



3 Corporate Dr., Suite 202
Clifton Park, NY 12065

T 518.348.1190
TRCcompanies.com

November 6, 2023

New York State Department of Health
Records Access Office, Corning Tower
Empire State Plaza
Albany, NY 12237

Sent via email to: foil@health.ny.gov

**RE: Information Request
Flat Creek Solar
Towns of Canajoharie and Root, Montgomery County, New York**

To whom it may concern,

Flat Creek Solar LLC (Applicant) is proposing the development of an up to 300MWac solar energy generating facility named Flat Creek Solar (Project) in the Towns of Canajoharie and Root, Montgomery County, New York. The Applicant plans to submit an application to the NYS Office of Renewable Energy Siting (ORES) in pursuit of a permit for this Project under § 94-c of the New York Executive Law.

As part of the Section 94-c process and as set forth in § 900-2.14(a), TRC, on behalf of the Applicant, respectfully submits this Freedom of Information Request pursuant to the Freedom of Information Law (FOIL), Article 6 of the Public Officers Law, to obtain this groundwater well information for the area depicted in Figure 1 and provided in the accompanying shapefiles. More specifically, we request the location, construction logs, depths, and descriptions of encountered bedrock for groundwater wells for which the Department has recorded information.

Public Officers Law, Article 6 Section 89(3) states that, “[e]ach entity subject to the provisions of this Article, within five business days of the receipt of a written request for a record reasonably described, shall make such record available to the person requesting it, deny such request in writing or furnish a written acknowledgment of the receipt of such request and a statement of the approximate date, which shall be reasonable under the circumstances of the request.” This section also states, “[i]f an agency determines to grant a request in whole or in part, and if circumstances prevent disclosure to the person requesting the record or records within twenty business days from the date of the acknowledgment of the receipt of the request, the agency shall state, in writing, both the reason for the inability to grant the request within twenty business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted in whole or in part.”

If you have any questions regarding the Project or the request herein, please contact me at TRC by calling (518) 469-8843 or via email at rdickey@trccompanies.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Dickey", is written over a light blue horizontal line.

Jason Dickey, Senior Project Manager, TRC

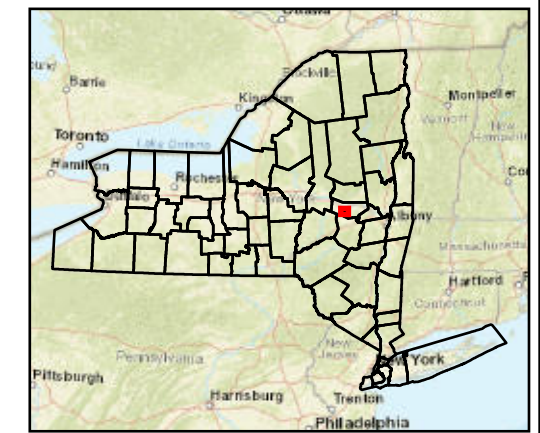
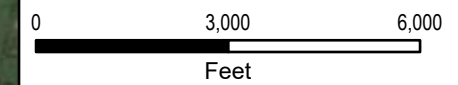



LEGEND

 PROJECT BOUNDARY



1:36,000
1" = 3,000'



PROJECT:		FLAT CREEK SOLAR	
TITLE:		PROJECT AREA	
DRAWN BY:	GILMAN CORYELL	PROJ NO.:	427281.2022.0000
CHECKED BY:	TIERNEY LATHAM	TAX PARCELS	
APPROVED BY:	JASON DICKEY		
DATE:			
		10 MAXWELL DRIVE CLIFTON PARK, NY 12065 518-348-1190 www.trccompanies.com	
FILE NO.:		FlatCreek_Project_Area.mxd	



Department of Health

KATHY HOCHUL
Governor

JAMES V. McDONALD, M.D., M.P.H.
Commissioner

JOHANNE E. MORNE, M.S.
Acting Executive Deputy Commissioner

December 13, 2023

R. Jason Dickey
TRC
3 Corporate Drive, Suite 202
Clifton Park, NY 12065

FOIL #: 23-11-255

Dear R. Jason Dickey:

This letter responds to your Freedom of Information Law (FOIL) request dated November 17, 2023, in which you requested environmental records pertaining to "Flat Creek Solar Towns of Canajoharie and Root, Montgomery County, New York."

Please be advised that after conducting a diligent search, no records responsive to your request have been located.

Please note, this address is served by the Canajoharie (V) Water Works public water system (NY7003493). Please be aware that within the vicinity of the proposed project site there are two non-community public water systems, Full-Tan Sun Club (NY2808295), and Wintergreen Park (NY2813247). Any violation reports for the public water system can be found at the following website:

www.health.ny.gov/environmental/water/drinking/violations/previous_compliance_reports.htm

Should you feel that you have been unlawfully denied access to records, you may appeal such denial in writing within 30 days to the Records Access Appeals Officer, Division of Legal Affairs, Empire State Plaza, 2438 Corning Tower, Albany, New York 12237-0026.

If you require additional information or wish to discuss this matter further, please do not hesitate to contact me at (518) 474-8734.

Sincerely,

David J. Harvey
Records Access Officer

DJH/imm