

RESOLUTION No. 2023-

***RELATIVE TO THE CITY COUNCIL'S SEQRA DETERMINATION OF SIGNIFICANCE
CONCERNING THE APPLICATIONS OF NORTH EAST DATA LLC FOR A DATA CENTER AND
DIGITAL ASSET MINING FACILITY AT 5380 FRONTIER AVENUE, NIAGARA FALLS, NY***

BY:

Council Member Traci Bax
Council Member Kenny Tompkins

WHEREAS, the City of Niagara Falls City Council (hereinafter referred to as "City Council") is considering the applications of North East Data LLC for a data center and digital asset mining facility at 5380 Frontier Avenue, Niagara Falls. (the "Action"); and

WHEREAS, the City Council has reviewed the applications and Full Environmental Assessment Form (FEAF) part 1 and other information; and

WHEREAS, the City Council determined that the said Action is classified as a Type I Action under part 617.4 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the City Council has issued a Notice of Intent to Act as Lead Agency for the Project and no involved or interested agency objected to the City Council acting as Lead Agency; and

WHEREAS, the City Council has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in the FEAF part 1 and taken a hard look at the potential impacts of the Action; and

WHEREAS, the City Council has completed part 2 and 3 of the FEAF; and

WHEREAS, a copy of the Full Environmental Assessment Form has been presented to the City Council for consideration, and the Council has considered the comments at the public hearing; and

NOW, THEREFORE BE IT RESOLVED, the City Council hereby designates itself as the lead agency for the described action; and

BE IT FURTHER RESOLVED, the City of Niagara Falls City Council has reasonably concluded that the Action may result in one or more potentially significant adverse impacts and there issues a positive declaration of environmental significance; and

BE IT FURTHER RESOLVED, the Applicant is hereby directed to prepare a Draft Scope for a Draft Environmental Impact Statement; and

BE IT FURTHER RESOLVED, the City Council Chairperson is hereby directed to sign the FEAF part 3 and file with the City Clerk and other necessary agencies as evidence the City Council has determined the proposed action may result in a significant adverse environmental impact.

Bax _____ Cauley _____ Myles _____ Tompkins _____ Zajac _____