

RESOLUTION No. 2020-

RELATIVE TO THE DECLARING THE CITY OF NIAGARA FALLS, NY AS THE SEQRA LEAD AGENCY AND DETERMINING THAT ACTION FOR THE CONSTRUCTION OF JOHN B. DALY BOULEVARD, FROM NIAGARA STREET TO PINE AVENUE, CITY OF NIAGARA FALLS, NIAGARA COUNTY, PIN # 5755.57, IS A TYPE I ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

BY:

Council Chairman Christopher Voccio
Council Member William Kennedy
Council Member Kenny Tompkins
Council Member Andrew Touma

WHEREAS, the City of Niagara Falls, NY is the sponsor for the construction of John B. Daly Boulevard, from Niagara Street to Pine Avenue, PIN 5755.57; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (SEQRA) and the implementing regulations at 6NYCRR Part 617 (the "Regulations"), the City desires to comply with SEQRA and the Regulations with respect to the Project; and

WHEREAS, the Project has been reclassified as a "Type I Action" as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.2 and a Full Environmental Assessment Form (FEAF) has been completed in support of the Project; and

WHEREAS, pursuant to SEQRA and the Regulations, the City has undertaken a coordinated review process with interested and involved agencies, indicating the City's desire to serve as the Lead Agency under the SEQRA process for the Project; and

WHEREAS, each of the involved agencies or potentially involved agencies has agreed to or raised no objection to the City serving as the SEQRA Lead Agency for the Project; and

Kennedy _____ Spanbauer _____ Tompkins _____ Touma _____ Voccio _____

WHEREAS, pursuant to the Regulations, the City has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the FEAF for the Project, including the facts and conclusions in Parts 1, 2, and 3 of the FEAF together with other available supporting information to identify the relevant areas of environmental concern, and (c) thoroughly analyzing the identified areas of environmental concern;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Niagara Falls, NY hereby approves the establishment of the City as Lead Agency for the Project; and

BE IT FURTHER RESOLVED, based on examination of the FEAF and other supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the City's knowledge of the area surrounding the Project and such further investigation of the Project and its potential environmental impact as the City has deemed appropriate, the City makes the following findings and determinations:

1. The Project is accurately described in the FEAF; and
2. The Project constitutes a "Type I Action" (as the quoted term is defined in the Regulations); and
3. No significant adverse environmental impacts are noted in the FEAF for the Project and none are known to the City; and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.