

Examples of SEQR Actions

Type I

Type I actions are presumed to have a significant adverse impact on the environment and are more likely to require preparation of an EIS.

Refer to 6 NYCRR §617.4 for the full list of Type I actions. The following are some examples:

- Adoption of a municipality's land use plan or the initial adoption of a municipality's comprehensive zoning regulations
- Adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district
- Granting of a zoning change, at the request of an applicant, for an action that meets or exceeds any Type I threshold
- Acquisition, sale, lease, annexation or other transfer of 100 or more contiguous acres of land by a state or local agency
- Construction of new residential units that meet or exceed the following thresholds:
 - 10 units in municipalities that have not adopted zoning or subdivision regulations
 - 50 units not connected to existing public water and sewerage systems
 - 250 units in municipalities with a population less than 150,000 so long as the units are connected to existing public water and sewerage systems
- Activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds; or the expansion of existing nonresidential facilities by more than 50 percent of any of the following thresholds:
 - physical alteration of 10 acres
 - use ground or surface water in excess of 2,000,000 gallons per day
 - parking for 1,000 vehicles;
 - more than 100,000 square feet of gross floor area in a municipality with a population less than 150,000
- Any Unlisted action that includes a nonagricultural use occurring wholly or partially within a state-certified agricultural district and exceeds 25 percent of any Type I threshold
- Any Unlisted action (unless the action is designed for the preservation of the facility or site) occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district or prehistoric site that is listed on the National or State Register of Historic Places
- Any Unlisted action, that exceeds 25 percent of any Type I threshold, occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space

Unlisted

Anything that is not listed as Type I or Type II is an unlisted action. These actions may have a significant adverse impact on the environment. The lead agency must continue review to determine if there are any possible significant impacts. The following are some examples:

- Zoning changes affecting fewer than 25 acres
- Approval of a residential subdivision for fewer than 250 units (or fewer if in an agricultural district or if the units will not be connected to water and sewer)
- Non-residential structures between 4,000 and 100,000 square feet of gross floor area
- Radio communication or microwave transmission facilities

Type II

Type II actions are categorical exclusions from SEQRA. These actions have been determined not to have a significant adverse impact on the environment. Once an action is determined to be Type II, no further environmental review is required.

Refer to 6 NYCRR §617.5 for the full list of Type II actions. The following are some examples:

- Maintenance or repair involving no substantial changes in an existing structure or facility
- Replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes
- Agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming
- Maintenance of existing landscaping or natural growth;
- Construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls
- Routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area
- Construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections and the installation, maintenance and/or upgrade of a drinking water well and a septic system
- Construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density
- Extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list
- Granting of individual setback and lot line variances
- Granting of an area variance(s) for a single-family, two-family or three-family residence