

24-02-01

**RESOLUTION CLARIFYING THAT THE REHABILITATION OF THE
INDIAN LAKE DAM IS A SEQRA TYPE II ACTION**

WHEREAS, the Regulating District provides public health and safety benefits in the areas of flood protection and flow augmentation through the operation of storage reservoirs; and

WHEREAS, the Regulating District operates, maintains, repairs and rehabilitates water-retaining infrastructure in support of its mission; and

WHEREAS, the Regulating District endeavors to comply with the highest dam safety standards, as established through and regulated by New York State and Federal agencies; and

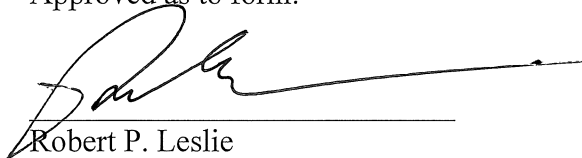
WHEREAS, pursuant to New York State’s SEQRA Regulations (6 CRR-NY 617.5), the *“replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part”* is categorized as a “Type II” activity;

WHEREAS, at its August 1, 2023 regular meeting, the Board determined that the project to rehabilitate the Indian Lake Dam is a Type II action which will not have a significant adverse impact on the environment and as such did not require the preparation of an EIS; and

WHEREAS, the Board unanimously approved a resolution authorizing a contract with C.D. Perry, LLC for an amount not-to-exceed \$10,834,860.17 for the Indian Lake Dam rehabilitation project (the “project”); and

NOW THEREFORE BE IT RESOLVED, that that the Board of the Hudson River – Black River Regulating District clarifies that the rehabilitation of Indian Lake Dam is a “Type II” action for purposes of the State Environmental Quality Review Act.

Approved as to form:



Robert P. Leslie

General Counsel

Motion was made by Mr. Hayes and seconded by Mr. DeWitt that the Resolution be approved.

Present and voting:

| <u>MEMBER</u> | <u>AYE</u> | <u>NOE</u> | <u>ABSTAIN</u> |
|------------------|---------------|---------------|----------------|
| Mr. Finkle..... | <u> X </u> | <u> </u> | <u> </u> |
| Mr. Hayes..... | <u> X </u> | <u> </u> | <u> </u> |
| Mr. DeWitt..... | <u> X </u> | <u> </u> | <u> </u> |
| Mr. Bird..... | <u> X </u> | <u> </u> | <u> </u> |
| Mr. Candido..... | <u> </u> | <u> </u> | <u> </u> |
| Mr. Reagan..... | <u> </u> | <u> </u> | <u> </u> |
| Ms. Allen..... | <u> X </u> | <u> </u> | <u> </u> |