

AFFIDAVIT OF PUBLICATION

NEW YORK,

County, ss:
Hudson Valley

I, **Michelle Sisco-Martin** residing in Kingston, New York, duly sworn, deposes and says that she is the Real Legal Clerk of **Media News Group**, a Corporation organized under the laws of the State of New York; that said Corporation is the publisher of **The Daily Freeman**, a daily newspaper published in the City of Kingston, County of Ulster and State of New York, and that the notice of which the annexed is a printed copy, has been regularly published in **The Daily Freeman**.

Once Daily for One Day

To wit: 07/21/23

LEGAL NOTICE
New York State Department of Environmental Conservation
Notice of Complete Application
Date: 07/19/2023

Applicant: Arizona Hudson Valley LLC
7 Mercer St Fl 2
New York, NY 10013

Facility: Arizona Hudson Valley
198 Heritage Dr
Hurley, NY 12443

Application ID:
3-5128-00086/00002

Permits(s) Applied for:
1 - Article 11 Endangered/Threatened Species (Incidental Take)
1 - Article 17 Titles 7 & 8 P/C/1 SPDES - Surface Discharge
1 - Article 15 Title 5 Excavation & Fill in Navigable Waters
1 - Article 15 Title 5 Stream Disturbance

Project is located:
in HURLEY in ULSTER COUNTY

Project Description:
The applicant, Arizona Hudson Valley LLC, proposes to renovate an existing resort facility located at 198 Heritage Drive in the Town of Hurley, Ulster County, the former Twin Lakes Resort. Existing buildings will be renovated or rehabilitated. New construction includes 48 mobile cabins, a wastewater treatment plant, a parking lot, and driveways. Actions specific to DEC permit jurisdiction are as follows:

Endangered and Threatened Species
The applicant proposes an incidental taking of the endangered northern cricket frog (*Acris crepitans*). The take includes the adverse modification of, and impairment of essential behaviors on, six acres of occupied habitat. In addition to minimizing impacts, the proposed Net Conservation Benefit includes 22 acres of the site placed in conservation easement, conducting a post-construction study to develop a management plan for the site, and restoring areas of disturbance to previously existing conditions to maximum practicable extent.

Protection of Waters
The applicant proposes disturbance to approximately 20 linear feet of a tributary of First Lake, a Class A waterbody, for installation of a dry hydrant.

State Pollutant Discharge Elimination System
The Department has prepared a draft permit and has made a tentative determination, subject to public comment or other information, to approve a proposed discharge of 18,500 gallons per day (GPD) of treated sanitary wastewater to an unnamed tributary of First Lake, a Class A waterbody, from a secondary treatment plant on the property.

The draft SPDES permit with fact sheet is available online at <https://dec.ny.gov/its/projects/draftpermits>. The draft permit files are contained within regional folders and named by the SPDES number contained in this notice.

Requests for a legislative (public statement) hearing must be sent in writing to the DEC contact person below by the comment deadline. The Department assesses such requests pursuant to 6 NYCRR Section 621.8. Refer to this application by the application number listed above and SPDES Number NY0281557.

Availability of Application Documents:
Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

State Environmental Quality Review (SEQR) Determination
Project is a Type I action and will not have a significant effect on the environment. A coordinated review with other involved agencies was performed and a Negative Declaration is on file.

SEQR Lead Agency Hurley Town Planning Board
State Historic Preservation Act (SHPA) Determination
Evaluation using a Structural-Archaeological Assessment Firm or other information has concluded that the proposed activity will not impact registered, eligible or inventoried archaeological sites or historic structures.

DEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)
The proposed action is subject to CP-29.

Availability For Public Comment
Comments on this project must be submitted in writing to the Contact Person no later than 08/25/2023 or 30 days after the publication date of this notice, whichever is later.

Contact Person
VICTORIA A LAWRENCE
NYSDEC
21 S Putt Comers Rd New Paltz, NY 12551
7/21/23
#NY0087639

Michelle Sisco-Martin

Sworn to before me this
07/21/23

Kathi L. Davis
Notary Public

Affidavit Mailing Address
2497473 - I W/VO
KATHI L. DAVIS
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01DA6410130
Qualified in Ulster County
Commission Expires OCTOBER 19, 2024