

 <b>Adirondack Park Agency</b>  P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 (518) 891-4050 · Fax: (518) 891-3938 www.apa.ny.gov	<b>DRAFT</b> <b>Resolution and Order</b>	Date Issued:
	In the Matter of the Re-issuance of General Permit 2014G-2 for Access to and Replacement of Utility Poles in Wetlands	

**WHEREAS:**

1. This document constitutes a Resolution, Findings and Order for General Permit 2017G-1.
2. Section 809(13)(e) of the Adirondack Park Agency Act states that the Agency shall have authority in connection with its project review jurisdiction “to issue a general permit for any class of projects concerning which the agency determines it may make the requisite statutory findings on a general basis.”
3. Section 572.23(b) of Agency regulations states that the Agency may propose issuance of a general permit by the adoption of a resolution specifying the applicable geographic area, time period, basis of jurisdiction, activity and probable frequency, and proposed findings of fact, conclusions of law, and mitigating conditions.
4. The general permit titled “Access to and Replacement of Utility Poles in Wetlands” indicates that the permit will:
  - a) Be available for use throughout the Adirondack Park;
  - b) Be effective from the date of issuance unless otherwise modified or revoked by the Agency;
  - c) Authorize jurisdictional activities pursuant to Article 24 of the Environmental Conservation Law, §§ 809(2)(a) and 810(1) of the APA Act, and 9 NYCRR §§ 570.2, 578.2(a), and 578.3(n)(1) and (2);
  - d) Allow for regional and municipal utility companies to replace utility poles in wetlands and/or establish temporary structures in wetlands to access utility poles for approximately 15 projects per year; and
  - e) Include relevant findings of fact, conclusions of law, and mitigating conditions.
5. Pursuant to Section 572.23(c) of Agency regulations, the general permit titled “Access to and Replacement of Utility Poles in Wetlands” was publically noticed in the Environmental Notice Bulletin, in newspapers of general circulation both inside and outside the Park, with the Adirondack Park Local Government Review Board, was provided for public review and comment beginning at the May 11 and 12, 2017 Agency meeting and a minimum 30 day comment period has expired.
6. Upon adoption of this Resolution approving the general permit, notice shall be published in the same manner as Paragraph 5 above.

7. Pursuant to 6 NYCRR 617.5(26), renewal of General Permit 2014G-2 titled “Access to and Replacement of Utility Poles in Wetlands” is a type 2 action for purposes of the State Environmental Quality Review Act, and no further documentation is required.

IT IS HEREBY RESOLVED THAT:

The Agency, having considered the information set forth above, the text of the general permit for the “Access to and Replacement of Utility Poles in Wetlands,” and the statutory and regulatory criteria set forth in Section 809(13)(e) of the APA Act, ECL Article 24, and 9 NYCRR Section 572.23, authorizes the Deputy Director, Regulatory Programs, to issue General Permit 2017G-1 and cause it to be recorded in all county clerk’s offices within the Adirondack Park.