July 1, 2014

COMMUNITY ENRICHMENT COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 5D-3 (2014)
COMPTROLLER'S OFFICE: "Audit of the Buffalo and EC Public Library"
(6-0)

b. COMM. 5M-2 (2014)
BUFFALO & EC PUBLIC LIBRARY: "Audit of the Buffalo & EC Public Library"
(6-0)

2. COMM. 13E-4 (2014)
COUNTY EXECUTIVE

WHEREAS, the County of Erie (the "County") proposes a new academic building located on the Erie Community College ("ECC") North Campus in the Town of Amherst, New York; and

WHEREAS, the building would house laboratories, instructional space, faculty offices, and other ancillary space to support ECC's Science, Technology, Engineering, and Math ("STEM") programs; and

WHEREAS, the proposed action has been classified as a "Type I" action under the State Environmental Quality Review Act ("SEQRA") because it involves construction of a building in excess of 100,000 gross floor square feet, and a coordinated review was conducted; and

WHEREAS, the Erie County Legislature is an involved agency pursuant to SEQRA due to its funding role and undertaking of the construction of the proposed academic building; and

WHEREAS, a Full Environmental Assessment Form ("EAF") was prepared by Erie County, acting through the Department of Environment and Planning, to facilitate a review of the potential environmental impacts of the Project; and

WHEREAS, a notice of its intent to act as SEQRA lead agency for environmental review of the Project was subsequently circulated to all involved and interested agencies with a copy of the EAF, and the period for involved agencies to object to the County's intention to assume the role of SEQRA lead agency expired without such objection; and

WHEREAS, on April 3, 2014 the Erie County Legislature adopted a resolution identified as Communication 4E-2 (2014) requiring that any determination of environmental significance and findings statement as so defined in SEQRA prepared for the project titled ECC – Academic Building shall require approval by the Erie County Legislature prior to their execution by the Erie County Executive or his designee; and

WHEREAS, Erie County has duly considered the project, the Full Environmental Assessment Form, and the criteria for determining whether the Project will have a significant adverse impact on the environment as set forth in 6 N.Y.C.R.R. § 617.7(c) of the SEQRA regulations, and such other information deemed appropriate; and

WHEREAS, Erie County has identified the relevant areas of environmental concern, taken a hard look at these areas, and made a reasoned elaboration of the basis for its determination.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby states that the ECC – STEM Building, to be constructed at the preferred site on the ECC North Campus, will have no significant adverse impact on the environment and approves the execution of the Negative Declaration by the Erie County Executive, or his designee; and be it further

RESOLVED, that certified copies of this resolution and Negative Declaration attached hereto be sent to the County Executive's Office; the County Attorney; the Commissioner of the Erie County Department of Public Works; the Commissioner of the Erie County Department of Environment and Planning, Edward A. Rath County Office Building, 10th Floor; and the President of Erie Community College.
(5-1, Legislator Burke voted in the negative)

KEVIN R. HARDWICK
CHAIR

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

Date: **July 10, 2014**

Lead Agency: **Erie County**
95 Franklin Street
Buffalo, NY 14202

This notice is issued pursuant to the State Environmental Quality Review Act ("SEQRA"), codified at Article 8 of the New York Environmental Conservation Law ("ECL"), and its implementing regulations, promulgated at Part 617 of Title 6 of the New York Code, Rules and Regulations ("N.Y.C.R.R."), which collectively contain the requirements for the State Environmental Quality Review ("SEQR") process.

Erie County (the "County") has reviewed the Proposed Action, which involves construction of a new academic building on the Erie Community College ("ECC") North Campus, and has determined that the Proposed Action will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement ("DEIS") will not be prepared.

Name of Action: Erie Community College Science, Technology, Engineering, and Math ("STEM") Building

Location of Action: Erie Community College
North Campus
6025 Main Street
Amherst, NY

SEQR Status: Type I Action – 6 *N.Y.C.R.R.* 617.4(b)(6)(iv)

Review Type: Type I Coordinated Review

Description of Proposed Action:

Erie County is proposing to construct a new academic building on the grounds of the existing Erie Community College ("ECC" or "College") North Campus in the Town of Amherst, Erie County, New York ("the Proposed Project"). The Proposed Project would involve the construction of an approximately 110,000-gross-square-foot ("gsf") building that is needed to support the College's Science, Technology, Engineering, and Math ("STEM") programs. The majority of the space would be dedicated to state-of-the-art laboratory facilities that would replace or supplement outdated facilities already existing on the campus. In addition, the building would contain some instructional space, offices for professors, ancillary space and exterior site improvements including new sidewalks. The proposed academic building would be located within an approximately 4±-acre portion ("Proposed Development Site") of the 116.6-acre North Campus property. This location is currently maintained as green space and pedestrian walkways.

The Proposed Project would likely be conducted in two phases, dependent on the availability of funding. The first phase of the proposed academic building would be an approximately 55,000 gsf, single-story building which would primarily house support facilities for Biology, Chemistry, Engineering Science, and other science-related programs. The proposed building would include laboratories, smart classrooms, computer labs, and meeting spaces. The second phase would be accomplished by adding a second story to the single-story building completed under Phase I. The addition would include square footage for various mathematics and physics programs, as well as additional support space.

Construction of Phase I is anticipated to commence in the second quarter of 2016 with an estimated completion date of August 2017. Phase II is dependent on the future availability of funding but it is anticipated Phase II would occur in the spring of 2019 with completion scheduled for the winter 2019/2020.

Reasons Supporting this Determination:

The County completed this environmental review pursuant to the State Environmental Quality Review Act ("SEQRA"), codified at Article 8 of the Environmental Conservation Law ("ECL"), and its implementing regulations, promulgated at Part 617 of Title 6 of the New York Code, Rules and Regulations ("N.Y.C.R.R."), which collectively contain the requirements for the SEQR process. In addition, since the Proposed Project would include authorization by the Dormitory Authority of the State of New York ("DASNY"), to expend bond proceeds and undertake construction through a Project Management Agreement, a Smart Growth Impact Statement ("SGIS") for the Proposed Project was completed by DASNY.

The Erie County Department of Environment and Planning, acting on behalf of the Erie County Legislature, classified the Proposed Project as a Type I action pursuant to 6 NYCRR 617.4(b)(6)(iv) (the proposed academic building exceeds the 100,000 square foot threshold for a Type I action) and prepared Part 1 of the full Environmental Assessment Form ("EAF"), dated February 5, 2014.

On February 6, 2014, the County initiated the coordinated review process pursuant to SEQRA by circulating a lead agency request letter, including the EAF-Part 1, Potentially Involved and Potentially Interested Agencies. There being no objection to the County assuming SEQRA lead agency status, the County completed Part 2 of the EAF, which was used to identify potential impacts of the Proposed Project. The County also prepared a Supplemental Report which summarizes its analysis of potential impacts of the Proposed Project and completed Part 3 of the EAF.

Potential environmental impacts associated with the project were identified in the Environmental Assessment Form and the Supplemental Report 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). Based on the above, and the additional information set forth below, Erie County as lead agency has analyzed the relevant areas of environmental concern and determined that the Proposed Project would not have a significant adverse effect 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 Project will not create a substantial adverse change in existing ground or surface water quality or quantity and will not increase the potential for erosion, flooding, leaching and drainage problems on or adjacent to the site. The site is not located in close proximity to any wetlands or waterbodies, nor within the 100-year floodplain of any stream. Construction-related erosion and sediment controls, including compliance with the New York State Department of Environmental Conservation's ("NYSDEC") SPDES General Permit for Storm Water Discharges from Construction Activity and development and implementation of a Storm Water Pollution Prevention Plan, will be utilized during construction of the facility. Stormwater runoff on the campus is collected via underground pipes and conveyed to the athletic fields north of Arrow Drive. Stormwater is discharged to the surface and then allowed to dissipate to groundwater.

Sanitary wastewater generated from the Proposed Project would be discharged to the Town of Amherst municipal sewer system via a new connection. According to the Town of Amherst Engineering Department, no major issues with the public sanitary sewer system exist in the vicinity of the North Campus. However, the Department indicated minor upgrades to the lift station that services the campus may be needed to allow for addition of a new building.

NYSDEC has indicated that the anticipated sanitary sewage flow from the Proposed Project may constitute a sewer extension. As such, the project may be required to provide a Downstream Capacity Analysis to the Erie County Department of Health ("ECDOH"). If necessary, this analysis will be completed during the design and engineering phase of the Project in coordination with ECDOH and the Town of Amherst Engineering Department. The proposed layout and design of the sanitary wastewater system will be provided to applicable agencies for review and comment prior to finalization.

The Proposed Project will not create a substantial adverse change in existing air quality or noise levels. Impacts from construction are expected to be minimal and temporary, consistent with typical site work and building construction activities. While the building will have HVAC systems and laboratory exhaust fans, both potential point sources of air emissions, they will be designed to minimize impacts to potential receptors. There may be an increase in overall noise due to the various mechanical pumps installed to support the HVAC equipment, but such increase is consistent with the current use and any noise impacts will not be significant. Similarly, additional noise and exhaust from vehicle traffic during operations will not be significant, as the new building is not anticipated to greatly increase the campus population. Contractors will be responsible for disposing construction and demolition debris at appropriate off-site waste facilities. The addition of a building housing laboratories and ancillary facilities will not significantly increase the school population or associated waste generation.

To assess the potential impacts of the Proposed Project on traffic within and adjacent to the campus, a transportation assessment was conducted. This effort included on-site observations, data collection/analysis, and an evaluation of the project's needs regarding public transportation, parking, and traffic. The Transportation Assessment concluded:

- ECC North Campus is well served both internally and externally by a robust transportation infrastructure that is regionally connected by public transit and augmented by a daily shuttle system with suitable on-campus parking.

- Observed transportation operations were within expectations of a network that accommodates moderate to substantial volumes of traffic for a suburban/urban environment.

- A documented decrease in student enrollment has been established and is expected to continue into the following academic year, beyond which enrollment is predicted to stabilize and, at best, remain flat into the foreseeable future.

- ECC is predicting an increased desire, from college bound students, to enter into the programs that the proposed building is anticipated to house.

- The addition of a new academic building to the campus will augment current programs and serve the shifting needs of a contracting college-bound student population. The Project is not expected to be an enrollment-generator. Therefore, the Project is not expected to generate an appreciable amount of new vehicular traffic or change traffic patterns such that there would be a measurable effect on the existing external or internal campus transportation network.

Based on the conclusions provided in the Traffic Assessment, the Proposed Project is not anticipated to have a significant adverse impact on traffic.

(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;

The area of the campus where work will be undertaken is currently maintained as mowed lawn and pedestrian walkways and does not contain unique natural resources. While construction of the Proposed Project would result in the loss of approximately 1.3 acres of lawn area, it represents a relative small portion of the green space currently available within the 116-acre campus. As the site is currently located within a maintained portion of an existing college campus, the Proposed Project will not result in the removal or destruction of large quantities of vegetation or fauna or substantially interfere with the movement of resident or migratory fish or wildlife.

Based on consultations with the New York State Department of Environmental Conservation and the U.S. Fish and Wildlife Service, the Project area does not contain significant habitat area, and the Proposed Project will not have a substantial adverse impact on a threatened or endangered species of animals or plants, or the habitat of such a species, or have other significant impacts to natural resources.

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

The developed campus is not within or adjacent to a *Critical Environmental Area* as designated pursuant to 6 NYCRR § 617.14(g) and thus 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. The Project site is located within the footprint of an existing campus, in an area zoned by the Town of Amherst as Community Facilities. The addition of a new, modern academic building on the campus is consistent with approved community planning documents including the *Erie Community College Strategic Plan: 2012-2014*, the *Program Needs Analysis and Space Utilization Assessment* conducted for ECC by JMZ in 2013, the *Town of Amherst Bicentennial Comprehensive Plan* adopted by the Town Board in 2011, and the *Framework for Regional Growth – Erie + Niagara Counties, New York* adopted by the Erie County Legislature in 2007. This investment in the North Campus helps to ensure it continues to grow and be a viable education center in the Town of Amherst.

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

The Proposed Project is not expected to impair the character or quality of important historical, archeological, architectural, or aesthetic resources. Project information was submitted

to the State Office of Parks, Recreation and Historic Preservation (“SHPO”) for its review. As the Project area is within an area identified as archeologically sensitive, a Phase IB field study was conducted within the Project footprint to assess the potential impact to archeological resources. The survey effort did not uncover any archeologically sensitive items and a report documenting the findings was submitted to the SHPO for review. Upon review of the report, the SHPO provided correspondence concluding that the Proposed Project would have no impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places. The campus is not a listed historic site, and site work is not expected to impair archeological features.

The addition of a new academic building on the North Campus will not impair existing community or neighborhood character. The building will be designed to complement the existing campus and surrounding area, while also serving as a new focal point and welcoming entrance to the campus. In addition, the proposed placement of the building will result in the formation of a more traditional “quad” area between the instructional buildings and the library. This area may be further enhanced in the future and serve as a gathering area for students and campus activities.

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

The addition of an 110,000 square foot building on the campus will result in more energy use. However, it will not create a major change in the quantity of electricity or natural gas to be used and will not affect the community's sources of fuel or energy supply. ECC intends to pursue a silver LEED designation for the Proposed Project. As such, sustainable design elements would be incorporated into the design of the structure which may include day lighting, installing high-efficiency fixtures, and low-flow devices.

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

The Proposed Project will not result in the creation of a hazard to human health. The building is located within the footprint of an existing college campus and will be designed to meet, or exceed, all safety and fire standards and regulations. A Phase I Environmental Site Assessment was conducted for the Project area and no recognized environmental conditions were identified.

(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 Project is located within the existing ECC North Campus, which was originally constructed in the 1960's. Although the addition of a new, modern facility may attract additional students to the campus, no significant increase in student enrollment is anticipated due to projected future declines in registrations. Therefore, there will not be a substantial change in the use or intensity of use, and the site is capable of supporting the Proposed Project. While the Proposed site is 4 acres, the total building footprint is approximately 1.3 acres. This represents only a minor loss of lawn area within the 116-acre campus.

(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 consists of the addition of a new building that serves as ancillary space for classes that largely already exist on the campus. Any new programs supported by the facility would likely require additional staff and attract additional students. However, enrollment has been declining in recent years, and is expected to continue to fall. Post project enrollment is expected to remain steady, as increased enrollment would only serve to offset projected declines. The proposed academic building is not expected to offer any programs or events that would draw large crowds that would not otherwise be attending the campus.

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

The Proposed Project consists of an academic building on an existing campus and will not create the material demand for any other actions that would result in one of the above consequences. While the Proposed Project is anticipated to be conducted in two phases, the analysis conducted as part of the SEQRA review considered the entire final build out.

(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; or

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 is anticipated to occur in two phases. Phase 1 would be the construction of a single story, approximately 55,000 square foot building. The building would be designed to accommodate the addition of a second story to be added in Phase 2. Both phases of the Proposed Project have been reviewed together and do not meet any of the above criteria.

For Further Information:

Contact Person: Thomas J. Dearing
Deputy Commissioner
Erie County Department of Environment & Planning

Address: 95 Franklin Street
10th Floor
Buffalo, NY 14202

Telephone Number: (716) 858-8390