

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  
~~City~~ of CLINTON  
~~Town~~  
~~Village~~

Local Law No. 1 of the year 19 77

A local law "ENVIRONMENTAL QUALITY REVIEW ACT"

(Insert title)  
pursuant to Article 8 of the New York Environmental Conservation Law providing for environmental quality review of actions which may have a significant effect on the environment.

Be it enacted by the COUNTY LEGISLATURE of the  
(Name of Legislative Body)

County  
~~City~~ of CLINTON as follows:  
~~Town~~  
~~Village~~

Section 1. (a) Unless the context shall otherwise require, the terms, phrases, words and their derivatives used in this local law shall have the same meaning as those defined in Section 8-0105 of the Environmental Conservation Law and Part 617 of Title 6 NYCRR.

(b) "County", "city", "town", "village" shall mean the County of Clinton.

Section 2: No decision to carry out or approve an action other than an action listed in Section 3(b) hereof or Section 617.12 of 6 NYCRR as Type II action, shall be made by the County or by any department, board, commission, officer or employee of the County until there has been full compliance with all requirements of this local law and Part 617 of Title 6 NYCRR, provided, however, that nothing herein shall be construed as prohibiting.

(a) the conducting of contemporaneous environmental, engineering, economic feasibility or other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action which do not commit the County to approve, commence or engage in such action, or

(b) the granting of any part of an application which relates only to technical specifications and requirements, provided that no such partial approval shall entitle or permit the applicant to commence the action until all requirements of this local law and Part 617 of Title 6 NYCRR have been fulfilled.

Section 3. (a) Consistent with Part 617 of Title 6 NYCRR and the criteria therein, the following actions, in addition to those listed in Section 617.12 of Title 6 NYCRR as Type I actions, are likely to have a significant effect on the environment:

(b) Consistent with Part 617 of Title 6 NYCRR and the criteria therein, the following actions, in addition to those listed in Section 617.12 of Title 7 NYCRR as Type II actions, are deemed not to have a significant effect on the environment:

(If additional space is needed, please attach sheets of the same size as this and number each)

Section 4. For the purpose of assisting in the determination of whether an action may or will not have a significant effect on the environment, applicants for permits or other approvals shall file a written statement with the County setting forth the name of the applicant; the location of the real property affected, if any; a description of the nature of the proposed action; and the effect it may have on the environment. In addition, applicants may include a detailed statement of the reasons why, in their view, a proposed action may or will not have a significant effect on the environment. Where the action involves an application, the statement shall be filed simultaneously with the application for the action. The statement provided herein shall be upon a form prescribed by the County and shall contain such additional relevant information as shall be required in the prescribed form. Such statement shall be accompanied by drawings, sketches and maps, if any, together with any other relevant explanatory material required by the County.

Section 5. (a) The County shall render a written determination on such application within 15 days following receipt of a complete application and statement, provided, however, that such period may be extended by mutual agreement of the applicant and the County. The determination shall state whether such proposed action may or will not have significant effect on the environment. The County may hold informal meetings with the applicant and may meet with and consult any other person for the purpose of aiding it in making a determination on the application.

(b) The time limitations provided in this local law shall be coordinated with, to the extent practicable, other time limitations provided by statute or local law, ordinance or regulation of the County.

Section 6. Every application for determination under this local law shall be accompanied by a reasonable fee set forth in this section to defray the expenses incurred in rendering such determination. Such fees shall not exceed the actual cost to the County as is set forth in Article 8 of the Environmental Conservation Law.

Section 7. If the County determines that the proposed action is not an exempt action, not an action listed in Section 3(b) hereof or Section 617.12 of Title 6 of NYCRR as a Type II action and that it will not have significant effect on the environment, the County shall prepare, file and circulate such determination as provided in Section 617.7(b) of Title 6 NYCRR and thereafter the proposed action may be processed without further regard to this local law. If the County determines that the proposed action may have a significant effect on the environment, the County shall prepare, file and circulate such determination as provided in 617.7 (b) of Title 6 NYCRR and thereafter the proposed action shall be reviewed and processed in accordance with the provisions of this local law and part 617 of Title 6 NYCRR.

Section 8. Following a determination that a proposed action may have a significant effect on the environment, the County shall, in accordance with the provision of Part 617 of Title 6 NYCRR:

(a) in the case of an action involving an applicant, immediately notify the applicant of the determination and shall request the applicant to prepare an environmental impact report in the form of a draft environmental impact statement or

(b) in the case of an action not involving an applicant, shall prepare a draft environmental impact statement. If the applicant decides not to submit an environmental impact report, the County shall prepare or cause to be prepared the draft environmental impact statement, or in its discretion notify

the applicant that the processing of the application will cease and that no approval will be issued. The County may require an applicant to submit a fee to defray the expense of preparing a draft environmental impact statement or reviewing same if it is prepared by the applicant. Such fees shall be those actually incurred or reasonably incurred by the County.

Section 9. Where more than one agency is involved in an action, the procedures of Sections 617.4 and 617.8 of Part 617 of Title 6 NYCRR shall be followed.

Section 10. Actions undertaken or approved prior to the dates specified in Article 8 of the environmental conservation law for local agencies shall be exempt from this local law and the provisions of Article 8 of the environmental conservation law and Part 617 of Title 6 NYCRR, provided, however, that if, after such date a county modifies an action undertaken or approved prior to that date and the County determines that the modification may have a significant adverse effect on the environment, such modification shall be an action subject to this local law and Part 617 of Title 6 NYCRR.

(a) The County Planning Board is assigned the official county agency hereunder.

Section 11. This local law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 1977.  
County  
~~City~~ of Clinton was duly passed by the County Legislature  
~~Town~~ ~~Village~~ (Name of Legislative Body)  
on March 30 1977 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, \* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_  
County  
City of \_\_\_\_\_ was duly passed by the \_\_\_\_\_  
Town (Name of Legislative Body)  
Village  
on \_\_\_\_\_ 19\_\_\_\_\_, not disapproved and was approved by the \_\_\_\_\_  
repassed after disapproval Elective Chief Executive Officer \*  
and was deemed duly adopted on \_\_\_\_\_ 19\_\_\_\_\_, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_  
County  
City of \_\_\_\_\_ was duly passed by the \_\_\_\_\_  
Town (Name of Legislative Body)  
Village  
on \_\_\_\_\_ 19\_\_\_\_\_, not disapproved and was approved by the \_\_\_\_\_  
repassed after disapproval Elective Chief Executive Officer \*  
on \_\_\_\_\_ 19\_\_\_\_\_. Such local law was submitted to the people by reason of a  
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting  
permissive general  
thereon at the special election held on \_\_\_\_\_ 19\_\_\_\_\_, in accordance with the appli-  
annual  
cable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_  
County  
City of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_  
Town (Name of Legislative Body)  
Village  
\_\_\_\_\_ 19\_\_\_\_\_, not disapproved and was approved by the \_\_\_\_\_ on \_\_\_\_\_  
repassed after disapproval Elective Chief Executive Officer \*  
\_\_\_\_\_ 19\_\_\_\_\_. Such local law being subject to a permissive referendum and no  
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on  
\_\_\_\_\_ 19\_\_\_\_\_, in accordance with the applicable provisions of law.

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on ..... 19..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. .... of 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19 ....., pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ..... above.

*Francis E Broderick*  
Clerk of the County legislative body, ~~City, Town or Village Clerk or~~  
officer designated by local legislative body

Date: April 7, 1977.

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK  
COUNTY OF CLINTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

*[Signature]*  
Signature  
COUNTY ATTORNEY  
Title

Date: April 7, 1977

County  
~~City~~ of CLINTON  
~~Town~~  
~~Village~~