

**State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

Reasons Supporting this Determination:

Potential environmental impacts associated with the project were identified in the Environmental Assessment Form, utilized to assess potential adverse environmental impacts and compared to the criteria for determining significance identified in 6 NYCRR 617.7(c)(1) and in accordance with 6 NYCRR 617.7(c)(2) and (3). As indicated below in the discussion of each criterion specified in 6 NYCRR 617.7(c)(1), the proposed project will not have a significant adverse impact on the environment.

(i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

The proposed activity does not include a state regulated air emission source and will not impact air quality. No or small impact on ground or surface water quality may occur, the design of routing will consider wetlands and waterbodies and will first avoid these areas, when necessary aerial cable, trenchless burial, or directional drill will be utilized to avoid impact and will only occur within existing utility right of way. During construction, stormwater will be managed in accordance with NYS DEC Stormwater Management Permit maintaining all stormwater onsite and potential for erosion will be minimized. The proposed action will not result in new or additional use of groundwater, nor will it have the potential to introduce contaminants to ground water or an aquifer.

The proposed activity will not result in a change to existing transportation facilities or services. The proposed action will generate noise above existing ambient levels during construction due to the utilization of typical construction vehicles and equipment. The sound produced will not exceed noise ordinances established by local regulation and will only occur during the construction working hours. Operation of the broadband network will not generate noise exceeding existing ambient levels.

The proposed activity will result in no or small impact due to development on lands subject to flooding. The Town includes areas within floodplains. Development of new structures is not included in the proposed project, installation of new broadband cables will consider presence of floodways and floodplains and will first avoid these areas, when necessary aerial cable, trenchless burial, or directional drill will be utilized to avoid or minimize impact on lands subject to flooding.

(ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;

Site disturbance will occur within existing utility rights of way in previously disturbed areas and will not result in the removal or destruction of significant quantities of vegetation or fauna. Similarly, the project will not interfere with the movement of resident or migratory fish or wildlife species. The Town of Dryden includes species of plants and animals that are listed by the federal government or NYS as endangered or threatened;

however, the proposed activity will occur in existing utility right of way and in areas that receive routine maintenance. Threatened or endangered species of animals and plants are not expected to be impacted due to the proposed activity. The project will not have a substantial adverse impact on a threatened or endangered species of animals or plants, rare species, or the habitat of such species, or have significant impacts to natural resources. The Town of Dryden includes the unique geological feature identified as Monkey Run Road – Fall Creek, the proposed action will not include ground disturbance within this area of unique geological features, alternative routing will be utilized.

(iii) the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;

The project site is not within or adjacent to a Critical Environmental Area as designated pursuant to 6 NYCRR 617.14(g), and the project will not impair the environmental characteristics of a Critical Environmental Area.

(iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

The proposed project will not create a conflict with the community's current plans or goals as officially approved or adopted.

(v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

NYS Parks State Parks, Recreation, and Historic Preservation Office Cultural Resource Information System online mapping was reviewed to determine the presence of historic or archaeological resources in the project area. The Town of Dryden does include areas designated as archeological sensitive areas. The Town submitted project information requesting comments on the State Historic Preservation Office, upon review in accordance with Section 106 of the National Historic Preservation Act of 1996, it is of the opinion of NY SHPO that no historic properties, including archaeological and/or historic resources will be affected by the proposed undertaking.

(vi) a major change in the use of either the quantity or type of energy;

The proposed activity will not result in a major change in the use of either the quantity or type of energy. The proposed activity includes installing municipal broadband infrastructure. The broadband operational equipment will utilize electricity generated by the local grid and will not require the upgrade or development of new or existing substation.

(vii) the creation of a hazard to human health;

The project improvements will improve access to Municipal Broadband in the community and will be available to facilities that serve children, the elderly, people with disabilities, childcare centers, or group homes within the Town of Dryden. According to the NYSDEC EAF Mapper and the NYSDEC spill and remediation databases, all past spills within the Town have been closed and no further actions are required. No environmental remediation sites are found within the project area.

(viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

The proposed activity includes no, or small impact on land. The proposed activity includes installation of buried cable utilizing trenchless, trenched, or direct drilling methodologies. Activity will occur within existing utility rights of way. Installation of utilities during construction will maintain excavated materials onsite. During construction minor disruption to recreational resources will occur while cable is installed along utility right of way within Town recreational trails.

The Town of Dryden includes lands designated in Tompkins County Agricultural District 001; however, the proposed project will not result in the conversion of farmland. The action consists solely of routes utilizing construction techniques along existing utility rights of way.

The Town of Dryden includes State Forest and local parks, the proposed activity will utilize rails to trails linear recreation ways for installation of trenchless burial of cable, during construction minor disturbance will occur, all materials will remain on site and after construction the underground utility will not impact utilization of the recreational resources. Aerial cables will be visible but are consistent with existing utility poles and cables and will not diminish public enjoyment and appreciation of aesthetic resources.

(ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

The proposed project is not anticipated to encourage or attract a large number of people to the project area.

(x) the creation of a material demand for other actions that would result in one of the above consequences;

The proposed action will improve the existing municipal infrastructure in the Town of Dryden. The action will support residential and tourism growth in the area, but will not increase demand for other actions that would result in one of the above consequences.

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment;

The proposed project will not result in changes in two or more elements of the environment which, when considered together, would result in a substantial adverse impact on the environment.

(xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

The proposed project items at the project site have been reviewed together and do not meet any of the above criteria.