RESOLUTION

The Tompkins County Industrial Development Agency met in regular session in Legislative Chambers, Governor Daniel D. Tompkins Building, 121 E. Court Street, Town of Ithaca, New York, on March 9, 2017 at 4:00 p.m., local time.

The meeting was called to order by Chair Jim Dennis and, upon roll being called, the following were:

PRESENT: Jim Dennis
          Martha Robertson
          Svante-Myriek
          Will Burbank
          Grace-Chiang
          Jennifer Tavares
          Rieh John

ABSENT: Svante Myriek, Grace Chiang, Rieh John

Jim Dennis Presented the following Resolution which was seconded by Will Burbank.

RESOLUTION OF THE TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY ISSUING “NEGATIVE DECLARATION” PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATIVE TO THE PROPOSED PROJECT

WHEREAS, Delaware River Solar, LLC has requested the Tompkins County Industrial Development Agency’s assistance with a certain project consisting of a new solar energy system (ground-mounted photovoltaic system), to be known as the Millard Hill Road Solar Farm, on a 99.84 acres in the Town of Newfield, identified on the Town of Newfield Tax Map 3.-1-26.1, 3.-1-26.11, 3.-1-26.12, 3.-1-26.13 and 3.-1-26.14 (the latter four parcels subdivided from the original parcel 3.-1-26.1), which Project will include installation of deer fencing surrounding the solar energy system, a visual screening line, construction of temporary access roads and a staging area, and which will disturb approximately 42 acres (the “Project”);

WHEREAS, the Agency determined that Part 1 of the Full Environmental Assessment Form (“FEAF”) should be prepared pursuant to the State Environmental Quality Review Act (hereinafter “SEQRA”), to fully detail the components of the Project;

WHEREAS, Part 1 of the FEAF, having been reviewed and considered by the Agency at its January 12, 2017, meeting, appeared adequate and accurate relative to the Project;

{H3018534.1}
WHEREAS, the Agency has identified the Town of Newfield; Town of Newfield Planning Agency; Tompkins County Planning Department; New York State Department of Environmental Conservation; New York State Office of Parks, Recreation and Historic Preservation; New York State Energy Research and Development Agency; and the New York Public Service Commission as the Interested and Involved Agencies relative to the Project (hereinafter the “Interested and Involved Agencies”);

WHEREAS, the Agency forwarded a copy of the Part 1 of the EAF to the Interested and Involved Agencies along with the notice of the Agency’s intent, absent any objection from the involved Agencies, to establish itself SEQRA Lead Agency relative to the project;

WHEREAS, no Involved Agencies objected to the establishment of the Agency as Lead Agency relative to the Project; and

WHEREAS, the Project is a “Type I Action” pursuant to 6 NYCRR §617.2(ai) and therefore coordinated SEQRA review is required;

WHEREAS, the Agency declared itself the Lead Agency on March 9, 2017;

WHEREAS, the Agency caused Part 2 and 3 of the EAF to be prepared for the Project; and

WHEREAS, the Agency now desires to make its determination of significance in accordance with the SEQRA Regulations at 6 NYCRR §617.7.

NOW, THEREFORE, BE IT RESOLVED BY THE TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

1. Part 2 of the EAF, attached hereto as Exhibit 1 is hereby accepted by the Agency.

2. Based upon a thorough examination and analysis of the EAF and review of the SEQRA regulations at 6 NYCRR §617.7 and based further on comments received from Involved and Interested Agencies, the Agency’s knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the Agency has deemed appropriate, the Agency has identified the following relevant areas of environmental concern and makes the following findings with respect to the Project, which are set forth in more detail in Part 3 of the EAF attached hereto as Exhibit 2:

   i. The Project will not otherwise cause a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, or substantial increase in potential for erosion, flooding, leaching or drainage problems;

   {H3018534.1}
ii. The Project will not cause the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;

iii. The Project will not cause the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6NYCRR §617.14(g) of this Part;

iv. The Project will be undertaken will not cause the creation of a material conflict with a community’s current plans or goals as officially approved or adopted;

v. The Project will not cause the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

vi. The Project will not cause a major change in the use of either the quantity or type of energy;

vii. The Project will have a positive impact on human health;

viii. The Project will not cause a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

ix. The Project will not cause the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the Project;

x. The Project will not cause the creation of a material demand for other actions that would result in one of the above consequences;

xi. The Project will not cause changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

xii. The Project is not one of two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in 6 NYCRR §617.7.
3. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Agency makes the following findings and determinations with respect to the Project:

a. The Project constitutes a "Type I Action" as said quoted term is defined in the SEQRA regulations at 6 NYCRR §617.2(ai) and therefore coordinated review is required;

b. The Project will result in no significant environmental impacts and, therefore, is one which will not have a significant effect on the environment. Therefore, the Agency hereby determines that the Project will not have a significant effect on the environment, and the Agency will not require the preparation of an "Environmental Impact Statement" with respect to the Project; and

c. As a consequence of the foregoing, the Agency has decided to prepare a "Negative Declaration" with respect to the Project, a copy of which is attached hereto as Exhibit 3.

4. The Agency is hereby directed to file a "Negative Declaration" (a) for publication in the Environmental News Bulletin ("ENB"), (b) in the main office of the Agency, and (c) to provide a copy of the "Negative Declaration" to all Involved and Interested Agencies.

5. This Resolution shall take effect immediately.

THE FOREGOING RESOLUTION, was put to vote as follows:

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<thead>
<tr>
<th>Name</th>
<th>Vote</th>
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<tbody>
<tr>
<td>Jim Dennis, Chair</td>
<td>YES</td>
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<tr>
<td>Martha Robertson, Vice Chair</td>
<td>YES</td>
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<tr>
<td>Svante Myrick, Secretary</td>
<td>ABSENT</td>
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<tr>
<td>Will Burbank</td>
<td>YES</td>
</tr>
<tr>
<td>Grace Chiang</td>
<td>ABSENT</td>
</tr>
<tr>
<td>Jennifer Tavares</td>
<td>YES</td>
</tr>
<tr>
<td>Rich John</td>
<td>ABSENT</td>
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{H3018534.1}
STATE OF NEW YORK  )
COUNTY OF TOMPKINS ) ss:

I, the undersigned Secretary of the Tompkins County Industrial Development Agency
DO HEREBY CERTIFY:

That I have compared the foregoing copy of minutes of the meeting of the members of
the Tompkins County Industrial Development Agency Board (the “Board”), including the
Resolution contained therein, held on March 9, 2017, with the original thereof on file in my
office, and that the same is a true and correct copy of said original and of the whole of said
original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (i) all members of the Board had due notice of said
meeting, (ii) said meeting was in all respect duly held, (iii) pursuant to Section 104 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 given in accordance with said Section 104 and
(iv) 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 and affixed the seal of the
District this ___ day of March, 2017.

Tompkins County Industrial Development Agency

By: Jim Dennis

Secretary of the Agency