

Notice of Intent to Prepare
Regulatory Impact Statement
Draft Generic Environmental Impact Statement
Regulatory Flexibility Analysis
(RIS/DGEIS/RFA)
For
Amendment of Title 6
New York Code of Rules and Regulations
Part 617
Regulations Governing Implementation of the
State Environmental Quality Review Act
July 11, 2012

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The New York State Department of Environmental Conservation (DEC), 625 Broadway, Albany, New York 12233-1750, is the lead agency for this rulemaking proposal.

Description of the Action

The New York State Department of Environmental Conservation proposes to amend the existing statewide State Environmental Quality Review Act (SEQRA) regulations (6NYCRR Part 617) to streamline the regulatory process without sacrificing meaningful environmental review.

The proposed amendments constitute an unlisted action and include:

- A. Improve the scoping process;
 - 1. Require public scoping of Environmental Impact Statements (EIS);
 - 2. Provide greater continuity between the environmental assessment process, the scope and the draft EIS with respect to content; and
 - 3. Strengthen the regulatory language to encourage targeted EISs.

- B. Clarify and reduce review requirements:
 - 1. Reduce the numeric thresholds in the Type I list for residential subdivisions and parking;
 - 2. Bring the threshold reduction for historic resources in line with other resource based items on the Type I list; and
 - 3. Expand the number of actions not requiring review under SEQRA (Type II list) to encourage development in urban areas vs. development in greenfields and to allow green infrastructure projects.

- C. Improve timeliness of decision making:
 - 1. Provide more guidance regarding the proper means for determining the adequacy of a draft EIS; and
 - 2. Establish a more meaningful timeframe for the completion of a final EIS.

The Department has not identified any significant adverse environmental impacts from the proposed amendments. However, DEC has chosen to use a generic environmental impact statement (GEIS) as the means to discuss the objectives and the rationale for the proposed amendments, present alternative measures which are under consideration and provide the maximum opportunity for public participation.

Scoping

In an effort to provide early public review of the proposed amendments, the Department of Environmental Conservation is conducting a public scoping of issues to be addressed in the draft GEIS. A draft scope has been prepared to facilitate the scoping discussion. A copy of the draft scope is posted on the DEC website at: <http://www.dec.ny.gov/permits/6061.html>

Comments and additional information

Comments related to potential significant adverse environmental impacts and additional alternatives to be addressed in the DGEIS should be sent to: depprmt@gw.dec.state.ny.us . Please include the phrase "Comments on 617 Scope" in the subject line of the e-mail. Comments may also be submitted in writing to:

Division of Environmental Permits & Pollution Prevention
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-1750

Additional information regarding the proposed amendments can be obtained by contacting the Division of Environmental Permits & Pollution Prevention at: depprmt@gw.dec.state.ny.us or by calling 518-402-9167.

**Comments on the draft scope
Will be accepted through
August 10, 2012**