

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The actual action under consideration is merely the adoption of a local law to end the town's planned cannabis opt-out period, as originally undertaken as a pause to let NYS regulations and permits roll out and to have time to study potential impacts and develop local site planning regulations that are consistent with, and not preempted by, NYS law. While all new retail operations will have some impacts, such as upon soil, agriculture, surface and subsurface waters, floodplains, and like matters as reflected in FEAF Parts 1 and 2, the fact is that it is the imposition of land use review laws, such as zoning, site plan review, floodplain permitting, stormwater management controls, building permits, each with their own conditions, that mitigate those impacts and assure they stay small, and do not rise to the level of being moderate or large impacts. While it is possible that an extremely large retail facility could open in a wetland, near water, steep slopes, and disturb enough land as to produce some moderate or large impacts, such is very unlikely, a very remote possibility, improbable, and would not-the-less have all such impacts mitigated by the NYS siting and permitting processes, town land use reviews, and an independent SEQRA review conducted at the time the proposed use underwent site plan review. If such did occur, a future EIS would address any such impacts. Finally, while some point to odor, smoke, and health effects as SEQRA impacts, again, the action here is adopting a local law to regulate an allowed land use and such uses are not direct land use impacts as, if they were, then tobacco, alcohol, and many other products sold legally under federal and retail laws would trigger this standard and, as the lead agency, the town board does not consider such future, speculative impacts a material part of a SEQAR review for a local land use amendment to address a legal product in NYS. Moreover, the vast majority of cannabis and hemp operations are already allowed in the town, and NYS, including through its Department of Health, already undertook a review of these issues and determined that various growing and business facilities and operations for cannabis in NYS, including local growing for personal use, was within acceptable and known health and safety limits throughout NYS, particularly when compliance with the permitting and laws of NYS were adhered to by such facilities, operators, and consumers. See e.g., New York State Behavioral Risk Factor Surveillance System Brief (No. 2025-10) (and the studies it references, as well as NYSDOH generally). In part, and further to the points above, the adverse effects and health risks from cannabis (such as CUD) are better managed and controlled in legal, as opposed to illegal, markets.

After a review of all impacts, none rose to the moderate or large level as would trigger a positive declaration or need for an EIS, and the various site plan and land use reviews and permit processed by NYS and the town will mitigate even moderate impacts and reduce them to small or non-existent.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Opt-In and Cannabis Site Plan Review Local Law

Name of Lead Agency: Town Board of the Town of Lansing

Name of Responsible Officer in Lead Agency: Ruth Groff

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)



Date:

7-3-25

For Further Information:

Contact Person: Ruth Groff, Lansing Town Supervisor

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For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>