

DORMITORY AUTHORITY
OF THE STATE OF NEW YORK
POLICY REGARDING IMPLEMENTATION OF THE
STATE ENVIRONMENTAL QUALITY REVIEW ACT, SECTION 14.09 OF
THE PARKS, RECREATION AND HISTORIC PRESERVATION LAW,
AND THE SMART GROWTH PUBLIC INFRASTRUCTURE
POLICY ACT

1. Purpose: The Dormitory Authority of the State of New York (“DASNY”) hereby acknowledges its responsibilities under the State Environmental Quality Review Act (“SEQRA”), Section 14.09 of the Parks, Recreation and Historic Preservation Law (“PRHPL”), and the Smart Growth Public Infrastructure Policy Act (“SGA”). In furtherance of these statutory provisions, the DASNY adopts this Policy to help ensure that:

- All activities undertaken by DASNY are undertaken in accordance with the requirements of SEQRA, PRHPL, and the SGA;
- DASNY consults with other federal, state and local agencies and organizations that have a discretionary approval in connection with a DASNY project or activity, or that have expressed interest in the project or activity. DASNY may consider the comments of such agencies and organizations in connection with the coordination of required environmental, historic, and smart growth reviews, and/or if appropriate, the conduct of separate reviews;
- All environmental, historic resources and smart growth reviews conducted by DASNY, to the extent appropriate, afford other interested state or local agencies and the public an opportunity to have input; and
- All clients of DASNY are apprised of DASNY’s responsibilities under SEQRA, the PRHPL, and the SGA, and the client’s obligation to assist DASNY in fulfilling those responsibilities.

2. Conduct of Environmental, Historic Resources and Smart Growth Reviews:

(a) To maximize the opportunity for input from federal, state and local agencies having an interest in the project or activity, as well as other organizations and members of the public who have expressed an interest in the project or activity, DASNY will comply with SEQRA, PRHPL and SGA by either:

- (i) participating in an environmental review conducted by another federal, state or local agency having jurisdiction under SEQRA. If DASNY is an involved agency in a review undertaken by another involved agency, then DASNY shall request that the lead agency include the New York State Office of Parks, Recreation, and Historic Preservation (“OPRHP”), as well as any other community organizations that have expressed interest in the project, as interested agencies in the review process. In addition, DASNY

shall request that the lead agency consider smart growth principles during the course of the SEQRA review; OR

(ii) by conducting its own coordinated review of the project. Reviews undertaken by DASNY as lead agency shall include the analysis required pursuant to the SGA. In addition, DASNY will undertake the review required pursuant to the PRHPL, including coordination with OPRHP, as appropriate. DASNY, however, may determine to utilize uncoordinated reviews of certain projects or activities in those instances where it is determined that such an uncoordinated review is appropriate because of factors including, but not limited to: (i) the routine nature of the project or activity being undertaken; (ii) the desire of other interested or involved agencies, subject to the requirements of SEQRA, to undertake their own review of the project; or (iii) the prior completion of a competent environmental review of the project or activity in question by another agency.

(b) Whenever DASNY is the lead agency having responsibility for reviewing a project under SEQRA, it shall: (i) require the project applicant to complete either the Short Environmental Assessment Form (SEAF) or Full Environmental Assessment Form-Part I (EAF-Part I), as is appropriate, developed by DASNY, and, where appropriate, the Smart Growth Assessment Form; and (ii) make reasonable efforts to identify all federal, state and local agencies, officials, and organizations that have a discretionary approval in connection with a DASNY project or activity, or that have expressed interest in the project or activity and apprise them of DASNY's intention to act as lead agency for purposes of conducting a coordinated review. OPRHP shall be included as an interested agency in such reviews. In appropriate instances, DASNY may determine to take other steps, which may include, but shall not be limited to, the conduct of a public hearing, as a means to ensuring that it receives sufficient input with respect to its review of the project.

(c) DASNY shall encourage those clients requiring permits or approvals from other governmental entities to advise those governmental entities of DASNY's potential involvement in the project or activity so that DASNY may participate in those reviews rather than conducting its own separate review at a later time.

3. Compliance with PRHPL: DASNY has previously entered into a Memorandum of Understanding ("MOU") with the Office of Parks, Recreation and Historic Preservation, dated March 25, 1998, regarding compliance with the PRHPL. DASNY shall adhere to the requirements of the MOU, as the same may be amended from time to time, for purposes of complying with that statute.

4. Office of Environmental Affairs; Director of Environmental Affairs:

(a) The Office of Environmental Affairs, under the direction of the Director, Environmental Affairs, shall, in conjunction with the Office of Counsel, have responsibility for ensuring that DASNY complies with SEQRA, the PRHPL, the SGA, and this Policy. All other divisions and units of DASNY shall consult with the Office of Environmental Affairs regarding their respective activities to ensure compliance with this Policy.

(b) The Vice President and the Director, Environmental Affairs, shall, pursuant to separate delegations from the Board, each have the authority to undertake, on behalf of DASNY, all actions necessary to comply with SEQRA, the PRHPL, and the SGA that are consistent with this Policy. Such actions may include, but not be limited to, all decisions regarding participation in reviews under SEQRA, whether as a lead or involved agency, preparing determinations of significance or non-significance and such other actions as are necessary to comply with SEQRA. The Office of Environmental Affairs shall maintain documentation for any decisions or actions sufficient to demonstrate compliance with SEQRA and this Policy.

(c) The Director, Environmental Affairs, shall prepare a monthly written report setting forth the status of all SEQRA reviews being conducted by DASNY or in which DASNY shall be participating. Such report shall be submitted to the Board monthly.

5. Smart Growth Advisory Committee ("SGAC"): DASNY shall establish a Smart Growth Advisory Committee ("SGAC") as required by the SGA. The SGAC shall consist of the Director and Environmental Managers in DASNY's Office of Environmental Affairs ("OEA") and at least one representative from the Office of Counsel. In order to maximize efficiency and ensure the most comprehensive review possible, OEA shall undertake the smart growth analysis in conjunction with the reviews required in accordance with SEQRA.

6. Procedures: Staff of DASNY is hereby directed to adopt procedures regarding compliance with SEQRA, the PRHPL, and the SGA that are consistent with this Policy.

Dated: December 5, 2012