

**Setting A Public Hearing On Proposed Type II Actions SEQRA For
The County Of Ulster On Wednesday, February 3, 2010 At 6:00 PM**

The Environmental Committee (Chairman Shapiro and Legislators Bischoff, Richard Parete, Rodriguez, Fabiano, Petit and Roberts) offers the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of the Environment, and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York and Title 6, Part 617 of New York Codes, Rules and Regulations (more commonly known as the State Environmental Quality Review Act and hereinafter referred to as "SEQRA") all agencies, including the County, must comply with this Act, and

WHEREAS, pursuant to 6 NYCRR § 617.14(e) of SEQRA, all agencies are subject to the Type I and Type II SEQRA lists, but each may adopt its own lists of Type I and Type II actions so long as (1) such lists include all the actions specified in the SEQRA lists, (2) the environmental criteria to be applied to the listed actions are no less protective than the environmental criteria in the SEQRA Type I and Type II actions, and (3) such lists are adopted in accordance with SEQRA criteria, and

WHEREAS, 6 NYCRR § 617.14(f) requires that a public hearing must be held prior to the adoption of such SEQRA local procedures, and further requires that the County file the adopted procedures with the Commissioner of the New York State Department of Environmental Conservation, after the public hearing, and

WHEREAS, the Ulster County Department of the Environment has promulgated local procedures that would amend the Type II list for the County of Ulster in conformity with SEQRA, a copy of which is annexed hereto and made a part hereof, and

WHEREAS, the Ulster County Department of the Environment recommends the adoption of the annexed Type II list in that it provides for (1) a more comprehensive review of environmental matters and impacts that may affect the County, and (2) a more efficient review process, and

WHEREAS, the Environmental Committee has met and reviewed said request with a majority of members voting approval, and

WHEREAS, the Laws and Rules Committee has met and reviewed said request with a majority of members voting approval, now, therefore, be it

RESOLVED, that the Clerk of the Ulster County Legislature is directed to cause a legal notice of said Public Hearing to be published according to law, and, be

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it further

RESOLVED, that said Public Hearing on the proposed Ulster County Type II list will be held on Wednesday, February 3, 2010 at 6:00 PM in the Legislative Chambers, Ulster County Office Building, 244 Fair Street, Kingston, New York,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Legislator Rodriguez motioned, seconded by Legislator Sheeley to refer resolution back to the Environmental Committee.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 25

NOES: 0

(Absent: Legislators Aiello, Briggs, Dart, Felicello,
Loughran, Shapiro and Stoeckeler)

FINANCIAL IMPACT:

\$300.00 – APPROXIMATE ADVERTISING COSTS

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REFERRED BACK TO COMMITTEE