

**Adopting And Issuing A Negative Declaration Under 6 NYCRR Part 617 State Environmental Quality Review Act (SEQRA) By The Ulster County Legislature For The Construction of Hudson Valley Rail Trail West: Phase 4 - Capital Project No. 451 – Department Of Planning**

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Maloney and Legislators Berky, Delaune, Lapp, Litts, Maio and Rodriguez), The Energy and Environment Committee (Chairman R. Parete and Legislators Bartels, Heppner, Lapp, and Wawro), and The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Loughran, and Maloney)

Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, James F. Maloney, and Deputy Chairman Hector Rodriguez offer the following:

WHEREAS, this resolution has been offered by the County Executive on behalf of the Department of Planning; and

WHEREAS, the Hudson Valley Rail Trail West: Phase 4 (the “Project”) will design and construct a multi-use trail from New Paltz Road to South Street, approximately 1.24-miles, in the Town of Lloyd extending the Hudson Valley Rail Trail (“the HVRT”) westward towards New Paltz and expanding the HVRT to approximately 5.5-miles upon completion of the Town of Lloyd’s pending Phase 3 extension and implementation of the Project; and

WHEREAS, Ulster County was awarded federal Transportation Alternatives Program (TAP) funding for 80% of the costs for the Project and has received a Federal-Aid Local Project Agreement for funding reimbursement for engineering design and right-of way incidental work for the Project (PIN 8761.28); and

WHEREAS, pursuant to Resolution No. 139 passed on April 21, 2015, the Ulster County Legislature established Capital Project No. 451 for the purposes of Design and Right-of-Way (ROW) Incidental Work on the Project; and

WHEREAS, Ulster County and its consultants conducted a Public Information Meeting on the Project on September 30, 2015 to seek comments, and have outreached to federal and state agencies identified as having jurisdiction associated with approvals necessary for the Project to proceed; and

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WHEREAS, as part of the Project approval process the County has completed a Draft Design Report that includes an analysis of impacts to historic and archeological sites, wetlands and water bodies, threatened or endangered species, traffic, and other environmental considerations as required under 6 NYCRR Part 617 of the Regulations of Article 8 of the Environmental Conservation Law of New York State (“SEQRA”); and

WHEREAS, in November 2015, the Draft Design Report was submitted to the New York State Department of Transportation (NYSDOT) for review and comment; and

WHEREAS, Ulster County, in conjunction with its engineering consultants, has determined that the Project as proposed constitutes an Unlisted Action and has conducted an Uncoordinated Review as provided for under SEQRA; and

WHEREAS, Ulster County, in conjunction with its engineering consultants, has addressed all SEQRA issues as identified, considered and examined by the Involved and Interested Agencies and members of the public in conducting the review and in so doing, has taken a hard look at said areas and made a determination of non-significance under SEQRA (“Negative Declaration”), a copy of which is annexed to this Resolution and made a part hereof; now, therefore, be it

RESOLVED, that pursuant to 6 NYCRR Part 617 et seq. of the Regulations of Article 8 of the Environmental Conservation Law of New York State (SEQRA), the Ulster County Legislature hereby adopts and issues the Negative Declaration under SEQRA upon the vote thereupon and the signature of the Ulster County Legislature Chairman herewith; and, be it further

RESOLVED, that Clerk of the Legislature shall file this Resolution and accompanying Negative Declaration with the Involved and Interested Agencies as enumerated in the Negative Declaration; and, be it further

RESOLVED, that the adoption of the Negative Declaration shall constitute the SEQRA Decision of approval for the construction of the Hudson Valley Rail Trail West: Phase 4, together with all plans and documents associated therewith,

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and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:    23                  NOES:    0

Passed Committee: Economic Development, Tourism, Housing, Planning and Transit on January 19, 2016

Passed Committee: Energy and Environment on January 21, 2016

Passed Committee: Public Works and Capital Projects on January 21, 2016

FINANCIAL IMPACT:  
NONE

STATE OF NEW YORK  
  ss:  
COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 26<sup>th</sup> Day of January in the year Two Thousand and Sixteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 29<sup>th</sup> Day of January in the year Two Thousand and Sixteen.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
29<sup>th</sup> Day of January, 2016.

Approved by the County Executive this  
5<sup>th</sup> Day of February, 2016.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

|s| Michael P. Hein  
Michael P. Hein, County Executive