

RESOLUTION No. 2023-

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

BY:
Council Member Vincent Cauley

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 there would not be any substantial adverse impact on the following: land use planning or zoning regulations; intensity of use of the land; character or quality of the existing community; environmental characteristics; existing level of traffic or infrastructure, use of energy; public or private water supplies; public or private wastewater treatment utilities; character or quality of important historic, archaeological, architectural or aesthetic resources; natural resources; potential for erosion, flooding or drainage problems; or creation of a hazard to environmental resources or human health; and

BE IT FURTHER RESOLVED, the City Council determines upon the information and analysis documented that the proposed action will not result in any significant adverse environmental impacts; and

Bax _____ Cauley _____ Myles _____ Tompkins _____ Zajac _____

BE IT FURTHER RESOLVED, the City Council does hereby make a Determination of Non-Significance on the proposed Action; 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 will not result in any significant adverse environmental impact;