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## Resolution No. 2011-11-05

## DETERMINING THE SIGNIFICANCE OF THE SOUTHERN EXPANSION OF EXISTING SOLID WASTE MANAGEMENT FACILITY AND DIRECTING THE ISSUANCE OF A POSITIVE DECLARATION AND THE PREPARATION OF AN ENVIRONMENTAL IMPACT STATEMENT PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

Motion by: Seconded by: G. Turck

S. Brothers

Unanimously Approved

Whereas, pursuant to the duties and powers granted to the Development Authority of the North Country (the "Authority") by the New York State Public Authorities Law, the Authority is considering a southern expansion of its existing Solid Waste Management Facility (the "Facility") located in the Town of Rodman, Jefferson County, New York (the "Project"), and

Whereas, the Project would increase the Facility's disposal capacity, and

Whereas, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act ("SEQRA") and the regulations adopted pursuant thereto by the New York State Department of Environmental Conservation ("NYSDEC"), being 6 NYCRR Part 617, as amended (the "Regulations"), the Authority desires to comply with SEQRA and the Regulations with respect to the Project, and

Whereas, the Authority completed Part 1 of two Full Environmental Assessment Forms ("EAFs"), one EAF describing the Project activities to be conducted on real property located adjacent to the Facility, and the other EAF describing the Project activities related to wetland and stream mitigation to be conducted on real property located in the Town of Ellisburg, which EAFs were examined by the Board of Directors of the Authority at its meeting held on September 13, 2011, and

Whereas, the other "involved agencies," as this term is defined in the Regulations, are NYSDEC and Jefferson County, and

Whereas, the Authority established itself as "lead agency" for the Project, as this term is defined in the Regulations, at its October 27, 2011 meeting, and



Whereas, the Authority completed Parts 2 and 3 of the EAFs, and based on its review of Part 2 and such other information as is known to it, has determined that the Project may include the potential for one or more significant adverse impacts on the environment, that a positive declaration for the Project should be issued, and that an environmental impact statement must be prepared,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE AUTHORITY AS FOLLOWS:

The Authority determines that the Project includes the potential for one or more significant adverse impacts on the environment; and

Be It Further Resolved, that the Authority's Executive Director shall issue a positive declaration in the form and manner of the positive declaration attached to this Resolution, identifying the potentially significant adverse impacts of the Project; and

Be It Further Resolved, that the Authority shall prepare and provide all notices and make all filings required by the Regulations for the positive declaration; and

Be It Further Resolved, that the Authority shall prepare an environmental impact statement for the Project after it has conducted scoping for the Project in accordance with Section 617.8 of the Regulations; and

Be It Further Resolved, that the Authority's Executive Director, staff and consultants are authorized to undertake such activities as may be necessary, including the preparation of documents and analyses, to assist the Authority in fulfilling its obligations for the Project under SEQRA and the Regulations; and

Be It Further Resolved, that the Authority's Executive Director and staff are authorized to take whatever steps are necessary to carry out this Resolution; and

Be It Further Resolved, that this Resolution shall take effect immediately.

## DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

I, the undersigned, Executive Director of the Development Authority of the North Country, do hereby certify that I have compared the foregoing copy of Resolution No. 2011-11-05 of the Development Authority of the North Country with the original adopted by the Development Authority of the North Country at a meeting of said Authority on the 2nd day of November, 2011, and that same is a true and correct copy of such resolution. In testimony whereof, I have hereto set my hand this 2nd day of November, 2011.

James W. Wright

2