



**Amendments to the
Central Pine Barrens Comprehensive Land Use Plan
proposed on 8/18/04 and adopted on 10/20/04**

At the 8/18/04 Commission meeting, the Commission scheduled a public hearing on the following amendments to the Central Pine Barrens Comprehensive Land Use Plan, Volume 1: Policies, Programs and Standards, for its regular 9/15/04 meeting. The hearing was held on that date at 3:00 pm at the Quogue Wildlife Refuge, Old Country Road, Quogue, NY.

The Commission adopted this amendment, along with a negative declaration under the State Environmental Quality Review Act, at its 10/20/04 meeting, also held at the Quogue Wildlife Refuge.

The amendment, and the accompanying SEQRA materials, are below.

Peter A. Scully
Chair

Philip J. Cardinale
Member

Patrick A. Heaney
Member

John Jay LaValle
Member

Steve A. Levy
Member

Amendments

Previously, the Central Pine Barrens Comprehensive Land Use Plan, Volume 1: Policies, Programs and Standards contains the following excerpt in Chapter 9:

“9.1 Legislative recommendations for full implementation of the Plan

Section 57-0121(6)(q) of the statute requires the Plan to state any

Recommendations for further legislation at the state, county, and local levels as may be necessary to fully implement the provisions of this article.

Towards this requirement, the Commission has identified the following proposed legislative actions, including legislative changes to the Long Island Pine Barrens Protection Act of 1993.”

The Plan amendment consists of leaving the existing subsections 9.1.1 through 9.1.4 which follow the above text intact, and adding the following, new Section 9.1.5. The proposed new Section 9.1.5 would be as follows, using standard strikeout and insertion annotation. Please note that the unannotated text shown below is current text in the law which is included here for clarity of reading.

9.1.5 Legislative recommendation for establishing a list of state or public

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corporation projects which are to be deemed as not constituting “development”.

Article 1 of the ECL should be amended to reflect the change in definition of “person” for purposes of Article 57. Specifically, ECL §1-0303(18) should be modified to read as follows:

18. "Person" shall mean any individual, public or private corporation, political subdivision, government agency, department or bureau of the state, municipality, industry, co-partnership, association, firm, trust, estate or any other legal entity whatsoever. Provided, however, that for purposes of sections 3-0109 through 3-0115 inclusive, and sections 3-0305 and 3-0307 of article 3; articles 9, 11, 13 and 15; titles 7, 9, 11 and 13 of article 21; article 23; articles 43, 45 and 47, and sections 57-0121 and 57-0123 of article 57; and titles 1 through 15 inclusive and title 33 of article 71 applicable to these provisions, "person" means any individual, firm, co-partnership, association or corporation other than the state and a "public corporation".

The remainder of the proposed ECL changes are all for Article 57.

Specifically, a new ECL §57-0107(13)(xv) should be added to read as follows; the list of “state and public corporation projects” shall be those listed in Figure 9.2, which follows all of these legislative changes:

(xv) in the core preservation area, the state or public corporation projects on those parcels identified in the comprehensive land use plan adopted by the commission in June of nineteen hundred ninety-five as amended on February twenty-first, two thousand one and -----, two thousand and four;

ECL §57-0121(8), (9), and (10) should be modified to read as follows:

8. In order to effectuate the purposes and provisions of this article, no person, the state or public corporation shall undertake or otherwise engage in development within the Central Pine Barrens area prior to approval and implementation of the land use plan except as provided by this section. No amendments to the existing town or village zoning laws, ordinances or regulations affecting development within the Central Pine Barrens area shall take effect prior to the approval of the land use plan as provided in this chapter except that a town may as part of a zoning ordinance adopted pursuant to article sixteen of the town law or by local law pursuant to other enabling law, provide for a planned unit development or planned development district

ordinance for a development for which the designated lead agency, on or before June first, nineteen hundred ninety-three, accepted a draft environmental impact statement or draft generic environmental impact statement under article eight of this chapter. The provisions of this section shall not apply to development in the compatible growth area for which:

(a) the designated lead agency, on or before June first, nineteen hundred ninety-three, accepted a draft environmental impact statement or draft generic environmental impact statement or issued a conditioned negative declaration or a negative declaration under article eight of this chapter, or (b) all required municipal and state permits and approvals were issued on or before June first, nineteen hundred ninety-three (except that a building permit need not have been issued by said date), or

(c) The designated lead agency, after June first, nineteen hundred ninety-three and prior to ninety days immediately following adoption of this section or as extended at the discretion of the commission in its interim rules and regulations adopted pursuant to section nine herein, issues on an active application a conditioned negative declaration or a negative declaration under article eight of this chapter and which does conform to the use and lot area requirements of the zoning in effect in the relevant municipality on June first, nineteen hundred ninety-three, and does not necessitate a use variance. Notwithstanding the foregoing, in the event a commissioner within thirty days of receiving notice of said issuance requests review of the action by the full commission, the development shall be subject to the interim rules and regulations and reviewed as provided for in section nine herein.

In the event that an event referred to herein (acceptance of a draft environmental impact statement or draft generic environmental impact statement; issuance of a conditioned negative declaration or negative declaration; or issuance of a required permit or approval) is annulled or vacated by a court of competent jurisdiction and such judicial action has not been reversed by a superior court, then, for purposes of this section, such event shall be deemed not to have taken place.

Notwithstanding any other provision of law, any development which includes land within the core preservation area for which the designated lead agency, on or before June first, nineteen hundred ninety-three, accepted a draft environmental impact statement or draft generic environmental impact statement shall not require a supplemental draft or generic environmental impact statement under article eight of this chapter solely because such development includes land within the core preservation area.

9. Within three months of the effective date of this section, the commission shall publish interim goals and standards for development and for hardship before the

land use plan is implemented in compatible growth areas identified in the map. The commission may vary the procedures and time periods for compliance with article eight of this chapter as necessary and appropriate to comply with the three month deadline of this subdivision. Upon such publication, development may proceed in such compatible growth areas subject to existing laws, regulations and approval procedures and subject to the review and approval of the commission. ~~An applicant~~ Any person, the state or public corporation applying for development in such compatible growth areas who has received all necessary local and state approvals may petition the commission for approval of the development. Within thirty days of an application being received, the commission shall provide the applicant and any other person an opportunity to be heard. Notice of such hearing shall be published in a newspaper having a general circulation in the Central Pine Barrens area, and notice of such hearing shall also be given by registered mail to the chief administrative officer of each town and village within whose boundary any proposed development is located. If the proposed development is consistent with the commission's interim goals and standards, the commission shall approve the development and may include conditions for approval. If the applicant seeks an exemption based upon a demonstration of hardship, the commission may approve development in the compatible growth area upon the finding that such interim goals and standards caused an unnecessary hardship. In making such finding the commission shall consider the criteria for a use variance pursuant to section two hundred seventy-six-b of the town law. The commission must make a decision within one hundred twenty days of receipt of a complete application. If the commission fails to make a decision within one hundred twenty days, the development shall be deemed to be approved by the commission, unless extended by mutual agreement of the applicant and commission.

10. Any person, the state or a public corporation upon a showing of hardship caused by the provisions of subdivision eight of this section on development in the core preservation area, may apply to the commission for a permit exempting such ~~person applicant~~ person from such subdivision eight in connection with any proposed development in the core preservation area. Such application for an exemption pursuant to the demonstration of hardship within the core preservation area shall be approved only if the ~~applicant person~~ person satisfies the following conditions and extraordinary hardship or compelling public need is determined to have been established under the following standards or for development of the state or a public corporation or proposed for land owned by the state or a public corporation compelling public need is determined to have been established under the following standards:

(a) The particular physical surroundings, shape or topographical conditions of the specific property involved would result in an extraordinary hardship, as distinguished from a mere inconvenience, if the provisions of this act are literally enforced. An

~~applicant~~ person shall be deemed to have established the existence of extraordinary hardship only if he demonstrates, based on specific facts, that the subject property does not have any beneficial use if used for its present use or developed as authorized by the provisions of this article, and that this inability to have a beneficial use results from unique circumstances peculiar to the subject property which:

- (I) Do not apply to or affect other property in the immediate vicinity;
- (ii) Relate to or arise out of the characteristics of the subject property rather than the personal situation of the applicant; or
- (iii) Are not the result of any action or inaction by the applicant or the owner or his predecessors in title including any transfer of contiguous lands which were in common ownership on or after June 1, 1993.

(b) ~~An applicant~~ A person, the state or a public corporation shall be deemed to have established compelling public need if the applicant demonstrates, based on specific facts, one of the following:

- (I) The proposed development will serve an essential health or safety need of the ~~municipality, the state, or public corporation~~ or, in the case of an application serving more than one ~~of the municipalities~~ public corporation or the state and one or more public corporations that the public health and safety require the requested waiver, that the public benefits from the proposed use are of a character that override the importance of the protection of the core preservation area as established in this article, that the proposed use is required to serve existing needs of the residents, and that no feasible alternatives exist outside the core preservation area to meet the established public need and that no better alternatives exist within the county; or
- (ii) The proposed development constitutes an adaptive reuse of an historic resource designated by the commission and said reuse is the minimum relief necessary to ensure the integrity and continued protection of the designated historic resource and further that the designated historic resource's integrity and continued protection cannot be maintained without the granting of a permit.

©) An application for a permit in the core preservation area shall be approved only if it is determined that the following additional standards also are met:

- (I) The granting of the permit will not be materially detrimental or injurious to other property or improvements in the area in which the subject property is located, increase the danger of fire, endanger public safety or result in substantial impairment of the resources of the core preservation area;
- (ii) The waiver will not be inconsistent with the purposes, objectives or the general spirit and intent of this article; or
- (iii) The waiver is the minimum relief necessary to relieve the extraordinary hardship, which may include the granting of a residential development right to

other lands in the compatible growth area that may be transferred or clustered to those lands to satisfy the compelling public need.

Any waiver or exemption granted under the provisions of this part shall only be considered an exemption or waiver of the particular standard of this article which the commission waived. It shall not constitute an approval of the entire development proposal. Nor shall it constitute a waiver from any requirements contained within any local, county or state law or ordinance.

Within thirty days of the application being received, the commission shall provide the applicant and any other person an opportunity to be heard. Notice of any public hearing conducted in connection with an application for such a permit shall be published in a newspaper of general circulation in the Central Pine Barrens area. If the proposed development is not contrary to the policy or any provision of this article and meets the standards of extraordinary hardship or public need herein, and the commission so finds, it may issue a permit allowing the development or such development subject to appropriate conditions or modifications to occur, provided that permission may be revoked by the commission if its terms are violated, and provided further that any such hardship permit issued by the commission shall be in addition to, and not in lieu of, such permit or permits as may be required by any state agency or municipality within whose boundary such development is located. The time within which the commission must decide a core preservation area hardship application for which a negative declaration has been made by the commission pursuant to article eight of this chapter is one hundred twenty days from receipt of such application. The time within which the commission must decide a core preservation area hardship application for which a positive declaration has been made by the commission pursuant to article eight of this chapter is sixty days from issuance of a findings statement by the commission pursuant to article eight of this chapter. If the commission fails to make a decision within the aforesaid time periods, the development shall be deemed to be approved by the commission, unless extended by mutual agreement of the applicant and commission.

ECL §57-0123(2)(a) and (b) should be modified to read as follows:

2. (a) The commission shall have jurisdiction to review and approve all proposed development in critical resource areas and developments of regional significance as identified in the land use plan and proposed developments found by the commission after petition by a commissioner to have significant adverse impact on the land use plan. Any commissioner may petition the commission to assert review jurisdiction over a proposed development outside of a critical resource area or which is other than a project of regional significance which has a significant adverse impact on the goals of the land use plan. If the commissioner by majority vote asserts jurisdiction, such

project or action shall be subject to review by the commission. For the purposes of review and identification of projects coming under the jurisdiction of the commission by virtue of critical resource area or area of regional impact or at the request of any commission member, the commission shall designate the responsible planning entity or staff for the purposes of advising the commission with respect to such applications or projects. To the fullest extent possible, the commission shall consolidate and coordinate its review with the appropriate local government. ~~An applicant for~~ A person, the state or public corporation proposing development in a critical resource area or development of regional significance shall apply to the commission for approval of the development. Applications shall be made to the commission on forms and in such manner as the land use plan and commission shall designate.

(b) The commission must make a decision within one hundred twenty days of the receipt of a complete application. If the commission fails to make a decision within one hundred twenty days, the development shall be deemed to be approved by the commission, unless extended by mutual agreement of the applicant and the commission. The commission must make a decision within one hundred twenty days of asserting jurisdiction over a project that is before the commission based on the petition by a commissioner. If the commission fails to make a decision within one hundred twenty days of the date of asserting jurisdiction, the development shall be deemed to be approved by the commission, unless extended by mutual agreement of the applicant and the commission.

ECL §57-0123(3) (a) and (b) should be modified to read as follows:

3. (a) Subsequent to the adoption of the land use plan, the provisions of any other law, ordinance, rule or regulation to the contrary notwithstanding, no application for development within the Central Pine Barrens area shall be approved by any municipality or county or agency thereof or the commission, and no state approval, certificate, license, consent, permit, or financial assistance for the construction of any structure or the disturbance of any land within such area shall be granted, unless such approval or grant conforms to the provisions of such land use plan; provided, however, that the commission by majority vote is hereby authorized to waive strict compliance with such plan or with any element or standard contained therein, for an application for development of any person, upon finding that such waiver is necessary to alleviate hardship for proposed development in the core preservation area according to the conditions and finding of extraordinary hardship or compelling public need pursuant to subdivision ten of section 57-0121 of this article, or for an application for development of the state or public corporation or proposed for land owned by the state or public corporation upon finding that such waiver is necessary to alleviate hardship for proposed development in the core preservation

area according to the conditions and finding of compelling public need pursuant to subdivision ten of section 57-0121 of this article, and every application is consistent with the purposes and provisions of this article and would not result in substantial impairment of the resources of the Central Pine Barrens area.

(b) The commission by majority vote is also authorized to waive strict compliance with such plan or with any element or standard contained therein, upon finding that such waiver is necessary to alleviate hardship for ~~proposed development~~ development proposed by any person, the state or public corporation in the compatible growth area according to the conditions and findings of hardship pursuant to subdivision nine of section 57-0121 of this article, is consistent with the purposes and provisions of this article and would not result in substantial impairment of the resources of the Central Pine Barrens area.

The following Figure 9.2 contains the list referred to in the proposed new ECL §57-0107(13)(xv).

Figure 9.2 State and Public Corporation Projects Recommended as Not Constituting “development” Under the Pine Barrens Law		
SC Tax Map Number	Site Name and Owner	Project
200-296-1-1.2	Fireman’s Park Brookhaven Town	Construction of one additional bathroom for the Fireman’s Park fire training and tournament facility.
200-296-1-1.2	Fireman’s Park Brookhaven Town	Fireman’s Museum existing structures plus the construction of a new structure for storage of museum displays
200-296-1-1.2	Fireman’s Park Brookhaven Town	Fireman’s Museum additional parking lot (on the cleared area on the west side of the interior road) for handicapped parking (to be surfaced with environmental pavers).

200-325-1-11	Ridge Facility NYS DEC	Consolidation of two derelict barns to one new barn. Specifically, this involves the demolition and removal of two smaller barn structures, consolidating them into one and relocating them to an area which is already disturbed within the Motor Equipment Maintenance compound.
200-325-1-11	Ridge Facility NYS DEC	Modification and expansion of motor equipment maintenance facility.
200-325-1-11	Ridge Facility NYS DEC	Reorganization of fleet compound. Specifically, the current fleet compound includes, but is not limited to, the motor equipment maintenance facility, one derelict barn, improved and unimproved parking surfaces for storage of a wide variety of motorized and non motorized equipment, construction supplies and materials, solid waste storage, abandoned pheasant pens, and fueling facilities. As part of the larger upgrade plan, the area needs to be regraded to prevent surface runoff to Randall Pond, and the establishment of porous aggregate surfaces for storage to replace the bare soil surfaces now used.
900-164-4-all Southampton Town owned parcels	Southampton Town owned Wildwood Lake properties	Constructing a footbridge and wetlands restoration at Wildwood Lake.
900-192-1-2 900-212-2-7.2	Suffolk Community College Eastern Campus Suffolk County	Projects listed on the Suffolk Community College Eastern Campus “Master Plan Phase 1 List” as of 1/3/95.

CENTRAL PINE BARRENS JOINT PLANNING AND POLICY COMMISSION

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Date Issued: October 20, 2004

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

The Central Pine Barrens Joint Planning and Policy Commission (the "Commission"), as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Amendments to the Central Pine Barrens Comprehensive Land Use Plan

SEQR Status: Project is an Unlisted Action pursuant to SEQR regulations. The Commission is the only involved agency.

Conditioned Negative Declaration: No

Description of Action:

This project involves amending the Central Pine Barrens Comprehensive Land Use Plan (the "Plan") to include recommended legislative changes to the Environmental Conservation Law (the "ECL"). These recommendations are made pursuant to ECL §57-0121(6)(q) which provides that the Plan is to state any "recommendations for further legislation at the state, county, and local levels as may be necessary to fully implement the provisions of this article."

There are two components to the Commission's legislative recommendations:

First, the Commission seeks to clarify the standard of review for applications for development in the Core Preservation Area made by the state or a public corporation.

Second, the Commission recommends that certain projects proposed by the state or a public corporation be deemed to not constitute "development" under Article 57. Only those projects which constitute "development" pursuant to ECL §57-0107(13) are subject to Commission review.

Under the proposed legislative amendment, the Commission, in reviewing any proposed development project of the State or a public corporation, will apply the standard contained in ECL

§57-121(10)(b). This standard requires the applicant to demonstrate, based on specific facts, one of the following:

(I) The proposed development will serve an essential health or safety need of the state, or public corporation or, in the case of an application serving more than one public corporation or the state and one or more public corporations that the public health and safety require the requested waiver, that the public benefits from the proposed use are of a character that override the importance of the protection of the core preservation area as established in this article, that the proposed use is required to serve existing needs of the residents, and that no feasible alternatives exist outside the core preservation area to meet the established public need and that no better alternatives exist within the county; or

(ii) The proposed development constitutes an adaptive reuse of an historic resource designated by the commission and said reuse is the minimum relief necessary to ensure the integrity and continued protection of the designated historic resource and further that the designated historic resource's integrity and continued protection cannot be maintained without the granting of a permit.

Absent such a showing, the Commission cannot approve a proposed development project. Presently, the state or a public corporation can apply for development in the Core Preservation Area under two standards: ECL §57-121(10)(a) or (b).

The Plan Amendments contain an explicit recognition that certain governmental projects should be deemed to not constitute "development" by legislative act. Specifically, the following legislative recommendation is made:

(xv) in the core preservation area, the state or public corporation projects on those parcels identified in the comprehensive land use plan adopted by the commission in June of nineteen hundred ninety-five as amended on February twenty-first, two thousand one and -October twentieth, two thousand and four;

The Commission anticipates that, before undertaking any of the listed projects, the relevant sponsor will perform an environmental analysis of the project pursuant to the New York State Environmental Quality Review Act. Three of the projects identified are in the Town of Brookhaven Fireman's Park facility, three projects are at the New York State Department of Environmental Conservation's Ridge facility, one project is on property owned by the Town of Southampton in the vicinity of Wildwood Lake and one project consists of activities proposed by Suffolk County for the Suffolk County Community College Eastern Campus in Southampton.

Proposals for the Fireman's Park facility include constructing a bathroom, erecting a museum building on an existing foundation, and placing several handicapped parking spots in a previously cleared area. None of the Brookhaven proposals involve significant alteration of native

vegetation.

Plans of the New York State Department of Environmental Conservation center on upgrading the motor equipment maintenance compound at its Ridge facility by removing the two derelict barns and consolidating the contents into a new barn, modifying and expanding the existing motor equipment maintenance facility and reorganizing the fleet compound.

The Town of Southampton is proposing to restore wetlands and to construct a footbridge at Wildwood Lake.

Suffolk County's project is to undertake those activities identified on the Suffolk County Community College Eastern Campus' Master Plan Phase 1 List as of January 3, 1995, which the Commission previously deemed as non-development.

Location:

The Central Pine Barrens as defined in Article 57 of the Environmental Conservation Area.

Reasons Supporting This Determination:

As measured against the criteria set forth in 6 New York Code Rules and Regulations §617.7(c), there will be no significant adverse impact upon the environmental features of the Central Pine Barrens from the proposed amendments. Rather, the amendments will restrict state or public corporation sponsored development in the Core Preservation Area to those projects which reuse an existing structure or serve an essential health or safety need of the state or public corporation.

Site specific environmental impacts of any proposed project will be identified and addressed during the sponsor's environmental review of the project.

Adoption of the amendments will not result in any substantial adverse changes 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, leaching or drainage problems; impact upon existing air quality, traffic or noise levels, or solid waste production; nor will it have any substantial adverse effect upon ground or surface water quality or quantity, or the potential for erosion, flooding, leaching or drainage problems.

No significant vegetation will be removed because the areas where activity is proposed are substantially cleared. Thus, there will be no interference with any fauna or with any resident or migratory fish or wildlife species; there will be no impacts upon a significant habitat area or substantial adverse impacts upon any threatened or endangered species of animal or plant, or the habitat of such species. There will be no significant impact to natural resources. Positive

environmental impacts will be realized by restoring the wetlands at Wildwood Lake and by removing derelict barns at the Ridge facility.

The Core Preservation Area of the Central Pine Barrens is a Critical Environmental Area. The Plan amendments will not conflict with a community's current plans or goals as officially approved or adopted because the Plan is the officially adopted Plan for the Central Pine Barrens area. The Commission is charged with the responsibility to develop, implement and update the Plan to reflect the requirements of the Central Pine Barrens resources.

Project sponsors will perform an environmental analysis for each site to determine whether implementation of a particular project will impair the character or quality of important historical, archeological, architectural, or aesthetic resources, or of existing community or neighborhood character. The amendments to the Plan will not result in a major change in the use of either the quantity or type of energy. There will be no health hazard created by the amendments. The amendments will not result in 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. Whether large numbers of people will be drawn or attracted to the proposed non-development projects as compared to the number of people who currently go to the places will be analyzed by the project sponsor.

The amendments will not create a material demand for other actions that will result in significant adverse environmental impacts. The project will not cause changes in two or more elements of the environment which when considered separately or jointly will result in substantial adverse environmental impacts. The amendments will have beneficial impacts by limiting government sponsored projects in the Core Preservation Area to those that will serve an essential health or safety need of the state or public corporation or reuse an existing structure.

For Further Information:

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Great River, New York 11739-0587

Telephone Number: 631-563-0307

Dated: October 20, 2004

Peter A. Scully, Chairman

**Appendix to
Short Environmental Assessment Form**

Describe Project Briefly:

The Central Pine Barrens Joint Planning and Policy created pursuant to Article 57 of the Environmental Conservation Law is proposing amendments to the Central Pine Barrens Comprehensive Land Use Plan. The proposed amendments are attached hereto and made a part hereof.

The amendments recommend that the New York State Legislature amend the Environment Conservation Law to restrict the ability of the state and public corporations to undertake development, as defined in ECL 57-0107 in the Core Preservation Area of the Central Pine Barrens. Under the proposed amendments, the state or a public corporation could only commence development in the Core when such development re-uses an existing structure or serves an essential health or safety need of the state or public corporation. The amendments also contain a recommendation that certain governmental projects be deemed to be non-development by legislative act.

There is no physical activity proposed by the Commission.

SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR Central Pine Barrens Joint Planning and Policy Commission	2. PROJECT NAME Amendments to the Central Pine Barrens Comprehensive Land
3. PROJECT LOCATION: Municipality: Brookhaven, Riverhead, Southampton County Suffolk	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map): Central Pine Barrens area as defined by Article 57 of the Environmental Conservation Law	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: See attached sheet	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input checked="" type="checkbox"/> Other Describe: Publicly owned lands	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR PLANNING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approval:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approval: Not applicable	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____	

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

OVER

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

01/23/85

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? Yes No *If Yes, coordinate the review process and use the FULL EAF.*

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8? Yes No *If No, a negative declaration may be superseded by another involved agency.*

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
None.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resource, or community or neighborhood character? Explain briefly:
None.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
None.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
None.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
None.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
None.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
None.

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? Yes No *If Yes, explain briefly:*

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? Yes No *If Yes, explain briefly:*

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) reversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

Central Pine Barrens Joint Planning and Policy Commission

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)