

RESOLUTION AUTHORIZING TOWN SUPERVISOR TO EXECUTE AGREEMENT WITH ONTARIO COUNTY SOIL AND WATER CONSERVATION DISTRICT AND THE U.S. FISH AND WILDLIFE SERVICE TO COMPLETE HABITAT IMPROVEMENTS ON MILL CREEK

WHEREAS, the Ontario County Soil and Water Conservation District (“OCSWCD”) and the U.S. Fish and Wildlife Service (“USFWS”) have offered to work with the Town of Richmond (“Town”) to make certain wildlife habitat improvements on Mill Creek between East Lake Road and Honeoye Creek and has requested the Town, as owner of real property within the improvement area, execute an Partners for Fish and Wildlife Program Landowner Agreement (“Agreement”) attached hereto; and

WHEREAS, the Agreement is presented and authorized pursuant to authority contained in the Partners for Fish and Wildlife Act (P.L. 109-294), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) and the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-j), as amended; and

WHEREAS, this project was selected because the Town shares a common objective with OCSWCD and USFWS to restore habitat for the benefit of Federal trust species and the project supports priority actions identified in the Regional Partners for Fish and Wildlife (Partners) Program Strategic Plan; and

WHEREAS, by agreeing to participate in the wildlife improvement program, the Town grants to the USFWS and OCSWCD the authority to complete the habitat improvement project or may itself carry out management activities with financial or material support to be provided; and

WHEREAS, the Agreement may be terminated by either party upon 30 days advance written notice to the other parties; and

WHEREAS, the Town is not responsible for any costs unless it materially defaults on its commitments, such as interference with the restored habitat during the habitat retention period; and

WHEREAS, the Town Board has reviewed the Agreement and determines that the habitat improvement project is beneficial to the Town, particularly the owners of real property abutting the creek; and

WHEREAS, the habitat improvement project cannot be completed until separate Agreements, similar to the Town’s Agreement, are entered into between the private owners of real property within the improvement area and OCSWCD and USFWS; and

WHEREAS, the Town Board determines that the action is a Type II action under the State Environmental Quality Review Act (“SEQRA”) and, accordingly, no further action pursuant to SEQRA is required; and therefore

BE IT RESOLVED that the Supervisor is authorized to execute an Agreement authorizing the Ontario County Soil and Water Conservation District and the U.S. Fish and Wildlife Service to proceed with wildlife habitat improvements on Mill Creek between East Lake Road and Honeoye Creek.