

Certified to:  
UED, BRIAN THOMAS  
COMPTROLLER  
LAW

AMENDED

# City of Utica Department of Legislation

In Common Council

Utica, N. Y., SEPTEMBER 17, 2014

Resolution 3 Sponsored by: Councilmembers Bucciero, Colosimo-Testa

Declaration of Lead Agency  
For the Purposes of State's Environmental Quality Review Act (SEQRA)

WHEREAS, the State Environmental Quality Review Act (SEQRA) and its implementing regulations, 6 NYCRR Part 617, require that a lead agency be established for conducting environmental review of Type I projects; and

WHEREAS, SEQRA implementing regulations specify that the lead agency is an involved agency principally responsible for undertaking, funding or approving an action, and therefore responsible for determining whether an environmental impact statement is required in connection with the action, and for the preparation and filing of the statement if one is required; and

WHEREAS, the City of Utica received funding through New York State Department of State to implement components of their Utica Harbor Point Master Plan; and

WHEREAS, the City of Utica is an involved agency pursuant to SEQRA, with jurisdiction by law to fund, approve or directly undertake the action; and

WHEREAS, the implementation of the Utica Harbor Point Master Plan is a Type I Action pursuant to SEQRA, which requires a coordinated SEQRA review among involved agencies; and

WHEREAS, the (City) Common Council of the City of Utica did, on August 13, 2014 declare its intent to act Lead Agency for the purposes of initiating a coordinated SEQRA review of potential environmental and socio-economic impacts, which could occur from implementation of the Master Plan, *and having heard*; no objections were received from other involved agencies; and

WHEREAS, the City of Utica Common Council has reviewed the Full Environmental Assessment Form prepared for this Action.

NOW THEREFORE BE IT RESOLVED THAT the City of Utica Common Council of the City of Utica declares itself Lead Agency for the purposes of initiating a coordinated SEQRA review of potential environmental and socio-economic impacts, which could occur from implementation of the Utica Harbor Point Master Plan; and

BE IT FURTHER RESOLVED THAT the Common Council finds that the implementation of the Utica Harbor Point Master Plan may have a significant adverse impact on the environment and a Draft Generic Environmental Impact Statement will be prepared; and

BE IT FURTHER RESOLVED THAT the Common Council is hereby authorized and directed to prepare a SEQRA document entitled "Positive Declaration, Notice of Intent to Prepare a Draft Generic Environmental Impact Statement (DGEIS), Determination of Significance".

Yeas: Councilmembers Vescera, Testa, Flemma, Marino, McKinsey, Colosimo-Testa, Williamson, LoMedico, Bucciero-9

Nays: None.

Adopted.

STATE OF NEW YORK, CITY OF UTICA

CITY CLERK'S OFFICE

} ss.

I hereby certify that I have compared the foregoing copy of an ordinance of the Common Council with the record of proceedings of the Common Council of said City of Utica, duly made and on file in this office, and that the same is a correct transcript therefrom and of the whole of said ordinance.

IN TESTIMONY WHEREOF, I have hereunto affixed the Corporate Seal of said City, and subscribed my name, this 17<sup>th</sup> day of September 2014

Patricia A. Lindsey  
City Clerk.