Full Environmental Assessment Form (FEAF) Workbook

SEQR Environmental Assessment Form Guidance Documents

The Full Environmental Assessment Form (FEAF) is designed specifically for Type I Actions. It has three parts. The first part (Part 1) is filled out by the applicant, or project sponsor. Part 2 and Part 3 are the responsibility of the lead agency. Throughout the workbook, the term 'lead agency' is also referred to as the 'reviewing agency'.

Part 1 of the FEAF provides details that will help the reviewing agency understand the location, size, type, and characteristics of the proposed project. Part 1 can be completed by the applicant using information prepared as part of the approval submission along with maps, plats, or other studies that may have been conducted and by exploring the information and maps available through the links in this guide.

The lead agency should also review the information provided by the applicant in Part 1 for basic accuracy and completeness. Sometimes, the lead agency is also the project sponsor and there are no other agencies involved. An example of this is when a municipality adopts a local law. In such circumstances, the lead agency would also be required to complete Part 1 as the project sponsor.

Part 2 is used to help the reviewing agency identify potential impacts that may result from the project. In order to do this, the reviewing agency will evaluate information from Part 1, but may also ask the applicant for clarification of information provided in Part 1, or additional information.

Part 3 is used by the reviewing agency to determine if the potential adverse impacts identified in Part 2 are significant or not, and whether a draft environmental impact statement (DEIS) will be prepared. If the reviewing agency determines that a DEIS shall be required, Part 3 is also used to identify the scope (topics to be considered in more detail) for that evaluation. Part 3 is also used to help the reviewing agency identify whether the applicant has addressed the potential adverse impacts as part of the project design.

When to Use the Full Environmental Assessment Form

The Full Environmental Assessment Form (FEAF) is used when a state or local agency has determined that a SEQR review is necessary, and they have identified the project as being a Type I Action. Type I Actions are listed in SEQR (617.4) and described there as *"...those actions and projects that are more*

likely to require the preparation of an EIS than Unlisted actions". It goes on to state *"...the fact that an action or project has been listed as a Type I action carries with it the presumption that it is likely to have a significant adverse impact on the environment and may require an EIS."*

Type I Actions are typically larger, and more complicated than Unlisted Actions. However, some Unlisted Actions may fall just under the Type I criteria. In that case, the agency should strongly consider using the FEAF so that additional information can be obtained and used in the environmental review.

Agencies can adopt their own list of additional Type I actions, and can adjust the thresholds to make their Type I list more inclusive. However, they cannot designate any action identified as a Type II Action in Section 617.5 as a Type I Action. The FEAF would be used for any locally adopted list of Type I actions.

For more information on how to decide what type of action a project is and what form to use, see the SEQR Handbook.

How to Complete and Use the Full Environmental Assessment Form

The introductory pages to Part 1, Part 2, and Part 3 of the FEAF workbook provide additional information and instructions on how to fill out the form. When you view these introductory pages, the navigation panel on the left will expand, showing links to the individual questions within that section.

Part 1 - Is completed by the applicant or project sponsor. If the municipality is sponsoring an action considered a Type I, then the municipality would complete Part 1. Part 1 provides details that will help the reviewing agency understand the location, size, type, and environmental characteristics of the proposed project. The information in Part 1 is used by the reviewing agency to complete Parts 2 and 3.

The questions in Part 1 are grouped in sections A-G:

- Section A gathers information that identifies the project sponsor, the proposed action, and the proposed action's location.
- Section B requests information about government approvals or funding.
- Section C.1. requests information about planning and zoning actions.
- Section C.2. requests information about adopted land use plans.
- Section C.3. requests information about zoning.
- Section C.4. requests information about existing community services.
- Section D.1. requests information about the proposed and potential development.
- Section D.2. requests information about project operations
- Section E.1. requests information about land uses on and surrounding the project site.
- Section E.2. requests information about natural resources on or near the project site.
- Section E.3. requests information about designated public resources on or near the project site.

- Section F provides the project sponsor the opportunity for supplying additional information including project elements that may avoid or reduce impacts.
- Section G is where the certifying signature of the preparer is provided.

Part 2 - Is completed by the reviewing agency. Part 2 is designed to help the reviewing agency understand all potential resources that could be affected by a proposed action. It is designed to help a reviewer identify any element of a proposed project that may have a potentially significant adverse impact on the environment. It is also used to determine the potential size of the impact by providing a series of questions that can be answered by the reviewing agency with information found in Part 1. In some cases, the reviewing agency may require additional information from the applicant in order to answer the Part 2 questions.

Part 3 - Is also completed by the reviewing agency. Part 3 generally addresses those impacts that have been identified as potentially moderate to large in Part 2. However, Part 3 can also be used to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact. The rationale used in decision-making should be presented in a series of written, well reasoned statements in Part 3. This discussion of impacts will serve as the supporting documentation for the determination of significance and if a DEIS is to be prepared, can outline a draft scope of issues to be explored.

Part 1 - Project and Setting (FEAF)

Full Environmental Assessment Form (FEAF) Workbook

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1is accurate and complete.

How to Complete and Use the Full Environmental Assessment Form

The Applicant

- Read over all questions in Part I and gather all current information available on both the proposed project and its location. Having this information on hand will help you complete the questions.
- If the action is a municipally sponsored project such as adoption of a local law, comprehensive plan, or the construction of a public building or structure, the municipality becomes the project sponsor. In this case the municipality completes the appropriate sections of Part 1.
- Use the FEAF workbook to help you find background information, definitions, illustrations, maps, and other data that can be used to help answer each question. In addition to the application materials that may be required for the project and sources of information identified in this workbook, use other existing information that may be available locally. Good sources of information include: site plans or subdivision plats that have been completed on the parcel or nearby parcels, local comprehensive or strategic plans, and other application materials already submitted to the reviewing agency. Many municipalities have completed open space or environmental inventories or plans, and these can be excellent sources of local information. If the municipality has an appointed conservation advisory council (CAC), consider contacting them for additional information on local environmental resources. In the case of a municipal action such as adoption of a local law or plan, the municipality can use the information contained within a comprehensive plan or other inventory information as it may exist. For some sections, additional studies or inventory information may need to be completed in order to thoroughly provide the information. Note that the reviewing agency, in Part 2 may also need additional information in order to determine if there are any potential adverse impacts. It is advisable to review all information needs the reviewing agency may have for Part 2 and consider providing that information with Part 1 as well.
- Offer as much detail as possible to answer each question thoroughly. This will make the SEQR process more efficient by providing the reviewing agency with the necessary information to evaluate the project.
- Sign Part I. Remember that responses to questions in Part I become part of your application for approval or funding, and therefore are subject to both verification and public review.

The Reviewing Agency

- It is the reviewing agency's role to evaluate the information provided by the applicant in Part 1, and ensure it is complete and accurate enough to make a reasonable decision. In some cases, additional information from the applicant may be necessary to complete Part 2.
- Review any maps and other documentation submitted with the application to cross-check and verify the information supplied in the FEAF. Verification can also be done by using the links provided in this workbook for each question.
- A visit to the project site can be very helpful to familiarize the reviewing agency with characteristics about the location, neighborhood, and project.

The Workbooks have been prepared to assist applicants, project sponsors and reviewing agencies in the completion of the EAF. **Note that nothing in this workbook, particularly the guidance offered in Part 2 and 3 is found in regulation**. While the EAF's need to be completed according to the Part 617 regulations, determination of impacts, or interpretation on the size or significance of an impact is at the discretion of the reviewing agency. The Workbooks are not required to be used during a SEQR process. They should be considered as helpful guidance documents that contain background information, links to data and maps, and answers to questions that a reviewing agency may have. They should be considered source books to assist and guide applicants and reviewers involved in a SEQR review.

Question A - Project and Sponsor Information - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

Name of Action or Project:
Project Location (describe, and attach a general location map):
Brief Description of Proposed Action (include purpose or need):

Name of Applicant/Sponsor:
Telephone: E-mail:
Address: City/PO: State: Zip Code:

Project Contact (if not same as sponsor; give name and title/role):
Telephone: E-mail:
Address: City/PO: State: Zip Code:

Property Owner (if not same as sponsor):
Telephone: E-mail:
Address: City/PO: State: Zip Code:

This Question asks for basic information about the applicant and the action. The purpose is to provide a common description of the project and contact information for easy communication between the various involved agencies, the public, and the applicant.

Name of Action or Project

Insert the common name or title of the project. Examples include:

- "Spaulding Subdivision"
- "Pine Hills Office Park"
- "Acme Plaza"
- "Adoption of the City of Buffalo Comprehensive Plan"
- "Adoption of Local Law #3 of 2012 (A Local Law Regulating Telecommunication Towers)"

Project Location

Describe the location of the project. Include the actual address of the project site and add the county it is in. If the site does not have a street address, you can describe the location of the site using identifiable features found nearby (such as "200 feet south of the intersection of Maple Street and Main Street").

If required by the local municipality, also include the tax parcel identification number(s). Tax parcel ID numbers can be found on the official tax map of the community or the annual tax bill, and can be viewed at the local tax assessor's office. These ID numbers are generally in the form of section, block, and lot (SBL) numbers.

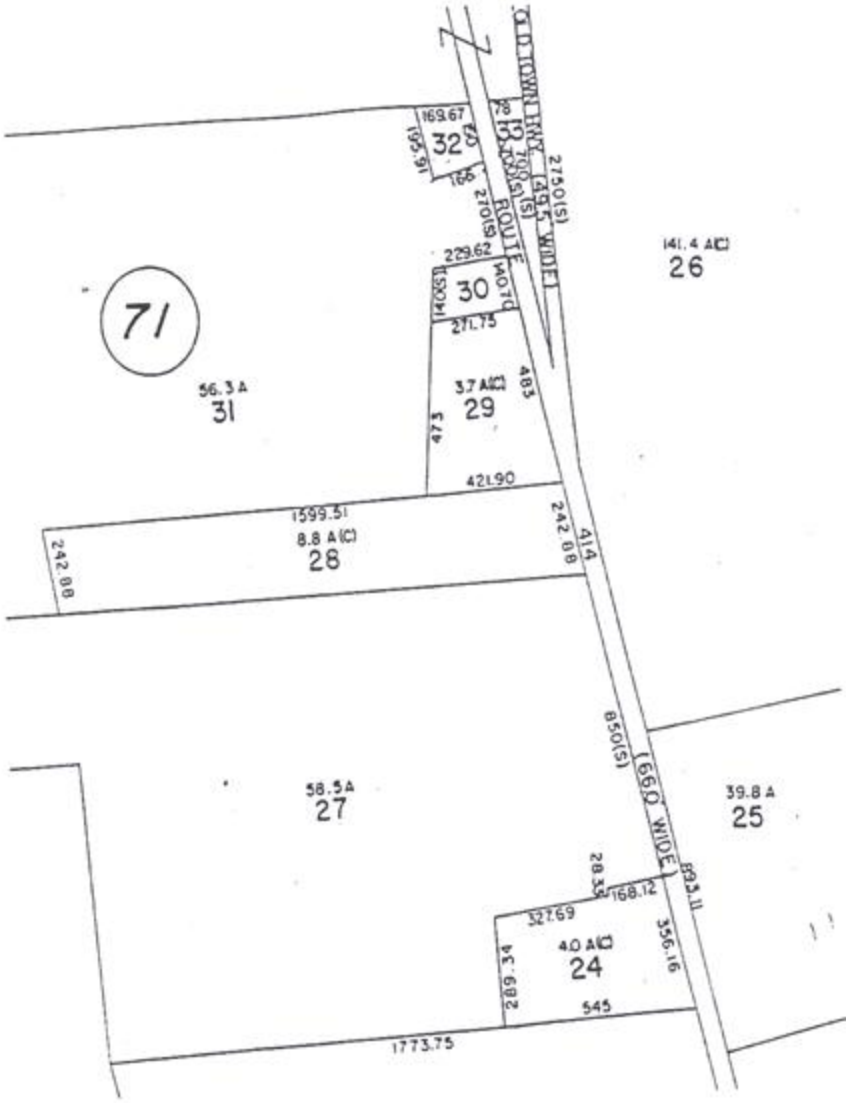


Image from the NYS Department of Taxation and Finance (link leaves DEC's website)

Attach a map showing the location of the project. Many site plan, special use, or subdivision applications also require a location map for the submission, and one map can serve both purposes. This map should be of sufficient size so the reviewing agency knows where the parcel is. This map can be from a tax map, a topographic map, an image from Google maps, or Bing maps, or another similar online mapping program. The map should show the project site boundaries at a scale large enough to display the relevant information about the site. A scale of 1 inch equals 24,000 feet is generally adequate. A small project site may need a more detailed map at a scale of 1 inch equals 40 or 100 feet. Select the scale that provides the reviewing agency with a good overview of the project site and the immediate surrounding area.

A sample map useful for identifying the location of a project site:

Image from NYS DEC website

If the project requires subdivision, site plan, or special use permit approvals, a more detailed map of the parcel and proposed uses and structures will likely be required as part of the permit and review process. Check with the town, village or city clerk, building inspector, or code enforcement officer for information on permit and mapping requirements. The location map may be required as part of a more detailed site map, and the municipality may have other requirements that need to be incorporated into the location map.

A sample map showing more detail, required by DEC when applying for a wetland permit:

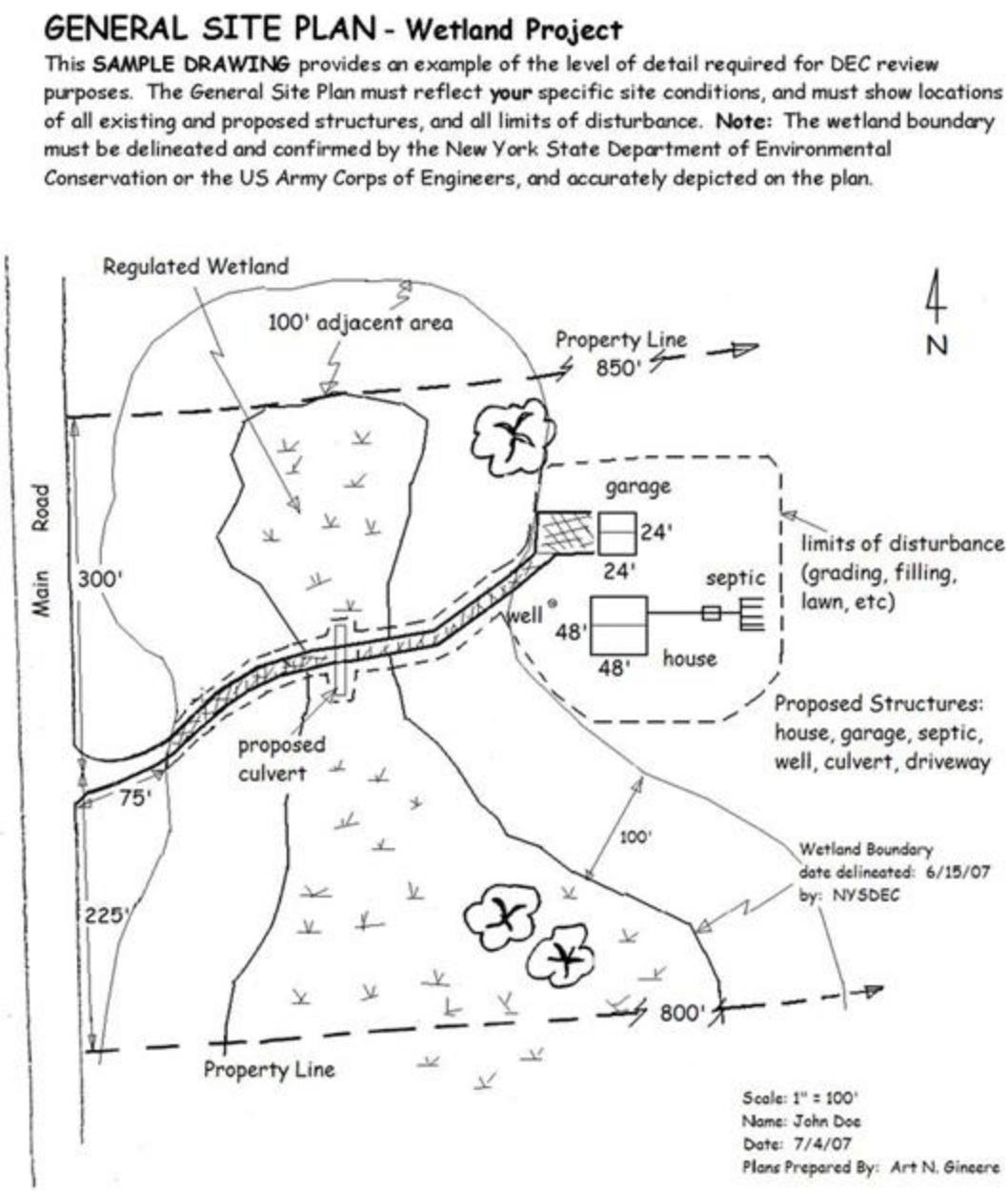


Image from NYS DEC Wetland Permit Page

If the action is adoption of a local law or plan, the project location is that which is affected by that law or plan. For example, adoption of a city-wide comprehensive plan means that the project location includes all lands within the city. Or, if the project is a local law that affects one location of a municipality, that location can be described.

Brief Description of Proposed Action

Describe and identify the major elements of the project. The applicant or project sponsor should attach additional information if applicable such as a site plan or subdivision plat map or refer to other application submittals that may have additional information. The type of information that should be part of this brief description includes:

- The type of activity - such as: residential subdivision, commercial or industrial site plan or special use application, adoption of a local law, adoption of a local plan, or land acquisition.
- Whether the project is a new structure, a modification of an existing structure or facility, an expansion, or not a site specific project but one that affects the entire municipality.
- A brief description of the size and intensity of the project such as the acreage of the parcel, the number of residential units planned, the average size of lots to be created, the types of land uses planned, the square footage of the structure, the height of the structure, the number and size of lots being subdivided, the number of floors, the number of structures, the number of employees, the number of parking spaces planned, the zoning district it is within, whether it is in any special zoning or other district (such as a New York Certified Agricultural District) the water, sewer, and stormwater infrastructure that will be expanded or provided for, or curb cuts or new roads planned for.
- If residential, whether the project includes attached, detached, condominium, townhouse, or single family units.
- The purpose, or need for the project such as "to expand light industrial facilities for expansion of the manufacture of furniture products on a larger scale."
- For adoption or amendment of a plan, local law, or ordinance, describe the basic elements of the law, ordinance, or plan and its general purpose. For example, "The project is adoption of a local law to amend the zoning regulations to create a new mixed-use, high density business district (B-1) at the intersection of First and Park Street."

Examples

- **Description of a residential project:** "The project is a subdivision of a 250-acre parcel into 75 residential parcels ranging from .5 to 5 acres in size in a community that has not adopted zoning, but does have a subdivision law. The subdivision will be designed with a conservation design and 125 acres containing wetlands, floodplains, stream corridors, and unique habitats will be permanently preserved as open space through use of a conservation easement. Five miles of new roads will be built and the project will have four new access points entering onto existing Cooks Hill Road. The project will include a 20,000 square foot facility to be used by subdivision residents for recreation. 40 of the lots will be clustered onto 35 acres at the corner of Cooks Hill Road and Evergreen Street and the remaining 35 lots will be located on the remaining buildable portion of the parcel. All lots will be sold for single family residential use, and a home-owners association will be formed to develop and manage a community wide water, sewer and stormwater management system. The applicant will form a

Transportation Corporation for approval by the Town for the water and treatment facilities. No sidewalks are planned but the interior roads will be connected by 1 mile of bike/hike trail. All roads will be built according to Town Highway Specifications and we will seek Town approval to accept the roads as part of the public road system. The project will convert 150 acres of former agricultural land to residential use.

- **Description of a commercial project:** "Site plan and special use approval for a 150,000 square foot and 45 foot high warehouse on 11.25 acres of a 25 acre parcel of land. The warehouse will serve as a regional hub for stocking merchandise for our eastern New York stores. The project will include 5 acres of paved parking and loading areas, 10 loading docks, building and parking lot lighting, two additional curb cuts off of Route 5a, placement of a 35 foot high landscaped sign, and construction of a 8' x 8' gate house at the entrance. The warehouse will employ 50 to 100 workers depending on the season and operate from 6 am to 9 pm daily. Traffic on the site will consist of employee passenger vehicles and approximately 40 tractor trailer trips (deliveries into and re-loading of trucks to go out of the facility) per day. There will be no overnight parking of the trailers onsite. The project will hook into existing water and sewer lines but will require a ¾ mile extension of the public infrastructure to reach the site (to be developed and paid for by the developer). The project will require approval of the municipality to extend the water and sewer districts. Approximately 45% of the parcel will contain impervious surfaces and stormwater will be managed with onsite detention and retention ponds and grassed swales.
- **Description of adoption of a comprehensive plan:** "The Town has undertaken a comprehensive process to update an older version of a municipal comprehensive plan for the Town. The planning process included an evaluation of existing conditions (demographic, housing, income, environmental, land use, economic, recreation, transportation, etc.), involvement of the public to determine issues and future desired direction, and development of strategies and actions that can be implemented over the next decade to help the Town reach their community goals. The process included a residential survey, multiple planning workshops, a public hearing hosted by the Comprehensive Plan Steering Committee, regular meetings of an ad-hoc committee (Steering Committee) appointed to draft the plan for the Town, and other qualitative and quantitative studies assisted by a planning consultant. The plan includes extensive background information, vision and goals, strategies and actions, and a series of maps depicting various resources in the Town. Public hearings were held by both the Comprehensive Plan Committee and the Town Board. The Plan covers the entire portion of the Town. Adoption of such a plan is a Type I action under SEQR.

Name of Applicant/Sponsor

Provide the name of the applicant or the project sponsor and accurate contact information so the agency can efficiently communicate with the applicant. If this is a municipal action such as adoption of a comprehensive plan or local law, provide the name of the municipality and the responsible board (such as the Town or Village Board).

Project Contact and/or Property Owner

If the contact person and/or the owner of the property are different than the project sponsor, include the additional information in the space provided on the form. If this is a municipal action such as adoption of a comprehensive plan, provide the address and contact information for the municipal offices.

Question B - Government Approvals, Funding, or Sponsorship - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

("Funding includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity

a. City Council, Town Board, or Village Board of Trustees
b. City, Town or Village Planning Board or Commission
c. City Council, Town or Village Zoning Board of Appeals
d. Other local agencies
e. County agencies
f. Regional agencies
g. State agencies
h. Federal agencies

- - - - - - - - - - - - - - - - - - -

Government Entities (questions B.a.-B.h.)

(For question B.i. Coastal Resources, scroll down the page)

This question asks the applicant or project sponsor to identify all the different agencies that have a role in permitting, approving, or funding their project. Identification of all agencies that must approve of, or fund a project is very important because it will:

- Help the reviewing agency determine which other agencies need to be contacted to establish a lead agency, and to conduct a coordinated review.
- Help make the approval process more efficient and consistent.
- Help ensure that applicants do not miss any important steps in the review and approval process.
- Help the reviewing agency know what other permits may be required prior to final approval at the municipal level.
- Help the reviewing agency understand all the public funding commitments possible or needed for the project.

Many Type I actions will need approvals such as subdivision, site plan, or special use permits from the local municipality. Town Highway, County, and NYS Departments of Transportation (DOT) may require road access and design approval before a new road or driveway is built. Other communities may also require approval from a historic preservation board, architectural review board, or a conservation advisory board. Some regional agencies such as the Susquehanna River Basin Commission, Adirondack Park Agency, or New York City Department of Environmental Protection, may also have permits required for your project. Counties, through the General Municipal Law 239-m review referral requirements, can have a role in the review, but usually make only advisory recommendations on a proposed project. Some however, such as Nassau County's planning commission, may have jurisdiction over subdivision approvals and would be an involved agency. State and federal entities such as the NYS DEC, Department of State, US Army Corp of Engineers or US Environmental Protection Agency may also have permitting requirements. County planning agencies are a good source of information for what is required in a particular area.

Answering Questions B.a. through B.h.

Check the Yes box next to each government entity that will require or supply approval, funding, or sponsorship of the proposed project. List the names of each, and the approval, funding and/or sponsorship required or supplied. Also enter the date by which the application for such approval, funding, or sponsorship will occur in the space provided.

If you do not know what other approvals, permits or funding your project will require, you will need to do some research. This information can be found out by contacting one or more of the following:

- Local building inspector or code enforcement officer

- Local town, village or city planning office
- Local Planning Board or Zoning Board of Appeals Chair, Clerk, or Secretary
- County planning office
- Regional planning office
- Metropolitan Planning Agencies
- DEC Regional Office
- NYS DOT Regional Office

Review the following list to see if any of the following permits may be needed for your project.

This outline is provided only as a partial list to assist you in identifying possible permits that may be needed. It is organized by general government entity similar to Question B. on the FEAF, with subheadings showing specific agencies that may require permits or approval.

City Council, Town Board, or Village Board of Trustees

- Building permit or other local permits
- Floodplain Construction Requirements, Federal National Flood Insurance Program
  - Construction in Floodways and Flood Plains
- Historic District Permit or Certificate of Appropriateness
  - For construction in or alteration of a historic structure in a locally designated historic district
- Water or Sewer District
  - Expansion or creation of a water or sewer district

City, Town, or Village Planning Board or Commission

- Subdivision Approval
- Site Plan Approval
- Special Use Permit
- Historic District Permit or Certificate of Appropriateness
- Any activity as required in a local zoning law, subdivision law, or site plan review law

City, Town, or Village Zoning Board of Appeals

- Area Variance
- Use Variance
- Special Use Permit

Other Local Agencies

Local Highway Department

- Construction or reconstruction within the right-of-way of a local road
  - Including construction and repair of driveways, side roads, utility lines, drainage facilities

County Agencies

County Planning Agency

- County Approval or recommendation for a referred application
  - Any project that requires a County review pursuant to 239-m or 239-n

County Highway Department

- Construction within the right-of-way of a County Road

County Health Department

- Siting and construction of residential and commercial onsite septic systems
- Realty subdivisions

Regional Agencies

Adirondack Park Agency

- Development in the Adirondack Park

New York City Department of Environmental Protection (DEP)

- Crossing, Piping or Diversion Permit, in the New York City Watershed
  - Crossing a stream, diverting water from a stream, or piping water from a stream
- Stormwater Pollution Prevention Permit, in the New York City Watershed
  - Whenever 2 or more acres located at least in part within the limiting distance of 100 feet of a watercourse or wetland or 300 feet from a reservoir or reservoir stem or on a slope exceeding 15% are disturbed
- Siting and construction of onsite septic systems within the New York City Watershed

Other Regional Planning Agencies

- Lake George Park Commission
- Long Island Pine Barrens Commission
- Tug Hill Commission
- Watershed or lake protection agencies
- Delaware River Basin Commission
- Susquehanna River Basin Commission

State Agencies

NYS DOT

- Construction in a State Highway Right-of-Way, including driveways

- NYS DOT Non-Utility Highway Work Permit
- NYS DOT Utility Highway Work Permit

NYS DEC

- Air Pollution Control
- Coastal Erosion Control
- Freshwater Wetlands
  - Draining, dredging, excavating, building a structure or road, placing fill or introducing any kind of pollution in a designated wetland
- Mined Land Reclamation
- Protection of Waters, including Dams and Docks
- Public Water Supply and Long Island Wells
- Solid and Hazardous Waste Management
- State Pollutant Discharge and Elimination Systems (SPDES), including Stormwater permits
- Tidal Wetlands
- Wild, Scenic and Recreational Rivers
  - For more information on the above permits, see Wild, Scenic and Recreational Rivers page.
- Article 15, Stream bank or Bed Disturbance
  - Any activity that would disturb the bank or bed of a regulated stream, including crossings, bridges, diversions, bank stabilization, etc.
- Notice of Intent (NOI) and Preparation of a Stormwater Pollution Prevention Plan (SWPPP)
  - Whenever 1 acre or more of land is disturbed, the activity is controlled by the NY State Pollution Discharge Elimination System (SPDES)
- Mining Permit
  - For all mining and gravel excavation of over 1,000 tons per year
- Water Supply
  - Installation, acquisition, construction, or extension of water systems if the activity involves five or more service connections, regardless of the amount of water used

NYS Department of State (DOS)

- Local Waterfront Revitalization Plan (LWRP) Consistency Review
  - Any activity in a community with an adopted Local Waterfront Revitalization Plan

NYS Department of Health (DOH)

- See the Department of Health Permits, Licenses & Certification page.

NYS Office of Parks, Recreation, and Historic Preservation (OPRHP) / State Historic Preservation Office (SHPO)

- Environmental Review program

Federal Agencies

Army Corps of Engineers (New York District, Regulatory Branch)

- Army Corps of Engineer Permit or Water Quality Certification
  - Any activity that places greater than 25 cubic yards of fill below the ordinary high water mark
  - Any work in navigable waters, tributaries, adjacent wetlands, impoundments

Public funding sources that may apply to proposed projects

- Clean Water Act State Revolving Funds
  - Low interest loans available from the Environmental Facilities Corporation for water quality protection
- The Green Building Tax Credit
- Empire Zone Tax Benefits
- Industrial Development Agency
- Consolidated Funding Application (CFA) through Empire State Development

- - - - - - - - - - - - - - - - - - -
i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?
If Yes,
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Plan?
iii. Is the project site within a Coastal Erosion Hazard Area?

Coastal Resources (question B.i.)

The NYS Coastal Management Program is composed of a variety of programs and initiatives designed to help revitalize, promote, and protect New York's waterfronts and their communities. The Coastal Program works with local governments to prepare Local Waterfront Revitalization Programs, defining a local vision for the waterfront. The Coastal Program also provides technical assistance to communities, helping them to expand public access, restore habitats, protect water quality, reinvigorate urban waterfronts, strengthen local economies, reduce coastal hazards, and protect historic resources.

Coastal Area and Designated Inland Waterways

The NYS Department of State (DOS) is responsible for identifying, delineating, and mapping the state's coastal area and designated inland waterways in accordance with the Federal Coastal Zone Management Act (1972). The specific waterbodies included in the Coastal Area, and designated inland waterways, are

listed in NYS Executive Law Article 42, §911.(*find this law click on the link, click on EXC, click on Article 42, then click on 911*) DOS maintains an online Coastal Atlas that identifies the state's coastal area boundaries. Clicking on the map will lead to successively more detailed maps of the viewers' interest.

Local Waterfront Revitalization Plan (LWRP)

A Local Waterfront Revitalization Plan/Program (LWRP) is a locally prepared, comprehensive land and water use plan for a community's natural, public, working and developed waterfront. The legal basis for development of an LWRP is explained in NYS Executive Law Article 42, §915. (*find this law click on the link, click on EXC, click on Article 42, then click on 915*)

DOS maintains a list of all NYS communities with an approved LWRP on their website.

Coastal Erosion Hazard Area

New York State DEC has created the Coastal Erosion Control Permit Program to ensure construction and other activities in coastal areas meet specific standards. The goal of these standards is to ensure a project:

- is reasonable and necessary, considering reasonable alternatives to the proposed activity, and the extent which the proposed activity requires a shoreline location
- will not be likely to cause a measurable increase in erosion at the proposed site or other locations
- prevents, if possible, or minimizes adverse effects on: natural protective features, existing erosion protection structures, and natural resources

DEC has identified areas within the coastal area that are particularly susceptible to erosion. Current maps are in paper form only and each community that has a Coastal Erosion Hazard Area (CEHA) should have a copy of these maps available. Municipalities with adopted LWRPs are likely to include these maps in their plan. If maps are not available at the municipality, The DEC regional office will have copies of the CEHA maps that fall within their jurisdiction.

Answering Question B.i.

The answer to parts B.i.i and B.i.ii for this question will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. If the project site is within a coastal area or waterfront area on a Designated Inland Waterway, the EAF Mapper will check "yes" on the FEAF Part I pdf. If there is no coastal or waterfront area of a Designated Inland Waterway located within the project boundaries, the EAF Mapper will check "no" on the form. If a 'yes' answer is returned, the EAF Mapper will also identify if the project is in a community with an approved Local Waterfront Revitalization Program and will automatically check 'yes or 'no'. If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.

The EAF Mapper will not populate information for the Coastal Erosion Hazard Areas (CEHAs) (part B.i.iii). DEC is in the process of updating this information and when it is available it will be added to the EAF Mapper program. Information on CEHAs should be gathered from the DEC (see below).

If the EAF Mapper is not used to answer this question, you may search for data manually. Hot links provided below will provide the information needed to address these questions.

i. If the project site is within a Coastal Area or the waterfront area of a Designated Inland Waterway check yes, and then answer yes or no the next two parts of this question:

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Plan?

iii. Is the project site within a Coastal Erosion Hazard Area?

- New York State's Coastal Areas and Inland Waterways are defined in NYS Executive Law, Article 42, Section 911. (*find this law click on the link, click on EXC, click on Article 42, then click on 915)* Maps showing the Coastal Area Boundary can be viewed in the NYS Coastal Atlas. Click on the map in the center of the page to open successively more detailed coastal maps of the area you are interested in.
- A list of approved Local Waterfront Revitalization Plans can be found on the NYS Department of State's website.
- More information on Coastal Erosion Hazard Areas can be found on DEC's Coastal Erosion Control Permit Program page.

Question C 1 - Planning and Zoning Actions - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?

If Yes, complete sections C, F and G.

If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

Adoption of local laws, ordinances, regulations, administrative rules, and plans are common legislative actions taken by the State or local municipalities. All are considered discretionary actions and therefore, all require an environmental review prior to their adoption according to SEQR.

The following administrative actions are listed as Type 1 in SEQR §617.4 (link leaves DEC website,) and will require using the Full EAF:

- The adoption of a municipality's land use plan
- The adoption by any agency of a comprehensive resource management plan
- The initial adoption of a municipality's comprehensive zoning regulations
- The adoption of changes in the allowable uses within any zoning district affecting 25 or more acres of the district

Answering the Question

If the project involves an action of this type and nothing more, then check Yes under question C.1., and proceed to answer questions C.2, C.3, C.4, F, and G. You do not have to answer questions D.1.-D.2., nor questions E.1.-E.3.

If the proposed project includes anything more than this, then all of the remaining questions must be completed. For example, some projects may need a change in zoning before the rest of the project can proceed. Questions in sections D and E will need to be completed for the remainder of the project.

Question C 2 - Adopted Land Use Plans - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

C2 a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?

Comprehensive Plans

General City Law § 28-a, Town Law § 272-a, Village Law § 7-722, and (for counties) General Municipal Law § 239d define and describe the legal aspects of comprehensive planning in NYS. These laws allow and encourage the adoption of comprehensive plans for all NYS municipalities, but do not require it. To determine if the municipality your project is located in has a comprehensive plan, check their website, or contact the municipal clerk, code enforcement officer (or building inspector), or planning board clerk. Local resources can best help you determine if a municipality has an adopted comprehensive plan.

The municipality's comprehensive plan will provide a context for determining if the proposed activity is compatible with the community's overall plans for development. Activities that are consistent with a

comprehensive plan are much less likely to result in impacts to community character or to the environment.

Answering Question C.2.a.

If the municipality in which the project site is located has an adopted comprehensive land use plan, check yes.

If you check yes, you should, as good practice, research the plan and any accompanying maps, studies, or other information in order to determine the goals and planning strategies that apply to your project site, and if there are any specific recommendations applicable to it. Some plans are general in nature and do not make specific recommendations for individual locations in a community. Others are very specific and include text or maps indicating exactly what is planned for a particular location. In order to answer this question, applicants should become familiar with what, if any plans exist for the parcel, as well as what the vision, goals, recommendations, and general mapped land use plans may be included. If there are site specific recommendations in the plan, check yes to the second part of C.2.a. If not, check no.

C2 b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)
If Yes, identify the plan(s): _____

Background - Special Planning Districts

Special Planning Districts are areas identified by a local municipality, county, region or the state that encompass and plan for a specific resource or location. They are often adopted by the municipality, but may not be part of a comprehensive plan. Some special plans are regional, or targeted to a specific topic or location in the municipality so they may or may not strictly follow the boundaries of the municipality. Special Planning Districts are used to protect unique environmental, historic, architectural, and other features that require special consideration. Special Planning Districts usually have a limited focus, and often provide specific standards designed to address that unique resource or location.

Special planning districts may be designated for a targeted resource or area, or for one or more municipalities. The scope of a special planning district can vary widely. The planning area might be a small but oriented toward an important resource such as a viewshed within a single municipality, or it might span multiple municipalities as might be the case with a watershed plan. A Greenway plan or transportation corridor plan might encompass multiple municipalities, but be limited to a specific area along a river or highway corridor.

It's important to note that a Special Planning District is not the same thing as a zoning overlay district. A zoning overlay district is part of an adopted zoning law. However, the overlay district may have been

identified and defined in a separate and distinct Special Planning District process, so there may be some overlap between the two documents.

Some examples of Special Planning Districts:

- Brownfield redevelopment plan
- Habitat protection plan
  - This could be limited to a single parcel, protection of a particular endangered species, or may include a large wetland or forest area spanning multiple municipalities
  - For example, the Long Island Pine Barrens, or Albany Pine Bush Preserve
- Transportation Corridor Plan
- Local Waterfront Revitalization Plan (LWRP)
- Harbor Management Plan
- Regional or Local Coastal Management Plan
- Watershed Protection Plan
  - These can vary in size from a small subdivision surrounding a small pond, up to a regional watershed encompassing the Hudson River Valley, the Mohawk River Valley, Delaware River Basin, Susquehanna River Basin, or the Great Lakes
- Statewide Area of Scenic Significance
- Historic District
  - For example, the Hudson River National Historic Landmark District
- Aquifer Protection Area
- Critical Environmental Area
  - These may be designated pursuant to Part 617 and have a planning process associated with their study and designation. Some communities identify their own critical environmental areas that are not pursuant to Part 617 but are designated through a local planning process.

Answering Question C.2.b.

The answer to this question will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. For this question, the EAF Mapper evaluates remediation sites, federal recreation lands, the New York City watershed boundary and NYS Heritage Areas. If the project site is within a state-identified special planning district the EAF Mapper will check "yes" on the FEAF Part I pdf. If a 'yes' answer is returned, the EAF Mapper will also name the district. If there is no special planning district identified within the project boundaries, the EAF Mapper will NOT check 'no' but instead will return 'insufficient data to answer this question." There may be other special planning districts designated locally

and applicants should be sure to research local plans and records to answer this question. If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.

If the proposed project is located in a local or regional special planning district (as described above), check yes and identify the plan in the space provided.

C2 c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?
If Yes, identify the plan(s): _____

Open Space Plans and Farmland Protection Plans

In NYS, municipalities (including counties) have the authority to develop either a separate open space plan, or can include the elements of an open space plan in their comprehensive plan. NYS municipalities (including counties) also have the authority to develop Agriculture and Farmland Protection Plans. These plans may identify specific areas of importance to the community, and establish policies or specific recommendations pertaining to development of those areas.

The scope of these plans typically covers an entire municipality, although they can focus on a particular area within a single municipality, or span multiple municipalities during a joint planning effort. The difference between these plans and a comprehensive plan is their focus on particular physical elements. Open Space plans will examine and analyze a community's undeveloped areas and its natural features, connections between these features, and connections to them from developed areas. Farmland Protection Plans will examine and analyze the agricultural economy of a municipality, its physical resources that support farming, and the regulatory environment. Since farmland is often seen as undeveloped open space, these plans can overlap and contain similar goals and strategies.

For help in determining if a municipality has an open space plan or farmland protection plan, check their website, and contact the municipal clerk, code enforcement officer (building inspector), or planning board clerk. Local resources are the best way to help you determine if a municipality has adopted one or both of these plans.

Answering Question C.2.c.

If the proposed project is partially or completely located in an area listed in an adopted municipal open space plan or an adopted municipal farmland protection plan, check yes and identify the plan(s) in the space provided.

Question C 3 - Zoning - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

C3 a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?

Zoning

Understanding whether or not a proposed activity is permitted under current zoning provides a context for determining if the activity is compatible with the community's plans for development. Some projects are allowed by right, needing no planning board review. However, most Type I actions will require site plan or special use permit approval, or both. Others may need a use variance or an area variance from the Zoning Board of Appeals in the municipality. Some municipalities do not have zoning laws in place.

For help in determining if the municipality has zoning or a comprehensive plan, check their website, or contact the code enforcement officer (building inspector), municipal clerk, or planning board clerk. Local resources are the best way to help you determine if your project is consistent with the local zoning or plan.

If zoning exists, review the schedule of uses, density, and dimension requirements (sometimes called 'area and bulk regulations'), zoning map, and any supplemental regulations that may be required. Some communities also have overlay districts. These are special districts that are designed to protect specific resource such as historic buildings, viewsheds, open spaces, or aquifers. If a zoning law exists, be sure to evaluate all parts of it to determine the district requirements that may pertain to the project location.

Answering Question C.3.a.

Check 'Yes' if a zoning law or ordinance is in effect in the municipality where the proposed action is to take place. If there is no adopted zoning, check no and move on to Question C4. If you answered yes, describe the zoning classification(s). Zoning classification refers to the name and type of zoning district that regulates the project location. An example statement for this could be: "The proposed activity is located within an R-2 district, which requires a 2 acre minimum lot size. The proposed activity is a use permitted with site plan and a special use permit. Part of the parcel is also within the designated Aquifer Protection Overlay District and will comply with those additional requirements."

C3 b. Is the use permitted or allowed by a special or conditional use permit?

Special or Conditional Uses

A special use permit is a permitted use in the municipality but is one that has characteristics that may make it more difficult to co-exist in a particular area or neighborhood. A special use permit evaluates the proposed use. It is often required along with site plan review which evaluates the function of structures on the parcel. Special uses often are allowed with certain conditions to ensure it fits in with the surrounding land uses. Some communities refer to their special use category as a 'conditional use'. These should be considered the same for this question.

Answering Question C.3.b.

Check 'Yes' if the proposed activity requires obtaining a special use permit or conditional use permit.

C3 c. Is a zoning change requested as part of the proposed action?
If Yes,
i. What is the proposed new zoning for the site?

Question C 4 - Existing Community Services - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

C4 a. In what school district is the project site located?
C4 b. What police or other public protection forces serve the project site?
C4 c. Which fire protection and emergency medical services serve the project site?
C4 d. What parks serve the project site?

Background Information

This question asks the applicant or project sponsor for information about existing community services. It is important that the reviewing agency understand the current capacity of those services and understand if or how the proposed action may affect it.

If the proposed project is the adoption of a municipal plan or local law, then list the community services in the district or municipality affected by the plan or law.

Answering Questions C.4.a-d.

For this question, start with local municipal sources. There may be lists, tables, and maps included in the municipal comprehensive plan, or other plans that you have already gathered and evaluated for SEQR. If there are no maps available, the property tax bills and records for the project's parcel will include the school district, fire protection district, and possibly the emergency medical services area the parcel is located in.

Use this space to identify the school district(s) that the proposed project is located in, as well as police, fire protection, and emergency medical services that exist for the project site. Also, identify local parks that serve the project site.

Zoning Change

Some applicants request a zoning change in order to allow their proposed project in a specific district, or a change in density, dimension, or other development requirements of an already allowed use. Zoning change requests are made to the legislative board of the municipality.

Answering Question C.3.c.

If the proposed use is allowed in the municipality as-of-right, or with site plan or special use permits, and no zoning change is requested, check 'no'. If the proposed action is the adoption of a municipal plan or local law, and it recommends enacting new zoning, or changing the existing zoning in the community, check 'yes' and identify the proposed new zoning. If the proposed project includes a zoning change component, also check 'yes' and identify the requested zoning change.

Question D 1 - Proposed and Potential Development - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

Background Information for all D.1. Questions

This set of questions provides information on the general characteristics of the proposed project. They will help the reviewing agency understand the scale and extent of the proposed project by detailing the acreage and nature of the proposed use, and the time frame for project completion. Other Part 1 questions will explore more specifics about the project and its operation.

All of the answers to Section D1 questions may be taken directly from a proposed site plan, plat, and other application materials that are, or will be submitted to the reviewing agency. Applicants should provide as much detail, and be as precise as possible in answering these questions. In this way, it will help the reviewing agency have on hand all the information needed to adequately and efficiently conduct Part 2 of the environmental review. It may also be advisable to review Part 2 sections to identify other information that could be provided in Part 1 or other application materials that would assist the reviewing agency complete Part 2.

This part of the workbook includes background information, potential data sources, and examples to help you complete Section D1:

D1 a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

_____

Answering Question D.1.a.

If this is a project that involves physical changes to a site, describe the principal nature of the action. A project that includes more than one type of use would be considered a 'mixed' use and each element should be stated here.

D1 b.

a. Total acreage of the site of the proposed action?
   _____ acres
b. Total acreage to be physically disturbed?
   _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?
   _____ acres

Answering Question D.1.b.

Use data from a survey, plat, or site plan to calculate the specific acreage of the project and the site.

a. Total acreage of the site refers to all parcels and land areas that are part of the project. Include all lands in this calculation, even if they are not all to be disturbed.

b. Calculate, in acres, the total amount of land to be graded, filled, changed, excavated, or disturbed in some way.

c. Calculate the total acreage of the project site and contiguous properties the project sponsor or applicant controls, even if some are not part of this current proposed project.

The total acreage calculated for question D.1.b.(a), and the total acreage owned or controlled by the applicant or project sponsor may be the same number. The purpose of this part of question D.1.b. is to determine if there are additional lands controlled by the project sponsor not part of this proposed action. If so, the reviewing agency may need to explore whether there are multiple phases to be considered or if future development should be considered now as part of the environmental review.

D1 c. Is the proposed action an expansion of an existing project or use?
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)?
% _____
Units: _____

Answering Question D.1.c.

If the proposed project is an expansion of an existing project or use, check "yes". If no, check the box and move onto question D.1.d.

If the proposed project involves expansion of an existing land use, then calculate how much that expansion will be, measured as a percentage increase. For example, if a 20 acre commercial property already has 10 acres used for retail uses and the proposed project will add five more acres of new retail buildings and parking, then the percent increase would be 50% measured in acres. Another example is an expansion of a 100-unit multi-family development by 100 more units. This would then be a 100% expansion, measured in housing units. The unit of measurement you use should offer the most relevant information to help the reviewing agency understand the scale and extent of the expansion.

D1 d. Is the proposed action a subdivision, or does it include a subdivision?
If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed?
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes?
Minimum _____
Maximum _____

Answering Question D.1.d

If the proposed project is, or includes a subdivision, check 'yes'. If it does not, check 'no' and move on to question D.1.e.

i. If a subdivision is proposed, identify the type of subdivision that is being proposed.

ii. A cluster/conservation subdivision layout is one where part of the parcel is preserved as dedicated open space. A clustered subdivision results in housing units or structures placed in one or more groups on the parcel, usually with small individual lot sizes. A conservation subdivision is also designed to preserve

open space, but housing units or structures are not necessarily clustered; units may also be strategically located to preserve critical open space lands. See the pictures below which illustrate the differences:

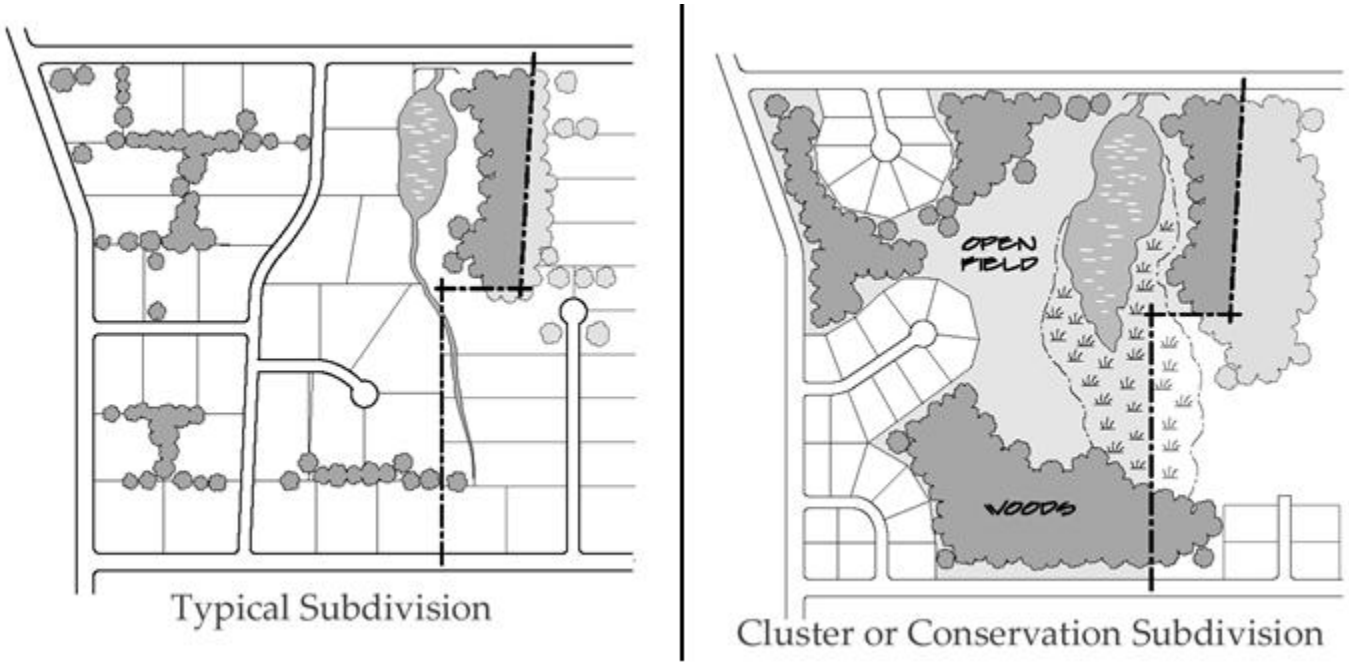


Image Courtesy NYS DEC in the following document (PDF, 450 KB)

iii. If a subdivision is proposed, enter the total number of lots proposed.

iv. If a subdivision is proposed, enter the minimum and maximum proposed lot sizes.

D1 e. Will proposed action be constructed in multiple phases?

i. If No, anticipated period of construction:
_____ months

ii.

If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition)
_____ month _____ year
- Anticipated completion date of final phase
_____ month _____year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:
_____

Answering Question D.1.e.

It is important for the reviewing agency to understand how long a project may take. The project time frame will be important information used by the reviewing agency to help determine the duration of potential environmental impacts.

i. If a project is to be started and completed in one phase, check 'no' and indicate the number of months anticipated for completion.

ii. If there are to be multiple phases, then the reviewing agency must evaluate the potential environmental impacts of each phase as well as the total impact of all phases together. If this is a multi-phased project, check 'yes' and indicate how many phases, how long each phase will last, and what the anticipated final completion date is. Also, describe what the different phases are and how they relate to each other.

For example, the applicant for a residential subdivision proposed with three phases would check 'yes' for a phased project, indicate three phases, add in the anticipated start of the project month and year, and the anticipated date of completion of the final phase. They could further describe the phasing as "Phase one is construction of the road, water and sewer infrastructure. Phase two is construction of two-family and multi-family units in an area closest to that infrastructure, and phase three is construction of single-family dwellings on lots located on other portions of the parcel. Phase 3 will start only when all two-family and multi-family dwelling units from phase 2 have been sold."

D1 f. Does the project include new residential uses?
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

Answering Question D.1.f.

Indicate if the proposed project includes residential uses. If so, then add in the numbers of each type of residential unit proposed. If there is only one phase, then add in the numbers proposed for each unit on the 'at completion of all phases' line.

D1 g. Does the proposed action include new non-residential construction (including expansions)?
If Yes,

i. Total number of structures

ii. Dimensions (in feet) of largest proposed structure:
_____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled:
_____ square feet

Answering Question D.1.g.

This question will help the reviewing agency better understand the type, extent and scale of the proposal. If the proposed project includes some amount of non-residential construction, including expansions, check 'yes'. If not, then move to question D.1.h. If yes, indicate the total number of structures, the size of the largest structure proposed, and the extent of the space to be heated or cooled - (Use the outside faces of the walls containing heated and cooled spaces).

D1 h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?
If Yes,

i. Purpose of the impoundment:
_____

ii. If a water impoundment, the principal source of the water:
Ground water, Surface water streams, Other specify:
_____

iii. If other than water, identify the type of impounded/contained liquids and their source.
_____

iv. Approximate size of the proposed impoundment.
Volume: _____ million gallons;
surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure:
_____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
_____

Answering Question D.1.h.

If the proposed project creates or expands any impoundment for water or any other liquid, then check 'yes' and answer this question. If the proposal does not include creation of any liquid impoundment, then check 'no' and move to Question D.2. (Project Operations).

Water supply reservoirs, ponds, lakes, waste lagoons, and other storage impoundments including stormwater detention ponds are all to be considered as an impoundment.

i. Describe the purpose of the impoundment such as for irrigation, stormwater runoff control, drinking water, recreational, visual, or waste storage. It would be helpful to include details about whether the impoundment is subject to a permit from DEC or another regulatory agency as well. A review of requirements such as Environmental Conservation Law (ECL) Subpart 360-6: Liquid Storage for surface impoundment requirements, (link leave DEC's website) Part 673: Dam Safety Regulations, (link leaves DEC's website) or Protection of Waters Permit information will help identify specific requirements and permit standards that would need to be met when designing the proposed impoundment. Other DEC permits under other sections of the Protection of Waters Permit Program or under other Articles of the Environmental Conservation Law may be required.

ii. If the liquid being impounded is water, identify the source of that water. Groundwater sources would include wells, seeps or springs. Surface water sources include streams, rivers, lakes, or surface water runoff. Check 'surface water' even if the water is channeled to the impoundment via pipes or drainage ditches.

iii. If the impoundment is designed to store liquids other than water, check 'other'' and describe the liquid and where that liquid originates from. For example, the source may be from a commercial or manufacturing operation.

iv. Work with the project designer or engineer to calculate the specific volume and surface area. Volume measures how much liquid will be impounded, and surface area measures how much land the impoundment will cover. Describe the dimensions of the dam being used to create the impoundment in terms of its height and length.

iv. and vi. Finally, describe the general design of the impoundment and materials used to construct it. Be as specific as possible so that the reviewing agency has enough information to understand the extent and scale of the proposed impoundment.

Question D 2 - Project Operations - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

Part 1, Section D.2. is designed to elicit specific information about the proposed project's operation. If the proposed project is solely a municipal action for the legislative adoption of amendment of a plan, local law, ordinance, rule or regulation, then all Section D questions may be skipped. Otherwise, this section is where the applicant needs to describe, in as much detail as possible, the proposed project's operations and components.

Answers to these questions are important because the reviewing agency needs to understand the project and its components before any analysis of impacts can be conducted. This section is also important because the answers will be critical in defining the scale and context of the proposal. Answers to D.2. questions will highlight the relevant environmental topics and help identify what will need to be evaluated in Part 2 of the EAF by the reviewing agency.

D.2. questions explore fifteen major environmental topics. As proposed project plats, site plans, and permit application materials are being prepared, it may be helpful for applicants to use the table below as a checklist so that you can gather the necessary information and calculations. It will help you screen answers to focus on. If the proposed project or its components do not address a particular topic, then that set of questions is not relevant and may be skipped.

Be sure that you have maps, plans, calculations, and details on each environmental topic that the proposed project may influence. A more efficient review can take place when there is a complete set of Part 1 information. Keep in mind that space is limited on the Full Environmental Assessment Form to provide additional detail. Applicants should feel free to attach additional sheets, maps, data or illustrations as needed, to provide an appropriate level of detail.

Exploring Part 1, Section D.2. Questions

The following table is provided as a possible method to screen which questions need to be answered.

Question 2 D		
Part 1 Question 2 D	**Environmental Topic**	**When to Answer the Question (for Project Construction, Operation, or Both)**
a.	Excavation, mining, dredging activities will take place	Answer if the project includes excavation, mining or dredging activities. This does not include grading and site preparation work.
b.	Wetland, waterbody, shoreline, or beach areas will be altered or encroached upon	Answer if the project is changing or encroaching on any one of these existing water features. This would include regulated and non-regulated wetlands, lakes, ponds, streams, reservoirs, shorelines and beaches AND areas adjacent to any of these features

c.	New or expanded demand for water	Answer if the project will use or create a demand for water, will use water from an existing public water supply, will require new lines or extensions to water lines, or will obtain water from wells
d.	Liquid waste will be generated and there is need for wastewater treatment	Answer if some sort of liquid waste will be generated. This includes sanitary or industrial wastewater that needs either private or public wastewater treatment facilities
e.	Stormwater runoff will be created	Answer if more than one acre of land is to be disturbed (meets the SWPPP criteria) and creates stormwater runoff
f, g, h, i.	Air emissions will occur	Answer if any air emissions will occur. Subsequent questions need to be answered related to whether the project requires any kind of air permit or registration, emit methane, or release air pollutants from open-air process.
j.	Substantial traffic will be generated	Answer if substantial increases in traffic will occur or if there will be a substantial new demand for transportation facilities or services. (See LINK for a discussion of 'substantial' traffic increases).
k.	Generate new or additional demand for energy	Answer if there will be new demands for energy or additional demands on energy
l	Hours of operation	Answer to designate the hours of operation
m.	Ambient noise levels will be exceeded	Answer if the project will cause ambient noise levels to be exceeded
n.	Outdoor lighting is necessary	Answer if any type of outdoor lighting is to be provided for
o.	Odors will be produced	Answer if odors will be produced for more than one hour per day
p.	Storage of petroleum or chemicals is needed	Answer if there is any bulk storage over 1,100 gallons of petroleum or over 550 gallon of chemical products
q.	Pesticides or herbicides will be used	For commercial, recreational and industrial projects, answer if there will be any use of pesticides
r, s.	Solid waste will need to be managed or disposed (for commercial or industrial uses)	For commercial and industrial projects, answer if there is to be any management or disposal of solid waste.
t.	Hazardous waste will need to be generated, treated, stored, or disposed of (for commercial uses)	Answer if there is to be any generation, treatment, storage, or disposal of hazardous wastes.

D2 a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
If Yes:
i. What is the purpose of the excavation or dredging?

_____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
• Volume (specify tons or cubic yards): _____
• Over what duration of time? _____
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

_____
iv. Will there be onsite dewatering or processing of excavated materials?
If yes, describe. _____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting?
ix. Summarize site reclamation goals and plan:

_____

Excavation, Mining, Dredging

Excavation is the removal of soil and rock materials, and includes placement of fill in one location that was excavated from a different location. Mining is defined by DEC in Article 23, Title 27-Environmental Conservation Law Implementing Regulations-6NYCRR Part 420-425 as "the extraction of overburden and minerals from the earth; the preparation and processing of minerals, including any activities or processes or parts thereof for the extraction or removal of minerals from their original location and the preparation, washing, cleaning, crushing, stockpiling or other processing of minerals at the mine location so as to make them suitable for commercial, industrial, or construction use; exclusive of manufacturing processes, at the mine location; the removal of such materials through sale or exchange, or for commercial, industrial or municipal use; and the disposition of overburden, tailings and waste at the mine location. Mining shall not include the excavation, removal and disposition of minerals from construction projects, exclusive of the creation of water bodies, or excavations in aid of agricultural activities." Dredging includes all in-water activities that are designed to move or remove sediment. Examples of dredging activities include but are not limited to mechanical and hydraulic dredging, mechanical plowing, trenching and jetting.

Filling in navigable waters, excavating contaminated soils, mining and mine reclamation activities, dredging in streams or wetlands, or similar actions that may need a Protection of Waters permit are examples of activities that would be considered excavation, mining or dredging.

Answering Question D.2.a.

If any excavation, mining or dredging is included in the proposed project, check 'yes' and answer sub-questions (i) to (ix). If these activities are not part of the proposed project, check 'no' and move to Question D.2.b. As per Article 23, Title 27-Environmental Conservation Law Implementing Regulations-6NYCRR Part 420.1 (k), do not consider any grading, cut and fill, installation of utilities or foundations, or other site preparation work where the excavated material will stay on site as "excavation, mining or dredging".

i. and ii. If these activities are part of the proposed action, applicants should clearly state the purpose of the project, calculate the volume or materials to be removed, and indicate how long the process will take. Applicants should work with their engineering or design professionals to help calculate the total area to be dredged or excavated over the entire time of the project, identify how much area is to be disturbed at any one time, and determine the maximum depth for dredging or excavation.

iii. through ix. Describe what is to be excavated or dredged, and how these materials will be used, managed or disposed of. An example statement of purpose could be "this is a project that involves dredging lake bottom sediments with a transportable, self-propelled dredging system to control invasive species as well as to restore an area of the shoreline that has been silted in." Similarly, the nature and characteristics of the materials to be dredged could be described as "viscous mud, silt and bottom sediments will be transported 3 miles away to be spread on a 5 acre vacant field, allowed to passively dewater, and then subsequently, be seeded over. The dewatering location will be authorized under a SPDES Permit for stormwater associated with Construction Activities." An example statement that summarizes site reclamation goals and plans could be "the disposal and dewatering location will be graded and seeded over with a grass/alfalfa mix and will be maintained with annual mowing to keep it in grass."

Other Useful Links

DEC Technical and Operational Guidance 5.1.9, In-Water and Riparian Management of Sediment and Dredged Material, 2004.

Mineral Resources (Mined Land Reclamation) Part 420

Mining Reclamation Laws

D2 b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?

If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

iii. Will proposed action cause or result in disturbance to bottom sediments?
If Yes, describe:

_____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?
If Yes:
• acres of aquatic vegetation proposed to be removed

_____

• expected acreage of aquatic vegetation remaining after project completion

_____

• purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):

_____

• proposed method of plant removal:

_____

• if chemical/herbicide treatment will be used, specify product(s):

_____

v. Describe any proposed reclamation/mitigation following disturbance:

_____

Wetlands and Waterbodies

This question concerns all the waterbodies that may be located in or near the project site, whether they are regulated or not. Wetlands, streams, lakes, reservoirs, shorelines, and beaches are examples of waterbodies and areas that may be impacted by an action and that are explored here. For purposes of this Part 1 question, if specific buffer areas do not exist, consider 'adjacent' to be 100 feet from the shoreline or waterline of any of these waterbodies. Note that buffer areas or other zones, and some definitions, are legally established for some waterbodies in certain regulations and may differ from this 100 feet. For example, Tidal Wetland buffers are 300 feet landward of said most landward boundary except for the City of New York where this distance is 150 feet.

New York's waterbodies include rivers, streams, lakes, ponds and wetlands and are necessary for drinking and bathing; agricultural, commercial and industrial uses; and fish and wildlife habitat. In addition, New York's waterways provide opportunities for recreation; education and research; and aesthetic

appreciation. The State has established policies to preserve and protect these important environmental features (Title 5 of Article 15 of the ECL). This question provides information about if, and how a proposed activity could adversely affect the uses of these waters.

Note: Question E.2.h. also asks about the existence of water features on the proposed project site, and stream classifications.

Answering Question D.2.b.

Use DEC's Environmental Resource Mapper, or check maps in the DEC regional office to determine if protected streams and waterbodies, wetlands, ponds, lakes or shoreline areas are contained within or adjacent to your proposed project site. For areas within the Adirondack Park, use the Adirondack Regional Geographic Information System (ARGIS) map application. To find out if there are any mapped wetlands on your proposed project site that are outside of any NYS agency jurisdiction, you can use the National Wetlands Inventory Wetlands Mapper. Most of the mapping systems described here are done at a scale that does not include wetlands smaller than about 1/4 acre.

If the proposed project alters, changes the size of, or encroaches on any existing wetland, waterbody, shoreline, beach or areas adjacent to these features, check 'yes' to Question D.2.b. If there are no wetlands or other waterbodies that will be altered or encroached upon, check 'no' and move to Part 1 Question D.2 c.

In addition to these online mapping sites, your local municipal office should have paper copies of the DEC and APA regulatory maps. They may also have local plans, studies, or natural resource inventories that include mapped wetlands and locally designated wetlands. Maps, plats, or site plans prepared for the proposed project should include information about locations having any waterbody or obviously wet areas. Plans should have sufficient detail on existing and proposed contours, grades, topographic features and profiles at a scale sufficient to assess project impacts on the waterbody.

i. Some waterbodies may be identified by name, wetland map number, or other identification. Include any water body classification that may be designated at question D.2.b.(i). These classifications will show in the pop-up window when using the 'identify' tool in the Environmental Resource Mapper, or they can be found on DEC's NY stream classifications maps.

ii. through iv. Once you have identified that wetlands or other waterbodies are present on or adjacent to the project site, describe how they may be affected by the proposed action. An example of such a statement would be "one acre of shoreline soil material, along with cattails, grass and trees will be removed and the shallow area of the lake will be dredged five feet to enhance access for boats. Project will include a 100 foot concrete retaining wall, and construction of a dock with 20 marina slips. In this example, sub-question (iii) and (iv) would be answered 'yes' due to the disturbance of bottom sediments and removal of aquatic vegetation. Aquatic vegetation would include emergent plants (those that grow

primarily above the water), floating plants (may or may not be rooted underwater but have a floating leaf), and submergent plants (those that grow primarily underwater).

v. Be sure to describe construction methods and any proposed reclamation or mitigation measures. Reclamation/mitigation should include methods for addressing erosion and sediment control, re-vegetation, or restoration of habitats. Further, the description of the proposed reclamation/mitigation plans should outline whether restoration, creation or enhancement of the water body will be conducted, whether mitigation or reclamation will take place on or off site, and how it will be monitored.

Other Useful Links

The NYS Freshwater Wetlands Act

Environmental Conservation Law, Article 25, Tidal Wetland Act

APA Freshwater Wetlands Flyer

The U.S. Army Corps of Engineers (ACOE)

The National Wetlands Inventory

Shoreline Protection Guidance

Protection of Waters Information

Aquatic Plant Management

D2 c. Will the proposed action use, or create a new demand for water?
If Yes:
i. Total anticipated water usage/demand per day: _____ gallons/day
ii. Will the proposed action obtain water from an existing public water supply?
If Yes:
• Name of district or service area: _____
• Does the existing public water supply have capacity to serve the proposal?
• Is the project site in the existing district?
• Is expansion of the district needed?
• Do existing lines serve the project site?
iii. Will line extension within an existing district be necessary to supply the project?
If Yes:
• Describe extensions or capacity expansions proposed to serve this project: _____
• Source(s) of supply for the district: _____
iv. Is a new water supply district or service area proposed to be formed to serve the project site?
If, Yes:

• Applicant/sponsor for new district: _____
• Date application submitted or anticipated: _____
• Proposed source(s) of supply for new district: _____
v. If a public water supply will not be used, describe plans to provide water supply for the project:
_____
vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

Answering Question D.2.c.

New York State's waters are an important natural resource used for industry, agriculture, power supply, mining, domestic consumption, recreation, and for fish and wildlife species. Managing the use of this resource is important for the State's economic growth and the health of its citizens and the environment. Water is not an inexhaustible resource, and any proposed action that will impact a water supply needs to be evaluated.

Some proposed projects will not need a water supply. If not, check 'no' to question D.2.c., and move on to D.2.d. For those that do need water, you will need to know if you are going to connect to an existing public or private water supply, whether an extension of those services will be necessary, or if a new water supply will be developed.

All public water supplies (systems) in NYS are regulated through the NYS Department of Health Drinking Water Protection Program. The Department of Health defines a public water system as: "...any entity which provides water to the public for human consumption through pipes or other constructed conveyances. In New York, any system with at least five service connections or that regularly serves an average of at least 25 people daily for at least 60 days out of the year is considered a public water system."

For the purposes of SEQR, a private water supply is defined as a water supply that falls outside of the Department of Health's definition of a public water system. Private water supplies may come from a drilled well. Dug well and surface water bodies such as a lake may also appear as water sources. However, it should be noted that the NYS DOH prefers drilled wells and does not recommend dug wells for individual water supplies. If water is required for the project but there is no existing supply, you will need to describe the method to be used for supplying potable water.

i. Work with your design professional or engineer to determine the anticipated usage or demand for water per day. This is usually determined by the number of bedrooms, for residential projects; or persons employed or square footage for commercial uses, or by comparing the project to nearby similar uses.

ii. If the proposed action will obtain water from an existing public water supply, answer 'yes' to question D.2.c.(ii), and identify the district or service area. Review water district maps, identify where water lines

are and what capacity the system has to serve the proposed project. In order to determine the public water systems current capacity, contact the system operator.

The operator of the system will be your best point of contact for information regarding the capacity of the water supply. The operator may be an employee of the local municipality, the county, a homeowners association, or a private company hired to maintain the system. The local municipal office, website, or government pages of the phone book may be helpful in locating the operators. Another source for contact information can be found on the New York State Department of Health's Annual Water Quality Report, if the system is a Community Water System, or you can ask your local health department or state district office for the operator's contact information.

iii. If there is an existing public water supply system and the proposed project is within an existing water district but an extension of water lines or increases in capacity are required, answer 'yes' to question D.2.c.(iii). Describe what the proposed expansion will require including size and length of pipe to be added, the number of potential laterals or new hookups that may be created, and the number of gallons per day that is proposed. Identify the source of water supply. If additional capacity is required for an existing water district, also describe how much additional capacity is needed and provide information indicating the water supplies capacity for expansion.

iv. Some projects may require water but an existing system does not exist so a new one needs to be formed to serve the site. In that case, identify where this will be, how large an area it will cover, how many lots, homes or businesses would be included, source of water supply, and the role the municipality will have in forming that district.

v. and vi. Private water supplies are typically drilled wells. These drilled wells usually supply a single use, such as a single family home, or a small commercial use. However, there are instances where multiple homes or uses are supplied by a single well. Some properties may have older dug wells on them, or be supplied by surface water such as a lake.

If you are connecting to an existing private water supply, you may have to do some investigation to learn what the capacity is. There may or may not be adequate records available describing the capacity of the water supply, and its existing level of use. Some newer wells may have well log data filed with the municipality or DEC that will help give information on its water capacity. You can see if data on a well is available by searching through the Water Well Information Search Wizard (search by coordinate or county).

D2 d. Will the proposed action generate liquid wastes?
If Yes:
i. Total anticipated liquid waste generation per day: _____ gallons/day
ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe

all components and approximate volumes or proportions of each):

_____

iii. Will the proposed action use any existing public wastewater treatment facilities?

If Yes:

• Name of wastewater treatment plant to be used: _____

• Name of district: _____

• Does the existing wastewater treatment plant have capacity to serve the project?

• Is the project site in the existing district?

• Is expansion of the district needed?

• Do existing sewer lines serve the project site?

• Will line extension within an existing district be necessary to serve the project?

If Yes:

• Describe extensions or capacity expansions proposed to serve this project:

_____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?

If Yes:

• Applicant/sponsor for new district: _____

• Date application submitted or anticipated: _____

• What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste:

_____

Wastewater and other liquid wastes

This question explores any liquid wastes and wastewater treatment facilities that may be associated with the proposed project. Liquid wastes include both sanitary wastewater (sewage) and liquid industrial waste. However, if the liquid generated by the proposed project is considered to be hazardous waste, provide those details in question D.2.t. Liquid wastes do not include stormwater runoff - that will be explored in Question D.2.e. Add information for all sanitary and non-hazardous liquid waste generated by the proposed project in this question.

Wastewater treatment is the process of removing physical, chemical, and biological contaminants from sewage and non-hazardous liquid waste. It is essentially a way to speed up the natural purification processes to return the treated water back to the environment with as little impact as possible.

Some projects may need a SPDES permit from DEC. SPDES is the NY State Pollutant Discharge Elimination System (SPDES) that controls wastewater discharges. Wastewater treatment utilities meeting the following criteria will need a SPDES permit from DEC:

- Constructing or connecting to an outlet or pipe that discharges more than 1,000 gallons per day of sewage-only wastes to ground water
- Constructing or connecting to an outlet or pipe that discharges industrial or other non-sewage wastes to ground water
- Constructing or connecting to an outlet or pipe that discharges wastewater into any surface water
- Constructing or operating a disposal system such as a sewage treatment plant

Wastewater treatment systems that discharges less than 1,000 gallons per day to groundwater, and that have no industrial or other non-sewage wastes will require approval from the appropriate city or county health department, or the appropriate district office of the New York State Department of Health.

Wastewater treatment systems requiring a SPDES permit will have an operator that is responsible for maintaining the system. The operator may be an employee of the local municipality, the county, a homeowners association, or a private company hired to maintain the system. The operator of the system will be your best point of contact for information regarding the system's capacity.

For existing wastewater treatment systems that do not require a SPDES permit, the city or county health department, or the Department of Health District Office may have records that describe the system's capacity when it was built. Contact the municipal office, website, or government listings in a local phone book to search for additional contacts. If no records can be found, you might have to hire an engineer to examine the wastewater treatment system to determine its operating capacity.

Answering Question D.2.d.

If there are any sanitary or non-hazardous industrial liquid wastes to be generated by the proposed project, check 'yes' and answer sub-questions (i) through (vi). If there are to be no liquid wastes generated, move onto Question D.2.e.

i. and ii. If liquid wastes will be generated, work with the design professional or engineer to calculate the total anticipated amount of liquids to be generated in gallons per day. This should account for all uses associated with the project, all users, and all phases. Describe the nature of the liquid waste, for example "There will be 950 total gallons per day of wastewater generated. 90% of that will be sanitary wastewater and 10% of that will be wastewater used to cool equipment. There will be no hazardous waste included in the cooling water."

iii. If liquid wastes will be generated and the proposed action will use an existing public treatment facility, provide information about that existing system and its capacity to handle the proposed amount of

wastewater. Identify the name of the system (Such as the Village of ____ Wastewater Treatment facility); add the name and location of the waste water treatment district that covers the proposed project location. You could also include a map showing the name, extent and location of the district.

You will need to determine whether or not the existing system has enough capacity to provide adequate service for your project. For this, you will need to contact the system operator and compare the available capacity to the needs of the proposed project. Indicate in sub-question D.2.d.(iii) if there is enough capacity to handle the proposed project. If there is an existing system that does not have enough capacity to accommodate your proposed project and you will be proposing extension of a sewage district, extension of existing lines, placement of sewer lines, or other system upgrades, describe in this sub-question.

iv. Some projects may propose establishment of a new public wastewater treatment facility because one does not currently exist, or does not exist to serve that location. This usually involves formation of a new sewer district to serve the proposed project location. In this case, project sponsors will need to work with the municipal engineer, waste treatment operator and municipal officials to make that request. Indicate in this sub-question when an application to create a new district was or has been made. Identify the water body planned to receive the wastewater after treatment. This likely will be a nearby lake, stream, or river. The reviewing agency will need to evaluate the impacts of creating a new facility and/or district.

v. If wastewater is to be generated, but no existing or new public treatment facility is planned to be used, you will need to describe how wastewater will be treated. Work with your design professional or engineer to describe any planned surface discharge or subsurface disposal. Include the type and size of the facility, location on the property, and name and DEC classification of the water body that wastewater will be discharged into, if any.

vi. Regardless of whether a public or private wastewater treatment facility will be used, expanded, or created, describe in sub-question D.2.d.(vi) any plans to recycle or reuse liquid waste.

Useful Links

Information on wastewater treatment is available on the WWT web page.

NYS DEC provides municipalities information on local sewer use, sewer overflow plans, and a Model Sewer Use Law. Visit the Sewer web page for more information.

Combined Sewer Overflows (CSOs) collect runoff, domestic and industrial wastewater in the same pipe. During rainfall, the CSO capacity may be exceeded causing the excess to overflow directly into the receiving waterbody. More information is available on the CSO web page.

Wastewater Treatment Plant Operation - Links to contacts, training, certification, regulatory updates and more.

Sewers - Information on sewers and sewer use.

Other resources related to water

D2 e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?
If Yes:
i. How much impervious surface will the project create in relation to total size of project parcel?
_____ Square feet or _____ acres (impervious surface)
_____ Square feet or _____ acres (parcel size)
ii. Describe types of new point sources. _____
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
_____
• If to surface waters, identify receiving water bodies or wetlands: _____
• Will stormwater runoff flow to adjacent properties?
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?

Stormwater

This question explores what, if any, stormwater discharge will occur as a result of your proposed activity.

Stormwater runoff comes from rain and snowmelt that flows over land or constructed surfaces such as paved streets, sidewalks, parking lots and rooftops and that does not seep into the ground. When this happens, the water picks up and moves chemicals, nutrients, sediments or other pollutants and debris along with it. If this stormwater runoff is not slowed and captured before it flows into lakes, rivers, and wetlands, it can negatively impact water quality. For additional information see the Stormwater and Urban Stormwater Runoff Facts.

The New York SPDES General Permit for Stormwater Discharges from Construction Activities requires that all development projects causing 1 acre of soil disturbance or more, or those in certain watersheds incorporate practices that reduce the impacts of stormwater from the site. Land disturbance would include any grading, land clearing, construction activities, or expansion of a current land use or creation of impervious surfaces that will result in stormwater runoff. Some stormwater discharge will likely occur from any of these activities.

A project may create stormwater that is discharged at a specific location such as a ditch, pipe, or channel (point sources). Or, a project may result in stormwater that comes from many diffuse sources (nonpoint

sources). Answer this question regardless of whether the runoff comes from point or non-point sources. Include stormwater runoff from both construction and post construction phases.

Go to the Stormwater Interactive Map for more information related to the New York State Stormwater General Permit program. This interactive map will help you locate your project site in relation to stormwater related requirements and regulated areas such as regulated MS4 areas, and Watershed Improvement Strategy Areas.

Answering Question D.2.e.

If the project disturbs less than one acre of land then the project will not be required to meet the NYS Stormwater requirements, answer 'no' to this question, and move to D.2.f. If more than one acre of land is to be disturbed then NYS stormwater requirements will likely need to be met and check 'yes' to D.2.e.

i. Work with your design professional or engineer to calculate how much impervious surface is included in the proposed project. An important consideration is the percent of the total parcel converted to impervious surfaces. To determine that, calculate the size (in either square feet or acres) of impervious surface (roof, pavement, sidewalks, etc) in relation to the entire parcel size. For example, a 40,000 square foot building with 40,000 square foot parking area would create 80,000 square feet of impervious surface. If located on a five acre parcel, the project would result in about 40% impervious surfaces. That is 80,000 square feet, or about two acres of impervious surface over the full five acre parcel.

ii. and iii. Describe all point sources of runoff created by the proposed project and describe where all stormwater runoff will be directed. Identify if a treatment facility, groundwater, or surface water body will receive the stormwater, and if it will be contained on-site or conveyed off-site to another property. An example of a suitable statement here would be "stormwater discharges from small storms will be directed to green infrastructure practices that distribute the flow and infiltrate it into the ground. Larger storms are directed to on-site retention ponds that control the rate of runoff to pre-developed conditions."

If a surface water body (lake, stream, river or wetland) will receive stormwater, identify and name it and include the DEC waterbody classification of that waterbody. Identify if stormwater will flow off site to adjacent properties through ditches, swales, pipes, or sheet flow overland. Some projects direct stormwater runoff to a surface water body either directly or indirectly. If that surface water body extends beyond the project parcel boundary, consider this flowing to adjacent properties, and answer 'yes' to the D2e (iii) question about whether runoff will flow to adjacent properties. If stormwater will be conveyed to a combined sewage overflow (CSO), this should be identified, although the actual eventual receiving water need not be identified. Conveyance via municipal storm sewers to a stream or river, as well as discharges directly to a stream on or adjacent to the parcel should also be considered and receiving waters identified.

iv. If the proposed action includes use of pervious materials, low impact development (LID) methods, re-use of stormwater, or other methods to reduce stormwater impacts, check 'yes' to D.2.e.(iv). This part of

the EAF is an opportunity for the project applicant to discuss ways they can maximize green infrastructure practices to minimize stormwater impacts.

LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product or methods such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. Be sure to check local development regulations as some New York Communities require use of LID methods.

Additional information

Although not included specifically in question D.2.e., information about the long term maintenance of stormwater management facilities that are proposed may be important. The reviewing agency will likely want to evaluate the long-term effectiveness of stormwater controls, and applicants should consider providing this.

Depending on the proposed project, it may also be appropriate for the reviewing agency to request additional information to characterize stormwater runoff in more detail. Estimated pre-development runoff volume, estimated post development runoff volume, and estimated on-site runoff stormwater detention volume are other data often included as part of a permit application. Data such as this are provided by an engineer and allow the reviewing agency to determine changes to stormwater resulting from a proposed project.

Other Useful Links

- NYS DEC's Stormwater page
- NYS DEC's Construction Stormwater Toolbox page
- New York Standards and Specifications for Erosion and Sediment Control
- New York State Stormwater Management Design Manual
- Better Site Design Program for the Hudson River Estuary Program
- EPA's Low Impact Development

D2 f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?
If Yes, identify:
i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
_____
ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

Air Emissions

Air pollution can harm human health, and damage all the elements of the ecosystem. Air pollutants originate from many human activities but most pollutants come from industries that manufacture chemicals and other goods, from on- and off-road vehicles and power equipment, and from energy facilities that burn oil, gas, or coal.

Among the many pollutants emitted into the air each year are sulfur dioxide, nitrogen dioxides, carbon monoxide, benzene, mercury, methane, and dioxin. Others include particulates (a mixture of very small particles and liquid droplets including nitrates and sulfates, organic chemicals, metals, and soil or dust particles), ground-level ozone, and lead.

An air emission consultant can provide the information in this and the following air-related questions. Applicants can also begin their research by visiting the DEC's Division of Air Resources (DAR) and reviewing regulations, permit requirements, and application forms.

Answering Questions D.2.f. through D.2.i.

If the proposed activity is one that generates or uses one or more sources of air emissions, requires a state or federal air emission registration or permit, generates or emits methane, or results in the release of air pollutants, answer 'yes' to questions D.2.f., g., h., and i. If no air emissions of any kind will occur, check 'no' to D.2.f., g., h. and i., and then move to Question D.2.j.

Answering Question D.2.f.

Answer 'yes' to this question if there are any air pollutants that will be generated or used in either construction or post-construction phases of the proposed project. Consider both minor and major sources of air emission including vehicles and equipment that use gas or diesel fuels.

If you answer yes, then:

i. List sources of mobile air pollutants such as from vehicles or non-permanent equipment.

ii. Stationary sources of air pollution can come from large facilities, such as petroleum refineries and chemical plants. Other stationary pollution sources are smaller such as gasoline filling stations, dry cleaning operations, and paint spray booths. See DEC's website on stationary sources for more information. List all sources of air emissions from stationary sources that may occur during construction.

iii. After construction, operations of the proposed activity can also generate or use air pollutants. Here, list all post-construction stationary sources of air emissions that may occur during operations.

D2 g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?
If Yes:
i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)
ii. In addition to emissions as calculated in the application, the project will generate:
• _____Tons/year (short tons) of Carbon Dioxide (CO2)
• _____Tons/year (short tons) of Nitrogen Dioxide (N02)
• _____Tons/year (short tons) of Perfluorocarbons (PFCs)
• _____Tons/year (short tons) of Sulfur Hexafluoride (SF6)
• _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
• _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

Air Permits

The air permitting program is required by the Clean Air Act and under New York State law (6 NYCRR Part 201). The program is administered by DEC's Division of Air Resources (DAR). The two most common types of permits for air contamination sources are described in 6 NYCRR Part 201. These are:

- State Facility Permit for facilities that are not considered major but meet criteria of Part 201-5

or

- Title V Facilities that are judged to be major under the department's regulations that:
  - are subject to New Source Performance Standards (NSPSs) or;
  - are subject to one or more standards or requirements regulating hazardous air pollutants or;
  - need to meet federal acid rain program requirements.

Non-major facilities that meet the criteria of Subpart 201-4 must register under the department's permitting program, rather than obtain a permit. Registrations are ministerial in nature and have no formal notice requirements. If a proposed action includes use or generation of air emissions, contact the Department of Air Resources and work with your engineer to calculate the specific amount of emissions planned during both construction and operation. Because there may be more significant impacts associated with projects that require air permitting, the reviewing agency may require additional information to assess potential impacts.

Also see thresholds and requirements for emission sources subject to regulation at Subpart 231-1.

If a project involves air permits as described above, it is strongly suggested that the sponsor seek assistance from a consultant experienced in the preparation of applications for air permits.

Answering Question D.2.g.

i. Federal law designates six air pollutants as criteria contaminants that require special measures to limit their presence in the nation's air. The six criteria contaminants are sulfur dioxide, nitrogen dioxide, ozone, carbon monoxide, particulate matter less than 2.5 microns (micrometers) in size, and lead.

The federal Environmental Protection Agency (US EPA) designates as nonattainment areas those parts of the country where the air exceeds the National Ambient Air Quality Standards (NAAQS) for one of the six criteria contaminants. DEC has developed State Implementation Plans (SIPs) to reduce air pollution in nonattainment areas. Listing of nonattainment areas can be found on the EPA website.

ii. Calculate the tons per year of each of the listed air pollutants. In order to determine impacts of proposed air emissions, the reviewing agency may require additional information. Data included on a DEC Air Permit Application including the number of emission points, facility description, plans for monitoring, specifics on emission points, and air quality compliance plans, including air pollution modeling, may be necessary for the reviewing agency to determine whether any potential adverse environmental impacts may occur.

D2 h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?
If Yes:
i. Estimate methane generation in tons/year (metric): _____
ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring):
_____

Methane

The main source of methane comes from fossil fuel mining and distribution, livestock, landfills, and composting. Agricultural operations, such as Concentrated Animal Feed Operations (CAFO) are Type II actions and are exempt from SEQR. For actions that are not Type II, identify the amount of methane to be generated or emitted.

Answering Question D.2.h.

i. Calculate the tons per year of methane.

ii. Describe methods to control or eliminate methane emissions.

D2 i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?
If Yes:

Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

Open Air Operations

Open sources of air pollution are those that emit particulate or gaseous air pollutants directly to the atmosphere. Quarry's, landfills, and composting operations are examples of uses that emit air pollutant directly.

Answering Question D.2.i.

If the proposed project is an open-air operation, check 'yes" to D2i and describe the operation and nature of the emissions.

Useful Links for all air emission questions (D.2.f. - D.2.i.)

Division of Air Resources

About Clean Air Act's New Source Review program and Part 231

Air Program Forms and Instructions

Is the Project Major or Minor

Section 200 General Provisions (link leaves DEC's website)

Air Pollution Control Permit Program

D2 j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?
If Yes:
i. When is the peak traffic expected (Check all that apply):
?? Morning ?? Evening ?? Weekend ?? Randomly between hours of _____ to _____
ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____
iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
iv. Does the proposed action include any shared use parking?
v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?
vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?
viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?

Traffic

Understanding the demands new development places on a community's street and road network and transportation services is an important part of evaluating the overall impacts of that development. New development can generate or change traffic, or create a new demand for public transportation. For example, enough traffic may be generated by a new land use to create congestion, to change community character, or to require the community to invest in additional roads. Traffic congestion itself results in a number of problems, including economic costs due to delayed travel times, air pollution and accidents. As one roadway becomes congested, drivers might use others not necessarily intended or designed for through-traffic. Additionally, increased traffic levels resulting from a proposed project may also require parking lots or garages.

Answering Question D.2.j.

As a starting place, use the table below to determine if your project is likely to have significant increases in traffic. This table uses the number of new vehicle trips made during peak traffic hours (early morning and late afternoon) to help you determine if a substantial increase in traffic is likely to occur as a result of your proposed activity. This table assumes that a project generating fewer than 100 peak hour vehicle trips per day will not result in any significant increases in traffic.

1. In the table below, match your project as closely as possible to the LAND USES identified in the table
2. Look at column 2 (THRESHOLDS). If your proposed project is less than this number of units or square feet, then it will generate less than 100 peak hour trips. For some of the questions, a definition of gross floor area has been discussed in the DEC Handbook
3. If your project is below the threshold shown in column two, your project will not result in a substantial increase to traffic and you should check 'no'

If your project is at or exceeds the threshold in column 2, then your project should be considered to result in a substantial increase in traffic and you should answer 'yes'. In this case, it is likely a traffic impact analysis will be needed to fully evaluate potential traffic impacts.

Land Use	
Land Use	**> Greater than or = equal to 100 Peak Hour Trip Thresholds**
Single Family Home	95 units
Apartment	150 units
Condominium/Townhouse	190 units
Mobile Home Park	170 units

Shopping Center	6,000 square feet (gross floor area)
Fast Food Restaurant with Drive-in	3,000 square feet (gross floor area)
Gas Station with Convenience Store (Fueling Positions)	7 fueling positions
Bank with Drive-in	3,000 square feet (gross floor area)
General Office	67,000 square feet (gross floor area)
Medical/Dental Office	31,000 square feet (gross floor area)
Research and Development Facility	73,000 square feet (gross floor area)
Light Industrial/Warehousing	180,000 square feet (gross floor area)
Manufacturing Plant	149,000 square feet (gross floor area)
Park-and-Ride Lot with Bus Service	170 parking spaces
Hotel/Motel	250 rooms

(From: Michael Spack, Nov. 3, 2010 "Review of ITE's New Recommended Practice - Transportation Impact Analysis for Site Development" and Institute of Transportation Engineers "Transportation Impact Analyses for Site Development", Washington DC, 2010.)

Even if the development does not generate the threshold level of trips presented in this workbook, a traffic analysis may still be necessary under the following conditions:

- High traffic volumes on surrounding roads may affect movement to and from the proposed development
- Lack of existing left turn lanes on the adjacent roadway at the proposed access drive may cause a problem.
- Inadequate sight distance at access points
- The proximity of the proposed access points to other existing drives or intersections may be a problem.
- A development that includes a drive-through operation may cause other traffic related issues.

Traffic Impact Analysis

In the event the applicant or reviewing agency decides a traffic impact analysis is needed to adequately answer this question,
the following information is generally included in such a study:

- Identification of peak hours and whether weekends will be used in the impact analysis
- Location of proposed Access points

- Description of road network and intersections adjacent to site and at access points
- Counts during peak-impact hours
- Trip generation rates used and the source of these rates
- Traffic generated during peak impact hours
- Method used to distribute traffic
- Table showing estimated traffic movements by direction
- Discussion of method used for traffic assignment and assumptions for assignment of traffic to network
- Identification of development in study area whose traffic is to be included in calculations
- Adjustments of off-site through traffic volumes
- Assembling of off-site traffic forecast for design year
- Assignment of peak-period traffic to intersections and access points
- Figures for existing peak impact traffic hours, site traffic and total traffic
- Recommended access design improvements
- Internal Reservoir at access points
- Parking layout and loading dock locations and access, including design truck used
- Other developments in area

If the answer to the initial D.2.j. question is yes:

i. Check the category that best describes when peak traffic will result from the proposed project. Understanding when peak traffic is expected for the proposed project is important and the reviewing agency will consider that in relation to existing traffic patterns and timing.

ii. Identify the number of semi-trailer truck trips per day. This should include trips made entering and exiting the project site.

iii. Identify the number of existing parking spaces that are potentially accessible to the project needs. There may be existing on-site parking spaces or others off-site, located either on the street or in other parking facilities. Keep in mind that some municipalities do not allow off-site parking spaces to be considered. Be sure you research local parking regulations to determine if counting street or off-site parking spaces is allowed.

Identify the number of new on-site parking spaces proposed and if allowed by the municipality, include proposed new off-site spaces. With that information, calculate the net increase or decrease in parking.

For example, if there are no existing parking spaces available and the proposed project will require 50, then there will be a 50 space net increase. If a site contains 100 spaces, and the proposed project plans

to add 50 new spots and re-do 50 of the existing spaces, then the net increase will still be 50. A net decrease could occur when a project removes available parking spaces.

The reviewing agency will evaluate plans for parking, both on-site, and if appropriate, off-site. Parking lots can impact the environment by increasing stormwater runoff, changing the aesthetic character of an area, and introducing or expanding glare and lighting.

iv. Shared parking is when adjacent property owners share their parking lots to reduce the number of parking spaces that each would provide on their individual properties. Parking is one of the largest uses of land and often parking occupies more land area than the building itself. Often, sites with large parking lots are located next door to other sites with equally large lots. If adjacent sites serve different purposes, each parking lot may lie empty for long periods of time. When parking lots are somehow connected and shared, there is less space given over to parking. This reduces environmental impacts and creates opportunities for more compact development, more space for pedestrian circulation, or more open space and landscaping. Check 'yes' if shared parking lots are part of the proposed project.

v. Describe any modifications planned to existing roads, streets, and access patterns, or creation of new roads. Items to describe in this sub-question include widening, straightening, changes to grade, or other modifications of existing roads. Also describe the size, location, length, and type of new road proposed to be built, and changes to intersections, traffic signaling, access (ingress and egress) patterns to the parcel or that affects nearby parcels. Referencing site plans or other application materials that describe these changes in more detail or adding additional maps or sheets to describe these changes will help the reviewing agency understand the scope of road and access modifications.

vi. Public/private transportation services or facilities include bus, taxi, train, park-n-ride lots, parking lots, and subways. The ½ mile distance reflects the typical walking distance pedestrians would use. Also consider bike paths, sidewalks, and other multi-use pedestrian facilities in this question as they are part of a comprehensive transportation system. Placement of public and private transportation services or facilities outside that ½ mile distance means that pedestrians will be less likely to use those facilities. The ½ mile distances should consider routing and features that may block direct transportation routes such as railroad tracks, fencing, etc. Answer 'yes' if such facilities are available within ½ mile of the proposed site. If yes, the reviewing agency may seek additional information about what those facilities are, routing to the facilities, and how much capacity they have to accommodate new users. This information could be supplied in the permit application package.

vii. Similar to above question D.2.j.(vi), this question provides information to help the reviewing agency understand if the project includes built-in mitigation to potential impacts on traffic and energy. If there is access (preferably within ½ mile), to public transportation, then there is a potential to reduce traffic volumes, air pollutant emissions, the amount of land needed for parking, and energy use. Accommodation

for hybrid, electric or other alternative fueled vehicles would encourage their use and could serve to reduce air pollutant emissions and energy uses. For example, some developments accommodate hybrid, electric or other alternative fueled vehicles by creating dedicated parking spots in choice locations for those vehicles.

viii. Check 'yes' if the project proposes to add to or link to existing pedestrian accommodations (sidewalks, paths, pedestrian benches and bus shelters), or bicycle routes and accommodations (trails, paths, sidewalks, bike lanes, and bicycle parking). Provision of these facilities can work towards improving health and reducing impacts on the environment by offering alternative transportation routes to the proposed site. This could reduce traffic volumes and air emissions. It may be helpful to provide a more detailed description or map of these facilities, if included in the proposal.

D2 k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?
If Yes:
i. Estimate annual electricity demand during operation of the proposed action:

_____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade to, an existing substation?

Energy

This question provides information to help the reviewing agency determine if new demands for electrical energy will be required for the proposed project, and if so, where will that energy come from and how will that energy be supplied. In Part 2, the reviewing agency will evaluate whether current capacity is adequate, if additional facilities are needed, and potential impacts related to provision of new electrical facilities (substations, extensions of electrical lines, or power generation).

Answering Question D.2.k.

If the proposed project is a commercial or industrial project and will generate or create a demand for new energy, check 'yes'.

i. Work with your design professional or engineer to calculate the total annual electricity demand. This should include all interior and exterior energy needs such as lights, heating, and equipment, including office uses and appliances. Demand is calculated by multiplying the wattage consumed by each electrical use by the number of hours/day and by the total number of days it is to be used. As part of the description, include the square footage of the proposed building to be heated or cooled.

ii. There are many ways energy can be supplied. Some projects may provide their own energy generation through use of on-site combustion of fuel, solar, wind turbine, hydroelectric, geothermal, or use of the existing electrical grid. Identify and describe the anticipated source of electricity for the project. If accessory structures (buildings or wind towers, for example) are to be used, describe this also including the location and dimensions of that facility. Add that information on a site plan or other map.

iii. If electricity will be supplied through the grid or local utility, contact them about your electrical needs and identify and describe here if current capacity is adequate or upgrades will be necessary. Check 'yes' if a new facility or upgrade to an existing substation will be necessary. If the current capacity is adequate to accommodate the proposed project, check 'no'. If an upgrade is necessary, the reviewing agency may require additional information related to the size, location, and scale of the upgrade.

D2 l. Hours of operation. Answer all items which apply.
i. During Construction ii. During Operations:
• Monday - Friday: _____ • Monday - Friday: _____
• Saturday: _____ • Saturday: _____
• Sunday: _____ • Sunday: _____
• Holidays: _____ • Holidays: _____

Hours of Operation

The time of operation can be an important consideration as the reviewing agency determines the context of a proposed use. Projects that are likely to produce noise, odors, lighting, traffic or other adverse impacts during the night time may be more impacting than those that operate during regular business hours. Information from this question will help the reviewing agency understand the significance of certain impacts.

Answering Question D.2.l.

Identify all hours of operation both during construction and operation phases. Be sure to check local zoning to see if there are any restrictions related to hours of operation.

D2 m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?
If yes:
i. Provide details including sources, time of day and duration:

_____
ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?
Describe: _____

Noise

"Noise is defined as any loud, discordant or disagreeable sound or sounds. More commonly, in an environmental context, noise is defined simply as unwanted sound. Certain activities inherently produce sound levels or sound characteristics that have the potential to create noise. The sound generated by proposed or existing facilities may become noise due to land use surrounding the facility. When lands adjoining an existing or proposed facility contain residential, commercial, institutional or recreational uses that are proximal to the facility, noise is likely to be a matter of concern to residents or users of adjacent lands."

Sources of noise can come from fixed or mobile equipment, process operations, or in the transportation of products, materials, or wastes. Noise generating equipment can include " a very wide range of equipment including: generators; pumps; compressors; crushers of plastics, stone or metal; grinders; screens; conveyers; storage bins; or electrical equipment. Mobile operations may include: drilling; haulage; pug mills; mobile treatment units; and service operations. Transport movements may include truck traffic within the operation, loading and unloading trucks and movement in and out of the facility. Any or all of these activities may be in operation at any one time. Singular or multiple effects of sound generation from these operations may constitute a potential source of noise."

Projects that do not involve construction or land use activities may not affect the ambient noise levels. (Ambient noise level is the total background noise in an area.) If physical disturbances to a property are part of the proposed project then it is possible that construction activities will, at least temporarily, result in noise levels that exceed ambient conditions. After construction, some projects will no longer affect ambient noise levels, while others may significantly alter those levels.

DEC has developed a guidance document on assessing and mitigating noise impacts. Applicants are encouraged to review this document when planning their project, and when answering this question.

Answering Question D.2.m.

To answer this question, applicants will need to determine the noise levels that will be produced from the proposed project as well as know what ambient noise levels are. If the project produces noise that does not change the ambient level, then check 'no' to this question and move on to D.2.n. However, if noises will be produced that exceed ambient levels, then check 'yes' to this question and answer sub-questions (i) and (ii) to provide additional detail.

i. Provide as much detail as possible about the source (what specifically is creating the noise), timing (day or night and the amount of time the noise will be produced), and duration of noises associated with the proposed project. Duration refers to whether the sound is intermittent or continuous. An example of a description would be "two 7,000 horsepower compressors will be operating 24 hours per day. The noise generated will not fluctuate and will be steady throughout all operating times."

The reviewing agency may require additional information about the noise sources and characteristics. Review the DEC guidance document for information on conducting a noise analysis. Applicants may need to calculate sound pressure levels, characterize sound frequency (or pitch) characterize duration of the noise (is it continuous or intermittent, for example), calculate the equivalent sound level, measure cumulative noise exposure, or calculate other measurements to describe the environmental setting and effects the project will have on noise levels.

ii. Natural barriers include trees and other vegetation, and hills. When grading or land clearing takes place, these natural barriers are often removed. Removal of hills, vegetation, or existing large structures can result in exposing neighbors to increased sound pressure levels, causing noise problems where none had previously existed. Describe any existing natural barrier that will be removed as part of the proposed project. Include grading, land clearing, and changes to topography and how that would likely affect sound levels. Describe other mitigation techniques or best management practices that are included in the project such as, but not limited to using mufflers, modifying or moving machinery, limiting hours of operation or construction, increasing setback distances, enclosing noise generating equipment, erecting screens, walls, tree-lines, or berms, or preserving natural barriers.

D2 n. Will the proposed action have outdoor lighting?
If yes:
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

_____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?
Describe: _____

Lighting

Outdoor lights have the potential to cause light pollution and glare. Light pollution is excessive and inappropriate artificial light. Problems associated with excessive or inappropriate outdoor lighting include sky glow (a brightening of the night sky over inhabited areas), light trespass (light falling where it is not intended, wanted, or needed), glare (excessive brightness which causes visual discomfort or decrease visibility) and clutter (bright, confusing, and excessive groupings of light sources). Adverse effects of light pollution include disruption of biological rhythms, impact on nocturnal wildlife, lowered visibility, and wasted money and energy. This question explores the outdoor lighting proposed. If no outdoor lighting is included in the proposed project, move to D2o.

If outdoor lighting is proposed, provide information about the source, location, height, direction and aim, and proximity to nearest occupied structure. Identify if the lights are to be building mounted, pole mounted, or ground mounted. Indicate if they are to provide general lighting or safety lighting. General

lighting would be that typically found on buildings and in parking lots. Safety lighting may also be small, ground mounted lights along sidewalks. Mention if lights will be provided for signs, landscaping, security cameras, or flagpoles.

Answering Question D.2.n.

i. Specify the height of all fixtures. The direction and aim of lighting is an important consideration to plan for not only to understand the potential for adverse impacts, but for the most effective use of lighting. Fixtures that are shielded (see illustration) and that direct light down reduce glare and light trespass. Specify the distance between the planned lighting fixtures and the nearest occupied structure. An example statement for this question would be "20 pole lights using fully shielded box style lights, each 18 feet high, will be placed in the proposed parking lot every 20 feet. Shielded, building mounted lights will be placed on all four sides of the building every 10 feet. All sidewalks will have ground-mounted safety lights every five feet. Ground mounted lights directed upwards to a flag pole and on both sides of the sign will be provided. One ground mounted light will be directed to the company name on the front side of the building to illuminate the sign and front entrance. There is 100 feet to the nearest occupied structure."

The reviewing agency may require additional lighting information to fully determine potential impacts. Other information that may be needed include the type and wattage of the bulb, color of light, hours lights will be illuminated, and whether automatic timers will be used to control lights. Applicants should review local zoning or lighting regulations as many municipalities have specific standards for lighting. These may include restrictions on pole height, wattage, color and type of bulb, spacing, and hours of use. Some communities require lighting plans laid out on a grid. In some cases, lighting specialists may be needed to assist in creating a lighting plan.

ii. Vegetation, hills, and other natural topography can act as light barriers and screens. Describe if these features exist and if the proposed action will remove them due to land clearing and grading. An example statement would be "Grading and land clearing will remove 50 feet of trees and shrubs that are located between the project site and the nearest structure. A 5 foot buffer of trees and shrubs will be left at the property boundary to screen the structure and parking lot". The reviewing agency will evaluate, in Part 2, whether this screening is adequate to mitigate adverse affects from the lighting.

Useful Links

The Illuminating Engineering Society (IES) is in partnership with the US Department of Engineering and is the recognized technical authority on illumination, and communicates information on all aspects of good lighting practice to its members, the lighting community, and consumers. Visit the IES website for more information.

D2 o. Does the proposed action have the potential to produce odors for more than one hour per day? If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to

nearest occupied structures:

_____

Odors

An odor is a chemical in the air that is "smelled" or sensed by our nose (olfactory system). Odor can be a significant environmental concern related to manufacturing, food processing, composting, landfills, and institutional or municipal facilities such as water and wastewater treatment plants.

Certain groups of chemicals that produce odors are potentially harmful and can cause health problems. Some of these harmful chemicals are regulated by the Department of Environmental Conservation (See Air Resources), New York State Department of Health, and the US Environmental Protection Agency under the Clean Air Act.

Odor can be controlled by chemical or mechanical methods, or a combination of both. Chemical applications, atomizing and liquid application systems, bioengineering programs, sheltering the activity or constructing containment structures equipped with appropriate air venting/filtering systems are all used as odor control methods.

Answering Question D.2.o.

Check 'yes' if the proposed action has the potential to produce odors for more than one hour per day and provide details as to the source, frequency, duration, and distance to nearest occupied structure. If no odors are to be produced, move to question D.2.p.

Useful Links

Chapter III (Air Resources)

D2 p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products (185 gallons in above ground storage or any amount in underground storage)?

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities

_____

Petroleum and Chemical Storage

Improper handling and storage of petroleum and hazardous chemicals can result in leaks and spills and pose a serious threat to the quality of the environment in New York State. Petroleum, additives and a variety of industrial chemicals can impact groundwater supplies. Mismanagement of some substances

may pose occupational hazards, present a fire or explosion risk or result in a release of odors or fumes with serious public health and environmental consequences to the neighboring community.

Tanks larger than 1,100 gallons (petroleum) or 550 gallons (chemical products) must meet minimum standards established by the United States Environmental Protection Agency (EPA) and the New York State Department of Environmental Conservation (DEC). New York's Hazardous Substances Bulk Storage Program (http://www.dec.ny.gov/chemical/2650.html) provides guidelines and controls for the storage of many different hazardous chemicals.

Answering Question D.2.p.

If the proposed project includes bulk storage of petroleum or chemical products that meet or exceed these sizes, check 'yes to this question. If no bulk storage is included or storage is less than 1,100 or 550 gallons, check 'no' and move to question D.2.q.

If yes, list all products to be stored, the volume of materials to be stored and the length of time it is planned to be stored, and describe the proposed storage facility. Describe the size of the storage facility, whether it is above ground or underground, any secondary containment, type of tank, and impermeable barriers to be installed.

Useful Links

Petroleum Bulk Storage

Chemical Bulk Storage

Major Oil Storage Facility

Federal Underground Tank Regulations

D2 q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?
If Yes:
i. Describe proposed treatment(s): _____
ii. Will the proposed action use Integrated Pest Management Practices?

Pesticides

According to Part 325: Application of Pesticides, Pesticide means:

1. Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, fungi, weeds, or other forms of plant or animal life or viruses, except viruses on or in living humans /or other animals, which the department shall declare to be a pest; and

2. Any substance or mixture of substances intended as a plant regulator, defoliant or desiccant. And, Pesticide use means performance of the following pesticide-related activities: application; mixing; loading; transport, storage or handling after manufacturer's seal is broken; cleaning of pesticide application equipment; and any required preparation for container disposal.

Integrated pest management (IPM) is a systematic approach to managing pests that focuses on long-term prevention or suppression with minimal impact on human health, the environment, and non-target organisms. IPM incorporates all reasonable measures to prevent pest problems by properly identifying pests, monitoring population dynamics, and utilizing cultural, physical, biological, or chemical pest population control methods to reduce pests to acceptable levels. IPM seeks to reduce the amount of pesticides that are used and is not a single pest control method but, rather, a series of pest management evaluations, decisions and controls.

Answering Question D.2.q.

i. For commercial, industrial and recreational uses, if pesticides are planned to be used as part of construction or operation, check 'yes' and describe what and when the treatment will be. Include the type of pesticide to be used, its purpose, and the timing and frequency of application. Recreational uses include, but are not limited to, golf courses, ball parks, driving ranges, and similar uses.

ii. If IPM is to be included in pest management of the proposed project, check 'yes'. The reviewing agency may request additional information about the IPM plan as they work on Part 2.

Useful Links

Pest Management

Pesticide Control Regulations

Questions and Answers Regarding New York State Pest Management Program

Pesticide Statutes, Regulations, and Policies

Integrated Pest Management Practices

D2 r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?
If Yes:
i. Describe any solid waste(s) to be generated during construction or operation of the facility:
• Construction: _____ tons per _____ (unit of time)
• Operation : _____ tons per _____ (unit of time)
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
• Construction: _____

• Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

• Construction: _____

• Operation: _____

Solid Waste

Solid Wastes are managed in solid waste management facilities. There are many different kinds of solid waste management facilities in New York. They range from construction and demolition processing facilities to solid waste landfills.

All solid waste management facilities are regulated through 6NYCRR Part 360. The general operational requirements for all solid waste management facilities are contained in the Part 360 regulations, Subpart 360-1. Each DEC Region has staff that is responsible for permitting, facility inspection and assessment of facility compliance. You can contact them for information on solid waste management facilities.

This question provides information about whether solid waste will be generated or if there is a need for management of that waste. If so, the reviewing agency will need to know how much waste is anticipated to be generated, and what disposal methods or facilities will be used to deal with it. Applicants will want to determine if existing solid waste facilities to be used have enough capacity to handle the waste proposed to be generated. Reviewing agencies will evaluate whether there will be an increase in the rate of solid waste disposal or processing.

Answering Question D.2.r.

i. Include the weight of solid waste to be generated during construction and operation phases. Specify whether that amount of waste will be generated per day, per week, per month, or per year. Note what type of waste will be generated or managed. For example, construction debris, office wastes such as paper, or organic waste from food processing.

ii. Describe any on-site methods proposed to minimize or avoid disposal of solid wastes. For example, projects could include on-site composting, mandatory paper recycling, paperless offices, or using china and glassware instead of paper and plastic.

iii. Identify what disposal methods will be used to manage solid waste generated and name the solid waste management facility to be used. Landfills, composting facility, construction and debris processing facility, materials exchanges, salvage yards, sludge processing facility, waste combustion, recycling and recovery facility, waste tire facility, and transfer stations are all potential facilities that could be used.

D2 s. Does the proposed action include construction or modification of a solid waste management facility?
If Yes:
i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station,

composting, landfill, or other disposal activities):

_____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

Answering Question D.2.s.

If the proposed action includes the construction or modification of a solid waste management facility, check 'yes'. If no new construction or modification of a solid waste facility is required, check 'no'.

i. Identify the type of waste management that is being proposed for the facility. Landfills, composting facility, construction and debris processing facility, materials exchanges, salvage yards, sludge processing facility, waste combustion, recycling and recovery facility, waste tire facility, and transfer stations are all potential solid waste management facilities that could be used.

ii. Specify the rate of disposal that is planned in tons/month for transfer or non-combustion facilities, or in tons/hour for combustion treatments.

iii. Calculate the number of years the landfill could be expected to operate before its full capacity is reached.

Useful Links

You can find more information on waste management on DEC's Chemical and Pollution Control/Waste Management page.

There are also many resources on the DEC website where you can find information about types and locations of active solid waste management sites in New York.

Minimizing Solid Waste

D2 t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?
If Yes:
i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility:
_____
ii. Generally describe processes or activities involving hazardous wastes or constituents:
_____
iii. Specify amount to be handled or generated _____ tons/month
iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents:
_____
v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?
If Yes: provide name and location of facility: _____
If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:
_____

Hazardous Waste

Hazardous waste is a waste with properties that make it potentially dangerous or harmful to human health or the environment. There are many different kinds of hazardous wastes. Hazardous wastes can be liquids, solids, or contained gases. They can be the by-products of manufacturing processes, discarded used materials, or discarded unused commercial products such as cleaning fluids (solvents) or pesticides. If a site has been part of a remediation (clean-up) in the past, or presently, then there is a higher likelihood of significant adverse environmental impacts resulting from development of that site.

The New York State Department of Environmental Conservation Division of Environmental Remediation is in charge of all hazardous waste management programs, including remediation. Their web pages include definitions, regulations, databases, and other information about hazardous waste. Through Part 373 permits, the DEC ensures that environmentally protective design and operational standards are maintained at treatment, storage and disposal facilities (TSDFs). As a part of this permit program, DEC reviews permit applications and prepares permits for all facilities. A facility involved in the storage or

treatment of hazardous waste receives an operating permit. See additional information on hazardous waste treatment, storage and disposal facilities (TSDFs).

Answering Question D.2.t.

If hazardous wastes are generated, treated, stored or disposed of as part of the proposed project, check 'yes' and provide additional information as requested. Check yes or otherwise indicate if the proposed action will result in the unearthing of previously buried hazardous wastes. In that case, the project may result in the release of contaminated leachate.

To confirm or find hazardous waste remediation information about your project site, you can do a search of the DEC's environmental site remediation database. This database contains records of the sites which have been remediated or are being managed under a remedial program (e.g., State Superfund, or Brownfield Cleanup). All sites listed on the "Registry of Inactive Hazardous Waste Disposal Sites in New York State" are included in this database. You can search this database by zip code or by exact address.

You can also get information by searching maps using the DEC Environmental Navigator (Environmental Facilities). Information about whether a site has already been remediated can be found from the Environmental Site Remedial Database Search Results page, by clicking on the "site code".

i. through v. Specify the information requested in sub-questions (i) through (v). These answers will provide details about the types of hazardous wastes to be generated, handled or used, what the activity or process is that involves those wastes, how much waste will be generated, if and where an existing offsite facility will be used, and any programs to minimize or reuse the wastes will take place.

Useful Links

Hazardous Waste Management

All regulation links leave DEC website.

Question E 1 - Land Uses On and Surrounding the Project Site - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

Background Information

Question E.1. provides information to help the reviewing agency understand if the proposed action is consistent with the surrounding area. Actions that are in conflict with the current uses in, or character of, the existing community or surrounding lands may have more potential for an adverse environmental impact.

The terms "on" and "surrounding", "near", and "adjoining" are all used in this question. "On" means physically within the boundaries of the proposed project, and "adjoining" means directly next to and contiguous with the proposed project site. However, the term "near" and "surrounding" will mean different things depending on the setting and type of action being considered. For example, when evaluating a 10-lot subdivision in a suburban residential district, "near" might include a radius of 1,000 feet. However, a new commercial use in an urban setting might include areas within 500 feet. Or, a new industrial use in a rural setting might include an area up to 2,500 feet (1/2 mile) from the proposed project site. Some communities may have "near" defined in local laws or ordinances and in those cases, that should guide what 'near' is in the context of the project. In other places where "near" or "surrounding" is not defined, applicants should use their local understanding of the on-the-ground conditions, and use their best estimation of what nearby or adjacent uses are. Or, generally use 500 feet as a minimum distance in urban settings, 1,000 feet in suburban neighborhoods, and 2,500 feet in rural areas. Remember, the goal of the EAF is to identify potential adverse impacts, so the term "near" should be interpreted in a way that helps identify land uses that might be impacted by the proposed project.

E1 a. Existing land uses.
i. Check all uses that occur on, adjoining and near the project site.
__ Urban __ Industrial __ Commercial __ Residential (suburban) __ Rural (non-farm)
__ Forest __ Agriculture __ Aquatic __ Other (specify): _____
ii. If mix of uses, generally describe:

_____

General Land Uses

Answering Question E.1.a.

Check off all land uses that occur on, adjoining, or near the project site. Local land use maps showing this information may be available from the local town, village, city, or county planning or municipal clerk offices. Some communities may also have comprehensive plans that include helpful maps showing this information. Many comprehensive plans are on municipal web sites. You can also use your knowledge of the site and surrounding area. Check with the municipal clerk to find out if any land use maps of the area exist. Online mapping sites, such as Google or Bing may be also helpful when looking at nearby or adjacent lands.

E1 b. Land uses and cover types on the project site.

Land use or Cover type / Current Acreage / Acreage After Project Completion / Change (Acres +/-)

- Roads, buildings, and other paved or impervious surfaces
- Forested
- Meadows, grasslands or brushlands (nonagricultural, including abandoned agricultural)
- Agricultural (includes active orchards, field, greenhouse etc.)
- Surface water features (lakes, ponds, streams, rivers, etc.)
- Wetlands (freshwater or tidal)
- Non-vegetated (bare rock, earth or fill)
- Other Describe: _____

Land Cover Change

Answering Question E.1.b.

This question asks the applicant to identify any changes in land uses or land cover proposed for the project site. The answers should apply only to the project site itself. Land use refers to how the land is used (for example, as agriculture) and cover type refers to the vegetation found on the parcel. Answering this question will require taking measurements from a map or aerial photo with a known scale. Calculate the current acreage, acreage after full completion of the project, and the change. These measurements are very important and will be used by the reviewing agency frequently in Part 2 as they evaluate the impact of potential changes to land uses and cover types. If a detailed site plan map is required with the application, measurements can be taken from that. Viewing a recent aerial photograph of the site, or overlaying the site plan on an aerial photo will help with this calculation. The downloadable program Google Earth includes a measuring tool that can be used to estimate lengths and areas.

A description of terms used in this question are:

Impervious surfaces include buildings and roads along with paved parking lots, driveways, sidewalks, patios, pools, and anything else that will keep surface water from penetrating into the soil.

Forested areas are those that have mature trees growing.

Agricultural uses and land covers include cultivated fields, actively grazed or harvested grasslands, orchards, nurseries, barnyards, and animal pens. Agricultural uses also include any associated buildings such as barns, greenhouses, and silage storage systems. Note that some of these agricultural uses will overlap with the impervious surface cover type. Area measurements for these should be included in both categories. Abandoned agricultural cover types include former farm fields that have been allowed to grow to brush and shrubs, and overgrown orchards.

Surface waters include streams, ponds, lakes, rivers, creeks, and reservoirs, whether man-made or natural.

Wetlands are known by many names such as swamps, marshes, bogs, and wet meadows. One thing all have in common is that they are areas saturated by surface or ground water to the point that they support distinctive vegetation that is adapted for life in wet soil conditions. Identifying wetlands and wetland boundaries may need a professional to inventory and delineate wetlands on the site. If known temporary pools of water or wetlands (vernal pools) are on the site, count these in the wetland acreage.

Some examples of non-vegetated land cover are beaches, sand dunes, mines, heavily eroded areas, rock outcroppings, or any other areas devoid of any vegetation.

E1 c. Is the project site presently used by members of the community for public recreation?
i. If Yes: explain: _____

Public Recreation

Answering Question E.1.c.

Public recreation can take many forms. Active recreation areas, such as ball fields and tennis courts are obvious public recreational uses. Passive recreational uses include public parks, conservation areas, and nature observation areas. Less obvious uses might include agricultural or forest lands where the owner allows friends and neighbors to hunt. Some land owners also have easement agreements that allow hikers to cross their property, or snowmobile clubs to maintain trails during the winter months.

E1 d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?
If Yes,
i. Identify Facilities: _____

Public Facilities

The purpose of this question is to identify special facilities where children, the elderly, and people with disabilities are likely to be found on a daily basis for multiple hours per day. It is not meant to identify facilities like parks, where a diverse portion of the population may use them.

Answering Question E.1.d.

Some facilities, such as hospitals and schools, can be identified using online mapping sites such as Google or Bing. However, the most efficient way to identify these facilities is to simply perform a field survey. A windshield survey done by driving around the neighborhood within 1,500 feet (slightly more than a 1/4 mile radius which is 1,320 feet) should suffice to identify these facilities.

E1 e. Does the project site contain an existing dam?
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:
_____

Dams

Presence of a dam on a project site poses different and potentially significant issues. Changes to the land cover or uses surrounding a dam can influence the hydrologic characteristics of the water sources supplying the impoundment. Changes to the waterbody or surrounding lands could affect the stability of the dam, or its hazard potential. It also may mean additional permits or inspections are needed. Depending on the size of the dam or impoundment, a Protection of Waters permit may be required for new construction or repair of an existing dam. Some other permits that may be required are a Freshwater Wetland Permit, a Mined Land Reclamation Permit, or other approvals. For a list of possible permits required by DEC, visit Permits, Licenses and Registrations page. For a list of application forms for these permits, visit the application forms page.

Answering Question E.1.e.

If the proposed project site currently contains a dam, supply the requested information. DEC has a Google Earth (KML) dataset that depicts the location of dams in the New York State Inventory of Dams. You can download the KML file and open it using Google Earth. (Note: This will require installing software on your computer. Once the KML file is opened in Google Earth, zoom in to the project site location and click on the dam in question.) The information included in the information box that opens up will provide most of

the information needed to answer this question. This dataset may not include newer dams that have been built since the data was last updated. It also may not include smaller dams that did not require a DEC permit for construction. If there is missing information, or if the dam in question is not in the database, you might have to look for and refer to any available permitting documents that were submitted, or contact the DEC Regional Permit Administrator responsible for the area in which the pond or impoundment is located.

Useful Links

- DEC Google Maps and Earth files
- DEC Guidelines for Design of Dams (PDF)
- DEC Dam Safety
- DEC Constructing Recreational and Farm Ponds
- DEC Pond Brochure (Creating a Pond) (PDF)

E1 f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?
If Yes:
i. Has the facility been formally closed?
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____
iii. Describe any development constraints due to the prior solid waste activities:

_____

Solid Waste

Solid Wastes are managed in solid waste management facilities. There are many different kinds of solid waste management facilities in New York. They range from construction and demolition processing facilities to solid waste landfills. Some are closed and not used any more, while others are still active. All solid waste management facilities are regulated through 6NYCRR Subchapter B: Part 360. The general operational requirements for all solid waste management facilities are contained in the Part 360 regulations, Subpart 360-1. Solid Waste Management facilities are permitted, registered and controlled at the regional level. Each DEC Region has staff that is responsible for permitting, facility inspection and assessment of facility compliance. You can contact them for information on solid waste management facilities.

Answering Question E.1.f.

This question asks about previous uses on the proposed project site that may have involved solid wastes. Using the links below, or your knowledge of the project site, answer yes or no to the question regarding past use of the site or an adjoining site as a solid waste facility. If the answer is yes, continue with the next three parts of this question:

i. If the facility has been formally closed under the supervision of DEC pursuant to Part 360, there will be documentation confirming that. The owner of the property or the operator should be able to supply this information.

ii. If the project location is on the same parcel as a closed facility, describe the relative locations of the proposed project and the former facility. If the project is adjoining a current or former use, you can provide a description here, or refer to the location on a site plan or map.

iii. If there are any constraints placed on the proposed site or adjoining properties, describe those here. These should be included in any closure documentation.

There are many resources on the DEC website where you can find information about types and locations of active solid waste management sites in New York. The following links will help you find information or maps showing solid waste management facility locations:

- Active municipal solid waste facilities
- Active Construction and Demolition Debris Landfills (PDF)
- Active Land Clearing Debris Landfills (PDF)
- Active Ash Monofill Landfills (PDF)
- Active Industrial/Commercial Landfills (PDF)
- Active Long Island Landfills (PDF)
- Active Landfill Gas-to-Energy Facilities (PDF)
- Active Municipal Waste Combustion Facilities (PDF)
- Active Recyclables Handling & Recovery Facilities (PDF)
- Vehicle Dismantling Information
- Active Regulated Transfer Stations (PDF)
- Active Registered Transfer Stations (PDF)
- Inactive Solid Waste Facilities (FTP - Excel file)

Useful Links

You can find more information on waste management on DEC's Chemical and Pollution Control/Waste Management page.

E1 g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

Hazardous Waste

Hazardous waste is a waste with properties that make it potentially dangerous or harmful to human health or the environment. There are many different kinds of hazardous wastes. Hazardous wastes can be liquids, solids, or contained gases. They can be the by-products of manufacturing processes, discarded used materials, or discarded unused commercial products such as cleaning fluids (solvents) or pesticides. If a site has been part of a remediation (clean-up) in the past, or presently, then there is a higher likelihood of significant adverse environmental impacts resulting from development of that site.

The New York State Department of Environmental Conservation Division of Environmental Remediation is in charge of all hazardous waste management programs, including remediation. Their web pages include definitions, regulations, databases, and other information about hazardous waste. Through Part 373 permits, the DEC ensures that environmentally protective design and operational standards are maintained at treatment, storage and disposal facilities (TSDFs). As a part of this permit program, DEC reviews permit applications and prepares permits for all facilities. A facility involved in the storage or treatment of hazardous waste receives an operating permit. See additional information on hazardous waste treatment, storage and disposal facilities (TSDFs).

Answering Question E.1.g.

This question asks about previous uses on the proposed project site that may have involved hazardous wastes. You may be able to answer this question based on your own knowledge of the site and its history.

To confirm or find hazardous waste remediation information about your project site, you can do a search of the DEC's environmental site remediation database. This database contains records of the sites which have been remediated or are being managed under a remedial program (e.g., State Superfund, or Brownfield Cleanup). All sites listed on the "Registry of Inactive Hazardous Waste Disposal Sites in New York State" are included in this database. You can search this database by zip code or by exact address.

You can also get information by searching maps using the DEC Environmental Navigator (Environmental Facilities).

E1 h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database?
Check all that apply:
__ Yes - Spills Incidents database Provide DEC ID number(s): _____
__ Yes - Environmental Site Remediation database Provide DEC ID number(s): _____
__ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures:

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?
If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____
v. Is the project site subject to an institutional control limiting property uses?
• If yes, DEC site ID number: _____
• Describe the type of institutional control (e.g., deed restriction or easement): _____
• Describe any use limitations: _____
• Describe any engineering controls: _____
• Will the project affect the institutional or engineering controls in place?
• Explain: _____

Contamination

When a new or expanded use is proposed for a site that has a history of contamination, this may lead to an increase in potential human contact with that contamination, or potential disturbance of any controls put in place to contain that contamination.

A spill is any accidental release of petroleum, toxic chemicals, gases, and other hazardous materials. Remediation is the act or process of removing contamination from the soil, groundwater, or other medium.

Answering Question E.1.h.

You can access and search for both spills and remediation efforts through the NYS DEC Environmental Remediation Databases page. Use that site to provide information for Question E.1.h. Most if not all of the information needed to answer these questions can be provided by these search results.

To search the Spill Incidents Database for all years from 1978 to the present, use search method #2. You will have to enter a complete address that includes the county, city (town or village), and street name. Make sure you change the date range to include 1978 to the present date. To get a complete picture of the area surrounding the project site, you should do multiple searches that include surrounding street names in the search criteria.

To search the Environmental Site Remediation Database for any remedial actions on or adjacent to the proposed project site, use search method #2. Entering the county and city (town or village) will limit the search results to your area of interest. Leave the rest of the search criteria at the defaults to get a complete list of all programs and control types.

The search results will include sites that are subject to RCRA (Resource Conservation and Recovery Act) corrective actions and any control measures in place and that can be included in sub-question E.1.h (ii).

The EAF Mapper will partially answer this question. The partial answers to this question will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. If any portion of the project site is listed in the Environmental Site Remediation Database, the EAF Mapper will check "yes" on the FEAF Part I pdf. If there are none within the project boundaries, the EAF Mapper will check "no" on the form for this resource topic. . If a 'yes' answer is returned for either E.2.h.i or E.2.h.iii, applicants should consider this as a screening of the Site Remediation Data Base. In that case additional research of the this database should be done to completely fill out the answers to this question. If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.

For more information on the EAF Mapper application, see the EAF Mapper section of the How to Use The EAF Workbooks page.

In order for the applicant to answering the portion of the question that deals with spill incidents, they should consult the Spills Database identified above.

If the EAF Mapper is not used to complete part of this question in Part 1, the applicant should use both the Spills incident Database and the Environmental Site Remediation Database described above.

When these two searches are complete, you can enter the appropriate information in the spaces provided on the EAF. If the project site is not on either Spills Incident or Environmental Site Remediation database, check 'neither database".

Note that while question E.1.h. pertains to both the site and adjacent properties, certain elements of the question are site specific, and others pertain to both the site and adjacent properties. Section i, ii, and v pertain to only the project site. The initial E.1.h. question and section iv pertain to both the project site and adjacent properties.

Please note: The Hudson River is in remediation. The site's name is The Hudson River PCB Sediments. The Site Code is 546031. The site is also a State Superfund Program with a classification of 2. This site includes the nearly 200 mile stretch of the Hudson River that extends from Hudson Falls in Washington County to the Battery in New York City. Dredging has been completed in 2015, however habitat reconstruction is ongoing. Because the EAF Mapper uses a 2000 foot buffer zone for remediation and hazardous waste sites, the EAF Mapper will display a positive hit or a "YES" return value on your application for sites within 2000 feet of the shore or banks of the Hudson River from Hudson Falls to New York City's Battery and reference the above Site Code. If other remediation sites are within 2000 feet of your project, additional site codes will be displayed.

The environmental site remediation database offers detailed information regarding the Hudson River and remediation. When using the search, at the top of the search page, enter code 546031 and you will receive a return value of the Hudson River PCB Sediments in detail.

Useful Links

Glossary of hazardous waste terms:

- Site Remediation Terms
- Types of Institutional Controls
- Bulk Storage Terms

Environmental Remediation Databases

Part 371 - Identification and Listing of Hazardous Waste in NY

Part 375 - Environmental Remediation Programs (sub-parts 1-6):

- Subpart 375-1: General Remedial Program Requirements
- Subpart 375-2: Inactive Hazardous Waste Disposal Site Remedial Program
- Subpart 375-3: Brownfield Cleanup Program
- Subpart 375-4: Environmental Restoration Program
- Subpart 375-6: Remedial Program Soil Cleanup Objectives

Hazardous Waste Management Programs

All regulation links leave DEC website.

Question E 2 - Natural Resources On or Near Project Site - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

The E.2. questions can be separated into three broad categories.

- Questions E.2.a through E.2.g. deal with geology, topography, and soils
- Questions E.2.h. through E.2.l. deal with water resources
- Questions E.2.m through E.2.q. focus on wildlife resources

Geology, Topography, and Soils Questions

Geology in the context of SEQR refers to the examination of the structure of a specific region of the earth's crust. The geology of any site can be divided into three broad categories; bedrock, surficial geology, and soils. Bedrock geology is the miles thick solid layer that is the main component of the earth's crust. Surficial geology includes all of the loose material that is found on top of this solid rock layer. Soil is the very top layer of loose material that includes organic matter, and supports plant and animal life. Both the surficial layer and the soils layer can vary widely in thickness. All three of these layers can have an influence on the natural resources found on a site as well as on the siting of, and impacts of development. Ground water availability, infrastructure installation, building construction, aquifer protection, and ground stability are all affected by the type of bedrock, and the type and thickness of the surficial and soil layers found on a site.

Geology also has an influence on the topography of an area. The topography of a site will have an effect on erosion, ground stability, building and road placement, and infrastructure installation. Topography can also affect the extent of viewsheds, location of wetlands, types of land cover, and drainage patterns. Answering the questions in this section will help the reviewing agency evaluate what impacts a project may have on these natural resources.

Most of the geology and soils related questions in Question E.2. can be answered by using a county soil survey. Soil surveys are available free of charge from the local County Soil and Water Conservation District (SWCD) office. These soil surveys list and describe the various soil types (soil map units) found throughout the county, along with their characteristics, and a map showing their location. The map is usually overlaid on an aerial photo, helping the applicant find their specific project site location.

Web Soil Survey

The Web Soil Survey (WSS) is an online tool operated by the USDA Natural Resources Conservation Service (NRCS). It provides digital versions of all soil survey data, and allows the user to specify a specific

Area of Interest (AOI), producing a customized summary report of the soils just within that AOI. Information on how to use the Web Soil Survey, including a link to a Getting Started (PDF) document, is available on the Web Soil Survey home page.

Begin using the Web Soil Survey by clicking the "Start WSS" button on the home page. This will open the map interface. Zoom and pan in to the general location of your project site using the tools along the top edge of the map. When you are at an appropriate scale, you can then use one of the "Define AOI" tools to draw a shape directly on the map that closely matches you project area or tax parcel. Once the AOI is created, clicking on the "Soil Data Explorer" tab will open another set of tabs, which will allow you to access many specific reports that describe detailed attributes of the soils found within the AOI. You can use this information to answer most of the soils related question in this section.

If the requested information is not included in the soil survey or Web Soil Survey, you may have to do some site investigation to complete the answers. If you have completed any engineering work as part of your application, or if required by the municipality, this detailed information should also be used to answer these questions.

Note: There are portions of Franklin, Lewis and Herkimer Counties where soil survey information is not available.

E2 a. What is the average depth to bedrock on the project site? _____ feet

Answering Question E.2.a.

The depth to bedrock attribute can be found in the WSS on the Soil Properties and Qualities tab. Under Soil Qualities and Features > Depth to a Selected Soil Restrictive Layer, choose the "lithic bedrock" option and run the report by clicking the View Rating button.

The report will show the depth to bedrock for the various soil types measured in inches or centimeters. If in centimeters, divide the number by 30.48 to convert to feet. If there are multiple soil types with different depths to bedrock, the applicant will have to do some math.

Depth to bedrock is usually only listed in the soil survey for soil types that are fairly shallow. If no depths are listed, information from any drilled wells on the site or neighboring parcels may be used. Depending on the type of project being proposed, the reviewing agency may request more detailed engineering studies be used to answer this question.

E2 b. Are there bedrock outcroppings on the project site?
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

Answering Question E.2.b.

Bedrock outcroppings are areas where all of the loose material has been removed, exposing the underlying bedrock layer. The soil map unit name or description might indicate that it is composed completely or partially of bedrock outcroppings. Bedrock outcroppings might also be represented by points on the map without any area dimensions. If this is the case, field observations should be used to estimate the proportion of exposed bedrock the site is comprised of.

E2 c. Predominant soil type(s) present on project site:
_____ ____ %
_____ ____ %
_____ ____ %

Answering Question E.2.c.

Applicants should use the Web Soil Survey to answer this question. Once an Area of Interest (AOI) has been identified as discussed previously, many reports will be available which will include information such as the total area of the AOI, a list of all soil types (map units) within the AOI, and the percentage of each type within the AOI. To identify predominant soil types, click on the main "Soil Map" tab which will create a map and legend with a list of soils types and percentages within the AOI. There may be many different soil types on the site. The question asks only for predominant soil types, so reply to this question by using the soil types that cover the largest areas. You can omit those types that only cover a small fraction of the project site.

E2 d. What is the average depth to the water table on the project site? Average: _____ feet

Answering Question E.2.d.

The "Water table" refers to that part of the soil that is saturated with water during some, or all of the year. However, a saturated zone that lasts for less than a month is not considered a water table.

Under the Soil Properties and Qualities tab, click on Water Features > Depth to Water Table, and then the View Rating button to run the report. Measurements will be in either inches or centimeters. If in centimeters, multiply the number by 30.48 to convert to feet.

Similar to the depth to bedrock attribute, if there are multiple soil types on the site, there may be different depths listed for each. The applicant can use the soil type covering the largest area, or make an estimate based on the area covered by each type. Depth to water table is usually only listed in the soil survey for soil types that have fairly shallow measurements. If no depths are listed, information from any drilled wells on the site or neighboring parcels may be used. Depending on the type of project being proposed, the reviewing agency may request more detailed engineering studies be used to answer this question.

E2 e. Drainage status of project site soils:
__ Well Drained: _____% of site
__ Moderately Well Drained: _____% of site
__ Poorly Drained _____% of site

Answering Question E.2.e.

Drainage class of site soils refers to the frequency and duration of wet soil periods under natural conditions, without influence from human activity (without artificial drainage or irrigation). The drainage class can be found in the Web Soil Survey under the Soil Properties and Qualities tab. Click on Soil Qualities and Features > Water Features > Drainage Class, and then the View Rating button to run the report.

Seven classes of natural soil drainage are recognized in the Web Soil Survey, useful for the three categories in this question as: excessively drained, somewhat excessively drained, well drained, (Well Drained); moderately well drained, (Moderately Well Drained); and, somewhat poorly drained, poorly drained, and very poorly drained, (Poorly Drained).

E2 f. Approximate proportion of proposed action site with slopes:
__ 0-10%: _____% of site
__ 10-15%: _____% of site
__ 15% or greater: _____% of site

Answering Question E.2.f.

Slope is the steepness of the topography, or the amount of inclination of a surface in relation to the horizontal. It is also known as grade, incline, or rise. Percent slope is calculated by dividing the elevation change (rise) by the horizontal distance, and multiplying by 100. For example: a 20 foot rise over a 100 foot horizontal distance = a 20% slope.

Similar to the depth to bedrock and water table attributes, if there are multiple soil types on the site, there will probably be different slopes listed for each. The report generated using the WSS will list the percent slope ration for each soil type, and the percentage of the AOI that soil type covers.

The applicant can use the soil type covering the largest area, or make an estimate based on the area covered by each type. Depending on the type of project being proposed, the reviewing agency may request more detailed engineering studies be used to answer this question.

E2 g. Are there any unique geologic features on the project site?
If Yes, describe: _____

Unique Geologic Features

Unique or unusual geological features or landforms include but are not limited to features such as cliffs, dunes, waterfalls, erratic rocks, gorges, glacial features, or caves. These features are identified through the NYS Unique Geologic Landforms project. This is a joint venture between the NYS DEC and the New York State Museum - Office of the State Geologist. It was developed to assist in the implementation of the State Environmental Quality Review Act (SEQR) through the Environmental Assessment Form (EAF). There are over 600 sites that have been identified as unique geological features or landforms.

Answering Question E.2.g.

The answer to this question will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. If a unique geologic site is located in the project area or within 500 feet of the project area, the EAF Mapper will return a 'yes' and will also name that feature. If there are no unique geologic features located in or within 500 feet of the project boundaries, the EAF Mapper will check "no" on the form. If a 'yes' answer is returned, applicants should then use the DEC Environmental Mapper to further verify and determine if the geologic feature is on or adjacent to the project site. If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.

If the applicant is going to use the EAF Mapper to help fill out any portions of Part 1, they should use that first before filling out any other portions of the EAF. For more information on the EAF Mapper application, see the EAF Mapper section of the How to Use The EAF Workbooks page.

The DEC Environmental Mapper will also identify catalogued unique geologic features and provides additional information. If the identified feature is also included on the DEC Unique Geologic Features picture page, you can find additional information and descriptions there. Keep in mind that not all unique geologic features may be included in the DEC data.

If the EAF Mapper is not used to answer this question, to identify unique geologic features near your project site, use the DEC Environmental Mapper, which identifies catalogued unique geologic features. Keep in mind that not all unique geologic features may be included in the DEC data.

To use the Environmental Resource Mapper:

- Go to the Environmental Resource Mapper site, and click on the "Enter Environmental Resource Mapper" link. DEC will be providing additional links to this data in the future.

As you zoom into your project site location, the map will show designated unique geologic features with a blue star icon. Use the "Identify" tool to click on the feature, and an information box will pop up with information on all of the nearby features. The 'identify' results from the Environmental Mapper will include

the name, Type, and Description for each unique geologic feature identified. If the identified feature is also included on the DEC Unique Geologic Features picture page, you can find additional information and descriptions there.

You should use local knowledge and information to confirm the presence of these features, if any. If you believe your site contains a unique geologic feature that is not shown in the database, you can include a description of it here. An example statement would be "Several erratic boulders along with glacial grooves can be found on the exposed bedrock located in the northwestern corner of the parcel."

Useful Links

To view photographs of some identified unique geologic features you can visit the DEC Unique Geologic Features page.

Water Resource Questions

Water, rivers, streams, lakes, ponds, wetlands, flood plains, aquifers

Water is the one natural resource necessary for every form of life. It is constantly flowing past us in our streams and rivers, falls from the sky on a regular basis, and is often available from the ground simply by drilling a hole deep enough to tap into it. Water is generally thought of as a public resource, to be used and managed for the good of the people. For these reasons, the federal and state governments see water as a natural resource important enough to plan for and regulate.

E2 h. Surface water features.
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?
ii. Do any wetlands or other waterbodies adjoin the project site?
If Yes to either i or ii, continue.
If No, skip to E.2.i.
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?
iv. For each identified regulated wetland and waterbody on the project site, provide the following information.
• Streams: Name _____ Classification _____
• Lakes or Ponds: Name _____ Classification _____
• Wetlands: Name _____ Approximate Size _____
• Wetland No. (if regulated by DEC) _____
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?

If yes, name of impaired water body/bodies and basis for listing as impaired:

_____

Rivers, Streams, Lakes, Ponds, and Wetlands

Note: This question asks for information about any existing water resources found on or adjoining the project site. The previous Question D.2.b. asks for information on proposed new uses that may impact water resources found on the project site.

New York's water resources, including rivers, streams, lakes, ponds and wetlands, are necessary for drinking and bathing; agricultural, commercial and industrial uses; and fish and wildlife habitat. In addition, New York's waterways provide opportunities for recreation; education and research; and aesthetic appreciation. The State has established policies to preserve and protect these important environmental features (Title 5 of Article 15 of the ECL).

Rivers and streams in NYS are given a classification based on existing or expected best usage of each water or waterway segment. These classifications are:

- Classification AA or A is assigned to waters used as a source of drinking water
- Classification B indicates a best usage for swimming and other contact recreation, but not for drinking water
- Classification C is for waters supporting fisheries and suitable for non - contact activities
- The lowest classification and standard is D
- Some waters may also have a designation of T or TS indicating they may support trout or trout spawning
- Small ponds and lakes with a surface area of 10 acres or less, located within the course of a stream, are considered to be part of a stream and are subject to regulation under the stream protection category of Protection of Waters

Wetlands (also known as swamps, marshes, tidal wetlands, and bogs), are areas saturated by surface or ground water to the extent that they are able to support distinctive types of vegetation adapted for life in saturated soil conditions. Wetlands serve as natural habitat for many species of plants and animals and absorb the forces of flood and tidal erosion to prevent loss of upland soil. Standing water is only one clue that a wetland may be present. Many wetlands only have visible water during certain seasons of the year, but are still considered wetlands. In New York State, two main types of wetlands are found: tidal wetlands around Long Island, New York City and up the Hudson River all the way to Troy Dam; and freshwater wetlands found along rivers and lake floodplains and in low laying areas across the State. Vernal pools, or temporary wetlands are critical to amphibian species and are also considered a form of wetland.

Wetlands may be regulated by a federal, state, or local agency. Some local communities may have their own wetland regulations. In NYS, Wetlands over 5 hectares (12.4 acres) are regulated by DEC along with a 100 foot adjacent area.

Water quality impaired waterbodies are those waters that have been identified as not supporting their appropriate uses. Projects in watersheds of impaired waters may be subject to heightened requirements. For example, the Federal Clean Water Act requires states to assess and report on the quality of waters in their state. Section 303(d) of the Act requires states to identify impaired waters. For these impaired waters, states must consider the development of a Total Maximum Daily Load (TMDL) or other strategy to reduce the input of the specific pollutant(s) restricting waterbody uses, in order to restore and protect such uses.

Answering Question E.2.h.

No matter how an EAF is being completed, the applicant should always make a visit to the site area, if possible. The presence of a waterbody or wetland often creates project constraints, so it is important information to know.

If using the EAF Mapper Application, the answer to this question and its sub-questions will be automatically inserted on the pdf generated by the EAF Mapper, and a report will be generated of the results.. The EAF Mapper uses data about regulated freshwater wetlands, NWI wetlands, APA wetlands, NHD waterbodies, water area, and streams, tidal wetlands, priority waterbodies list for lakes, ponds, streams, rivers, coastlines and estuaries. It also includes the protected water quality classifications..

For this question, the EAF Mapper serves as a screening tool that informs that a wetland or waterbody is close to or within the project site. If the EAF Mapper has indicated the presence of regulated wetlands or waterbodies, applicants should verify the reported waterbodies on the project site.
If a wetland or waterbody regulated by either the State or federal government does exist within the boundaries of the project site, or within 500' of the project site, the EAF Mapper will check "yes" on Question E.2.h.i of the PDF of the FEAF. It will also use the 500' buffer to identify if any wetlands or other water bodies adjoin the project site and will answer 'yes' or 'no' for E.2.ii.

If the answer is 'no' for E.2.i and E.2.ii, then there are no state wetlands or waterbodies present on the project site. A "no" response, however, does not mean that there are no federally regulated wetlands on the project site. Information on federal wetlands are known to be incomplete, so consultation should be undertaken with the US Army Corps of Engineers (ACOE) regarding federally regulated wetlands and waterbodies that may be of concern.

Names for wetlands and water bodies will not be returned on the form by the EAF Mapper, Rather, the EAF Mapper return value in an answer block will read "State wetland" or "Federal wetland". State wetlands will be coded with a wetland identifier such as "S-5". . State protected streams and rivers will be answered with a number such as 876-1, rather than a name. If a code such as this is returned, it implies that the name of the water body can be found in regulation at 6 NYCRR Chapter X (Parts 800 - 941) In this example, the 876 identifies part of Chapter X where the stream name is located (Part 876 is the Mohawk River Drainage Basin). The hyphenated numbers (ie. 876-1) indicates the Item number of the water body within that basin. The item number can be used to look up the water body name, class and standard by going to Table 1 (Classification and Standards ..), in the appropriate subpart of Chapter X. Table 1, is usually located in subsection 4 of the Part.

Question E.2.h.v. asks about water features listed by New York State as water quality-impaired waterbodies. If any of the waterbodies are listed as impaired, the EAF Mapper will return a 'yes' to this question and then name the waterbody and offer a short description of the basis for that listing.
Note that the EAF Mapper will NOT evaluate if any wetlands on or near the project site are regulated by a local agency. Therefore, applicants should investigate whether the municipality has local waterbody or wetlands rules.

If information exists that there are waterbodies on the project site that are regulated locally, or by the ACOE, that did not appear in the EAF Mapper return, then supplemental information should be attached to the EAF to identify this. Further information on wetlands and waterbodies can be found in the Environmental Resource Mapper site (see below).

If the applicant or project sponsor believes any answer filled out by the EAF Mapper is incorrect, supplemental information should be provided to the reviewing (lead) agency that explains that discrepancy.

If the EAF Mapper is not used to fill ou any or all portions of this Part 1 question, applicants should use DEC's Environmental Resource Mapper. The DEC regional office may also be contacted to determine if protected streams, wetlands, ponds, lakes, and waterbodies are contained within or adjoin your proposed project site. For areas within the Adirondack Park, use the Adirondack Regional Geographic Information System (ARGIS) map application. To find out if there are any mapped wetlands on your proposed project site that are outside of any NYS agency jurisdiction, you can use the National Wetlands Inventory Wetlands Mapper. Some waterbodies may be identified by name, wetland map number or other identification. Most of the mapping systems described here are developed at a scale that does not include wetlands smaller than about 1/4 acre. The fact that they are not mapped does not mean they are not regulated, and are still an important resource to be included in the evaluation.

In addition to these online mapping sites, local municipal offices often have paper copies of the DEC and APA regulatory maps. They may also have local plans, studies, or natural resource inventories that include mapped wetlands and locally designated wetlands.

Maps, plats, or site plans prepared for the proposed project should include locations having any waterbody or obviously wet areas. Plans should have sufficient detail on existing and proposed contours, grades, topographic features and profiles at a scale sufficient to assess project impacts on the waterbody.

Using the Environmental Resource Mapper, zoom into you project location. Clicking on any of the water resources show will display an information box with all of the data needed to answer questions E.2.h.i.-iv. The stream classification and NYS regulated wetland designations can also be found on printed maps that should be available at the local municipality, or by contacting DEC.

Once the water features and wetlands have been identified, you should investigate whether or not the water resource is classified as impaired in any way. A spreadsheet of all impaired waters is available on DEC's Section 303(d) webpage. The All Impaired Waters List (Excel, 300 KB) includes both Section 303(d) List waters, as well as Category 4a, 4b and 4c waters that are impaired but not included on the Section 303(d) List.

If you find that a water feature on or adjoining your project site is on this list, answer question E.2.h.v., and include the reason for its listing.

Useful Links

The NYS Freshwater Wetlands Act (PDF 129 KB)

Environmental Conservation Law, Article 25, Tidal Wetlands Act

APA Freshwater Wetlands Flyer

The U.S. Army Corps of Engineers (ACOE)

The National Wetlands Inventory

Protection of Waters Information

New York State Section 303(d) List of Impaired/TMDL Waters

E2 i. Is the project site in a designated Floodway?
E2 j. Is the project site in the 100 year Floodplain?
E2 k. Is the project site in the 500 year Floodplain?

Floodplains

Floodplains are low-lying lands found next to rivers and streams. When left in a natural state, floodplain systems store and dissipate floods without adverse impacts on humans, buildings, roads and other infrastructure. Natural floodplains add to our quality of life by providing open space, habitat for wildlife, fertile land for agriculture, and opportunities for fishing, hiking and biking.

Floodplains can be viewed as a type of natural infrastructure that can provide a safety zone between people and the damaging waters of a flood. But more and more buildings, roads, and parking lots are being built where forests and meadows used to be which decreases the land's natural ability to store and absorb water. Coupled with changing weather patterns, this construction can make floods more severe and increase everyone's chance of being flooded.

A 100-year floodplain is the area that would be inundated by the 100-year flood, better thought of as an area that has a one percent or greater chance of experiencing a flood in any single year. The 100-year floodplain is called a Special Flood Hazard Area and is shown on federal flood maps, called Flood Insurance Rate Maps (FIRMs). On the FIRM, these areas are shaded and labeled with the letter "A" or "V" sometimes followed by a number or another letter. The 100-year flood is also known as the base flood.

A 500-year floodplain is the area that would be inundated by a 500-year flood, or the area that has a 0.2 percent or greater chance of experiencing a flood in any single year. The 500 year floodplain is shown on federal flood maps (FIRMs) shaded and labeled with the letter "B" or "X".

A floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Communities must regulate development in these floodways to ensure that there are no increases in upstream flood elevations. Floodways are not always shown on every FIRM. When they are, it is usually labeled, and shown as a dashed outline with a diagonal line fill.

Answering Questions E.2.i. through k.

The answer to questions about floodways and floodplains will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. If the project site is within a floodway, or 100 and 500-year floodplain, the EAF Mapper will check "yes" on the FEAF Part I pdf. Note however that flood map coverage is not available for the entire State. If data is available for the project site area a 'no' answer means that the project site is not within a mapped floodplain area. However, if there is no data available, the EAF Mapper will NOT return a 'no' but instead will indicate this with language such as 'mapping data not available for this area". If this response is received (neither a "yes" nor a "no"), the applicant should contact the municipality in which the project is located for any additional information on floodplain mapping in the area.

If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.

If the EAF Mapper is not used to help fill out any or all portions of this Part 1 question, applicants can view flood maps and other flood related information through the FEMA Map Service Center. Links on this page will allow you to view the National Flood Hazard Layer using the online map viewer. You can also view scanned versions of FIRMs (flood maps) by using the search box in the upper left side of the page.

Your local town, village, or city hall should have copies of these flood maps. EPA's NEPAssit mapping tool may also help you find floodplain information.

Source: FEMA Map Service Center - MSC Product Search

Useful Links

The National Flood Insurance Program

DEC - Floodplain Management

E2 l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?
If Yes:
i. Name of aquifer: _____

Aquifers

About one quarter of New York residents rely on groundwater as a source of potable water. Several million more people also consume groundwater as visitors or customers of homes and businesses. The NYS Department of Health (DOH) has identified 18 Primary Aquifers in NYS, defined in the Division of Water Technical & Operational Guidance Series (TOGS) 2.1.3 as "highly productive aquifers presently utilized as sources of water supply by major municipal water supply systems". Another category of aquifer defined in TOGS 2.1.3 is a Principal Aquifer. These are "aquifers known to be highly productive or whose geology suggests abundant potential water supply, but which are not intensively used as sources of water supply by major municipal systems at the present time". Sole Source Aquifers are a federal designation. Sole Source Aquifers are designated by the US Environmental Protection Agency as the sole or main source of drinking water for a community in response to a petition from the locality.

Answering Question E.2.l.

The answer to this question will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. If any primary principal or sole source aquifers are located under or within 500' of the project site, the EAF Mapper will check "yes" on the FEAF Part I pdf. If yes, sole source aquifer names will be included in E.2.l.i. If there are no such aquifers located within the project boundaries, the EAF Mapper will check "no" on the form. If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.

If the EAF Mapper is not used to fill out any or all of this Part 1 question, applicants, can access and download aquifer reports and maps for both primary and principal aquifers at the USGS Unconsolidated Aquifers of Upstate New York website. Note that large scale maps of principal aquifers have not been completed for all of NYS.

To access the primary aquifer maps, use the "1:24,000 scale maps" button at the bottom of the USGS page. This will open another page showing links to the abstracts for the primary aquifer reports completed for NYS. Opening the abstract page, and clicking on the numbered links after the line that reads "Plates in this publication:" will open the large scale maps that accompany each report. Use these maps to help you identify the locations and boundaries of primary aquifers in your project area.

To access the principal aquifer maps, use the "1:250,000 scale maps" button at the bottom of the USGS page. This will open another page showing links to the abstracts for the principal aquifer reports

completed for NYS. Opening the abstract page, and clicking on the numbered links after the line that reads "Plates in this publication:" will open the regional maps that accompany each report. Use these maps to help you identify the locations and boundaries of principal aquifers in your project area.

For the areas mapped at a scale of 1:250,000, locations mapped as "Unconfined Aquifer 10 to 100 gallons per minute" or "Unconfined Aquifer more than 100 gallons per minute" are considered to be Principal Aquifers unless contradictory site specific information is available.

Useful Links

- Information about aquifers (with map graphics and information on how to download available maps) can be found on the Aquifers in New York State page.
- Visit the EPA's webpages for more information on their Sole Source Aquifers for Drinking Water program.

Wildlife Resource Questions

This question explores the general wildlife community that may exist on or near a site. It will help the reviewing agency understand the environmental context for evaluating project impacts on the entire wildlife community. This question should be answered for all proposed projects.

The use of the term 'predominant' is intended to be synonymous with 'common', and describes species that are abundant in a natural community. Applicants can identify the most common species of the wildlife community present on the site. While some projects may require a list of species to be developed through field investigation, others may need only identification of commonly found species on a site. It is not the intent of this particular question to ask the applicant to provide for a full listing of each and every species that may be found on a site. However, the reviewing agency may require additional field surveys and other natural history information after reviewing information from this question in order to assess potential impacts on wildlife.

E2 m. Identify the predominant wildlife species that occupy or use the project site:

_____ _____

_____

_____ _____

_____

Wildlife

There are several ways to identify 'predominant' species. A field survey designed to inventory wildlife is one way to identify predominant species. Because there is a direct link between the kinds of species that inhabit a site and the kinds of habitats found there, applicants can inventory those habitats that are

present on the proposed site and then link them to the predominant wildlife species that use those habitats.

Habitats and Wildlife

Each habitat has its own wildlife community. Habitats can be classified many ways - each with a distinct character influenced by the climate, hydrology, geology, topography of the land, and soils. New York State has a diversity of habitat types ranging from coastal habitats along the Long Island Sound shoreline, to alpine habitats at the top of an Adirondack peak.

Habitats can be generally described as falling into seven major categories: marine, estuarine (where marine and terrestrial meet), riverine (rivers), lacustrine (lakes), palustrine (ponds and wetlands), terrestrial, and subterranean (caves). Terrestrial habitats can be further described as open uplands, barrens and woodlands, forested uplands, and terrestrial cultural.

The following habitat descriptions may be useful in identifying and classifying the predominant species found on the proposed project site.

Shoreline Habitats

Natural shorelines are the undeveloped fringe areas along the edge of a stream, lake, river, pond, or ocean. These areas connect the shallow aquatic portion of the waterbody with adjacent upland. Shorelines provide important environmental functions, such as regulating water quality (including temperature, clarity, nutrients, and contaminants) and sustaining critical habitat for a variety of aquatic and terrestrial organisms including invertebrates, fish, amphibians, reptiles, shorebirds and waterfowl, and mammals. Shorebirds, ducks, geese, gulls, cormorants, and osprey are examples of common species found along shorelines, along with fish species such as pike, pumpkinseed, perch, lake trout, and carp.

Wetland Habitats

There are several different kinds of wetland habitats in New York. These are forested, scrub/shrub, emergent marshes, and wetlands associated with open water. Each may have a different predominant wildlife community. One thing all have in common is that they are areas saturated by surface or ground water. Wetlands also support distinctive vegetation that is adapted for life in wet soil conditions. See Question E.2.h. for additional information on wetlands.

New York State has both tidal wetlands, found around Long Island, New York City and up the Hudson River all the way to Troy Dam, and freshwater wetlands found along rivers and lake floodplains and in low laying areas across the State. Beaver, mink, muskrats, songbirds, herons, ducks and geese, turtles, salamanders, frogs, pike, perch, and bass are common.

Forest Habitats

A forest is an area that is covered with mature trees. There are many different kinds of forests in New York, each dominated by one or more tree species. Forests range from boreal forests found at the highest elevations in the Adirondack and Catskill mountains, to northern hardwood forests found in upstate New York, and to pine barren forests found on Long Island. Forests provide habitats for a wide variety of wildlife species ranging from mice, deer, and bears, to salamanders, frogs, and snakes.

Built Landscape Habitats (Urban and Suburban)

An urban habitat is found in cities and suburbs. Dominated by man-made structures and built landscapes, urban and suburban habitats include parks, urban open spaces, lawns, and tree-lined streets. Buildings are an important part of an urban habitat, especially bridges. Many urban areas have rivers, streams, and lakes within them. Some suburbs have many trees and patches of forested areas, while others have virtually no trees. Some suburban habitats also can have wetlands, streams, shorelines, or pieces of other habitats included. Some undeveloped green areas may exist that sustain small mammals, birds and amphibians.

Agricultural/Grassland Habitats

This habitat type is dominated by open fields of grasses, sedges, and wildflowers with little to no shrubs and trees. Common grassland habitats are pastures and fallow fields, hayfields, and wet meadows.

Early to mid-successional Habitats

These are habitats that occur on sites that have been cleared for farming or development, and then abandoned. After abandonment, a variety of grasses and small herbaceous plants grow, followed after a few years by shrubs and small trees. These are habitats that are in a transition from a grassland to a forest. Common plant species found in successional habitats include goldenrods, a variety of grasses, asters, ragweed, Queen Anne's lace, dogwoods, sumac, and red cedar. These are relatively short-lived habitats and after about 15 years, eventually mature into a forest.

Answering Question E.2.m.

This question asks for a list of the predominant species that occupy the project site. It does not require that the applicant identify all species. There are several ways the predominant species can be identified:

- Identify the habitats at the site, and then extrapolate what species are likely to be found in those habitats. Once the habitat types present on the project site are identified, these descriptions could assist in generally characterizing the wildlife communities that may be present.
- Consult with any local conservation advisory councils (CAC), Environmental Management Councils (EMC), or other environmental organizations such as bird clubs or sportsmen organizations that may have information on wildlife species found in the area. Check local comprehensive plans, open space plans, or local biodiversity inventories that may exist.

- Use the New York Nature Explorer. This is an interactive online application on the DEC website. Enter a county, and Nature Explorer will return a list of all known breeding bird, reptile, and amphibian species in that county, as well as all rare and listed animals documented in the county.
- Use the lists from the New York State Breeding Bird Atlas. This is a searchable data base of breeding birds and can provide a great deal of information on a site by site basis.
- Use the lists from the New York State Herpetological Atlas. This is a searchable data base of inventoried reptiles and amphibians by species. Although searchable only by species, this atlas does show the locations and range of species included in the inventory.
- Review the DEC Comprehensive Wildlife Conservation Strategy. This offers wildlife information on a watershed basin basis for species of greatest conservation value. The Comprehensive Wildlife Conservation Strategy for New York State contains information about ecoregions, species, and species lists that may be of value in answering this question.

A field inventory to identify species may be needed if no information is obtainable from these data sites or literature.Field surveys may also be needed when the project site or project is very large and may have opportunities for different species habitats, or if a taking of a species is proposed. A field inventory could identify the habitat types that occur on the site and that may be adequate to identify the predominant wildlife species that may be present.

E2 n. Does the project site contain a designated significant natural community?
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
_____
ii. Source(s) of description or evaluation:
_____
iii. Extent of community/habitat:
• Currently: _____ acres
• Following completion of project as proposed: _____ acres
• Gain or loss (indicate + or -): _____ acres

Significant Natural Communities

NYS DEC Natural Heritage Map of NYS

Significant Natural Communities include rare or high-quality wetlands, forests, grasslands, ponds, streams, and other types of habitats, ecosystems, and ecological areas. The NY Natural Heritage program calls these different types of habitats or ecosystems "natural ecological communities." NY Natural Heritage documents only those locations of natural communities where the community type is rare in New York State; or, for more common community types, where the community at that location is a high-quality example and meets specific, documented criteria for state significance in terms of size, undisturbed and intact condition, and the quality of the surrounding landscape.

A natural ecological community is defined as an assemblage of interacting plant and animal populations that share a common environment; the particular assemblage of plant and animal species occurs across the landscape in areas with similar environmental conditions. Examples of community types include deep emergent marsh, red maple-hardwood swamp, dwarf shrub bog, hemlock-northern hardwood forest, and tidal creek.

NY Natural Heritage keeps track of locations of significant natural communities because they serve as habitat for a wide range of plants and animals, both rare and common; and because natural communities in good condition provide ecological value and services. The conservation of high-quality examples of all the natural community types in each region of New York State will help ensure that all New York State's plants and animals are preserved.

Answering Question E.2.n.

The answers to questions E.2.n. and E.2.n.i will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. If the project site contains any designated significant natural community, the EAF Mapper will check "yes" on the FEAF Part I pdf. If yes, the EAF Mapper will add in the natural community's name and its current acreage.

Note that other parts of this question will still need to be investigated and filled in by the applicant. If a 'yes' answer is returned, the EAF Mapper will also identify if the project is in a community with an approved Local Waterfront Revitalization Program and will automatically check 'yes or 'no'.

Note that the EAF Mapper will not fill in answers for E.2.n.ii and E..2.n.iii. These must be completed by the applicant. Information listed below for manually filling out the EAF should be consulted for completing this question.

If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.

If the applicant is using the EAF Mapper to help fill out any portions of Part 1, they should use that first before filling out any other portions of the EAF.

If the EAF Mapper is not used to complete part E.2.n and E.2.n.i, applicants can also enter the project site into the Environmental Resource Mapper to identify any significant natural communities that may be known on or near the project site. You can also explore the data from DEC's Google Earth data page. Alternatively, applicants may directly request the NY Natural Heritage Program for information about significant natural communities, as well as rare and listed animals and plants, at or near the proposed project site. Instructions for making requests by mail or e-mail can be found on the NY Natural Heritage Page.

Note that the locations displayed in the Environmental Resource Mapper, or reported by NY Natural Heritage data layer are not the only places in New York with rare or significant natural communities; they are only the places documented in the New York Natural Heritage Program's Biodiversity Databases. Not all of New York State has been surveyed, so if the project site shows no locations of significant natural communities, it does not mean there are none there; it only means NY Natural Heritage has no information about that area.

Detailed information about any community types identified by the Environmental Resource Mapper or by NY Natural Heritage is available from NY Natural Heritage's Conservation Guides. These guides include information about identification, dominant and characteristic vegetation, distribution, conservation and management. (More technical descriptions of all community types are in NY Heritage's 2002 Draft Ecological Communities of New York State).

If information from DEC's website or from NY Natural Heritage indicates that a significant natural community may be present at or near the location, a careful on-site evaluation should be done to confirm the size, status, and specific locations of those natural communities on the parcel, and to document the presence of any significant plants or wildlife. If there are no communities currently documented at the site, then a field investigation may be needed to identify vegetation, plant communities, and habitats present,

especially for sites where other significant natural resources are present and sites that are undeveloped or are relatively undisturbed. These data should be placed on site plans so it can be evaluated by the reviewing agency in relation to other features on or planned for the site.

Check with local sources of information as well. Consult with any local conservation advisory councils (CAC), Environmental Management Councils (EMC), or other environmental organizations such as bird clubs or sportsmen organizations that may have information on wildlife species found in the area. Check local comprehensive plans, open space plans, or local biodiversity inventories that may exist.

If any significant natural communities exist on the project site, answer 'yes' and all sub-questions. If none exist, then move to Question E.2.o.

i. Describe any significant natural communities at or near the project site, including the location on the site (or distance from the site) of each natural community or habitat. If the significant natural community is reported at the location, by the Environmental Resource Mapper or by NY Natural Heritage, also include the name of the community type, provided by that source. The report from NY Natural Heritage will also list what characteristics about the natural community makes it significant, and the NY Natural Heritage Conservation Guides will provide a description of the community type and its typical vegetation. A map showing the location of the significant natural community on the site is recommended to supplement this description. Depending on the type and significance of the natural community found, the reviewing agency may require additional inventories and field studies to determine whether potential adverse impacts may occur.

An example statement for this question would be: "The habitat is a hardwood forest on a well-drained site, located at the highest elevation of land and on the steepest slopes found on the parcel. The tree canopy is dominated by red, white and black oaks. Other common trees include shagbark hickory, white ash, red maple, and eastern hop hornbeam. The subcanopy includes small trees and shrubs. This area is designated as G4G5 and S4, and is classified as an Appalachian Oak Hickory Forest. This type of forest is common throughout the area."

ii. List the source of data used to answer this question including data from DEC (Environmental Resource Mapper, NY Heritage, Conservation Guides, etc.), local sources (CAC, or local inventories), and persons/firms who conducted field investigations.

iii. Once significant habitat types or communities are identified, the site should be inventoried, mapped and included on site plans or other maps that are part of the project application. From this map, calculate the total size of the significant natural habitat as it currently exists, then determine the extent of that habitat after project completion, in acres. Calculate the gain or loss in acres of that habitat.

E2 o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?
If Yes:
i. Species and listing (endangered or threatened):

_____

ii. Nature of use of site by the species (e.g., resident, seasonal, transient):

_____

Endangered and Threatened Species

Threatened and endangered species are protected by both State (6NYCRR Part 182 and ECL 11-0535 for animals; 6NYCRR Part 193 and ECL 9-1503 for plants) and by federal laws. These species, along with the habitats that support them are considered sensitive resources.

Information to be provided should include confirmation that the project side does or does not contain endangered plants or animals. If endangered or threatened species are confirmed at the site, the second part of the questions asks applicants to evaluate whether habitats that support those species are present. Modification of these habitats not only adversely affect those species and their ability to survive, but for endangered and threatened animals it could be considered a 'take' which may require an incidental take permit (link leaves DEC website) under Part 182, from DEC.

Answering Question E.2.o.

The Department's Natural Heritage Program maintains a database on documented occurrences of protected species in New York. You can obtain a report from the Natural Heritage Program concerning the potential presence of protected species in a particular location by submitting a request to NY Heritage. Instruction for making requests by mail or e-mail can be found on the NY Natural Heritage Page.

The answers to this question will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. If the project site contains any known species of plant or animal that is listed by the State or federal government as threatened or endangered, or if it contains any areas identified as their habitat, the EAF Mapper will check "yes" on the FEAF Part I pdf. Note that the EAF Mapper does not list the species or the nature of use of that site by the species. A 'yes' answer by the EAF Mapper should be considered as a screening for more details about the species and its habitat on the project site.

The locations displayed in the Environmental Resource Mapper, the EAF Mapper or reported by NY Natural Heritage, are not the only places in New York with protected species: they are only the places documented in the New York Natural Heritage Program's Biodiversity Database. Not all of New York has

been surveyed, so if the project site shows no locations of significant natural communities, it does not mean that none are there, it only means NY Natural Heritage has no information about the area.

If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided to the reviewing agency that explains that discrepancy.

In addition, information on protected species and their habitat is available on the Department's website through the Environmental Resource Mapper and Nature Explorer web applications. The Environmental Resource Mapper highlights areas of concern in the vicinity of documented locations of protected species but does not give the specific location or the identity of the species. Nature Explorer can generate lists of the species that have been confirmed within any particular county in addition to generalized mapping of areas where protected species have been documented to occur. If either of these applications indicates that a protected species may be in the vicinity of a project site, a request may be submitted to NY Natural Heritage for a more detailed screening. Additional information concerning the presence of protected species can be obtained from regional DEC offices.

Note that the locations displayed in the Environmental Resource Mapper, or reported by NY Natural Heritage, are not the only places in New York with protected species: they are only the places documented in the New York Natural Heritage Program's Biodiversity Database. Not all of New York has been surveyed, so if no locations of endangered and threatened species are documented from the project site, it does not mean that none are there. It only means NY Natural Heritage has no information about the area.

You may also find that information on endangered and threatened species has already been collected for the municipality. Contact the town/city/village clerk to find out if a local comprehensive plan, open space plan, or wildlife and plant inventory has already developed for the area. Often, these documents include lists or maps that will be helpful to you in answering this question.

Some communities also have Conservation Advisory Councils (CAC) or Boards (CAB). These local environmental advisory groups, made up of volunteer members from the community, often have already completed local inventories of plant and animal species. They may be a helpful source of information and maps.

If a field survey or local or DEC information indicates that an endangered or threatened plant or animal species occurs or may occur on your proposed project site, additional information and field evaluations will likely be needed to fully inform the reviewing agency about the presence of these threatened or endangered species, or their habitats.

If any endangered or threatened plant or animal species, or their habitat exist on or near the project site, answer 'yes' and all sub-questions. If none exist, then move to Question E.2.p.

i. List any endangered or threatened animal species found or reported on or near the project site. Identify its status as either endangered or threatened. If endangered or threatened species are known to be present adjacent to, or near the location, and habitats are confirmed present on the project site, list those species and habitats.

ii. Habitats can be used by endangered and threatened species for breeding, hibernation, reproduction, feeding, sheltering, migration or overwintering. The site may be used year-round, seasonally, or on a transient basis (passing through the area or during migration.) Once endangered or threatened animal species are identified on or near the site or if their habitats are on the project location, a field investigation may be necessary to understand how the species may be using the site. This investigation should be thorough enough to understand the role the project location plays in supporting the species and whether there will be adverse modifications of that habitat. If the endangered or threatened species is a plant, indicate the habitat on the project site where the plant is found.

Useful Links

For a list of animals listed by the State as endangered or threatened, and for fact sheets on many of these species go to the State Threatened and Endangered Species List page. You can also find a list of endangered and threatened fishes on DEC's website.

For other information on endangered animal species, go to the Endangered Species Unit page and the NYS's Comprehensive Wildlife Conservation Strategy (CWCS) Plan.

For a list of plants listed by the State as endangered or threatened, go to DEC's Protected Native Plants page.

Information about many of the endangered and threatened animals and plants in New York, including habitat, biology, identification, conservation and management, are available from NY Natural Heritage Conservation Guides and from NatureServe Explorer.

For information on federally listed endangered and threatened species, go to the US Fish and Wildlife Service page.

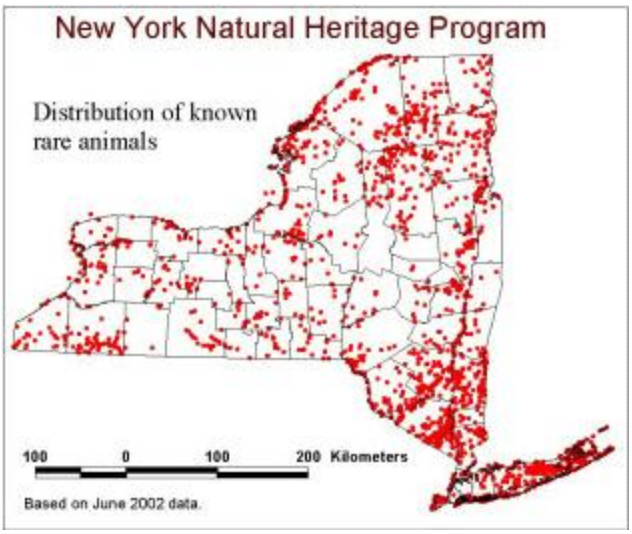
E2 p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?
If Yes:
i. Species and listing:

_____

ii. Nature of use of site by the species (e.g., resident, seasonal, transient):

_____

Rare Species or Species of Special Concern



NYS DEC Rare Animal Information

New York State also classifies certain plants as Rare (6NYCRR Part 193 and ECL 9-1503) and certain animal species as being Species of Special Concern (6NYCRR Part 182 and 1503).

Species of special concern are fish and wildlife species that warrant attention and consideration, and there is concern for their continued welfare in New York, but current information, collected by DEC, at this time does not justify listing these species as either endangered or threatened.

Answering Question E.2.p.

Follow the same guidelines and use the same resources in answering this question as were provided for the previous questions, E.2.o., including using the EAF Mapper and obtaining a report from the NY Natural Heritage Program. Instruction for making requests by mail or e-mail can be found on the the NY Natural Heritage Program Page.

If any animal Species of Special Concern or plant species listed as Rare exist or are reported to be on or near the project site, answer "yes" and all sub-questions. If none exist, then move to Question E.2.q.

i. List any Species of Special Concern or Rare species found or reported on or near the project site. Identify its status as Species of Special Concern or Rare.

ii. Habitats can be used by animal Species or species of special concern for breeding, hibernation, reproduction, feeding, sheltering, migration or overwintering. The site may be used year-round, seasonally, or on a transient basis (passing through the area or during migration.) Once animal Species of special concern species are identified on or near the site, or if their habitats are on the project location, a field investigation may be necessary to understand how the species may be using the site. This investigation should be thorough enough to understand the role the project location plays in supporting the species and whether there will be adverse modifications of that habitat. If there is a plant species

listed as Rare identified on or near the site, indicate the habitat on the project site where the plant is found.

Useful Links

For a list of animals listed by the State as Species of Special Concern, and for fact sheets on many of these species, go to the State Threatened and Endangered Species List page. For more information, also see the Endangered Species Unit page and the a NYS Comprehensive Wildlife Conservation Strategy (CWCS) Plan.

For a list of plants listed by the State as Rare, go to the DEC's Protected Native Plants page.

Information about many of the Species of Special Concern and other rare animals and plants in New York, including habitat, biology, identification, conservation and management, are available from the NY Natural Heritage Conservation Guides and form the Nature Serve Explorer.

E2 q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?
If yes, give a brief description of how the proposed action may affect that use:

_____

Hunting, Trapping, Fishing

Answering Question E.2.q.

Hunting, trapping, fishing, or shell fishing are outdoor recreational activities related to the environment that may be impacted by a change in land use. Applicants should use their general knowledge of the project site to answer this question. If unfamiliar with the outdoor recreational use of the property, applicants should consult with former owners, neighbors, and local sportsmen clubs. If these activities are known to currently take place, describe how the proposal may affect them. For example, the change in use of lands for hunting could be described as "the site is a wooded parcel that is currently used for hunting. 50% of the woodland will be will be removed to construct the structure and parking lot. The remaining woodlands will be preserved, but due to their proximity to the new buildings, hunting will not be allowed."

Question E 3 - Designated Public Resources on or near Project Site - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

E3 a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?
If Yes, provide county plus district name/number: _____

Agricultural Districts

SEQR includes evaluation of potential impacts on agriculture, especially those lands included in a New York State Agricultural District. Agricultural Districts are established per Article 25-AA of the Agriculture and Markets Law. The process to designate these districts includes landowner initiative, preliminary county review, adoption by the county, and state certification. Agricultural Districts have been established in most counties of the State and should not be confused with local agricultural zones, which are established through local zoning laws, and are not the subject of this question.

The purpose of agricultural districting is to support the continued use of farmland for agricultural production. The Agricultural Districts Law includes a combination of landowner incentives and protections, all of which are designed to forestall the conversion of farmland to non-agricultural uses. Included in these benefits are: preferential real property tax treatment (agricultural assessment and special benefit assessment), protections against overly restrictive local laws, government funded acquisition on construction projects, and private nuisance suits involving sound agricultural practices.

The Agricultural Districts Law also establishes a land classification system used to assign agricultural assessment values to qualified properties, creates a process for review of agricultural practices, discourages private nuisance lawsuits, provides advisory opinions on agricultural uses, and requires disclosure to prospective buyers or grantees of real property that is in an agricultural district.

Answering Question E.3.a.

To determine if the proposed project site is located within a NY Agricultural District, you can use the EAF Mapper to answer this question. The answer to these questions will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. If the project site is within a designated agricultural district, the EAF Mapper will check "yes" on the FEAF Part I pdf. If yes, the EAF Mapper will also add in the county and agricultural district number. If the project site is not within a designated agricultural district, the EAF Mapper will check 'no'. If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.

If the applicant is going to use the EAF Mapper to help fill out any portions of Part 1, they should use that first before filling out any other portions of the EAF. For more information on the EAF Mapper application, see the EAF Mapper section of the How to Use The EAF Workbooks page.

Applicants can also review the individual county agricultural district information on the NYS Agriculture and Markets Agricultural Districts website. A map showing the name and extent of each district for each county is available for review and download through the Cornell University Geospatial Repository (CUGIR) website linked within the Agricultural District website. Agricultural District maps are also available directly from the CUGIR as downloadable shapefile, PDF or KML files for use with Google Earth. Detailed maps may also be available at the county planning department or Soil and Water Conservation District office.

If there are no NYS Agricultural Districts located on the proposed project site, move on to question E.3.b.

Additional information about agricultural districts can be found in local or county-level agriculture and farmland protection plans, on County websites, or at the NYS Department of Agriculture and Markets, Agricultural Districts website. Keep in mind that NY Agricultural Districts can and do change over time. Lands can be added to each district on an annual basis. Lands can be removed from each district every eight years. It is recommended that applicants check with each County contact shown to confirm the status of the agricultural districts.

Each district is identified by a number. Identify the county and Agricultural District number in the space provided on the form.

E3 b. Are agricultural lands consisting of highly productive soils present?
i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

Agricultural Lands and Highly Productive Soils

For the purposes of a SEQR review, it is suggested that agricultural lands be considered lands that currently have, or have had within the past 5 years, active agricultural activity on them. Land considered to be agricultural lands include, but are not limited to, those described in Agriculture & Markets Law 25-AA, § 301.2, 301.3, 301.13, 301.14, 301.15, and other sections, such as: livestock, woodlands, orchards, vineyards, tree nurseries, equine operations, apiaries, etc.

Highly productive soils are those that are best suited to producing food, feed, forage, fiber, and oilseed crops. In short, they are the best soils for high yields with minimum expense and the least damage to the environment. The US Department of Agriculture has defined several categories of highly productive soils. These include prime farmland, farmland of statewide importance, and unique soils. Some counties have also designated certain soils as those of local importance. Additionally, the NY Department of Agriculture and Markets has created an agricultural land classification system based on soils used in the agricultural assessment program.

Highly productive soils can be defined as those that are identified in a county soil survey as being prime farmlands, farmlands of statewide importance. Also, soil groups identified by the NY Department of Agriculture and Markets as Mineral Soil Groups 1 to 4 are considered to be highly productive soils and can be found on the NYS Agriculture and Markets annual updated master list of agricultural soils.

Answering Question E.3.b.

If no part of the parcel has land currently used or recently used in agriculture (crops, pastures, and woodlands), then move on to question E.3c.

If agriculture is or has recently taken place, use the county soil survey and the State's annually updated "agricultural soils" page to identify highly productive soils in the area.

Note: The terms "Soils of Statewide Importance", "Farmland of Statewide Importance", "Soils of Statewide Significance", and "Farmland of Statewide Significance" are used at various times by different agencies, and sometimes by the same agency in different publications. All four of these terms should be recognized to mean the same thing.

Soil survey information is available at the local County Soil and Water Conservation District (SWCD) office. If the applicant is familiar with soils information, another source to identify and calculate the acreage of highly productive soils is to use the Web Soil Survey (WSS), an online tool operated by the USDA Natural Resources Conservation Service (NRCS). Instruction on website navigation are found below. These soil surveys list and describe the various soil types (soil map units) found throughout the county, along with their characteristics, and a map showing their location. Soil maps are usually overlaid on an aerial photo, helping the applicant find their specific project site location. It is likely that the Soil and Water Conservation District can print out a soil map of the project site and assist in identifying highly productive soils. Identify all soils that are prime farmland, or farmland of statewide Importance or identified as being in mineral soil groups 1 - 4. On the specific Counties most recent New York Agricultural Land Classification page, choose all those mineral soil groups identified as being in 1 to 4 in the column titled "Soil Group".

Check local sources as well because many comprehensive plans, local or county agriculture and farmland protection plans, or open space plans also have information about highly productive soils and agriculture. These could be valuable sources of information for this question.

If any of highly productive soil types exist on the project site, map them on the site plan or other application materials. Once mapped, the acreage of that area can be calculated and evaluated in relation to the proposed project.

Web Soil Survey

Another source to identify and calculate the acreage of highly productive soils is to use the Web Soil Survey (WSS), an online tool operated by the USDA Natural Resources Conservation Service (NRCS).

This site will not have the county specific NYS Agricultural Land Classification information, which can only be found on the NYS Department of Agriculture and Markets website. The Web Soil Survey provides digital versions of all soil survey data and allows the user to specify a specific Area of Interest (AOI), producing a customized summary report of the soils just within that AOI. Information on how to use the Web Soil Survey, including a link to a Getting Started document, is available on the Web Soil Survey home page.

Begin using the Web Soil Survey by clicking the "Start WSS" button on the home page. This will open the map interface. Zoom and pan in to the general location of your project site using the tools along the top edge of the map. When you are at an appropriate scale, you can then use one of the "Define AOI" tools to draw a shape directly on the map that closely matches you project area or tax parcel. Once the AOI is created, clicking on the "Soil Data Explorer" tab will open another set of tabs, which will allow you to access many specific reports that describe detailed attributes of the soils found within the AOI. You can use this information to answer most of the soils related question in the FEAF.

Note: There are portions of Franklin, Lewis and Herkimer County where soil survey information is not available.

After defining an AOI, click on the "Soil Data Explorer" tab, and then the "Suitabilities and limitations for use" tab on the second row. Click on the "Land Classifications" row to expand it, and then the "Farmland Classification: row under that. Run the report by clicking the "View Rating" button.

The report will show the various soil types within the AOI that are classified as Prime Farmland or Farmland of Statewide Importance, and the total acreage for each. To identify soil types on the project parcel, click on the main "Soil Map" tab which will create a map and legend with a list of soils types and percentages within the AOI.

i. acreage(s) on project site?

Calculate the total acreage of highly productive soils located on the project site. If using the Web Soil Survey, simply add up the areas for all of the soils classified as Prime Farmland and Farmland of Statewide Importance, or those in mineral soil groups 1-4.

ii. Source(s) of soil rating(s):

Identify whether the source of soil ratings is from the county soil survey, Web Soil Survey, NYS Agriculture and Markets Agricultural Land Classifications, DEC website, or another information site.

E3 c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?
If Yes:
i. Nature of the natural landmark: __ Biological Community __ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:
_____

National Natural Landmarks

The National Natural Landmarks (NNL) Program recognizes and encourages the conservation of sites that contain outstanding biological and geological resources, regardless of landownership type. It is the only natural areas program of national scope that recognizes the best examples of biological and geological features in both public and private ownership. Participation in the program is voluntary. National Natural Landmarks are selected for their outstanding condition, illustrative value, rarity, diversity, and value to science and education. Sites are designated by the Secretary of the Interior, with landowner concurrence. To-date, nearly 600 landmarks have been designated as NNLs. The National Park Service administers the program. You can learn more about the National Natural Landmarks Program by visiting their website.

Answering Question E.3.c.

The answer to this question will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. If a national natural landmark is in or within 500' of the project site, the EAF Mapper will check "yes" on the FEAF Part I pdf. If yes, the EAF Mapper will add in the name of the natural landmark and its acreage in E.3.c. Note that other parts of this question will still need to be investigated and filled in by the applicant if there is a natural landmark present. If yes, applicants should further evaluate the landmark further to learn if it is in or contiguous to the project site.

If no national natural landmark is in or within 500' of the project site, the EAF Mapper will check 'no'. If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.
If the EAF Mapper is not used to fill out any portions of Part 1, the applicant can identify the 27 NNL sites located in New York State by visiting the National Natural Landmark Sites page for NYS. Clicking on the map, or using the drop-down list above the map will lead you to a page that describes each NNL.

E3 d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

Critical Environmental Areas

Critical Environmental Areas (CEA's) are specific locations in a town, village, city, county, or the State that have this special designation because they have one or more of the following unique characteristics:

- Are a benefit or threat to human health
- Have an important or unique natural setting (e.g., fish and wildlife habitat, forest and vegetation, open space and areas of important aesthetic or scenic quality)
- Hold important agricultural, social, cultural, historic, archaeological, recreational, or educational values; or
- Have an inherent ecological, geological or hydrological sensitivity that may be adversely affected by any change

Local governments can identify and designate specific areas within their boundaries as CEA's according to 617.14 (g) (link leaves DEC website.) State agencies may also designate geographic areas they own, manage, or regulate. Once an area is designated as a CEA, the reviewing agency must consider the potential impact of any Type I or Unlisted Action on the environmental characteristics of that CEA as part of the determination of significance.

Answering Question E.3.d.

All CEA's designated through the SEQR process (617.14 (g) are identified and filed with New York State. The DEC CEA webpage provides information about, and links to, maps of the CEA's in the State. Check the DEC link to determine if your proposed activity is within or adjoining a CEA. If the list indicates a CEA exists in the general project area, but no map is provided, contact the local municipality to see if a more accurate location is on file.

An example of a Critical Environmental Area is from Warren County. The Town of Queensbury has designated a CEA for the Glen Lake and Surrounding Area to recognize the significance of the lake and surrounding ponds and wetlands.

The answer to this question will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. This resource is buffered, so if the project site falls within the boundaries of a CEA or is

very close to it, the EAF Mapper will check "yes" on the FEAF Part I pdf and fill in the CEA name, the designating agency, date of listing, and the CEA's purpose.

A "yes' answer should be followed up with a check of the DEC CEA webpage to identify the CEA, its boundaries and its true proximity to the listed CEA property. If there is no CEA located within the project boundaries, the EAF Mapper will check "no" on the form. If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.

CEAs are often a work in progress, so it is advisable to check with your local government to see if any CEAs are being developed or proposed.

E3 e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?
If Yes:
i. Nature of historic/archaeological resource: __ Archaeological Site __ Historic Building or District
ii. Name: _____
iii. Brief description of attributes on which listing is based:
_____

Registers of Historic Places

The National Park Service's National Register of Historic Places is a national program designed to identify, evaluate, and protect America's historic and archeological resources. The National Register is the official Federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture. Listing in the National Register of Historic Places provides formal recognition of a property's historical, architectural, or archeological significance based on national standards used by every state.

The State Register of Historic Places is the official list of districts, sites, buildings, structures, and objects, significant in the history, architecture, archeology, engineering, and culture of New York. The same eligibility criteria are used for both the State and National Registers. The State Historic Preservation Office (SHPO) helps communities identify, evaluate, preserve, and revitalize these resources. The State register website may have more up-to-date information than the National register site, but both may be useful to provide information for this question.

Historic properties include buildings, prehistoric and historic archeological sites, structures, objects, historic districts, and landscapes. Paraphrasing from the New York State Historic Preservation Plan - 2009 - 2013:

- Buildings are structures built to protect any form of human activity, and include houses, schools, barns, churches, hotels, and similar constructions.
- Structures are distinguished from buildings in that they are usually built for purposes other than creating human shelter. Some examples are bridges, tunnels, fire towers, dams, power plants, earthworks, railroad grades, systems of roadways and paths, boats and ships, railroad locomotives and similar things.
- Sites are locations of significant events, prehistoric or historic occupations or activities, or a buildings or structures, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure. Sites are such things as habitation or funerary sites, rock shelters, hunting and fishing sites, ceremonial grounds, battlefields, ruins of historic buildings and structures, shipwrecks, cemeteries, designed landscapes and natural features.
- Objects are distinguished from buildings and structures as those constructions that are primarily artistic in nature or are relatively small in scale as well as simply constructed such as sculptures, monuments, boundary markers, statuary, and fountains.
- Districts possess a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. Districts include things such as college campuses, downtown business districts, residential areas, industrial complexes, large farms or estates, transportation networks, and large landscaped parks.

Answering Question E.3.e.

The answer to this question will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. If the project site contains, or is within 500' of a building or district listed on the State or National Register of Historic Places, the EAF Mapper will check "yes" on the FEAF Part I pdf. If yes, the EAF Mapper will add in the name of the name of the historic resource. Note that the data does not include archaeological resources listed in the State and National Registers of Historic Places. Nor does it include National Register proposals that have not yet been approved by the State Historic Review Board. If the EAF Mapper returns a 'yes', applicants should investigate other sources of information to complete E.3.iii of the question related to the nature of the historic resource, and to give a brief description of the attributes upon which the listing was based for E.3.e.i and ii.

If no State or National historic resource is identified within the project site, the EAF Mapper will check 'no'. If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.

When the EAF Mapper is used to fill out any portions of Part 1, the applicant should use that first before filling out any other portions of the EAF.

To learn more about a historic resource, check the National Register Information System (NRIS). You can search by state, county, or city. The NRIS is arranged by the historic name of the property. If you know the address of the property, but not the historic name, you will have to look at each listing in the county or city.

To find out if a property is listed on the State Register, use the OPRHP Cultural Resource Information System (CRIS)

In addition to these online sources, the local municipality's historian, clerk, or other planning committee may have recent information on historic resources, particularly those that have been nominated for listing, or are in the process of being listed.

If the project site contains, or is it substantially contiguous to, one of the resources mentioned in the question, check 'yes' and supply the information requested in the sub-questions. If no such resources exist, move on to question E.3.f.

You may also want to find out if the local municipality is involved in designating historic properties or identifying properties for possible designation. For example, New York City's Landmark Preservation Commission is actively involved in these activities. For New York City, you can use the Landmark Maps page (NYCityMap) to identify designated properties. Other municipalities may have similar programs.

E3 f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?

Archeological resources

In addition to our rich European-American built history, NYS also has a 12,000 year history of Native American activity. These archeological resources are usually not as evident as more recent structures and sites, but they are important resources to preserve, and they are very susceptible to development as they usually lie less than a foot or so below the surface of the ground.

Answering Question E.3.f.

The answer to this question will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. If the project site contains an archaeologically sensitive resource designated on the

SHPO archaeological site inventory, the EAF Mapper will check "yes" on the FEAF Part I pdf. If no archaeological resources are known for that site, the EAF Mapper will return a 'no'.

If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.

If the EAF Mapper is not used to answer this question, the CRIS Online Tool can be used to identify areas within NYS that contain archeologically sensitive features. A project sponsor may also wish to contact OPRHP directly.

E3 g. Have additional archaeological or historic site(s) or resources been identified on the project site?
If Yes:
i. Describe possible resource(s): _____
ii. Basis for identification: _____

Additional Historic and Archaeological Resources

The National and State Registers of Historic Places will only include those resources that have gone through an official nominating process. Not all information on historic and archaeological resources has been provided to the State Office of Parks, Recreation and Historic Preservation. In addition to these "official" designations, local municipalities may have identified important places in their comprehensive plans, open space plans, or done an informal inventory of historic resources. The municipality may also have historic archives that contain lists of historically important places. In addition to the online sources mentioned in Questions E.3.e. and f., the local municipality's historian, or historic preservation commission may have information on unlisted historic resources.

Answering Question E.3.g.

If there are additional historic or archaeological resources on the project site that are included in any of these additional sources, but are not included in any of the official registers of historic places, describe the resource, and the basis for its identification (by whom and why it was identified).

E3 h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?
If Yes:
i. Identify resource: _____
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.):
_____
iii. Distance between project and resource: _____ miles.

Scenic Resources

This question asks for information on those scenic and aesthetic resources that are officially designated and publicly accessible. Officially designated scenic areas include scenic byways, scenic roads, scenic areas of statewide significance, scenic trails, and scenic rivers. Other areas may also be designated at the state level for scenic and aesthetic reasons. Some local municipalities have conducted their own scenic inventory and have designated those areas in county or local plans. Others have designated critical environmental areas for aesthetic reasons. Publicly accessible aesthetic or scenic resources are those that can be viewed from public lands or on public roads.

Answering Question E.3.h.

To answer this question, applicants examine the following to determine if there are any officially designated aesthetic and scenic resources on or near the project site. A visual assessment may be required by the reviewing agency to be conducted to evaluate whether the project site is visible from any publicly accessible location (public lands and public roads).

Scenic Byways

In New York State, there are several types of corridors that fall under the Scenic Byways Program. These include transportation corridors that are of particular statewide interest; some corridors that were automatically designated as Scenic Byways; National Scenic Byways; Parkways; and North Country Touring Routes.

National Scenic Byways (Lakes to Locks Passage, All American Road, Mohawk Towpath Byway, National Scenic Byway, Great Lakes Seaway Trail, National Scenic Byway) are transportation corridors of particular nationwide interest. National Scenic Byways are designated by the United States Department of Transportation's Federal Highway Administration.

The following links will aid you in identifying Scenic Byways that may be affected by your proposed project:

- Current and Proposed New York State Scenic Byways
- New York State Designated Scenic Roads (NYS Highway Law, Article 12-C, Section 349-dd)
- New York State Parkways (State parkways as listed in the regulations of the Commissioner of OPRHP)

Scenic Areas of Statewide Significance

New York State has also designated several areas as part of the Scenic Areas of Statewide Significance (SASS). SASS designation protects scenic landscapes through review of projects requiring State or federal actions, including direct actions, permits, or funding. The first application of the State's scenic assessment program was in the Hudson River Valley coastal region, where six areas in Columbia, Greene, Dutchess and Ulster counties were designated in 1993 as Scenic Areas of Statewide

Significance. In 2010, nine areas totaling more than 25,000 acres on Long Island's East End within the Town and Village of East Hampton were designated as SASSs. The areas in both the Hudson Valley and East End encompass unique, highly scenic landscapes accessible to the public and recognized for their outstanding quality. These designated areas are considered an important indicator of scenic quality and are to be included as a component of the environmental review.

Scenic Rivers

The Wild, Scenic and Recreational Rivers Act (Article 15 of the Environmental Conservation Law) is intended to protect and preserve, in a free-flowing state, those rivers of the state which possess outstanding natural, scenic, historical, ecological and recreational values important to present and future generations. Rivers meeting the Act's criteria may be designated by the State Legislature for inclusion in the program. They are placed within the wild, scenic or recreational categories based upon current land use patterns. A list of rivers designated as scenic can be found on the DEC Wild, Scenic and Recreational Rivers webpage.

National Scenic Trails

National scenic trails are extended trails that closely follow a historic trail or route of travel of national significance. Designation identifies and protects historic routes, historic remnants, and artifacts for public use and enjoyment. The Appalachian Trail that runs for 88 miles through the southern part of NYS is the most well known National Scenic Trail. The North Country National Scenic Trail is the longest National Scenic Trail, stretching 4,600 miles from New York to North Dakota. Maps are available on the DEC website.

State Forest Lands

Some state-owned lands have been classified as part of the State Land Classification System as having scenic and aesthetic characteristics to be preserved.

Local Aesthetic and Scenic Resources and Inventories

Many local communities have done scenic resource inventories as part of a comprehensive or strategic planning process. Applicants should review local documents such as comprehensive plans, open space plans, scenic plans, zoning and other land use regulations, and locally designated critical environmental areas (CEA's).

Some municipalities have also adopted scenic overlay districts that officially designate areas considered to be important local scenic or aesthetic resources. For example, Tompkins County Scenic Inventory has conducted a county-wide inventory. Other local or state laws can include scenic resources such as the Long Island Pine Barrens Protection Act (Environmental Conservation Law Article 57) that includes scenic resources in the class of resources to be considered during preparation of the Central Pine Barrens Plan.

Other communities have established Critical Environmental Areas to identify and protect areas having unique character important to the community. In some cases, county and regional planning agencies may also be of assistance to individual municipalities.

Some state or local parks may also be designated for scenic purposes.

If the project site can be viewed from an officially designated and publicly accessible aesthetic or scenic resource, then check 'yes' and answer the sub-questions. If no such resources exist, move on to question E.3.i.

i. Identify resource:

Use the links and information provided above to identify scenic or aesthetic resources. Include the type and name of the resource. For example, "Black River Trail Scenic Byway."

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.):

Once identified, describe the aesthetic or scenic resource. This should briefly describe the primary reason why that resource was designated and by whom. Applicants should read about the designated resource in order to understand and then summarize the nature of it here.

iii. Distance between project and resource:

Once the designated resource has been identified, applicants should determine how far the project site is from that resource. Calculate the distance between the publicly accessible location(s) of that designated resource and the project site. If the site is visible and it is possible that there may be adverse impacts to the designated aesthetic or scenic resource, then the reviewing agency may require additional information about the project such as the proposed massing and color of buildings, elevation, and context of the surrounding environment. A viewshed analysis may also be required to provide additional information. If there is a need for visual assessment, applicants should follow the existing DEC Program Policy DEP-00-2 "Assessing and Mitigating Visual and Aesthetic Impacts" for methodology and guidance. This policy has been developed for DEC staff but it is also recognized as an acceptable method for conducting visual assessment.

E3 i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?
If Yes:
i. Identify the name of the river and its designation: _____
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?

Wild, Scenic, and Recreational Rivers

The Wild, Scenic, and Recreational Rivers Act (Article 15 of the Environmental Conservation Law) is intended to protect and preserve, in a free-flowing state, those rivers of the state which possess outstanding natural, scenic, historical, ecological and recreational values important to present and future generations. Rivers meeting the Act's criteria may be designated by the State Legislature for inclusion in the program. They are placed within the wild, scenic or recreational categories based upon current land use patterns. A river corridor is defined in 6 NYCRR 666 (link leaves DEC's website) as "the river and the land area in its immediate environs bounded as established by the Commissioner pursuant to section 15-2711 of the Act. Upon designation and until boundaries are established by the Commissioner, the river area shall be that area within one half mile of each bank of the river." Different buffers are established depending on whether the river is designated as wild, scenic or recreational and whether the use is residential or non-residential

Answering Question E.3.i.

The answer to this question will be automatically inserted on the pdf generated by the EAF Mapper and a report generated. If the project site is located in or within 500' of a designed river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666, the EAF Mapper will check "yes" on the FEAF Part I pdf. If yes, the EAF Mapper will also add in the name of the designated river. Note that the EAF Mapper will not complete E.3.1.ii as that is project-specific. If the project site is not located in a Wild, Scenic or Recreational River corridor, the EAF Mapper will check 'no'.

If the applicant or project sponsor believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided to the reviewing agency that explains that discrepancy.

If the EAF Mapper is not used to answer this questions, the applicant can still evaluate the Wild, Scenic and Recreational Rivers program in order to address the questions asked in the EAF.

Review the list of designated wild, scenic and recreational rivers. If the proposed action is within the river area or the buffer areas as established by DEC then this question should be answered 'yes'. If it is not in a designated river area, then check 'no' and move onto Part 1, Section F.

For additional information, applicants may want to contact the regional DEC office or the Adirondack Park Agency.

i. Identify the name of the river and its designation:

Include the name of the river and identify if the river segment is designated as a wild, scenic or recreational river.

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?

Review 6NYCRR Part 666 (link leaves DEC's website) along with other DEC websites listed above to determine if the proposed project is consistent with requirements. Briefly describe how the proposed project is, or is not, consistent with these requirements. For example, a statement here could be "the site includes a river corridor designated as recreational. All structures and land disturbances will be 200' from the river bank and therefore, the activity is consistent with 6NYCRR Part 666 requirements."

Question F - Additional Information - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

F. Additional Information
Attach any additional information which may be needed to clarify your project.
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

Some of your answers to the questions in the FEAF may not fit in the space provided on the form. In that case, you can make a note in the space provided, referencing the full answer in any attached additional sheets.

If you have incorporated into your project design specific design features that you feel will help avoid or minimize any potential impacts, please attach a narrative discussion of the measures included in your project and how they will help avoid or alleviate those impacts.

Examples

Example 1:

All structures proposed for the multi-family complex will be constructed with LEED Gold standards to promote energy efficiency and green building.

Example 2:

As this project is located within a floodplain and we are aware of the concerns related to the impact this project will have on flood waters and flooding patterns, our application materials include a HEC-RAS Analysis. This is the recognized method for determining impacts on flooding patterns. This analysis is included with our application materials and confirms that there will be no significant impacts to adjacent properties or changes in flood patterns.

Example 3:

During survey work for this project, a vernal pool was identified and subsequently evaluated during March and April to learn what amphibian and other wildlife species use it. Upon finding that it was used for the breeding of Jefferson Salamanders, we have designed the project to leave intact the entire vernal pool and a 700 foot buffer of upland area around it, and have designated that area as permanent preserved open space.

Question G - Verification - Full EAF (Part 1)

Full Environmental Assessment Form (FEAF) Workbook

G. Verification
I certify that the information provided is true to the best of my knowledge.
Applicant/Sponsor Name _____ Date _____
Signature _____ Title _____

When you (the applicant) have completed filling out Part 1, sign and date the form at the end of Part 1.

This form becomes part of the application for approval of your project, and is subject to public review.

The reviewing agency is responsible for filling out Part 2 and Part 3 of the FEAF.

This Page is Left Intentionally Blank

Part 2 - Identification of Potential Project Impacts (FEAF)

Full Environmental Assessment Form (FEAF) Workbook

Part 2 is to be completed by the lead agency.
Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the

lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

Introduction

The purpose of Part 2 is to use the information from Part 1 to identify potential adverse impacts that need further consideration by the reviewing agency. The questions included in Part 2 are designed to help the reviewing agency identify what, if any, impacts may occur as a result of the project. Part 2 is further used to decide whether those impacts will have no impact or a small impact, or a moderate to large impact. Nothing in this workbook, particularly the guidance offered in Part 2 and 3, is found in regulation. While the EAF's need to be completed according to Part 617 regulations, interpretation on the size or significance of an impact is at the discretion of the reviewing agency.

Completing Part 2 will help identify any topics that need to be discussed further in Part 3. Taken together, Part 2 and Part 3 will help the reviewing agency determine if a negative or positive declaration is appropriate. If a positive declaration is made, parts 2 and 3 will help the reviewing agency develop a list, or 'scope' of environmental topics that will need to be addressed further in an environmental impact statement.

Note that nothing in this workbook, particularly the guidance offered in Part 2 and 3 is found in regulation. While the EAF's need to be completed according to the Part 617 regulations, interpretation on the size or significance of an impact is at the discretion of the reviewing agency.

Importance of Scale and Context

When you have determined that a potential impact may occur, you will also need to decide if that impact will be small or moderate to large. This decision should be based on the magnitude of the potential impact. Magnitude is not just the physical size of the project in feet or acres. Magnitude also considers the scale and context of a proposed project, and severity of that project's impact.

Scale

Scale refers to both the size and the intensity of the project. The scale of a project can be measured several ways. It includes the overall size of the project site, the number of buildings or structures proposed, the size of the parking lot, or the height and other dimensions of buildings. It also refers to features that measure the intensity of the project such as the amount of traffic that will be generated, or the amount of land to be cleared and graded in relation to the entire parcel size.

Context

Context refers to the conditions on the project site and its relation to adjacent parcels, the neighborhood, and the community as a whole. Similar projects in different settings may have very different environmental impacts. For example: construction of a commercial building that is 10,000 square feet in size in a

community that is already developed, has public water, sewer and storm drains, and is on a lot that has already been cleared will have very different impacts than the same sized and scaled project built in a rural, undeveloped community, with no public infrastructure, and little other development nearby. In this example, the scale is similar but the context is very different.

Measuring Impacts

An impact is measured in part, by its magnitude. The magnitude of an impact depends on the overall size, setting, and severity of the impact. A project that will disturb a few hundred square feet of land might be considered small in area, but if it destroys 100% of a rare species habitat, the severity of that impact would be considered large. Likewise, the construction of a warehouse in an established industrial district might be large in area, but the severity of the impact might be considered quite small, or even non-existent.

Part 2 asks reviewing agencies to identify if an impact will occur, and if so, what the size of that impact will be. The magnitude of an impact should be determined based, as much as possible, on the facts provided in Part 1, and on the scale and context of the project. A proposed action could have no impact on the environment, or an impact could be small, or moderate to large. In Part 2 of the FEAF, moderate and large impacts are considered together.

- **No Impact:** No impact will occur if the proposed action is consistent with the community's adopted plan and zoning, does not cause a change in the intensity of land use in the area, does not change the quality of the existing community or its character, does not change or impact any environmental resource or infrastructure, or create a hazard to human health as identified in Part 1.
- **Small Impact** These are impacts that are minor in magnitude and that have small or limited effects on environmental resources. Small impacts may also occur when an impact is limited to a small area. Small impacts are usually isolated, of minimal size, intermittent or short in duration (days to weeks), and do not affect rare or unusual species, habitats, or other resources. Small impacts include those that would generally be considered negligible and minor. These are often impacts from activities or resources that are not regulated or protected by any local, state or national agency.
- **Moderate Impact:** These are impacts that are moderate in magnitude and that have more impact on environmental resources. Moderate impacts can also occur when the impact affects a larger part of the parcel or even extending to a small area just beyond the parcel. Moderate environmental impacts may be either isolated (only in one location), or of regional concern (in a larger area). They generally are longer lasting (duration measured in weeks or several months), are often reversible and can be more readily addressed through mitigation measures or project changes. The resources affected often have broader local or regional concern and often are activities or resources that are regulated or protected by some local, state, or national agency.

- **Large Impact:** These are impacts that are severe in magnitude or cover larger areas in the neighborhood or community. The environmental impacts anticipated could be irreversible, challenging to mitigate, of wide regional scale, or of long duration. A large impact may also be unlikely to occur, but if it does, would be very damaging to the environment. The resources affected often have broader local or regional concern and often are activities or resources that are regulated or protected by some local, state, or national agency.

These descriptions of no or small impact, and moderate and large impacts are not always clearly defined, however. An impact to a very small area that is home to a rare species would generally be considered a large impact because it could severely impact that rare species. And a project that affects many acres may not affect any resources. When evaluating whether a proposed action has an impact, and if so, how large it is, the reviewing agency must consider the size, scale, magnitude, and resources in and around the location together.

Instructions for Completing Part 2

It is the reviewing agency's responsibility to answer all Part 2 questions, 1 through 18.

If the reviewing agency is a state agency (link leaves DEC website) **and** the action is in any Coastal Area, the reviewing agency must complete the Coastal Assessment Form before proceeding with this assessment.

See the Coastal Assessment page for further instructions.

You should use information submitted by the applicant or project sponsor in Part 1 to answer these questions. That includes additional information that may be submitted by the applicant. The reviewing agency can request clarification or expansion of information submitted in Part 1 if it is needed to answer the questions in Part 2. New information that is requested could come from currently existing or readily available sources, or site specific information collected as part of a survey, inventory, or other data collection. It is not intended that exhaustive new studies on all resources be required to complete Part 2. If, after your analysis, the reviewing agency finds that there is potential for at least one or more moderate to large impacts, Part 3 will be used to examine the impacts in more detail and a determination of the significance of those impacts will be made.
You may find it helpful to follow these steps to complete the Part 2 questions:

- Review answers to Part 1, questions A through G. This will help you become familiar with the project area. If you feel there is missing or incorrect information, you can request clarification or additional information from the project sponsor or applicant.
- Use the sub-questions to help you decide the size of a potential impact. Keep in mind that these sub-questions are meant as examples of impacts. Reviewing agencies should consider all the impacts of

the specific project even if these sub-questions are not relevant. If other impacts are identified, use the 'other impacts' sub-question for those that are not otherwise captured in the examples provided on the form.

- Be sure to consider all components and phases of the proposed activity in the Part 2 evaluation. The responsibility of the reviewing agency is to evaluate potential impacts from the entire project, even if some components are proposed to be years apart.
- Consider long-term, cumulative, and direct impacts. Some actions may have short-term impacts (for a few days, weeks or months) which improve quickly and thus may be of minor or negligible importance in a long time frame. Conversely, other actions may last for many months or be permanent.
- Cumulative impacts are those reasonably foreseeable impacts that result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other action. Reasonably foreseeable is when something is sufficiently likely to occur within the projected build year(s).
- Reviewing agencies should consider impacts, that when added to other existing or future projects will cumulate into larger ones. For example, if a project was to construct a new coal fired electric generating unit, but it is adjacent to an existing electric generating plant, the project would be constructed with the allowance for expansion, and in the same industrial district, there is also an operating ethanol plant, there is a potential for cumulative impacts above and beyond those that may occur as the result of the proposed project alone. In that example, the cumulative impacts on air quality, traffic, and water may be significant.
- Impacts can also be either direct or indirect. Direct impacts are those that are caused by the action and occur at the same time and place. Examples of direct impacts would be traffic noise, alteration of visual character, changes in traffic patterns, or filling a wetland.
- Indirect impacts are those that may be caused by a project, but occur at a different time or place. Indirect impacts may include growth-inducing effects, cumulative impacts, and other effects related to changes in the pattern of land use, population density or growth rate and related effects on air and water and other natural systems.
- Many of the sub-questions contain thresholds for impacts. DEC established these thresholds in consultation with experts in various fields. For example, 1 (d) asks if the proposed action may involve the excavation and removal of more than 1,000 tons of natural material. The 1,000 tons establishes a threshold. These thresholds are intended to scale potential impacts or to separate out actions with relatively minor impacts from ones that may have larger impacts. The thresholds are not absolute, but if an impact is below a particular threshold it helps the reviewing agency to answer that a particular impact is more likely to be small. It will be important to evaluate impacts in the context of the community in Part 3, but this is to be done only where the reviewing agency has determined that an impact may be moderate to large. If the numeric threshold is exceeded in a question, the reviewing

agency should check "moderate to large impact may occur". If a potential impact could occur but does not exceed the threshold, check "no, or small impact may occur." Please be aware that there could be deviations from these thresholds and impact assignments. If so, explain in Part 2. For example, an action below a threshold will result in a potentially large impact. Usually context will play a role in such decisions.

- Using the workbook web pages as a guide, work through answering questions 1 through 18. Each question page includes references to pertinent Part 1 questions, and a process for deciding if there is any impact, and if so, what the magnitude of that impact might be.
- Fill in the Part 2 table on the FEAF.
    - Check 'No or small impact may occur' if you determine that there will be no impact or only a small impact to that resource.
    - Check 'Moderate to large impact may occur' if you determine there may be a moderate to large impact to that resource

Each of the Part 2 questions explores a different environmental topic. These topics, in general are:

Question 1: Impact on Land
Question 2: Impact on Geological Features
Question 3: Impacts on Surface Water
Question 4: Impact on Groundwater
Question 5: Impact on Flooding
Question 6: Impacts on Air
Question 7: Impact on Plants and Animals
Question 8: Impact on Agricultural Resources
Question 9: Impact Aesthetic Resources
Question 10: Impact on Historic and Archeological Resources
Question 11: Impact on Open Space and Recreation
Question 12: Impact on Critical Environmental Areas
Question 13: Impact on Transportation
Question 14: Impact on Energy
Question 15: Impact on Noise, Odor, and Light
Question 16: Impact on Human Health
Question 17: Consistency with Community Plans
Question 18: Consistency with Community Character

Moving on to Part 3

When the Part 2 table is complete, proceed to Part 3.

- If you checked "No or small impact may occur" for **all** eighteen questions in Part 2, then you are only required to check the "this project will result in no significant adverse impacts on the environment" line from Part 3, fill out the reviewing agency information, date, and sign the form.
- If you checked "Moderate to large impact may occur" for any question in Part 2, then each of these will need additional evaluation in Part 3. Part 3 will help the reviewing agency decide if the impacts identified are significant, whether impacts will be avoided or substantially mitigated, and whether or not to require an environmental impact statement.

Full EAF (Part 2) Coastal Assessment Form

Full Environmental Assessment Form (FEAF) Workbook

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Coastal Areas of New York State (highlighted in yellow)

The first step in the Part 2 evaluation is to determine if the Coastal Assessment Form (Leaves DEC's website) also needs to be completed. This only applies if the lead agency is a State Agency, and the proposed action is in a NYS coastal area. Towns, villages, cities, and counties are not considered state agencies under SEQR, and therefore are not required to complete the Coastal Assessment Form even if the project is located in a coastal area.

If the reviewing agency is not a state agency, or the proposed project is not in a coastal area, the coastal assessment form does not need to be completed, and the reviewing agency can move on the answering Part 2 question 1.

If the reviewing agency is a state agency and the proposed project is in a coastal area, the coastal assessment form must be completed before answering any Part 2 questions.

A map of NYS's coastal area can be found on the NYS Department of State website, as well as a list of Coastal waterbodies and designated inland waterways. It is beyond the scope of these workbooks to provide assistance with the coastal assessment form, and with ensuring consistency with state coastal policies and local waterfront revitalization plans. More information on the requirements for consistency review can be found on the NYS DOS website.

Whether or not an EIS is prepared, a State agency shall not make a final decision regarding an action until the agency makes a written finding that its action is consistent with State coastal policies, or an approved LWRP.

When you are done filling out the Coastal Assessment form, move on to question 1.

Question 1 - Impact on Land - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site.

Concurrent mine reclamation
McEwan Mining
East Concord, Cattaraugus Co., N.Y

This question asks the reviewing agency to evaluate the potential impacts of any physical alteration of the land. This would include grading, clearing, filling, excavation, and construction of any structure on the land. Some examples of projects that would not include any physical alteration are Adoption of a comprehensive plan, the initial adoption of zoning regulations, the acquisition or sale of land, or the adoption of a local law.

To answer this question

Review Part 1 questions C.1., D.1., and D.2.

If the proposed project does not involve any physical alteration of the land, then check 'No' and move on to question 2. If the proposed project does involve some physical alteration, check 'Yes' and answer sub-questions (a) through (h).

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action may involve construction on land where depth to water table is less than 3 feet.

Ground water and water table are directly related. Part 2 question 4 specifically asks about impacts on groundwater. Some of the information, analysis, and impacts will overlap with that question. It is up to the reviewing agency to decide if they want to address these issues in question 1, 4, or both. However, if potable water will be involved or may be impacted, Question 4 must also be answered.

If construction will take place on lands having shallow depth to water table, then there is likely to be some level of impact. Construction in areas where the depth to water table is less than three feet can cause flooding of basements, storage tanks, underground utilities, waste dumps, and septic tank absorption fields. In addition, it may be difficult to provide stormwater management controls to meet SPDES permit requirements (runoff reduction). Rises in water tables or changes to surface water runoff can mobilize contaminants and threaten local groundwater quality. Contaminants can move into other subsurface facilities and into surface waters, causing health and safety problems. Although shallow ground water is not generally important for water supply, under certain conditions, contaminated shallow ground water may mix with water in underlying aquifers and degrade the quality of drinking and irrigation water.

Applicable Part 1 Information

D.2.a., D.2.p., D.2.q., D.2.r., D.2.s., D.2.t., E.2.d. and E.2.e.

Analysis

In order to decide if impacts will occur, the reviewing agency should look at the available information and ask:

- If the average depth to water table is less than 3 feet, what, if any portion of the land disturbance will be located in those locations?
- What portion of the land disturbance will be located where project site soils are poorly drained?
- Will surface water flows be altered?
  - If so, will it affect any stream, wetland, lake or other surface water body on or near the project site?
- Will any alteration affect any groundwater resources?

Will there be an impact?

If the depth to water table is greater than three feet and there will be no excavation on the project site that will lessen the depth to water table, or no proposed activities are planned for locations having shallow water tables, there will be no related flooding, contamination, or groundwater impacts, so check 'no, or small impact may occur'.

Small Impact:

Proposed projects that include minor levels of disturbance in areas having a water table close to the land surface are likely to have only a small impact. Examples would be:

- Disturbance of land, including stormwater mitigation practices, is limited to areas without high water table
- Disturbance to land, including stormwater mitigation practices, will remain close to the surface, but above the water table
- Minor excavation that avoids high water table
- Commercial application of pesticides.

Moderate to Large Impact:

Proposed projects that are much larger in scale, where areas of shallow depth to water table is extensive and unavoidable and where there is a higher potential for water pollution could have a moderate to large impact. Some examples that might fall into this category are:

- Major excavation that does not avoid high water table
  - Residential development with full basements and high water table.
- Mining activity, especially one that requires a DEC Mined Land Reclamation Permit for being larger than 5 acres and not privately operated on private land.
- Activity that does not have equilibrium between amounts of groundwater withdrawals and recharge.

- Water supply or sewage treatment is at an off-site location.
- A project where solid or hazardous waste production, storage, or disposal takes place.
- A project where storage of bulk petroleum or chemical products takes place.

b. The proposed action may involve construction on slopes of 15% or greater.

Construction on steep slopes (greater than 15%) can result in adverse impacts including land slippage, erosion, changes to stormwater runoff quantity and location, visual impacts, and safety issues for vehicular access. Upstream and downstream habitats and resources can be affected by erosion and sedimentation. Unstable soils can cause landslides or slippage after construction, creating ecological damage as well as unsafe conditions. Construction on steep slopes can change the pattern of runoff and the quantity of runoff, thus impacting soil stability and down slope areas. Steep slopes are usually part of a significant landscape characteristic (including the ridgelines) that when altered, can change the visual quality of the area. Providing access for sites on steep slopes can cause any of the above issues as well as be a safety issue.

Applicable Part 1 Information

D.2.a., D.2.e., E.2.b., E.2.f., and E.2.h.

Analysis

- Are there any portions of the site having slopes 15% or greater?
- Will any construction or land disturbance take place on those steep slopes?
- Is there potential for erosion from steep slope areas?
- Are there any water bodies that could be affected by erosion?
- Will a structure be placed on the slope or on the ridge top?
- How would this affect the visual quality of that area?

Will there be an impact?

If there are no slopes greater than 15% on the parcel, or no proposed activities are planned for locations on the parcel having steep slopes, there will be no steep slope related erosion, runoff, or visual impacts, so check 'no, or small impact may occur'.

Small Impact:

Proposed projects that disturb limited areas of land having slopes greater than 15% are likely to have only a small impact. Examples would be:

- Only a small portion of the site contains slopes of 15%, and building is limited.

- Any cut and fill needed can be done without creating slopes greater than 15% with appropriate erosion control measures.
- Visibility will not be increased due to position on a slope.

Moderate to Large Impact:

Proposed projects that are much larger in scale, where there are extensive areas of slopes greater than 15%, that are unavoidable, where there is a higher risk of stormwater runoff and erosion impacting valley streams and waterbodies, or where the project is on a site that is highly visible could have a moderate to large impact. Some examples that might fall into this category are:

- Extensive excavation on steep slopes where cut and fill will leave slopes steeper than exist now.
- Removal of large areas of vegetation on steep slopes from the site.
- Building on steep slopes next to streams or river banks with a history of unstable soils.
- Visibility will be increased due to position on a slope.

c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.

Construction in areas where bedrock is exposed or soils are shallow may mean that conventional septic systems cannot be properly built, or that difficulties could arise for placement of utilities and basements. Shallow soils may also cause problems with meeting stormwater permit requirements.

Applicable Part 1 Information

E.2.a., and E.2.b.

Analysis

- Is the average depth to bedrock less than 5 feet?
- Are there any bedrock outcroppings located on the site?
- Will any land disturbance take place on locations having shallow bedrock or bedrock outcroppings?
- Will blasting occur?
    - If yes, will that create fracturing of bedrock that would allow water or pollutants to percolate into groundwater?
    - Are there any nearby uses that might be affected by such blasting?

Will there be an impact?

If there are no areas having exposed or shallow bedrock, or no proposed activities are planned for locations on the parcel having exposed or shallow bedrock, there will be no related groundwater impacts, so check 'no, or small impact may occur'.

Small Impact:

Small impacts may occur where exposed or shallow bedrock is present and the proposed project disturbs only a limited area by excavation and where no blasting occurs. An example would be:

- Structures such as fences, accessory structures, parking areas, or limited disturbances take place on areas where there is shallow bedrock.

Moderate to Large Impact:

Proposed projects in locations with soils highly susceptible to erosion or extensive areas of shallow or exposed bedrock, where land disturbance to those areas are large or unavoidable, can result in moderate to large impact related to water runoff, fracturing bedrock etc. Some examples that might fall into this category are:

- A project where there is a need to blast in order to develop the site as proposed, resulting in fractures to the bedrock.
- The site is located over limestone bedrock known to have numerous caves, cracks, and sinkholes that impact the projects ability to meet SPDES permit requirements..
- Projects that are large in size that may change stormwater runoff patterns, and remove trees and vegetation that serve to hold soils in place.
- Engineering and added cost to extend infrastructure through difficult conditions such as
  - Roads
  - Water and sewer lines
  - Electric and gas services
- Need to blast in order to develop the site as proposed, resulting in fractures.

d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.

This question explores whether any mining is proposed to take place. A Mined-Land Reclamation permit is required for all excavations and related activities defined as mining, from which more than 1,000 tons or 750 cubic yards, whichever is less, of a mineral(s)is (are) removed from the earth during twelve successive calendar months. This is approximately equal to 40-50 tandem-axle (10-wheeler) dump truck loads.

Mining includes

- The extraction of overburden and minerals from the earth
- The preparation and processing of minerals, including any activities or processes used for the extraction or removal of minerals from their original location

- The preparation such as washing, cleaning, crushing, stockpiling or other processing at a mine location that makes a mineral suitable for commercial, industrial, or construction

Some activities may still require evaluation, although not require a MLR Permit, such as:

- Manufacturing processes utilizing mined materials that are undertaken at the mine location
- Excavation, removal, and placement of minerals in the undertaking of a construction project, but generally not including the construction of a water body; and
- The excavation, removal, and placement of minerals undertaken strictly to aid in enhancing the agricultural utility of existing agricultural lands

Project applicants who answer yes to this question may want to contact the DEC Mined Land Reclamation Specialist located in the appropriate regional office that covers the project site for a determination on the applicability of the mined land reclamation law.

Applicable Part 1 Information

D.2.a., D.2.b.(ii), D.2.b.(iii), E.2.d., and E.2.e.

Analysis

- Does Part 1 D2a (ii) indicate that more than 1,000 tons of natural material will be removed?
- What materials will be removed?
- How long will removal take?
  - All at once or in phases over time?
- What impact will that removal have on habitats and ecology of the area?
- Where will removed materials be deposited?
  - On site or off site?
  - If off site, how much trucking will be required?
- Are any erosion control methods proposed?

Will there be an impact?

If no excavation is planned, there will be no related impacts, so check 'no, or small impact may occur'.

Small Impact:

Proposed projects that excavate small quantities of natural materials on an infrequent seasonal basis or that result in limited excavation in support of site construction could have small impacts. Examples would be:

- Excavation and removal of less than 1,000 tons of natural material.
  - Such as a small scale gravel or sand mining operation

- removal of no more than 1,000 tons from the site over the life of the mine or project, but occurring over a period of years.

- Excavation that is needed during the construction phase of a project that requires removal of excavated material off-site.

Moderate to Large Impact:

Proposed projects that are much larger in scale, that have long-term or multi-phased excavations, and that are near sensitive environmental features may have a moderate to large impact. Some examples that might fall into this category are:

- Multi-phased developments that take place over many years and where many tons of material are removed.
  - Multi-phase residential.
  - Gravel mine.
- Single-phase development, with concentrated timeline for excavation.
  - 24-hour operation.
- Excavations that are large and deep so that there may be an effect on nearby water wells.
- Large excavations that have potential impacts such as noise, air pollution, visual impacts due to changed landscapes and community character, introduction of large scale land uses that are in sharp contrast to existing uses, or removal of vegetation that will result in fragmentation of habitats.

e. The proposed action may involve construction that continues for more than one year or in multiple phases.

Construction that takes more than a year or that has multiple phases can cause impacts related but not limited to: ongoing traffic disruptions, use of heavy equipment with high noise levels, stockpiles of soils and materials and other visual signs of construction that result in longer-term visual changes to the character of the area, or other ongoing noise or odor nuisances.

Applicable Part 1 Information

D.1.e.

Analysis

- What is the total time frame for the project and how many phases are planned?
- What adjacent land uses may be affected by that long-term construction?
  - How would they be affected?

Will there be an impact?

If the project will be completed within one year of approval or if there is only one phase to the project, there will be no related impacts, so check 'no, or small impact may occur'.

Small Impact:

Examples of phased projects that would have a small impact could be:

- Construction that occurs in multiple phases, but the overall level of activity will not be substantially different from a single phase project
- Construction will continue for more than one year, but activity will be intermittent.
    - There will be spurts of activity for less than 2 months at a time, perhaps seasonally for one or two years.

Moderate to Large Impact:

- Construction that occurs over multiple phases, over many years should be considered long-term.

f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).

Applicable Part 1 Information

D.1.b., D.2.a., D.2.b., D.2.e., D.2.q., and E.2.f.

Analysis

- Is the project required to create and implement a SWPPP?
- How much of the parcel will have impervious surfaces?
- How much of the parcel will be physically disturbed or have vegetation removed?
- What proposed activities could cause erosion?
- Are there streams, wetlands, lakes, or steep slopes on the parcel or nearby that could be affected by erosion from the site?
- What measures are proposed to limit erosion impacts?

Will there be an impact?

If no erosion is likely to occur from physical disturbance or vegetation removal, there will be no related water quality impacts so check 'no, or small impact may occur'.

Small Impact:

Proposed projects that disturb limited areas of land subject to erosion (e. g. stable soils, areas having slopes greater than 15%) are likely to have only a small impact. Examples would be:

- Stormwater discharges will take place but it will not flow to adjacent properties and the project minimizes stormwater runoff.

- The project includes land clearing that disturbs less than one-acre of land (or less than 5,000 square feet in the New York City - East of Hudson watershed) and does not require a SWPPP.
- The project includes some paving or construction of other impervious surfaces, but runoff is either controlled with a SWPPP, or covers a small percentage of the parcel.

Moderate to Large Impact:

Proposed projects that are much larger in scale and where larger volumes of stormwater will be created and managed could have a moderate to large impact. However, some smaller sized projects that do not need to meet NY stormwater permitting requirements may also have moderate to large impacts especially if the water body being affected is significant. Some examples that might fall into this category are:

- No SWPPP has been developed, and stormwater discharges will flow to adjacent properties and negatively impact that property or other natural resources off-site, such as wetlands, reservoirs, or protected streams.
- Stormwater will impact an important aquatic habitat for rare, endangered or threatened species.
- Stormwater will prevent the designated best use of Class A, B, or C(t) waterbodies.
- Large areas of vegetation will be removed from the site.
- Large portions of development will occur on steep slope areas.

g. The proposed action is, or may be, located within a Coastal Erosion hazard area.

Coastal Erosion

Applicable Part 1 Information

B.i. D.1.a., D.2.a., D.2.b., and D.2.e.

Analysis

- What coastal resources are likely to be impacted if erosion takes place?

- Is the project required to create and file a SWPPP?
- How much of the parcel will be impervious surfaces?
- How much of the parcel will be physically disturbed or have vegetation removed?
- What proposed activities could cause erosion?

Will there be an impact?

If the proposed project site is not located in a designated coastal erosion hazard area, there will be no related coastal erosion impacts so check 'no, or small impact may occur'.

Small Impact:

Examples would be:

- Development will occur within the coastal hazard area, but will not disturb any natural protective features, or existing erosion protection structures.
- Structures placed within the coastal hazard area are portable, temporary, or can be removed when hazard levels rise.

Moderate to Large Impact:

Examples would be:

- Development will occur within the coastal hazard area, and will require the removal of some natural vegetation which has been identified as a protective feature.
- A project will disturb or remove dunes, natural vegetation or other similar natural protective barriers.
- Large areas of impervious surfaces or other structures that will increase stormwater runoff are proposed.
- Development will require construction of new erosion protection structures.

h. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.\

Question 2 - Impact on Geological Features - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF)

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves).

This question asks the reviewing agency to evaluate potential impacts to unique or unusual land forms, and National Natural Landmarks. This includes any alteration to the landform itself, or a change in access to the landform.

To answer this question

Review Part 1 questions E.2.g. and E.3.c.

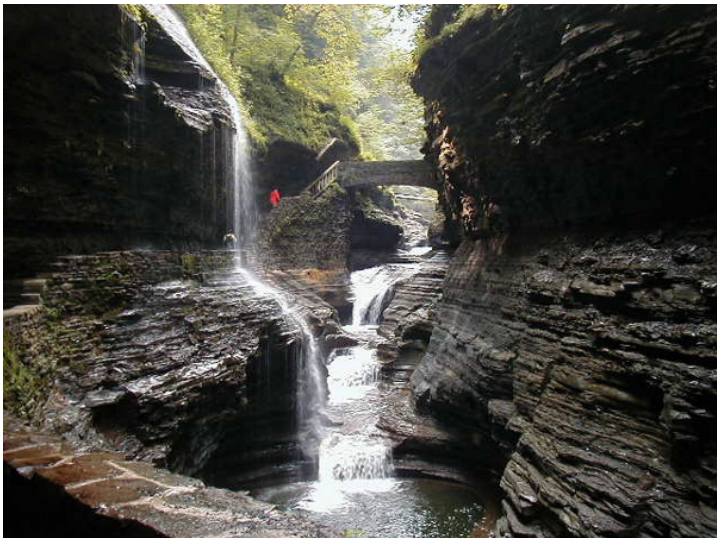
If the proposed project site does not contain nor is it adjacent to any unique geologic features or National Natural Landmarks, then check 'No' and move on to question 3. If the proposed project site does contain any of these features, or is adjacent to a National Natural Landmark, check 'Yes' and answer sub-questions (a) through (c).

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. Identify the specific land form(s) attached:



Watkins Glen

The NYS Unique Geologic Landforms project is a joint venture between the NYS DEC and the New York State Museum - Office of the State Geologist. This project identifies and inventories over 600 New York State unique land formations such as cliffs, dunes, waterfalls, erratic rocks, gorges, glacial features, and caves. These unique resources provide a variety of benefits to the community. They can provide learning opportunities for geologists and other scientists, habitats for rare animal and plant species, and recreational opportunities for the public.

Applicable Part 1 Information

E.2.g.

Analysis

- Are there any land formations on the project site that are listed in the NYS DEC and State Geologist's database?
- What is the basis for the feature's inclusion in the list?
  - What is it that makes it unique?
- Are there any locally designated or officially recognized unique landforms or geologic features on the site?
  - Examples of these might be features or locations listed in a municipal comprehensive plan or open space plan.
- Does the proposed project make any physical alterations to any of these landforms?
- Is the feature currently publicly accessible, either physically, or visually?
- Will the proposed project cause any change in access to the unique land form?

Will there be an impact?

If there are no unique landforms located on the project site, check 'no, or small impact may occur'.

Small Impact:

Examples of small impacts would be:

- Land forms are located on the project site but the project will not affect the reason the feature was included in the database.
  - The proposed project will not affect the "setting" of the feature.
- There will only be a temporary limitation of access to the feature during the construction phase.

Moderate to Large Impact:

Projects may have moderate to large impacts if:

- There will be a severe limitation or elimination of access to the site containing the feature.
- There will be alteration to physical aspects of the feature in any way.
- The setting of the feature will be physically altered, or new structures will affect the aesthetic character and setting of the feature.

b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature:

The National Natural Landmarks (NNL) Program recognizes and encourages the conservation of sites that contain outstanding biological and geological resources. NNLs are designated by the Secretary of the Interior to recognize some of the best examples of these resources in the nation. Some NNLs are the best remaining examples of a type of feature in the country and sometimes in the world. NNL designation does not impose any new land use restrictions that were not in effect before the designation.

Applicable Part 1 Information

E.3.c.

Analysis

- Are there any National Natural Landmarks on or adjacent to the project site?
- What are the reasons for this feature being registered in the NNL?
- Does the proposed project make any alterations to the physical characteristics of a NNL?
- Is the NNL currently publicly accessible, either physically, or visually?
- Does the proposed project site currently provide physical or visual access to the NNL, even if it is located on an adjacent property?
- Will the proposed project cause any change in physical or visual access to the NNL?

Will there be an impact?

If there are no NNLs on or adjacent to the project site, check 'no, or small impact may occur'.

Small Impact:

Temporary disturbances that are limited in size are likely to have only a small impact. Examples would be:

- Land forms are located on the project site but the project will not affect the reason the feature was included in the database.
  - There will be no effect on the "setting" of the feature.
- There will only be temporary limitation of access during the construction phase.

Moderate to Large Impact:

Examples of potential moderate to large impacts may be:

- Severe limitation or elimination of access to the site containing the feature.
- Alteration of physical aspects of the feature in any way.
- The project will affect the "setting" of the feature, including the aesthetic characteristics.
- The project removes or obstructs the physical structure of the NNL so that it no longer meets the original criteria upon which the features was designated a NNL.

c. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here. Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Question 3 - Impacts on Surface Water - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may affect one or more wetlands or other surface waterbodies (e.g., streams, rivers, ponds or lakes).

Upper and Lower Lakes
Wildlife Management Area
St. Lawrence County, New York

This question asks the reviewing agency to evaluate the potential impacts to any wetland or other surface waterbody including streams, rivers, ponds, and lakes. Actions would include activities that disturb the land such as removing vegetation; increasing or decreasing the size of a waterbody; creating new water bodies; and grading, clearing, filling, or excavating within or adjoining a waterbody. It also includes activities that would cause erosion, withdraw water, discharge wastes into the waterbody, or degrade water quality.

To answer this question

Review Part 1 questions D.2., E.1.b., and E.2.h.

If the proposed project site has no wetlands or other surface water bodies, or is an action that would not affect any waterbodies that may be present, then check 'No' and move on to question 4. If the project site contains wetlands or other surface waterbodies and the proposed action could affect the resource in some way, check 'Yes' and answer sub-questions (a) through (l).

Sub-questions (a) through (h) are similar in that they are all oriented to help the reviewing agency evaluate impacts on surface waterbodies. The actions explored in these questions cover activities that have the potential to adversely impact water quality and water ecosystems. Of prime concern are those actions that cause a loss of vegetation and wildlife habitat, erosion and sedimentation which degrades water quality and aquatic habitats, changes to the character of an area, changes in downstream water quality and ecology, or fragmentation of river and stream systems. Some actions can result in the trapping of nutrients and sediments that alters downstream ecosystems. Changes to surface water bodies can also change the water table, which could make water less accessible to plant roots and drinking water wells.

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and

decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action may create a new water body.

b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.

New water bodies can be created by damming streams and rivers, channeling water from wetlands, or even from surface runoff, by grading and land shaping activities that create new basins for water to collect in. Some new water bodies use groundwater sources such as springs. Creation of ponds, lakes, and reservoirs, or other land alterations that create new waterbodies are all activities that could have impacts.

Increasing or decreasing the surface area of waterbodies by over 10% or more than 10 acres mean it is more likely that adverse impacts to water quantity or quality, aquatic ecosystems, and downstream or upstream locations could occur. A change to the surface area of any body of water likely means that land disturbances or alterations of existing water flow are taking place. Physical changes to the land can occur with dredging, excavation, land filling, vegetation removal, or even changing streams or channel locations to feed or remove water sources. Applicants will need to provide measurements showing the percent or acreage of the surface waterbody to be increased or decreased.

Applicable Part 1 Information

D.1.b., D.1.h., D.2.a., D.2.b., D.2.e., E.1.b., E.1.e., E.2.d., E.2.h., E.2.i., E.2.j., and E.2.k.

Analysis

- What is the purpose of the activity and how will it be carried out?
  - What structures will be built to contain the water?
  - How large will the new water body be?
- What impacts may occur as a result of construction?

    - What natural habitats may be removed or flooded?
- After construction, what other resources including fish and wildlife, water supplies, changes to water chemistry, or changes upstream or downstream will result?
- What source of water will be used or changed, and does using that water affect other existing needs and uses of that water?
    - Will it affect other surface water bodies?
- Does the proposed activity occur in a floodplain or floodway, and if so, does it affect the functioning of that natural system?
- Are pollutants, including sediments being introduced into the waterbody and if so, how does that affect the ecology or use of that water?
- Are permits from other agencies required to conduct the activity?
- Will activities in or around a waterbody use or release any chemicals or contaminants?
- Are any methods proposed to use best management practices or mitigate potential adverse impacts?

Will there be an impact?

a. If no new water bodies will be created, there will be no related impacts. Check 'No, or small impact may occur'.

b. If the surface area of an existing water body will not be increased, there will be no related impacts. Check 'No or small impact may occur."

Small Impact:

Temporary changes or changes that are limited in size made to non-regulated water bodies may have only a small impact. Examples would be:

- A small water body is created or changed:
- The surface area of an existing water body will increase or decrease, but not by more than 10% or 10 acres.
- The waterbody being affected is not a regulated water body.
- The impact is isolated to the project site, is of minimal size, and does not adversely affect rare or unusual or listed species, habitats, or critical environmental areas.

Moderate to Large Impact:

Large and permanent changes made to a water body may change the ecology, water quality, use, or aesthetics of that waterbody and may have moderate to large impacts. Examples would be:

- The surface area of an existing water body will increase or decrease in size by more than 10% or more than 10 acres.

- The impact extends beyond the project site.
- There will be an impact to a resource that is of special value to the local community as identified in an open space or land use plan.
- If the water body is a habitat for a listed species or significant habitat, there may be moderate or large impacts even if it is changed by less than 10% or less than 10 acres.
- The waterbody is a regulated water body.
- The project will sever connections (such as diverting a stream) so that it changes a downstream wetland or other surface water body.

c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.

Dredging is an integral part of the maintenance of New York's harbors, channels, fairways, canals, marinas, ports, terminals, and reservoirs. The term dredging includes all in-water activities designed to move or remove sediment. For further information on dredging, see the DEC technical and operational guidance document: In-Water and Riparian Management of Sediment and Dredged Material. Examples of dredging activities include but are not limited to mechanical and hydraulic dredging, mechanical plowing, trenching and jetting.

While dredging ultimately can serve an important function, there are potential impacts associated with it including but not limited to erosion, sedimentation, release of pollutants and chemicals, and changes in aquatic habitats. Applicants will need to provide measurements on how much material will be dredged from a wetland or water body in order to evaluate this question.

Applicable Part 1 Information

D.1.b., D.1.h., D.2.a., D.2.b., D.2.e., E.1.b., E.2.h., E.2.i., E.2.j., and E.2.k.

Analysis

- How much of the area will be dredged?
  - How much material will be dredged and removed?
- Will any significant fish or wildlife habitats be removed?
- How will water turbidity impacts be limited or eliminated?
- Where will dredged materials be removed to?
  - On site or off site?
  - What de-watering techniques will be used?
- Will important wildlife habitats be harmed or removed?
- What is the purpose of the activity and how will it be carried out?

- After construction, what other resources including fish and wildlife, water supplies, changes to water chemistry, or changes upstream or downstream will result?
- Does the proposed activity occur in a floodplain or floodway, and if so, does it affect the functioning of that natural system?
- Are permits from other agencies required to conduct the activity?
- Will activities in or around a waterbody use or release any chemicals or contaminants?

Will there be an impact?

If the proposed action does not involve dredging of a wetland or waterbody (stream, lake, pond, or reservoir), there will be no related adverse impacts. Check 'no, or small impact may occur'.

Small Impact:

Temporary changes or changes that are limited in size made to non-regulated water bodies may have only a small impact. Examples would be:

- The waterbody to be dredged is not a regulated waterbody.
- Dredging removes less than 100 cubic yards from a wetland or waterbody.

Moderate to Large Impact:

Examples of moderate to large impacts may be:

- When more than 100 cubic yards of material from a wetland or waterbody will be dredged.
- When the waterbody is a regulated waterbody.

d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.

Woodland Pool wetland

Construction in and around freshwater or tidal wetlands requires NYS DEC and US Army Corps of Engineer freshwater wetlands or tidal wetlands permits. Disturbances to the stream bed or banks may

also require a protection of waters permit. A Protection Of Waters Permit is required for disturbing the bed or banks of a stream with a classification and standard of C(T) or higher (disturbance may be either temporary or permanent in nature). Actions that disturb wetlands, streams and other water bodies can result in adverse impacts such as erosion, sedimentation, loss of aquatic and other wildlife habitats, changes to down or upstream ecosystems, changes in water quality or quantity, and a reduction or loss of the important functioning of these natural systems.

Applicable Part 1 Information

D.1.b., D.1.h., D.2.a., D.2.b., D.2.e., E.1.b., E.2.h., E.2.i., and E.2.k.

Analysis

- How much of the area will be dredged?
  - How much material will be dredged and removed?
- Will any significant fish or wildlife habitats be removed?
- How will water turbidity impacts be limited or eliminated?
- Where will dredged materials be removed to?
  - On site or off site?
  - What de-watering techniques will be used?
- Will important wildlife habitats be harmed or removed?
- What is the purpose of the activity and how will it be carried out?
- After construction, what other resources including fish and wildlife, water supplies, changes to water chemistry, or changes upstream or downstream will result?
- Does the proposed activity occur in a floodplain or floodway, and if so, does it affect the functioning of that natural system?
- Are permits from other agencies required to conduct the activity?
- Will activities in or around a waterbody use or release any chemicals or contaminants?

Will there be an impact?

- If the proposed action does not involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body there will be no related adverse impacts. Check 'no, or small impact may occur'.

Small Impact:

Temporary changes or changes that are limited in size may have only a small impact. Examples would be:

- Construction removes a minor amount of vegetation and the stream or wetland is not in a floodway or 100 year floodplain.
- The project includes land clearing that disturbs less than 1 acre of land and does not require a SWPPP.
- The project includes some paving or other impervious surfaces, but runoff is either controlled with a SWPPP or covers a small percentage of the parcel.
- Construction disturbs a minor amount of stream bed or banks.
- The waterbody is not a regulated waterbody or is not known as a habitat for listed species or is a significant habitat.

Moderate to Large Impact:

Examples of moderate to large impacts include;

- The project is in a floodway or 100 year floodplain and is likely to change floodwaters, water flow or drainage to the water body.
- The construction will change drainage patterns and result in water flow to adjacent properties or to areas that previously have not flooded.
- Construction removes a moderate to large amount of streamside, lakeside or wetland vegetation.
- A project changes the stream or lake bed and removes or changes pools, riffles, water flow, or vegetation in or along the bank or shore of a waterbody.

e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.

Turbidity is when water becomes muddy and has sediments suspended in it. Turbidity results when soils are eroded and carried into a waterbody by stormwater runoff. It can also occur when stream, wetland and lake bottom sediments are disturbed. Turbidity can increase water temperatures which makes it less suitable for fish and aquatic animals. Turbid water reduces the amount of sunlight that reaches aquatic plants and sediments can clog fish gills or bury fish eggs. It also changes the aesthetic character of a waterbody and can damage equipment and motors. Actions that cause turbidity often relate to development, dredging, urban land-use, agriculture, and timber harvesting. While the physical impact of soil erosion and sedimentation affects aquatic resources and degrades water quality, the effects are magnified when rural and urban runoff carries contaminants associated with sediments.

Applicable Part 1 Information

D.1.b., D.1.h., D.2.a., D.2.b., D.2.e., E.1.b., E.2.h., E.2.i., E.2.j., E.2.k.,a., E.2.o., and E.2.p.

Analysis

- Will there be any dredging of an existing waterbody?
  - How much material will be dredged and removed?
- Will any significant fish or wildlife habitats be removed?
- How will water turbidity impacts be limited or eliminated?
- Where will dredged materials be removed to?
  - On site or off site?
  - o Are disposal locations known?
  - What de-watering techniques will be used?
- How is erosion proposed to be controlled?
- What is the purpose of the activity and how will it be carried out?
- After construction, what other resources including fish and wildlife, water supplies, changes to water chemistry, or changes upstream or downstream will result?
- Are permits from other agencies required to conduct the activity?

Will there be an impact?

If the proposed action does not include any activities that will create turbidity in a waterbody, or there are no waterbodies on or near a project site that could be affected by sedimentation or runoff, there will be no related turbidity impacts. Check 'no, or small impact may occur'.

Small Impact:

Turbidity that is of a temporary nature and easily controlled with erosion controlled methods and limited in size and scope may have only a small impact. Examples would be:

- First and foremost, there should be no visible contrast in the water as a result of the proposed methods.
- Actions result in temporary and minor turbidity affecting only a small portion of the water body and takes place during construction phase only.
- Turbidity impacts will be limited to a short time period or during the time of year that does not affect vegetation or wildlife.
- The waterbody is not a regulated waterbody.
- There are no listed species, significant habitats, critical environmental areas, etc. associated with the waterbody.

Moderate to Large Impact:

Examples of moderate to large impacts are:

- Implementation of practices to avoid turbidity are note well represented and this impact may affect a large portion of the waterbody or affect a downstream waterbody.
- Turbidity results from both construction and operation phases of the project.
- Turbidity impacts are long-lasting or during the time of year that will affect the health and growth of vegetation and wildlife.
- The waterbody is a regulated waterbody.
- There are listed species, significant habitats, critical environmental areas, etc. associated with the waterbody.
- The waterbody is part of a larger complex of inter-connected water systems.

f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.

Water intake facilities can be located on rivers, estuaries, and marine environments. It is usually associated with provided water for domestic water supply facilities, irrigation systems for agriculture, power plants, and industrial process users. Water is diverted directly from the waterbody by means of pumping facilities or is stored in impoundments or reservoirs. Water withdrawn from estuarine and marine environments may be used to cool coastal power generating stations, as a source of water for agricultural purposes, and more recently, as a source of domestic water through desalinization facilities.

Water intake structures can interfere or disrupt ecosystem functions in the source waters, as well as downstream water bodies such as estuaries and bays. Long-term water withdrawal may adversely affect fish and shellfish populations and with high volume withdrawals, can trap and impinge fish and invertebrates, alter natural flow rates, degrade shorelines and riparian habitats, and can alter the aquatic community structure and diversity of species.

Applicable Part 1 Information

D.2.a., D.2.b., D.2.c., E.2.h., E.2.i., E.2.j., E.2.k., E.2.n., E.2.o., and E.2.p.

Analysis

- Will the water body and its adjacent banks, shores, or lands will be physically disturbed to install the withdrawal intakes?
- What impacts may occur as a result of construction in or near the waterbody?
- After construction, what other resources including fish and wildlife, water supplies, changes to water chemistry, or changes upstream or downstream will result?
- Does using that water affect other existing needs and uses of that water?

- Does the proposed activity occur in a floodplain or floodway, and if so, does it affect the functioning of that natural system?
- Are permits from other agencies required to conduct the activity?
- What affect will a water withdrawal have on the surface water body?
  - Will it change water levels, temperature, chemistry, turbidity, or flow?
- Are any methods proposed to use best management practices or mitigate potential adverse impacts?

Will there be an impact?

If the proposed project does not include construction of intake(s) for withdrawal of water from any surface water body, there will be no related impacts. Check 'no, or small impact may occur'.

Small Impact:

Temporary and small volume intakes of water, along with limited land disturbances needed for construction of intakes may have only a small impact. Examples would be:

- Water withdrawal intakes are temporary, such as several times during the summer season.
- Projects where there are no high volume withdrawals.
- Withdrawals that do not result in altered flow rates, or degraded shorelines, stream bottoms or riparian habitats.
- Projects that do not change the overall health of the aquatic community or species diversity.

Moderate to Large Impact:

Examples of moderate to large impacts are:

- Water withdrawals are used long-term for water supplies, irrigation, power plants and industrial uses.
- There are long-term or high volume withdrawals.
- Withdrawals could result in altered flow rates, could degrade shorelines, stream bottoms or riparian habitats, or change the ecological community.

It should be noted that interbasin diversion of water or wastewater of 1,000,000 gallons per day or more, likely requires registration per NYS DEC NYCRR Part 601.18. In addition, new or increased interbasin diversion of water or wastewater out of the Great Lakes Basin is prohibited except for limited public water supply projects (per NYCRR Part 601.18(j)). The DEC Division of Water should be contacted if this is a component of the project proposal.

g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).

Outfalls for discharge of wastewater would be considered a point-source of pollution. Not all point-source discharge results in adverse impacts to aquatic organisms or their habitats. Most point-source discharges are regulated by the DEC under the SPDES permit program and the effects on receiving waters are considered under this permitting program. Point source discharges may change habitats by creating adverse impacts to sensitive areas such as freshwater, estuarine, and marine wetlands; emergent marshes; and submerged aquatic vegetation beds and shellfish beds. When there is a high velocity of the discharge, scouring of the bed may occur causing turbidity.

The discharge of effluent from point sources can cause numerous habitat impacts such as changes to sediments, temperatures, current patterns or water salinity. There can be a loss of habitat, or a conversion to other types of species. For example, this can occur when freshwater is introduced into estuary areas. Temperature changes, increased turbidity, and the release of contaminants can also result in the reduced use of an area by marine and estuarine species and their prey and impede the migration of some fishes. Areas surrounding the discharge pipes may not support a healthy, productive community because of physical and chemical alterations of the habitat.

Applicable Part 1 Information

D.2.b., D.2.d., E.2.d., E.2.h., E.2.i., E.2.j., and E.2.k.

Analysis

- Will any part of the water body and its adjacent bank, shore, or land be physically disturbed?
- What impacts may occur as a result of construction in or near the waterbody (i. e. non-contact cooling water or washwater from an industrial process)?
- After construction, what other resources including fish and wildlife, water supplies, changes to water chemistry, or changes upstream or downstream will result?
- Do discharges in that water affect other existing needs and uses of that water?
- Does the proposed activity occur in a floodplain or floodway, and if so, does it affect the functioning of that natural system?
- Are pollutants, including sediments being introduced into the waterbody and if so, how does that affect the ecology or use of that water?
- Are permits from other agencies required to conduct the activity?
- Will activities in or around a waterbody use or release any chemicals or contaminants?
- What affect will a water discharge have on the surface water body?
    - Will it change water levels, temperature, chemistry, turbidity, or flow?
- Are any methods proposed to use best management practices or mitigate potential adverse impacts?

Will there be an impact?

If the proposed project does not include construction of outfall(s) for discharge of water to any surface water body, there will be no related impacts. Check 'no, or small impact may occur'.

Small Impact:

Temporary changes or changes that are limited in size made to non-regulated water bodies may have only a small impact.

- Discharge is low flow so that there is no change to bottom sediments, water temperatures, or changes in water chemistry or turbidity is an example.

Moderate to Large Impact:

Examples of moderate to large impacts are:

- Discharge is moderate to high flow in volume and it will likely result in scouring of bottom sediments, changes in water temperatures, changes in water chemistry and increases in turbidity.

h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.

Sediment entering a water body can negatively impact both water quality and quantity in many ways. Siltation may reduce water storage capacity, recreational use such as boating. It can also stimulate aquatic weed and algae growth and degrade fish habitats. Siltation can also degrade the appearance of the waterbody because it can result in muddy water or visible sand bars.

Applicable Part 1 Information

D.1.b., D.1.h., D.2.a., D.2.b., D.2.e., E.1.b., E.1.e., E.2.d., E.2.h., E.2.i., E.2.j., E.2.k., E.2.n., E.2.o., and E.2.p.

Also: Water Discharge Permits

Analysis

- How much of the water body and its adjacent banks, shores, or lands will be physically disturbed?
- Are activities proposed that could increase erosion such as removal of vegetation, grading etc.
- What impacts may occur as a result of construction in or near the waterbody?
- After construction, what other resources including fish and wildlife, water supplies, changes to water chemistry, or changes upstream or downstream will result?
- Are pollutants, including sediments being introduced into the waterbody and if so, how does that affect the ecology or use of that water?
- Are permits from other agencies required to conduct the activity?
- Will activities in or around a waterbody use or release any chemicals or contaminants?

- Are any methods proposed to use best management practices or mitigate potential adverse impacts?

Will there be an impact?

If the action is one that will not cause soil erosion, or result in stormwater runoff that could impact surface waterbodies (wetlands, ponds, rivers, streams, lakes, etc.) there will be no related impact. In that case, check 'no, or small impact may occur'. Note however, that even land clearing that does not meet the thresholds of requiring a DEC SPDES permit may create some stormwater runoff that eventually finds its way to a surface water body. Reviewing agencies should carefully evaluate erosion and stormwater potential and impacts on surface waterbodies off-site.

Small Impact:

Isolated, temporary changes or disturbances that are limited in size may have only a small impact. Examples would be:

- The impact is isolated to the project site, is of minimal size, and does not adversely affect rare or unusual species, habitats, wetlands, or critical environmental areas.
- Less than 1 acre of land is to be disturbed and no SWPPP is required.
- There are no chemicals or other pollutants used on site that would impact surface waterbody chemistry, vegetation, or wildlife species.
- Runoff will be temporary and easily controlled with erosion control devices.

Moderate to Large Impact:

When moderate to large areas of vegetation are removed and soils exposed, erosion and stormwater discharges may cause siltation. Examples of projects that may result in moderate to large impacts are:

- When many impervious surfaces such as large parking lots and large scaled buildings are planned, where there is risk that such runoff will affect downstream waterbodies.
- A project where there are chemicals used or there is a risk of a spill on site that may become a water pollutant.

i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.

This question has similar components as Part 2, Question 3 (h). However, this question explores impacts beyond erosion. Reviewing agencies should evaluate if the action could impact water quality in ways other than erosion such as by adding fertilizers, detergents, phosphorus, petroleum products, cleaners or other chemicals to discharges or runoff.

Stormwater runoff comes from rain and snowmelt that flows over land or constructed surfaces such as paved streets, sidewalks, parking lots and rooftops and that does not seep into the ground. When this

happens, the water picks up and moves chemicals, nutrients, sediments or other pollutants and debris along with it. If this stormwater runoff is not slowed and captured before it flows into lakes, rivers, and wetlands, it can negatively impact water quality.

Pollution transported by stormwater degrades the quality of drinking water, and damages fisheries and habitats of plants and animals that depend on clean water for survival. Pollutants carried by stormwater can also affect recreational uses of water bodies by making them unsafe for wading, swimming, boating and fishing.

For additional information see also the Stormwater pages.

Other water quality impacts would include changes in temperature, or spikes in water volume flows, changes to the pH or dissolved oxygen levels, addition of suspended solids, or changes to water odor, color or taste. Water quality can also be impaired by actions that introduce or cause bacteria such as coliform or e. coli, or change other water chemistry.

Applicable Part 1 Information

a, D.1.h., D.2.a., D.2.b., D.2.d., D.2.e., E.1.b., E.1.e., E.2.h., E.2.i., E.2.j., E.2.k., E.2.n., E.2.o., and E.2.p.

Analysis

- How does the activity affect water quality including temperature, odor, color, taste, turbidity, and the chemical composition?
- Is the proposed activity likely to introduce coliform or other bacteria to the water?
- What impacts may occur as a result of these changes in water quality?
- Are pollutants, including sediments being introduced into the waterbody and if so, how does that affect the ecology or use of that water?
- Are permits from other agencies required to conduct the activity?
- Will activities in or around a waterbody use or release any chemicals or contaminants?
- Are any methods proposed to use best management practices or mitigate potential adverse impacts?

Will there be an impact?

If the action is one that will not cause any water quality impacts within or downstream from the action there will be no related impact. In that case, check 'no, or small impact may occur'. Note however, that even land clearing that is less than 1 acre and does not need to meet the DEC SPDES requirements is likely to create some stormwater runoff that eventually finds its way to a surface water body. Further, many small actions can impact water bodies. For example, removing some streamside vegetation can increase the amount of sunlight reaching a surface water body and that can raise the temperature, making it difficult for cold water fish species to survive. Reviewing agencies should carefully evaluate water quality changes on surface waterbodies off-site.

Small Impact:

Temporary changes or changes that are limited in size made to isolated non-regulated water bodies may have only a small impact. Examples would be:

- Water quality impacts may occur temporarily such as during a short construction season.
- The water body is isolated and not connected to a larger hydrogeological system.
- The water body is not part of a regulated waterbody.

Moderate to Large Impact:

Examples of moderate to large impacts may be when:

- Water quality impacts resulting from the project may occur frequently, or long-term.
- Impacts occur as part of both construction and operation phases.
- Affected waterbodies are interconnected and part of a larger system.
- Waterbodies are regulated.
- Chemical and physical indicators of water pollution such as change in temperature and pH, or use of nitrates, pesticides, or heavy metals are likely to be measured as a result of the proposed project.

j. The proposed action may involve the application of pesticides or herbicides in or around any water body.

Pesticides vary in their toxicity to humans and other animals. Some are not as toxic to humans and other mammals, but are quite toxic to fish and invertebrates. The term pesticide' includes those 'herbicides' which are targeted to kill vegetation. Pesticides can kill plants and animals as well as attach to soil particles and accumulate in waterbodies and their sediments. When herbicides are used, aquatic and terrestrial life can be impacted both by the direct toxic action of the herbicide, as well as by the actual removal of aquatic vegetation itself. Aquatic vegetation is an integral component of an aquatic ecosystem. Fish, reptiles, amphibians, aquatic birds, aquatic mammals, and invertebrates rely on aquatic vegetation for shelter, protection, spawning substrate, and food.

Applicable Part 1 Information

D.1.b.,D.2.q. E.1.b., E.2.d., and E.2.h.

Also see:

- Part 325 Regulations (link leaves DEC's website)
- Questions and Answers about NYS Pest Management

Analysis

- Will any pesticides be introduced to the water?

- If so, from what source?
- What pesticide?

- What impacts do these pesticides have on aquatic ecosystems?
- Is any of the water being affected by pesticides used for drinking water?
- How long and how frequently will the pesticides be used?
- Will pesticides sequester in sediments or be taken up by plants?
  - Or will it stay in the water column?
- Are any methods proposed to use best management practices or mitigate potential adverse impacts?

Will there be an impact?

If no pesticides or herbicides will be applied in or around surface water bodies, there will be no related impacts. Check 'No, or small impact may occur'.

Small Impact:

- Single use or treatment with a pesticide, or for individual residential use may have only a small impact. However, all pesticides have the potential to adversely impact a water body in some manner. Reviewing agencies should carefully examine what type of pesticide, how often they will be used, and what species of plant or animal may be affected in order to determine if the extent of impact is small, or moderate to large.

Moderate to Large Impact:

- When pesticides are applied on or near a surface water body by commercial or recreational users, such as golf courses there is a risk of moderate to large impacts occurring.
- Pesticide is being applied to control an invasive species or reclaim a waterbody.

k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.

Wastewater treatment is the process of removing physical, chemical, and biological contaminants from sewage. It is essentially a way to speed up the natural purification processes to return the treated water back to the environment with as little impact as possible. Wastewater treatment facilities range from private septic systems to public sewage treatment facilities. Some projects may need a SPDES permit from DEC. SPDES is the NY State Pollutant Discharge Elimination System that controls wastewater discharges. Wastewater treatment utilities meeting the following criteria will need a SPDES permit from DEC:

- Constructing or connecting to an outlet or pipe that discharges more than 1,000 gallons per day of sewage-only wastes to ground water

- Constructing or connecting to an outlet or pipe that discharges industrial or other non-sewage wastes to ground water
- Constructing or connecting to an outlet or pipe that discharges wastewater into any surface water
- Constructing or operating a disposal system such as a sewage treatment plant

Wastewater treatment systems that discharge less than 1,000 gallons per day to groundwater, and that have no industrial or other non-sewage wastes will require approval from the appropriate city or county health department, or the appropriate district office of the New York State Department of Health.

Applicable Part 1 Information

D.1.a., and D.2.d.

Analysis

- How much treated wastewater will be produced?
- What water body will wastewater be discharged into?
- Will construction of the treatment facility impact water quality of the surface water body?
- Does the proposed activity occur in a floodplain or floodway, and if so, does it affect the functioning of that natural system?
- Does discharge from the waste treatment facility also include stormwater?
    - If so, what water quality impacts might that have?
- Will treated wastewater discharge change water levels, temperature, chemistry, turbidity, or flow?

Will there be an impact?

If there will be no construction or expansion of wastewater treatment facilities, there will be no related impacts. Check 'no, or small impact may occur'.

Small Impact:

Wastewater treatment systems that discharge less than 1,000 gallons per day to groundwater, and that have no industrial or other non-sewage wastes may have small impacts.

Moderate to Large Impact:

Examples of moderate to large impacts are:

- Constructing or connecting to an outlet or pipe that discharges more than 1,000 gallons per day of sewage-only wastes to ground water.
- Constructing or connecting to an outlet or pipe that discharges industrial or other non-sewage wastes to ground water.
- Constructing or connecting to an outlet or pipe that discharges wastewater into any surface water.

- Constructing or operating a disposal system such as a sewage treatment plant.

l. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

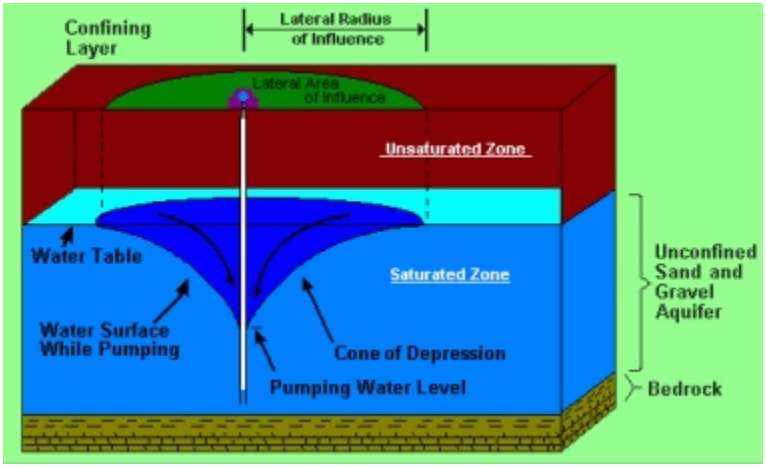
Some examples of other impacts related to surface water may be:

- Altering or disrupting the natural flow of current
- Altering the depth of the water body
- Changing the natural bottom composition
- Disturbing bottom materials that would release sequestered pollutants
- Impacts on surface water supplies that may be used for drinking water

Question 4 - Impact on Groundwater - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1.)



DEC Groundwater Definitions Page

This question asks the reviewing agency to evaluate potential impacts on the use of, and contamination of, groundwater resources. Groundwater is an important natural resource used by industrial, commercial,

agricultural, and residential uses for manufacturing, irrigation, and drinking water purposes. About one quarter of New York residents rely on groundwater as a source of potable water. Water is not an inexhaustible resource, and proposed actions need to be evaluated for their potential impact on both the quantity and the quality of the groundwater source they may use or affect. Once a groundwater supply is exhausted or contaminated, it is very expensive, and sometimes impossible, to replace.

To answer this question

Review Part 1 questions D.2.a., D.2.c., D.2.d., D.2.p., D.2.q., and D.2.t.

To begin its evaluation, the reviewing agency should ask "Does the proposed action include any of the following:"

- Excavation, mining, or dredging during or after construction?
- A new or additional demand for water?
- A public, private, or commercial potable water source that will be added or impacted by the proposed project?
- Generating any liquid waste, including but not limited to wastewater
- Bulk storage of more than 1,100 gallons of petroleum or chemical products?
- Use of pesticides, herbicides, or insecticides during or after construction of a commercial, industrial, or recreational use?
- Commercial generation, treatment, storage, or disposal of hazardous wastes?

If the answer is no to all of these questions, then check 'No' and move on to question 5. If the answer is yes to any of these questions, then check 'Yes' and answer sub-questions (a) through (h).

The sub-questions in this section can be divided into two groups. Sub-questions a, b, and c focus on the quantity aspects of groundwater. Sub-questions d, e, f, and g focus on potential contamination of groundwater.

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.

- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.

b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source:

Private and public water supplies often use groundwater as a water source. In order to maintain a sustainable system, the amount of water withdrawn from these groundwater sources must be balanced with the amount of water returned to the groundwater source. This is known as groundwater recharge. In evaluating the magnitude of potential impacts regarding sub-questions a. and b., it is critical for the reviewing agency to understand the balance between withdrawal and recharge, and how the proposed project might affect that balance.

If the proposed project will be connecting to an existing public water supply that uses groundwater as a source, the pumping capacity of the groundwater wells should be capable of supplying the quantity of water required for both the new use and all existing uses. If new wells will need to be added to an existing groundwater supply system, the impact of this additional withdrawal on the groundwater supply should be evaluated. If the withdrawn water will not be returned to the same groundwater source after use, that will affect the balance of the system.

If there are no existing groundwater wells on the site, then some research or testing will likely be needed to evaluate the groundwater capacity. The municipality may have done a hydrogeology study as part of a comprehensive plan, or as a standalone planning effort. Such a study may include recommendations about sustainable water withdrawals or housing densities for various locations throughout the municipality. The municipality may have standard requirements for water well testing for major subdivisions which include well pump test specifications.

As also mentioned in Question 3.f., it should be noted that registration per NYSDEC NYCRR Part 601.18 is required for interbasin diversion of water or wastewater of 1,000,000 gallons per day or more. In addition, new or increased interbasin diversion of water or wastewater out of the Great Lakes Basin is prohibited except for limited public water supply projects (per NYCRR Part 601.18(j)). The DEC Division of Water should be contacted if this is a component of the project proposal.

Applicable Part 1 Information

D.1.f., D.2.c., and E.2.l.

Also: any municipal-wide hydrogeologic studies done, or site-specific well tests performed by the applicant or required by the reviewing agency.

See: NYS Department of Health, Drinking Water Regulations, Part 5, Subpart 5-1, Public Water Systems - Appendix 5B and Appendix 5D

Analysis

- What is the type and size of the use?
  - Does the project make use of groundwater resources, or is it located over or near them.
  - How much water will be used, and for what purpose.
  - What is the capacity of the groundwater source to supply the new or expanded use.
  - Will there be an effect on any existing uses already tapping into the groundwater source.
- Will the water be supplied by an existing system, or will it require a new source?
- If an existing source will be used, will the existing infrastructure (wells) be able to handle the additional withdrawal?
- Is the groundwater source able to supply sufficient capacity for the new or additional demand?
- Is the additional demand placed upon an existing system within the capacity of that system?
- What is the extent of the groundwater source?
  - Is this an aquifer that supplies drinking water to multiple other uses?

Will there be an impact?

If the proposed project will not require any new or additional water supply, check 'No or small impact may occur' for both (a) and (b), and move on to question (c).

Small Impact:

Examples of projects that may have small impacts would be:

- The proposed project does not create a need for new water, or wastewater infrastructure.
- Proposed projects that will connect to an existing public water supply with adequate capacity, and adequate plans for growth.
- The intended water supply is a new ground water well, and there are no known problems with adjacent similar uses using the same ground water supply.

Moderate to Large Impact:

Examples of projects that may have moderate to large impacts would be:

- The water supply demand from the proposed action is expected to exceed the sustainable withdrawal capacity rate of the groundwater source.
- The proposed project will connect to a public water supply that is near full capacity, or the intended ground water source has known limitations.
- The proposed project will result in significant drawdown or reduction in flow of a nearby surface water body.

c. The proposed action may allow or result in residential uses in areas without water and sewer services.

Residential development that occurs outside of water districts and sewer districts will most likely depend on individual drilled wells and onsite septic systems. These types of projects need to be evaluated for adequate ground water supply, and recharge of the groundwater supply from wastewater. Some municipalities may have specific testing requirements in place that outline the number of test wells required based on the number of new residential parcels proposed, and specific well pump testing specifications. Absent these requirements, it will be up to the reviewing agency to determine if the information included in the FEAF is adequate to make such a determination. The reviewing agency should look at the information supplied in Part 1 of the FEAF, including soil drainage and depth to water table attributes, and water well data from any existing wells on the site or surrounding area.

Applicable Part 1 Information

D.1.a., D.2.c., and E.2.l.

Analysis

- What is the type and size of the use?
  - How much water will be used, and for what purpose.
  - What is the capacity of the groundwater source to supply the new or expanded use.
  - Will there be an effect on any existing uses already tapping into the groundwater source.
- Is the groundwater source able to supply sufficient capacity for the new or additional demand?
- Is the additional demand placed upon an existing system within the capacity of that system?
- What is the extent of the groundwater source?
  - Is this an aquifer that supplies drinking water to multiple other uses?
- What is the location of the use in relation to the groundwater source?
  - Will the water be used in the same location it is being withdrawn from?
  - Will the water be returned to the ground in the form of wastewater?
  - Will it be returned to the same location it was withdrawn from?
- What other uses depend on the groundwater source?

- How will the water be disposed of after its use?
  - Will it be disposed of onsite, or off site?
  - What will be the quality of the wastewater be?
- Has there been any evaluation of the groundwater resources of the area?
- Are there any well logs or other documentation of surrounding existing groundwater wells?
- Have there been any pump tests done for existing wells on the property?
- Are the soils on the site conducive to onsite septic systems? Poorly drained, or excessively drained?

Will there be an impact?

If the proposed action does not include building any residential uses in areas without water and sewer services, answer "no or small impact may occur."

Small Impact:

Examples of projects that may have small impacts would be:

- The project is located on a parcel with an existing well, and the capacity of the well is known to be sufficient to supply the project.
- The project is located on a parcel without an existing well, but adjacent properties with similar uses have drilled wells with sufficient capacity, and bedrock geology and soils are similar to the adjacent sites.
- A test well has been drilled, and capacity has been determined to be adequate for the proposed use.

Moderate to Large Impact:

Examples of projects that may have moderate to large impacts would be:

- When a hydrogeology study has determined that the area surrounding the proposed project may not have sufficient groundwater or recharge rates to sustain the proposed project.
- Groundwater resources are highly variable in an area and could be impacted by excessive water withdrawal as determined by examination of well logs or hydrogeology studies. This is of special concern in areas relying on limestone bedrock.
- When a single large user, or many smaller users such as a residential development, relies on groundwater wells without pump testing to determine water capacity or impacts of withdrawals on existing wells.
- When soils have severe limitations for development of septic systems due to slope, wetness, shallowness, or poor percolation.
- Groundwater withdrawal results in significant reduction in storage or flow in a nearby surface water body.

d. The proposed action may include or require wastewater discharged to groundwater.

If the proposed project will involve the use of water, but will not connect to an existing wastewater treatment system, there will likely be some discharge of wastewater to groundwater. The most common example of this is the use of onsite septic systems in residential developments. If this wastewater will be returned to a groundwater source that is also being used for drinking water, careful consideration must be made for potential impacts. If the wastewater will be returned to a different groundwater source than it is being withdrawn from, there may be impacts to the water table.

Applicable Part 1 Information

D.2.d. and E.2.l.

Analysis

- What is the location of the use in relation to the groundwater source?
  - Will the water be used in the same location it is being withdrawn from?
  - Will the water be returned to the ground in the form of wastewater?
  - Will it be returned to the same location it is withdrawn from?
- What is the extent of the groundwater source?
  - Aquifers do not follow property boundaries.
- What other uses depend on the groundwater source?
- How will the water be disposed of after its use?
  - Will it be disposed of onsite, or off site?
  - What will be the quality of the wastewater be?
- Will the additional wastewater affect the water table?
- Can the drainage characteristics of the soils found on the site handle the additional wastewater discharge?

Will there be an impact?

If the proposed action does not include wastewater discharge to groundwater, answer "no or small impact may occur."

Small Impact:

Small impacts could occur when:

- The county soil survey indicates the soil types found on the proposed project site are conducive to onsite septic systems.
- The county health department has approved an onsite septic system location.

- An engineer has designed an onsite septic system in accordance with the requirements of the county health department and the municipalities' requirements.

Moderate to Large Impact:

Examples of projects that may have moderate to large impacts would be:

- The proposed project will require multiple onsite septic systems.
- The proposed project is sited in an area having limestone or highly fractured bedrock where there is risk of widespread movement of contaminants.
- The proposed project will require a community sewage treatment system with a common leach field for multiple residential or commercial uses.

e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.

Operating or closed solid waste facilities, use or disposal of hazardous waste, and history of a spill or accidental contamination on or near the site all pose possible impacts to groundwater, and will affect its potential use as a drinking water or irrigation source.

Applicable Part 1 Information

D.2.c., D.2.p., E.1.f., E.1.g.,E.1.h., and E.2.l.

Analysis

- What is the type and size of the use?
  - Does the project make use of groundwater resources, or is it located over or near them.
  - How much water will be used, and for what purpose.
  - What is the capacity of the groundwater source to supply the new or expanded use.
  - Will there be an effect on any existing uses already tapping into the groundwater source.
- What is the location of the use in relation to the groundwater source?
  - Will the water be used in the same location it is being withdrawn from?
  - Will the water be returned to the ground in the form of wastewater?
  - Will it be returned to the same location it was withdrawn from?
- What is the extent of the groundwater source?
- What other uses depend on the groundwater source?
- Is the proposed project located near an operating or closed solid waste management facility, hazardous waste use or disposal site?

- Is the proposed project located on or near a former agricultural operation with a history of pesticide use?
- Has there been any testing of the soils on the site, or groundwater near the site?
- Will the groundwater withdrawal effect nearby surface water bodies?
- Will water be diverted outside of the Great Lakes basin?

Will there be an impact?

If there are no known possible sources of contamination on the site, or on adjoining sites, answer "no or small impact may occur."

Small Impact:

Small impacts could occur when water supply wells are planned where:

- A small accidental spill has been recorded on the site, but remediation has removed all traces of contamination.
- A hydrogeology study has confirmed that the soils, topography, and distance between a proposed new well site and former municipal land fill offer adequate protection to the proposed drinking water source.

Moderate to Large Impact:

Moderate to large impacts could occur when water supply wells are planed where:

- Groundwater resources are the only source of potable water for an area and it could be impacted by pollution known or suspected to exist in the wellhead area.

f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.

Bulk storage of petroleum or chemical products over groundwater or an aquifer can pose risk and adverse impacts to water quality. This is especially important when land uses in the area rely on those groundwater sources for potable water. Such uses can pose possible impacts to groundwater, and may affect its potential use as a drinking water or irrigation source.

Applicable Part 1 Information

D.2.c., D.2.p., E.1.f., E.1.g.,E.1.h., and E.2.l.

Analysis

- What is the type and size of the use?
  - How many gallons are proposed to be stored?
  - Will there be frequent dispensing of the fuel or chemical such as in a commercial propane fuel depot or gas station?

- What is the location of the use in relation to the groundwater or aquifer source?
  - Will the water be used in the same location it is being withdrawn from?
  - Will the water be returned to the ground in the form of wastewater?
  - Will it be returned to the same location it was withdrawn from?
- What is the extent of the groundwater source?
- What other uses and how many depend on the groundwater source?
- What containment design requirements are proposed?

Will there be an impact?

If there is no petroleum or chemical storage proposed, or the proposed project will not include the storage of more than 1,100 gallons of petroleum products, or 550 gallons of chemical products, answer "no or small impact may occur."

Small Impact:

Small impacts could occur when:

- A hydrogeology study has confirmed that the soils, topography, and distance between a proposed aquifer or groundwater source offers adequate protection to those water sources.
- A petroleum or chemical storage facility is proposed in an area that uses a municipal water supply system so the risk of contamination to potable water is small.
- Site layout and spill containment plans are such that even in the event of a spill, the risk to groundwater and aquifers has been determined to be small.

Moderate to Large Impact:

Moderate to large impacts could occur when:

- The aquifer or groundwater resource is the only source of potable water for residents and businesses and it could be impacted by pollution.
- A new petroleum storage facility is proposed in a rural residential area without access to a municipal water supply system.

g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.

The application of pesticides in close proximity to groundwater drinking water sources opens up the possibility of substantial impacts to human health. Conditions of the site will affect the potential for leaching of pesticides into groundwater. These include: depth to groundwater, geologic conditions, topography, climate, and irrigation practices.

Applicable Part 1 Information

D.2.c., D.2.q., E.2.h., and E.2.l.

Cornell University's Fact Sheet: Pesticides and Groundwater: A Guide for the Pesticide User

Analysis

- What is the type and size of the use?
  - Does the project make use of groundwater resources, or is it located over or near them.
- What is the location of the use in relation to the groundwater source?
- What is the extent of the groundwater source?
- What other uses depend on the groundwater source?
- Will the proposed project include the commercial application of pesticides?
- Is there adequate separation between the soil surface and the water table?
- Is there adequate separation between the application sites, and any water withdrawal sites?
- What kind of cleaning, storage, and disposal procedures will be used?
- Will the proposed project use Integrated Pest Management (IPM) (see D.2.q.)

Will there be an impact?

If the proposed action does not involve the commercial application of pesticides, or if there are no drinking water or irrigation water sources on or within 100 feet of the proposed site, answer "no or small impact may occur."

Small Impact:

Small impacts could occur when:

- Storage of pesticides, herbicides or other chemicals will take place, but is done in a completely enclosed structure that meets appropriate storage requirements, and the site is greater than 300 feet from any water body, well or water source used for irrigation or drinking.

Moderate to Large Impact:

Moderate to large impacts could occur when:

- Storage of pesticides, herbicides or other chemicals will take place on a site that is within 100 feet of a water body, well, or surface water source used for irrigation.

h. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here. Some proposed actions may have

beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Examples of 'other impacts' to groundwater:

- Mining operations may alter hydrology, may place the water table closer to potential contamination, or may change the groundwater recharge rate.

Question 5 - Impact on Flooding - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may result in development on lands subject to flooding.

Floodplains are low-lying lands next to rivers and streams. When left in a natural state, floodplain systems store and dissipate floods without adverse impacts on humans, buildings, roads and other infrastructure. Natural floodplains add to our quality of life by providing open space, habitat for wildlife, fertile land for agriculture, and opportunities for fishing, hiking and biking.

Floodplains can be viewed as a type of natural infrastructure that can provide a safety zone between people and the damaging waters of a flood. But more and more buildings, roads, and parking lots are being built where forests and meadows used to be which decreases the land's natural ability to store and absorb water. Coupled with changing weather patterns, this construction can make floods more severe and increase everyone's chance of being flooded.

Some projects may be outside of a floodplain, but still be in an area with known flooding history. Some projects that disturb more than one-acre may be required to have a stormwater pollution prevention plan (SWPPP) and will need to include engineered or site designed methods to control stormwater.

Development proposed in a floodway or floodplain will need to meet State or local regulations. For more information, see the DEC Floodplain Construction Requirements page.

To answer this question

Review Part 1 questions D.1.h., E.1.e., E.2.e., E.2.h., E.2.i., E.2.j., and E.2.k.

Lands subject to flooding can include:

- Lands in a floodway or floodplain.
- Lands in wetlands or in areas where the water table is less than 3 feet.
- Lands where development will change drainage patterns so as to create the potential for flooding.

If the proposed action will not result in any development of lands subject to flooding, then check 'No' and move to question 6. If the proposed action will result in development of lands subject to flooding, check 'Yes' and answer sub-questions (a) through (g).

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action may result in development in a designated floodway.

The floodway is that area that must be kept open to convey flood waters downstream. Within an "AE" zone or a numbered "A" zone on a floodplain map, there may be an area known as the "regulatory floodway," which is the channel of a river and adjacent land areas which must be reserved to discharge the 100-year flood without causing a rise in flood elevations. No development is allowed unless the developer has first proven that the development will not increase flood elevations at any location during the 100-year flood.

Applicable Part 1 Information

E.2.i.

Analysis

- Is any part of the proposed action located within the floodway?
- Does the proposal meet the requirements of the local municipality's floodplain management law or ordinance?
- If yes, what type of development or land disturbance is planned for the floodway?
- Do the local floodplain regulations impose more stringent restrictions on floodway development than the State?
- If land disturbance or development is proposed in the floodway, has the developer conducted studies to prove flood elevations will not be increased?

Will there be an impact?

If there is no land disturbance or development of any kind in the floodway, then there will be no related impacts. Check 'No or small impact may occur."

Small Impact:

Some proposed projects that include minor changes to the landscape with non-permanent structures placed in the floodway are likely to have only a small impact. An example would be:

- Utility poles, posts or piers, or elevated structures designed to allow flow underneath.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- Grading, fill, or land clearing takes place in the floodway.
- Construction of any kind of permeable surface is planned in the floodway.
- Construction of any structure that impedes or changes drainage patterns or water flow is planned in the floodway.
- Construction of piers, weirs, docks, retaining walls, and other features that reach from land to water are planned in the floodway.
- Riparian vegetation that grows from the water or bank edge (sometimes called stream side or lake side vegetation) is removed.

b. The proposed action may result in development within a 100 year floodplain.

A 100-year floodplain is the area that would be inundated by the 100-year flood. It is an area that has a one percent or greater chance of experiencing a flood in any single year. The 100-year floodplain is called a Special Flood Hazard Area and is shown on federal flood maps, known as Flood Insurance Rate Maps (FIRM). On the FIRM, these areas are shaded and labeled with the letter "A" or "V" sometimes followed by a number or letter.

In the coastal "V" zone, new construction and substantial improvement or substantially damaged structures must be elevated on pilings, columns or sheer walls such that the bottom of the lowest horizontal structural member supporting the lowest elevated floor is elevated to or above the base flood elevation plus two feet. Detailed standards exist regarding how to elevate the structure.

When there is a base flood elevation available, the lowest floor of any residential or commercial structure, including any basement, must be at or above the base flood elevation plus two feet. Alternatively, non-residential structures may be flood proofed in lieu of elevation. Every community should have a local flood plain administrator and questions on building in a floodplain should be directed to that office.

Applicable Part 1 Information

E.2.j.

Analysis

- What land disturbance or construction will take place in the 100-year floodway?
- Will the proposed project alter the flow of water or change drainage patterns into the water body?
- What is the base flood elevation compared to the elevation of the structure and has the applicant calculated the base flood elevation?
- Does the proposal meet requirements of the local municipality's floodplain management law or ordinance?
- What flood protection is proposed?
- What is the extent of recurring flooding in that location?
- What is the vulnerability of existing and proposed development activities?
- Are any other mitigation methods included in the proposed project to reduce flooding or flood damage?

Will there be an impact?

The absence of a stream, river, or lake on a property does not necessarily mean there will be no flooding on the property. Floodplains can extend for a distance beyond streams, rivers, lakes, and tidal waters.

If a stream, river or lake is on or near the property and there are no mapped floodplains and there is no history of flooding at the location, there will likely be no flooding impacts. Further, if there is a designated 100 year floodplain but the proposed project is not located in or near the floodplain, or does not change stormwater runoff or flows of water within that floodplain, there will likely be no flooding impacts. Check 'No, or small impact may occur."

Small Impact:

Proposed projects that include minor changes to the landscape, uses with pervious surfaces, structures built above base flood level, limited grading or clearing, or limited changes of drainage patterns in the 100-year floodplain are likely to have only a small impact. Examples would be:

- Construction of any structure in the 100 year floodplain but it is built above base flood, plus 2 feet, pursuant to floodplain management regulations.
- Land uses that include pervious surfaces such as gravel parking lots.
- Land uses that do not change the flow of water or drainage patterns.
- Limited clearing or grading activities.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- Construction of large expanses of impervious surfaces within the 100 year floodplain.
- Clearing or grading, creation of walls or berms that alter the flow of water or drainage patterns.
- Land uses that store chemicals or petroleum products above ground or below ground in areas subject to flooding.
- Waste treatment or solid waste facilities located in the 100 year floodplain.
- Alterations to surface water bodies with a designated 100 year floodplain in a manner which alters flow or drainage patterns.

c. The proposed action may result in development within a 500 year floodplain.

A 500-year floodplain is the area that would be inundated by the 500-year flood. It is an area that has a 0.2% chance of experiencing a flood in any single year.

Coastal "V" zones are particularly hazardous areas.

Applicable Part 1 Information

E.2.k.

Analysis

- What land disturbance or construction will take place in the 500-year floodplain?
- Will the proposed project alter the flow of water or change drainage patterns into the water body?
- What is the base flood elevation compared to the elevation of the structure and has the applicant calculated the base flood elevation?
- Will the development be protected to the 500 year flood elevation?
- What is the extent of recurring flooding in that location?
- What is the vulnerability of existing and proposed development activities?
- Are any other mitigation methods included in the proposed project to reduce flooding or flood damage?

Will there be an impact?

As stated previously, the absence of a stream, river or lake on a property does not necessarily mean there will be no flooding on the property. Floodplains can extend for a distance beyond streams, rivers, lakes, and tidal waters.

If a stream, river or lake is on or near the property and there are no mapped floodplains and there is no history of flooding at the location, there will likely be no flooding impacts. Further, if there is a designated 500 year floodplain but the proposed project is not located in or near the floodplain, or does does not change stormwater runoff or flows of water within that floodplain, there will likely be no flooding impacts. Check 'No, or small impact may occur."

Small Impact:

Proposed projects that include minor changes to the landscape, uses with pervious surfaces, structures built above base flood level, limited grading or clearing, or limited changes of drainage patters in the 500-year floodplain are likely to have only a small impact. Examples would be:

- Construction of any structure in the 500 year floodplain but it is built above base flood pursuant to floodplain management regulations.
- Land uses that include pervious surfaces such as gravel parking lots.
- Land uses that do not change the flow of water or drainage patterns.
- Limited clearing or grading activities.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- Construction of large expanses of impervious surfaces within the 500 year floodplain.
- Clearing or grading, creation of walls or berms that alter the flow of water or drainage patterns.
- Land uses that store chemicals or petroleum products above ground or below ground.
- Waste treatment or solid waste facilities located in the 500 year floodplain.
- Alterations to surface water bodies with a designated 500 year floodplain in a manner which alters flow or drainage patterns.
- Any development in a coastal "V" zone is likely to have a moderate to large impact.

d. The proposed action may result in, or require, modification of existing drainage patterns.

There are several actions that can modify existing drainage patterns. Any kind of change such as channeling, creation of impoundments, and stormwater increases or altered flow patterns are all actions that can modify drainage patterns of surface water flow. Stormwater runoff causes erosion but construction activities and land clearing can also change drainage patterns. The concern about altered drainage patterns is that it could adversely impact streams, rivers and lakes, or redirect coastal storm surges or wave actions. Altered flow can increase flooding and introduce more erosion and potential for pollution. If water is diverted from its normal flow, the opposite may occur: wetlands and streams may not receive as much water as needed to maintain the ecology and functioning as before. Drainage can be directed to stormwater drains,or to constructed bioretention, rain garden, or other storage and retention areas designed to slow water and allow sediments to settle out. When a large amount of stormwater is created, municipalities may need to construct a stormwater management system. Some stormwater may be directed into a water treatment facility that is already over-capacity. This can cause impacts when stormwater surges allow sewage to flow untreated into rivers and streams.

Applicable Part 1 Information

D.1.h., D.2.b., D.2.e., E.2.e., and E.2.h.

Analysis

- Is any type of land disturbance or construction planned that would increase, decrease or change the flow of stormwater?
- Will there be any increase in stormwater discharge from the site, and if so, how much?
- Will there be a need for new stormwater retention ponds, or other stormwater management practices?

    - If there are stormwater discharges and no existing conveyance system, what are the plans to address stormwater and erosion from the site?
- If Part 1 indicated that storm water discharges might flow to adjacent properties, where, how much, and what impacts might occur on the adjacent property.
- If Part 1 indicated that there will be storm water discharges conveyed to established systems, is there enough capacity to handle the extra storm water?
    - Do the proposed plans include any upgrades or expansion to that system?
- Is the project going to disturb more than one-acre of land and require a SWPPP and coverage under the stormwater general permit?
    - If it does not disturb more than one acre, but still has some land clearing, does the application include any erosion control and runoff controls?
- Are there any protected water bodies or important surface drinking water supplies nearby that need to be protected from erosion and sedimentation (wetlands, reservoirs, protected streams)?
- Are any stormwater reduction methods included such as minimizing impervious surfaces, using porous materials, or collecting and reusing stormwater?

Will there be an impact?

If there are no land disturbances or construction planned that would result in, or require, modification of existing drainage patterns, then there is no related impact. Check "No, or small impact may occur."

Small Impact:

Proposed projects that include minor changes to the drainage patterns are likely to have only a small impact. Examples would be:

- Land uses with pervious surfaces that create limited stormwater runoff.
- Where stormwater is contained on site and does not flow to or impact surface water bodies off-site on other properties.
- Projects that are designed so that the amount of stormwater generated before construction is the same as afterwards. Projects that are designed using low impact development techniques for stormwater.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- When land uses with high percentages of the lot are covered in impervious surfaces.
- Where stormwater generated on site will impact water bodies off-site on other properties.

- With projects that generate large amounts of stormwater that need engineered stormwater control devices.

e. The proposed action may change flood water flows that contribute to flooding.

Similar to Question 5.d., any project that alters or increases surface water runoff has the potential to contribute to flooding, both on-site and at downstream, upstream, or across stream locations. In addition to channeling, creation of impoundments, or increased or altered stormwater runoff, activities such as removal of stream-side vegetation, changes to riverine wetlands, or changes to stream and river banks can also contribute to flooding. Inadequately sized culverts or bridges can also clog and impede the passage of flood waters. Review the answers and analysis of Part 2, Question 5 (a, b and c) to understand any flooding issues.

Applicable Part 1 Information

D.1.h., D.2.b., D.2.e., E.2.e., E.2.h., E.2.i., E.2.j., and E.2.k.

Analysis

- Are there any streams, rivers, lakes and any designated floodplains on the project site or nearby that could be influenced by the project?
- Is any stream side vegetation being removed?
- Will any changes to drainage ditches or existing channels occur?
- Are any wetlands being impacted that could change water flow downstream?
- Is the project impacting any regulated floodplain (see question 5 a, b, and c)?
- Where will surface water flow from the project site and will it affect off-site streams, rivers or lakes?

Will there be an impact?

If the proposed project does not change floodwater flows to on-site or off-site streams, rivers and lakes, then there will be no related impact. Check 'No, or small impact may occur."

Small Impact:

Proposed projects that include minor changes to the flow patterns but that do not direct large volumes of water into different locations are likely to have only a small impact. Examples would be:

- Construction of any structure in a 100 year or 500 year floodplain but it is built above base flood pursuant to floodplain management regulations.
- Land uses that are maintaining or increasing pervious surfaces.

- Land uses that do not change the flow of water or drainage patterns off site or into surface water bodies that have not received that volume of stormwater before.
- Minor clearing or grading activities.

Moderate to Large Impact:

Moderate to large impacts could occur under one or more of these circumstances:

- Construction of large expanses of impervious surfaces within the floodplain.
- Clearing or grading, creation of walls or berms that alter the flow of water or drainage patterns.
- Alterations to surface water bodies within a designated floodplain in a manner which alters flow or drainage patterns.

f. If there is a dam located on the site of the proposed action, the dam has failed to meet one or more safety criteria on its most recent inspection.

Dam failure can do great damage to people, property, and natural habitats downstream, potentially including loss of life.

Dams in the state's inventory of dams are classified according to potential for downstream damage upon dam failure, called Hazard Classification. The safety standards for a dam depend on its hazard classification, with higher hazard dams having to meet more robust criteria. Development within the dam's potential failure inundation area can cause an increase of the dam's Hazard Classification, and put the dam owner out of compliance. A project that contributes more runoff to a dam's impoundment can lead to exceeding the dam's design, and challenge the dam's ability to safely pass flood flows, potentially causing dam failure. High and Intermediate Hazard dam owners are required to have certain documents and submit some of them to the DEC. This includes an Emergency Action Plan

Applicable Part 1 Information

D.1.h., and E.1.e.

Analysis

- If the dam is in the state's inventory of dams, what is its current Hazard Class?
- Has there been a recent inspection of the dam?
- If the dam is a Class C (High Hazard) or Class B (Intermediate), does the owner have an emergency action plan and other required documents?

Will there be an impact?

If there is no dam on the project site, and none is proposed, there will be no related impacts. If a dam is present or proposed that is classified as Hazard Class A and is in compliance, and no part of the project will be downstream of the dam, there would likely be a no impact. Check 'No, or small impact may occur."

Small Impact:

- If there is a dam on the project site, and it is proposed to be repaired or upgraded, and no part of the project will be downstream of the dam, there will be a small impact.

Moderate to Large Impact:

- If a dam is present or proposed that is classified as a Hazard Class B or Class C, or if it currently is Class A but parts of the project will be built downstream of the dam such that its hazard class could be raised and the dam will have to be upgraded, there would be a moderate to large impact.

g. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Question 6 - Impacts on Air - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may include a state regulated air emission source.

Air pollution can harm human health, and damage elements of the ecosystem. Exposure to air pollution is associated with numerous effects on human health, including pulmonary, cardiac, vascular, and neurological impairments. High-risk groups such as the elderly, infants, pregnant women, and people with chronic heart and lung diseases are more susceptible to air pollution. Children are at greater risk because they are generally more active outdoors and their lungs are still developing.

Air pollutants are produced by many human activities. Most pollutants come from industries that manufacture chemicals and other goods, from on- and off-road vehicles and power equipment, and from energy facilities that burn oil, gas, or coal.

The Federal Clean Air Act and Article 19 of the State Environmental Conservation Law provide the framework for the State's air pollution control program. Article 19 of the ECL was enacted to safeguard the air resources of New York against pollution; and to ensure the protection of the public health and welfare, the natural resources of the State, physical property, and industrial development. It is the policy of the State to require the use of all available, practical and reasonable methods to prevent and control air pollution in New York. To facilitate this policy objective, the Legislature bestowed specific powers and duties on the Department of Environmental Conservation including the power to adopt and promulgate regulations for preventing, controlling and prohibiting air pollution. This authority specifically includes establishing standards for the coordination of State and Federal air pollution programs.

To answer this question

Review Part 1 questions D.2.f., D.2.g., and D.2.h.

If information from the applicant, or from Part 1 already identifies that an air emission from the proposed project is one that is state regulated, check "yes" and then answer sub-questions (a) through (f). However, the reviewing agency may alternatively need to first evaluate and answer the sub-questions (a) through (f) in order to know if emissions are state regulated. These sub-questions are largely 'yes' or 'no' answers and will assist in more fully identifying which ones, or how much of potential air emissions will be generated. Taken together, these sub-questions will determine how question 6 should be answered. If the reviewing agency has information from Part 1 that indicates no state regulated air emissions are part of the proposed project, then check 'no' and move to Question 7.

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

Applicable Part 1 Information

D.1.g., D.2.f., D.2.g., and D.2.h., D.2.k., and D.2.s.

Analysis

Answers to sub-questions (a) through (e) all offer information that will help the reviewing agency identify risks and hazards that may occur. Most of these are 'yes' or 'no' questions.

DEC's Division of Air Resources is an important resource that a reviewing agency should use to help assess potential impacts of air emissions. It is not expected that reviewing agencies do that assessment, but they should call upon others that do have the expertise to help them evaluate risks associated with air emissions. See the DEC web page: Interested Agency and Public Involvement for more information.

The National Park Service (NPS) has published a short 24 page document: Technical Guidance on Assessing Impacts to Air Quality in NEPA and Planning Documents. This report was developed specifically for use by the NPS. However, the analytical process outlined in chapter 4 can be easily applied to a much broader range of projects. These steps are summarized here:

- Determine the level of analysis needed
  - Describe the types of pollutants proposed to be emitted
  - Estimate proposed emission levels
  - Consider the distances from the source to potential impacts
- Obtain current air quality information
- Assess the potential impact levels
  - Consider impacts on human health

- Consider impacts to flora and fauna; soils and water
- Consider impacts to visibility, buildings, and infrastructure

In addition to the sub-questions, answering the following will assist the reviewing agency in determining the size and importance of these impacts.

- What is the air pollutant and what are the risks with exposure?
- What type of mitigation is being proposed to minimize the risks associated with exposure to the air pollutants?

a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:

i. More than 1000 tons/year of carbon dioxide (CO_2)
ii. More than 3.5 tons/year of nitrous oxide (N_2O)
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)
iv. More than .045 tons/year of sulfur hexafluoride (SF6)
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions
vi. 43 tons/year or more of methane

b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.

c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.

d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.

e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.

Will there be an impact?

Once it has been determined that the project involves air emissions that may pose a risk to human health, it is unlikely that there will be situations where there are no impacts at all related to those emissions. The agency may determine that there may be very small risks or that impacts are deemed to be not significant. However it is not likely there will be situations where there will be no impacts at all.

The size of the impact depends on a variety of factors. For instance, the emission rate, type of pollutant, and location in the environment all have bearing on the determination if the impact will be small, or moderate to large. The reviewing agency should look carefully at all of the information provided by the applicant and ask appropriate questions.

Small Impact:

A small impact could occur under one or more of these circumstances:

- Polluting air emissions will take place, but the emissions will be at a level that will not affect pollution levels off-site.
- Polluting air emissions will take place, but the emissions will occur rarely, for short intervals of time, and the source is not located near a potentially conflicting use, such as a school, hospital, day-care center, or park.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- The reviewing agency answers 'yes' to any of the (a) through (e) sub-questions.
- Air emissions will take place, and the emissions will be at a level that will affect pollution levels off-site.
- Air emissions will take place, and the emissions will occur on a regular basis, for long periods of time
- Air emissions will take place, and the source is located near a potentially conflicting use, such as a school, hospital, day-care center, or park.

f. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Question 7 - Impact on Plants and Animals - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may result in a loss of flora or fauna.

Fawn in Forest Fern by Laurie Dirkx

This question asks the reviewing agency to evaluate potential impacts to plants and animals. Some of the sub-questions that follow are specifically related to threatened, endangered, rare species, or species of special concern, significant natural communities and natural landmarks. However, other sub-questions explore impacts to the predominant species using the site or impacts to large areas of habitats that are not fragmented.

Habitats are used by all fauna (insects, reptiles, amphibians, fish, mammals, birds) for breeding, hibernation, reproduction, feeding, sheltering, migration or overwintering. The habitats may be used year-round, seasonally, or on a transient basis (passing through the area or during migration.) For threatened and endangered animals species, modification of their habitats not only adversely affect the animals and their ability to survive, but could be considered a 'take' which may require an incidental take permit (link leaves DEC website) under 6NYCRR Part 182, from DEC.

Unless the project has no land disturbances, or if it redevelops a location that has already been cleared, some vegetation (flora) will likely be removed. This removal represents a loss of both plants and the habitats it provides. Once habitats are lost, then there is likely to be a loss of fauna as well. As habitats are lost, animals could die due to lack of food or cover, or may move to other locations, if available.

To answer this question

Review Part 1 questions E.2.m., E.2.n., E.2.o., E.2.p., and E.2.q.

If the proposed project does not involve any loss of flora and its associated fauna, then check 'No' and move on to question 8.

If the project includes land disturbances that will remove terrestrial or aquatic plants there also will likely be some level of animal loss. Therefore, where land clearing and grading occur and vegetation will be removed, check 'Yes' to Question 7 and then answer sub-questions (a) through (j).

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.

b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.

Threatened and endangered species are protected by both State and federal laws. These two sub-questions evaluate the potential impacts to both individual threatened or endangered plants or animals and their habitats.

New York State also classifies certain animal species as Special Concern and certain rare plant species as Rare. The Natural Heritage Program ranks rare animals and rare plants, including endangered and threatened species.

A project site may be used in several different ways. Locations where plants are found are considered habitat because it provides the right environmental conditions for the plants growth and reproduction. Animals use their habitat for feeding, cover, reproduction, and migration. Because animals are mobile, they could pass through the project area on a daily or seasonal basis as they travel from one place within their range to another. Or, the site itself may be important for feeding, breeding, or cover. For birds, large areas of contiguous tree cover may be needed to allow them to travel from one location to another. Further, the project site can serve as an important buffer that protects the primary habitats of threatened and endangered species that are found nearby.

A reduction in a threatened or endangered population can result if there is either mortality of individuals or loss of habitat. Because there is a close relationship between loss of individuals and populations (sub-question (a)) and loss of habitats (Sub-question (b)), reviewing agencies should carefully consider these questions together and in the larger context of the needs of those species. A project site may be a rare, critical location that endangered and threatened species depend solely on. Or, it may not be a rare habitat, but may be part of a much larger area needed to support the individuals that are part of the population.

When evaluating these questions, consider if there will be loss of populations, individuals or their habitats only for those species found on, adjacent or near the project site.

Applicable Part 1 Information

E.2.o., and E.2.p.

Analysis

- Are there any threatened or endangered individuals identified on, adjacent to or near the project site?
  - Evaluate loss of habitats, populations or individuals only for those species.
- What habitats needed by threatened or endangered species are found on the project site?
- Is the habitat rare?
- Is the project site part of a larger range that supports an endangered or threatened population?
- Are there any actions proposed that will reduce the size, structure or other features of the habitats but not totally remove it from the project site?
- Is there a barrier proposed as part of the action that will hinder or harm key migration patterns?
- What percentage of the project site contains habitats used by rare, threatened or endangered species and what portion of that will be impacted?

Will there be an impact?

If there are no rare habitats on the project site, or if no endangered or threatened species are known to be on, adjacent or near the project site, there will be no related impacts. Check 'No, or small impact may occur."

Small Impact:

It is likely that a small impact could occur under one or more of these circumstances:

- Rare or threatened species are found near or on adjacent parcels but there is no habitat found on the project site.
- Rare or threatened species or their habitats are found on the site but construction or operation activities will avoid impairment of their habitats and not impair the animals' ability to use the site.
- Rare and threatened species or their habitats are found on the site, some construction or operation activities will remove or impair a small portion of the habitat but mitigation is planned to create or permanently protect remaining and other critical areas for those species.
- Species are found traveling through or flying over the project site, and the activities are such that these travel patterns will not be disrupted. Important travel corridors are identified and all natural vegetation is protected to allow wildlife travel.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- Large portions of habitats known to be used by threatened and endangered species will be removed, including removal of vegetation, cutting dead trees down, grading cliffs, or fragmenting large areas of potential habitats to create islands of remaining habitat.
- Fencing or walls will be constructed around the property limiting wildlife access to the site even though the habitat may remain.
- Specific features of importance to the threatened and endangered species will be destroyed such as grasslands, dead trees, riffle and pool areas in the stream, removal of all underbrush, or removal of prime nesting trees or winter habitats.

c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.

d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.

f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source:

(Note: See sub-question e. below)

New York State also classifies certain plant and animal species as Special Concern and certain plant species as Rare being rare, or as a species of special concern. Species of special concern refers to those species that warrant attention and consideration but current information, collected by DEC, does not justify listing these species as either endangered or threatened. The Natural Heritage Program ranks rare animals and rare plants, including Species of Special Concern.

The reviewing agency will need to look beyond the boundaries of the project site during the SEQR evaluation. A project site may be used in several different ways. Locations where plants are found are considered habitat because it provides the right environmental conditions for the plants growth and reproduction. Animals use their habitat for feeding, cover, reproduction, and migration. Because animals are mobile, they could pass through the project area on a daily or seasonal basis as they travel from one place within their range to another. Or, the site itself may be important for feeding, breeding, or cover. For birds, large areas of contiguous tree cover may be needed to allow them to travel from one location to another. Further, the project site can serve as an important buffer that protects the primary habitats of species of special concern that are found nearby.

Significant Natural Communities include rare or high-quality wetlands, forests, grasslands, ponds, streams, and other types of habitats, ecosystems, and ecological areas. They serve as habitat for a wide range of plants and animals, both rare and common; and are important because natural communities in good condition provide ecological value and services.

NY Natural Heritage documents only those locations of natural communities where the community type is rare in New York State; or, for more common community types, where the community at that location is a high-quality example and meets specific, documented criteria for state significance in terms of size, undisturbed and intact condition, and the quality of the surrounding landscape.

A reduction in a population of species of special concern can occur if there is either mortality of individuals or loss of habitat. Because there is a close relationship between loss of individuals and populations and loss of habitats, reviewing agencies should carefully consider these questions together and in the larger context of the needs of those species. A project site may be a rare, critical location that species of special concern depend solely on. Or, it may not be a rare habitat, but may be part of a much larger area needed to support the individuals that are part of the population.

When evaluating these questions, consider if there will be loss of populations, individuals or their habitats for those species found on, adjacent or near the project site.

Applicable Part 1 Information

E.2.p., and E.2.n.

Analysis

- Are there any listed species of special concern found on, adjacent to or near the project site?
  - Evaluate loss of habitats, populations or individuals only for those species.
- Does the project site contain habitats needed by species of special concern that are identified there?
  - If yes, what are the habitat components of importance?
- Is the habitat rare?
- Is the project site part of a larger range that supports a species of special concern population?
- Are there any actions proposed that will reduce the size, structure or other features of the habitats but not totally remove it from the project site?
  - If so, what percentage of the project site contains habitats used by species of special concern and what portion of that will be impacted?
- Are there any locations on the project site identified as part of a designated significant natural community?
  - If so, how large an area is it and what portion of that will be impacted by the project?
  - If so, how will that natural community be degraded?

Will there be an impact?

If there are no species of special concern on, adjacent or near the project site, if there are no habitats used by species of special concern or in conservation need, or if there are no designated significant natural communities identified on the project site, there will be no related impacts. Check 'No, or small impact may occur."

Small Impact:

It is likely that a small impact could occur under one or more of these circumstances:

- Species of special concern are found near or adjacent to the project site but there is no habitat found on the project site.
- Rare or threatened species or their habitats are found on the site but construction or operation activities will avoid impairment of their habitats and not impair the animals' ability to use the site.
- Construction will take place within a portion of the habitat on site but will be done during a season when the species is not present, and vegetation will be replaced in the same location after construction.

- Species of special concern or their habitats are found on the site, some construction or operation activities will remove or impair a small portion of the habitat but mitigation is planned to create or permanently protect remaining and other critical areas for those species.
- Species are found traveling through or flying over the project site, and the activities are such that these travel patterns will not be disrupted. Important travel corridors are identified and all natural vegetation is protected to allow wildlife travel.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- Large portions of habitats known to be used by special concern species will be removed, including removal of vegetation, cutting dead trees down, grading cliffs, or fragmenting large areas of potential habitats to create islands of remaining habitat or removing other habitat features.
- Fencing, walls, or other barriers will be constructed around or on the property limiting wildlife access to the site even though the habitat may remain.
- Specific features of importance to the species of special concern species will be destroyed such as grasslands, dead trees, riffle and pool areas in the stream, removal of all underbrush, or removal of prime nesting trees or winter habitats.

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.

The National Natural Landmarks (NNL) is a voluntary program that recognizes and encourages the conservation of sites that contain outstanding biological and geological resources. National Natural Landmarks are selected for their outstanding condition, illustrative value, rarity, diversity, and value to science and education. Sites are designated by the Secretary of the Interior, with landowner concurrence. To-date, there are 27 National Natural Landmarks designated in New York State. These are found in the following counties: Albany, Allegany, Cattaraugus, Clinton, Dutchess, Genesee, Herkimer, Jefferson, Livingston, Monroe, Onondaga, Orleans, Rockland, Saratoga, Seneca, St. Lawrence, Suffolk, Tompkins, Ulster, Wayne, and Westchester. You can learn more about the National Natural Landmarks Program by visiting their website.

Applicable Part 1 Information

E.3.c.

Analysis

- Is there a NNL on the project site, and if so, how large is it and what portion of the project site does it occupy?

- Will any proposed project activities remove or disturb that NNL?
  - If so, what portion of the NNL will be removed or disturbed?
- Does the NNL extend to other locations around the proposed project site?

Will there be an impact?

If no registered National Natural Landmarks exist on the project site, then there will not be any related impacts. Check "No, or small impact may occur."

Small Impact:

A small impact could occur if:

- A portion of a NNL exists on the property site and will be removed, but it also extends beyond the site to include a much larger area and the portion to be removed is less than a few percent of the total area.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- Large portions of the NNL will be disturbed or removed.
- Portions of the NNL natural vegetation will be removed, and although there are other significant sections remaining, the habitat is now fragmented and not likely to support the species that rely on it.
- One component of the vegetation, such as mature canopy trees, are to be removed, thus destroying an ecological layer required by many bird and mammal species.

g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.

This question explores the role the project site plays in the area's ecology and bio-diversity. The use of the term 'predominant' is intended to be synonymous with 'common', and describes species that are abundant in a natural community. Habitats are used in different ways, depending on the species. Some areas have just the right conditions that make an area attractive for breeding and nesting. For example, the ground is covered with abundant herbaceous growth that shelters ground nesting birds, or an area of the stream has a bank overhanging the water that provides shade and protection. Other areas provide abundant food sources while others have features that make the area attractive for hibernation or winter travel.

Actions can interfere with nesting/breeding, foraging or overwintering habitat by removal of vegetation or by changing the conditions of that habitat such as altering the amount of sunlight that reaches the ground, the temperature of the water, or removal of important habitat features such as rocky outcrops or dead trees used for nesting. Other features of the proposed project can also interfere with those activities by creating excessive noise, placement of buildings in a location that disrupts travel, or placement of bright

lights. In order to answer this question, the reviewing agency may need to find out, or ask the applicant to supply information on the basic habitat needs of the predominant species found at the site.

A substantial interference is not specifically defined in SEQR, but should be considered by the reviewing agency in relation to the scale and context of the site and project. In general, a 'substantial' interference would be when the change to the habitat features on the project site are of considerable importance, large in size or quantity, or when the habitat is largely, but not wholly affected. An example of a substantial interference is the removal of 8 out of 10 acres of northern hardwood forest existing on a site. Or, building of a road and 15,000 square foot building in the middle of a large, unbroken expanse of forest that would fragment the habitat and reduce its value to those species needing large areas of unbroken forest.

Applicable Part 1 Information

E.2.m.

Analysis

- What habitat requirements do those predominant species have?
- How do those predominant species use the project site?
  - Breeding, feeding, cover, or all the individual needs?
- Do species use the project site year round or seasonally?
- Will project activities disturb or remove the vegetation or important habitat features?
- Are there similar habitats adjacent to or nearby?

Will there be an impact?

A proposed project would be considered to have no impact if habitats for predominant species are not affected at all. An example would be a redevelopment project that is contained to previously disturbed portions of a site, and does not disturb any existing natural habitat. Infill development in a highly urban area of a site or sites with no natural land cover may also be considered to have no impact.

Small Impact:

A small impact could occur under one or more of these circumstances:

- A very limited amount of vegetation and habitat features will be removed leaving the large majority of habitat available.
- No excessive noise, lights, fences, or walls will be part of the project and won't interfere with the ecology and ability of the species to survive.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- A large percentage of the vegetation is removed and replaced with lawns or other cover types and structures.
- A major feature of the habitat is removed, such as removal of all ground vegetation.
- Large areas of trees will be selectively removed to thin the forest and allow more sunlight to reach the ground. This will change the ecology of the forest and thus the species that will live there.
- The project will include structures built along areas known to be important overwintering or travel corridors.
- Fencing or walls are placed that will prevent normal movement from one location to another.
- Bright lights will be placed that will interfere with nocturnal species.

h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat.
Habitat type & information source:

Many species of wildlife need large areas of their habitats. Some need not only large areas, but also those that are not fragmented by roads, buildings, or other man-made structures. When forests, grasslands, and other regionally or locally important habitats are fragmented by development, those areas can become less attractive to wildlife and biodiversity can decrease. Individual animal survival can be diminished and populations reduced when these habitats are disrupted. This question explores whether large areas, greater than 10 acres in size are fragmented or converted to other uses.

Applicable Part 1 Information

E.1.b.

Analysis

- Is the project site larger than 10 acres and contain vegetation similar to that found on a larger area of land?
- How many acres of the cover type will be converted?
- Does the proposed action fragment this larger area?

Will there be an impact?

If no lands are disrupted and converted to another land use, then there will be no related impact. Check "No, or small impact may occur."

Small Impact:

A small impact could occur under one or more of these circumstances:

- If a very small portion of a very large site is disrupted and converted to another land use. For example, a one acre conversion may have a small impact when the remaining 300 acres of grassland still exists.

- If 1 to 10 acres are disrupted and converted, impacts may be small if there are similar remaining lands that are of significant size, or it is a highly disturbed site to begin with.
- The loss does not fragment significant habitats.
- The new land use is not growth inducing so that over time more of the habitat will be not lost to subsequent development.
- Some land will be converted but the remaining land is still of intact and significant size and the applicant will place a conservation easement on the remainder of the land to protect it.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- A very large proportion or the entire site is disrupted and converted to another land use.
- More than 10 acres are disrupted and converted.
- The loss creates a fragmented habitat.
- The loss removes small, but critical areas, such as vernal pools and their surrounding uplands that are required for amphibian breeding.
- Critical vegetation known for creating important fish breeding sites will be removed.
- Critical features known to be important to species will be removed.

i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.

According to Part 325: Application of Pesticides, (link leaves DEC's website)

- Pesticide includes all herbicides and means:

1. Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, fungi, weeds, or other forms of plant or animal life or viruses, except viruses on or in living humans /or other animals, which the department shall declare to be a pest; and
2. Any substance or mixture of substances intended as a plant regulator, defoliant or desiccant.

- Pesticide use means:

1. Performance of the following pesticide-related activities: application; mixing; loading; transport, storage or handling after manufacturer's seal is broken; cleaning of pesticide application equipment; and any required preparation for container disposal.

This question applies to commercial, industrial or recreational projects only. It includes pesticide use on the land and in aquatic environments. Include occasional and regular pesticide use. Evaluate use of

pesticides in relation to degrading or removing plants, potential adverse impacts to wildlife, and risks for polluting surface waterbodies.

Applicable Part 1 Information

D.2.q.

Analysis

- Is the pesticide intended to control animals or plants?
- Will the pesticide be used to remove all or part of the vegetation on site?
- What risks to non-target species are associated with application of those pesticides?
- What methods are being proposed to prevent or minimize impacts to water quality?
- Is the pesticide application one time, on a regular basis, or seasonal?

Will there be an impact?

If no pesticides are being applied on the project site, then there will be no related impacts. Check "No, or small impact may occur."

Small Impact:

A small impact could occur under one or more of these circumstances:

- A small area will be impacted and that area is isolated so that pesticides do not travel into stormwater runoff.
- Pesticide will be done on a one time basis.
- Integrated pest management methods will be used on a small area of land, such as around a commercial building.
- There are no surface water bodies nearby and stormwater control devices will collect and capture chemicals.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- Large areas will be impacted.
- There is risk for pesticides to be picked up in stormwater and carried to surface water bodies, including wetlands both on and off-site. Integrated pest management is not being uses.
- Pesticide use will be done on a regular or seasonal basis, such as at a golf course.
- Herbicides will be used to remove many plants over large areas that may be habitats for a variety of fish and wildlife species.

j. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Question 8 - Impact on Agricultural Resources - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may impact agricultural resources.

This question asks the reviewing agency to evaluate potential impacts on agriculture. Agricultural resources means the land and on-farm buildings, equipment, manure processing and handling facilities and processing and handling facilities which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a commercial horse boarding operation, a timber operation, compost, mulch or other biomass crops, and commercial equine operation as defined in Article 25-aa.

One of the most important agricultural resources is soils. Productive soils allow farmers to obtain high crop yields with the least expense and damage to the environment. In order to be successful, farmers need not only good soils but also need access to open lands suitable for farming. Farmers also need to be able to install and use various land management systems to support the farm operation including irrigation, manure spreading, and the ability to move equipment over roads and bridges.

To answer this question

Review Part 1 questions E.1.b., E.3.a. and E.3.b.

If any agricultural activities are taking place on or adjacent to the project site, or if the project site is within a New York State Agricultural District, the proposed project may have adverse impacts on farming. If so, check "yes" to Question 8 and answer sub-questions (a) through (h). If no agriculture is taking place on or adjacent to the project site or if the property is not part of a New York State Agricultural District, check "no" to Question 8 and move on to Question 9.

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.

Highly productive soils are those that are best suited to producing food, feed, forage, fiber, and oilseed crops. In short, they are the best soils for high yields with minimum expense and the least damage to the environment. The NY Department of Agriculture and Markets has created a land classification system based on soils that are used in the agricultural assessment program pursuant to Article 25-AA of the Agriculture and Markets Law. Soil Groups can be identified at the NYS Ag and Markets Soil Group Numbers page. These soils are prime farmland soils and soils of statewide importance. An impact means that highly productive soils are taken out of agriculture and converted to non-farm use.

Applicable Part 1 Information

E.3.a. and E.3.b.

Analysis

- How many acres of soils identified as 1 through 4 in the New York State Land Classification System are present on the project site?

- How many acres of these soils will be impacted by the proposed project?
- What proportion of the total site are soils in group 1 through 4?

Will there be an impact?

If no highly productive soils classified in Soil Groups 1 through 4 exist on the project site, then there will be no related impacts. Check 'No, or small impact may occur."

Small Impact:

A small impact could occur under one or more of these circumstances:

- The project will temporarily use these soils but will restore them for agricultural use next season.
- A small proportion of these soil groups will be impacted and the remainder will remain in agriculture.
- There are many areas adjacent to the site having highly productive soils remaining in agriculture.
- Highly productive soils will be scraped away, stored nearby, and then spread after construction for reuse as agricultural soils.
- The land use is such that the highly productive soils could be used again in the future, i.e. they are not covered in structures or impervious surfaces but will remain in critical sizes useable for agriculture.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- There will be permanent loss of these soils with no chance of use for agricultural purposes again.
- A large portion of the site will have the soils disturbed that will make it hard or impossible to continue use of them for agriculture.
- There are no other farmlands having such highly productive soils in the area.
- Construction and operation of the proposed project will limit access to adjacent highly productive farmlands.

b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).

Some developments make it harder for farmers to access their agricultural fields. Installation of fences, gates, structures, or even landscaping in the wrong location can all prevent farmers from reaching their fields. Similarly, changes in roads and bridges, driveway configuration, or changes in traffic configuration can all work to limit a farmers' ability to use large farm equipment and trucks.

Applicable Part 1 Information

E.1.a., and E.1.b.

Analysis

- Are there any agricultural fields on or adjacent to the project site?
- Are any structures, fences, signs, landscaping, gates, or similar structures sited in a manner that may prevent travel with large equipment along or to farm fields?
- Will the proposed project result in any significant changes in traffic or traffic patterns that may limit the farmers' ability to access farm fields?

Will there be an impact?

If no structures, other planned site features, road, driveway or traffic changes prevent access to farm fields on or adjacent to the proposed site, there will be no related impacts. Check 'No, or small impacts may occur."

Small Impact:

A small impact could occur under one or more of these circumstances:

- An action that severs, crosses, or limits access temporarily and the land can return to agricultural use after completion of the construction phase.
- Structures, fences, signs, gates or similar structures will be sited in a manner that will limit access but provisions have been made for farm equipment to have a right-of-way during certain times of the year, or in a different location acceptable to the farm landowner.
- New roads, driveways, and bridges are built that may make it harder to access farm fields, but they are designed to accommodate equipment and machinery so they do not limit it.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- Structures, fences, signs, landscaping, gates, or similar structures are sited in a manner which prevents access to farm fields.
- Changes in traffic, road construction, bridges, and driveways are such that farm equipment will be unable to travel to reach farm fields.
- Landscaping, structures, fences or similar structures are placed in a way that shade fields and are too close to safely use farm equipment near them.

c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.

Some actions use or travel across active agricultural fields during construction processes. Others excavate or remove soils, such as mines and soil or sod operations. Actions that excavates, removes, or

compacts, soils on active agricultural lands may impact the ability of those soils to be productive again for crops. Since farms depend on quality soils to grow crops, these activities could result in a loss of agriculture and farmland.

Applicable Part 1 Information

E.3.b.

Analysis

- Are there active agricultural lands on or adjacent to the project site?
- Will there be any excavation or removal of soils or any heavy equipment used that would compact soils?

Will there be an impact?

If there are no activities that will excavate or compact soils on active agricultural lands, or if there are no active agricultural lands on or adjacent to the project site, there will be no related impacts. Check 'No, or small impact may occur."

Small Impact:

A small impact could occur under one or more of these circumstances:

- Compaction of the soil profile is temporary and there are plans to restore that section of land to return it to agricultural use.
- A limited amount of excavation is planned but it will not result in the cessation of farming on the property or the loss of much farmland.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- Compaction of the soil profile is long-term and done in a way that the land becomes unusable for active farmland.
- A large amount of excavation is planned so that there is no or little active farmland remaining.

d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.

Some farmlands are included in a New York State Agricultural District established as per Article 25-AA of the Agriculture and Markets Law. There are NY Agricultural Districts established in each county of the State and in many rural towns, large areas of the municipality may be included in the NY Agricultural

District. (These districts should not be confused with local agricultural districts. Local agricultural districts are established through local zoning laws and are not the subject of this question.)

As land is converted to non-farm uses, it often becomes harder to maintain agriculture in the region in the face of competition for the land, escalating land prices, nuisance complaints, and incompatible land uses. Since the purpose of a New York State Agricultural District is to promote and encourage active farming, it is especially important to evaluate a project's impact on the ability of farmers in an Agricultural District to keep farming. Construction of commercial and residential structures, new roads, and removal of soil are all actions that irreversibly convert agricultural lands so that they cannot be farmed again in the future. There is often a cumulative effect of land conversion: When a large amount of land is converted, the ability of other farms in and around that location to remain in agriculture becomes harder over time.

Applicable Part 1 Information

E.1.b., and E.3.a.

Analysis

- Does the proposed project include activities such as building, land clearing, grading, filling, or soil removal of agricultural land on some or the entire project site?
- Is the project site located in a New York State Agricultural District?
  - If so, is the project site greater than 2.5 acres in size?
- Is the project site not included in a New York State Agricultural District?
  - If so, is the project site greater than 10 acres?

Will there be an impact?

If no agricultural lands are present, or if no farmlands are permanently converted to other land uses, there will be no related impact. Check 'No, or small impact may occur.'

Small Impact:

A small impact could occur under one or more of these circumstances:

- The proposed action may irreversibly convert agricultural land to non-agricultural uses, either less than 2.5 acres if located in an Agricultural District or less than 10 acres if not within an Agricultural District.
- Land that is converted is a use that is compatible with agriculture. This could include low density residential development, farm businesses, agri-tourism uses, or outdoor recreational uses like snowmobile trails or seasonal camps.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District or more than 10 acres if not within an Agricultural District.
- The proposed action irreversibly converts agricultural land to moderate to high density residential uses adjacent to or near an active farm located in a NYS Agricultural.
- Known and identified critical masses of farmland are fragmented with non-farm uses.
- New infrastructure such as roads, water or sewer lines are installed into active farmland. This is growth inducing infrastructure that could eventually bring new development that would result in the future conversion of active agricultural land.

e. The proposed action may disrupt or prevent installation of an agricultural land management system.

Agricultural land management systems include placement and use of irrigation lines and equipment, fencing, crop and soil management (fertilizing, plowing, preparing, tending crops, soil erosion control, manure management, etc), and pesticide control. This question explores whether a proposed action would disrupt or prevent these agricultural activities. Reviewing agencies should look beyond the boundaries of the project site and evaluate whether the proposal may adversely affect the ability of adjacent farms to operate their agricultural operations.

Applicable Part 1 Information

E.1.a. and E.1.b.

Analysis

- Is the project location within a NY Agricultural District?
- Is active agriculture taking place on or adjacent to the proposed project site?
- What agricultural land management systems are being implemented and how might the proposed project disrupt or prevent them?

Will there be an impact?

If no agriculture is taking place in or adjacent to a project site, or if no part of the project will disrupt or prevent installation of agricultural land management practices, then there will not be any related impacts. Check 'No, or small impact may occur."

Small Impact:

A small impact could occur under one or more of these circumstances:

- The project construction phase results in temporary disruption to agricultural land management systems.

- Density of new residences or commercial uses is very low so as to be compatible with on-going farming.
- Proposed projects are agriculturally oriented such as farm support businesses, processing facilities or farm tourism facilities that are compatible with agricultural management systems.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur if:

- Development brings large numbers of non-farm uses and dwellings to an area which can prevent installation of land management systems due to concerns about noise, odor, or farm practices such as use of fertilizers and pesticides.

f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.

This question explores the growth inducing potential of the proposed project. Farmers rely on their farmland in order to remain in business. Farms do best when there is a critical mass of contiguous farmland located in an area. New, non-farm development can directly impact the ability of farms to remain in business directly, by removing lands that can be farmed. Or, non-farm development can fragment the critical mass of farmland to the point where farms can no longer efficiently operate. The more non-farm uses that are in and around farming operations, the more nuisance complaints there often are and farmers often have difficulty conducting their normal operations. Further, as lands are converted to non-farm uses, land values increase making it harder for farmers to maintain their land in farming or to buy other lands needed for their businesses. There is also a demand for new public services such as water, sewer and improved roads. All of these will directly or indirectly make it increasingly more expensive and difficult to continue farm operations. As farmers see the impermanence of agriculture as a land use, farms can increasingly be sold for non-farm uses.

Applicable Part 1 Information

C.2.c., C.3., D.2.c., D.2.d., D.2.j., D.2.t., E.1.b., E.3.a., and E.3.b.

Analysis

- Will the proposed project remove active farmlands?
- Are there other non-farm uses in the area already and
  - If so, how many in comparison to farm uses?
- Is there an area in Town that is a large, concentrated block of farmland?
  - If so, does this project fragment these active farming areas?

- Will the proposed project introduce new public services or improvements such as water and sewer lines that will make it more attractive for future non-farm growth?
- Is the proposed use compatible with surrounding agricultural operations that may exist?
- Is there a local or county right-to-farm law in the community where the proposed action is taking place?

Will there be an impact?

If there are no agricultural activities taking place in, adjacent to, or near the project site, it is not likely that there will be increased development pressure that would negatively impact farms. If so, check 'No, or small impact may occur."

Small Impact:

A small impact could occur if:

- The project includes very low density residential development and small scale non-residential development that can be shown to be compatible with farming.
- The project includes agricultural businesses, food processing, and other agri-businesses that require produce grown locally that would support continued active farming nearby and in the region.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- Moderate to high residential density that can result in loss of farmland and farming activity.
- Provision of water and sewer systems as well as road improvements that bring more people and traffic to a farming area. These are growth inducing and will likely negatively impact farms over time.
- Large commercial employers bringing in large structures, intense uses, and traffic that could adversely affect farms.
- Land use conversions that increase the price of land make it harder for farmers to maintain their land due to increased taxes and makes it harder to buy new land to expand operations.

g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.

Many counties and local towns have adopted farmland protection plans. These plans usually identify critical farmlands, characterize current farming activities, discuss new opportunities for farming, and make recommendations on where and what kind of farming is planned for in the future. Other communities do not have a separate farmland protection plan, but do include this topic as part of their adopted Comprehensive Plan. Both types of plans should be considered as addressing future plans for agriculture in the community.

The reviewing agency should become familiar with locally adopted plans to understand long- and short-term plans related to farming in general and that neighborhood or parcel in particular. Some plans may identify certain areas as being critical farmlands where agricultural activities should be the primary land use. Others are more general and offer general vision and goals about what is desired for agriculture in the future.

Applicable Part 1 Information

C.2.a., C.2.b., and C.2.c.

Analysis

- Do the plans recommend specific actions related to the location of the proposed activity?
  - How is the proposed project consistent with those recommendations?
- Are there general goals that establish the role agriculture should play in the community?
  - How is the proposed project consistent with those goals?
- Is the land in and around the project site identified as being of particular importance to long-term agricultural uses in the municipality?
  - If so why and how, and is the proposed project consistent with continued use of agriculture in that area?

Will there be an impact?

If there are no agricultural activities in or near the project site, or if the proposed plan is shown to be fully consistent with the goals, recommendations, and actions established in the local plans, then there will be no related impact. Check 'No, or small impact may occur."

Small Impact:

A small impact could occur if:

- The proposed project occurs on lands that are not currently farmed and that are not part of the critical mass of farmland identified in the municipality.
- The project is of small scale and will not impair continuation of farm activities in areas of the town shown in the plan to be those where agriculture is considered the primary land use.
- The project helps the community meet its goals to attract agriculturally related businesses such as a food processing plant that will use locally grown foods, a sawmill that uses lumber from local forests, or a restaurant oriented around serving locally grown food.

Moderate to Large Impact:

It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:

- A project removes lands from production that are identified in the plan as part of the areas critical farmland.
- The project introduces land uses that are incompatible with agriculture in an area identified in the plan as critical farmlands or that will induce non-agricultural growth.
- The project introduces a moderate to high density of population that will make it more likely that there will be farm/non-farm incompatibility and nuisance complaints will develop in an area identified in the plan as suitable for low density residential development.
- A project that does, or could induce growth in the future with new road, water or sewer infrastructure that would ultimately be incompatible with areas planned for agriculture.

h. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Question 9 - Impact on Aesthetic Resources - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource.

This question explores consistency in land use between the proposed project and other land uses that may be seen from or part of a scenic or aesthetic resource. It is oriented to those scenic and aesthetic resources that are officially designated and publicly accessible. Officially designated scenic areas include scenic byways, scenic roads, scenic areas of statewide significance, scenic trails, and scenic rivers. Other designated areas may also include places or sites listed on the National or State Registers of Historic Places, State Parks, State Forest Preserve areas, State Game Refuges, National Natural Landmarks, and

National Park Service Lands. Note that other areas may also be designated for scenic and aesthetic reasons at the local level. For example, some local municipalities have conducted their own scenic inventory and have designated those areas in county or local plans, and may include municipal parks and designated open spaces, local roads, or historic areas. Others have designated critical environmental areas for aesthetic reasons. Publicly accessible aesthetic or scenic resources are those that can be viewed from public lands or on public roads.

In order to determine if a project is obviously different from or in sharp contrast to current land use patterns part that are viewed from or part of a scenic resource, you will have to understand the context and scale of other land uses. "Different or in sharp contrast" may mean bigger, taller, higher, more dense, an obviously different color or design, or where the landscape is significantly changed. For example, a project that removes 10 acres of woodland on a completely wooded hillside is likely to result in a landscape that is in sharp contrast to current patterns. Or a 300 unit residential complex proposed on a parcel that is surrounded by large agricultural fields seen from a scenic byway would also be obviously different or in sharp contrast to the current agricultural nature.

When answering this question, first determine if an officially designated scenic or aesthetic resource is present. If so, then look at Part 1, Question E1b to understand the current land uses and cover types that are in the area and potential changes after project completion. The following may help you answer this question:

- Will the proposed activity introduce a different land use in or near the project site?
- Will the proposed activity have architectural features and site design that is visually consistent with other buildings and structures in the area?
- Will the proposed activity introduce a different level or kind of activity in the area that is very different from what currently exists?
- How far away is the proposed project site from the scenic or aesthetic resource?

To answer this question

Review Part 1 questions C.2., C.3., D.1.a., D.1.g., D.2.n., E.1.a., E.1.b., E.3.c., E.3.g., and E.3.h.

If the project will create a land use that is obviously different or in sharp contrast to these existing land uses when viewed from or within a scenic resource, then answer 'Yes' to Question 9 and then complete sub-questions (a) through (g). If there is no obvious change or sharp contrast in land uses, then check "No" to Question 9 and move on to Question 10.

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and

decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.

Officially designated scenic areas include scenic byways, scenic roads, scenic areas of statewide significance, scenic trails, and scenic rivers. Other locations and areas may also be designated for scenic and aesthetic reasons at the local level. See the above discussion of other officially designated scenic or aesthetic resources. You may want to review the DEC Program Policy on Visual Impacts: DEP-00-2 "Assessing and Mitigating Visual and Aesthetic Impacts." (PDF) (1.35 MB)

Applicable Part 1 Information

E.3.h.

Analysis

- Is the project site visible from a designated scenic resource?
- How much of the project site is visible?
- How much distance is there between the project and resource?
- Is the visibility of the project seasonal?
  - If so, is the project site visible at the same time of year that the public views the scenic or aesthetic resource?
- What general land uses exist between the project site and scenic resource?
  - Will the project site be in sharp contrast to those land uses?

Will there be an impact?

If the proposed project is not visible from any officially designated federal, state, or local scenic or aesthetic resource, or there are no such designated resources in the area, then there will be no related impacts. Check 'No, or small impact may occur."

Small Impact:

Some examples of small impacts that might fall into this category are:

- The project will be partly visible, but it is not in sharp contrast with other existing land uses in the area.
- The project will be partly to mostly visible, but it is very far away from the scenic resource and is not in sharp contrast to existing land uses in the area.
- A limited portion of the project will be visible, but from very few publicly accessible locations.
- The project will be visible but vegetation or other factors such as distance and topography screen and soften the visibility of it.

Moderate to Large Impact:

Some examples of moderate to large impacts that might fall into this category are:

- The project will be visible and is in sharp contrast to surrounding land uses by virtue of its scale, dimension, color, or height.
- The project is not in sharp contrast to existing land uses in the area but is very visible.
- The project will obstruct or partially obstruct publicly accessible views of the scenic resource.
- The project is situated so that it changes the visual aspect of the scenic resource.

b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.

Placement of new structures, including signs, fences, or landscaping may obstruct, screen or otherwise prevent views of a scenic resource from publicly accessible locations. Other projects may remove vegetation that has served to screen non-scenic resources that may now become visible from publicly accessible locations. Any project activity that changes the views from or to a scenic resource could potentially have adverse impacts.

Applicable Part 1 Information

E.3.h. and C.2.b.

Analysis

- Are any new structures, including signs, fences or landscaping placed on the project site in such a way as to obstruct views from or to a scenic resource?

- Have any changes been proposed that will remove landscaping or fences that screen non-scenic resources also visible from or to a scenic area?

Will there be an impact?

If no features of the proposed project will obstruct, eliminate or screen views from or to a scenic or aesthetic resource, then there will be no related impacts. Check 'No, or small impact may occur."

Small Impact:

Some examples of small impacts that might fall into this category are:

- The project will be visible, but it is not in sharp contrast with other existing land uses in the area and will not obstruct, eliminate or screen the scenic resource.
- The project will be visible, but it is very far away from the scenic resource and is not in sharp contrast to existing land uses in the area.

Moderate to Large Impact:

Some examples of moderate to large impacts that might fall into this category are:

- The project will obstruct or partially obstruct publicly accessible views of the scenic resource.
- The project is situated so that it changes the visual aspect of the scenic resource by being in sharp contrast to the surrounding land uses or by screening the scenic resource.
- The project will eliminate or partially eliminate, obstruct, or screen the scenic resource.

c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round

Publicly accessible vantage points may be scenic viewing spots, identified road pull-offs and overlooks, parks and greens, road sections within a scenic byway, or other locally designated spots. These are locations where one can view a scenic or aesthetic resource. Some vantage points may have year-round views of the scenic resource. Others may be important during the winter season when leaves are off the trees.

Applicable Part 1 Information

E.3.h.

Analysis

- Will the proposed site be visible from any publicly accessible vantage point?
  - If so, what will be seen and how much of the project will be visible?

Will there be an impact?

If the project site is not visible from any publicly accessible vantage point, then there will be no related impacts. Check 'No, or small impact may occur.'

Small Impact:

Some examples of small impacts that might fall into this category are:

- Only a limited portion of the project will be visible when there are no leaves on the trees and the rest of the year, vegetation will largely screen the site.
- The project can only be seen from very limited locations that are publicly accessible.
- Some portion of the project will be visible during the winter when leaves are off the trees but the scale, color, dimension, and type of land use is consistent with and not in sharp contrast to the scenic resources and surrounding land uses.

Moderate to Large Impact:

Some examples of moderate to large impacts that might fall into this category are:

- The site will be very visible all year round and will not be screened by vegetation.
- The project is viewed by many publicly accessible vantage points.
- The project results in a land use that is in sharp contrast to surrounding land uses seen from or in the scenic resource.
- The project is of scale, color, or dimension that will be highly visible from publicly accessible scenic resources.

d. The situation or activity in which viewers are engaged while viewing the proposed action is:

i. Routine travel by residents, including travel to and from work
ii. Recreational or tourism based activities

e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.

When a proposed project is part of or visible from a scenic or aesthetic resource, it will be viewed by many different people in different circumstances. This question explores whether the project site is in a location that will be viewed on a daily and constant basis by members of the community and/or if it is within a location that also has an important role in recreation or a tourism economy of the area. Both are important and changes to scenic and aesthetic resources may have adverse impacts on both the quality of life of residents and broader economic impacts.

Applicable Part 1 Information

E.3.h., E.2.q., and E.1.c.

Analysis

- How often will members of the community view the project site?
- Is the project site in or viewed from a scenic or aesthetic resource that is important to recreation in the area or to tourism?
  - If so, how?
- How will that project site change the use or perception about that scenic resource?

Will there be an impact?

If the project site is not visible from or within a scenic or aesthetic resource, it will not have any related impacts. Check 'No, or small impact may occur.'

Small Impact:

Some examples of small projects that might fall into this category are:

- The project site is visible from minor roads used by a limited number of local residents only and is not part of a recreational or tourism related activity.
- A limited portion of the project site is visible, but because it is not in sharp contrast to the scenic resource or surrounding land uses, there will be no diminishment of the designated resource.

Moderate to Large Impact:

Some examples of moderate to large impacts that might fall into this category are:

- The project site is visible from major roads and highly traveled routes used by many residents and visitors.
- The project site is visible from, is in, or obstructs a scenic resource that plays a key role as part of a recreational or tourist asset of the community.
- The project site is visible and because it is in sharp contrast to the scenic resource and surrounding land uses, will significantly reduce enjoyment and appreciation of the scenic resource.

f. There are similar projects visible within the following distance of the proposed project:

0-1/2 mile
½ -3 mile
3-5 mile
5+ mile

Similar projects include those of the same use, but also of similar scale, context, dimensions, density, design, or location.

Applicable Part 1 Information

D.1.a., E.1.a., D.1.f., and D.1.g.

Analysis

- How many land uses are similar to the proposed project?
- How far away are those similar projects?
- How are the land uses similar?
  - Scale, color, intensity of use, type of land use, height or other bulk dimensions, size of lot, or cover type?
- If there are no other similar users will the proposed use be in sharp contrast to the overall landscape?

Will there be an impact?

If the proposed project is similar to multiple developments or projects in the area in terms of scale, context, dimensions, density, design, and location, then it is not likely to have any impacts to scenic or aesthetic resources. The reviewing agency will need to decide however, what the threshold is for how many other similar projects may be visible. That depends solely on the context of the community. The reviewing agency will need to determine a threshold for what would constitute no impact for this question. When a scenic or aesthetic resource is being evaluated it is likely that some impact may occur even though there are many similar projects in the area.

Small Impact:

Some examples of small projects that might fall into this category are:

- The project is fully or partially visible, but there are other land uses of similar scale, design, density, dimension, or location both nearby and far away so that the context of the scenic resource does not change.

Moderate to Large Impact:

Some examples of moderate to large impacts that might fall into this category are:

- The project is visible, but there are none or very few other land uses of similar scale, design, density, dimension, or location nearby so that the context of the scenic resource changes and the proposed activity will be in sharp contrast to existing resources.

g. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Question 10 - Impact on Historic and Archeological Resources - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may occur in or adjacent to a historic or archaeological resource.

Bluff Point (Photo: Susan L. Shafer)

Historic resources provide an important cultural and economic focus in a community. They are often tourism destinations and community anchors that support other artistic, cultural, educational, recreational, and entertainment resources. Historic resources tell the stories of each community's pattern of growth and development, and they help create a sense of place and uniqueness that differentiates one community from another. They are important economic and educational assets, and are critical components of community pride and local character.

Archeological sites hold important information about the state's pre-European contact and historic populations. They help document cultures, traditions, and historic human interaction with the environment. In many cases archeological data is the only information available about the area's early peoples and places. It is important to understand the delicate, nonrenewable nature of archeological sites. The fundamental value of archeology lies in the information that sites and artifacts offer about the way humans have lived in the past. Once archeological material has been removed from the ground and not properly preserved, whether through excavation or as a result of looting, development, erosion, or other processes, the site is destroyed forever, and its information lost.

The terms "archeological" and "historic" are specifically included in the definition of the "environment" in Part 617.2(l) as physical conditions potentially affected by a project.

To answer this question

Review Part 1 questions E.3.e., E.3.f., and E.3.g.

Ask the following questions to see if you need to further evaluate the sub-questions in this section:

- Does the project site contain, or is it contiguous with a building, historic district, or archaeological site on or nominated for the National or State Register of Historic Places?
- Does the project site contain, or is it contiguous with, an area designated as sensitive for archaeological sites.
- Does the project site contain, or is it contiguous with, a known archaeological site, even though it may not be included on the NY SHPO inventory?

If the answer to all of these questions is no, check "no" to Question 10 and move on to Question 11. However, if the answer to any of these questions is yes, check "yes" to question 10 and answer sub-questions (a) through (e)

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.

Properties listed on the State or National Register of Historic Places and properties determined eligible for the Registers receive some protection from the effects of federal or state agency sponsored, licensed or assisted projects. There are no restrictions placed on private owners of registered properties. Private property owners may sell, alter or dispose of their property as they wish.

The following criteria are used to evaluate properties for listing on the New York State and National Registers of Historic Places. The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- that are associated with events that have made a significant contribution to the broad patterns of our history; or
- that are associated with the lives of persons significant in our past; or that embody the distinctive characteristics of a type, period, or
- method of construction, or that represent the work of a master, or that possess high artistic values, or
- that represent a significant distinguishable entity whose components may lack individual distinction; or that have yielded, or may be likely to yield, information important in prehistory or history.

Applicable Part 1 Information

E.3.e.

Analysis

- Is the proposed project location in a historic district?
- Is the proposed project next to, or contiguous with any buildings or sites listed on the National or State Register of Historic Places?
- Are there any buildings or sites near the project location that have been nominated for listing on the National or State Register of Historic Places?
- For what reason was the site placed on the Register?
  - History?
  - Architecture?
  - Archeology?
  - Engineering?
  - Cultural?
- Will the proposed project alter or affect any of the criteria used to evaluate and place the building or site on the Register?
  - Will it affect the physical integrity of the building or site?
  - Will it restrict any existing public access to the building or site?

- Will it obstruct the view of the building or site?

Will there be an impact?

If there are no buildings, archeological sites, or historic districts listed or nominated to be listed on the State or National Register of Historic Places on or contiguous to the proposed project site, then there will be no related impacts. Check 'No, or small impact may occur."

Small Impact:

A small impact could occur if:

- There is no historic or archaeological resource on the site, but there may be a small impact to community character because of concerns over consistency with existing architectural and aesthetic resources.
- There are historic or archaeological resources on the site, but the project design is such that no disturbances or major changes to historic structures will occur. For example, the location where archaeological resources exist will be avoided, or the historic structure on the property will be maintained and restored.
- Minor disturbances to the resources will occur or minor changes to the aesthetic or scenic quality of the area but these do not destroy the historic resource or drastically change the character of the area.
- Work at a location that is locally designated and historic preservation permits are issued that indicate identified work as being in compliance with relevant local historic preservation code.

Moderate to Large Impact:

Moderate to large impacts may occur if:

- Historic structures are planned to be demolished or relocated as part of the development plan.
- Historic structures are to be remodeled in a way that destroys or damages its historic value.
- The project introduces an architectural design that is not consistent with an existing designated historic district and that is not consistent with the long-term vision the community has for its aesthetic character as identified in an adopted comprehensive plan.
- The project changes the character or view of important aesthetic resources.

b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.

The National Register of Historic Places defines an archeological site as "the place or places where the remnants of a past culture survive in a physical context that allows for the interpretation of these remains" (National Register Bulletin 36, "Guidelines for Evaluating and Registering Historical Archeological Sites

and Districts"). One of the primary criteria used for evaluating listing a property on the National Register of Historic Places is that "...they have yielded, or may be likely to yield, information important to prehistory or history."

The presence of a significant cultural resource within a proposed project may affect development by requiring relocation or modification of design plans to avoid damage to culturally significant areas. The sequence of studying archaeological resources is:

- Phase I Reconnaissance
  - Phase IA (literature and document review and sensitivity assessment)
  - Phase IB (field investigations)
  - A Phase I study produces a final report that identifies sensitive areas and standing structures within a project area and tests that project for traces of the past.
  - The Phase I report presents a summary of all the findings and recommendations either of no adverse impact, or continuation to the next phase of investigation (Phase II Site Evaluation).
- Phase II Site Evaluation
  - Involves additional research and excavation to collect the data necessary for evaluating a site's data potential and research significance.
  - Obtains detailed data on the boundaries, age, function, integrity, and significance in support of a recommendation for National Register eligibility.
- Phase III Data Recovery
  - Usually recommended in response to a determination of adverse effect.
  - A detailed data recovery plan is developed with guidance from and approval of SHPO

Applicable Part 1 Information

E.3.f.

Analysis

- Are there any areas designated as sensitive archaeological sites within or contiguous with the proposed project location?
- Have there been any phase I, II, or III studies done on the site?
- Will there be any disturbance of the archaeological resource?
  - Will it affect the physical integrity of the site?
  - Will it restrict any existing public access to the site?
  - Will it obstruct the view of the site?
  - Will it alter any access to the site for purposes of scientific, historic, or archeological research?

- Does the proposed project include any avoidance or mitigation measures?

Will there be an impact?

If there are no areas designated as sensitive for archeological sites on or contiguous to the proposed project site, then there will be no related impacts. Check 'No, or small impact may occur."

Small Impact:

An example of a small impact could occur if:

- There are archaeological resources known to occur in the vicinity of the project that are already included in a sensitive area designated by the SHPO, but a site-specific inventory shows that no artifacts at the specific site that will be disturbed.
- There are archaeological resources known to occur in the vicinity of the project that are already included in a sensitive area designated by the SHPO, and site specific inventory and recover of artifacts has already been completed.

Moderate to Large Impact:

A moderate to large impact could occur if:

- Archeological resources are present on the actual site and the site is included in a sensitive area designated by the SHPO, but the project is such that the artifacts will be destroyed, covered, or built on in a manner which makes it impossible to study or recover artifacts in the future.

c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory.

Not all archeological sites are listed in the SHPO inventory. There may be local knowledge of a resource, or historic records that exist but have not been thoroughly investigated. Local comprehensive or open space plans may identify areas that are suspected to contain archeological resources, but are not confirmed. Some local communities have extensive historic inventories completed that will yield direct information or clues as to where archaeological sites may be located.

Applicable Part 1 Information

E.3.g.

Analysis

- Are there any areas on the site with known, but not inventoried, archaeological resources?
- Are there records or maps that describe or show historic locations of human habitation that are now no longer self-evident?
- What is the source of the identification?

- Have there been any archeological studies done on the site?
- Will there be any disturbance of the archaeological resource?
  - Will it affect the physical integrity of the site?
  - Will it restrict any existing public access to the site?
  - Will it obstruct the view of the site?
  - Will it alter any access to the site for purposes of scientific, historic, or archaeological research?
- Does the proposed project include any avoidance or mitigation measures?

Will there be an impact?

If there is no evidence that there are any un-inventoried archeological sites on or contiguous to the proposed project site, then there will be no related impacts. Check 'No, or small impact may occur."

Small Impact:

An example of a small impact could occur if:

- There are archaeological resources known to occur in the vicinity of the project, but a site-specific inventory shows that there are no artifacts at the specific site that will be disturbed.
- There are archaeological resources known to occur in the vicinity of the project and site specific inventory and recovery of artifacts has already been completed.

Moderate to Large Impact:

A moderate to large impact could occur if:

- Local historical information indicates that archeological resources may be present on the actual site but there is no study or inventory completed. The proposed project is one where potential artifacts could be destroyed, covered, or built on in a manner which makes it impossible to recover artifacts in the future.

d. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:

i. The proposed action may result in the destruction or alteration of all or part of the site or property.
ii. The proposed action may result in the alteration of the property's setting or integrity.

iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.

Once a historic or archeological resource is altered or destroyed, it is impossible to replace. All of these sub-questions (i to iii) assume there will be some impact to the resource being evaluated. It is up to the reviewing agency to determine whether or not it will be a small impact, or a moderate to large impact.

Applicable Part 1 Information

C.2., C.3., E.1.a., E.1.b., E.3.e., E.3.f., E.3.g., and E.3.h.

Analysis

Analysis of question e. is based on the answers to (i), (ii), and (iii).

Will there be an impact?

If the answer to all of the (i) to (iii) questions is no, there will be no related impacts. Check 'No, or small impact may occur." If any of the answers to the (i) to (iii) questions are yes, then the reviewing agency will need to evaluate the potential magnitude of any associated impact in Part 3.

Question 11 - Impact on Open Space and Recreation - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.

There are many recreational opportunities that may be impacted by proposed actions. When a location is converted from undeveloped land to residential, commercial, or industrial uses, there is at least some loss of open spaces that are or could be used for outdoor recreation. There could be a loss of recreational opportunities such as hunting, fishing, and hiking, as well as, but not limited to hiking, mountain biking, bird watching, photography, and recreational vehicle use. Some communities have unique recreational opportunities such as caves for spelunking or cliffs for rappelling that could be impacted.

Open space resources are defined differently in different places. All open spaces are undeveloped areas, but these may range from, but not limited to large forests, patches of woodland, and farm fields to village greens, public parks, state lands, wetlands, and rivers and river corridors.

Municipalities can plan for their recreation and open space needs by developing and adopting a recreation plan, open space plan, or comprehensive plan. Sometimes, a comprehensive plan includes both recreation and open space planning. Part 1 will identify which of these plans are present and relevant to the proposed project. However, it will be useful if the reviewing agency become familiar with recreation, open space and comprehensive plans to understand what the community's goals for these resources are.

These plans may also establish municipal policies, and outline plans for capital improvements to or purchase of lands for new trails, open spaces, or recreation areas. Many of these plans will also identify critical open spaces and establish municipal policies oriented towards protection of those areas. Both applicants and reviewing agencies should be familiar with the municipal plans so that they can fully evaluate potential impacts on those resources.

To answer this question

Review Part 1 questions C.2.c., E.1.c., and E.2.q.

If after examining Part 1 answers and local recreation, open space or comprehensive plans, the reviewing agency determines that the proposed project will result in a loss of recreational opportunities or open space resources, check 'Yes' to Question 11 and answer all the sub-questions (a) through (e). If the reviewing agency determines there are no recreational or open space resources that will be lost as a result of a proposed project, check 'No' to Question 11 and move on to Question 12.

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, and wildlife habitat.

Natural ecosystems and the plants and animals within them provide humans with services that would be very difficult to duplicate. Many of these services are performed seemingly for "free", yet are worth many trillions of dollars. Ecosystems provide many "services". For example some ecosystem services include seed dispersal, wetlands that detoxify waters, natural control of agricultural pests, pollination of crops and natural vegetation, protection of streams, river and coastal shores from erosion, and contribution to climate stability, among many others. Ecosystem services are fundamental to life.

Many human activities disrupt, impair, or reengineer ecosystems every day including those that impact the resources and activities that are a subject of SEQR such as:

- Runoff of pesticides, fertilizers, and animal wastes and erosion of soils
- Pollution of land, water, and air resources
- Destruction of wetlands or deforestation
- Urban sprawl

By examining Part 1 questions, especially those that provide information about what ecosystems are present, the reviewing agency can begin to understand what ecological role those areas play. Evaluating this question in Part 2 will require reviewing agencies to be familiar with all aspects of the project and to synthesize Part 1 information so that they understand what natural ecosystems and functions may be impacted.

Applicable Part 1 Information

D.2.e., E.1.b., E.2.h., E.2.m., E.2.n., E.2.o., and E.2.p.

Analysis

There are a wide variety of questions that could be asked related to this sub-question. A sampling of major questions includes:

- Will additional stormwater or changes surface water flows result from the project?
- What surface water bodies will be affected by the project?
- Will the project affect groundwater?
- Will there be removal of natural vegetation, such as in a woodland or along a stream or river?
- Will wetlands be impacted?
- Will there be a loss of natural cover types such as woodlands, meadows, or grasslands?

- Will there be a loss of habitats or biodiversity?

Will there be an impact?

All development impacts natural functions, even if in a small way. There may be limited situations where no impact could occur. It is possible that no impact to natural functioning would result if a proposed project is located at a site that is already fully disturbed and converted to developed land uses. An example of this could be development of a new structure in an existing parking area located at a large regional shopping mall. If there is no impact, check 'No, or small impact may occur.'

Small Impact:

A small impact could occur under one or more of these circumstances:

- The physical size of the area to be impacted is small in relation to the scale of the natural resource and the resource is not identified as a significant or rare habitat or other critical location.
- The proposed project will not induce growth or contribute to the cumulative degradation of a natural resource.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- The physical size of the area to be impacted is small, but the natural resource affected is unique, significant, limited in its range, or plays an important role in the ecology of the area.
- Large areas of the natural resource will be physically disturbed, obstructed, or diminished.
- The proposed project will have impacts on and off-site to natural resources due to ecological or physical connections.
- The proposed project may have small impacts but is one that is likely to induce future growth that will have adverse cumulative impacts.

b. The proposed action may result in the loss of a current or future recreational resource.

c. The proposed action may eliminate open space or recreational resource in an area with few such resources.

Some actions may convert natural areas that are used now, or planned to be used in the future for recreational activities. This question asks the reviewing agency to explore the recreational role that the area plays. Thus, you should examine whether opportunities for hunting, trapping, fishing, hiking, bird watching, photography, or use of motorized recreational vehicles will be lost or minimized, or whether the proposed project would prevent such uses in the future. Reviewing agencies should think broadly to how the particular parcel relates to other nearby areas. For example, a community has long-term plans for creation of a 10 mile trail between two villages. The proposed project is located in the middle and in a

location that would fragment the lands available for that trail. Conversion of that land to commercial use could result in a disconnect from one end of the trail to the other. In that case, the proposed project affects future recreational resources.

Some urban and suburban communities have limited open spaces and recreational resources. There may be only small patches of woodland, ribbons of greenspaces along creeks and streams, or public parks. For example, stream corridors and the trees and plants that grow beside them are critical travel corridors for wildlife and link larger habitat areas. A proposal includes removal of that vegetation and conversion to a commercial use. There may be a park or other greenspace near the project site that is a favored location for bird and other wildlife viewing. If a proposed project includes removal of that streamside vegetation, then it is possible that wildlife populations may be reduced in the nearby park and thus the project has impacted the limited recreational resources of the community.

Applicable Part 1 Information

C.2.a., C.2.c., E.1.c., and E.2.q.

Analysis

- Is the project site currently used as a recreational resource?
  - If so, how?
- Is the project site an open space that serves as an important link between other larger open spaces? (An aerial photograph can easily show this).
- Will the project result in a loss of those resources?
  - If so, how, and to what extent?
- Does the community have long-term plans for recreational use of that property?
  - If yes, how?
  - If yes, will the proposed project prevent those plans from coming about?
    - If so, how?

Will there be an impact?

If there are no recreational uses of the project site now, or if there are no planned recreational uses for that site, then there will be no related impacts. Check 'No, or small impact may occur.'

Small Impact:

A small impact could occur under one or more of these circumstances:

- Existing or planned recreational resources are near, but not adjacent to the proposed project.
- The proposed project is adjacent to an existing or planned recreational resource and may cause minor disturbances during construction phase but will not impair use or enjoyment of that resource.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- The proposed project diminishes recreational resources or access to those existing or planned recreational resources.
- The proposed project disturbs land in one location that will result in direct or indirect loss of habitats that support fish and wildlife species on existing or planned recreational lands.
- Construction and/or operational phases of the proposed project will significantly reduce access to the recreational resource.

d. The proposed action may result in loss of an area now used informally by the community as an open space resource.

Sometimes, private and public lands become informal recreational areas for neighbors and residents. Areas used informally are not officially designated as parks, trails, public open spaces, or having public access for other outdoor activities. Nonetheless, these opportunities are sometimes important to the community, and to the area's economy. Common activities done on an informal basis include hunting, trapping, fishing, hiking, and using recreational vehicles on self-made trails. They may also provide informal connections between other, more formally designated recreation areas. Most of the time, these uses have the approval of the landowner, but there is usually no written agreement with the users. A new owner or a new project may not want to continue such an arrangement, and the informal use may be discontinued under the proposed action. This question explores the impact of loss of such lands on the recreational opportunities in the area.

Applicable Part 1 Information

C.2.c. and E.1.c.

Analysis

- What recreational activities may be taking place informally on the property?
- How important to the community are those informal opportunities and are there other locations that can provide those same open space resources?
- Are there any methods to maintain those informal uses after the proposed project is approved?

Will there be an impact?

If there are no recreational or open space resources used informally by the community, then there will be no related impacts. Check 'No, or small impact may occur."

Small Impact:

A small impact could occur under one or more of these circumstances:

- Existing or planned recreational resources are near, but not adjacent to the proposed project.
- The proposed project is adjacent to an existing or planned recreational resource and may cause minor indirect disturbances during construction phase but will not impair use or enjoyment of that resource.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- The proposed project diminishes recreational resources or access to informally used recreational resources.
- The proposed project disturbs land in one location that will result in direct or indirect loss of habitats that support fish and wildlife species on lands used informally for recreational purposes.
- Construction and/or operational phases of the proposed project will significantly reduce access to the recreational resource.

e. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Other questions that may apply to open space and recreation include the following. Some of these questions are related to and explored in other Part 2 questions, but the reviewing agency may want to note them again in this open space section. The project may result in a loss of:

- An important habitat that links two larger habitats together
- Open spaces identified by the local community as important farmland
- Open spaces that contribute to the community's character or scenic designations
- Open spaces that will result in fragmentation of large, intact habitats
- Open spaces that are significant natural communities, natural landmarks, or important to endangered, threatened, or rare species or those listed as species of special concern

Question 12 - Impact on Critical Environmental Areas - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may be located within or adjacent to a critical environmental area (CEA).

Critical Environmental Areas (CEA's) are specific locations in a town, village, city, county, or the State that have identified because they have one or more of the following unique characteristics:

- Are a benefit or threat to human health
- Have an important or unique natural setting (e.g., fish and wildlife habitat, forest and vegetation, open space and areas of important aesthetic or scenic quality)
- Hold important agricultural, social, cultural, historic, archaeological, recreational, or educational values; or
- Have an inherent ecological, geological or hydrological sensitivity that may be adversely affected by any change

Local governments can identify and designate specific areas within their boundaries as CEA's according to 617.14 (g) (link leaves DEC website.) State agencies may also designate geographic areas they own, manage, or regulate. Once an area is designated as a CEA, the reviewing agency must consider the potential impact of any Type I or Unlisted Action on the environmental characteristics of that CEA as part of the determination of significance.

To answer this question

Review Part 1 questions E.3.d.

If there is a CEA located on or adjacent to the proposed project site, there may be adverse impacts on the CEA. If so, check "yes" to Question 12 and answer sub-questions (a) through (c).

If there are no CEAs located on or adjacent to the proposed project site, check "no" to Question 12 and move on to Question 13.

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.

- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action may result in a reduction in the **quantity** of the resource or characteristic which was the basis for designation of the CEA.

b. The proposed action may result in a reduction in the **quality** of the resource or characteristic which was the basis for designation of the CEA.

It is important to know both the unique characteristics that resulted in the designation of the CEA, and the possible impacts to that feature. Wherever these two might overlap, there is the potential for some impact. The wide variety of reasons for forming a CEA makes it difficult to apply a one-size-fits-all approach to evaluating potential adverse impacts.

If the CEA is an archeological site that has been documented as being limited to a single parcel, and the proposed project is located on an adjacent parcel, there will be no disturbance of the CEA, and therefore probably result in no impact at all. If the CEA is a municipal water supply, and the aquifer or watershed extends over many acres of surrounding land, a proposed project may have an impact, even though it is not adjacent to the CEA.

To begin reviewing possible impacts to the CEA, the reviewing agency should answer the two questions regarding quantity and quality of the CEA. Question (a) asks about a change in the size of the CEA. If the

Applicable Part 1 Information

E.3.d.

Analysis

- Is there a CEA located on the proposed project site?
- Are there any CEAs in the surrounding area?
- If there is a CEA, for what purpose was it established?
- Do any of the reasons for the CEAs establishment extend outside the CEA boundaries?
  - If the CEA is a water supply, how extensive is the aquifer?
  - If the CEA is a wetland, where does the water come from?
  - If the CEA is a landfill, is there a groundwater connection?
  - If the CEA is a wildlife corridor, what larger habitats does it connect?
- Could there be a negative impact to the CEA, even though the CEA may not be within the proposed project boundaries?

- Does the proposed project negatively affect or reduce any of the qualities that led to the CEA being designated?
- Does the proposed project reduce the size of the CEA?

Will there be an impact?

If the project is not located within a CEA, there will be no reduction in the size of the CEA. Therefore, there will be no impact. Check 'No, or small impact may occur" to question (a).

If the project is not located within a CEA and it will not affect any of the qualities of an adjacent CEA that led to its designation, there will be no impact. Check 'No, or small impact may occur" to question (b).

Small Impact:

A small impact could occur under one or more of these circumstances:

- A proposed project may be entirely or partially within a CEA. Likewise, a CEA might be entirely contained within, or partially overlap a proposed project's boundaries.
- If there is very little conflict between the reasons for a CEA's designation, and the proposed projects goals, there will likely only be a small impact.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- If the proposed action is incompatible with the reasons for designating the CEA.

c. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Question 13 - Impact on Transportation - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may result in a change to existing transportation systems.

New development can generate or change traffic, or create a new demand for public transportation. Several potential adverse impacts can result when traffic levels increase in a community. More traffic can lead to congestion, which in turn may have economic, environmental and safety impacts. Traffic

congestion is not only annoying to motorists, but can increase economic costs because of extra fuel used, lost productivity, and time wasted. It can also result in higher air pollution emissions, increased traffic accident rates, decreased accessibility to economic centers, decreased road surface lifetimes, and increased vehicle maintenance costs. A proposed action can also increase the demand for public transportation, parking, sidewalks, bike paths, or bike lanes.

To answer this question

Review Part 1 questions D.2.j.

Part 1, Question D.2.j. in this workbook includes a table defining thresholds for significant traffic increases. That table uses the number of new vehicle trips made during peak traffic hours (early morning and late afternoon) to help determine if a substantial increase in traffic is likely to occur as a result of a proposed activity. It assumes that a project generating fewer than 100 peak hour vehicle trips per hour will not result in any significant increases in traffic.

Use of the table is intended, however, to identify projects that may potentially have traffic related impacts and require a traffic study. Once triggered, the impact assessment should continue in the context of the project in order to understand possible traffic impacts. For example, a multi-family development or a retail shopping center of 6,000 square feet on a busy commercial street may not have a large impact in a more urban environment.

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. Projected traffic increase may exceed capacity of existing road network.

Capacity is defined as the maximum number of vehicles for any given unit of time, which can be accommodated on a road. Capacity is semi-independent of the demand for roads and it considers the traffic conditions, road way characteristics, and traffic controls such as the signing or signals at intersections. It addresses the physical amount of vehicles and pedestrians a road can handle and does not depend on the total number of vehicles demanding service, but is influenced by the relative distribution of vehicles by lane. The geometric design of the road influences capacity. For example, a curved road has lesser capacity compared to a straight road. Increasing the proportion of traffic turning left on a shared lane may reduce capacity.

A term closely related to capacity and often confused with it is the level of service (LOS). While road capacity gives a quantitative measure of the amount of traffic that can be handled, level of service gives a qualitative measure of how well that traffic flows. For a given road, capacity would be constant, although it may vary at intersections. But actual traffic flow will be different for different days and different during a day itself. The intention of LOS is to relate the quality of traffic service to a given flow rate. LOS is a term that designates a range of operating conditions, based on delay, on a particular road or at an intersection.

LOS is the typical measurement included in a traffic study and this information may be needed to answer this question. The reviewing agency will need to know if an LOS of the road network is to be substantively worsened. Some of this information may be obtained from Part 1, Question D2j. Other information may be provided if a traffic impact study has already been submitted. If there is likely to be a substantial increase in traffic and a traffic impact analysis has not yet been conducted, the reviewing agency may need to request such information prior to answering this question. See Part 1 D2j for additional information on the recommended components of a traffic impact analysis. If a traffic study is needed and not prepared as part of the submission, the lead agency may indicate the potential for an adverse impact in its Part 3 analysis and inform that a traffic study will be needed as part of a scope for an Environmental Impact Statement.

Applicable Part 1 Information

D.2.j.

Analysis

- Is there a perception that the action will result in long vehicle delays or reduced operating speeds?
- Is there an increase in traffic substantial enough to alter level of service on roads to be affected by the proposed project?
- How much additional traffic is expected as a result of the proposed project?
- Will the additional traffic volume result in a change to the level of service for affected roads?

Will there be an impact?

There will be no impact if the proposed project does not add traffic to existing roads. Check 'No, or small impact may occur."

Small Impact:

A small impact could occur under one or more of these circumstances:

- The project will add some level, but not substantial traffic to the area, and existing roads have the capacity to handle that level of traffic without reconfiguration.
- The project will add some level, but not substantial traffic to the area, and minor access management techniques can be successfully used to control minor traffic issues.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- The project adds substantial traffic to the area.
- The project adds some level of, but not substantial traffic (as defined in Part 1, Question D2. J.) to the area, but due to current road, traffic, and intersection conditions, the road does not have the capacity to handle it.

b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.

Issues related to large parking lots include stormwater runoff, loss of vegetation, impaired aesthetics, increases in surface heating (the urban heat island effect), and traffic congestion. Different impacts may arise from parking garages, automated parking facilities, and parking. A paved parking area for 500 or more vehicles generally corresponds to the parking requirements for a non-residential structure having 100,000 square feet of gross floor area. This is the threshold contained in 617.4(b)(6)(iv). However, the reviewing agency should review impacts of all sized parking lots because all paved parking lots have the same types of potential impacts. Paved parking lots used for both temporary and long-term events would be included in this evaluation. Parking for large numbers of vehicles where no paving, grading or land disturbances are required (such as at special events using a lawn or field for parking on a temporary basis) is not be considered in this question.

Reviewing agencies should also consider if the proposed parking is or could be shared. Shared parking is when adjacent property owners share their parking lots to reduce the number of parking spaces that each would provide on their individual properties. Often, sites with large amounts of parking are located next door to other sites with equally numerous lots. If adjacent sites serve different purposes, each parking lot may lie empty for long periods of time. When parking is somehow connected and shared, there is less space given over to parking. This reduces environmental impacts and creates opportunities for more compact development, more space for pedestrian circulation, or more open space and landscaping.

Applicable Part 1 Information

D.2.j.

Analysis

- Is any internal and external landscaping in the parking lot planned?
- How is stormwater from proposed parking being managed?
- Does lighting use downward directed fixtures to reduce glare and light pollution?
- What are the plans for ingress, egress, stacking lanes, traffic control, pedestrian safety and walkways, and the general design for location of the parking lot?
    - Is the location to the front of a building or to the side, and what impact does that have on the visual streetscape of the area?
- Will vehicles enter or leave all at one time of day, and if so, will this cause traffic congestion?
- Will turning lanes or street lights be required to manage traffic from the parking lot?
- Is the location of the parking lot sited in a manner consistent with the aesthetic character of the community and neighboring uses?
- Are there connections with, or future connections planned to, adjacent properties?

Will there be an impact?

If no parking is proposed, or if proposed parking needs can be met by using existing off-street parking or existing on-street parking, then there will likely be no related impacts. Check 'No, or small impacts may occur.'

Small Impact:

A small impact could occur under one or more of these circumstances:

- Small parking lots that have landscaping and downward directed lights, or no lighting needed.
- Infrequently used parking lots that have permeable surfaces, exterior landscaping for screening, minimal lighting, and placed to the side or rear of a structure.
- Small expansions to existing parking lots or facilities.
- Shared parking may have smaller impacts than those that are not shared in terms of stormwater runoff, lighting, traffic, safety, energy use, and operation.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- One or more parking facilities (including lots) are planned for 500 or more cars.
- Parking lots of any size that require construction of turning lanes or traffic lights are proposed.

- Parking lots of any size that are used on a regular basis and that have other design features that may result in impacts such as all-night illumination, disturb one acre or more of land, or is located within a residential zoning district.
- Parking lots of any size or type that creates a streetscape that is in sharp contrast to the existing character of the community or neighborhood.

c. The proposed action will degrade existing transit access.

Transit services or facilities include bus, taxi, train, park and ride lots, parking lots, and subways. Placement of public and private transportation services or facilities more than one-half mile distant means that pedestrians will be less likely to use those facilities. One-half mile is the distance that reflects the typical walking distance pedestrians would use. Transit services can be degraded by overcrowding a system so that it becomes harder to conveniently use it. Degrading access could also mean either eliminating a bus stop or limiting access to a bus stop, such as making it harder for pedestrians to reach a transit stop, forcing a reroute of a railroad, transit route, or reducing access to such, relocating a transit stop, or removing an area that is used as a park and ride location.

Applicable Part 1 Information

D.2.j.

Analysis

- What transit facilities will serve the project site and how much capacity do they have to accommodate new users.
- Does the proposed project remove bus or train stops?
- Does the proposed project make it more difficult for people to use the transit system (e. g. parking, access, congestion, too many people)

Will there be an impact?

If the project does not create a demand for transit facilities, or remove or degrade access to transit, then there will likely be no related impacts. Check 'No, or small impact may occur.'

Small Impact:

- The project will increase the demand for public transportation, but the existing system has the capacity to handle that increase or a minor upgrade to the system can be created.

Moderate to Large Impact:

- The project will create a demand for public transportation when none currently exists, or what exists does not have the capacity to handle it, or the project fails to take advantage of existing capacity.

d. The proposed action will degrade existing pedestrian or bicycle accommodations.

This question explores the potential impacts on pedestrian or bicycle accommodations including but not limited to sidewalks, crosswalks, trails or paths, bike paths, dedicated bike lanes, or bike parking areas. Some proposed actions may remove entirely, or limit access to these pedestrian or bicycle opportunities. Other projects may not include adequate plans for pedestrian or bicycle accommodations.

Provision of pedestrian accommodations (sidewalks and paths), or bicycle routes (trails, paths, sidewalks, bicycle parking, or bike lanes) can work towards improving health and reducing impacts on the environment by offering alternative transportation routes to the proposed site. This could reduce traffic volumes and air emissions.

Applicable Part 1 Information

D.2.j.

Analysis

- What pedestrian or bicycle accommodations are included in the plan?
- Does the proposed project limit access or remove to existing accommodations? How?
- Will the proposed project create a demand for pedestrian and bicycles facilities but not provide new or improved opportunities?
- Is there a planned vehicle or pedestrian corridor in the area?
- Is there an existing facility such as an abandoned rail line or trail that could expand the existing non-motorized network?

Will there be an impact?

If the proposed action provides adequate pedestrian or bicycle accommodations, or is a project setting or location where pedestrian or bicycle accommodations are not appropriate, there will be no related impact. Check 'No, or small impact may occur.'

Small Impact:

- The project will increase the demand for sidewalks, bike paths, bike lanes and bike racks, but existing bicycle/pedestrian facilities have the capacity to handle the increase, or the proposed project includes new connections, or expansion of existing facilities.

Moderate to Large Impact:

- The project will create a demand for pedestrian facilities when either none currently exists or do not have the capacity to handle it and the project does not include these improvements.

e. The proposed action may alter the present pattern of movement of people or goods.

Alterations of traffic patterns include both vehicular and pedestrian traffic. This would include changes including but not limited to re-routing, creation of one-way streets, installation of round-abouts, construction of new streets, addition of new intersections or ramps, etc., to streets, roads, intersections, sidewalks or other pathways.

Applicable Part 1 Information

D.2.j.

Analysis

- How will the modification of existing roads, creation of new roads, or change in existing access impact current motorized and non-motorized traffic patterns?

Will there be an impact?

If no alteration of the existing pattern of movement of people or goods is proposed, then there will be no related impact. Check 'No, or small impact may occur.'

Small Impact:

- Existing roads and transit systems exist and have the capacity to handle added traffic but minor signage and traffic signal changes may be needed.

Moderate to Large Impact:

- New or altered roads, intersections, transit facilities, access control, or signal systems are required to handle the additional demand related to the proposed project.

f. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Question 14 - Impact on Energy - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may cause an increase in the use of any form of energy.

Energy use is an important factor to consider when evaluating potential environmental impacts as it is tied to many other aspects of a project, and can have some unforeseen consequences. An increase in energy use means a need for more energy production either on-site or off-site, which in turn will mean an

increase in pollution. It puts more strain on the energy supply system (the energy grid), sometimes to the point where upgrades to the production or delivery system are needed. If a project requires an amount of energy that necessitates upgrades to the delivery or generation system, those upgrades will also have their own environmental impacts.

There are few projects that will not cause some increase in the use of energy. Some examples may be:

- The adoption or amendment of a local law, ordinance, or regulation
- The granting of a zoning change, or allowable uses in a zoning law
- The acquisition sale, or lease of land by a state or local agency
- Conversion of one use to another, where there is a minimal amount of new construction involved, and the intensity of use will not change

To answer this question

Review Part 1 questions C.1., D.1., and D.2.,

If the project includes some form of construction activity, a change to a more intensive land use, or a new or expanded building or structure, there will be an increase in the use of energy. Check 'Yes' to Question 14 and then answer sub-questions a through e. If the project does not include any of these, check 'No', and move on to Question 15.

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action will require a new, or an upgrade to an existing, substation.

b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.

c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.

d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.

When evaluating the use of energy, consideration should be given to the construction phase of the project as well as the use after construction.

Climate Smart Communities (CSC) is a state-local partnership to reduce greenhouse gas emissions, save taxpayer dollars and advance community goals for health and safety, economic vitality, energy independence and quality of life. Any town, city, village or county can join Climate Smart Communities, without cost by adopting the CSC Pledge and informing DEC. The CSC Pledge describes the steps the adopting community will take to reduce greenhouse gas emissions, reduce electrical use, incorporate energy efficient technologies into its infrastructure, and improve vehicle fuel economy.

Answering sub-questions (a) through (d) will help the reviewing agency determine if the proposed project rises to the level of a moderate to large impact.

Applicable Part 1 Information

D.1.f., D.1.g., D.1.h., and D.2.k.

Analysis

In addition to the (a) through (d) sub-questions, the reviewing agency may also want to ask:

- Does the proposed action incorporate any energy efficient design features and technologies such as incorporated in:
  - The NY Energy Star Homes Program?
  - The ICC/NAHB Green Building Standard?
  - The US Green Building Council's Leadership in Energy and Environmental Design (LEED)?
- Has the municipality adopted the Climate Smart Communities Pledge?
  - If the project is a municipal action, does it fit the community's CSC Pledge?

Will there be an impact?

There is not likely to be any impacts on energy if the proposed action does not require new, upgraded, creation, or extension of substations, energy transmission supply systems, nor does it use more than 2500 MWhrs or energy or is a building less than 100,000 square feet of building area.

Small Impact:

- Proposed projects that include land uses similar to those in the surrounding area, and that follow the NYS Energy Code, are likely to have only a small impact. Examples would be:
  - Residential development in an already suburbanized area.
  - Small commercial uses in a professional office or industrial park.
  - Uses that are fully compliant with a community's adopted Local Climate Action Plan.

Moderate to Large Impact:

- Proposed projects that are much larger in scale than the surrounding land uses, or that are in a remote area with limited energy infrastructure, could have a moderate to large impact. Some examples that might fall into this category are:
  - An industrial use on a rural road with electric transmission lines designed for only scattered residential land uses.
  - A single commercial use in an industrial park with much higher energy demands than the other uses in the park.
  - Industrial projects that require large amounts of energy during operation.
  - Large number of residential units in a rural area.

e. Other Impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Question 15 - Impact on Noise, Odor, and Light - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may result in an increase in noise, odors, or outdoor lighting.

Noise, odors and lighting generated by a proposed project can impact adjacent or nearby properties. They can be generated during both construction and operation phases of a project and can create conditions which can affect the health and safety of both humans and wildlife. Often, construction activities can create a great deal of noise, but when completed, the project area may become quiet again. Odors can also be generated by construction vehicles, but may also be part of normal operating conditions related to

the proposed land use activity. Most projects that result in a structure or building have the need for outdoor lighting that can cast glare onto nearby roads and properties. This question explores whether the proposed project will increase noise, air conditions, or lighting levels.

To answer this question

Review Part 1 questions D.2.m., D.2.n., D.2.o., and E.1.a.

If noises or odors will be produced or outdoor lighting used, answer 'Yes' to Question 15 and then continue to sub-questions (a) through (f). If no increase in noise, odor or lighting is expected as a result of the proposed project, check 'No' to Question 15 and move on to Question 16.

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action may produce sound above noise levels established by local regulation.

"Noise is defined as any loud, discordant or disagreeable sound or sounds. More commonly, in an environmental context, noise is defined simply as unwanted sound. Certain activities inherently produce sound levels or sound characteristics that have the potential to create noise. The sound generated by proposed or existing facilities may become noise due to land use surrounding the facility. When lands adjoining an existing or proposed facility contain residential, commercial, institutional or recreational uses that are proximal to the facility, noise is likely to be a matter of concern to residents or users of adjacent lands."

Sources of noise can come from fixed or mobile equipment, process operations, or in the transportation of products, materials, or wastes. Noise generating equipment can include " a very wide range of equipment

including: generators; pumps; compressors; crushers of plastics, stone or metal; grinders; screens; conveyers; storage bins; or electrical equipment. Mobile operations may include: drilling; haulage; pug mills; mobile treatment units; and service operations. Transport movements may include truck traffic within the operation, loading and unloading trucks and movement in and out of the facility. Any or all of these activities may be in operation at any one time. Singular or multiple effects of sound generation from these operations may constitute a potential source of noise."

DEC has developed a guidance document on assessing and mitigating noise impacts (PDF) (107 KB) that may be helpful in evaluating noise impacts.

Applicable Part 1 Information

D.2.m.

Analysis

- What is the ambient noise level in and around the project site?
- Will the project result in noise that will be above the ambient noise level?
- How long will the noise last (hours, days, permanently), and what type of noise will it be (steady or variable)?
- If noises are to be produced, does the project already include any mitigation measures such as sound barriers?
- Does the community have a local law regulating noise?

Will there be an impact?

Projects that do not involve construction or land use activities may not affect the ambient noise levels. (Ambient noise level is the total background noise in an area.) If physical disturbances to a property are part of the proposed project then it is possible that construction activities will, at least temporarily, result in noise levels that exceed ambient conditions. After construction, some projects will no longer affect ambient noise levels, while others may significantly alter those levels.

Small Impact:

A small impact could occur under one or more of these circumstances:

- If the project produces noise but those levels are below regulated levels.
- If the project produces noise, but those levels are below or even above regulated levels and they are temporary and will occur only during a short-term construction phase.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- The project will generate regular or sporadic noise throughout its operating phase above any regulated level.
- Noise will be generated continuously during day and/or night time hours even if the overall ambient noise levels do not change.
- Noise will be generated sporadically or continuously and there are residences, businesses, hospitals, clinics, day care centers, or other receptors adjacent to the proposed project. Noise levels above ambient conditions will be produced long-term.
- Noise will exceed established standards.

b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.

Blasting, or the lawful use of regulated explosives, is a common technique for civil engineering applications such as mining, tunneling, and removing bedrock outcroppings for building and highway construction. Blasting can also be used to deconstruct unnecessary or damaged structures. Blasting can result in vibration, which can shake people, animals, trees, buildings, roads, etc. causing physical damage to nearby structures and natural features could occur. The environmental effects of blasting noise and vibration vary depending not only on the size and location of the blast, but also on atmospheric conditions such as wind and humidity.

Applicable Part 1 Information

D.2.m., and

E.1.d.

Analysis

- Will blasting occur? If so, when and how often?
- Are there any residences, hospitals, schools, licensed day care centers, or nursing homes within 1,500 feet of the blasting operation?
- Are any noise mitigation methods proposed as part of the project?
- Has a noise impact study been conducted?

Will there be an impact?

If no blasting is to occur as part of a proposed project, or if blasting will take place in locations more than 1,500 feet from any residence, hospital, school, licensed day care center, or nursing home, there will be no related impacts. Unless local regulations or ordinances exist that are less than 1,500 feet, check "No, or small impact may occur."

Small Impact:

- A small impact could occur if a number of blasts are part of the proposed project only during the construction phase.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- Blasting will take place on an ongoing basis as part of the operation of the project.
- Blasting will take place within 1,500 feet from any residence, hospital, school, licensed day care center, or nursing home,

c. The proposed action may result in routine odors for more than one hour per day.

An odor is a chemical in the air that is "smelled" or sensed by our nose (olfactory system). Odor can be a significant environmental concern related to manufacturing, food processing, composting, landfills, and institutional or municipal facilities such as water and wastewater treatment plants.

Certain groups of chemicals that produce odors are potentially harmful and can cause health problems. Some of these harmful chemicals are regulated by the Department of Environmental Conservation (See Division of Air Resources), New York State Department of Health, and the US Environmental Protection Agency under the Clean Air Act.

Odor can be controlled by chemical or mechanical methods, or a combination of both. Chemical applications, atomizing and liquid application systems, bioengineering programs, sheltering the activity or constructing containment structures equipped with appropriate air venting/filtering systems are all used as odor control methods.

Applicable Part 1 Information

D.2.o.

Analysis

- Will odors be produced?
  - If so, how often, how long will they last, and what will produce that odor?
- What kinds of surrounding land uses are adjacent to the proposed site and how far away will odors be smelled?

Will there be an impact?

If no odors will be produced from the proposed project, there will be no related impact. Check 'No, or small impact may occur."

Small Impact:

A small impact may occur if:

- Odors will be produced for less than one hour per day.

Moderate to Large Impact:

A moderate to large impact may occur if:

- Odors will be produced for more than one hour per day. This may include the application of odors to entice pedestrians to purchase services or merchandise.

d. The proposed action may result in light shining onto adjoining properties.

e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.

Outdoor lights have the potential to cause light pollution and glare. Light pollution is excessive and inappropriate artificial light. Problems associated with excessive or inappropriate outdoor lighting include sky glow (a brightening of the night sky over inhabited areas), light trespass (light falling where it is not intended, wanted, or needed), glare (excessive brightness which causes visual discomfort or decrease visibility) and clutter (bright, confusing, and excessive groupings of light sources). Adverse effects of light pollution include disruption of biological rhythms, impact on nocturnal wildlife, lowered visibility, and wasted money and energy. Glare can also be particularly hazardous to drivers. Projects may include general lighting for parking lots and buildings, safety lighting for walkways, or lighting for signs, landscaping and flagpoles.

Applicable Part 1 Information

D.2.n., and E.1.a.

Analysis

- What is the source of lighting and the location, height, direction and aim?
- What type and wattage will the bulb be and what color is the light?
- What hours will the lights be illuminated and are automatic timers planned?
- How close is the lighting to the nearest occupied structure or public thoroughfare?
- What are the existing sky glow conditions?
    - Will the proposed project change existing conditions?
    - If so, for how long and how much of the area will be impacted?
- Will lighting cause glare or spillage onto neighboring properties or roads?
- Are there any natural barriers that will prevent light spillage and glare or are any mitigation measures included such as screening such as vegetation, topography, or fencing?

Will there be an impact?

If no outdoor lighting will be used, then there will be no related impact. Check 'No, or small impact may occur.'

Small Impact:

• A small impact may occur if:

- A limited number of lighting fixtures are planned for parking and safety lighting but all fixtures will be fully shielded, downward-directed and no glare or light spillage on adjacent properties or roadways will result, No signs, accessory structures, or buildings will be illuminated.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- Lighting will be provided for large recreational facilities or arenas.
- Lighting will remain illuminated all night.
- Lighting will be created in a rural area where there is currently dark skies and little sky glow.
- There are no natural barriers present to screen lighting effects and the project site is visible from adjacent land uses.
- Visibility of drivers on adjacent or nearby roads and streets may be impaired.

f. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Question 16 - Impact on Human Health - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants.

This question asks the reviewing agency to evaluate the potential impacts from exposure to any solid or hazardous substances and contaminants. These substances can be toxic, infectious, inflammable, or corrosive. They can occur as solids, liquids, semi-solids, or gases. Whatever form they take, hazardous substances can adversely affect the environment and human health if not properly handled and disposed of. Both solid and hazardous wastes are regulated by New York State.

Solid Wastes are managed in solid waste management facilities. There are many different kinds of solid waste management facilities in New York. They range from construction and demolition processing facilities to solid waste landfills. Some are closed and not used any more, while others are still active. All solid waste management facilities are permitted, registered, and controlled at the regional level through 6NYCRR Part 360. The general operational requirements for all solid waste management facilities are contained in the Part 360 regulations, Subpart 360-1. Hazardous waste is a waste with properties that make it potentially dangerous or harmful to human health or the environment. There are many different kinds of hazardous wastes. Hazardous wastes can be liquids, solids, or contained gases. They can be the by-products of manufacturing processes, discarded used materials, or discarded unused commercial products such as cleaning fluids (solvents) or pesticides.

If a site has been part of a remediation (clean-up) in the past, or is currently undergoing remediation, then there is a higher risk of significant adverse environmental impacts resulting from development of or near that site. The New York State Department of Environmental Conservation Division of Environmental Remediation is in charge of all hazardous waste management programs, including remediation. Their web pages include definitions, regulations, databases, and other information about hazardous waste. A lead agency conducting an analysis of a project that involves environmental remediation should be consulting with the DEC.

To answer this question

Review Part 1 questions D.2.q., E.1. d., E.1.f., E.1.g., and E.1.h.

To determine if you need to answer the sub-questions in this section you should ask:

- Is the project site on, adjacent to, or near a location that contains contaminants that may be disturbed, released, or leached out?
- Will the proposed project use, create, dispose of, or store any hazardous substances as part of its construction or operation?

If the project site is not on, adjacent to, or near a contaminated site or does not use, create, dispose of, or store hazardous substances, then there will be no related impacts. Check 'no, or small impact may occur.' If there are, then check 'yes' and then answer sub-questions (a) through (m).

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

Applicable Part 1 Information

D.2.q., D.2.r., D.2.s., D.2.t., E.1.d., E.1.f., E.1.g., and E.1.h.

Analysis

Answers to sub-questions (a) through (l) all offer information that will help the reviewing agency identify risks and hazards that may occur. Most of these are 'yes' or 'no' questions.

Local and State health departments are important resources that a reviewing agency should use to help assess impacts on human health. It is not expected that reviewing agencies do that assessment, but they should call upon others that do have the expertise to help them evaluate risks associated with hazardous materials and uses. See the DEC web page: Interested Agency and Public Involvement for more information.

In addition to the sub-questions, answering the following will assist the reviewing agency in determining the size and importance of these impacts.

- Is there a risk of a contaminant being released to the ground, air, or water?
- Does the proposed project include the commercial, recreational, or industrial use, application, or storage of pesticides, herbicides, or known contaminants beyond normal household use?
- Will there be any bulk storage of petroleum or chemical products?
- Will the proposed project generate or use hazardous air pollutants?
- Will there be any solid or hazardous wastes to be disposed of?
- Is there to be any unearthing of solid or hazardous materials?
- Does the site contain a former agricultural use that is known to have used pesticides?
- If there are hazardous substances on or near the site, is there risk of that contaminant traveling off site via water, air, or in soils?
- What is the contaminant and what are the risks associated with it?
- What plans, notifications, or protections are formulated to address risks?

a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.

Some land uses, facilities, and populations tend to be more susceptible to impacts from exposure to hazardous substances than others. This may be due to age, health, mobility issues, or the fact that they live, work, congregate, or recreate in a concentrated area. There may be higher risks involved when susceptible populations are near a hazardous situation.

b. The site of the proposed action is currently undergoing remediation.

c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.

When a site is currently undergoing remediation, it means that hazardous materials are present. While remediation is an important activity in and of itself, it also means that there is a higher risk of release of hazardous materials.

Remediation is the corrective action performed on properties that have a history of solid or hazardous waste contamination. If there are any ongoing or completed remedial activities occurring on or adjacent to the project site, the reviewing agency should evaluate any impacts that may occur. The reviewing agency should understand the circumstances that led to such remedial actions, what the specific remediation actions are, and what risks are associated with it.

d. The site of the action is subject to an institutional control limiting the use of the property (e.g. easement or deed restriction)

e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.

Properties that may pose a threat to human or environmental health due to past contamination may have restrictions placed on them as a mitigating measure. These may include deed restrictions that prevent certain kind of future activities, or easements that prevent development of or access to certain locations on the parcel. Any influence a project might have on these restrictions must be evaluated.

f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.

If a proposed action involves hazardous wastes or risks to human health, the reviewing agency will want to ensure that adequate control measures are put into place to protect the environment and human health in the long-term. Those controls are put in place through the DEC permitting process. Land uses that include the generation, treatment, or disposal of hazardous wastes above a stated threshold will require a permit from DEC. Whether a new use, or expansion or change of an existing use involving hazardous materials, the reviewing agency should evaluate control measures and determine if changes need to be made. Evaluating adequacy of signage, emergency equipment, training, access, and on-site methods for control, for instance are all important considerations.

g. The proposed action involves construction or modification of a solid waste management facility.

This question provides information about whether solid waste will be generated or if there is a need for management of that waste. If so, the reviewing agency will need to know what kind and how much waste is to be generated, and what disposal methods or facilities will be used to deal with it. Reviewing agencies will need to evaluate whether there will be an increase in the rate of solid waste disposal or processing.

h. The proposed action may result in the unearthing of solid or hazardous waste.

If an action is on a site that unearths solid or hazardous wastes that have been previously deposited, there is a higher risk for spill, leaking, leaching, or emission of those substances into the environment.

i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.

Some proposed projects may create solid wastes that need to be disposed of or processed. The reviewing agency should evaluate if there is existing capacity to dispose of or process these solid wastes, and if not, will there need to be an expansion or creation of facilities. More solid waste may mean more facilities are needed.

j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.

k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.

l. The proposed action may result in the release of contaminated leachate from the project site.

When a project is proposed in an area that has been used for solid or hazardous waste disposal, there is added risk of placing populations within close range of these substances. There is further risk of land disturbances that may alter runoff or other conditions that will cause leachate or release of hazardous substances. When a landfill exists, especially one without modern protections such as liners, methane gases may leak or migrate off-site. Consequently, land disturbances nearby may allow that gas to move to other areas or leak out. Similarly, new land disturbances near buried contaminants may result in changes to drainage or surface runoff. This could leak down into the solid waste disposal area where the water can pick up hazardous materials and then leach out into ground or surface water sources.

Will there be an impact?

Once it has been determined that the project involves hazardous substances that may pose a risk to human health, it is unlikely that there will be situations where there are no impacts at all related to those hazardous substances. The agency may determine that there may be very small risks or that impacts are deemed to be not significant. However it is not likely there will be situations where there will be no impacts at all.

The size of the impact depends on a variety of factors. For instance, the amount of substance, type of substance, and location in the environment all have bearing on the determination if the impact will be

small, or moderate to large. The reviewing agency should look carefully at information provided by the applicant and ask appropriate questions.

Small Impact:

A small impact could occur under one or more of these circumstances:

- Storage of pesticides, herbicides or other chemicals will take place, but is done in a completely enclosed structure that meets appropriate storage requirements, and the site is greater than 300 feet from any water body, well or water source used for irrigation.
- Solid or hazardous waste will be generated in limited amounts that can be easily handled at a permitted disposal facility. All remediation, emergency, and institutional controls are in place.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- The reviewing agency answers 'yes' to any of the (a) through (l) sub-questions
- There is a new use or high density residential development proposed near an existing site.
- A site is undergoing remediation
- Storage of pesticides, herbicides or other chemicals will take place on a site that is greater than 100 feet but less than 300 feet from any water body, well or surface water source used for irrigation.
- Solid or hazardous waste will be generated in an amount that may require additional capacity to be developed at an existing or new permitted disposal facility.
- Storage of pesticides, herbicides or other chemicals will take place on a site that is within 100 feet of any water body, well or water source used for irrigation.

m. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Question 17 - Consistency with Community Plans - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed action is not consistent with adopted land use plans.

General City Law § 28-a, Town Law § 272-a, Village Law § 7-722, and (for counties) General Municipal Law § 239d define and describe the legal aspects of comprehensive planning in NYS. These laws allow and encourage the adoption of comprehensive plans for all NYS municipalities, but do not require it. There are other plans that have land use components as well. These include open space plans, economic development plans, local waterfront revitalization plans, agriculture and farmland protection plans, stream management plans, or main street plans.

A comprehensive plan identifies the goals, objectives, principles, guidelines, policies, standards, and strategies for the growth and development of the community. It is not a law in itself, but New York State statutes require that all land use laws in a municipality be consistent with a comprehensive plan.

Some plans are general in nature and do not make specific recommendations for individual locations in a community. Understanding whether or not a proposed activity is consistent with a municipality's comprehensive plan or other adopted plans provides a context for determining if the activity is compatible with the community's overall plans for development. Activities that are consistent with an adopted plan are less likely to result in impacts to community character or to the environment.

In order to answer this Part 2 question, the reviewing agency should become familiar with what, if any plans exist, and what the vision, goals, recommendations, and mapped land use plans may be included. For help in determining if your municipality has adopted land use plans, check their website, and contact the municipal clerk, code enforcement officer (or building inspector), or planning board clerk. Contacting local resources is the best way to identify adopted plans and to help you determine if a municipality has an adopted comprehensive plan.

If one or more adopted plans are in place, the reviewing agency should research the plan(s) and any accompanying maps in order to determine the goals and strategies that apply to the project site, and if there are any specific recommendations applicable to the project site. Some plans are general in nature and do not make specific recommendations for individual locations in a community. Others are very specific and text or maps exist indicating exactly what is planned for a particular location.

When reviewing adopted plans, pay special attention to the vision and goals, and the maps that may be included in the plan. When a comprehensive plan exists, an action would be considered consistent if it is not in conflict with the stated vision, goals, recommendations or land use concept map. Some of the questions that may be helpful to evaluate this include:

- How do the vision and goals described in these plans compare with various elements of the proposed project?

- Do any elements of the proposed project conflict the vision, goals, and strategies outlined in any of these adopted plans?

- Does the community have an adopted zoning law?
  - Check the zoning map, use schedule, and bulk/dimension information and compare to see if the project is consistent with those requirements.

Note that Question 17 asks if the proposed project is NOT consistent with adopted plans. Reviewing agencies will need to first review the plans. Then you may need to ask and answer sub-questions (a) through (h) below, in order to determine if "the action is consistent with adopted land use plans". If, after reviewing those plans, you decide that the action IS consistent with the plan, then check "No" to this question and move to Question 18. However, if you find that the proposed action is NOT consistent with those plans, then answer sub-questions (a) through (h) to evaluate the size of potential impacts resulting from that inconsistency.

To answer this question

Review Part 1 questions C.1., C.2., and C.3.

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project exceeds a numeric threshold in a question, it is presumed to be a moderate to large impact.
- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).

The land use components in this question refer to the proposed use, dimensions of the lot, dimensions and location of all structures, setbacks, size of the structure(s), accessory uses, and overall scale and intensity of the proposed project. For example, a proposed 150,000 square foot warehouse with 20

loading docks would likely have land use components that include the structure itself, parking areas, signs, driveways, a new traffic light, fencing, landscaping, and outdoor lighting. If that warehouse was proposed in an industrial district surrounded by other similar scaled land uses, then the action would not be different or in sharp contrast to the current land use pattern. However, if that same warehouse was proposed on a former agricultural field surrounded by single-family houses, then the project would be different from and in sharp contrast to the current land uses.

Consider 'surrounding' to mean those land uses adjacent to the project site, those within the same zoning district, if one exists, or those within 1,500 feet.

Applicable Part 1 Information

C.2., C.3., D.1.a., E.1.a., and E.1.b.

Analysis

- What is the scale and size of the project site in comparison to current land uses?
  - Is the structure larger?
  - Taller?
  - On a different lot size?
  - Of a very different land use?
  - Of an architectural design that is in sharp contrast?
  - Sited on the parcel in a very different manner?
- Is the intensity of the proposed similar or different from surrounding uses?
  - Will there be more people at the site than surrounding uses?
  - More traffic?
  - More structures on the lot and less green space than others?

Will there be an impact?

If all land use components that are part of the proposed project are consistent in their use, dimensions of the lot, dimensions and location of all structures, setbacks, size of the structure(s), accessory uses, and overall scale and intensity with current land use patterns then there likely will be no related impacts. Check 'No, or small impact may occur.'

Small Impact:

A small impact could occur if:

- The proposed project is not consistent with surrounding land use patterns, but the community has specifically zoned the area for those new uses and the project is consistent with those community laws and goals.

Moderate to Large Impact:

A moderate to large impact could occur if:

- The proposed project is not consistent in its proposed use, dimensions of the lot, dimensions and location of all structures, setbacks, size of the structure(s), accessory uses, and overall scale and intensity with existing land uses and local laws and plans encourage maintenance of such existing uses.

b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.

A population increase of 5% or more has many implications for a community. It may mean there is need for additional water and sewer infrastructure, new roads, new schools, or additional municipal services. Such population increases also bring new building: there will be a need for more residences and businesses to serve them. All of these could result in significant adverse environmental impacts.

If the answer to this question is 'yes', then review other sections of Part 2 to evaluate the potential impacts of that population increase. In particular, review your decisions from Part 2, questions 3k, 4a, 7, 8, 9, 10, 11, 13, and 15. Those questions directly evaluate whether there will be increased demands for services and impacts resulting from new building.

Applicable Part 1 Information

C.2., C.4., D.1.c., D.1.f., many D.2. questions, especially D.2.c., D.2.d., D.2.e., and D.2.j.

Analysis

- Where will the new population live?
  - In already developed locations?
  - In new housing developments?
- Will there need to be new transit systems, roads, or other similar infrastructure?
- Will that growth induce additional residential or non-residential growth?
- Are there jobs in the municipality to support that population or will those people commute to different locations?
- Is the water and sewer system, and other public services such as schools adequate to support that population growth?

Will there be an impact?

If the project does not include any population growth, then there will be no related impact. If it is likely to increase permanent population the reviewing agency will need to evaluate the other sections of Part 2 to determine if there will be direct or indirect adverse impacts due to that increase. If there is a population

increase, and all other areas explored in Part 2 are deemed 'no impact', then it is possible the determination for this question would also be 'no impact'. If however, that population growth does cause other impacts, then the reviewing agency will need to determine if that is a small or moderate to large impact. It is likely that a large population growth would result in some impacts that should be explored in the environmental review. See Part 2, Question 17 (e) as that is where you can review changes to density that may be less than a 5% population increase, but that still might affect infrastructure or other community resources.

Small Impact:

A small impact could occur if:

- The proposed project will cause a minor increase in population but there is adequate infrastructure, housing, services, and capacity in the municipality to accommodate that growth without the need for increasing capacity. The increase does not have cumulative adverse impacts.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- A proposed project that results in a population growth that exceeds 5% of the current municipal population.
- A proposed project that results in any population growth that would result in the expansion or creation of new infrastructure, housing, services, or other municipal capacity to accommodate that level of growth.

c. The proposed action is inconsistent with local land use plans or zoning regulations.

d. The proposed action is inconsistent with any County plans, or other regional land use plans.

Zoning is one land use technique used to help implement a municipality's comprehensive or other land use plans. It is a locally adopted law that regulates the types of land use, the density of land use, and the size and siting of structures. When a municipality has a comprehensive plan, zoning and other land use laws must be adopted in accordance with that plan.

Some communities have a comprehensive plan, but no zoning. Note that in municipalities where there is little or no advanced planning, using SEQR as a substitute for community planning is not appropriate. Lead agencies should not use the environmental assessment form as a place to make up for lack of plans or regulations.

When an adopted plan and zoning, or some combination exists, the proposed project needs to be evaluated to see if it is consistent with them. If zoning exists, an action would be considered consistent if it is a permitted use or a specially permitted use, and meets all zoning requirements for that use and district.

However, if a project requires a zoning change or an area or use variance, or is in conflict with the stated vision, goals, recommendations or land use concept map of a comprehensive plan, then the proposed action is inconsistent, and the reviewing agency will need to evaluate whether this inconsistency is small or moderate to large. There may be instances where the proposed action is consistent with a plan and not zoning, or vice versa. In that case, some impact may occur and the reviewing agency should evaluate whether this is a small or moderate to large impact.

Some counties and regions have adopted county-wide comprehensive plans. Other county or regional level plans to be aware of include agriculture and farmland protection plans, local waterfront revitalization plans, open space plans, transportation plans, housing plans, economic development plans, watershed or other water quality protection plans, or recreation plans.

Applicable Part 1 Information

C.2., and C.3.

Analysis

- Is the project consistent with the vision and goals established in those plans or zoning laws?
  - Is it likely that the proposed project will prevent the municipality from attaining those vision and goals?
- Do any strategies, recommendations, maps, or other actions in the plans address the proposed land use or location?
  - If so, how, and is the project consistent with those?
- Is the proposed project a land use that was anticipated and encouraged in the plan(s)?
- Does the proposed project meet all zoning and other land use regulations?
  - Are any variances or zoning changes required?
  - Are those variances area variances or use variances?
    - Both types of variances may mean that the project is not consistent with local regulations.

Will there be an impact?

If there are no adopted land use plans, zoning, or other land use regulations in the community, there is nothing for the project to be consistent with. If the proposed project is completely consistent with the adopted land use plans and zoning in the community, then there will not be any related adverse impacts. Check 'No, or small impact may occur.'

When an adopted plan and zoning, or some combination exists, the proposed project needs to be evaluated to see if it is consistent with them. If zoning exists, an action would be considered consistent if it is a permitted use or a specially permitted use, and meets all zoning requirements for that use and district.

When a comprehensive plan exists, an action would be considered consistent if it is not in conflict with the stated vision, goals, recommendations or land use concept map.

However, if a project requires a zoning change or an area or use variance, or is in conflict with the stated vision, goals, recommendations or land use concept map of a comprehensive plan, then the proposed action is inconsistent, and the reviewing agency will need to evaluate whether this inconsistency is small or moderate to large. There may be instances where the proposed action is consistent with a plan and not zoning, or vice versa. In that case, some impact may occur and the reviewing agency should evaluate whether this is a small or moderate to large impact.

Small Impact:

A small impact could occur if:

- A minor area variance is required because the lot size, building height, or setback requirements cannot be met.

Moderate to Large Impact:

A moderate to large impact could occur if:

- The proposed action is largely or totally incompatible with the land use plans or zoning in the community. It is likely that one or more moderate to large impacts could occur under one or more of these circumstances:
  - A use variance is required.
  - Significant area variances are required (for example, none of the lot, height, or setback requirements are met)
  - No zoning exists, but the proposed action introduces a use into an area that is in conflict with what the community plan establishes for that area.

e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.

f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.

Density refers to the number of residential dwelling units or the number of non-residential uses in an area. Low density development is typically seen in rural areas, small villages, hamlets, and some suburban areas.

These questions explore whether the proposed project will result in a change in density that will require new or expanded infrastructure. Infrastructure includes such things as water, sewer, new or upgraded roads, sidewalks or paths, and solid waste facilities. When a project requires new or expanded

infrastructure, it not only has direct effects on the environment due to land disturbance, but can also affect taxes, the fiscal health of a community, and future growth. Once infrastructure is in place, new land uses typically follow. In many places, residential growth does not bring in adequate tax dollars to support the infrastructure needed to support it. Thus, infrastructure itself is a growth inducement that could impact the environment in the short and long-term.

Applicable Part 1 Information

C.3., C.4., D.1.c., D.1.d., D.1.f., D.2.c., D.2.d., D.2.j., D.2.k., D.2.s., and E.1.b.

Analysis

- Will new or expanded infrastructure be needed?
  - If so, what and where?
  - What are the fiscal implications of this expansion?
- What environmental impacts would result from construction of that infrastructure?
- Are there land, water, or other resources available to support that expansion?
- Will that expansion result in the potential for future growth beyond the proposed project?
  - If so, what impacts may that have?

Will there be an impact?

If no new or expanded infrastructure is necessary to support the proposed change in density then there will be no related impact. Check 'No or small impact may occur.'

Potential Impacts:

There are many impacts that could occur related to expansion or development of new infrastructure in any area. In addition to impacts from land disturbances and changes to community character that changes to density can bring to an area, there may be impacts on surface or groundwater and transportation. If new or expanded infrastructure is required to support a project, then it is suggested that those impacts would be considered moderate to large.

Small Impact

Projects that require additional external sidewalks or other pedestrian facilities, an extension of an existing road, addition of a turning lane or traffic light, or upgrading a private road to public road standards are examples of impacts that could be considered small depending on the scale and context of the proposed project.

Moderate to Large Impact:

Extension or creation of sewer or water lines, creating new public infrastructure districts, and construction of new roads would all be considered moderate to large impacts, especially if that infrastructure allows additional growth to occur.

A moderate to large impact could also occur if the proposed project induces growth at a level that requires additional infrastructure beyond those identified above as small impact.

g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)

This question explores the potential growth inducing aspects of a proposed project. A project may foster economic or population growth, or result in an increase in land use in a geographic area if it is establishes essential public services, provides for economic expansion (construction of additional housing, changes in revenue base, employment expansion, etc.), is precedent-setting such as a zoning change, and develops or encroaches on an isolated or adjacent area of open space.

Applicable Part 1 Information

C.2.a., C.3., C.4., D.1.c., D.1.d., D.1.f., D.2.c., D.2.d., D.2.j., D.2.k., D.2.s., and E.1.b.

Analysis

- Will the project foster similar or additional residential or commercial development in the future?
- Will the project make it easier for other land uses to move into the area in the future?
- Will public infrastructure be established that future growth could take advantage of?
- Does the project promote economic growth that could have secondary impacts such as construction of additional housing?
- Was a zoning change needed so that the proposed project sets a new precedent for future growth in the area?
- Is the proposed project located in an undeveloped area of the community that could become a target for additional growth in the future?

Will there be an impact?

If there are no secondary, or growth inducing, aspects of the proposed project, then there will be no related impacts. Check 'No, or small impact may occur.'

Small Impact:

Additional growth could occur but roads and other public infrastructure, schools, municipal services, etc. all are below capacity and there will be no new or extension of infrastructure necessary. Note that there may need to be additional studies or evaluation to determine how much additional growth could occur and this information may not be available from Part 1. The reviewing agency could request this information if

needed. Or, if there is possibility that the existing community capacity could not accommodate the potential induced growth, the reviewing agency should indicate impacts from induced growth as a potential moderate to large impact. This would then be further explored in Part 3.

Moderate to Large Impact:

A moderate to large impact could occur if the proposed project induces growth at a level that requires additional infrastructure, community services, or if it would be at a density or type of land uses that changes the community character.

h. Other:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

Question 18 - Consistency with Community Character - Full EAF (Part 2)

Full Environmental Assessment Form (FEAF) Workbook

The proposed project is inconsistent with the existing community character.

Many people define their community's character in very general terms: suburban, rural, urban, quiet, safe, scenic, or friendly are terms often used. Others describe community character only in terms of visual features. Community character is broader than this however.

Community character is defined by all the man-made and natural features of the area. It includes the visual character of a town, village, or city, and its visual landscape; but also includes the buildings and structures and their uses, the natural environment, activities, town services, and local policies that are in place. These combine to create a sense of place or character that defines the area.

Changes to the type and intensity of land use, housing, public services, aesthetic quality, and to the balance between residential and commercial uses can all change community character. Most proposed

actions will result in some change in community character. There are probably few that will result in no change at all. Examples of actions that may not affect community character include passage of a local law that is not related to land use, or other discretionary actions that require SEQR but that do not result in building or development.

Note that Question 18 asks if the proposed project is NOT consistent with community character. Reviewing agencies will need to first understand what the existing community character is. Sometimes this is clearly defined in a comprehensive plan. As such, reviewing agencies should be familiar with those plans. Other times, the reviewing agency will need to discuss and articulate what current community character is.

Reviewing agencies should then ask and answer sub-questions (a) through (g) below, in order to understand what changes the proposed project might bring to the community. A comparison of current conditions to those that might exist after implementation of the project will determine if "the action is inconsistent with the existing community character" or not. If the reviewing agency decides that the action IS consistent with community character, then check "No" to this question and move to Part 3. However, if you find that the proposed action is NOT consistent with existing community character, then answer sub-questions (a) through (g) to evaluate the size of potential impacts resulting from that inconsistency.

To answer this question

Review Part 1 questions C.2., C.3., C.4., D.2., E.1.c., and E.3.

Identifying potential impacts

The reviewing agency should evaluate the following sub-questions and decide if there will be any impact. If there will be an impact, the reviewing agency must then evaluate the magnitude of that impact, and decide if the impact will be small or moderate to large. This will depend on the overall scale and context of the proposed project as described in the Introduction to Part 2. The reviewing agency should be reasonable when conducting this review.

- If the proposed project does not exceed a numeric threshold in a question, the reviewing agency should consider the scale and context of the project in determining if an impact may be small or moderate to large.
- These sub-questions are not meant to be exhaustive. The reviewing agency should use the "Other impacts:" sub-question to include any additional elements they feel need to be analyzed for potential impacts.

a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.

Community character is, in part, influenced by the buildings and structures that exist in a community. Historic structures are especially influential on the character of the built environment. Whenever existing buildings and structures are replaced or removed, the character of the street, neighborhood, district or entire community can change. For example, replacing a traditional three story main street structure having parking in the rear with a modern concrete block structure having parking the front could significantly change the character of the street. In some communities the character is also influenced by entire blocks, streets, or neighborhoods that may be altered by a project. Removal or replacement can significantly change the function, look, and economics of an area.

Applicable Part 1 Information

E.3.e., E.3.f., and E.3.g.

Analysis

- What specific buildings or structures are to be replaced or eliminated?
- What is proposed in its place?
  - Is the new structure of similar scale, siting, design, and function?
- Is there a designated historic district impacted? How will that change?
- Will the proposed project change the ratio of street width to building height?
  - For example, are narrow streets having buildings set close to the road being replaced by wider streets with buildings having deep front setbacks?
  - Are sidewalks and street furniture being removed or replaced and if so, with what?

Will there be an impact?

If no facilities, structures or areas of historic importance to the community are being replaced or eliminated, then there will be no related impacts. However, many proposed actions will result in some change in community character. There are probably few that will result in no change at all. Examples of actions that may not affect community character include passage of a local law that is not related to land use, or other discretionary actions that require SEQR but that do not result in building or development. Another example may be infill development that is consistent with the style and character of the neighborhood. Check 'No, or small impact may occur.'

Small Impact:

A small impact could occur under one or more of these circumstances:

- The visual character of the area is changed in a minor way but is generally consistent in the design, placement, size, streetscape, intensity and architecture of the neighborhood or community.
- The balance between retail commercial uses and residential uses does not change in a significant way.

- The proposed project is a land use that is similar to others that can be found in the neighborhood or area.

Moderate to Large Impact:

A moderate to large impact could occur under one or more of these circumstances:

- The proposed project moderately or significantly changes the visual character of the area.
- The proposed project is of a larger scale than currently exists in the area.
- New building design, lot layout, streetscapes, or intensity of use is in sharp contrast to that which exists.
- The project introduces a land use that is inconsistent or in sharp contrast with surrounding land uses.
- The project introduces odors, lights, noise, or traffic to an area in a way that is different than currently exists.

b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)

Part of a community's character comes from the community services that are available because those contribute to the sense of community residents have. Growth and development can change this part of community character by bringing in more people to an area, who in turn, demand more in public services. This demand can result in the need for municipalities to build more schools, parks, roads, and infrastructure, or can bring in crime and the need for additional police, fire and emergency services.

Here, context of the project is very important. An urban community that already has large school districts, and paid police and fire services may be able to absorb an increased demand for these community services. A rural or a small community that relies on volunteers for these services, or has a school district that has little capacity to accept growth may be less able to absorb the same increase in demand.

Applicable Part 1 Information

C.4., D.2.c., D.2.d., D.2.j., and D.2.s.

Analysis

- Will the proposed project result in an increase in population that will require the community to invest in additional public services?
  - Where will these services be physically located, and how might they change the sense of place and character of the community?

Will there be an impact?

If the proposed project does not create any additional demand for community services, then there will be no related impact. Check 'No, or small impact may occur."

Small Impact:

A small impact may occur if:

- The demand on public services can be handled by existing resources and the proposed project will not exceed existing capacity.

Moderate to Large Impact:

A moderate to large impact may occur if:

- The demands on public services will increase and result in the need to extend existing services.

c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.

Displacement of housing could mean that structures are physically removed and replaced with other land uses, or housing that is no longer affordable for low-income families. Or, displacement can also mean that existing housing is rehabilitated or restored in a manner that gentrifies the area and results in higher rents and land values. Affordable housing is generally defined as housing that costs no more than 30% of the buyer's or renters income. For example, for someone earning $50,000 a year, an affordable house costs no more than $15,000 a year ($1250 per month). Displacement of these housing units can change the social fabric and demographics of a community. That in turn can affect future growth and development and other changes to the physical character of the area.

Note that Part 1 does not address or ask for information on affordable or low-income housing. The municipal planning agency should have knowledge of the demographics of the area. Alternatively, the information may also be included in zoning, site plan, special use, or subdivision application materials. Use the 'Analysis' questions below to determine if there is potential for a need or change in affordable housing before requesting other demographic information.

Applicable Part 1 Information

C.2., C.3., D.1.f., D.1.g., and E.1.a.

Analysis

In order to answer this question, the reviewing agency may need to evaluate additional information in order to determine the need for and impact to affordable housing.

- How much affordable housing would be removed?
- Does the project replace affordable housing opportunities in other areas or with new units?
- Will there be a change in the nature of housing in the area, such as changing a single family neighborhood into a multi-family one, or change the affordability of housing?

Will there be an impact?

If the project does not affect housing or displace affordable or low-income housing at all then there will be no related impact. Check 'No, or small impact may occur.'

Small Impact:

There may be a small impact if:

- The proposed project decreases the number of affordable housing units in the community but adequate affordable housing opportunities remain in the community.

Moderate to Large Impact:

There may be a moderate to large impact if:

- The proposed project will result in a decrease in the number of affordable housing units where the availability of such housing is limited and not expected to meet demand.

d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.

Officially recognized or designated public resources include parks, playgrounds, public properties and buildings, ball fields, picnic areas, designated fishing access locations, public beaches, scenic pull-offs, museums, pedestrian pathways such as hike and bike trails, rail trails or snowmobile trails, or community centers. When a proposed project interferes with the public use or enjoyment of these resources, quality of life, and thus community character can be adversely impacted.

Applicable Part 1 Information

C.2. and E.3.

Analysis

- What officially recognized or designated public resources exist in or near the proposed project site?
- Will the proposed project impede access or prevent use of these resources?
- Will the proposed project increase public use of a resource beyond its capacity?
- Will the proposed project result in an inability to maintain the resource or will it degrade the resource so that it is no longer safe or useable by the public?

Will there be an impact?

If there are no officially recognized or designated public resources that will be interfered with in any way, then there will be no related impact. Check 'No, or small impact may occur.'

Small Impact:

There may be a small impact if:

- The proposed project will add population, visitors, or employees that increase demand for parks, playgrounds, public, cultural or recreational facilities, but adequate resources exist that are underused or have available capacity.

Moderate to Large Impact:

There may be a moderate to large impact if:

- The proposed project will add population, visitors, or employees that increase demand for parks, playgrounds, public, cultural or recreational facilities but existing facilities are already overused or have no capacity to handle that additional demand.

e. The proposed action is inconsistent with the predominant architectural scale and character.

Predominant architectural scale and character need to be defined locally: they are determined through understanding the size, height, dimensions, and intensity of uses as they already exist in the neighborhood or community.

Actions inconsistent with the predominant architectural scale and character of the area could include those that results in a structure or landscape that is in sharp contrast to that which currently exists. A new structure(s) that is larger, taller, or of different architectural style, could be inconsistent with the existing character. Changes in color scheme, window and door configuration, roof style, setback from the street, or style of signs and accessory structures can all result in adverse impacts to community character. Streets that are widened, intersections that are changed, streets where trees have been removed, and placement of parking lots are other actions that can change community character. Introduction of noises, lighting and traffic are others.

Applicable Part 1 Information

C.2. and C.3.

Analysis

- Describe the current predominant architectural scale and character.
  - This can be defined by the size, height, setback, and site layout common to existing structures in the area.
  - It can also be defined by the architectural details such as building material, façade, color, window and door treatments, presence of architectural fenestration and details, signage, and location of parking lot.
- What is the architectural scale and character of the proposed new structures and does this differ from existing?
  - If so, how?

Will there be an impact?

If the proposed action does not introduce new or change the predominant architectural scale and character at all, then there will be no related impacts. Check 'No, or small impact may occur.'

Small Impact:

There may be a small impact if:

- The visual character of the area is changed in a minor way but is generally consistent in the design, placement, size, color, intensity and architecture of the neighborhood or community.

Moderate to Large Impact:

There may be a moderate to large impact if:

- The proposed project introduces an architectural style that is in sharp contrast in its size, window or door size and style, building materials, roof pitch, façade, color, or signage with existing or surrounding buildings.

f. Proposed action is inconsistent with the character of the existing natural landscape.

The natural landscape plays a large role in defining a community's character. For example, a municipality may define itself as rural community because of a large amount of open space and farming. Or, one may be defined as a mountain town due to being in the Adirondacks. Waterbodies, open lands, forested lands, topography, natural communities and wildlife, and unique geologic features all contribute to the natural landscape. When these resources are reduced, fragmented, or eliminated, the natural landscape can change.

Applicable Part 1 Information

C.2., C.3., E.1.a., E.1.b., E.2.g., and E.2.h.

Analysis

- What are the features that make up the natural landscape?
  - Are some features more predominant than others?
  - How would you define this?
- What changes to the natural landscape will result?
  - What features will be changed or eliminated?
- How visible to the general public will these changes be?
- How much area will be impacted?

Will there be an impact?

If the proposed project does not physically alter the landscape, or change the cover type, or reduce, eliminate or fragment natural features, there will be no related impact. There may also be no impact if the project site is located in a heavily developed area already largely disturbed and built upon. Check 'No, or small impact may occur.'

Small Impact:

There may be a small impact if:

- The project site is located in an area that already has a diversity of vegetation and mix of cover types and where land uses and the proposed use are similar to or already found nearby.
- The project activities do not have other significant adverse environmental impacts and the structures are sited in such a manner (such as with very large setbacks or significant buffering) so that the visual character of the natural landscape is not noticeably different.
- The change to the natural landscape is small in size, and not in sharp contrast to the broader area.

Moderate to Large Impact:

There may be a moderate to large impact if:

- Significant portions (in size and in importance to the community) of the natural landscape are removed or changed, such as through blasting, grading, filling, or removal of predominant vegetation growing in the area.
- There are more buildings, lawns, roads, and other structures introduced into an area that is currently rural and undeveloped.
- A proposed project includes a road that is highly visible where no other built features can be seen.
- Structures taller than the predominant vegetation are introduced.

g. Other impacts:

There may be other impacts identified by the reviewing agency that are not addressed by the above questions. If so, they should be identified and briefly described here.

Some proposed actions may have beneficial impacts on the environment. The reviewing agency can use the 'other' category for that purpose, too.

This Page is Intentionally Blank

Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance (FEAF)

Full Environmental Assessment Form (FEAF)

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Introduction

The purpose of Part 3 is to build on evaluations made during Part 2, to decide how significant the Part 2 moderate to large impacts are, and to decide if further information is needed in an environmental impact statement. Part 3 is where the reviewing agency discusses for each potential impact the magnitude, importance, probability of occurrence, duration of impact, irreversibility of impact, geographic scope, and cumulative impacts in the context of the site and community.

Some of these features - such as magnitude - were also considered in Part 2 as part of deciding if an impact was small, moderate or large. The Part 3 evaluation looks again at those features in a more comprehensive manner to determine if a potential impact is significant or not.

Note that nothing in this workbook, particularly the guidance offered in Part 2 and 3 is found in regulation. While the EAF's need to be completed according to the Part 617 regulations, interpretation on the size or significance of an impact is at the discretion of the reviewing agency.

Part 3 is also the location where the reviewing agency articulates the rationale of its decision making. Taken together, parts 1, 2 and 3 will create a strong record of the 'hard look' required by SEQR.

Instructions for the Reviewing Agency

It is the responsibility of the reviewing agency to complete Part 3 to determine the significance of any of the identified impacts. Part 3 evaluates only those impacts identified in the Part 2 table as being moderate to large. Information submitted by the applicant or project sponsor in Part 1 together with the evaluation and additional information from Part 2 and any information that may be submitted as part of the application (For example: site plan, subdivision plan, special use permit, or other environmental permits) should be used to complete Part 3. You can request clarification or expansion of information submitted in Part 1 if needed to complete Part 3.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact.
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The following pages will lead the reviewing agency through the steps needed to complete Part 3:

1. Understand what makes an impact significant - Understanding Significance - Full EAF (Part 3)
2. Identify and evaluate each impact identified as moderate to large - Evaluating Significance - Full EAF (Part 3)
3. Make a decision on the significance of each impact - Determination of Significance - Full EAF (Part 3)
4. File the decision - Filing Requirements - Full EAF (Part 3)5 - Examples - Full EAF (Part 3)

More about Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance (FEAF):

- Understanding Significance - Full EAF (Part 3) - The key characteristics of possible impacts that should be considered in determining significance are magnitude, duration, and likelihood (probability). Magnitude assesses factors such as severity, size, or extent of an impact.
- Evaluating Significance - Full EAF (Part 3) - The reviewing agency makes the decision about whether a potential impact is significant or not. Many variables go into a determination of significance. The significance of an impact is based on the specific environmental setting where the activity is proposed, on the type of resource being impacted, and on the values, history, and preferences of the community.
- Determination of Significance - Full EAF (Part 3) - Determination of Significance - For many proposed projects, many of the identified impacts can be or already are mitigated by changes or certain project

components. Part 3 gives the reviewing agency and opportunity to examine the proposed project in relation to the potential impacts and identify if any mitigations have been included in the project plans.

- Filing Requirements - Full EAF (Part 3) - List - Name of Action: Name of Lead Agency: Name of Responsible Officer in Lead Agency: Title of Responsible Officer: Signature of Responsible Officer in Lead Agency:_____ Date: Signature of Preparer (if different from Responsible Officer): _____ Date: For Further Information: Contact Person: Address: Telephone Number: E-mail
- Examples - Full EAF - (Part 3) - Examples - This page will be used to identify Examples for Part 3

Understanding Significance - Full EAF (Part 3)

Full Environmental Assessment Form (FEAF) Workbook

The key characteristics of possible impacts that should be considered in determining significance are **"magnitude"**, **"duration"**, and **likelihood (probability)**. Magnitude assesses factors such as severity, size, or extent of an impact. Duration looks at how long an impact may last. Importance relates to how many people are going to be impacted or affected by the project or what role a resource, including natural resources, may have in the community. Likelihood measures how probable it is that the impact may occur. Generally, bigger impact (larger "magnitude") projects are more likely to need more detailed analysis. Taken together, magnitude, duration, and likelihood; along with the context and scale of the proposal; define an impact's importance."Importance" requires us to look at an impact in relation to the whole action. The short or long term or cumulative nature of the impacts also needs to be considered. Each impact of an action must be judged by these characteristics within the context of the site and community.

Magnitude, **duration**, and **likelihood** of an impact occurring are described as follows:

Magnitude:

For each potential impact being evaluated in Part 3, decide how large of an impact there might be. Magnitude reflects both the area of land as well as the amount of a particular resource or the number of people being impacted. Magnitude is conveyed as 'moderate' or 'large'. It is assumed that all impacts that would be considered 'small' in magnitude were identified as such in Part 2 and therefore not considered in Part 3.

- **Moderate Impact:** These are impacts that are of a size that will likely result in more impacts on one or more environmental resources but are more localized, and not regional in nature. Moderate impacts can occur when the project affects a portion of a parcel or even a larger area extending to a small area just beyond the parcel. Moderate environmental impacts may be either isolated (only in one location), or of neighborhood concern. An impact of moderate magnitude would likely affect a moderate number of people. Size in acreage or people affected is not the only aspect of magnitude, however. If a project

affects a small area of land, but the resource being impacted is locally rare, for example, then the actual impact may be large. When reviewing an impact's magnitude, the reviewing agency should consider the size of the impact and resource, as well as the scope and context of the project. A proposed project that impacts a small number of people may also be considered a moderate impact. The resources affected by a moderated impact may often have broad local concern and often are activities or resources that are regulated or protected by some local, state, or national agency.

- **Large Impact:** These are impacts that may cover larger areas beyond the parcel in the neighborhood or community or impact larger numbers of people. As described above related to a moderately sized impact, size in acres is not the only aspect of this either. Impacts on large areas of land, or on a large number of people however, would usually be classified as a 'large' impact. The resources affected by a large impact often have broad local or regional concern and often are activities or resources that are regulated or protected by some local, state, or national agency.

Duration:

For each potential impact being evaluated in Part 3, decide if it will be short-term, medium-term, long-term, or irreversible in its duration. Duration refers to how long an impact is likely to last.

- **Short-term Impact:** Some actions may have short-term impacts. These are often due to the initial land disturbance or construction phase. Short-term impacts can occur for a few days, weeks or several months, and then improve quickly. In this case, short-term impacts may be of minor or negligible importance in a long time frame. It is very important to evaluate the duration of an impact in the context and scope of a project. A short-term impact in one situation may not be significant, but in other cases, may be very significant.
    - An example of a short-term impact would be stock-piling topsoil and placement of erosion control methods in one location during construction of a structure. After construction, the topsoil would be graded and re-seeded or landscaped. Short-term impacts would occur due to the initial disturbance of soil and vegetation, but within several weeks, it would be replaced.
- **Medium-term Impact:** Some actions may have impacts that last longer but that are still not permanent or irreversible. Medium-term impacts can be measured in months, over several seasons, or perhaps a few years, but have an end-point where the conditions improve and adverse impacts dissipate. Depending on the context and scale of the project, as well as the other features evaluated in Part 3, medium-term impacts could have minor or large significance.
    - An example of a medium-term impact might be construction of an access way using a single culvert over a small, non-regulated stream that has wooded stream banks. Construction of the culvert and driveway will require removal of some additional stream-side vegetation and disturbance to the water flow. Thus it could affect water temperature (by removal of the trees), increase turbidity, change water flow, and reduce habitats for fish and invertebrates. In this example, there could be

both short-term and medium-term impacts. After construction, the water flow and turbidity issues would dissipate, but the changes to the stream bank and stream bottom habitats could last months or seasons before the vegetation returns and habitats re-formed. If the applicant included stream bank and stream bottom restoration, use of best management practices for stream corridors, and re-planting of deciduous trees, then the adverse impacts could be moderated in duration.

- **Long-term Impact:** These are impacts that last for years, or last as long as the activity that generates the impact continues to take place. Some projects continually impact the environment in an adverse way while the activity takes place, but then the environment improves if the operation ceases. Other actions may occur only for a short period of time, but the impacts last a very long time and it takes years for the environment to recover. Examples might be:
  - Adverse changes in air quality while a manufacturing use operates, or continual production of noise levels above ambient levels while the use operates. Should the manufacturing cease operations, the air pollution and noise impacts end. Removal of large acreages of forest lands on a portion of a parcel to be planted in grass would likely be considered long term impact, even though the forest might regenerate if maintenance of the lawn stopped and trees were allowed to re-grow.
  - A chemical spill that pollutes water or soils that would take decades before the natural resources are recovered.
  - A large residential construction project with multiple phases could last a decade once built, actual construction sequences might be deemed moderate, but the long lasting effect of the constructed property may be viewed as long term.
- **Irreversible Impact:** These are impacts that occur where the environment can't return to its original state at any time or in any way. Use of nonrenewable resources may be irreversible since it is unlikely that the resource can be used again. Impacts that generally commit future generations to similar uses may also be considered irreversible impacts. Projects where there is no potential for future restoration are also considered irreversible. In some cases, there may be difficulty distinguishing between a long-term impact and one that is irreversible, but generally, irreversible impacts are those that permanently result in an adverse change.
  - Examples of irreversible impacts include:
    - The extinction of an animal or plant species
    - Conversion of prime farmland soils to residential use
    - Construction of a structure that permanently alters a scenic view in a negative way
- Other impacts may not fit neatly in the short, medium or long term categories because they may be continuous, or intermittent. The reviewing agency should use their best judgment to determine the category that fits the duration of the potential impact.

Likelihood:

For each potential impact being evaluated in Part 3, the reviewing agency will need to decide if the impact will be unlikely to occur, will possibly occur, or will probably occur. Given the nature of the project, some impacts may be very likely to occur while others may possibly occur, and others are unlikely to occur. The reviewing agency may decide that unlikely impacts may be of large magnitude or long duration but are ultimately not significant because they are so unlikely to actually occur. In other cases, an unlikely impact may carry such a high risk that the reviewing agency may decide it is very significant.

- **Unlikely to Occur:** These are impacts that have a very low chance of occurring now or in the future.
  - An example of an impact that is unlikely to occur could be a spillage of a toxic chemical used in a manufacturing process. There is an extremely low probability of this occurring, in part because of protocols used in handling such materials.
- **Possibly will Occur:** These are impacts that are possible, but not likely occur.
  - An example of an impact that possibly could occur would be the growth inducing aspects of a new 100-lot subdivision development in a city that has had very slow growth and is not near an urbanized area. The residential development may create consumer demands that will influence and promote development in another location in the community. There is the potential for impacts to the community long-term, but may possibly occur given the character and economy of the area.
- **Probably will Occur:** These are impacts that are very likely to occur
  - An example of an impact that probably will occur would be loss of fisheries due to a dredging operation throughout a water body that supports warm water fish species that require shallow water to survive.

The importance of an impact is more subjective and is based on the combination of magnitude, duration, likelihood, the specific environmental setting where the activity is proposed, and on the values, history, and preferences of the community. After evaluating all of these characteristics of a potential impact, a community may decide that it is not important and therefore, may determine that the impact is not significant. For example, a project that adds many lighting fixtures and parking lots in an urban neighborhood having many existing lights and parking areas may be deemed to be not important. Conversely, An example of an impact that is very important could be a project in a community whose economy is based upon tourism related to fishing cold-water species. The impact of a project that directly discharges warm water to that cold water stream would be very important.

Beginning the evaluation

Once the reviewing agency understands these concepts, it is time to begin evaluating each of the moderate to large impacts identified in Part 2:

Evaluating Significance - Full EAF (Part 3)

Full Environmental Assessment Form (FEAF) Workbook

The term 'significant' is somewhat subjective. That is because the significance of an impact is dependent on the magnitude, duration, and likelihood of that impact occurring. It is also dependent on the scale and context of the project. Context refers to the unique characteristics of the natural and man-made environment in any given location. Significance is very much tied to the context of the site and the community. Similar projects may receive different decisions on significance because of differences in the context. Each impact therefore, must be judged and weighed by these different characteristics.

What could be a significant impact?

The reviewing agency makes the decision about whether a potential impact is significant or not. Many variables go into a determination of significance. The significance of an impact is based on the specific environmental setting where the activity is proposed, on the type of resource being impacted, and on the values, history, and preferences of the community.

The information that goes into, and the reasoning behind a determination of significance is presented in Part 3 in a logical, comprehensive, and understandable manner. A legally sufficient determination of significance implies that a lead agency has in its possession, and can demonstrate that it has considered at least the following:

- The entire action, not just one part of it (see Segmentation);
- The information provided from the environmental assessment form (EAF);
- Any other information provided by the applicant, including the underlying application;
- The criteria for determining significance found in 617.7(c) ; and
- Any input from involved and interested agencies, interested organizations or other groups of people and the general public.

The specific criteria for determining the significance of an action comes in part from the criteria listed in 617.7(c). These criteria assist the reviewing agency by focusing attention on a wide range of important environmental considerations. But this list is illustrative, not exhaustive. Agencies may develop additional criteria to those listed in 617.7(c), especially if past experience has indicated the importance of particular considerations with respect to actions frequently encountered by an agency. Such additional criteria should be developed and adopted in accordance with rules governing individual agency implementation of SEQR, see 617.14(e).

The information provided in this section of the workbook offers the reviewing agency tools to help pull all the known information together, organize decisions, and make that determination of significance.

For each potential impact, there are many combinations of magnitude, duration, and likelihood that can occur. There is no universally accepted measure of significance. None of the criteria (magnitude, duration, likelihood, scale, and context) should be considered more important than any other. Instead, they should be examined in an equal manner to help frame the rationale for making a determination of significance and for communicating why you made that determination.

Whether a potentially adverse impact is significant or not is ultimately determined or tempered by the specifics related to the scale of the proposed project and context within your community. Remember that the determination of significance needs to be based as well on the magnitude, duration, and likelihood of an impact occurring. These criteria cannot be inserted into a formula that will automatically produce a finding of significance or insignificance. These criteria simply aid the reviewing agency in making a judgment on a case-by-case basis.

The following steps and information will help you determine the environmental significance of the moderate top large impacts identified in Part 2.

Making and Organizing Your Decisions

Each moderate to large impact needs to be discussed and evaluated for its magnitude, duration, importance and likelihood. The reviewing agency will need to take each moderate to large Part 2 impact, make decisions on these factors, and then take a comprehensive view of them all together to determine if the impact will be significant.

Because there are many variables that will influence your determination of the significance of an impact, it may be useful to organize your decisions for each impact discussed. Using a chart or checklist can be a helpful tool. The chart below is a tool to help you organize, think about, and help make your decisions on magnitude, duration, and likelihood for each impact. The chart illustrates the options to be considered. If you use a tool similar to the following chart, you can circle or highlight one choice in each column for each Part 2 impact to be evaluated.

Magnitude of Impact	Duration of Impact	Likelihood of Impact	Importance of Impact
Moderate (localized) Large (Severe)	Short-term Medium-term Long-term Irreversible	Unlikely to occur Possibly will occur Probably will occur	Not Important Fairly Important Very Important

An Example Using the Chart

The following example illustrates an action that, according to Part 2, the reviewing agency determined could have moderate to large impacts. This example is for a project proposed to be built in an area having

significant archaeological resources. The Planning Board evaluated the information available and determined that the potential impacts on the archaeological resources are confined to the parcel itself, are irreversible because the resources could potentially be destroyed, that the type of resources are very important because of the reliance on those archeological resources as a significant part of the community's identity, and that the impacts will probably occur because the site plan shows disturbances to the area where the resources exist. The chart below summarizes the thought process that went into the Planning Board's evaluation of this particular impact:

	Magnitude of Impact	Duration of Impact	Likelihood of Impact	Importance of Impact
Question 8: Impact on historic, archaeological, architectural, or aesthetic resources	Moderate - because a significant portion of the parcel will be impacted Large	Short-term Medium-term Long-term Irreversible - because the resources could be destroyed during construction or permanently made inaccessible	Unlikely to occur Possibly will occur Probably will occur - because the site plan shows grading, soil removal and construction over the site where the resources are located	Not Important Fairly Important Very Important

Determination of Significance - Full EAF (Part 3)

Full Environmental Assessment Form (FEAF)

Determination of Significance - Type 1 and Unlisted Actions
SEQR Status: __ Type 1 __ Unlisted
Identify portions of EAF completed for this Project:
__ Part 1 __ Part 2 __ Part 3

Identify Mitigations Included in the Project

For many proposed projects, many of the identified impacts can be or already are mitigated by changes or certain project components. Part 3 gives the reviewing agency and opportunity to examine the proposed project in relation to the potential impacts and identify if any mitigations have been included in the project plans.

Review the proposed action and identify methods that the project sponsor or applicant has included in the project design to avoid or reduce the identified impacts. Examples of mitigations could be:

- Changes to the size or location of the structure or of the disturbance
- Phasing of the project construction by time of day or season
- Construction of a berm or fence to block noise or visual impacts
- Permanent protection with a conservation easement of that part of the parcel that is a significant natural community.

It is feasible that the reviewing agency will identify a potential large, long-lasting, important impact that is likely to occur but the project includes features that mitigate those effects to the point where the impact is no longer a significant concern, Some projects include aspects that mitigate impacts partially or fully. This needs to be taken into consideration when determining significance of an impact.

Statement of Significance

Once you have determined the significance of the various impacts, it is time to write your decision. This statement is very important to record the rationale behind your decision making. It should include a short summary explaining how you determined that the impact will or will not be significant. It should summarize what the potential impacts will be, what your decisions about its magnitude, duration, importance and

likelihood are, and how you used that information to reach your decision about significance. Part 3 does not include a specific place to record your statement, but you should attach additional sheets as needed.

If you used a chart or checklist to organize your decisions as described in this workbook, you can use that to describe the impact(s), and summarize your decisions about significance. The statement can be short or long, but ultimately should describe your evaluation process and the rationale used in your decision making. See the Examples page for model Part 3 statements.

Upon review of the information recorded on this EAF, as noted, plus this additional support information
_____
_____
_____
and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
_____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency: There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).
_____
_____
_____
_____

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

A. Negative Declarations

If, after analysis, you have determined that none of the environmental impacts identified are significant, then check box 'A'. In this case, no additional study through an environmental impact statement is necessary and a negative declaration will be issued. Part 3 will serve as the negative declaration and a

copy of this form should be filed as per the instructions on the form. Describe your reasoning behind this decision in a significance statement.

If one or more significant adverse environmental impacts have been identified, but the project includes, or the lead agency requires mitigation to reduce or avoid it, then you may decide that an environmental impact statement is not necessary. If so, describe this reasoning in your Part 3 statement. Then, check box 'A' stating that the proposed action will not result in any significant adverse environmental impact.

B. Conditional Negative Declarations

If the action being considered is an Unlisted Action (6NYCRR 617.d), and one or more significant adverse impacts have been determined but that certain project changes or conditions will allow the adverse impacts to be substantively avoided or mitigated, the reviewing agency can declare this a conditioned negative declaration. See 6NYCRR 617.7 (link leaves DEC website) and the SEQR Handbook for full information on conditioned negative declarations.

In that case, check box 'B' on Part 3 and describe those conditions. Part 3 will serve as the conditioned negative declaration and a copy of this form should be filed as per the instructions on the form.

A conditioned negative declaration (CND) is a form of negative declaration which may be used for Unlisted actions only, and only in limited circumstances. Use of a CND can be appropriate when a lead agency concludes that a proposed action may have a potentially significant adverse impact on the environment, but the impact can be eliminated or adequately mitigated by conditions imposed by the lead agency, without the need for additional environmental studies. Use of the CND acknowledges that without imposition of conditions by the lead agency, the action may have potentially significant impacts. In situations where those impacts are readily mitigated or avoided, use of the CND allows an agency to issue an approval with enforceable conditions. When a lead agency uses the CND process it must consider the whole action and all relevant impacts in identifying appropriate conditions.

The lead agency can attach conditions which are explicitly-articulated standards (either numerical or narrative) within that lead agency's underlying jurisdiction, or conditions that an applicant is otherwise legally obligated to meet in order to obtain a permit or approval. Under these circumstances, the lead agency could issue a Negative Declaration if the effects of the action will not be significant when such conditions are imposed. Typical examples of conditions that may be imposed based on the lead agency's underlying authority, and thus not require a conditioned negative declaration, are:

- Requiring relocation of a building footprint during site plan approval;
- Requiring conformance to a municipality's standards for setback from lot lines;
- Meeting emission or discharge standards as required by law;
- Locating septic tanks above seasonal groundwater levels;

- Requiring erosion and runoff controls during construction; and
- Requiring a detention or retention basin for stormwater control.

Typical examples of conditions that may be imposed through the conditional negative declaration process are:

- Requiring addition of a turning lane and new traffic signal to mitigate traffic impacts
- Addition of a permanent vegetated buffer area along the stream bank to protect the riparian corridor along the waterway
- Requiring that all stonewalls located along public roads shall be maintained
- Requiring that a landscape berm shall be built between the public road and the parking lot to screen and buffer a new shopping plaza; and
- Requiring that the siting of the proposed parking lot shall be moved to from the eastern side to the western side of a proposed structure to avoid impacts to a wetland.

Note that using a conditioned negative declaration in a situation where the reviewing agency requires additional information to be submitted prior to approval is not an acceptable use of the CND procedure.

The reviewing agency will need to describe, in writing, how the whole action was considered and that all relevant areas of environmental concern were identified and thoroughly analyzed. A reasoned elaboration must be given as to why any areas of concern would not constitute significant adverse environmental impacts. The lead agency must document its conclusion that any potential impacts are not significant, or that any potentially significant impacts would be adequately mitigated through either the standards within the jurisdictions of the lead and other involved agencies, or through the special conditions of the CND.

C. Positive Declarations

If one or more significant adverse environmental impacts identified in Part 3 are not mitigated, then you may decide that an impact is significant and that an environmental impact statement is required. If so, describe this reasoning in your Part 3 statement. This is referred to as a 'positive declaration'. A positive declaration means that another phase of the SEQR process will be required and additional information on the impacts determined to be significant will need to be prepared via an environmental impact statement.

The environmental impact statement will study and evaluate the specific resources and significant adverse impacts in more detail. If you decide that further study and evaluation is needed, then check box 'C' stating that the proposed action may result in one or more potentially adverse impacts and that an environmental impact statement is required.

Not all resources or all impacts need to be included in the environmental impact statement. Work completed in Part 3 can be useful to identify the relevant areas of concern so a targeted study can be conducted. Thus, the results of your analysis of Part 3 should be used to identify the list of topics to be

included in the environmental impact statement. This list of topics is known as the draft scope. Part 3 will serve as the positive declaration and a copy of this form should be filed as per the instructions on the form.

Complete the form

- Fill in the Lead Agency information at the bottom of Part 3
- Sign and date the form
- This completes this stage of SEQR

Filing Requirements - Full EAF (Part 3)

Full Environmental Assessment Form (FEAF)

Name of Action:
Name of Lead Agency:
Name of Responsible Officer in Lead Agency:
Title of Responsible Officer:
Signature of Responsible Officer in Lead Agency:_____ Date:
Signature of Preparer (if different from Responsible Officer): _____ Date:
For Further Information:
Contact Person:
Address:
Telephone Number:
E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:
Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any) Applicant (if any)
Environmental Notice Bulletin : http://www.dec.ny.gov/enb/enb.html

Preparation of Documents

The Filing requirements for a negative declaration, a conditioned negative declaration, and a positive declaration are contained in 617.12 (link leaves DEC website.)
Every negative declaration, conditioned negative declaration, and positive declaration must state that it has been prepared in accordance with article 8 of the Environmental Conservation Law, and must contain:

- The name and address of the lead agency (Included here)
- The name, address and telephone number of a person who can provide additional information (Included here)
- A brief description of the action (see Part 1, question A)
- The SEQR classification (see Part 3, Determination of Significance) and
- The location of the action (see Part 1, question A)

A conditioned negative declaration must also identify the specific conditions being imposed, and the period (not less than 30 calendar days) during which comments will be accepted by the lead agency.

A positive declaration must identify the potential significant adverse environmental impacts that require the preparation of an EIS and state whether scoping will be conducted.

Where to send the documents

Again, specific requirements are contained in 617.12 (link leaves DEC website).

A negative declaration, conditioned negative declaration, positive declaration for a Type I action, and positive declaration for an Unlisted Action must be filed with:

- The chief executive officer of the political subdivision in which the action will be principally located
- The lead agency
- All involved agencies
- Any person who has requested a copy; and
- The applicant, if the action involves an applicant

An Unlisted Action, with a negative declaration (even though using the Full EAF) only needs to be filed with the lead agency.

Notice of a Type I negative declaration, conditioned negative declaration, and positive declaration must be published in the Environmental Notice Bulletin (ENB) in a manner prescribed by the department (DEC). Notice must be provided by the lead agency directly to Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750 for publication in the ENB.

Examples - Full EAF - (Part 3)

Full Environmental Assessment Form (FEAF)

Part 3 - Determination of significance

Example 1

Proposed activity: A business park complex is proposed consisting of multiple buildings, parking lots, and accessory structures totaling 150,000 square foot of building space. It is proposed to be located in a mixed commercial/residential zoning district on a forty acre parcel. The area is currently a mix of agriculture, residential or vacant parcels. The parcel is in a New York State Agricultural District. The total area of land to be disturbed is 15 acres. There is no potable water or sewer available on the parcel, but they are available nearby and could be extended to the parcel. There is access directly to a state highway. There is a Class C (t) stream and heavily wooded stream bank located at the rear of the parcel. There is no regulated floodplain in this location. This stream flows nearby to a larger, state-regulated wetland and the entire area is used in the winter by Bald Eagles for feeding and resting.

- Using information from Part 1, the Planning Board has answered questions 1 through 18 on Part 2.
- Using the Part 2 tools, the Planning Board determined that there would be no impact to the environmental resources evaluated in Questions 2, 4, 5, 6, 10, 11, 12, 14, 16, and 17. These were all checked as "no or small impact may occur" on Part 2.
- However, the Planning Board determined that questions 1,3, 7, 8, 9, 13, 15, and 18 would need further evaluation in Part 3 because they identified the following impacts that could potentially be moderate to large. The project may:
    - result in increased erosion that would impact the stream and wetland with turbidity, including downstream locations;
    - impact the bank of the stream and remove important streamside vegetation;
    - require construction of a new wastewater treatment facility or expansion and connection to one that is several miles away that could serve the location;
    - impact an endangered species and its habitat;
    - result in a loss of farmland and prime farmland soils;
    - change community character because the project is in sharp contrast to the land use patterns and intensity currently found in the area;
    - create a traffic issue by creating left turn traffic where there is currently no traffic management needed at that location; and
    - result in glare or light pollution due to lighting in parking lots, signs, and internal roadways.

After further review, the Planning Board found:

The Planning Board evaluated the magnitude, duration, likelihood and importance of those potential impacts within the context of the community. They decided:

1. There is a high likelihood that erosion and impacts to the stream and its wetlands may occur due to the land disturbances and ongoing stormwater runoff. The Planning Board also felt that removal of

vegetation along the stream would likely affect the stream quality and wildlife habitats long term. In the context of the site and community these were deemed significant adverse impacts.

2. Because either new wastewater or expanded wastewater facilities were needed, that would affect the broader community long-term. It would impact many people and the Board was concerned that either creation or expansion of water and sewer facilities would be growth inducing that would in the long-term, attract other business projects that could further impact the stream and character of the area.
3. It was recognized that prime farmland was definitely going to be lost, but given the parcel is in an area zoned for mixed/residential use, the impacts were small and would not impede farmers from using other lands for agriculture.
4. Although the proposed buildings were architecturally consistent with others in the area, the Planning Board decided that the project would introduce a land use much larger than any other in the area, and that the aesthetic and community character impacts were likely to occur, large because it affected the entire area, and of critical importance to the community. The community had identified community character as one of its most important values to preserve in its comprehensive plan.
5. Addition of more traffic was determined to be a large impact, of long-term duration, and very important. However, the project included a left hand turning lane and stop light to control congestion so the Board did not think this was significant.
6. Glare and light pollution could also change community character but the project included use of fully shielded light fixtures that the Board felt would mitigate the impacts.

As a result of this analysis, the Planning Board decided that of the impacts identified from Part 2, the Part 3 analysis resulted in identification of impact on stormwater, erosion, loss of habitat, growth inducing aspects of the project and changes to community character as significant impacts that have not been mitigated and needed further analysis. They decided that an environmental impact statement would be required and that the scope of that would be limited to topics 1, 2 and 4 (erosion, induced growth, and architecture).

An appropriate Part 3 statement for this example would be:

The Planning Board determined that potential moderate to large impacts could occur related to land disturbance (erosion and stormwater), changes in use and intensity of use, traffic, loss of important habitats, and impacts on the stream. The action will be a more intense land use, will create traffic issues, could impact stream habitats and a regulated wetland downstream, and could change community character.

After analysis, the Planning Board decided that loss of agriculture was not significant. It was recognized that prime farmland was definitely going to be lost, but given the parcel is in an area zoned for mixed/residential use, the impacts were small and would not impede farmers from using other lands for

agriculture. Also, traffic and lighting impacts were not significant because the glare and light pollution that may result is mitigated by use of fully shielded light fixtures. Although the addition of more traffic was determined to be a large impact and of long-term duration, provision of a left hand turning lane and stop light to control congestion mitigated these impacts, so the Board determined traffic impacts were not significant.

The Planning Board determined that other impacts however would be moderate to large in magnitude, mostly long-term, and probably will occur. There is a high likelihood that erosion and impacts to the stream and its wetlands may occur due to the land disturbances and ongoing stormwater runoff. The Planning Board determined that removal of vegetation along the stream would likely affect the stream quality and wildlife habitats long term. New wastewater or expanded wastewater facilities would affect the broader community long-term. Such infrastructure would impact many people and are likely to be growth inducing by attracting other business projects that could further impact the stream and character of the area.

Although the proposed buildings were architecturally consistent with others in the area, the Planning Board determined that the project would introduce a land use much larger than any other in the area, and that the aesthetic and community character impacts were likely to occur, would be large because it affected the entire area, and that district is of critical importance to the community and its character.

As a result of this analysis, topics 1, 2, and 4 have been determined to be potentially significant impacts. There is not adequate information or analysis on those impacts or how they could be mitigated. In the context of the site and community these topics (1, 2, and 4) were deemed significant adverse impacts.

Therefore, the Planning Board has determined that there is likely to be adverse environmental impacts to stream ecology and water quality, to the community long-term through growth inducement, and significant potential changes to community character. An environmental impact statement oriented to these topics is therefore necessary.

The planning board then checks and completes section C. on the last page of the FEAF.

Example 2

Proposed activity: Adoption of a comprehensive plan in a rural community aimed at preserving open space, rural character, and farmland. The community is suburbanizing and has experienced much residential and business growth over the past decade. There has subsequently been a loss of open space, a need for more recreation, a lack of pedestrian opportunities, and changes in community character. The proposed plan is oriented around methods to improve community character and aesthetics, promote traditional style neighborhoods, preserve open space, and to change business zoning districts to encourage infill development.

After further review, the Planning Board found:

The Town Board evaluated all 18 sections of Part 2.

An appropriate Part 3 statement for this example would be:

The proposed comprehensive plan is designed to meet a variety of goals established by the Town. The Plan recommends potential regulatory changes, capital improvements, and policy/program initiatives.

The Plan offers a roadmap to regulate growth and development so that the Town's character is maintained. The new Plan should itself be viewed as mitigation against the adverse impacts of future development on environmental resources. Its main focus is to guide new development in a manner that will enhance the community in the future to foster environmental sustainability.

The proposed Plan seeks to protect the environment through use of conservation subdivisions, reduction in density, design standards, and improvements to the site plan law.

All new development has the potential to impact water resources, but the proposed Plan, if implemented reduces that potential. Lower density will lower the overall demand for water and will also serve to reduce the potential negative impacts of new septic systems.

Major strategies included in the proposed Plan are specifically directed at preserving plants, animals, and biodiversity and include use of conservation subdivisions, stream buffers, mapping and prohibition of construction in a 100 year floodway (these are also critical riparian habitats), and protection of wetlands, natural landscapes, and steep slopes. These strategies will be protective or plants and animals because habitats will be preserved. Thus the new Plan if implemented will benefit the environment and would not be expected to have any significant adverse environmental impacts.

Future growth and development of houses, businesses, and new roads in the future could reduce natural areas currently available for plants and animals. Projects that may come before the town may individually or cumulatively affect plants and animals. However, the proposed Plan helps the Town to manage and reduce overall growth potential by decreasing development capacity to a level that is more environmentally sustainable, especially related to water capacity.

The proposed plan establishes many strategies directed at protecting aesthetic resources. Community character is recognized by the Town as one of the primary resources desired to be protected. However, the Town recognizes that future growth and development will likely bring about some changes to the aesthetic character. The proposed plan allows the Town to more effectively review, manage and reduce impacts through a reduction in overall growth potential. The plan establishes new standards that require careful siting of structures with respect to open spaces, scenic views, and agriculture - all of which

contribute to the aesthetic resources of the Town. Therefore, impacts will be less under the proposed plan than if the Town did not adopt them.

The proposed plan recommends use of conservation subdivisions, siting of building envelopes, permanent protection of open spaces on large developments along with creation of greenways and links for pedestrians, and other programs. Additional development may also increase the need for public water or sewer in certain locations which could have adverse impacts to the Town and its residents. This potential impact is offset by the maintenance of open space, farms, and environmental resources.

Subsequent housing and business development could generate additional traffic. Additional business development, along with related traffic could change traffic flow and lead to congestion. Any new road built could involve the disturbance of land, removal of trees and loss of habitats, and changes in stormwater. These are all potentially impacting. However, the proposed land use development standards recommended in the plan includes those designed to give the Town the ability to identify and mitigate traffic impacts. Thus, future growth will be better managed and transportation impacts reduced by adoption of the proposed plan.

The intent of the Comprehensive Plan is to protect the very factors that make the town an attractive place to live and work - character being a prime component. The proposed plan achieves this through a balanced approach that focuses on appropriate scale and location of development, conserves open spaces and working landscapes, and encourages economic development that is appropriate to the needs and scale/design.

The magnitude, importance, duration, and scale of adverse impacts related to adoption of the Comprehensive Plan are small. The town finds that adoption of and then subsequent implementation of the recommendations in the plan would have positive impacts on the environment and would serve to decrease or mitigate future negative impacts that may result from development. As such, the Board concludes that adoption of the plan will not have adverse impacts and therefore an environmental impact statement shall not be prepared.

The town board then checks A. on the last page of the FEAF, issuing a negative declaration (Neg. Dec.) for the action.

Example 3

Proposed activity: A 60-lot subdivision is planned on a 200-acre vacant lot in a suburban area that does not have public water, sewer and stormwater facilities. The area is zoned for residential use, is similar to other subdivisions in the area, and has adequate street access and road capacity. The subdivision is designed as a conservation subdivision where the homes will be clustered on 60-acres and a conservation easement will permanently protect the remainder of the parcel for open space for active and passive recreation for the residents. Clustering the homes will allow easier provision of water and sewer to

the residences. Water wells would be drilled and a small package plant provided. Low impact development methods such as bioswales and rain gardens will be used to control stormwater. There are no wetlands, streams, or other natural resources of concern.

- Using information from Part 1, the Planning Board has answered questions 1 through 18 on Part 2.
- Using the Part 2 tools, the Board determined that there would be no impact to some environmental resources but they determined that there may be moderate to large impacts related to questions 3 and 4 (surface water and groundwater). This was because new water supply wells would need to be provided and require the construction of a new wastewater treatment plant.
- If needed, look at DOH website for public health law definition of realty subdivision.

After further review, the Planning Board found:

1. There are adequate water supplies, and groundwater quality or quantity would not be affected as determined through test wells showing adequate capacity and high quality potable water. Further, the Health Department tests show soils on site are supportive for individual septic systems as proposed.
2. Erosion control methods will be used during construction to minimize erosion.
3. The developer has included plans for a community sewer system to serve the new residences. This system has been approved by the Department of Health and DEC, and the Planning Board found only short-term, minor impacts due to the land disturbance and construction of the homes, water facilities, and sewer systems.

As a result of this analysis, the Planning Board has decided that the impacts will be avoided or mitigated and thus small in magnitude and unlikely to occur. Given the context of this project in an area of similar scaled and dense residential subdivisions, the Board did not find any impacts that they considered important. They made a determination that the project was not significant and would not need further analysis in an EIS.

An appropriate Part 3 statement for this example would be:

Potential impacts to surface and ground waters were identified as moderate to large because new water supply wells and a wastewater treatment facility would be needed. The project is designed to protect a significant portion of the parcel as open space. Impacts to groundwater were determined to be not significant because testing showed there are ample groundwater resources available and water quality met all standards. Further, erosion measures will be put in place to control runoff during construction, and the project will incorporate low impact development standards so there will be no increase in runoff. Impacts related to construction of a water and sewer system to serve the residences were found to have small impacts that would occur mostly during the construction phase. Further, impacts of that infrastructure would not be growth inducing since the area was already similarly dense and not likely to

induce other growth. Given the scale and context, the Planning Board determined there would be no significant adverse impacts and no EIS will be required.

The planning board then checks A. on the last page of the FEAF, issuing a negative declaration (Neg. Dec.) for the action.

Example 4

Proposed activity: A non-retail commercial use already located and operating wants to expand. The proposal is to add more parking spaces and enlarge the structure to accommodate an increase in the number of employees by 25 percent. The project is located along a local town road and there will be additional commuter and truck delivery traffic. The facility depends on a drilled well for water supply and an onsite septic system for wastewater disposal. The Health Department has determined there is capacity to accommodate the additional employees. Surrounding land uses include vacant lands and single-family residences. The project design includes construction of the new parking lot that will use crushed gravel instead of asphalt, will include shielded lighting fixtures to be placed in landscaped planting islands, and a vegetated berm between the parking lot and the road to screen views of some of the parking lot. New drainage and erosion controls designed according to a DEC approved stormwater pollution prevention plan are also planned. To accommodate additional cars and trucks, the applicant has also included a re-design of the local road.

- Using information from Part 1, the Planning Board has answered questions 1 through 18 on Part 2.
- Using the Part 2 tools, the Planning Board determined that there would be no impact to some environmental resources but they determined that the impacts to 3 (surface water), 13 (traffic) and 15 (light) could potentially be moderate to large.

After further review, the Planning Board found:

1. There is ample acreage on the parcel to accommodate these enlargements.
2. A 25 foot forested buffer already exists on all sides of the parcel except along the road frontage, so screening of the facility will be maintained.
3. Stormwater runoff will be mitigated by use of pervious surfaces in the parking lot and new stormwater control facilities.
4. There will likely be issues handling the anticipated additional commuter and delivery truck traffic, but that these will be mitigated by the road redesign. The design has been approved by the local highway department.
5. The aesthetics of the parking lot will be improved due to placement of landscaped islands.
6. Lighting fixtures will be shielded so no glare will occur on neighboring properties.

7. The community has a comprehensive plan that seeks to maintain rural character, but also recognizes the need for jobs in the area and encourages re-use of existing buildings.

After this analysis, the Planning Board decided that the magnitude of the project was large, that the impacts to changes in intensity and traffic would be long-term, but are unlikely to occur because of the mitigation included in the project design. Given the scale and context of the proposed project, the Planning Board determined there would be not be significant impacts.

An appropriate Part 3 statement for this example would be:

The Planning Board has evaluated the magnitude, duration, likelihood, scale and context of the project and has decided that the potential impacts could be large in magnitude because it could change the character of the area, increase the intensity of land use in a rural community, and impact roads and traffic.

However, because the use already exists, and because the project includes features such as use of a pervious parking lot surface, screening, new landscaping, use of shielded lights, incorporation of erosion and stormwater control devices, and a redesign of the road to accommodate traffic, the impacts are adequately mitigated as follows:

There is ample acreage on the parcel to accommodate these enlargements. A 25 foot forested buffer already exists on all sides of the parcel except along the road frontage, so screening of the facility will be maintained. Stormwater runoff will be mitigated by use of pervious surfaces in the parking lot and new stormwater control facilities. There will likely be issues handling the anticipated additional commuter and delivery truck traffic, but that these will be mitigated by the road redesign. The design has been approved by the local highway department. The aesthetics of the parking lot will be improved due to placement of landscaped islands. Lighting fixtures will be shielded so no glare will occur on neighboring properties. The community has a comprehensive plan that seeks to maintain rural character, but also recognizes the need for jobs in the area and encourages re-use of existing buildings.

Short-term impacts may occur during construction, but in light of the scale and context of the project area, is seen as a small impact. As a result of the project design the Planning Board has determined that significant adverse impacts are unlikely to occur and will not require preparation of an environmental impact statement.

> The planning board then checks A. on the last page of the FEAF, issuing a negative declaration (Neg. Dec.) for the action.

The End.