



**Division of Local  
Government Services**

# **Updates to the SEQR Regulations Title 6 NYCRR, Part 617**

A Division of New York Department of State

# 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 final 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](http://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](http://www.dec.ny.gov/permits/357.html)