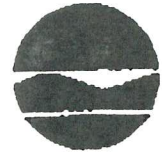


New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233



Thomas C. Jorling
Commissioner

D

December 24, 1990

William G. Mayer
Attorney
Route 34B
Post Office Box 33
King Ferry, NY 13081

Dear Mr. Mayer:

Enclosed is, I hope, the final draft of the Agreement of Cooperation Between the Keuka Lake Compact and the State of New York. Please review it and call me if you have questions. If this draft is satisfactory to the members of the compact, we can proceed with execution of the agreement.

Sincerely,

Richard L. Konsella
Richard L. Konsella, P.E.
Flood Control Projects Section

RLK:jb
Enclosure
cc: Allan Buddle

31 Dec 90
~~_____~~
This Arrived SAT.
Bill Mayer

AGREEMENT BETWEEN
 THE STATE OF NEW YORK
 AND THE
 TOWNS OF BARRINGTON, JERUSALEM, MILO, PULTNEY,
 URBANA AND WAYNE
 AND THE
 VILLAGES OF HAMMONDSPORT AND PENN YAN
 FOR LOCAL COOPERATION FOR
 THE KEUKA LAKE OUTLET STRUCTURE
 AT PENN YAN, NEW YORK

This agreement entered into this _____ day of _____, 199__
 by and between the State of New York (hereinafter referred to as
 the "STATE"), represented by and through the Commissioner of
 Environmental Conservation and the Towns of Barrington,
 Jerusalem, Milo, Pultney, Urbana and Wayne and the Villages of
 Hammondsport and Penn Yan, within Steuben and Yates Counties, and
 which form and shall act as and through the Keuka Lake Compact
 (hereinafter referred to as the "MUNICIPALITY") with offices at
 5 Maiden Lane, Penn Yan, New York,

WITNESSETH THAT

WHEREAS construction of the Keuka Lake Outlet Control
 Structure at Penn Yan, New York (hereinafter referred to as the
 "PROJECT") was approved by the Chief of Engineers under authority
 of Section 205 of the 1948 Flood Control Act as amended, and is
 contingent upon the execution of a formal agreement for local
 cooperation between the STATE and the United States of America,
 acting through the Department of the Army (hereinafter referred
 to as the "GOVERNMENT") acting through the Buffalo District
 Commander; and

WHEREAS, the STATE hereby expresses its intent to enter into a formal agreement of local cooperation with the GOVERNMENT in order to cause initiation of construction of the PROJECT to be constructed in substantial accordance with the Detailed Project Report, dated October 1987 and approved by the Chief of Engineers on August 26, 1988; and

WHEREAS the STATE is authorized under Article 16 of the Environmental Conservation Law, as amended, to enter into such an agreement with the GOVERNMENT; AND

WHEREAS THE STATE is prepared to execute such an agreement once it receives from the MUNICIPALITY a formal Agreement for Local Cooperation; and

WHEREAS the MUNICIPALITY is prepared to execute this formal Agreement for Local Cooperation in order to induce the STATE to enter into such an agreement with the GOVERNMENT.

NOW THEREFORE, the MUNICIPALITY and the STATE agree as follows:

1. The MUNICIPALITY agrees that if the GOVERNMENT shall commence construction of the PROJECT in substantial accordance with the October 1987 Detailed Project Report, the MUNICIPALITY shall fulfill the following requirements of Local Cooperation: