

SECTION 4.0

COMPLIANCE WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

This section is intended to correlate applicable sections of the State Energy Plan with the components of a Final Environmental Impact Statement, pursuant to the State Environmental Quality Review Act (SEQRA) and its implementing regulations 6NYCRR Part 617. Notice of a Positive Declaration under SEQRA, indicating that implementation of the State Energy Plan may have a significant effect on the environment, was published in the Environmental Notice Bulletin on April 4, 2001. The integrated Draft State Energy Plan and Draft Environmental Impact Statement was issued for public comment on December 26, 2001. In total, 171 sets of oral comment were presented to the Energy Planning Board at its nine public hearings and 747 sets of written comments were received by the close of the public comment period on March 15, 2002. The Energy Planning Board has thoroughly reviewed the comments and has accordingly revised the State Energy Plan and the Final Environmental Impact Statement, as deemed appropriate.

The Energy Law generally requires that energy-related actions or decisions of state agencies, boards, commissions, and authorities be reasonably consistent with the forecasts and long-range energy planning objectives and strategies contained in the State Energy Plan. However, the State Energy Plan does not commit any agency, board, commission, or authority to a definite course of specific future decisions. Accordingly, each specific energy-related action of an agency, board, commission, or authority is independently subject to applicable environmental review requirements, such as SEQRA, or Articles VII and X of the Public Service Law.

Overall, the policy objectives and strategies set forth in the State Energy Plan are intended to maintain and improve environmental quality. For example, greenhouse gas and acid rain precursor emission reductions, as well as aquatic ecology enhancement, will directly result from the Plan's objectives and recommendations to continue to develop and implement strategies such as the Governor's Acid Deposition Reduction Program, Clean Air for Schools Program, Clean-fueled Bus and Diesel Vehicles Programs, Clean Fueled Vehicles Program, enhanced vehicle inspection programs, etc. Further, implementation of the Plan's objectives and recommendations to enhance energy efficiency and renewable energy sources will reduce air and water emissions and discharges resulting from fossil fuel combustion and other processes. Examples are the **New York Energy \$mart** program, Governor Pataki's Executive Order 111 to increase

the energy efficiency of State buildings and vehicles, the State Green Building Tax Credit. Similarly, implementation of the Plan's objectives and recommendations to improve transportation mobility will enhance air quality by reducing traffic congestion. The Plan addresses these and many other environmentally enhancing objectives and recommendations.

The State Energy Plan addresses the environmental impacts of its energy policy objectives and strategies. Although specific activities will need to be addressed individually (see above) these broad objectives and policies do not appear to have significant adverse environmental impacts. The integrated State Energy Plan and the Response to Comments complies with the specific requirements for a Final Environmental Impact Statement as specified in §8-0109 of SEQRA (ECL, §8-0109) and 6NYCRR 617.9(b), as follows:

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