

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

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.

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.

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

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.

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>

Part 3 Attachment

The Village Board of Trustees reviewed all the questions in Part 2 of the Full Environmental Assessment Form. Questions 1-2, 4, 6-9, 12, 14-18 showed no impact. Questions 3, 5, 10-11, and 13 showed no or small impacts (including potentially beneficial impacts). In addition, the Village Board reviewed the criteria listed in Section 617.7 of the SEQRA law.

(1) To determine whether a proposed Type I or Unlisted action may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action must be compared against the criteria in this subdivision. The following list is illustrative, not exhaustive. These criteria are considered indicators of significant adverse impacts on the environment:

(i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

The proposed action is adoption of a community plan and zoning, not a construction or infrastructure project. Therefore this criterion is not applicable.

(ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;

The proposed Comprehensive Plan update and zoning revisions are intended to promote protection of vegetation, wildlife, habitat areas and other natural resources. No adverse impacts to these resources are anticipated from adoption of the Plan and zoning.

(iii) the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617. 14(g) of this Part;

There are no designated Critical Environmental Areas in the Village of Nyack. Therefore, this criterion is not applicable.

(iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

The proposed Comprehensive Plan Update and zoning are consistent with the Village's adopted plans and policies and are intended to promote a pattern of land use consistent with the existing Village context and supportable by existing infrastructure.

(v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

The proposed Comprehensive Plan update and zoning are intended to promote protection of important historical, archeological, architectural or aesthetic resources and existing community and neighborhood character. No adverse impacts to these resources are anticipated from adoption of the Plan and zoning.

(vi) a major change in the use of either the quantity or type of energy;

The proposed action is adoption of a community plan and zoning, not a construction or infrastructure project. Therefore this criterion is not applicable.

(vii) *the creation of a hazard to human health;*

The proposed action is adoption of a community plan and zoning, not a construction or infrastructure project. Therefore this criterion is not applicable.

(viii) *a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;*

The proposed Comprehensive Plan Update proposes some improvements to open space and recreational resources; however, these improvements are not anticipated to result in a substantial change in the use or intensity of use of land within the Village.

(ix) *the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;*

The proposed action is adoption of a community plan and zoning, not a construction or infrastructure project. Therefore this criterion is not applicable.

(x) *the creation of a material demand for other actions that would result in one of the above consequences;*

The proposed action is adoption of a community plan and zoning, not a construction or infrastructure project. Therefore this criterion is not applicable.

(xi) *changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or*

The Village Board has considered the various potential elements of the environment identified in Section 617.7(c), and does not envision any combined impacts resulting in a substantial adverse impact on the environment.

xii) *two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.*

The Village Board is not aware of any other action, when undertaken with this one, which would result in a cumulative negative impact on the environment.

(2) *For the purpose of determining whether an action may cause one of the consequences listed in paragraph (1) of this subdivision, the lead agency must consider reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions which are:*

(i) included in any long-range plan of which the action under consideration is a part;

(ii) likely to be undertaken as a result thereof; or

(iii) dependent thereon.

The Village Board is not aware of any other future plans that when combined with this impact would have a negative impact on the environment.

Summary

The Village Board of Trustees finds that the proposed action to update the 2006 Comprehensive Master Plan (CMP) and enact targeted zoning code revisions will not have a significant negative environmental impact.