

**RESOLUTION FOR SCHEDULING A PUBLIC HEARING
TO CONSIDER REVISION TO THE BUFFALO WATER
BOARD SCHEDULE OF RATES, FEES AND CHARGES
AND DESIGNATION AS LEAD AGENCY PURSUANT TO
STATE ENVIRONMENTAL QUALITY REVIEW ACT**

WHEREAS, the Buffalo Water Board (the “Board”) was created by the New York State Public Authorities Law (the “Public Authorities Law”) Section 1049, and is authorized and empowered to establish, fix and revise a Schedule of Rates, Fees and Charges, which Schedule must be at least sufficient so that the water treatment plant, water distribution system and related water facilities of the Board (the “System”) shall be self-sustaining in accordance with Public Authorities Law Section 1048-j; and

WHEREAS, the Board is required by the Public Authorities Law to conduct a public hearing before adopting a revision to the Board’s Schedule of Rates, Fees and Charges to provide an opportunity to all persons served by the System to comment on any proposed revision to such Schedule of Rates, Fees and Charges;

WHEREAS, the Board plans to conduct a public hearing at which the Board will be present and interested persons will be provided an opportunity to review and comment on the Board’s proposal to revise the Board’s Schedule of Rates, Fees and Charges; and

WHEREAS, the Board hereby designates itself as the lead agency pursuant to the State Environmental Quality Review Act (“SEQRA”), with respect to the action to adopt a revised Schedule of Rates, Fees and Charges, and a notice of such lead agency designation will be sent to various involved and interested agencies.

NOW, THEREFORE, be it resolved as follows:

1. The Board hereby determines that it will serve as the lead agency pursuant to the State Environmental Quality Review Act (“SEQRA”), with respect to the action to adopt a revised Schedule of Rates, Fees and Charges, which is hereby determined to be an unlisted action pursuant to SEQRA, and the Board has identified potentially involved and interested agencies to whom a notice of this resolution will be delivered.

1. The Board does hereby schedule a public hearing to take place on Wednesday, August 16, 2023 beginning at 9:00 a.m., at the Colonel Ward Treatment Plant Conference room located at the Foot of Porter Avenue, Buffalo, New York, and to the extent feasible by remote video and audio conference at which time the public will have an opportunity to be heard with regard to the Board’s proposed revision to the Board’s Schedule of Rates, Fees and Charges to become effective October 1, 2023.

2. The Chairperson of the Board, or such other person as he may designate is authorized to publish notice of such public hearing as required by section 1048-j of the Public Authorities Law, and to take such other actions or publish such other notices which may be required or be appropriate to comply with applicable law with respect to such public hearing and revision of the Board’s Schedule of Rates, Fees and Charges. A copy of the proposed revision of the Board’s Schedule of Rates, Fees and Charges shall be posted on the Buffalo Water Board

website and will be available for inspection at the Office of the Secretary of the Buffalo Water Board at 602 City Hall, Buffalo, New York and the Office of the City Clerk at 1308 City Hall, Buffalo, New York.

3. The question of the adoption of the foregoing resolution was duly put to a vote of the members of the Board which was adopted by unanimous vote of the members present.

At a meeting of the Buffalo Water Board, convened in public session at the Colonel Ward Treatment Plant, Foot of Porter Avenue, Buffalo, New York on July 17, 2023, the foregoing resolution was offered by William L. SWERLIN, and seconded by DENINE N. JACKSON, and with a quorum present throughout such resolution was duly adopted by the Buffalo Water Board.

CERTIFICATION

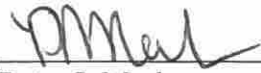
STATE OF NEW YORK)
) SS.:
COUNTY OF ERIE)

I, the undersigned Secretary of the Buffalo Water Board (the "Board"), DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Board, including the resolution contained therein, held the 17th day of July, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Board and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting, said meeting was duly held, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and public notice of the time and place of said meeting was duly given in accordance with such Article 7, and there was a quorum of the members of the Board present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of July, 2023.



Peter J. Merlo,
Secretary of the Board

NOTICE OF PUBLIC HEARING

Pursuant to Section 1048-j of the New York State Public Authorities Law, the Buffalo Water Board hereby gives notice of a public hearing at which the public will have an opportunity to be heard on a proposed revision of the Buffalo Water Board's Schedule of Rates, Fees and Charges:

Date and Time: Wednesday, August 16, 2023, beginning at 9:00 a.m.

Place: Colonel Ward Water Treatment Plant (Conference Room)
Foot of Porter Avenue, Buffalo, New York, and also available by remote video and audio conference, by computer access "MS Teams" link: [City of Buffalo and Buffalo Water Board Public Hearing Link](#), or by Toll Free Conference Call: to (347) 918-4875, Conference Code ID: 671 075 192#.

The Colonel Ward Water Treatment Plant has free parking and is accessible for disabled persons. Visitors must register upon arrival at the Security Booth at the entrance to the Plant and will be directed for the parking location and entrance. Please check the Buffalo Water website www.buffalowater.org for further instructions or for any changes to the location, date or time of hearing, and any updated information.

Matter and Purpose: The Buffalo Water Board will consider an adjustment and revision of the Schedule of Rates, Fees and Charges to be charged to all persons who use the Buffalo Water System, as of October 1, 2023. A copy of the proposed Schedule of Rates, Fees and Charges is available for public inspection at the office of the City Clerk at 1308 City Hall, Buffalo, New York 14202, the office of the Buffalo Water Board at 602 City Hall, Buffalo, New York 14202 and at www.buffalowater.org.

Buffalo Water Board
602 City Hall
65 Niagara Square,
Buffalo, New York 14202
(716) 851-4771
Contact: Peter J. Merlo, P.E., Secretary
pmerlo@city-buffalo.com

Additional information will be available at www.buffalowater.org

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: Adoption of schedule of rates, fees and charges.							
Project Location (describe, and attach a location map): City of Buffalo in the County of Erie.							
Brief Description of Proposed Action: The Buffalo Water Board, as the owner of the water system that serves the residents of the city of Buffalo is authorized pursuant to the New York State Public Authorities Law (section 1048-j) to adopt and/or revise a schedule of rates fees and charges. The action proposes to revise the existing schedule to become effective October 1, 2023.							
Name of Applicant or Sponsor: Buffalo Water Board		Telephone: 716 – 851 – 5636 E-Mail: pmerlo@city-buffalo.com					
Address: 502 City Hall							
City/PO: Buffalo		State: New York	Zip Code: 14202				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		26,880 acres					
b. Total acreage to be physically disturbed?		none acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		N/A acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>Action applies to all property within the city.</u> <input checked="" type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Buffalo Water Board</u> Date: <u>July 17, 2023</u></p> <p>Signature: <u></u></p>		