

STATE ENVIRONMENTAL QUALITY REVIEW
POSITIVE DECLARATION
Notice of Intent to Prepare a
Supplemental Draft Generic Environmental Impact Statement
Determination of Significance

Date: April 15, 2015

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

The Central Pine Barrens Joint Planning and Policy Commission, as lead agency, has determined that the proposed action described below may have a significant effect on the environment and that a Supplemental Draft Generic Environmental Impact Statement (SDGEIS) will be prepared.

Name of Action:

Central Pine Barrens Comprehensive Land Use Plan Amendments to Chapter 4: Review Procedures, Chapter 5: Standards and Guidelines for Land Use and Chapter 6: Pine Barrens Credit Program.

SEQR Status:

Type I

Name and Title of Responsible Officer in Lead Agency: John W. Pavacic, Executive Director

Description of Action:

Pursuant to the Long Island Pine Barrens Protection Act, as embodied in Article 57 of the New York State Environmental Conservation Law, the Central Pine Barrens Comprehensive Land Use Plan (the "CLUP) was required to help ensure the protection of the high quality groundwater and surface water resources found within the Central Pine Barrens as well as to help ensure the preservation of the ecology and ecosystems of the Central Pine Barrens while balancing public and private interests in development.

Article 57 of the Environmental Conservation Law requires that the Commission review the effectiveness of the CLUP every five years and, if appropriate, to identify areas in which amendments are required and then develop and adopt such amendments.

During the last such review of the CLUP's effectiveness, a number of amendments were identified. Subsequently, amendments were drafted and the action proposed herein consists of the adoption of these amendments to the Central Pine Barrens Comprehensive Land Use Plan.

The Proposed CLUP Amendments in Chapter 4, Review Procedures, specify coordination between agencies, clarify definitions based on past resolutions and policies of the Commission, update Critical Resource Areas, as applicable, and refine as well as add definitions of projects that achieve the threshold for a Development of Regional Significance.

The Proposed CLUP Amendments in Chapter 5, Standards and Guidelines for Land Use, reorganize, consolidate and combine similar provisions that relate to County or State codes or regulations such as Suffolk County Department of Health Services codes pertaining to sanitary code compliance and industrial materials storage and New York State Department of Environmental Conservation regulations pertaining to wetlands, buffers and species protection. One significant proposed amendment to Chapter 5 pertains to vegetation clearing, open space and habitat protection. This includes refinements to the existing clearing requirements and methodologies for prioritizing which areas of a project site should be set aside as open space. Additional provisions include a requirement to set aside open space on project sites that are already cleared of existing natural vegetation. The proposed CLUP Amendments to Chapter 5 also allow for self-heal restoration and implementation of self-heal recovery on a project site. Open space design and implementation are described and illustrated in a guidance document included in the proposed amendments entitled, "Draft Conservation Design and Open Space Management Manual for Development Projects in the Central Pine Barrens" and requirements in regard to native and non-native revegetation are also included. Other amendments relate to current region-wide initiatives and consistency with existing practices in the Central Pine Barrens Towns and Villages and in SEQRA including provisions for invasive species management, dark skies compliance, and protection of scenic resources.

The Proposed CLUP Amendments in Chapter 6, Pine Barrens Credit Program, include references to provisions that apply to lands in the newly-expanded Core Preservation Area in the Carmans River Watershed pursuant to the State Legislature's 2013 amendment to New York State Environmental Conservation Law Article 57, including the method of allocating Pine Barrens Credits. Other proposed amendments codify past practices of the Commission while others refine Pine Barrens Credit redemptions policies, the Letter of Interpretation process, Pine Barrens Credit transaction requirements and the issuance of Pine Barrens Credits when a land use violation exists.

Location:

The Central Pine Barrens Comprehensive Land Use Plan and subsequent amendments apply to the Central Pine Barrens region as defined in Article 57 of the New York State Environmental Conservation Law and which includes portions of the Town of Brookhaven, portions of the Town of Riverhead and portions of the Town of Southampton and portions of the Village of Quogue and the Village of Westhampton Beach, Suffolk County, Long Island, New York. (See Attached Map of the Central Pine Barrens region).

Reasons Supporting this Determination:

Pursuant to subdivision 617.7(b) of the SEQRA regulations, the Commission, as Lead Agency, has considered the action as defined in subdivisions 617.2(b) and 617.3(g) of the SEQRA regulations, has reviewed the Full EAF, the criteria contained in subdivision 617.7(c) of the SEQRA regulations and other supporting information to identify the relevant areas of environmental concern and has thoroughly analyzed the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment.

Pursuant to subdivision 617.7(a) of the SEQRA regulations, the Commission has determined that the proposed action may include the potential for at least one significant adverse environmental impact potentially occurring due to:

- A potential substantial change in the use or intensity of use of land including agricultural, open space or recreational resources, or in the capacity to support existing uses;
- The potential creation of a material conflict with a community's current plans or goals as officially approved or adopted.

Preparation of SDGEIS and Public Scoping:

Pursuant to Section 617.7 of the SEQRA regulations, the Commission shall prepare a Supplemental Draft Generic Environmental Impact Statement (SDGEIS) and pursuant to Section 617.8 of the SEQRA regulations, the Commission shall conduct public scoping and shall prepare a draft scoping document for the SDGEIS for review and comment by the public during a public scoping period.

For Further Information:

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Westhampton Beach, New York 11978

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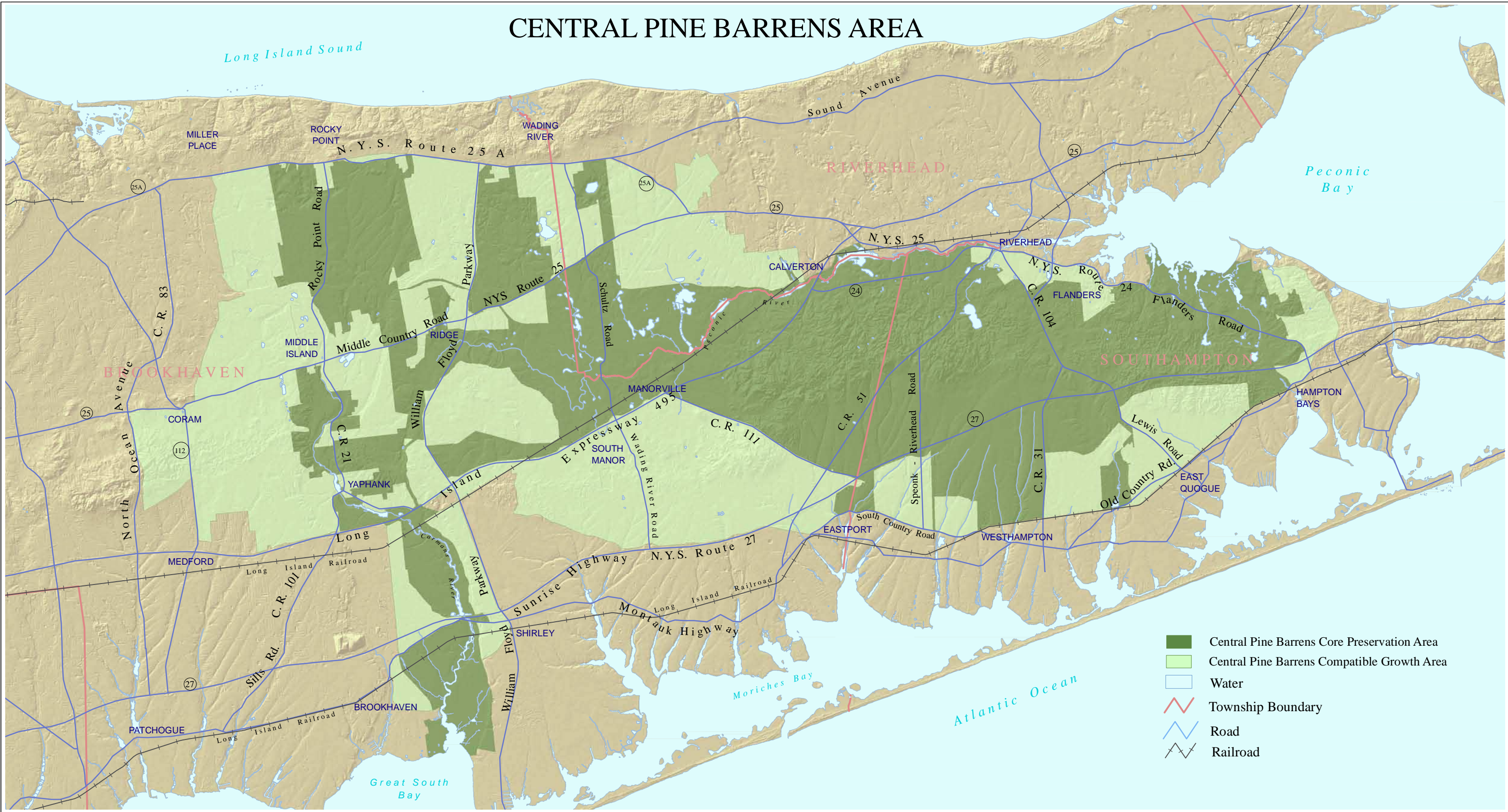
A Copy of This Notice Sent To:

See Attached Distribution List

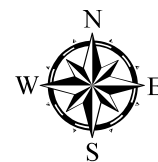
Central Pine Barrens Comprehensive Land Use Plan Amendments
Positive Declaration
Distribution List

The Governor of the State of New York
Suffolk County Executive
New York State Department of Environmental Conservation Region 1 LI Office
Town Supervisors of the Towns of Brookhaven, Riverhead and Southampton
Town Council Members of the Towns of Brookhaven, Riverhead and Southampton
Mayors of the Villages of Westhampton Beach and Quogue
New York State Senators (Suffolk County)
New York State Assembly Members (Suffolk County)
Suffolk County Legislature
Suffolk County Water Authority
Suffolk County Planning Commission
Central Pine Barrens Advisory Committee Members
Suffolk County Division of Planning and Environment
Long Island State Parks Commission
Suffolk County Department of Parks, Recreation and Conservation
New York State Department of Transportation
Suffolk County Department of Public Works

CENTRAL PINE BARRENS AREA



- Central Pine Barrens Core Preservation Area
- Central Pine Barrens Compatible Growth Area
- Water
- Township Boundary
- Road
- Railroad



Note: This map is intended for general reference only and is not to be used for surveying, legal interpretation of jurisdictional boundaries, or other precise purposes. Information shown on this map may contain defects, errors, and/or omissions. Refer to NYS ECL Article 57-0107 (10), (11), and (12) for the official description of the Central Pine Barrens boundaries. Prepared by Commission Staff (ac), February 20, 2014.

CENTRAL PINE BARRENS JOINT PLANNING AND POLICY COMMISSION

Peter A. Scully, Chair
 Steven Bellone, Member
 Edward P. Romaine, Member
 Anna E. Throne-Holst, Member
 Sean M. Walter, Member

