

**ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RESOLUTION DECLARING ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT
AGENCY'S INTENT TO BE LEAD AGENCY FOR SEQRA REVIEW OF THE NY
INDEPENDENCE STATE ROUTE 248 SOLAR LLC SOLAR ENERGY PROJECT
IN THE TOWN OF INDEPENDENCE, ALLEGANY COUNTY**

WHEREAS, the Allegany County Industrial Development Agency (the "Agency") is considering an application for financial assistance from the from the NY Independence State Route 248 Solar LLC for a 1.5 MW ac solar energy facility in the Town of Independence, Allegany County under which the Agency is considering undertaking a project (the "Project"), said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 15 acre portion of an approximately 262 acre parcel of land (portion of Tax Map Number 268.1-11.2) located at 1550 State Route 248 in the Town of Independence, Allegany County, New York (the "Land"), (2) the construction on the Land of an approximately 1.5 MWAC solar energy generating facility, associated electrical appurtenances and any other required improvements (all said improvements being collectively referred to as the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (the "Equipment"), all of the foregoing to constitute a solar energy generating facility to be owned and operated by the Project Company (the Land, Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes and mortgage recording taxes; and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Project Company or such other person as may be designated by the Project Company and agreed upon by the Agency; and;

WHEREAS, the Agency has determined that the proposed Project is subject to the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law) and its implementing regulations (6 NYCRR Part 617) (collectively, "SEQRA"); and

WHEREAS, the Agency determines that the proposed Project is a Type I Action under SEQRA; and

WHEREAS, pursuant to SEQRA, the Agency desires to act as the Lead Agency for the proposed Project and to conduct a coordinated review of the action with all Involved and Interested Agencies; and

WHEREAS, SEQRA requires the Agency to distribute Part 1 of the EAF related to the proposed action to all Involved and Interested Agencies and notify them of the Agency's intent to act as lead agency.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Agency declares its intent to be Lead Agency for the SEQRA review for this Type I action.
2. The applicant and Agency Counsel shall coordinate the issuing of the Notice of Intent to all Involved and Interested Agencies, accompanied by the EAF Part I, requesting that all involved and interested agencies agree to the Agency serving as Lead Agency.
3. This resolution is to take effect immediately.

PASSED AND ADOPTED BY THE ALLEGANY COUNTY INDUSTRIAL
DEVELOPMENT AGENCY on the 14th of January, 2021.