June 15, 1995

Mr. Gary McVoy, Director
Bureau of Environmental Analysis
NYS Department of Transportation
Building #5, State Campus
Albany, NY 12232

Dear Mr. McVoy:

This letter serves as the Department of Environmental Conservation, Division of Regulatory Services agreement to continue the Memorandum of Understanding (MOU) between our respective staffs regarding the coordination of review procedures under the State Environmental Quality Review Act (SEQR). This decision has been made following discussion with DEC regional staff regarding the implementation of the MOU signed June 3, 1994. It continues to be our mutual intent under this agreement to help streamline regulatory requirements and accelerate environmental review of Department of Transportation capital projects while ensuring environmentally sound infrastructure development in New York State for the future.

The terms to which we agree are as follows:

1. The Department of Environmental Conservation (DEC) consistent with the provisions of paragraph 6 NYCRR 617.4(d) agrees to the Department of Transportation (DOT) acting as lead agency for all DOT capital projects requiring a SEQR review and involving DEC permit jurisdictions. DOT remains responsible for coordination with any other agencies which may have a jurisdiction in DOT capital projects. If any agency other than DOT is ultimately designated as lead agency for a DOT capital project, then DEC must be informed immediately.

2. DOT, acting in its capacity of lead agency as described in item 1 above, will notify DEC of its determination of environmental significance (i.e. positive declaration or negative declaration) under 6 NYCRR 617 and DOT's agency regulations implementing SEQR, by written copy of such determinations accompanying any permit applications to the appropriate regional office.

3. Pursuant to this coordination agreement, DEC agrees to abide by the DOT classification of actions set out in DOT's implementing regulations for SEQR.
4. You and I will alert our respective regional staffs immediately to comply with the terms of this agreement and provide them with copies.

This agreement takes effect immediately and is reviewable annually at the initiative of either agency. Please sign as provided below to confirm your agreement to these items and return the signed copy to me. Thank you for your continued cooperation.

Sincerely,

Louis M. Concra, Jr.
Director
Division of Regulatory Services

Signed: Gary McVoy
Date: 6-7-85

Gary McVoy
Director
Bureau of Environmental Analysis
NYS Dept. of Transportation

C:\JACK\DOT-MOU.95
DATE:       June 22, 1995

TO:        Regional Environmental Contact/Regional Landscape
          Environmental Manager, Region 1

FROM:      M. E. Ivey, Environmental Analysis Bureau, 5-303 0473

SUBJECT:   DOT/DEC AGREEMENT ON SEQR PROCEDURES

Attached is a June 15, 1995 letter to Gary McVoy from
Lou Concra, Director of the Department of Environmental
Conservation’s Division of Regulatory Affairs. The
letter constitutes a continuation of the June 3, 1994
Memorandum of Understanding (MOU) between our two
agencies establishing standing procedures for
coordination of environmental reviews under the State
Environmental Quality Review Act (SEQR). As the letter
states, the intent of the agreement is to help
streamline and accelerate the environmental process
while ensuring environmentally sound infrastructure
development in New York.

Mr. Concra has notified his Regional staff that the
terms of the agreement continue to be in effect.
Please make sure that this document is given the
appropriate distribution within your Region.

MEI/DD
Attachment