

**NEW YORK STATE
DEPARTMENT OF AGRICULTURE AND MARKETS**

**State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only**

PART I – PROJECT INFORMATION

1. The proposed action is located in the County of Albany
and the Town(s) of Berne, Bethlehem, Guilderland, New Scotland, Westerlo
2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the County Legislative Body of Albany County.
3. The name and address for the Clerk of the above named County is Hon. Bruce A. Hidley – Albany County Court House Room 128, 16 Eagle Street, Albany NY 12207-1077
4. Is this an application to modify an existing agricultural district? ☒Yes ☐No
 - If yes, what is the total number of acres comprising the district as it exists prior to modification?
 N/A acres
5. If this application involves a modification, will such modification result in a change in the size of the district? ☒ Yes ☐ No
 - If yes, how many acres are involved in the change? 188.26 acres
 - Does this represent an ☒ increase or ☐ decrease?
6. Zoning and Planning Information
 - Does the agricultural district correspond with a town(s) zoning district(s)?

X Yes No

If Yes, please cite the applicable zoning district(s):
Bethlehem- Residential/Agriculture (RA)
Guilderland – Residential/Agriculture (RA 3), RA5
New Scotland – Residential/Agricultural
Westerlo- Rural Development/Agricultural
 - Is/are the zoned district(s) within the modified agricultural district compatible with the goals and objectives of the Agricultural Districts Law, as set forth in Article 25-AA of the Agriculture and Markets Law? ☒ Yes No
 - If Yes, please cite the applicable language: Agriculture allowed by right.
7. What is present land use in the vicinity of the proposed modification?

☒ Residential ☐ Industrial ☐ Commercial ☒ Agriculture ☒ Park/Forest/Open Space ☐ Other

Describe: _____

8. Is there a public controversy related to this district proposal? ☐ Yes ☒ No If yes, describe below:

(Attach additional sheets if necessary.)

9. Attach any additional information as may be needed to clarify the proposed action.

I CERTIFY THAT THE INFORMATION PROVIDED
ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Authorized signature: Laura D. Betanc

Date: July 29, 2020

PART II- ENVIRONMENTAL ASSESSMENT

General Information

In providing responses to each of the questions, the reviewer should keep in mind that the action proposed is the modification or termination of an agricultural district or districts. The action is not the land use or activity which will, or may, take place in the district(s). For example, it is not appropriate to consider the effects of management action that may be taken by individual operators in conducting farming. Agricultural farm management practices, including construction, maintenance and repair of farm buildings, and land use changes consistent with generally accepted principles of farming are listed as Type II actions in 6 NYCRR §617.5(c)(3), and these actions have been determined not to have a significant impact on the environment.

- 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 617.5 ?

☐ 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:

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems?

Explain briefly:

NO

C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly:

NO _____

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
NO _____

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:
NO _____

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
NO _____

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
NO _____

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
NO _____

D. Will the project have an impact on the environmental characteristics that caused the establishment of a CEA? ☐Yes ☒No

E. Is there, or is there likely to be, controversy related to potential adverse environmental impacts?
☐Yes ☒No If Yes, explain briefly:

PART III- DESIGNATION OF LEAD AGENCY

Please indicate desire for lead agency status by checking the appropriate box below:

- ☒ Since the proposed action will be undertaken by this County Legislative Body and since any adverse environmental impacts will be primarily of local significance, it is hereby recommended that this County Legislative Body serve as lead agency to ensure compliance with the requirements of the State Environmental Quality Review Act. It has been determined that the only other agency required to undertake an action in this case is the Department of Agriculture and Markets.

☐ The County Legislative Body does not choose to nominate itself to serve as lead agency.

PART IV - DETERMINATION OF SIGNIFICANCE

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) irreversibility; (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 and 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:

Albany County Legislature

Name of Lead Agency

Hon. Andrew Joyce

Print or Type Name of Responsible Officer in Lead Agency

Chairman

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency


Signature of Preparer (If different from Responsible Officer)

Date