



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

September 2, 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
 - Town of Farmington

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