

**STATE ENVIRONMENTAL QUALITY REVIEW
SOLICITATION FOR LEAD AGENCY STATUS
TYPE I ACTION
(AMENDED)**

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

Date: December 9, 2011

EE

- TO: NYS Department of Environmental Conservation, Albany
- NYS Department of Environmental Conservation, Region 9
- NYS Office of Parks, Recreation & Historic Preservation
- NYS Office of Parks, Recreation & Historic Preservation, Niagara Falls
- NYS Environmental Facilities Corporation, Albany
- NYS Department of Transportation
- US Army Corps of Engineers
- CSX Railroad
- South Buffalo Railway
- Norfolk & Western Railroad
- Erie County DEP – Planning
- Erie County DEP – Sewerage Management
- Erie County Executive
- Erie County Legislature
- Erie County Sewer District No. 3 Board of Managers
- Town of Hamburg – Supervisor, Engineering Dept.
- Village of Blasdell - Mayor

NAME OF ACTION: Rush Creek Interceptor Project

Note: This SEQR has been amended to reflect a change in the Sanitary Sewer location and the addition of additional influent pumping capacity and modifications to the existing Overflow Retention Facility (ORF) at the Southtowns Wastewater Treatment Facility.

LOCATIONS: Various (See attached map.)
Town of Hamburg, Village of Blasdell, Erie County

PROJECT NO.: C617-05-55

SRF PROJECT NO.: C9-6649-07

1D-9

Erie County has identified this project as a Type I action for the purpose of SEQRA. Erie County requests lead agency status for this project, pursuant to Part 617.6 (b).

The reasons for this request are as follows:

The anticipated impact of the action being proposed is primarily of regional significance.

This agency has the broadest governmental powers for investigation into the impacts of the proposed action. This agency has the greatest capability for providing the most thorough environmental assessment of the proposed action.

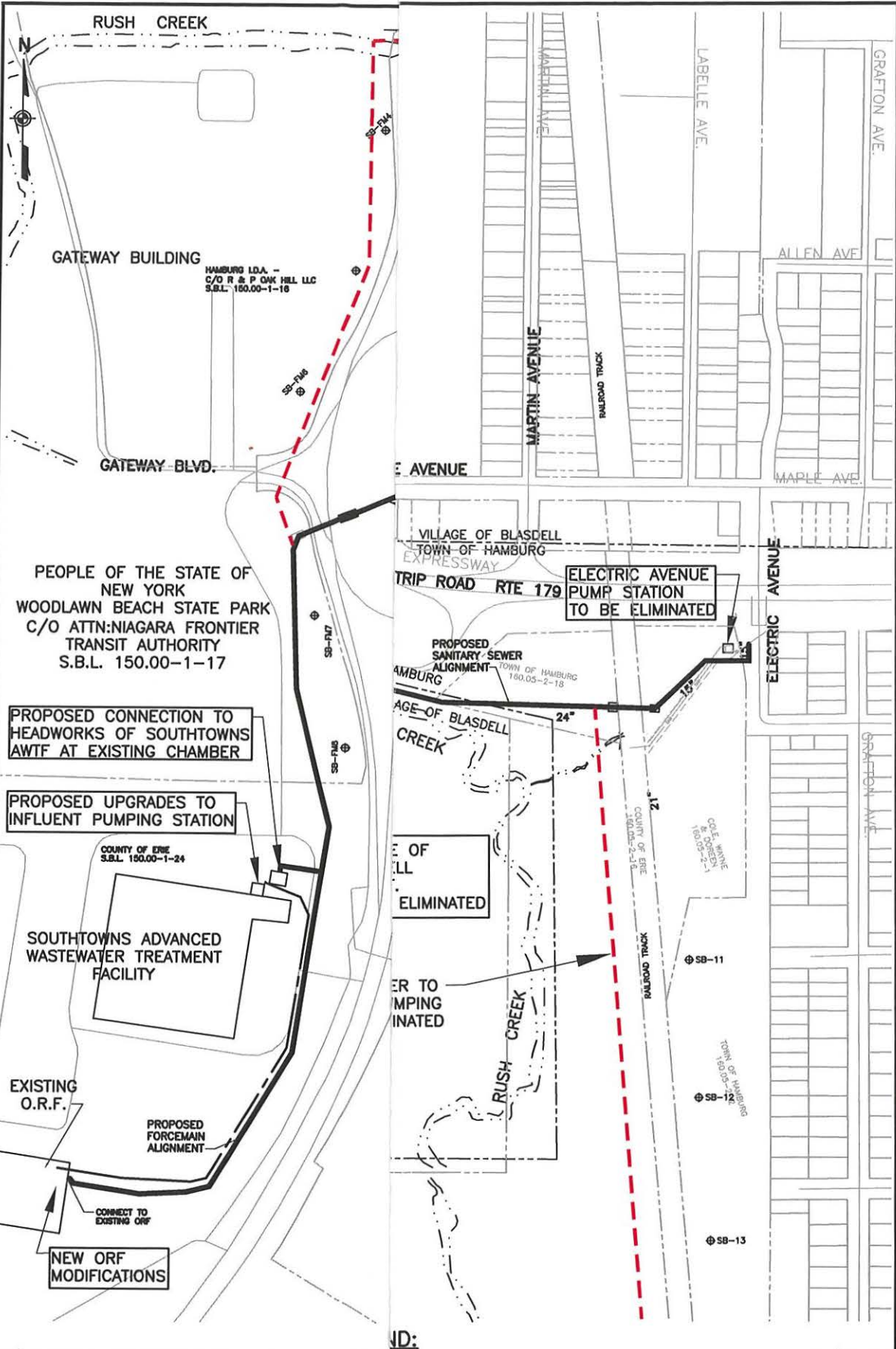
Any involved or interested agency may submit objections in writing within thirty (30) days of the date of this notification. If no objections are expressed, Erie County will assume lead agency status for this action and will make a determination of its significance. A preliminary finding that the project will not have a significant effect on the environment has been made by Erie County. The County anticipates issuing a negative declaration. The EAF is attached for your review.

Written comments may be submitted to:

John Mallory, Assistant Sanitary Engineer
Erie County Department of Environment and Planning
Division of Sewerage Management, Room 1034
Rath Building, 95 Franklin Street
Buffalo, New York 14202

Before: January 8, 2012

JM:sm



V:\Sewerage Management\Engineering\CAD\SWIN\DSM\ACTIVE\DIST3\watermain\URS 10 26 09\watermain C-000\dwg\12.dwg KEY MAP OVERALL 1-1

WARNING
 IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON OTHER THAN WHOSE SEAL APPEARS ON THIS DRAWING, TO ALTER IN ANY WAY AN ITEM ON THIS DRAWING. IF AN ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

1	DFS	9/26/11	OVERALL PLAN
NO.	MADE BY	APPROVED BY	DATE

RECEPTOR, WET WEATHER PUMPING STATION
FORCE MAIN

OVERALL PLAN

Scale: 1"=200' Date: OCT 2009 C-001

This drawing and/or work product is the property of the City of Buffalo and is to be used only for the project and location identified on the title block. It is not to be used for any other project or location without the written consent of the City of Buffalo.

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.

THIS AREA FOR LEAD AGENCY USE ONLY

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

Rush Creek Interceptor

Name of Action

Eric County

Name of Lead Agency

Joseph L. Fiegl, P.E.

Print or Type Name of Responsible Officer in Lead Agency

Deputy Commissioner

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

December 8,
November 18, 2011

Date

PART 1--PROJECT INFORMATION
Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Rush Creek Interceptor Project

Location of Action (include Street Address, Municipality and County)

Name of Applicant/Sponsor Eric County Sewer District #3/Dept of Environment & Planning/Div of Sewerage Management

Address 95 Franklin Street

City / PO Buffalo State NY Zip Code 14202

Business Telephone (716) 858-8383

Name of Owner (if different) N/A

Address _____

City / PO _____ State _____ Zip Code _____

Business Telephone _____

Description of Action:

Construction of the Rush Creek Interceptor and Influent Pumping Station, modifications to the existing Overflow Retention Facility at the Southtowns Sewage Treatment Plant and elimination of the Blasdell Wastewater Treatment Plant. Project would include approximately the following sanitary sewers: 30" - 250 L.F., 27" - 2,140 L.F., 24" - 6,290 L.F., 15" - 1,770 L.F., 10" - 60 L.F. and 8" - 446 L.F.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other Undeveloped land

2. Total acreage of project area: 5.0+ acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>2.0</u> acres	<u>2.0</u> acres
Forested	<u>.25</u> acres	<u>- 0 -</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>0</u> acres	<u>0</u> acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	<u><.25</u> acres	<u><.25</u> acres
Water Surface Area	<u><.10</u> acres	<u><.10</u> acres
Unvegetated (Rock, earth or fill)	<u>0</u> acres	<u>0</u> acres
Roads, buildings and other paved surfaces	<u>1.0</u> acres	<u>1.0</u> acres
Other (Indicate type) <u>Lawn areas</u>	<u>2.0</u> acres	<u>2.0</u> acres

3. What is predominant soil type(s) on project site? Silt loam, silty clay loam, urban land

- a. Soil drainage: Well drained 6 % of site Moderately well drained 57 % of site.
 Poorly drained 37 % 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? N/A acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes No

- a. What is depth to bedrock >5.0 (in feet)

5. Approximate percentage of proposed project site with slopes:

- 0-10% 95 % 10- 15% 5 % 15% or greater _____ %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or 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 to >5.0 (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:

US Fish & Wildlife Service - none
NYS Natural Heritage Program - see below

Identify each species:

Gypsy-wort was reported in project area in 1921. It is unlikely the project would impact this 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:

Rush Creek

a. Name of Stream and name of River to which it is tributary

Lake Erie

16. Lakes, ponds, wetland areas within or contiguous to project area:

None

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: 5.0 acres.
- b. Project acreage to be developed: N/A acres initially; _____ acres ultimately.
- c. Project acreage to remain undeveloped: N/A acres.
- d. Length of project, in miles: 11,000 LF (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. N/A %
- f. Number of off-street parking spaces existing N/A; proposed _____
- g. Maximum vehicular trips generated per hour: N/A (upon completion of project)?
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | <u>N/A</u> | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure: N/A height; _____ width; _____ length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 6,300 + ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 5,000 + tons/cubic yards.
3. Will disturbed areas be reclaimed Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed?
- Restore to original contours.
- b. Will topsoil be stockpiled for reclamation? Yes No
- c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? N/A acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes No

6. If single phase project: Anticipated period of construction: 15 months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated 1 (number)

b. Anticipated date of commencement phase 1: 5 month 2012 year, (including demolition)

c. Approximate completion date of final phase: 8 month 2013 year.

d. Is phase 1 functionally dependent on subsequent phases? Yes No

8. Will blasting occur during construction? Yes No

9. Number of jobs generated: during construction 10 + ; after project is complete 0 -

10. Number of jobs eliminated by this project 0 .

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain:

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount Trench dewatering

b. Name of water body into which effluent will be discharged N/A

13. Is subsurface liquid waste disposal involved? Yes No Type

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? Yes No

16. Will the project generate solid waste? Yes No

a. If yes, what is the amount per month? tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name ; location

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? Yes No

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? Yes No

19. Will project routinely produce odors (more than one hour per day)? Yes No

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)

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

23. Total anticipated water usage per day N/A gallons/day.

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

If yes, explain:

New York State Environmental Facilities Corporation
SRF Project No. C9-6649-07

New York State Department of Environmental Conservation
Water Quality Improvement Project Grant Funding - Project WQI 10057

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<u>Town of Hamburg</u>	_____
			<u>Village of Blasdell</u>	_____
			_____	_____
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<u>Town of Hamburg</u>	_____
			<u>Village of Blasdell</u>	_____
			_____	_____
City, Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		_____	_____
			_____	_____
			_____	_____
City, County Health Department	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<u>Erie County Health</u>	_____
			_____	_____
			_____	_____
Other Local Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<u>Erie County Highway</u>	_____
			<u>Permits</u>	_____
			_____	_____
Other Regional Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<u>CSX, S Buffalo Railway</u>	_____
			<u>Norfolk & Western Railway</u>	_____
			_____	_____
State Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<u>NYS Dept of Transp Permit</u>	_____
			<u>NYS OPRHP</u>	_____
			<u>NYSDEC</u>	_____
Federal Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<u>Corps. of Engineers</u>	_____
			_____	_____
			_____	_____

C. Zoning and Planning Information

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

If Yes, indicate decision required:

- | | | | |
|---|---|--|--------------------------------------|
| <input type="checkbox"/> Zoning amendment | <input type="checkbox"/> Zoning variance | <input type="checkbox"/> New/revision of master plan | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Site plan | <input type="checkbox"/> Special use permit | <input type="checkbox"/> Resource management plan | <input type="checkbox"/> Other |

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

Mixed Commercial, Residential, Light Industrial

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

N/A

4. What is the proposed zoning of the site?

N/A

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

N/A

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 ¼ mile radius of proposed action?

Mixed Commercial, Residential, Light Industrial

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile? Yes No

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

a. What is the minimum lot size proposed? N/A

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

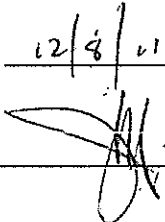
D. Informational Details

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.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Erie County Sewer District #3/Dept of Env & Plan Date 12/8/11

Signature  

Title Deputy Commissioner

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.