Updates to the SEQR Regulations
Title 6 NYCRR, Part 617
Effective January 2019

See attached regulations for more details.

New changes are underlined; bracketed words are deleted.

• Search “SEQR Revisions”
• “Express Terms” are the SEQR Regulations
Why were SEQR updates needed?

• Need: Regulations were last revised in 1995
• Goal: Streamline regulatory process without sacrificing environmental protection
• Generic EIS and findings explain changes
Update timeline

• Notice of Intent and Draft Scope, July 11, 2012
• Final Scope, November 28, 2012
• Proposed Rule and Draft GEIS, January 20, 2017
• Revised Rule and Revised Draft GEIS, April 4, 2018
• Rule Adopted, June 27, 2018
• Rule Effective, January 1, 2019
Overview of Changes

- Type I List
- Type II List
- EIS Scoping
- EIS Preparation
- Document Preparation
- SEQR Fees
Type I List

- Lowered thresholds for residential subdivisions
- Added threshold for parking spaces in smaller communities
- Align threshold for historic properties with other sensitive resources and adds “eligible” historic properties
- Eligible properties will now appear on EAF Mapper
Type II List

- Upgrading buildings to meet state energy code
- Green infrastructure
- Installation of telecommunications cables in ROWs with trenchless burial or use of existing poles
- Conveyances of land in connection with 1-3 family residence
- Solar (on rooftops, landfills, brownfield and Superfund sites, wastewater treatment facilities, parking lots/garages and industrial areas)
- Lot line adjustments
Type II List, continued

• Reuse of a commercial or residential structure
• GML §§ 239-m or 239-n planning recommendations
• Acquisition/dedication of parkland or conservation easement
• Conveyance of property by public auction
• Organic digesters at operating municipal landfills
Scoping

• Scoping will be required for all EISs (similar to Federal and NYC requirements) except for supplemental EISs

• Process for late-filed comments on scope
EIS Preparation

• Clarify procedures to define when a DEIS is adequate for public review

• Addition of requirement, where relevant, to evaluate measures to avoid or reduce an actions impact on climate change and associated impacts of flooding and sea level rise.
Document Preparation and SEQR Fees

• Draft and final scopes must be noticed in the ENB

• Draft and finals scopes, as well as draft, final and supplemental EISs must be posted on a publicly available website
New York State Department of State

Division of Local Government
(518) 473-3355
www.dos.ny.gov/lg/index.html

New York Department of Environmental Conservation
Division of Environmental Permits
(518) 402-9167
www.dec.ny.gov/permits/357.html