

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <p>Parks, Recreation and Historic Preservation</p> <p>Section: Historic Preservation</p>	<p>Policy Title: OPRHP Compliance with SEQRA - Determinations of Eligibility of Historic Properties or Historic Districts for Inclusion in the State Register</p> <p>Directive: HP-POL-006</p> <p>Effective Date: 01/01/2019</p>
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Summary

The Deputy Commissioner for Historic Preservation/Deputy State Historic Preservation Officer shall establish a procedure and delegate to designees the authority to comply on behalf of the Commissioner with the recent change in the State Environmental Quality Review Act (SEQRA) regulations effective January 1, 2019 that classifies certain properties that are eligible for inclusion in the New York State Register of Historic Places (State Register) as Type I actions.

Policy

A recent SEQRA regulatory change requires certain historic properties or districts that are determined by the Commissioner to be eligible for listing in the State Register to be classified as Type I actions. State and local agencies should have access to information prior to the commencement of the SEQRA process and, at the latest, before they issue a negative or positive declaration, indicating whether a historic property or district is eligible for listing in the State Register.

The recent amendment to 6 NYCRR § 617.4 states:

§ 617.4 Type I actions

(b) The following actions are Type I if they are to be directly undertaken, funded or approved by an agency:

(9) any Unlisted action (unless the action is designed for the preservation of the facility or site), that exceeds 25 percent of any threshold established in this section, 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 Register of Historic Places (Volume 36 of the Code of Federal Regulations, parts 60 and 63, which is incorporated by reference pursuant to section 617.17 of this Part), or that is listed on the State Register of Historic

Places or **that has been determined by the Commissioner of the Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places pursuant to sections 14.07 or 14.09 of the Parks, Recreation and Historic Preservation Law** (emphasis added)

Under the procedure being established here, the Commissioner confirms existing previous determinations of eligibility that were made by staff in the Division for Historic Preservation (Division), and authorizes the Deputy Commissioner for Historic Preservation/Deputy State Historic Preservation Officer to

- continue to make these determinations on behalf of the Commissioner,
- delegate this authority to appropriate staff in the Division, and
- publish the date of each future determination of eligibility on the Resource Evaluation Form in the Cultural Resources Information System (CRIS).

Other Related Information

GOV-POL-026 Appointment and Designation of the Deputy State Historic Preservation Officer

History

01/01/2019 Policy established.