



KATHY HOCHUL
Governor

Agriculture and Markets

RICHARD A. BALL
Commissioner

May 31, 2023

Candace Rossi, Project Manager
NYSERDA, NY-Sun
17 Columbia Circle
Albany, NY 12203

RE: Final Notice of Intent to Undertake an Action within an Agricultural District, Anderson 2 Solar Project, Town of North Collins, Erie County Agricultural District No. 8

Dear Ms. Rossi,

I have determined that the enclosed Final Notice of Intent, filed with this Department by NYSERDA, for the advance of public funds for the construction of a 5.0 MW solar array, in the Town of North Collins, located in Erie County Agricultural District No. 8, is complete.

The Final Notice has been forwarded to the Commissioner of Environmental Conservation, the Advisory Council on Agriculture, and the County Agricultural and Farmland Protection Board. In consultation with them, the Commissioner shall review the proposed action during the next forty-five (45) day period commencing May 31, 2023 and make an initial determination whether the action will have an unreasonably adverse effect on the continuing viability of a farm enterprise, or enterprises within the district and state environmental plans, policies and objectives. Furthermore, the Department will be exploring acceptable mitigation options for the proposed project during the next thirty (30) days.

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

Please do not hesitate to contact me, at (518) 457-6320 if you have any questions regarding your Notice filing.

Sincerely,

Judy Littrell
Senior Environmental Analyst

Cc: Tim Ahrens, CleanChoice Energy
Honorable John Tobia, Town Supervisor, North Collins