

**STATE ENVIRONMENTAL QUALITY REVIEW
SOLICITATION FOR LEAD AGENCY STATUS
 UNLISTED ACTION**

Pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

Date: September 28, 2011

To: Erie County Legislature
 Erie County Executive
 NY State Department of Environmental Conservation
 NY State Environmental Facilities Corp.
 Mayor, Village of Orchard Park

Name of Action: Village of Orchard Park Cistern Installation Project

Location: 100 West Highland Ave.
 Orchard Park, Erie County, New York

Project Number: C-617-10-624

Erie County has identified this project as an Unlisted action for the purpose of SEQR. Erie County requests lead agency status for this project, pursuant to Part 617.6 (b) of all involved agencies.

The reasons for this request are as follows:

The anticipated impacts of the action being proposed are primarily of regional significance

This agency has the greatest capability for providing the most thorough environmental assessment of the proposed action

Any involved or interested agency may submit objections in writing within thirty (30) days of the date of this notification. If no objections are expressed, Erie County will assume lead agency status for this action and will make a determination of its significance.

The Erie County DEP has made an initial determination of no significant impact on the environment and anticipates issuing a negative declaration if no significant concerns are identified. The EAF Part I is attached for your review.

Written comments may be submitted to:

Erie County Department of Environment and Planning
 Attention: Darren Kempner, Deputy Commissioner
 95 Franklin Street, 10th floor
 Buffalo, NY 14202

before October 28, 2011.

If a positive declaration is issued, the DEIS should study the following to assist in the making of SEQR findings:

Agency: _____

Responsible official: _____

Title: _____

Signature: _____

Date: _____

Address: _____

Phone: _____

Please return by: October 28, 2011 to:

Erie County Department of Environment and Planning
95 Franklin Street, Room 1077
Buffalo, New York 14202
Telephone for questions: 858-7674 (Thomas Hersey, Coordinator, Pollution

Prevention Program)

SEQR Referral Response.doc

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Village of Orchard Park Cistern Installation Project
Name of Action

Erie County Department of Environment and Planning
Name of Lead Agency

Darren Kempner
Print or Type Name of Responsible Officer in Lead Agency

Darren E. Kempner
Signature of Responsible Officer in Lead Agency

Deputy Commissioner
Title of Responsible Officer

Richard P. [Signature]
Signature of Preparer (if different from responsible officer)

December 3, 2010
Date

3. What is predominant soil type(s) on project site? Canandaigua silt loam
- a. Soil drainage: Well drained _____ % of site Moderately well drained _____ % of site
 Poorly drained 100 % of site Somewhat poorly drained _____ % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock? >5 (in feet)
5. Approximate percentage of proposed project site with slopes: 0-10% 100 % 10-15% _____ %
 15% or greater _____ %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places?
 Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? 0-1.0 (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to _____
 Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: N/A
 a. Name of Stream and name of River to which it is tributary _____
16. Lakes, ponds, wetland areas within or contiguous to project area:
 a. Name _____ b. Size (In acres) _____
17. Is the site served by existing public utilities? Yes No
 a) If Yes, does sufficient capacity exist to allow connection? Yes No
 b) If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor 0 acres.
- b. Project acreage to be developed: NA acres initially; 0.01 acres ultimately.
- c. Project acreage to remain undeveloped: NA acres.
- d. Length of project, in miles: NA (if appropriate).
- e. If the project is an expansion, indicate percent of expansion proposed NA %.
- f. Number of off-street parking spaces existing NA; proposed NA.

20. Will project produce operating noise exceeding the local ambient noise levels? Yes No

21. Will project result in an increase in energy use? Yes No

If yes, indicate type(s) electricity for pumping water

22. If water supply is from wells, indicate pumping capacity NA gallons/minute.

23. Total anticipated water usage per day 0 gallons/day.

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain NYSEFC Green Innovation Grant Program Funds

25. Approvals Required:

		Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>Village Board</u>	<u>12/13/2010</u>
City, Town, Village Planning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, County Health Department	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Local Agencies	Yes <input type="checkbox"/> No		
Other Regional Agencies	Yes <input type="checkbox"/> No		
State Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>NYSOPRH sec 14.09 review</u>	<u>12/3/2010</u>
Federal Agencies	Yes <input checked="" type="checkbox"/> No		

C. ZONING and PLANNING INFORMATION

1. Does proposed action involve a planning or zoning decision? Yes No

If Yes, indicate decision required:

- zoning amendment
- zoning variance
- special use permit
- subdivision
- site plan
- new/revision of master plan
- resource management plan
- other _____

2. What is the zoning classification(s) of the site? Industrial

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

NA

4. What is the proposed zoning of the site? No zoning change proposed

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

No zoning change proposed

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No

7. What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?

Industrial, Residential

8. Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? Yes No

9. If the proposed action is the subdivision of land, how many lots are proposed? NA

a. What is the minimum lot size proposed? NA

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are, or may be, any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.



**New York State Office of Parks,
Recreation and Historic Preservation**

Andrew M. Cuomo
Governor

Andy Beers
Acting Commissioner

Historic Preservation Field Services Bureau
P.O. Box 189, Waterford, New York 12188-0189 January 13, 2011
518-237-8643

Thomas R. Hersey, Jr.
Erie County Dept. of Environment and Planning
95 Franklin Street
Buffalo, New York 14202

Re: NYSEFC, SEQRA
Village of Orchard Park Cistern Installation
100 West Highland Avenue/ORCHARD PARK,
Erie County
10PR07785

Dear Mr. Hersey, Jr.:

Thank you for requesting the comments of the Field Services Bureau of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the OPRHP's opinion that your project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont
Acting Deputy Commissioner for Historic Preservation

STATE ENVIRONMENTAL QUALITY REVIEW
SOLICITATION FOR LEAD AGENCY STATUS
UNLISTED ACTION

Pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

Date: September 28, 2011

To: Erie County Legislature
Erie County Executive
NY State Department of Environmental Conservation
NY State Environmental Facilities Corp.
Supervisor, Town of Tonawanda

Name of Action: Town of Tonawanda Senior Center Cistern Installation Project

Location: 291 Ensminger Rd.
Tonawanda, Erie County, New York

Project Number: C-617-10-625

Erie County has identified this project as an Unlisted action for the purpose of SEQRA. Erie County requests lead agency status for this project, pursuant to Part 617.6 (b) of all involved agencies.

The reasons for this request are as follows:

The anticipated impacts of the action being proposed are primarily of regional significance

This agency has the greatest capability for providing the most thorough environmental assessment of the proposed action

Any involved or interested agency may submit objections in writing within thirty (30) days of the date of this notification. If no objections are expressed, Erie County will assume lead agency status for this action and will make a determination of its significance.

The Erie County DEP has made an initial determination of no significant impact on the environment and anticipates issuing a negative declaration if no significant concerns are identified. The EAF Part I is attached for your review.

Written comments may be submitted to:

Erie County Department of Environment and Planning
Attention: Darren Kempner, Deputy Commissioner
95 Franklin Street, 10th floor
Buffalo, NY 14202

before October 28, 2011.

If a positive declaration is issued, the DEIS should study the following to assist in the making of SEQR findings:

Agency: _____

Responsible official: _____

Title: _____

Signature: _____ Date: _____

Address: _____

Phone: _____

Please return by: October 28, 2011 to:

Erie County Department of Environment and Planning

95 Franklin Street, Room 1077

Buffalo, New York 14202

Telephone for questions: 858-7674 (Thomas Hersey, Coordinator, Pollution

Prevention Program)

SEQR Referral Response.doc

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Town of Tonawanda Senior Center Cistern Installation Project
Name of Action

Erie County Department of Environment and Planning
Name of Lead Agency

Darren Kempner
Print or Type Name of Responsible Officer in Lead Agency
Darren E. Kempner
Signature of Responsible Officer in Lead Agency

Deputy Commissioner
Title of Responsible Officer
Richard D. [Signature]
Signature of Preparer (if different from responsible officer)

December 3, 2010
Date

3. What is predominant soil type(s) on project site? Odessa-Lakemont silt loams
- a. Soil drainage: Well drained _____% of site Moderately well drained _____% of site
 Poorly drained _____% of site Somewhat poorly drained 100 % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock? >5 (in feet)
5. Approximate percentage of proposed project site with slopes: 0-10% 100% 10-15% ___%
 15% or greater ___%
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places?
Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? 0.5 (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to _____
 Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
Yes No If yes, explain recreation for senior citizens
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: N/A
- a. Name of Stream and name of River to which it is tributary _____
16. Lakes, ponds, wetland areas within or contiguous to project area:
- a. Name NA b. Size (In acres) _____
17. Is the site served by existing public utilities? Yes No
- a) If Yes, does sufficient capacity exist to allow connection? Yes No
- b) If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor 0 acres.
- b. Project acreage to be developed: NA acres initially; 0.01 acres ultimately.
- c. Project acreage to remain undeveloped: NA acres.
- d. Length of project, in miles: NA (if appropriate).
- e. If the project is an expansion, indicate percent of expansion proposed NA %.
- f. Number of off-street parking spaces existing NA; proposed NA.

20. Will project produce operating noise exceeding the local ambient noise levels? Yes No

21. Will project result in an increase in energy use? Yes No

If yes, indicate type(s) electricity for pumping water

22. If water supply is from wells, indicate pumping capacity NA gallons/minute.

23. Total anticipated water usage per day 0 gallons/day.

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain NYSEFC Green Innovation Grant Program Funds

25. Approvals Required:

		Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Town Board</u>	<u>12/20/2010</u>
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
City, Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, County Health Department	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Local Agencies	Yes <input type="checkbox"/> No	<u>SEQR Board</u>	<u>12/20/2010</u>
Other Regional Agencies	Yes <input type="checkbox"/> No		
State Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>NYSOPRH sec 14.09 review</u>	<u>12/3/2010</u>
Federal Agencies	Yes <input type="checkbox"/> No		

C. ZONING and PLANNING INFORMATION

1. Does proposed action involve a planning or zoning decision? Yes No

If Yes, indicate decision required:

- zoning amendment zoning variance special use permit subdivision site plan
 new/revision of master plan resource management plan other _____

2. What is the zoning classification(s) of the site? Schools, Parks, and Cemeteries (Unzoned)

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

NA

4. What is the proposed zoning of the site? No zoning change proposed

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

No zoning change proposed

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No

7. What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?

8. Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? Yes No

9. If the proposed action is the subdivision of land, how many lots are proposed? NA

a. What is the minimum lot size proposed? NA

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are, or may be, any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.



**New York State Office of Parks,
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

David A. Paterson
Governor

Carol Ash
Commissioner

December 22, 2010

Thomas R. Hersey, Jr.
Erie County Dept. of Environment and Planning
95 Franklin Street
Buffalo, New York 14202

Re: NYSEFC, SEQRA
Town of Tonawanda Senior Center Cistern
Installation
291 Ensminger Road/TONAWANDA, Erie
County
10PR07782

Dear Mr. Hersey, Jr.:

Thank you for requesting the comments of the Field Services Bureau of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the OPRHP's opinion that your project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont
Acting Deputy Commissioner for Historic Preservation

STATE ENVIRONMENTAL QUALITY REVIEW
SOLICITATION FOR LEAD AGENCY STATUS
UNLISTED ACTION

Pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

Date: September 28, 2011

To: Erie County Legislature
Erie County Executive
NY State Department of Environmental Conservation
NY State Environmental Facilities Corp.
Supervisor, Town of Tonawanda

Name of Action: Town of Tonawanda Highway Cistern Installation Project

Location: 500 Woodward Ave.
Kenmore, Erie County, New York

Project Number: C-617-10-626

Erie County has identified this project as an Unlisted action for the purpose of SEQR. Erie County requests lead agency status for this project, pursuant to Part 617.6 (b) of all involved agencies.

The reasons for this request are as follows:

The anticipated impacts of the action being proposed are primarily of regional significance

This agency has the greatest capability for providing the most thorough environmental assessment of the proposed action

Any involved or interested agency may submit objections in writing within thirty (30) days of the date of this notification. If no objections are expressed, Erie County will assume lead agency status for this action and will make a determination of its significance.

The Erie County DEP has made an initial determination of no significant impact on the environment and anticipates issuing a negative declaration if no significant concerns are identified. The EAF Part I is attached for your review.

Written comments may be submitted to:

Erie County Department of Environment and Planning
Attention: Darren Kempner, Deputy Commissioner
95 Franklin Street, 10th floor
Buffalo, NY 14202

before October 28, 2011.

If a positive declaration is issued, the DEIS should study the following to assist in the making of SEQR findings:

Agency: _____

Responsible official: _____

Title: _____

Signature: _____

Date: _____

Address: _____

Phone: _____

Please return by: October 28, 2011 to:

Erie County Department of Environment and Planning
95 Franklin Street, Room 1077
Buffalo, New York 14202
Telephone for questions: 858-7674 (Thomas Hersey, Coordinator, Pollution
Prevention Program)

SEQR Referral Response.doc

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Town of Tonawanda Highway Garage Cistem Installation Project
Name of Action

Erie County Department of Environment and Planning
Name of Lead Agency

Darren Kempner
Print or Type Name of Responsible Officer in Lead Agency

Darren E. Kempner
Signature of Responsible Officer in Lead Agency

Deputy Commissioner
Title of Responsible Officer

Richard B. Miller
Signature of Preparer (if different from responsible officer)

December 3, 2010
Date

3. What is predominant soil type(s) on project site? Urban land
- a. Soil drainage: Well drained _____ % of site Moderately well drained _____ % of site
 Poorly drained _____ % of site Somewhat poorly drained 100 % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock? >5 (in feet)
5. Approximate percentage of proposed project site with slopes: 0-10% 100 % 10-15% _____ %
 15% or greater _____ %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places?
 Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? 1.5 (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to _____
 Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: N/A
- a. Name of Stream and name of River to which it is tributary _____
16. Lakes, ponds, wetland areas within or contiguous to project area:
- a. Name NA b. Size (In acres) _____
17. Is the site served by existing public utilities? Yes No
- a) If Yes, does sufficient capacity exist to allow connection? Yes No
- b) If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor 0 acres.
- b. Project acreage to be developed: NA acres initially; 0.01 acres ultimately.
- c. Project acreage to remain undeveloped: NA acres.
- d. Length of project, in miles: NA (if appropriate).
- e. If the project is an expansion, indicate percent of expansion proposed NA %.
- f. Number of off-street parking spaces existing NA; proposed NA.

20. Will project produce operating noise exceeding the local ambient noise levels? Yes No

21. Will project result in an increase in energy use? Yes No

If yes, indicate type(s) electricity for pumping water

22. If water supply is from wells, indicate pumping capacity NA gallons/minute.

23. Total anticipated water usage per day 0 gallons/day.

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain NYSEFC Green Innovation Grant Program Funds

25. Approvals Required:

		Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>Town Board</u>	<u>12/20/2010</u>
City, Town, Village Planning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u></u>	<u></u>
City, Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u></u>	<u></u>
City, County Health Department	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u></u>	<u></u>
Other Local Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>SEQR Board</u>	<u>12/20/2010</u>
Other Regional Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	<u></u>	<u></u>
State Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>NYSOPRH sec 14.09 review</u>	<u>12/3/2010</u>
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u></u>	<u></u>

C. ZONING and PLANNING INFORMATION

1. Does proposed action involve a planning or zoning decision? Yes No

If Yes, indicate decision required:

- zoning amendment
- zoning variance
- special use permit
- subdivision
- site plan
- new/revision of master plan
- resource management plan
- other

2. What is the zoning classification(s) of the site? Performance Standard

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

NA

4. What is the proposed zoning of the site? No zoning change proposed

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

No zoning change proposed

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No

7. What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?

8. Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? Yes No

9. If the proposed action is the subdivision of land, how many lots are proposed? NA

a. What is the minimum lot size proposed? NA

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are, or may be, any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.



**New York State Office of Parks,
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

David A. Paterson
Governor

Carol Ash
Commissioner

December 22, 2010

Thomas R. Hersey, Jr.
Erie County Dept. of Environment and Planning
95 Franklin Street
Buffalo, New York 14202

Re: NYSEFC, SEQRA
Town of Tonawanda Highway Garage Cistern
Installation
500 Woodward Avenue/TONAWANDA, Erie
County
10PR07784

Dear Mr. Hersey, Jr.:

Thank you for requesting the comments of the Field Services Bureau of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the OPRHP's opinion that your project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont
Acting Deputy Commissioner for Historic Preservation