



**NEW YORK CLEAN WATER STATE REVOLVING FUND  
STATE ENVIRONMENTAL REVIEW PROCESS REQUIREMENTS  
FOR GREEN INNOVATION GRANT PROGRAM PROJECTS**

This guidance is intended to assist Green Innovation Grant Program (GIGP) recipients comply with the environmental review obligations required for the federal Clean Water State Revolving Fund (CWSRF) Program. All projects which receive CWSRF funding must undergo an environmental review process to assess potential environmental impacts and obtain a State Environmental Review Process (SERP) Certification. For GIGP projects, the NYS Environmental Facilities Corporation (EFC) works with recipients to obtain the SERP certification from the NYS Department of Environmental Conservation (DEC). This guidance is for GIGP projects only. CWSRF or DWSRF recipients should refer to the “Environmental Review Requirements” guidance for the applicable program ([CWSRF Environmental Review Requirements](#); [DWSRF Privately Owned Environmental Review Requirements](#); or [DWSRF Publicly Owned Environmental Review Requirements](#)).

- GIGP recipients should contact EFC staff to confirm the Clean Water Act (CWA) project classification which determines the steps required to obtain a SERP Certification. EFC staff determines the classification according to the relevant section of the CWA as described below.
- Early in the process, GIGP recipients should begin to secure the documentation needed to comply with any applicable environmental review requirements, in particular those of the State Historic Preservation Office (SHPO), the Adirondack Park Agency (APA), and the New York State Department of Agriculture and Markets (Ag and Markets). It is typically helpful to cover any issues related to these requirements in the scope of the project’s preliminary engineering report and / or feasibility study.  

EFC can assist recipients with documentation and other project-specific requirements by identifying DEC permits that may be required, arranging meetings with DEC staff to coordinate reviews, and facilitating the sharing of documents and information. Attachment I to this guidance provides a list of potential regulatory permits and approvals. EFC, DEC and the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) should be included as involved agencies for all GIGP projects. Attachment II provides a list of potentially Involved Agencies. Recipients are encouraged to use these lists for guidance.
- Please note that all Clean Water Act Section 212 Projects that are unlisted actions must be treated as Type I actions under SEQR for purposes of compliance with SERP. In addition, a coordinated environmental review must be conducted for all Type I and Unlisted actions in connection with Clean Water Act Section 212, 319 and 320 projects under the GIGP. At a minimum, the involved agencies for purposes of such coordinated review should include EFC, the appropriate Regional Office of the DEC and the NYSOPRHP, along with any other involved agency. Definitions of “coordinated review” and “involved agency” are set for in Attachment III of this guidance.
- In order to assist recipients, several resources, including a list of definitions and acronyms, are provided in Attachment III to this guidance.

## **1.0 The State Environmental Review Process (SERP) Certification**

All CWSRF projects, including GIGP projects, must complete the applicable required environmental review process and obtain a SERP certification from the DEC Regional Permit Administrator's (RPA) Office. For most GIGP projects, the applicable process will be the State Environmental Quality Review Act (SEQR) review process. The environmental review requirements will depend upon the project's classification under SEQR. All projects must be properly classified in accordance with SEQR as either: (i) a Type I action; (ii) an unlisted action; or (iii) a Type II action. SEQR must be conducted by a governmental entity; non-municipal GIGP recipients will need to identify an Involved Agency, such as the local municipality, DEC or another state agency, to conduct SEQR on their behalf.

In addition to SEQR, the SERP environmental review requirements in connection with GIGP projects may apply in certain circumstances for unlisted actions. This applicability depends upon the classification of the project under the CWA. Point source (CWA Section 212) projects must follow the SERP requirements for unlisted actions set forth in Section 1.1 below. Non-point source (CWA Section 319) and National Estuary Projects (CWA Section 320) projects are "categorically excluded" from SERP and are not subject to the additional SERP requirements, but are still subject to SEQR. Once a project is classified under the CWA, the appropriate steps must be taken according to SEQR and SERP. Information regarding SEQR is available at <http://www.dec.ny.gov/permits/357.html>.

Please note that, under the GIGP, EFC requires a coordinated review in connection with every Type I and unlisted action. For more information about conducting a coordinated review, refer to the regulatory provisions of SEQR. The review requirements for historic preservation and cultural resources, projects within agricultural districts and projects within the Adirondack Park are described in sections 2.0, 3.0 and 4.0 of this guidance.

All documentation required to obtain a SERP Certification must be submitted to EFC in order for EFC to obtain a SERP Certification for your project.

Both the SERP and SEQR review are complete when EFC obtains a SERP Certification from DEC on behalf of the recipient.

### **1.1 REVIEW REQUIREMENTS FOR CLEAN WATER ACT SECTION 212 POINT-SOURCE PROJECTS:**

Initially projects must be properly classified in accordance with SEQR as either: (i) a Type I action; (ii) an unlisted action; or (iii) a Type II action. SERP requires that all unlisted actions must be treated as Type I actions. Based on this classification, the following SEQR/SERP procedures apply. For more detail, refer to the complete SEQR regulations.

#### **1.1.1. Type I and Unlisted Actions**

- The Municipality must fill out Part 1 of the SEQR Full Environmental Assessment Form (EAF) and circulate the Full EAF to Involved Agencies along with the Lead Agency Solicitation. It may be helpful for the recipient to specifically request that each Involved Agency identify any permits and other approvals required for the project;
- Filing, publication, and distribution of documents must follow the SEQR requirements applicable to a Type I action;
- The Lead Agency makes a determination of environmental significance under SEQR, referred to as either a Negative Declaration or a Positive Declaration, then publishes the determination in the DEC Environmental Notice Bulletin (ENB). The determination of environmental significance must include a specific, detailed explanation supporting the determination.

- Positive Declarations (of Potentially Significant Adverse Environmental Impacts). A Lead Agency may determine that the GIGP project may have a potentially significant adverse impact on the environment and issue a Positive Declaration. An Environmental Impact Statement (EIS) will then be prepared. This does not make the project ineligible for a GIGP grant, but the documentation needed to show compliance is beyond the scope of this guidance. Typically, the NYS DEC Regional Permit Administrator (RPA) will be an active participant in these situations and should be consulted if this occurs.
- Negative Declaration. A Lead Agency may determine that the GIGP project will not have a potentially significant adverse impact on the environment and issue a Negative Declaration.
- All SERP documentation must be submitted to EFC in order for EFC to be able to obtain a SERP certification for your project.
- Documentation required for submittal to EFC includes the Municipal Resolution Classifying the Action; Lead Agency Solicitation; Full EAF; material correspondence from all Involved Agencies in connection with the SEQR review; Determination of Significance; ENB publication of Determination of Significance; and State Historic Preservation Office (SHPO) sign-off letter referred to in Section 2.0 of this guidance. The following are required if applicable: Ag & Markets sign off letter; and Documentation of APA Review.

#### 1.1.2. Type II Actions

- The Municipality designates the project as a Type II action stating the specific SEQR Type II regulatory exemption(s) that apply.
- Documentation required for submittal to EFC includes the Municipal Resolution Classifying the Action; and SHPO sign-off letter. The following is required if applicable: Documentation of APA review.

### **1.2 REVIEW REQUIREMENTS FOR CLEAN WATER ACT SECTION 319 NON-POINT SOURCE AND SECTION 320 NATIONAL ESTUARY PROJECTS:**

Based on the CWA classification for non-point source (319) or national estuary (320) projects, the SEQR procedures listed below apply. Please be advised that, although 319 and 320 CWA projects are categorically excluded from the environmental review requirements of SERP, all such projects must still obtain a SERP certification from the RPA. Please note that, if a 319 or 320 project is also considered a CWA 212 point source project, the recipient must follow the SEQR/SERP environmental review requirements for a CWA 212 point source project in section 1.1 of this guidance

#### **1.2.1 Type I Actions**

- The Municipality/Recipient must fill out Part 1 of the Full EAF and circulate the EAF to Involved Agencies along with the Lead Agency Solicitation. It may be helpful to specifically request that each Involved Agency identify all permits and other approvals required for the project.
- Filing, publication, and distribution of documents must follow the SEQR requirements applicable to a Type I action.
- The Lead Agency makes a determination of environmental significance under SEQR, referred to as either a Negative Declaration or a Positive Declaration, then publishes the determination in the ENB. The determination of environmental significance should include a specific, detailed explanation supporting the determination.
  - Positive Declarations (of Potentially Significant Adverse Environmental Impacts). A Lead Agency may determine that the GIGP project may have a potentially significant adverse impact on the environment and issue a Positive Declaration. An Environmental

Impact Statement (EIS) will then be prepared. This does not make the project ineligible for a GIGP grant, but the documentation needed to show compliance is beyond the scope of this guidance. Typically, the NYS DEC Regional Permit Administrator (RPA) will be an active participant in these situations and should be consulted if this occurs.

- Negative Declaration. A Lead Agency may determine that the GIGP project will not have a potentially significant adverse impact on the environment and issue a Negative Declaration.
- All SERP documentation must be submitted to EFC in order for EFC to be able to obtain a SERP Certification for your project.
- Documentation required for submittal to EFC includes the Municipal Resolution Classifying the Action; Lead Agency Solicitation; Full EAF; material correspondence from all Involved Agencies in connection with the SEQR review; Determination of Significance; ENB publication of Determination of Significance; and SHPO sign-off letter. The following are required if applicable: Letter; Ag & Markets sign-off letter; and Documentation of APA Review.

### 1.2.2 Unlisted Actions

- The Municipality/Recipient must fill out Part 1 of the Full or Short EAF and circulate the EAF to involved agencies along with the Lead Agency Solicitation. It may be helpful to specifically request each Involved Agency to identify any permits and other approvals required for the project;
- The Lead Agency makes a determination of environmental significance under SEQR, referred to as either a Negative Declaration or a Positive Declaration. The determination of environmental significance should include a specific, detailed explanation supporting the determination. In addition, any Positive Declaration needs to be published in the ENB.
  - Positive Declarations (of Potentially Significant Adverse Environmental Impacts). A Lead Agency may determine that the GIGP project may have a potentially significant adverse impact on the environment and issue a Positive Declaration. An Environmental Impact Statement (EIS) will then be prepared. This does not make the project ineligible for a GIGP grant, but the documentation needed to show compliance is beyond the scope of this guidance. Typically, the NYS DEC Regional Permit Administrator (RPA) will be an active participant in these situations and should be consulted if this occurs.
- Negative Declaration. A Lead Agency may determine that the GIGP project will have no potentially significant adverse impact on the environment and issue a Negative Declaration.
- All SERP documentation must be submitted to EFC in order for EFC to be able to obtain a SERP Certification for your project.
- Documentation required for submittal to EFC includes the Municipal Resolution Classifying the Action; Lead Agency Solicitation; Full EAF; material correspondence from all involved agencies in connection with the SEQR review; Determination of Significance; ENB publication of Determination of Significance in cases of a Positive Declaration; and SHPO sign-off letter. The following are required if applicable: Ag & Markets sign-off letter; and Documentation of APA Review.

### 1.2.3 Type II Actions

- The Municipality/Recipient classifies the project as a Type II action stating the specific Type II SEQR regulatory exemption(s) that apply;
- The Recipient is required to submit the SHPO sign-off letter and documentation of

Classification of the Action under SEQR. Municipal recipients are required to submit a municipal resolution; a non-municipal recipient may submit either: (i) a resolution of the governing body ; or (ii) a letter or memorandum on letterhead and signed by an authorized representative. The classification must state the regulatory exemption(s) including the specific 6 NYCRR 617.5 subsection(s) which apply. In addition, the following is required if applicable: Documentation of APA Review.

## **2.0 Historic Preservation and Cultural Resource Requirements**

GIGP projects must undergo a review for potential impacts on historic properties and resources pursuant to Section 106 of the National Historic Preservation Act of 1966 (NHPA). This review is conducted by State Historic Preservation Office (SHPO), of the Historic Preservation Field Services Bureau of the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). The GIGP recipient should complete the “Project Review Cover Form” with a request for a NHPA 106 review, submit it to OPRHP, and obtain a sign-off letter from SHPO.

To download the NYSHPO Project Review Cover Form, [click here](#).

## **3.0 Special Environmental Review Requirements for Projects Located in an Agricultural District**

Article 25-AA of New York Agriculture and Markets Law provides for the creation of Agricultural Districts. Water or sewer projects that occur within those districts, including GIGP projects, must follow a process to assess, identify, and address the impacts of the projects on agricultural resources. For GIGP projects located in an agricultural district, the recipient must follow the statutory procedures set forth in Agriculture and Markets Law, Section 305(4) and obtain a sign-off letter from Ag & Markets. If applicable, the recipient should include Ag & Markets and the appropriate County Agricultural and Farmland Protection Board as Involved Agencies under SEQR.

For more information, review Section 305(4) of Article 25 AA at <http://www.agriculture.ny.gov/> or contact Ag & Markets at 1-800-554-4501.

## **4.0 Special Environmental Review Requirements for Projects Located in the Adirondack Park**

A municipality located within the Adirondack Park must coordinate its environmental review with the APA. All projects located within the Adirondack Park are subject to APA environmental review requirements, even if the project is classified as a Type II action under SEQR. A municipality must complete the APA review process, and submit documentation of this review to EFC.

Please contact the New York State Adirondack Park Agency at (518) 891-4050 or [www.apa.state.ny.us](http://www.apa.state.ny.us) to confirm APA jurisdiction and to comply with applicable requirements.

## **5.0 Documentation Required to Complete SERP Certification**

In order for EFC to obtain a SERP Certification from DEC on behalf of the recipient, the recipient must submit copies of all applicable environmental review documentation to EFC.

Please note, if a GIGP application and/or CWSRF project identification number has been assigned, it should be referenced on all related correspondence.

SEQR forms may be downloaded from DEC’s website at <http://www.dec.ny.gov/permits/6191.html> .

See the Table on the following page for a list of documentation required by project type.

<b>Documentation Required to Complete SERP Certification</b>				
<b>Documentation Required</b>	<b>Type I</b> For all CWA project types: 212/319/320.	<b>Type II</b> For all CWA project types: 212/319/320.	<b>Unlisted</b> For CWA project type 212.	<b>Unlisted</b> For CWA project types 319 & 320.
<b>1. Classification of the Action</b> as Type I, Type II, or Unlisted <sup>1</sup>	Required	Required	Required	Required
<b>2. Lead Agency Solicitation</b> Sent to All Involved Agencies	Required	N/A	Required	Required
<b>3. Full EAF</b> with project map <sup>2</sup>	Required	N/A	Required	May do a Short or Full EAF
<b>4. Material Correspondence</b> from all other Involved Agencies in connection with the SEQR Review	Required	N/A	Required	Required
<b>5. Determination of Significance:</b> Positive or Negative Declaration <sup>3</sup>	Required	N/A	Required	Required
<b>6. ENB publication</b> of Determination of Significance: Positive or Negative Declaration	Required	N/A	Required	Required for Positive Declarations only
<b>7. SHPO NHPA Section 106 Sign-Off Letter</b>	Required	Required	Required	Required
<b>8. Ag &amp; Markets Section 305(4) Sign-Off Letter</b>	If applicable	N/A	If applicable	If applicable
<b>9. Documentation of APA Review</b>	If applicable	If applicable	If applicable	If applicable

<sup>1</sup> A Type II classification must state the regulatory exemption(s) including the specific 6 NYCRR 617.5 subsection(s) which apply.

<sup>2</sup> Full EAF with all Parts (1, 2, and 3, if applicable) completed. Note that both signature lines (page 1 and at the end of Part 1) must be properly signed and dated. The signature at the end of Part 1 should be signed and dated prior to distribution with the Lead Agency solicitation. The signature on page 1 of Part 1 should be signed and dated on the same date as the determination of significance resolution.

<sup>3</sup> This must include a specific, detailed explanation supporting the determination.

## **6.0 Additional Resources**

This section provides information about resources to assist GIGP applicants in developing a project and a complete application. For more information, see attachments to this document.

### **For Additional Information and Assistance with Environmental Impact Reviews and Regulatory Permits**

Please contact your local DEC office if you have additional questions. Contacts are available at <http://www.dec.ny.gov/>.

### **For General CWSRF Information**

Please contact the EFC Engineering and Program Management Division at (518) 402-7433 or call the EFC toll-free number at (800) 882-9721 (from within New York State only).

### **For General GIGP Information**

Please contact the EFC Technical Advisory Services Division at (518) 402-7461 or call the EFC toll-free number at (800) 200-2200 (from within New York State only).

### **Helpful Websites**

- The DEC SEQR web site ( [www.dec.ny.gov/permits/357.html](http://www.dec.ny.gov/permits/357.html) )
- The DEC SEQR Handbook – Third Edition – Topics presented in a Q&A format and addresses common questions that arise during the process of applying SEQR (can be obtained at <http://www.dec.ny.gov/permits/6188.html> )
- The SEQR Cookbook - A Step by Step Discussion of the Basic SEQR Process (can be obtained at [http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/cookbook1.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/cookbook1.pdf) )
- The OPRHP SHPO web site (<http://www.nysparks.state.ny.us/shpo/>)
- The SHPO Project Review Cover Form can be found at <http://www.nysparks.state.ny.us/shpo/environmental-review/documents/ProjectReviewSubmissionCoverForm.pdf>
- The New York State Adirondack Park Agency at [www.apa.state.ny.us](http://www.apa.state.ny.us) or (518) 891-4050.

**7.0 Attachments:**

Attachment I – List of Permitting Agencies and Potential Permits

Attachment II – List of Potentially Involved Agencies

Attachment III Definitions and Acronyms

**Attachment I**  
**List of Permitting Agencies and Potential Permits**

\* Note: Additional permits may be required from DEC, EPA, USDA and other state or federal agencies depending upon the nature of the project.

Potentially Involved Agency	Possible Permits, Applicable Statute and/or Regulations or Other Authority	Activity Covered
<b>Federal</b>		
United States Army Corps of Engineers (USCOE )	Section 404	Placement of dredged or fill material in waters of the US (stream crossings/wetlands).
United States Fish & Wildlife Service (USFWS)	Endangered Species Act	Construction activities potentially affecting listed or proposed threatened or endangered species.
<b>New York State</b>		
New York State Department of Environmental Conservation (NYS DEC)	Water Quality Certification Section 401 Certification (Clean Water Act)	401 water quality certification for activities permitted by the federal government potentially affecting State water quality standards
NYS DEC	Freshwater Wetlands (6 NYCRR Parts 663-664)	Construction activities potentially affecting State regulated wetlands.
NYS DEC	SPDES (Article 17, Titles 7, and 8 & Article 70 of the Environmental Conservation Law)	General SPDES Permit and General Permit (GP-93-06) for storm water discharges from construction activities. Preparation of storm water pollution prevention plan (SWPPP).
NYS DEC	Protection of Waters (6 NYCRR Part 608)	Disturbances to streams and other waters.
NYS DEC	Water Supply Permit (6 NYCRR Part 601)	Potable water supply components.
*New York State Environmental Facilities Corporation (NYS EFC)	Clean Water State Revolving Fund, Green Innovation Grant Program and Drinking Water State Revolving Fund	Approval of funding using state and federal appropriation
New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP)	State and Federal Preservation Laws (9 NYCRR 428) (36 CFR 800)	Activities affecting historic, architectural, archaeological, or cultural resources.

Potentially Involved Agency	Possible Permits, Applicable Statute and/or Regulations or Other Authority	Activity Covered
New York State Department of Health (NYS DOH)	Water Supply Plan Approval (10 NYCRR 5)	Potable water supply facilities.
New York State Department of Transportation (NYS DOT)	17 NYCRR Parts 126 and 131	Work within State highway Right-of-Ways (ROWS).
Department of State (NYS DOS)	Executive Law, Article 42 19 NYCRR Part 600 6 NYCRR Part 617	Activities affecting coastal zone management areas.
New York State Department of Agriculture and Markets (NYS Ag & Markets)	Notice of Intent to Undertake an Action within An Agricultural District (Article 25AA of the NYS Agriculture & Markets Law, Section 305(4), 1 NYCRR Part 371)	Activities in agricultural districts (including options and easements).
Adirondack Park Agency (APA)	Land Use Planning - Executive Law Article 27; 1 NYCRR Parts 570-586	Land Use
<b>Local – City, County, Town, Village</b>		
County Health Department	Water Supply Plans	Approval of water supply plans.
City/County/Towns	Highway Permit	Work within city/county/town highway ROWs.

***Attachment II***  
**List of Potentially Involved Agencies**

**Note: Any agency that requires a permit or has regulatory authority over a project should be included as a Lead Agency.**

**Federal Agencies**

United States Army Corps of Engineers (USCOE)

United States Fish & Wildlife Service (USFWS)

United States Environmental Protection Agency (USEPA), Region II

Marine & Wetland Protection Branch

Environmental Impact Branch

United States Department of Agriculture (USDA)

Soil and Water Conservation District (SWCD)

**New York State Agencies**

Department of Agriculture and Markets (NYS Ag & Markets)

\*Department of Environmental Conservation (NYSDEC)

\*Environmental Facilities Corporation (NYS EFC)

Department of Health (NYS DOH)

Department of Transportation (NYS DOT)

\*Office of Parks, Recreation and Historic Preservation (NYSOPRHP)

State Thruway Authority (NYS Thruway)

State Public Service Commission (NYS PSC)

Adirondack Park Agency (APA)

Office of the State Comptroller NYS OSC)

Department of State (NYS DOS)

**County Agencies**

Appropriate County Officials/Agencies

(e.g., County Health Department, County Legislature, County Planning Department)

**Local Agencies**

Appropriate Municipal Officials/Agencies

(e.g., Town Supervisor, Town Manager, City Planning Office)

\* Note: DEC, EFC and OPRHP should be included as involved agencies for all GIGP and CWSRF projects that are Type I or Unlisted Actions.

***Attachment III***  
**Definitions and Acronyms**

Note: Definitions may be more detailed in 6 NYCRR Part 617.

Adirondack Park Agency (APA) – the State agency charged with various regulatory and planning responsibilities in the Adirondack Park. APA has authority to perform its own environmental review process in addition to SEQR.

Coordinated Review – a process by which the Lead Agency seeks to identify any potentially significant environmental impacts relative to a project with input from all Involved Agencies within a defined process and timetable. It is through this process that a municipality establishes itself as Lead Agency and eventually issues a determination of significance.

Environmental Notice Bulletin, (ENB) – the weekly publication of DEC published pursuant to section 3-0306 of the Environmental Conservation Law. ENB is on DEC's website at <http://www.dec.ny.gov/enb/enb.html>.

Green Innovation Grant Program (GIGP) – The Green Innovation Grant Program is a Clean Water State Revolving Fund Grant Program that funds green projects which spur innovation, build green capacity and transfer technology throughout NY State. Financial assistance is awarded through a separate application process announced in the State Register subject to the availability of funds.

Interested Agency – any agency that lacks the jurisdiction to fund, approve or directly undertake an action but wishes to participate in the review process because of its specific expertise or concern about the proposed action. An Interested Agency has the same ability to participate in the review process as a member of the public.

Involved Agency – any agency with jurisdiction by law to fund, approve or undertake the proposed action. If an agency will ultimately make a discretionary decision to fund, approve or undertake an action, then it is an Involved Agency, notwithstanding that it has not received an application for financial assistance or approval at the time the SEQR process is commenced. The Lead Agency is also an Involved Agency.

Lead Agency – the agency responsible for undertaking, financial assistance or approving an action, and therefore responsible for determining the environmental significance of a project and completing SEQR review procedures. In most cases, the municipality sponsoring a GIGP project serves as Lead Agency.

Negative Declaration – a written determination by a Lead Agency that the implementation of the action as proposed will not result in any significant adverse environmental impacts. Negative declarations must be prepared and properly supported with reasons for the determination, filed and published in accordance with sections 617.7 and 617.12 of 6 NYCRR Part 617.

OPRHP, or NYS Office of Parks, Recreation and Historic Preservation – the NYS department charged with regulating impacts of actions on historic and cultural resources; often used interchangeably with SHPO.

## **Attachment III: Definitions and Acronyms continued**

Positive Declaration – a written statement prepared by the Lead Agency indicating that implementation of the action as proposed may have a significant adverse impact on the environment and that an environmental impact statement will be required. Positive declarations must be prepared, filed and published in accordance with sections 617.7 and 617.12 of 6 NYCRR Part 617.

RPA or Regional Permit Administrator – a staff member of the DEC responsible for coordinating the issue of various DEC permit programs, providing Regional DEC representation in SEQR reviews, and certifying SEQR reviews as meeting SERP requirements for GIGP financial assistance.

Section 106 SHPO Review – The review of a project for the potential impact/effect on historic properties conducted by the NY State Historic Preservation Office under Section 106 of the National Historic Preservation Act of 1966 (NHPA).

SEQR, or State Environmental Quality Review Act – the law which requires all state and local government agencies to assess the environmental significance of all actions they have discretion to approve, fund or directly undertake. SEQR requires the agencies to balance the environmental impacts with social and economic factors when deciding to approve or undertake an action. See 6 NYCRR Part 617 State Environmental Quality Review (SEQR), Environmental Conservation Law, Sections 3-0301(1)(b), 3-0301(2)(m) and 8-0113.

SERP Certification or State Environmental Review Process Certification – All projects which receive CWSRF funding must undergo an environmental review process to assess potential environmental impacts and obtain a State Environmental Review Process (SERP) Certification.

SHPO, or State Historic Preservation Office – the office or process that evaluates the potential impact of a project on historic or cultural resources. SHPO is a part of OPRHP; the acronym is often used interchangeably with OPRHP.

Type I Action – a proposed action or project directly undertaken, funded or approved by an agency that is more likely to require the preparation of an environmental impact statement (EIS) than Unlisted actions or one with a significant potential for an adverse environmental impact. See 6 NYCRR 617.4.

Type II Action – a proposed action which has been found categorically to have no significant adverse impacts on the environment, or actions that have been statutorily exempted from SEQR review. See 6 NYCRR Part 617.5 which can be found at <http://www.dec.ny.gov/regs/4490.html>.

Unlisted Action – an action not identified as a Type I or Type II action.