an application to the Planning Board by the applicant responsible for decommissioning seeking approval of the decommissioning work to commence site activity. The schedule for Decommissioning will be outlined in the application to the Planning Board. The intention of this process is to ensure all local, State and Federal permitting requirements are obtained for the site work of decommissioning. Section 4. "Decommissioning of the Solar Facilities" herein contains details of work to be performed during decommissioning.

After Notice to Decommission has been given to the Town of Farmington, a schedule for decommissioning will be included in the Decommissioning Mobilization plan presented to the Planning Board. The Planning Board will review such plan and approve that it is in compliance with this Decommissioning Plan and Town Code, prior to any work permits being issued by the Town. In light of the Town Code requirement to commence work within 180 days of the Notice to Decommission, it is expected that the Planning Board would take approximately one (1) month to review and approve of such plan, and that Town work permits would be issued expediently thereafter. All local, State and Federal permits, as required at the time, will be obtained prior to any decommissioning site activity work commencing. The timeframe to obtain such permits will be outlined in the Decommissioning Schedule presented to the Planning Board as part of the Decommissioning Mobilization plan.

#### **5. Decommissioning Cost Estimate**

Appendix I attached hereto contains the current estimated costs to decommission the Solar Facilities, based on an independent engineer cost estimate (such engineers are different than the engineers that prepared the site plans for the Town approval process in order to be "independent"). The salvage values of valuable recyclable materials (solar panels, aluminum, steel, copper, etc.) are not factored into the estimated costs.

#### **6. Decommissioning Financial Assurance**

On or prior to the commencement of construction, NY Farmington I, LLC, NY Farmington II, LLC, and NY Farmington III, LLC will provide financial assurance to the Town that funds will be available to decommission the Solar Facilities.

The Projects require the Town of Farmington to indicate in writing below which form of surety is preferred in order to source and prepare the form of financial surety. The forms of financial assurance that can be provided are as follows:

- (a) **Decommissioning Option A - Bond** – NY Farmington I, LLC, NY Farmington II, LLC, and NY Farmington III, LLC may obtain a decommissioning bond with the Town as a party, in an amount at least equal to the estimated cost to decommission the Solar Facility as indicated in the “**5. Decommissioning Cost Estimate**”. The decommissioning bond will be updated every three years based on an engineer cost estimate of decommissioning, as noted in “5. Decommissioning Cost Estimate” above, in adherence to Town Code §165.65.3 H. Abandonment and Decommissioning.
- (b) **Decommissioning Option B - Deposit** – NY Farmington I, LLC, NY Farmington II, LLC, and NY Farmington III, LLC may deposit with the Town an amount at least equal to the estimated cost to decommission the Solar Facility as noted in “**5. Decommissioning Cost Estimate**” above, and then adjust such deposits based on Decommissioning cost estimates provided every three years in adherence to Town Code §165.65.3 H. Abandonment and Decommissioning. Such surety may be in the form of a Letter of Credit or cash deposit.

Although NY Farmington I, LLC, NY Farmington II, LLC, and NY Farmington III, LLC intend to perform the decommissioning, unforeseen circumstances such as NY Farmington I, LLC, NY Farmington II, LLC, and NY Farmington III, LLC going out of business are possible. Each of the financial assurance options indicated above should assure the Town that adequate financial resources are available to decommission the Solar Facility in event of a default of NY Farmington I, LLC, NY Farmington II, LLC, and NY Farmington III, LLC decommissioning obligations, in adherence to Town Code §165.65.3 H. Abandonment and Decommissioning.

The Town’s acknowledgement below of the preferred decommissioning option will allow DRS and its affiliates NY Farmington I, LLC, NY Farmington II, LLC, and NY Farmington III, LLC to source and prepare the preferred financial surety method for the Town of Farmington. The landowner signature denotes their recognition of the preferred financial surety selected by the Town of Farmington.

[signature page to follow]

The Town of Farmington selects (check one option, and sign below):

- Decommissioning Option A – Bond \_\_\_\_\_ as form of Decommissioning Surety;
- Decommissioning Option B - Deposit \_\_\_\_\_ as form of Decommissioning Surety;

**In Recognition of:**

**NY FARMINGTON I, LLC**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

**NY FARMINGTON II, LLC**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

**NY FARMINGTON III, LLC**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title : \_\_\_\_\_  
 Date: \_\_\_\_\_

**Delaware River Solar, LLC**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

**Town of Farmington**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

**Landowner**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

**Landowner**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

**Table 1: Management of Excess Materials and Waste**

Material / Waste	Means of Managing Excess Materials and Waste
PV panels	If there is no possibility for reuse, the panels will either be returned to the manufacturer for appropriate disposal or will be transported to a recycling facility where the glass, metal and semiconductor materials will be separated and recycled.
Metal array mounting racks and steel supports	These materials will be disposed off-site at an approved facility.
Transformers and substation components	The small amount of oil from the transformers will be removed on-site to reduce the potential for spills and will be transported to an approved facility for disposal. The substation transformer and step-up transformers in the inverter units will be transported off-site to be sent back to the manufacturer, recycled, reused, or safely disposed off-site in accordance with current standards and best practices.
Inverters, fans, fixtures	The metal components of the inverters, fans and fixtures will be disposed of or recycled, where possible. Remaining components will be Disposed of in accordance with the standards of the day.
Gravel (or other granular)	It is possible that the municipality may accept uncontaminated material without processing for use on local roads, however, for the purpose of this report it is assumed that the material will be removed from the project location by truck to a location where The aggregate can be processed for salvage. It will then be reused As fill for construction. It is not expected that any such material will be contaminated.
Geotextile fabric	It is assumed that during excavation of the aggregate, a large portion of the geotextile will be “picked up” and sorted out of The aggregate at the aggregate reprocessing site. Geotextile fabric that is remaining or large pieces that can be readily removed from the excavated aggregate will be disposed of off-site at an approved disposal facility.
Concrete inverter/transformer Foundations	Concrete foundations will be broken down and transported by certified and licensed contractor to a recycling or approved disposal facility.
Cables and wiring	The electrical line that connects the substation to the point of common coupling will be disconnected and disposed of at an approved facility. Support poles, if made of untreated wood, will be chipped for reuse. Associated electronic equipment (isolation switches, fuses, metering) will be transported off-site to be sent back to the manufacturer, recycled, reused, or safely disposed off-site in accordance with current standards and best practices.
Fencing	Fencing will be removed and recycled at a metal recycling facility.
Debris	Any remaining debris on the site will be separated into recyclables/residual wastes and will be transported from the site and managed as appropriate.

## **APPENDIX I - Independent Engineers Decommissioning Estimate**

DISASSEMBLY & DISPOSAL						
Item	Description	Responsible Party	Qty	Unit	Unit Price	Total
1	PV Modules	Contractor	21,000	Each	\$0.40	\$ 8,400
2	Inverter	Contractor	3	Each	\$1,000	\$ 3,000
3	Transformer	Contractor	3	Each	\$870	\$ 2,610
4	Racking Frame	Contractor	450	Each	\$120	\$ 54,000
5	Racking Posts	Contractor	4,950	Each	\$7.00	\$ 34,650
6	Racking Wiring	Contractor	100,200	per LF	\$0.05	\$ 5,010
7	Underground Cables	Contractor	32,200	per LF	\$0.45	\$ 14,490
8	Deer Fence	Contractor	10,750	per LF	\$1.80	\$ 19,350
9	Concrete Pads	Contractor	72	per SF	\$100	\$ 7,200
10	Gravel	Contractor	645	per CY	\$20.00	\$ 12,900
11	Geotextile for Limited Use Pervious Road	Contractor	26,100	per SF	\$0.15	\$ 3,915
12	Offsite Disposal & Hauling	Contractor	1	Lump Sum	\$10,000.00	\$ 10,000
13	Moblization & Demobilization	Contractor	1	Lump Sum	\$5,000.00	\$ 5,000
Subtotal						\$ 180,525
SITE RESTORATION						
14	Re-Grading and Decompaction	Contractor	2,260	per CY	\$1.90	\$ 4,294
15	Re-Seeding with Mulch & Tackifier in Disturbed Areas	Contractor	156,000	per SF	\$0.35	\$ 54,600
16	Remove Vegetative Screening & Landscaping	Contractor	2,490	LF	\$10.00	\$ 24,900
17	Erosion and Sediment Control	Contractor	1	Lump Sum	\$7,000.00	\$ 7,000
18	SWPPP Preparation & Permit Fee	Consultant	1	Lump Sum	\$3,500.00	\$ 3,500
19	SWPPP Inspections & File Notice of Termination	Consultant	1	Lump Sum	\$2,500.00	\$ 2,500
20	Environmental Monitor	Consultant	1	Lump Sum	\$15,000.00	\$ 15,000
Subtotal						\$ 111,794
TOTAL DISASSEMBLY, DISPOSAL & SITE RESTORATION COST						\$ 292,319

**Note: For combined estimate, unit rates have been reduce where applicable to account for savings associated with volume.**

This opinion of probable cost is based on the engineer's experience in the design and construction of energy facilities and are subject to final engineering. As the design plans have been prepared by others, the engineer accepts no liability of errors, omissions or the accuract and adequacy of this opinion. It is a violation of state law for any person, unless they are acting under direction of a licensed professional engineer to alter this document in any way.

Bergmann



 Robert Switala, PE, CPESC, CPSWQ  
 Principal

June 24, 2020

Date



DISASSEMBLY & DISPOSAL						
Item	Description	Responsible Party	Qty	Unit	Unit Price	Total
1	PV Modules	Contractor	7,000	Each	\$0.50	\$ 3,500
2	Inverter	Contractor	1	Each	\$1,000	\$ 1,000
3	Transformer	Contractor	1	Each	\$870	\$ 870
4	Racking Frame	Contractor	150	Each	\$125	\$ 18,750
5	Racking Posts	Contractor	1,650	Each	\$7.10	\$ 11,715
6	Racking Wiring	Contractor	33,400	per LF	\$0.07	\$ 2,338
7	Underground Cables	Contractor	12,200	per LF	\$0.48	\$ 5,856
8	Deer Fence	Contractor	3,150	per LF	\$2.00	\$ 6,300
9	Concrete Pads	Contractor	24	per SF	\$104	\$ 2,496
10	Gravel	Contractor	430	per CY	\$20.10	\$ 8,643
11	Geotextile for Limited Use Pervious Road	Contractor	17,340	per SF	\$0.20	\$ 3,468
12	Offsite Disposal & Hauling	Contractor	1	Lump Sum	\$5,000.00	\$ 5,000
13	Moblization & Demobilization	Contractor	1	Lump Sum	\$5,000.00	\$ 5,000
					Subtotal	\$ 74,936
SITE RESTORATION						
14	Re-Grading and Decompaction	Contractor	1,160	per CY	\$2.00	\$ 2,320
15	Re-Seeding with Mulch & Tackifier in Disturbed Areas	Contractor	53,000	per SF	\$0.40	\$ 21,200
16	Remove Vegetative Screening & Landscaping	Contractor	1,150	LF	\$10.00	\$ 11,500
17	Additional fencing	Contractor	1,435	LF	\$2.00	\$ 2,870
18	Erosion and Sediment Control	Consultant	1	Lump Sum	\$5,000.00	\$ 5,000
19	SWPPP Preparation & Permit Fee	Consultant	1	Lump Sum	\$3,500.00	\$ 3,500
20	SWPPP Inspections & File Notice of Termination	Consultant	1	Lump Sum	\$2,000.00	\$ 2,000
21	Environmental Monitoring	Consultant	1	Lump Sum	\$7,500.00	\$ 7,500
					Subtotal	\$ 55,890
					<b>TOTAL DISASSEMBLY, DISPOSAL &amp; SITE RESTORATION COST</b>	<b>\$ 130,826</b>

This opinion of probable cost is based on the engineer's experience in the design and construction of energy facilities and are subject to final engineering. As the design plans have been prepared by others, the engineer accepts no liability of errors, omissions or the accuract and adequacy of this opinion. It is a violation of state law for any person, unless they are acting under direction of a licensed professional engineer to alter this document in any way.

Bergmann



 Robert Switala, PE, CPESC, CPSWQ  
 Principal

June 24, 2020

Date



DISASSEMBLY & DISPOSAL						
Item	Description	Responsible Party	Qty	Unit	Unit Price	Total
1	PV Modules	Contractor	7,000	Each	\$0.50	\$ 3,500
2	Inverter	Contractor	1	Each	\$1,000	\$ 1,000
3	Transformer	Contractor	1	Each	\$870	\$ 870
4	Racking Frame	Contractor	150	Each	\$125	\$ 18,750
5	Racking Posts	Contractor	1,650	Each	\$7.10	\$ 11,715
6	Racking Wiring	Contractor	33,400	per LF	\$0.07	\$ 2,338
7	Underground Cables	Contractor	9,000	per LF	\$0.48	\$ 4,320
8	Deer Fence	Contractor	2,625	per LF	\$2.00	\$ 5,250
9	Concrete Pads	Contractor	24	per SF	\$104	\$ 2,496
10	Gravel	Contractor	135	per CY	\$20.10	\$ 2,714
11	Geotextile for Limited Use Pervious Road	Contractor	5,490	per SF	\$0.20	\$ 1,098
12	Offsite Disposal & Hauling	Contractor	1	Lump Sum	\$5,000.00	\$ 5,000
13	Moblization & Demobilization	Contractor	1	Lump Sum	\$5,000.00	\$ 5,000
Subtotal						\$ 64,051
SITE RESTORATION						
14	Re-Grading and Decompaction	Contractor	550	per CY	\$2.00	\$ 1,100
15	Re-Seeding with Mulch & Tackifier in Disturbed Areas	Contractor	50,000	per SF	\$0.40	\$ 20,000
16	Remove Vegetative Screening & Landscaping	Contractor	330	LF	\$10.00	\$ 3,300
17	Additional fencing	Contractor	1,435	LF	\$2.00	\$ 2,870
18	Erosion and Sediment Control	Contractor	1	Lump Sum	\$5,000.00	\$ 5,000
19	SWPPP Preparation & Permit Fee	Consultant	1	Lump Sum	\$3,500.00	\$ 3,500
20	SWPPP Inspections & File Notice of Termination	Consultant	1	Lump Sum	\$2,000.00	\$ 2,000
21	Envioronmental Monitor	Consultant	1	Lump Sum	\$7,500.00	\$ 7,500
Subtotal						\$ 45,270
<b>TOTAL DISASSEMBLY, DISPOSAL &amp; SITE RESTORATION COST</b>						<b>\$ 109,321</b>

This option of probable cost is based on the engineer's experience in the design and construction of energy facilities and are subject to final engineering. As the design plans have been prepared by others, the engineer accepts no liability of errors, omissions or the accuract and adequacy of this opinion. It is a violation of state law for any person, unless they are acting under direction of a licensed professional engineer to alter this document in any way.

Bergmann



 Robert Switala, PE, CPESC, CPSWQ  
 Principal

June 24, 2020

Date



**OPINION OF PROBABLE COST - PV DECOMMISSIONING**

DISASSEMBLY & DISPOSAL						
Item	Description	Responsible Party	Qty	Unit	Unit Price	Total
1	PV Modules	Contractor	7,000	Each	\$0.50	\$ 3,500
2	Inverter	Contractor	1	Each	\$1,000	\$ 1,000
3	Transformer	Contractor	1	Each	\$870	\$ 870
4	Racking Frame	Contractor	150	Each	\$125	\$ 18,750
5	Racking Posts	Contractor	1,650	Each	\$7.10	\$ 11,715
6	Racking Wiring	Contractor	33,400	per LF	\$0.07	\$ 2,338
7	Underground Cables	Contractor	9,000	per LF	\$0.48	\$ 4,320
8	Deer Fence	Contractor	2,625	per LF	\$2.00	\$ 5,250
9	Concrete Pads	Contractor	24	per SF	\$104	\$ 2,496
10	Gravel	Contractor	80	per CY	\$20.10	\$ 1,608
11	Geotextile for Limited Use Pervious Road	Contractor	3,270	per SF	\$0.20	\$ 654
12	Offsite Disposal & Hauling	Contractor	1	Lump Sum	\$5,000.00	\$ 5,000
13	Moblization & Demobilization	Contractor	1	Lump Sum	\$5,000.00	\$ 5,000
Subtotal						\$ 62,501
SITE RESTORATION						
14	Re-Grading and Decompaction	Contractor	550	per CY	\$2.00	\$ 1,100
15	Re-Seeding with Mulch & Tackifier in Disturbed Areas	Contractor	53,000	per SF	\$0.40	\$ 21,200
16	Remove Vegetative Screening & Landscaping	Contractor	1,010	LF	\$10.00	\$ 10,100
17	Erosion and Sediment Control	Contractor	1	Lump Sum	\$5,000.00	\$ 5,000
18	SWPPP Preparation & Permit Fee	Consultant	1	Lump Sum	\$3,500.00	\$ 3,500
19	SWPPP Inspections & File Notice of Termination	Consultant	1	Lump Sum	\$2,000.00	\$ 2,000
20	Environmental Monitor	Consultant	1	Lump Sum	\$7,500.00	\$ 7,500
Subtotal						\$ 50,400
TOTAL DISASSEMBLY, DISPOSAL & SITE RESTORATION COST						\$ 112,901

This opinion of probable cost is based on the engineer's experience in the design and construction of energy facilities and are subject to final engineering. As the design plans have been prepared by others, the engineer accepts no liability of errors, omissions or the accuracy and adequacy of this opinion. It is a violation of state law for any person, unless they are acting under direction of a licensed professional engineer to alter this document in any way.

Beramann



 Robert Switala, PE, CPESC, CPSWQ  
 Principal

June 24, 2020

Date



## **APPENDIX II – DRAFT DECOMISSIONING AGREEMENT (Deposit)**

## DECOMMISSIONING AGREEMENT

This DECOMMISSIONING agreement (this "Agreement") dated as of \_\_\_\_\_, \_\_\_\_\_ (the "Effective Date") is made by and among the Town of \_\_\_\_\_ (the "Town") and \_\_\_\_\_, LLC ("Owner", together with the Town, the "Parties").

Whereas, Owner intends to build a solar energy generation project on \_\_\_\_\_ in the Town (the "Project");

Whereas, the Parties wish to enter into this Agreement to set forth terms and conditions of having funds available to pay for the costs of any decommissioning of the Project; and

NOW, THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. At the start of construction of the Project, Owner agrees to deposit [    ] dollars (\$    ) in a special purpose account designated in writing by the Town (the "Decommissioning Account"). At the end of each three year anniversary year of operation of the Project (the "Anniversary Date"), Owner agrees to deposit the greater of (a) an additional 2.5% of the then existing amount in the Decommissioning Account on the Anniversary Date, as described in greater detail on Schedule I attached hereto, or (b) an amount equal to replenish the difference between the existing amount and an amount determined by a third party professional engineer estimate of decommissioning cost in the year of such estimate, as shown in Schedule I and Schedule II respectively herein. The Parties agree that the amount in the Decommissioning Account shall be used solely to pay for any decommissioning costs of the Project. Provided Owner complies with its obligations to deposit funds into the Decommissioning Account in accordance with this Agreement, Owner shall have no further payment obligations in connection with funding the Decommissioning Account during the operation of the Project; provided, however, in the event the actual decommissioning costs exceed the amount in the Decommissioning Account, Owner shall be responsible for any such excess costs, provided such excess costs are not as a result of the Town using any amount in the Decommissioning Account for any reason other than to pay for decommissioning costs of the Project. In the event the Town uses any amount in the Decommissioning Account for any reason other than to pay for decommissioning costs, the Town shall be responsible to pay for such amount used and shall indemnify and hold harmless the Owner and the landowner of the Project, if different from the Owner, from any claim, loss, damage, liability or costs (including any reasonable attorney costs) arising from such use of funds for reasons other than to pay for decommissioning costs.

2. The Parties agree that the decommissioning process of the Project may commence (and the funds to pay for the cost of any such decommissioning from the Decommissioning Account may be used) for the following reasons: (a) Owner provides written notice to the Town of its intent to retire or decommission the Project (the "Owner Decommissioning Notice"), (b) construction of the Project has not started within eighteen (18) months of site plan being approved by the Town, or (c) the Project ceases to be operational for more than twelve (12) consecutive months. The Town shall provide Owner thirty (30) days written notice (the "Town Decommissioning Notice") prior to the commencement of any decommissioning of the Project by the Town. In event the Owner fails to decommission the Project within one-hundred eighty (180) days after providing Owner Decommissioning Notice or fails to respond with a reasonable explanation for the delay in the construction or cessation of operation of the Project within 30 days of the Town Decommissioning Notice, the Town may commence the decommissioning of the Project. For the purposes of this Agreement, "ceases to be operational" shall mean no generation of electricity, other than due to repairs to the Project or causes beyond the reasonable control of Owner.

3. Upon removal of the infrastructure and disposal of any component of the Project from the site on which the Project is built, or in the event the Town becomes owner of the Project, any and all amount remaining in the Decommissioning Account shall be returned to Owner.

4. This Agreement may not be amended or modified except by written instrument signed and delivered by the Parties. This Agreement is binding upon and shall inure to the benefit of the Parties and their respective heirs, executors, administrators, successors and assigns. Owner may assign this Agreement to any subsidiary, or purchaser or transferee of the Project. The Parties agree to execute and deliver any additional document or take any further action as reasonably requested by the other party to effectuate the purpose of this Agreement. The Parties agree that Owner shall have the option to replace the funds in the Decommissioning Account with a commercially reasonable decommissioning bond.

5. The Parties agree that this Agreement shall be construed and enforced in accordance with and governed by the laws of New York.

6. This Agreement may be executed through separate signature pages or in any number of counterparts, and each of such counterparts shall, for all purposes, constitute one agreement binding on all parties.

**[Signature Page Follows]**

IN WITNESS WHEREOF, the Parties have caused their names to be signed hereto by their respective representatives thereunto duly authorized as of the date first above written.

**TOWN**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**OWNER:**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

SCHEDULE I – Option A – Solar Project #1

Decommissioning Account (Deposits estimated)		
Timeframe (Year)	Amount (\$)	Cumulative (\$)
Start of Construction	\$90,075.00	\$90,075.00
4	\$2,251.88	\$92,326.88
7	\$2,308.17	\$94,635.05
10	\$2,365.88	\$97,000.92
13	\$2,425.02	\$99,425.95
16	\$2,485.65	\$101,911.59
19	\$2,547.79	\$104,459.38
22	\$2,611.48	\$107,070.87
25	\$2,676.77	\$109,747.64
28	\$2,743.69	\$112,491.33
31	\$2,812.28	\$115,303.62

SCHEDULE I – Option B – Solar Project #1

Decommissioning Bond (Engineer Cost Estimates)		
Timeframe (Year)	Amount (\$)	Cumulative (\$)
Start of Construction	\$90,075.00	\$90,075.00
4	TBD	TBD
7	TBD	TBD
10	TBD	TBD
13	TBD	TBD
16	TBD	TBD

19	TBD	TBD
22	TBD	TBD
25	TBD	TBD
28	TBD	TBD
31	TBD	TBD

## **APPENDIX III – Environmental Monitor and Statement of Duties**

Town of Farmington Planning Board  
1000 County Rd. 8  
Farmington, NY 14425

June 24, 2020

**RE: Designation of Environmental Monitor & Statement of Duties**

Dear Town of Farmington Planning Board,

At the Town of Farmington Project Review Committee (PRC) meeting on Friday February 7, 2020, and as refined by comments from the Town of Farmington Engineering Consultant, MRB Group, In correspondence on the subject project dated May 19, 2020, DRS was asked to provide documentation designating an Environmental Monitor and developing a final Statement of Duties of the Environmental Monitor for the proposed Yellow Mills Solar Project, pursuant to §165-65.3(F)(1(b)[3][a] if the Farmington Town Code. This revised document assumes a construction duration of approximately 34 weeks beginning in spring of 2021 and ending in the fall of 2021.

**Environmental Monitor Designation**

DRS will designate the Rochester environmental firm Bergmann as its Environmental Monitor (EM) for the Yellow Mills project in Farmington. Bergmann is a well-renowned local engineering, architecture, planning and environmental firm in business for over forty (40) years. Within the past five (5) years, Bergmann has served as the EM/environmental consultant for some of the largest projects in New York State, including the new Governor Mario Cuomo Bridge (replacing the Tappan Zee Bridge) in Tarrytown, New York, the replacement of the historic Norfolk Southern Truss Rail Bridge in Letchworth State Park in nearby Portageville, New York and most recently with assisting the New York State Canal Corporation (NYSCC) as the environmental consultant for the statewide Embankment Integrity Management Program, encompassing environmental reviews in over 170 communities along the Erie Canal between Buffalo, Albany and Whitehall, New York.

Leading Bergmann's efforts as the designated EM will be David Plante, AICP CEP. Mr. Plante is a Certified Environmental Planner with over fifteen (15) years of experience in environmental compliance, environmental impact assessment and environmental permitting. He possesses a Master's Degree from the University at Albany in Environmental Planning and a Bachelor's Degree in Environmental Studies from Siena College. Mr. Plante serves on the Board of Directors of the New York Planning Federation and is a member of the New York Wetlands Forum and the Society of Wetland Scientists. Mr. Plante is a resident of the Town of Farmington

and serves on a number of local boards, including as President of the Farmington-Victor Kiwanis and President of the South Farmington Friends Cemetery Foundation. He is a member of the Farmington Chamber of Commerce, member of the Farmington Historical Society, the Ontario County Historical Society the Town of Farmington Comprehensive Plan Update Committee, the Town of Farmington Solid Waste Reduction Committee, the Victor Roundtable, a member of the Board of Directors for The Spot Canandaigua and serves as a volunteer coach with the Canandaigua Junior Baseball League and the Canandaigua Area Soccer League.

Mr. Plante has completed numerous projects involving assessment of potential impacts to agricultural land, including involvement with the New York State Department of Agriculture & Markets (NYSDAM), including:

- Numerous Delaware River Solar Community Solar Arrays within Agricultural Districts, Numerous Locations across New York;
- Numerous non-Delaware River Solar Community Solar Arrays within Agricultural Districts, Numerous Locations across New York;
- Rochester Gas & Electric (RG&E) CM-6 Transmission Main Replacement Project – Article VII Certification & NYSDAM Agricultural Inventory and Impact Assessment for a 7-mile natural gas pipeline, Towns of Caledonia (Livingston County), Wheatland and Chili (Monroe County), New York;
- Town of Rosendale Town Planning Review Consultant (2006 to present) – providing professional technical/completeness review of all site plan, special use permit and subdivision applications submitted to the Town, MS4 compliance, Farmland Protection Plan Compliance, SEQRA compliance and GML239 compliance for all projects before the Town Planning Board, Town of Rosendale, Ulster County, New York
- Albany County Airport Authority (ACAA) Runway 28 Obstruction Removal Project – NYSDAM Preliminary & Final Notices of Intent, Town of Colonie, Albany County, New York; and
- Luther Forest Technology Campus Economic Development Corporation (LFTCEDC) 115kV Electric Transmission Line Project - NYSDAM Preliminary & Final Notices of Intent, Towns of Malta & Stillwater, Saratoga County, New York

Bergmann's Environmental Practice is located out of their Rochester headquarters, and is comprised of fifteen (17) ecologists, environmental scientists, natural resource scientists, industrial hygienists, professional geologists, EHS specialists and engineers that DRS and the Town will have at their direct disposal. Bergmann envisions assigning one permanent environmental scientist as the day-to-day environmental monitor (EM) on-site throughout construction at the Yellow Mills project site, with oversight by Mr. Plante and supported when

needed by others in the Environmental Practice. This may include utilization of Bergmann's professional geologist in the completion of Atterberg testing. The EM will also possess their four (4) hour New York State Erosion & Sediment Control Training as certified by NYSDEC so that they can also complete the required stormwater control inspections under the Construction General Permit coverage for the project. The EM will also possess their OSHA 10-hour certification for construction. Copies of these certifications are attached to this submission.

#### Environmental Monitor & Inspection Duties

- Bergmann will assign a qualified individual with the knowledge and experience in both solar development, construction and agricultural practices to be the Environmental Monitor (EM) for this project.
- The EM will be on-site to oversee construction, restoration and follow-up monitoring while construction and restoration work is occurring on the Class 1 through 4 soils.
- The EM will coordinate with the New York State Department of Agriculture and Markets and Town to develop an appropriate schedule for inspections.
- The EM will contact the New York State Department of Agriculture and Markets and Town of Farmington, if farm resource concerns, management matters pertinent to the agricultural operation, and site-specific implementation concerns materialize.
- The EM will review construction activities to ensure the following requirements are being met:
  - Maintenance and protection of existing agricultural practices.
  - Maintaining natural drainage patterns.
  - Vehicle and equipment traffic and parking are limited to the access road, designated work areas, and laydown areas. The EM will review requests for construction equipment outside the work area.
  - Topsoil stripping during installation of electrical conduits and other earth disturbance activities.
  - Topsoil stripped from disturbed and work areas is separated from other excavated material.
  - Buried electrical conduits are at a minimum depth of cover of 48 inches.
  - Remove all excess subsoil and rock and coordinate with land-owner for approval of on-site disposal.
  - Temporary measures are installed to protect livestock during construction.
  - Concrete trucks are washed outside of active agricultural areas.
  - Decompaction and restoration per New York State Department of Agriculture and Markets requirements.
- The EM will complete the "Agricultural Soils Inspection Report" form completed and previously submitted to the Town of Farmington at the conclusion of each inspection. The EM will review the report and any issues identified with the Town's Code Enforcement Officer ("Town EM").
- The EM will coordinate any soil compaction testing and/or plasticity testing (i.e. Atterberg limits) with the Bergmann professional geologist to ensure compliance with applicable portions of Farmington Town Code and/or NYSDAM requirements, where applicable.

- The EM will review construction of access roads post-construction to ensure they have been regraded to allow for farm-equipment crossings and that original (or Town-approved) road drainage patterns have been restored.
- The EM will be on-site in the event the solar arrays are decommissioned to ensure the site is restored per the approved decommission agreement and NYSDAM requirements. The EM will ensure that the construction activities completed during decommissioning are done to the agricultural-monitoring and reporting standards listed above.

#### SWPPP Weekly Inspections

- Bergmann will coordinate and perform a pre-construction meeting.
- Bergmann will prepare weekly SWPPP inspections.
- The EM will also be certified to perform the SWPPP inspections and will ensure the erosion and sediment control measures to ensure the project is compliant.
- A weekly report and post-storm report will be prepared and distributed to the project team where applicable, which will include, but is not limited to, the following stakeholders:
  - Town of Farmington
  - Delaware River Solar
  - Project Construction Contractor
  - Official On-Site SWPPP Binder
  - Bergmann

#### Health & Safety Inspections

- Bergmann will develop a site-specific Health & Safety Inspection Checklist. This will be developed per all applicable OSHA and other job safety regulations.
- All site inspections will be done by the EM and will be done on a weekly basis.
- After each inspection, a report will be prepared to detail the findings of the health & safety inspection. Included will be a copy of the site inspection checklist and photo documentation.
- The inspections being performed are a snapshot of the project at the moment of the health & safety inspection. Bergmann is not liability for any accidents and/or health and safety violations of the contractor during the life of the project. The inspection reports do not warrant or guarantee safety on the job site.
- The health & safety inspection report (refer to attached blank inspection form, as requested) will be prepared and distributed to the project team where applicable, which will include, but is not limited to, the following stakeholders:
  - Delaware River Solar
  - Project Construction Contractor
  - Bergmann

We believe the utilization of Bergmann and their long resume of environmental compliance services coupled with their local presence and knowledge and their approach to environmental monitoring and reporting will best serve the Town of Farmington, the NYSDAM and the project.

Please do not hesitate to contact me should you require anything additional with respect to environmental monitoring.

Sincerely,

-----  
Daniel Compitello  
*Project Developer*



## Safety Assessment Report

JOB NO. \_\_\_\_\_ JOB NAME \_\_\_\_\_  
**SUPERINTENDENT** \_\_\_\_\_ **DATE** \_\_\_\_\_ **Time** \_\_\_\_\_  
**PERSON(S) MAKING INSPECTION** \_\_\_\_\_

Subcontractors Onsite (List Name and Trade)


COLUMN      A = Adequate at time of inspection  
                  B = Needs consideration  
                  C = Needs immediate attention  
                  N/A = Not applicable

	A	B	C	N/A	Action Taken
<b>1. Job Information</b>					
• OSHA 300 forms posted and complete?					
• OSHA poster posted?					
• Are all emergency numbers for this site located where personnel can access them quickly?					
• Tool box talks up to date?					
• Work areas properly signed and barricaded?					
• Stocked First Aid kits available in all work areas?					
• Eyewash station, wash station available?					
• Personnel have received appropriate first aid training?					
• Is there a dedicated emergency meeting point in the event of evacuation?					
<b>2. Record Keeping</b>					
• Are copies of the weekly safety inspection checklist on site?					
• Are copies of the HSO bi-weekly safety checklist on site?					
• Is there a neatly organized binder of Tool Box Safety Talk records and Inspection Checklist records?					
• Are deficiency corrections documented?					
• Is there a list of all personnel on site?					
• Is sign in sheet posted? (attachment 1 of health and safety report)					
• Is there a list of all people that have been through the Safety Orientation Training?					
• Do the names on the sign-in sheet coincide with the names of personnel that have gone through the Safety Orientation Training?					
• Are revision forms posted to record any changes and reasons for changes to any of the Health and Safety plan/checklist?					
• Are Accident and Incident Investigation Reports kept and recorded on site?					



<b>3. Job Hazard Analysis</b>					
• Has the Job Site Superintendent reviewed the hazards and safeguards with all personnel on site prior to them being allowed to commence work?					
• Are SDS covering the entire inventory of chemicals on site readily available to personnel?					
• Is the containment procedure for environmental hazards posted?					
• Are all JHA Forms recorded by the HSO on site?					
• Is appropriate signage, use of a flagger, and PPE used when working near vehicle traffic?					
• Are all flammable liquids properly stored and labeled as per 29 CFR 1926 Subpart J?					
• Air monitoring for flammable atmospheres prior to and during welding or "spark" operations?					
• Is adequate lighting provided for the work to take place?					
• Does heavy equipment have back up alarms?					
• Are all guards in place on heavy equipment?					
• Are operators properly trained to run heavy equipment?					
• Are winch lines and cables inspected prior to each day of use?					
<b>4. Housekeeping</b>					
• General neatness of work area?					
• Projecting nails removed or bent over?					
• Waste containers provided and used?					
• Passageways and walkways clear?					
• Cords and leads off of the floor?					
<b>5. Fire Prevention</b>					
• Adequate fire extinguishers, checked and accessible?					
• Phone no. of fire department posted?					
• "No Smoking" posted and enforced near flammables?					
<b>6. Electrical</b>					
• Extension cords with bare wires or missing ground prongs taken out of service?					
• Are GFCIs utilized for all outdoor work?					
• Ground fault circuit interrupters being used?					
• Terminal boxes equipped with required covers?					
• Is the lock out/tag out procedure posted?					
• LO/TO implemented where required?					
•					
•					



<b>7. Hand, Power &amp; Powder Actuated Tools</b>					
• Hand tools inspected regularly?					
• Guards in place on machines?					
• Right tool being used for job at hand?					
• Operators of powder actuated tools are trained/ licensed?					
•					
<b>8. Fall Protection</b>					
• Safety rails, toeboards and cables are secured properly?					
• Employees have D-ring on belts in center of back?					
•					
• Employees exposed to fall hazards are tied off?					
• Employees below protected from falling objects?					
• Are there visible barriers around all openings in floors?					
• Is floor, wall, and manhole guarding procedure being followed?					
•					
<b>9. Ladders</b>					
• Ladders extend at least 36" above the landing?					
• Ladders are secured to prevent slipping, sliding or falling?					
• Ladders with split or missing rungs taken out of service?					
• Stepladders used in fully open position?					
• No step at top two rungs of stepladder?					
•					
<b>10. Scaffolding</b>					
• All scaffolding inspected daily?					
• Erected on sound rigid footing?					
• Tied to structure as required?					
• Guardrails, intermediate rails, toeboards and screens in place?					
• Planking is sound and sturdy?					
• Proper access provided?					
• Employees below protected from falling objects?					
•					
<b>11. Floor &amp; Wall Openings</b>					
• All floor or deck openings are properly planked over or barricaded?					
• Perimeter protection is in place?					
• Deck planks are secured?					
• Materials stored away from edge?					
•					
<b>12. Trenches, Excavation &amp; Shoring</b>					
• Competent person on hand?					
• Excavations are shored or sloped back?					
• Materials are stored at least two feet from trench?					
• Confined Space Entry has been considered?					
• Equipment operation (vibration...) is a safe distance from edge of trench or excavation?					
•					



•					
<b>13. Material Handling</b>					
Materials are properly stored or stacked?					
• MSDS sheets for products and chemicals are onsite and available?					
• Employees are using proper lifting methods					
• Tag lines are used to guide loads?					
• Fork lift operators are trained and certified?					
• Proper number of workers for each operation?					
<b>14. Welding &amp; Burning</b>					
Gas cylinders stored upright?					
• Proper separating distance between fuels and oxygen?					
• Burning/welding goggles or shields are used?					
• Fire extinguishers are nearby?					
• Hoses are in good condition?					
<b>15. Cranes</b>					
Wire and Electrical Hazards are reviewed prior to Crane setup.					
• Outriggers are extended and swing radius barricade in place?					
• Operator is familiar with load charts?					
• Hand signal charts are on crane?					
• Crane operator's logs are up-to-date?					
• Employees kept from under suspended loads?					
• Chains and slings inspected and tagged as required?					
<b>16. Concrete Construction</b>					
• Employees are protected from cement dust?					
• Exposed skin is covered?					
• Runways are adequate?					
<b>17. Personal Protective Equipment</b>					
• Has PPE been provided according to JHA?					
• Hard hats are being worn?					
• Safety glasses are being worn?					
• Respirators are used when required?					
• Hearing protection being worn when required?					
• Traffic vests being worn?					



<b>Weather</b>					
• Is there a designated plan for when severe weather approaches?					
• Is cold stress and extreme temperatures monitored?					
<b>17 b. Unsafe Acts or Practices Corrected by (List) :__ ( i.e. training, retraining, verbal warning, written warning, dismissal) attach copies of any written documentation to this form.</b>  <hr/> <hr/> <hr/> <hr/>					

Comments:

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Signature\_\_\_\_\_Date\_\_\_\_\_

**ENVIRONMENTAL MONITOR – AGRICULTURAL SOILS INSPECTION REPORT**

**PROJECT SITE –  
YELLOW MILLS COMMUNITY SOLAR PROJECT  
TOWN OF FARMINGTON  
ONTARIO COUNTY, NEW YORK**

Inspections/reports must be completed whenever work is being completed on areas of the project site possessing Class 1 through 4 soils as documented on the Soil Group Worksheets prepared by the Ontario County Soil & Water Conservation District, pursuant to §165-65.3(F)(1)(b)[3][a] of the Farmington Town Code

Inspection Type: ☐ Construction ☐ Post-Construction

Date: \_\_\_\_\_

Time: \_\_\_\_\_

**Weather Information:**

Weather Conditions at Time of Inspection: \_\_\_\_\_

Weather Conditions for Twenty-Four (24) Hours Prior to Inception

Approximate Amount of Rainfall (inches) Previous 24 hours: \_\_\_\_\_

Based on the results of the inspection, necessary modifications shall be implemented within seven (7) calendar days. These reports shall be kept on file by the Environmental Monitor, and submitted, where required, to entities identified in the Farmington Town Code.

**Practices in need of adjustment:**

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**Item not corrected from previous inspection:**

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Name of EM: \_\_\_\_\_ Title of EM: \_\_\_\_\_

EM's Signature: \_\_\_\_\_

## **PROJECT DURATION INSPECTIONS**

### **Directions:**

**Inspection Forms will be filled out during the entire construction phase and restoration phase of the project. As required by Farmington Town Code, the frequency of on-site inspection work is to be coordinated with the Ontario County Soil & Water Conservation District and/or the New York State Department of Agriculture and Markets, where required.**

### **Monitored Elements:**

- 1. On a site map, indicate the extent of all disturbed site areas and drainage pathways. Indicate site areas that are expected to undergo initial disturbance or significant site work within the next 21-day period;**
- 2. Indicate on a site map all areas of the site that have undergone temporary or permanent stabilization;**
- 3. Indicate all disturbed site areas that have not undergone active site work during the previous 21-day period;**
- 4. Inspect subsurface and surface drainage structures to ensure they are at or restored to preconstruction conditions, and determine restoration/mitigation measures, if needed;**
- 5. Conduct soil penetrometer testing in project areas to ensure soil compaction is no more than 250 pounds per square inch (PSI), where practicable;**
- 6. If required as a result of soil compaction testing, ensure soil decompaction is completed prior to replacement of topsoil, unless such activity would be in conflict with SWPPP or MS4 requirements of the Town of Farmington;**
- 7. Where practicable, ensure rocks four (4) inches in size or greater have been removed from the surface of subsoil prior to replacement of topsoil;**
- 8. At post-construction, ensure topsoil has been replaced to pre-construction depth and contours where practicable;**

- 9. Where practicable, ensure rocks four (4) inches in size or greater have been removed from the surface of topsoil once replaced.**
- 10. At post-construction, ensure access roads have been regraded to allow for farm equipment crossing and that original (or Town-approved) road drainage patterns have been restored.**
- 11. Ensure restored agricultural areas have been reseeded with the seed mix approved by the landowner and/or the Town of Farmington.**
- 12. Ensure construction debris has been removed from the site following restoration.**
- 13. Immediately report to DRS any deficiencies that are identified with the implementation of this plan.**



**SITE PLAN/SKETCH**

\_\_\_\_\_  
**Environmental Monitor (print name)**

\_\_\_\_\_  
**Environmental Monitor Signature**

\_\_\_\_\_  
**Date of Inspection**

**The above signed acknowledges that, to the best of his/her knowledge, all information provided on the forms is accurate and complete**

## ENVIRONMENTAL MONITOR INSPECTIONS

### General Site Conditions

Yes No NA

☐ ☐ ☐ Is construction site litter and debris appropriately managed?

### Drainage Structures

Yes No NA

☐ ☐ ☐ Surface drainage structures are functioning properly

☐ ☐ ☐ Subsurface drainage structures are functioning properly

☐ ☐ ☐ Restoration/mitigation of structure damage has been completed

### Soil Compaction

Yes No NA

☐ ☐ ☐ Has soil compaction testing been completed (if necessary)? (See Table 1)

☐ ☐ ☐ Has plasticity testing (Atterberg limits) been completed (if necessary)? (See Table 1)

☐ ☐ ☐ Is soil decompaction needed? Where?

☐ ☐ ☐ Have rocks >4" in diameter been removed from the subsoil where practicable?

### Topsoil

Yes No NA

☐ ☐ ☐ Top soil has been replaced to measured preconstruction thickness, where practicable (See Table 1)

☐ ☐ ☐ Top soil contours/elevations have been restored to preconstruction/approved thickness

☐ ☐ ☐ Have rocks >4" in diameter been removed from the topsoil where practicable?

☐ ☐ ☐ Seeding and mulch have been applied to idle/restoration areas.

### Access Roads

Yes No NA

☐ ☐ ☐ Agricultural access roads have been restored and regraded

☐ ☐ ☐ Agricultural access road drainage patterns have been restored



**Miscellaneous**

**Yes No NA**

☐ ☐ ☐ **Site photos have been included with the report that depict restoration areas and identified deficiencies needing corrective action. Add notes as applicable below.**

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**Yes No NA**

☐ ☐ ☐ **Was any trench settling observed?**

☐ ☐ ☐ **If trench settling observed, was topsoil consistent with existing topsoil, free of rocks imported?**

☐ ☐ ☐ **Have crops been replanted? Type:** \_\_\_\_\_

☐ ☐ ☐ **Have agricultural fences been replaced/repared/need repair?**

**Type:** \_\_\_\_\_

[illegible]



# BERGMANN

ARCHITECTS ENGINEERS PLANNERS



## EXPERIENCE:

Total: 15 Years

Bergmann: 9 Years

## EDUCATION:

- Masters in Regional Planning, University at Albany
- Bachelor of Arts in Environmental Studies, Siena College

## CERTIFICATIONS

- Certified Planner
- Environmental Planner Advanced Specialty Certification
- NYSDEC Qualified Erosion & Sediment Control Inspector
- SafeLand USA
- OSHA 10 Hour for Construction
- Norfolk Southern, CSX & Amtrak Roadway Worker Training

## PROFESSIONAL AFFILIATIONS

- American Institute of Certified Planners
- American Planning Association Genesee-Finger Lakes Section
- Board Member, New York State Planning Federation
- Society of Wetland Scientists
- New York State Wetlands Forum
- President, Kiwanis Club of Farmington-Victor, NY
- President, South Farmington Friends Cemetery Foundation
- Member, Town of Farmington Solid Waste Reduction Committee & Comprehensive Plan Update Committee
- Member, Town of Farmington Chamber
- Siena College Department of Environmental Studies, Community Advisory Board

## David J. Plante, AICP CEP

### ENERGY & ENVIRONMENT PRACTICE LEADER

David is a Certified Environmental Planner with experience in environmental planning and program management for energy supply, commercial/retail, transportation/rail and municipal planning projects. He is currently the Energy and Environment Practice Leader at Bergmann. His experience involves a variety of planning and environmental projects, specializing in wetland planning and environmental permitting and local entitlements for energy projects. David also possesses concentrations in municipal planning (comprehensive plans, zoning ordinances and development application review), New York State Environmental Quality Review Act (SEQRA) compliance, and New York State Department of State Brownfield Opportunity Area projects. David has extensive experience organizing and facilitating public hearings, project open houses, presentations to municipal officials, public design workshops, and steering committee meetings.

### PROJECT EXPERIENCE

**Delaware River Solar, LLC | Environmental Permitting for Various Community Solar Projects| Various locations across New York | Environmental Program Manager.** Responsible over all aspects of due diligence, environmental permitting, local zoning & planning approvals, engineering and project management for over two dozen Community Solar Projects across New York. Services performed included field reviews and wetland delineations, preparation and submission of applications for wetland, floodplain and stream disturbance permits to various state agencies (NYSDEC, NYSDOS, etc.), the U.S. Army Corps of Engineers (USACOE), preparation and submission of Notices of Intent to Construct Solar Projects within designated Agricultural Districts to NYSEDA and the NYS Department of Agriculture and Markets, preparation and submission of applications for site plan review, special use permit, subdivision and use & area variances to local municipal boards (Town, Planning and Zoning Boards), preparation and submission of Stormwater Pollution Prevention Plans and DOT permitting. **Ongoing**

**New York State Canal Corporation/Power Authority of New York | Embankment Maintenance Program Guidebook | Statewide | Environmental Project Lead.** Bergmann is leading the environmental impact assessment process for the proposed statewide Embankment Integrity Management program. The program covers 524 miles over the entire New York State Barge Canal System, including feeder canals, the Old Erie Canal, and associated embankments. The NYSCC is seeking to implement a programmatic management plan for addressing integrity issues arising within the earthen embankments located throughout the Canal system. Our environmental services include completion of a Full Environmental Assessment Form, inventory of resources, and oversight for completion of GIS resource mapping



for approximately 177 municipalities along the Canal system. Additional services include completion of lead agency coordinated review facilitation for all 177 municipalities, numerous regions of the NYSDEC, two U.S. Army Corps of Engineers Districts, the NYSDOT and the Adirondack Park Agency. Bergmann is also responsible for the completion of the programmatic Generic Environmental Impact Statement (GEIS) for the earthen embankment integrity management program.

**New York State Canal Corporation | DeRuyter Dam Rehabilitation Project | DeRuyter, NY | Environmental Project Manager.** Conducted a field review, wetland delineation and threatened/endangered species habitat assessment and permitting for proposed DeRuyter Dam Rehabilitation project, including the upstream recharge watershed supplying water to refill the reservoir and the upstream diversion structure. A Joint Application for Permits was prepared and submitted to the U.S. Army Corps of Engineers (Buffalo District) for coverage under a Nationwide Permit 3 (Maintenance) and to the New York State Department of Environmental Conservation for a courtesy review under the provisions of a typical Article 15, Protection of Waters Permit. Threatened and endangered species consultation was completed with New York State Natural Heritage and the U.S. Fish & Wildlife Service and historic resources consultation was completed with the NYS Historic Preservation Office. Ongoing

**New York State Canal Corporation | Albion Waste Gate Repair Project | Albion, NY | Environmental Project Manager.** Conducted a field review, wetland delineation and threatened/endangered species habitat assessment and permitting for proposed Erie Canal Waste Gate repairs in Albion. A Joint Application for Permits was prepared and submitted to the U.S. Army Corps of Engineers (Buffalo District) for coverage under a Nationwide Permit 3 (Maintenance) and for a Section 10 Navigable Waterway permit and to the New York State Department of Environmental Conservation for an Article 15, Protection of Waters Permit. Threatened and endangered species consultation was completed with New York State Natural Heritage and the U.S. Fish & Wildlife Service and historic resources consultation was completed with the NYS Historic Preservation Office.

**New York State Canal Corporation | Utica Maintenance Facility Relocation Feasibility Assessment | Utica, NY | Environmental Project Lead.** Conducted a field review, wetland assessment and threatened/endangered species habitat assessment for three (3) sites deemed to be candidates for the relocated NYSCC Utica Maintenance Facility near Utica and Mohawk, New York. Bergmann provided an environmental constraints report to NYSCC for use in site selection for the facility.

**Buckeye Partners, LP. | Environmental Permitting for Various Pipeline Maintenance Projects | Various locations across New York, Pennsylvania, Maine, Connecticut, Massachusetts, New Jersey, Ohio, Missouri, Michigan, Illinois, Indiana, Texas and Iowa | Environmental Program Manager.** Responsible over all aspects of due diligence, environmental permitting, engineering and project management for over one-hundred (100) pipeline exposure repair, relocation and installation projects at locations throughout the northeastern, midwestern and southern United States. Services performed included field reviews and wetland delineations, preparation and submission of applications for wetland, floodplain and stream disturbance permits to various state environmental agencies (NYSDEC, PADEP, NJDEP, etc.), the U.S. Army Corps of Engineers (USACOE) and County Conservation Districts, preparation and submission of Stormwater Pollution Prevention Plans and DOT permitting. Ongoing

**Buckeye Partners, LP. | Permitting for Pipeline Hydrotesting Activities | Ohio and Pennsylvania | Environmental Program Manager.** Served as project and program manager for nine (9) components of a confidential pipeline project between Ohio and Pennsylvania. Provided quality control/assurance over preparation of preliminary assessment reports to analyze alternatives of inter-state hydrotesting of a liquid petroleum pipeline, as well as other environmental permitting considerations. Alternatives analysis included water-sourcing options, water withdrawal permitting at the state level, watershed diversion permitting, and water discharging permitting.



**City of Oswego | Oswego County Brownfield Opportunity Area – DRI Implementation Phase | Oswego, NY | Environmental Project Lead.** The City of Oswego is transforming their waterfront with the implementation of the vision, goals and objectives outlined in the Oswego County Brownfield Opportunity Area program through the New York State Empire State Development Downtown Revitalization Initiative (DRI). Served as Environmental Project Lead for ecological assessments and permitting for both the Oswego River Transient Dock Project and the Oswego Harbor Fuel Dock Installation Project. Two (2) Joint Applications for Permits were prepared and submitted to the U.S. Army Corps of Engineers (Buffalo District) for coverage under Letters of Permission and to the New York State Department of Environmental Conservation for an Article 15, Protection of Waters Permit and, for the Fuel Dock Project, a Petroleum Bulk Storage Tank registration. Also responsible for completing Coastal Consistency Review for both projects with the New York State Department of State. Threatened and endangered species consultation was completed with New York State Natural Heritage and the U.S. Fish & Wildlife Service and historic resources consultation was completed with the NYS Historic Preservation Office.

**Highland Hospital | Patient Building Addition and Rezoning | Rochester, New York | Environmental Project Lead.** Aided Highland Hospital's pursuit for State Environmental Quality Review (SEQR) Act compliance by overseeing the preparation of a completed Full Environmental Assessment Part 1 form, as well as an Expanded Narrative and Parking Study, for a \$70 million expansion project. Coordinated with several organizations, attended public meetings, and provided external support to achieve on time project completion. Some of the executed actions associated with this project included determining the presence of: Federal and State wetlands, historic and archeological resources, threatened and endangered species, potential contamination history, floodplains, soil types, public resources, and required government approvals and interested agencies.

**Cardinal Gas Services | Pipeline Engineering, Environmental, Survey & Permitting | Environmental Project Manager.** Served as program manager and oversaw all engineering services being performed for this client. Duties included executing environmental permitting tasks necessary for the development of natural gas pipelines in Ohio. Coordinated with engineering team that performed alignment walks to recommend the best route based on constructability, cost, permitting and environmental constraints. Alignment plans were generated and detailed engineering studies are performed. Coordinated environmental team that completed all environmental/ecological investigations and reports related to sensitive species and habitats and wetland and waterway encroachments. The environmental team prepared the necessary local, state and federal permit applications. Provided regular communication to client and was responsible for the financial performance of the project. **2013 - 2017**

**Rochester Gas & Electric (RG&E) | CM-6 Natural Gas Transmission Main | Chili, NY | Project Manager.** Served as environmental project manager for a proposed right (8) mile natural gas transmission main located in the Towns of Caledonia, Wheatland and Chili, New York. Professional services included project management for gas pipeline design and engineering, survey, environmental and permitting, for the entirety of the pipeline project. Environmental tasks included conducting wetland delineation and threatened/endangered species habitat assessment fieldwork, invasive species assessments, agricultural land inventory, wildlife & tree inventories, pipeline routing, landowner coordination and preparation of the Article VII application package to the New York State Public Service Commission (PSC). Perform regular status reports and updates to RG&E Project Managers. **2017 - Present**

**Town of Rosendale | Town Designated Planner | Rosendale, NY | Project Manager.** Bergmann is being retained by the Town of Rosendale to serve as the Town's Planning and Engineering consultant. Planning services to the Rosendale Town and Planning Boards include the review of all Site Plan applications, Zoning Change applications, Special Use Permit applications and applications for Land Subdivision, preparation of GIS mapping for the Town, the review of environmental documentation including SEQRA records (EAF's and EIS's), wetland delineation reports and mapping and Stormwater Pollution Prevention Plans, performing threatened & endangered species and N.Y. State Historic Preservation Office due diligence and providing completeness and technical comments on these issues to the Planning



Board prior to each Planning Board meeting. Bergmann also aids the Town Board, Planning Board and Zoning Board of Appeals in SEQRA lead agency coordination, including the preparation of SEQRA determination of significance resolutions and SEQRA lead agency coordinated review correspondence on projects where the Town serves as SEQRA lead agency. Additional planning services include revision of existing Town site plan, special use permit and subdivision applications and assisting the Planning Board with the Ulster County Charter and New York State General Municipal Law 239 referral process. **2012 to present**

**Town of Rosendale | Hudson River Valley Resort Zoning Code Amendment Review | Rosendale, NY | Project Planner.** Performed a review of the Binnewater Lakes Conservation Planned Development Area (BLCPPDA) zoning text amendment to the Town of Rosendale Zoning Ordinance associated with the Williams Lake Resort project on behalf of the Town of Rosendale. **2013**

**Town of Rosendale | Hudson River Valley Resort Draft Environmental Impact Statement Review | Rosendale, NY | Planner.** Performed a completeness review of the Community Facilities and Transportation/Traffic sections of the Draft Environmental Impact Statement for the Williams Lake Resort project on behalf of the town of Rosendale. The proposed resort project would include the construction of a 94 room LEED certified hotel, spa, fitness center, wellness center, museum amphitheater and teahouse. The project also involves the construction of over 80 townhomes and approximately 70 single family homes. **2011**

**Port of Albany | Environmental Due Diligence | OG Realty Property – Port Expansion Project | Albany, NY | Environmental Project Manager.** Provided project management, wetland delineation and environmental due diligence to the Port of Albany for the proposed expansion of the Port onto an adjoining vacant 82 acre parcel located along the Hudson River in the City of Albany. Services provided included wetland delineation, threatened and endangered species habitat assessment, groundwater and soil sampling and preliminary Jurisdiction-Having Authority (JHA) due diligence. **2016-2017**

**Auburn Industrial Development Authority | Auburn Technology Park | Environmental Due Diligence and Shovel Ready Positioning | Auburn, NY | Environmental Project Manager.** Responsible for project management for shovel ready positioning for 37.54 acres of vacant land within the existing Auburn Technology Park. To accomplish this, the Auburn Industrial Development Authority (AIDA) retained Bergmann to complete a number of studies within the park, including wetland delineation, threatened and endangered species habitat assessment, Phase I Environmental Site Assessment, Phase I Archeological Assessment, a traffic study, a water/sewer capacity report, a stormwater report, SEQRA compliance documentation and conceptual infrastructure plans, culminating in the preparation of 0, 10 year and 20 year full build out master plans for the Technology Park. **2016-2018**

**Cayuga County Industrial Development Agency| Aurelius Technology Park | Environmental Due Diligence and Shovel Ready Positioning | Aurelius, NY | Environmental Project Manager.** Responsible for project management for shovel ready positioning for 132.83 acres of vacant land within the existing Aurelius Technology Park. To accomplish this, the Cayuga County Industrial Development Agency (CCIDA) retained Bergmann to complete a number of studies within the park, including wetland delineation and threatened and endangered species habitat assessment, for a 72.83 acres of vacant agricultural and forested parcels within the park, as well as Phase I and Phase II Environmental Site Assessments on a separate 60 acre vacant wooded parcel within the park. **2016-2017**

**DF Chase Trucking | Old Dominion Truck Terminal | Geddes, New York | Environmental Project Manager.** Conducted a field review and New York State Freshwater Wetland Article 24 Permitting for a proposed truck terminal facility. A Joint Application for Permits was prepared and submitted to the New York State Department of Environmental Conservation (NYSDEC) for an Article 24 Freshwater Wetlands Adjacent Area Disturbance Permit. Threatened and endangered species consultation was completed with New York State Natural Heritage and the U.S. Fish & Wildlife



Service and historic resources consultation was completed with the NYS Historic Preservation Office. The permit was granted for the project to proceed in 2016. **2016**

**Norfolk Southern Railway (NS) | General Engineering Contract | Vermilion Connection Project | Environmental Project Manager.** Provided environmental permitting services to construct a new interconnect between two existing tracks located in Vermilion, Ohio. Permitting for the project included obtaining clearance from the U.S. Army Corps of Engineers (USACOE) under Nationwide Permit 14, Stormwater construction General Permit Coverage from the Ohio Environmental Protection Agency (OEPA), Erie County Stormwater Permitting United States Fish & Wildlife Service (USFWS) and Ohio Department of Natural Resources (ODNR) threatened/endangered species consultation and clearances and Ohio Historical Society consultation and clearances. Additional services performed included a Phase I Endangered Bat Habitat Assessment and Historic Resources Field Review. **2015-2016**

**Village of Macedon | Brownfield Opportunity Area (BOA) Nomination Study | Macedon, NY | Project Planner.** Bergmann is assisting the Village in developing a Nomination Study as part of the NYS BOA Program. The Nomination Study for the Waterfront & Downtown study area expands on the inventory of existing conditions, environmental findings and the preliminary vision developed during the Pre-Nomination Study phase of the project, as well as the previously completed Route 31 Corridor Study. The Nomination phase of the project relies heavily on an extensive public input process to develop a more concise vision to guide the outcomes of the project. The expanded analysis of existing conditions, demographic trends and market composition for the study area creates the basis for developing a master revitalization plan for the Village that works to realize the developed vision for revitalization through a series of measurable implementation objectives and recommendations. **2013**

**City of Cohoes | Cohoes Boulevard Brownfield Revitalization | Cohoes, NY | Project Planner.** The City is currently developing a Nomination Study as part of the NYS BOA Program (Step II, Nomination). The focus of the project is on the Route 787 corridor, Cohoes Boulevard, which is the primary gateway into the City and includes the downtown area. This major transportation corridor, which is conveniently linked to the interstate highway system, contributes to the concentration of industry in this area. While the City has benefited from this employment base in the past, it also has dealt with the impacts on the health and character of adjacent neighborhoods and downtown. Bergmann is providing an in-depth analysis of existing conditions related to industrial base stabilization, wayfinding, corridor beautification and brownfield cleanup. The Nomination Study will result in a refined set of objectives and strategies, providing a clear blueprint for the City for the next 10 to 20 years. To help visualize this blueprint, Bergmann is also preparing a Master Development Plan for the study area which will be transformed into a 3D model of the city of Cohoes as it might look in the future. **2012-2013**

**Town of Williamson | Zoning Update | Williamson, NY | Project Planner.** Bergmann is working with the Town of Williamson to revise their zoning ordinance based on a 2009 update to their Comprehensive Plan. Williamson is located in Wayne County, NY and is recognized for its agricultural industries. The update to the zoning code involves the addition of a more comprehensive list of definitions, revisions to the designated zoning districts within the Town, amending the duties of the Planning Board and Zoning Board of Appeals and the introduction of historic preservation measures. The planning process involved active local participation in the form of steering committee meetings, focus group meetings, and public meetings and workshops. **2012**



## PREVIOUS EMPLOYMENT

### ENVIRONMENTAL ASSESSMENTS

**Dominion Transmission, Inc. | Environmental Permitting for Various Pipeline Maintenance Projects | Various locations New York and Pennsylvania | Environmental Planner.** Conducted field reviews and wetland delineations for various pipeline maintenance activities along existing natural gas pipelines near Ithaca, Schenectady, Syracuse and Silver Springs, New York and in Tioga and Potter Counties in Pennsylvania. Responsible for the preparation and submission of permit applications to the New York State Department of Environmental Conservation (NYSDEC) and U.S. Army Corps of Engineers (USACOE) for wetland and stream encroachment activities. Permits successfully obtained included Article 24 Freshwater Wetland Permits, Article 15 Protection of Waters Permits and Individual Water Quality Certifications from NYSDEC and various Nationwide Permits from the USACOE. **2005-2011**

**Buckeye Partners, LP. | Fall Creek Environmental Permitting | Groton, NY | Environmental Planner.** Conducted a field review and wetland delineation for a liquid petroleum pipeline that had become exposed within Fall Creek, a classified New York State trout stream. A Joint Application for Permits was prepared and submitted concurrently to the New York State Department of Environmental Conservation (NYSDEC) for an Article 15 Protection of Waters Permit and to the Buffalo District of the U.S. Army Corps of Engineers (USACOE) for a Nationwide Permit 12 (Utility Line Activities). **2010-2011**

**Inergy LP | Underground Propane Storage Facility Draft Environmental Impact Statement | Watkins Glen, NY | Environmental Planner.** Prepared the Visual Impact Assessment section of the Draft Environmental Impact Statement for the proposed Inergy LP Underground Propane Storage Facility Project. The \$40 million project will involve the utilization of existing underground salt caverns along the western shore of Seneca Lake for the storage of propane. The project also involves the construction of a four-acre pond that will store brine that is utilized to fill the salt caverns after propane is pumped out. The visual impact assessment included an inventory of sensitive visual receptor sites around Seneca Lake from which the brine pond might be visible. The assessment also evaluated impacts to sensitive receptor sites identified by the New York State Department of Environmental Conservation in its Program Policy 00-2, "Assessing and Mitigating Visual Impacts." The assessment also included visual renderings of the proposed brine pond and a proposed propane truck transfer facility from New York State Route 14. **2011**

**Advanced Micro Devices/GLOBALFOUNDRIES | Supplemental Environmental Impact Statement | Malta, NY | Environmental Planner.** Assisted with the preparation of a Supplemental Environmental Impact Statement and preparation of a Planned Development District Amendment Package to the Town of Malta town Board for the Advanced Micro Devices/GLOBALFOUNDRIES semiconductor fabrication plant at the Luther forest technology Campus. Also responsible for assisting with the preparation of Site Plan and Grading Permit applications to the Town of Malta and Town of Stillwater Planning Boards. **2007-2011**

**Saratoga Economic Development Corporation | Environmental Consulting Services | Malta, NY | Environmental Planner.** Assisted with a wetlands and other waters of the U.S. delineation and endangered species review for the approximately six-mile Luther Forest Technology Campus 115 kV Electric Transmission Line. The Electric Transmission line was constructed to provide the technology campus, including its primary tenant GLOBALFOUNDRIES, with both primary and redundant sources of electricity. Upon completion of field work, a wetland delineation report was prepared that provided a summary of wetlands delineated, potential for endangered species habitat, photo-documentation and off-site review information. Using that information, a Section 404 Individual Permit application to the U.S. Army Corps of Engineers (USACOE) was prepared for unavoidable impacts to wetlands. As a condition of approval for the Individual Permit, an In-Lieu Fee site selection analysis was prepared, coordinating with the Greater Adirondack R, C & D Council and The Nature Conservancy as In-Lieu Fee mitigation partners. Responsibilities also included the design



and preparation of a Wetland Mitigation & Creation Plan for a 3.0 acre Wetland Creation Site along the proposed Electric Transmission Line in the Town of Stillwater. **2005-2011**

**Albany International Airport Authority | Runway 28 Obstruction Removal Project Environmental Impact Statement | Colonie, NY | Environmental Planner.** Prepared a Draft and Final Environmental Impact Statement for the project in accordance with the New York State Environmental Quality Review Act. The project involved the demolition of the existing Utica Avenue Water Storage Tank, which had been deemed by the Federal Aviation Administration (FAA) as a potential hazard to air traffic entering and leaving the nearby Albany International Airport. As part of the EIS, a tree height survey/visual impact analysis was conducted to assess the visual impacts associated with the installation of an elevated water storage tank in the Village of Loudonville, New York that would serve to replace the function and capacity of the Utica Avenue Tank. Prepared Preliminary and Final Notices of Intent to the New York State Department of Agriculture and Markets to install approximately 2,700 feet of 36-inch water main in an Albany County Agricultural District. The installation of the water main served to supplement the capacity of the proposed Loudonville Tank. **2005-2008**

**Lowe's Home Improvement | Lowe's of Oneonta | Oneonta, NY | Environmental Planner.** Served as an environmental monitor during the creation of an approximately 0.81-acre wetland mitigation area and relocation of approximately 1,100 linear feet of stream on the project site. Provided guidance to the site contractor on wetland construction, plant species selection and wetland seed application during the wetland mitigation work. Field reviews included characterizing vegetation, soils, and the presence of invasive species in the existing wetland prior to construction and in the created wetland once construction had been completed. Prepared a Post-Construction Monitoring Plan that provided photo-documentation of the project site before, during, and after construction; a detailed description of field design modifications that occurred during construction; an itemized list of plant species and quantities that were installed on the project site as of the date of the monitoring report; and a schedule for when the additional plantings will be installed on the project site. Conducted biannual post-construction monitoring visits on site to assess success of wetland and stream mitigation activities and prepared annual Wetland Mitigation Area Monitoring Plans for submission to the U.S. Army Corps of Engineers over a four-year period. **2005-2010**

**Fish and Wildlife Impact Analysis | Former Hettling Farm | Claremont, NY | Environmental Planner.** Conducted a Step I Fish and Wildlife Impact Analysis in accordance with the New York State Department of Environmental Conservation (NYSDEC) guidelines for Inactive Hazardous Waste Sites for the former Hettling Farm. The former Hettling Farm included an expansive apple orchard that had been treated for many years with arsenic compounds that ultimately rendered the property unusable. Field reviews, including a threatened and endangered species review, were conducted for the project site. A summary report was prepared that included a delineation of vegetative covertypes, a discussion on the value of the property for fish and wildlife species and identified applicable fish and wildlife regulatory criteria for the proposed project. **2008**

**Fish and Wildlife Impact Analysis | Former Salm's Auto Body | Poland, NY | Environmental Planner.** Conducted a Step I Fish and Wildlife Impact Analysis in accordance with the New York State Department of Environmental Conservation (NYSDEC) guidelines for Inactive Hazardous Waste Sites for the former Salm's Auto Body. The site was formerly used as an automobile repair shop and gas service station, which over time contaminated the site with hydrocarbons. Field reviews, including a threatened and endangered species review, were conducted for the project site. A summary report was prepared that included a delineation of vegetative covertypes, a discussion on the value of the property for fish and wildlife species and identified applicable fish and wildlife regulatory criteria for the proposed project. **2008**

**Fish and Wildlife Impact Analysis | Former Saranac Lake Autos | Saranac Lake, NY | Environmental Planner.** Conducted a Step I Fish and Wildlife Impact Analysis in accordance with the New York State Department of



Environmental Conservation (NYSDEC) guidelines for Inactive Hazardous Waste Sites for the former Saranac Lake Autos. The site was formerly used as an automobile repair shop and gas service station, which over time contaminated the site with hydrocarbons. Field reviews, including a threatened and endangered species review, were conducted for the project site. A summary report was prepared that included a delineation of vegetative covertypes, a discussion on the value of the property for fish and wildlife species and identified applicable fish and wildlife regulatory criteria for the proposed project. **2009**

**Wetland Monitoring Projects | Empire Cogeneration Plant | Rensselaer & Brunswick, NY | Environmental Planner.** Duties included conducting post-construction annual monitoring field reviews for the Schmidt Farm wetland mitigation site in Brunswick, New York. Wetland mitigation was required as a condition of the Section 404 Individual Permit received for the Empire Cogeneration Plant in the Port of Rensselaer. Field reviews included characterizing vegetation, soils, and the presence of invasive species in the created/ restored wetland and the inventory of groundwater levels. The post construction monitoring visits were also conducted to assess the success of wetland and stream mitigation activities. Annual Wetland Mitigation Area Post Construction Monitoring Plans were prepared each year for submission to the U.S. Army Corps of Engineers over a four-year period. **2006-2011.**

#### MUNICIPAL PLANNING REVIEW ASSISTANCE

**Town of Rosendale | Town Designated Planner | Rosendale, NY | Planner.** Provided planning services to the Rosendale Town and Planning Boards for the review of all Site Plan applications, Zoning Change applications, Special Use Permit applications and applications for Land Subdivision. Prepared GIS Mapping for each application to aid the Planning Board in evaluating each site for potential sensitive resources. Reviewed applicant environmental documentation including SEQRA records (EAF's and EIS's), wetland delineation reports and mapping, Stormwater Pollution Prevention Plans, threatened & endangered species due diligence and N.Y. State Historic Preservation Office concurrence, providing completeness and technical comments on these issues to the Planning Board on each application. Prepared SEQRA determination of significance resolutions and SEQRA lead agency coordinated review correspondence on projects where the Town served as SEQRA lead agency. Tasked also with reviewing existing Town site plan, special use permit and subdivision applications and drafting new forms that would serve to streamline the application process for residents as well as ensuring the proper project information was provided to the Planning Board. Assisted the Planning Board with the Ulster County Charter and New York State General Municipal Law 239 referral process. Served as an expert witness and provided affidavit testimony in several Article 78 lawsuits brought against the Town Planning Board, all of which were decided in favor of the Rosendale Planning Board in New York State Supreme Court (Ulster County). **2006-2011**

**Town of Rosendale | Hudson River Valley Resort Draft Environmental Impact Statement Review | Rosendale, NY | Planner.** Performed a completeness review of the Community Facilities and Transportation/Traffic sections of the Draft Environmental Impact Statement for the Williams Lake Resort project on behalf of the town of Rosendale. The proposed resort project would include the construction of a 94 room LEED certified hotel, spa, fitness center, wellness center, museum amphitheater and teahouse. The project also involves the construction of over 80 townhomes and approximately 70 single family homes. **2011**

**Village of Schuylerville | Private Cell Tower Site Plan Application Review | Schuylerville, NY | Planner.** Assisted the Village of Schuylerville Planning Board in its review of an application for Site Plan Approval for a proposed 100-foot cell tower, in accordance with local planning law and telecommunication tower regulations. All application materials were reviewed and provided completeness and technical comments on the application to the Board. Prepared Planning Board resolutions for SEQRA Lead Agency, Application Completeness and Public Hearing Notices. Assisted the Village Planning Board with the SEQRA process, including the preparation of SEQRA Lead Agency coordination



correspondence, SEQRA Action Classification and a "Positive Declaration" of significant adverse environmental impact for the project. **2008**

**Town of Esperance | Private Cell Tower Site Plan Application Review | Esperance, NY | Planner.** Assisted the Esperance Zoning Board of Appeals in review of an application for Site Plan Approval for a proposed 130-foot cell tower, in accordance with local planning law and telecommunication tower regulations. Prepared ZBA resolutions for SEQRA Lead Agency, SEQRA Action Classification, a "Negative Declaration" of Significant Adverse Environmental Impact and Public Hearing Notices. **2008**

**Town of Durham | Private Cell Tower Site Plan Application Review | Durham, NY | Planner.** Assisted the Durham Town Board in review of an application for Site Plan Approval for a proposed 100-foot cell tower, in accordance with local planning law and telecommunication tower regulations. Prepared Town Board resolutions for SEQRA Lead Agency, SEQRA Action Classification, a "Negative Declaration" of Significant Adverse Environmental Impact and Public Hearing Notices. **2009**

**Town of Forestburgh | Lost Lake Resort Environmental Impact Statement Review | Forestburgh, NY | Planner.** Assisted with the review of the Draft and Final Environmental Impact Statements for the Lost Lake Resort project. The proposed resort would involve the construction of an 18-hole championship golf course and clubhouse, inn, restaurant, conference center, spa, amenity village, swimming facilities, tennis facilities, and wilderness trails, as well as over 2,000 single family residences, 30 single family cottages and 40 multi-family units; new private roads; a new central water supply from on-site wells; plus new central sewage treatment system. Responsibilities involved the review of the Land Use, Zoning, Fiscal Impact, Demographics and Community Facilities sections of the EIS for completeness and technical accuracy. **2009-2011**

**Town of Wawayanda | Environmental Impact Statement Review | Wawayanda, NY | Planner.** Assisted with the review of Draft Environmental Impact Statements for two proposed projects in the Town of Wawayanda; the Brookfield Auto Recycling Facility and the CPV Valley Energy Natural Gas Combined Cycle Electric Generating Facility. Responsibilities involved the review of the Land Use, Zoning, Fiscal Impact, Demographics and Community Facilities sections of the EIS for completeness and technical accuracy, as well as the review of project wetland impact and mitigation data. **2009-2011**

**Town of Florida | Beech Nut Manufacturing Facility Environmental Impact Statement Review | Florida, NY | Planner.** Assisted with the overall review of the Draft and Final Environmental Impact Statements for the Hero/Beech Nut Infant Food Manufacturing Facility and Corporate Headquarters. Upon completion of the SEQRA review, assisted the Planning Board with the review of the overall site plan in accordance with the Town of Florida Code. **2008**

## **TOWN AND VILLAGE COMPREHENSIVE AND MASTER PLANNING**

**Town of Florida | Comprehensive Plan | Florida, NY | Planner.** Responsible for drafting revisions to the Town of Florida Comprehensive Plan. Revisions made as requested by the Town Board included an updated introduction with a detailed historical inventory for the Town, the addition of a Socioeconomic Inventory section that detailed the demographic characteristics of the Town utilizing the most current census information, and the addition of updated goals and objectives that would be addressed by the Town in the subsequent zoning revision process. Responsible for leading the board through the SEQRA process, which included preparation of a Full Environmental Assessment Form, a lead agency resolution, lead agency coordinated review correspondence and a "Negative Declaration" of significant adverse environmental impact for the project. **2011**

**Village and Town of Malone | New York State Brownfield Opportunity Area Pre-Nomination Study | Malone, NY | Planner.** Prepared a Pre-Nomination Study for the Malone Brownfields Opportunity Area (BOA) after assisting with the



preparation of a successful application for \$42,000 in BOA funds from NYS Department of State. . Conducted an inventory and analysis of blighted and potentially contaminated parcels within the Malone BOA. Prepared and facilitated the BOA Pre-Nomination Study public input sessions, steering committee meetings Visioning Workshops and public comment forums.

## ZONING AND LAND USE

**Village of Schuylerville | Zoning Ordinance | Schuylerville, NY | Planner.** Assisted the Schuylerville Village Zoning Commission with the preparation of the Village's first municipal zoning ordinance. Assisted the Village Board with the SEQRA process, preparing SEQRA Lead Agency coordination correspondence, SEQRA Action Classification and a "Negative Declaration" of significant adverse environmental impact for the project. Assisted the Village Board with the New York State General Municipal Law 239 referral process with the Saratoga County Planning Board. **2011**

**Village of Malone | Zoning Code Revisions | Malone, NY | Planner.** Prepared sections of municipal code for the Village of Malone Board of Trustees, including ordinances regulating solicitors, mass gatherings, portable storage units, signs and graffiti. Assisted the Village Board with the SEQRA review process, which included preparation of a Full Environmental Assessment Form, a lead agency resolution, lead agency coordinated review correspondence and a "Negative Declaration" of significant adverse environmental impact for the project. Also assisted the Village Board with the New York State General Municipal Law 239 referral process with Franklin County. **2010**

**Town of Florida | Zoning Ordinance Revisions | Florida, NY | Planner.** Responsible for drafting revisions to the Town of Florida Zoning Ordinance. Ordinances regulating fences, off-premises signage, portable storage units and wellhead protection were drafted and the existing ordinance regulating wind turbines was updated. Responsible for leading the board through the SEQRA process, which included preparation of a Full Environmental Assessment Form, a lead agency resolution, lead agency coordinated review correspondence and a "Negative Declaration" of significant adverse environmental impact for the project. **2011**

## GRANT WRITING

**Village of Lake George | 2010 Green Infrastructure Grant Program Application | Lake George, NY | Planner.** Prepared a GIGP Application to the New York State Environmental Facilities Corporation for a municipal water treatment project in the Village of Lake George. The application was successful in procuring \$650,000 in GIGP funding for the Village of Lake George. The project funded involved the purchase and installation of three (3) WesTech STM Aeroter units within an existing building located at the municipal wastewater treatment facility. WesTech STM-Aeroter Biological Nutrient Removal (BNR) Systems use Integrated Fixed Film and Activated Sludge (IFAS) technology as part of a process that provides biological nutrient removal for municipal wastewater treatment, using less energy and treating more effluent than a conventional clarifier system using less energy. The Village of Lake George also strictly enforces the "Lake George Law," which states that no treated effluent can be directly discharged to surface waters in the Lake George watershed. The WesTech system provided the Village with a "green" method of treating effluent in a cost-effective manner. **2011**

**Village of Athens | 2011 New York Main Street Grant Program Application | Athens, NY | Planner.** Prepared a New York Main Street grant application to the New York State Division of Housing and Community Renewal for \$171,000 to fund Main Street building renovation projects at several century-old buildings, including Cameo's Restaurant, the Crossroads Brewing Company and the Athens Cultural Center. The application also sought funding for streetscape enhancements to the municipal parking lot and 2<sup>nd</sup> Alley, which connected the municipal lot to the Village's Main Street (2<sup>nd</sup> Street) and provides ample parking for the Village downtown area. **2011**



**Village of Dolgeville | Restore New York Grant Application | Dolgeville, NY | Planner.** Assisted with the preparation of a successful Restore New York Grant Application for the Village of Dolgeville. The application was successful in procuring \$434,000 for the Village, specifically for the restoration of three mixed use properties severely damaged by the flooding of West Canada Creek in 2006. **2007**

# Certificate of Completion

**David Plante**

has successfully completed the following course

## **OSHA 10 Hour Construction Program [V14.1]**

**This course is approved for 10 continuing education credit hours.**

*This RedVector certificate is not your official OSHA 10 Hour Construction student completion card; it is provided only as proof that you took the course until you get your official completion card in the mail from the Department of Labor.*

Course Approval



Matthew Casey, PhD, VP of Content

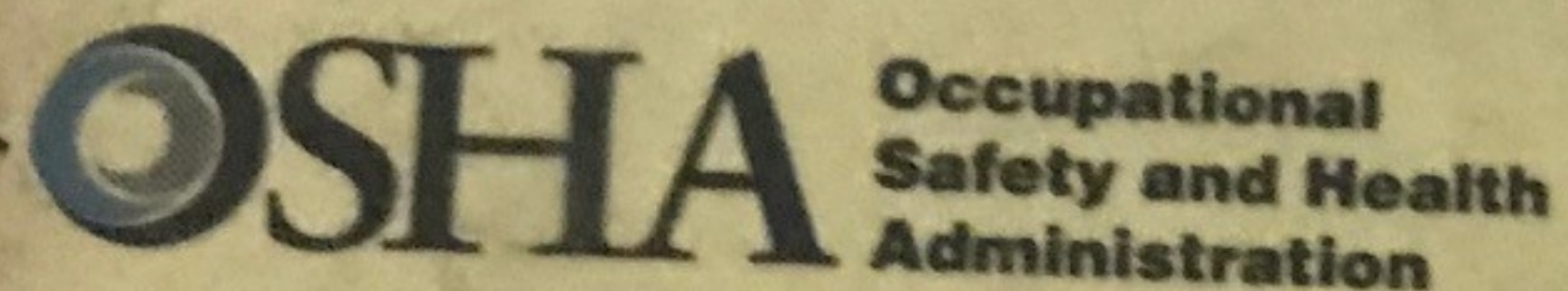
**RedVector.com**  
AIA Registered Provider #J315  
FL DBPR Approved Provider #0001771  
FBPE Approved Provider #33

12/31/2014 2:53:10 PM

Course Completion Date



Two Urban Centre • 4890 West Kennedy Boulevard Suite 740 • Tampa, FL 33609



36-005264368

This card acknowledges that the recipient has successfully completed a  
10-hour Occupational Safety and Health Training Course in

**Construction Safety and Health**

**David Plante**

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Dan Johnson

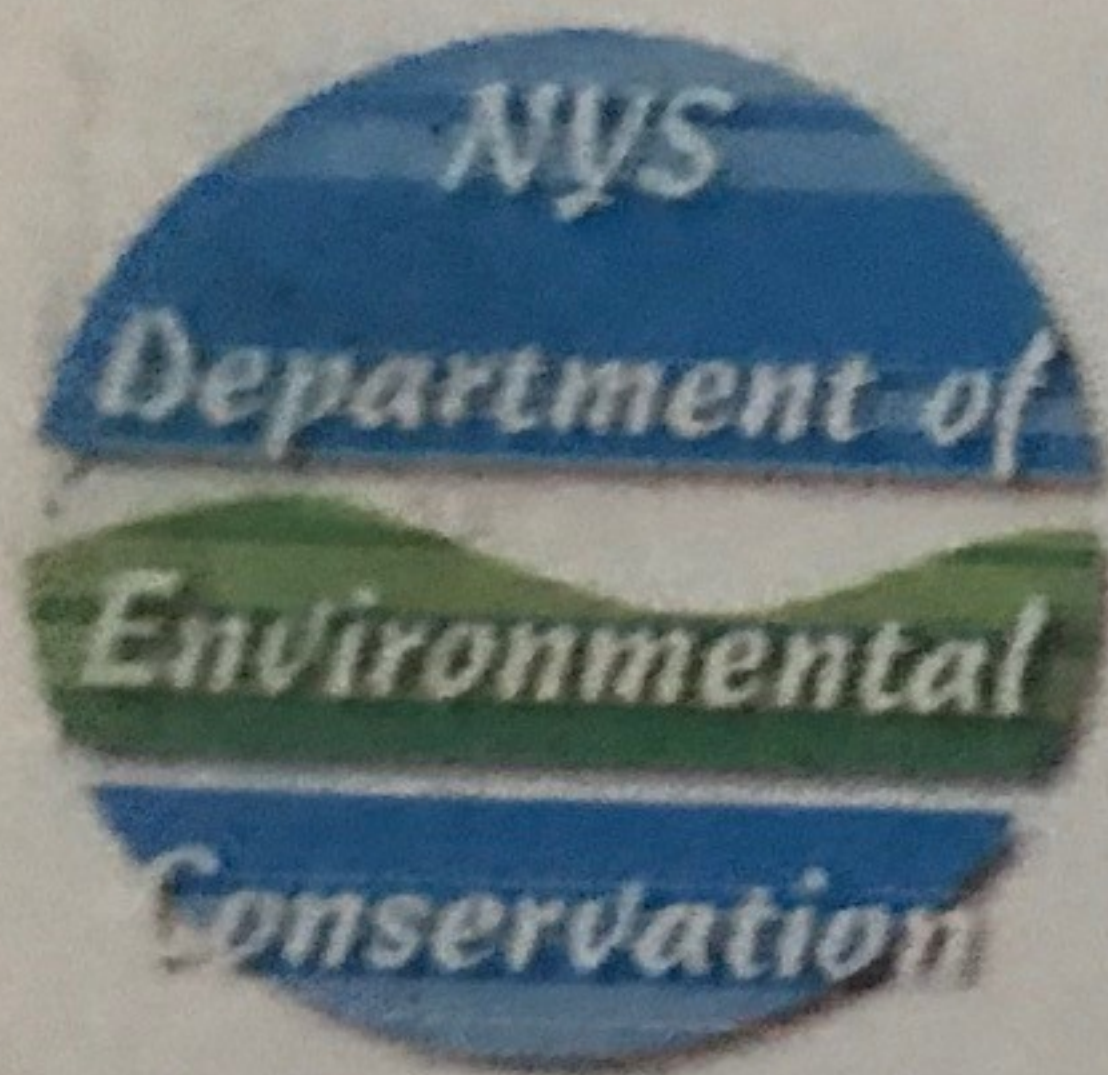
12/31/2014

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(Trainer name – print or type)

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(Course end date)



Division of Water

Date of  
Training:

5/2/2019

SW Web Page:

**Certificate of Erosion & Sediment  
Control Training**

**Name:** David J Plante

**Trainee SWT #62T-05022019-39**

**Instructor Name/ID:**

Megan Webster (#0062-T)

Signature: *Megan Webster*

<http://www.dec.ny.gov/chemical/8699.html>

**Expires 3 years from training date**



## Stephanie P. Parsons

### NATURAL RESOURCES SCIENTIST

Stephanie Parsons is a Natural Resources Scientist at Bergmann Associates. She has over 7 years of experience in the environmental field. Her experience includes plant, wildlife, and community surveys and monitoring, including many Threatened and Endangered species. She is familiar with most federal and state environmental laws (e.g. CWA-Sect 404, ESA, NEPA & NYDEC, PADEP, OEPA). Stephanie has worked on projects that have ranged from wetland and stream delineations, habitat assessments, environmental permitting, pipeline and transmission line projects, and insect and passive herpetological surveys to mitigation monitoring. Ms. Parsons also possesses concentrations with New York State Environmental Quality Review Act (SEQRA) Compliance, State Historic Preservation Office (SHPO) evaluations, permit documentation/reporting to US Fish & Wildlife Service, US Army Corps of Engineers, and other various state agencies.

#### EXPERIENCE:

Total: 7 Years

Bergmann: 2 Year

#### EDUCATION

- B.T. Wildlife Management, SUNY Cobleskill, 2012.

#### TRAINING

- OSHA 40 Hour Certification Course: HAZWOPER Training
- ASTM E1527-13 Phase 1 ESA

#### PROFESSIONAL AFFILIATIONS

- New York Wetlands Forum
- Society of Wetland Scientists

### Project Experience

**Delaware River Solar, LLC | Environmental Permitting for Various Community Solar Projects | Various locations across New York | Environmental Program Manager.** Responsible for assisting with due diligence, wetland delineation, environmental permitting, agricultural impact assessment and local zoning & planning approvals for over a dozen Community Solar Projects across New York. Services performed included field reviews and wetland delineations, preparation and submission of applications for wetland, floodplain and stream disturbance permits to various state agencies (NYSDEC, NYSDOS, etc.), the U.S. Army Corps of Engineers (USACOE), preparation and submission of Notices of Intent to Construct Solar Projects within designated Agricultural Districts to NYSDERDA and the NYS Department of Agriculture and Markets, preparation and submission of applications for site plan review, special use permit, subdivision and use & area variances to local municipal boards (Town, Planning and Zoning Boards), preparation and submission of Stormwater Pollution Prevention Plans and DOT permitting. **Ongoing**

**Buckeye Partners, LP. | Environmental Permitting for Various Pipeline Maintenance Projects | New York, Pennsylvania, Ohio, Maine, Illinois, Missouri & Iowa | Natural Resources Scientist.** Responsible for field reviews and wetland delineations, preparation and submission of applications for wetland, habitat assessments, threatened and endangered species due diligence and State Historic Preservation Office (SHPO) concurrence,



floodplain and stream disturbance permits to various state environmental agencies (OPEA, ODNR, PADEP etc.) and the U.S. Army Corps of Engineers (USACE) permitting.

**Buckeye Partners, LP. | Buckeye L740 Anomaly Dig, Project | Edmont, Pennsylvania | Natural Resources Scientist.**  
Services performed include wetland delineation, assist with a phase 1 bog turtle survey, PA Department of Environmental Protection (DEP) permitting, P.A. State Historic Preservation Office concurrence and erosion and sediment control permitting.

**Rochester Gas & Electric | CM-6 (CM-1 Pipeline Replacement | Wheatland, Chili and Caledonia, New York | Natural Resources Scientist.**

Responsible for wetland delineation and resource GPS locating/GIS mapping for a proposed 8-mile pipeline replacement project in western New York. Assisted with mapping and report preparation associated with each type of field assessment for inclusion into the Article VII Public Service Commission (NYSPSC) Environmental Management and Construction Standards & Practices documentation to support NYSPSC approval for the project.

**Shumaker Consulting Engineering & Land Surveying, D.P.C. | Wetland Delineation Services | Wheatland and Richmond, New York | Natural Resources Scientist.**

Responsible for field reviews and wetland delineations, resource GPS locating/GIS mapping, preparation and submission of documentation/reporting to state and federal agencies, habitat assessments, threatened and endangered species due diligence and State Historic Preservation Office (SHPO) concurrence, floodplain and stream disturbance permits to various state environmental agencies and the U.S. Army Corps of Engineers (USACE) permitting.

**Clean Energy Collective | Solar Site Projects | Various sites located throughout New York | Natural Resources Scientist.**

Services performed include a solar site assessment of wetland delineations, resource GPS locating/GIS mapping, State Historic Preservation Office (SHPO) concurrence, tree assessment, Phase 1 Bat Habitat Assessment and preparation of documentation/reporting to USFWS, USACE and other state agencies for several solar site projects throughout New York State.

**New NY Bridge/Tappan Zee Bridge | Peregrine Falcon Monitoring | Tarrytown, New York | Natural Resources Scientist.**

Responsible for the peregrine falcon monitoring on the existing Tappan Zee Bridge.

## **PREVIOUS EMPLOYMENT**

**City of Albany | Albany Landfill Restoration Project | Rapp Road, Colonie NY | Environmental Scientist I.**

Services performed included field reviews, annual wetland and stream delineations, annual wetland monitoring, insect and passive herpetological surveys, including Karner Blue Butterfly surveys and working/coordinating with several environmental agencies. 2015-2018.

**NYSDEC | Perch River Wildlife Management Area Dam Rehabilitation | Perch River, NY | Environmental Scientist.**

Services performed included field reviews, wetland delineations, environmental permitting, habitat assessment, threatened and endangered species due diligence and N.Y. State Historic Preservation Office (SHPO) concurrence and coordinating with several environmental agencies. 2016-2018.



**Norfolk Southern Railroad | Waterway/Wetland Mitigation Monitoring Franklin County Regional Intermodal Facility | Franklin County | Environmental Scientist I.**

Services performed included desktop field reviews, field data input and collaboration and map preparation. Compensatory mitigation was accomplished through the restoration of a 900 linear foot stable stream channel, 0.01 – 0.11 acre emergent wetlands and 1.2 acres riparian buffer areas. The project consisted of wetland mitigation was performed throughout a five-year span during the full growing season. 2015-2018.



**Department of  
Environmental  
Conservation**

## **Endorsed Training**

### ***Certificate of Completion***

**Stephanie Parsons**

*Is hereby awarded this Certificate signifying completion of the course:*

**“NYS DEC 4-Hour Erosion and Sediment Control Training”**

***Attested Day of Training: 06/19/2020***

***Assigned Trainee Stormwater Identification Number – SWT # 060T-6192020-454***

*This Erosion and Sediment Control (E&SC) Training is Endorsed by the NYS Department of Environmental Conservation, Division of Water, for “Trained Contractors” and Certain “Qualified Inspectors” who must receive 4 hours of E&SC training every three years to satisfy requirements under the Construction Activity State Pollution Discharge Elimination System (SPDES) General Permit.*

***Expiration: 3 years from date of training***

Instructed by: New York State Conservation District Employees’ Association, Inc. (NYSDEC **SWT #0060T**)

**Endorsed  
Training**



Department of  
Environmental  
Conservation

**Certificate of Erosion & Sediment  
Control Training**

**Name:** Stephanie Parsons

**Trainee SWT#** 060T-6192020-454

**Expires 3 years from:** 06/19/2020

**Instructor Name/ID**

New York State Conservation District

Employees' Association, Inc. #0060T

**Expires 3 years from training date**

# Certificate of Completion

**STEPHANIE PARSONS**

has successfully completed the following course  
**OSHA 10 Hour Construction Program**

**This course is approved for 10 continuing education credit hours.**

August 29 2018

Course Approval

Course Completion Date

  
Victoria Zambito, VP of Product Management

**RedVector.com**  
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## **APPENDIX IV – Landowner Acknowledgement of Decommissioning Plan**

## Scott P. Falvey

Attorney at Law  
66 North Main Street  
Canandaigua, New York 14424

Telephone (585) 394-3410 • (585) 396-2040  
Fax (585) 394-3427  
falveylawoffice@gmail.com

March 10, 2020

Town of Farmington  
Planning Board  
1000 County Road 8  
Farmington, NY 14425

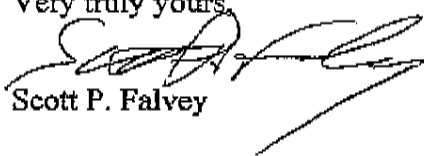
Re: Yellow Mills Road Solar Projects – Decommissioning  
Landowners: Roger Smith and Carol Smith

Dear Planning Board:

Please be advised that I am the attorney for Roger Smith and Carol Smith, who are the owners of the land that is the subject of the Yellow Mills Road Solar Projects, to which an application for the same is pending before you.

It is my opinion that Mr. and Mrs. Smith are aware of and acknowledge the provisions of Farmington Town Code Section 165-65.3, which regulate solar projects in the Town of Farmington; and that in particular Mr. and Mrs. Smith acknowledge and are aware of the risks that such a project entails to them given the Town's requirements for decommissioning upon abandonment, namely: that upon abandonment (as such term is defined therein) of any installed solar system the Town will require that the system be decommissioned and removed within a certain time period, and that Mr. and Mrs. Smith would be responsible for such decommissioning and removal should the owner of the solar system fail to so decommission and remove, and that along those lines should the Town incur costs in decommissioning and removing the system itself that are not reimbursed by the surety, those costs will be passed on to Mr. and Mrs. Smith in the form of an assessment/lien on the subject property that becomes part of the property taxes levied and assessed thereon.

Very truly yours,

  
Scott P. Falvey

Cc: Roger Smith and Carol Smith