



**ERIE COUNTY WATER AUTHORITY**  
**INTEROFFICE MEMORANDUM**

December 5, 2022

To: Terrence D. McCracken, Secretary to the Authority

From: Michael J. Quinn, PE, Senior. Distribution Engineer

A handwritten signature in black ink, appearing to read "MJQ", is written over the name "Michael J. Quinn" in the "From:" line.

Subject: Contract MP-088 - Sturgeon Point Washwater Tank Replacement (PN 202100111)  
Contract MP-090 – Sturgeon Point Filtration System Improvements (PN 202200014)  
SEQRA Lead Agency Designation and Coordinated Review

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On June 18, 2020 and December 22, 2021, the Erie County Water Authority (the Authority) executed agreements with Arcadis of New York, Inc. (Arcadis) for the design of the a replacement for the Washwater Tank and for the design of improvements to the filtration system respectively both at the Sturgeon Point Water Treatment Plant (the Projects).

Due to the scope of the Projects, the Authority's Engineering and Legal Departments believe that the projects are subject to review under the New York State Environmental Quality Review Act (SEQRA). Furthermore, the interrelationship and construction sequence of both projects suggests that it is appropriate to handle the SEQRA process as one action. Recognizing the need for certain expertise in the area of the SEQRA regulations, the Authority requested input on the SEQRA process from Harris Beach. The Authority Engineering Staff and Harris Beach have thoroughly reviewed the Project specifics, including the attached Full Environmental Assessment Form (FEAF) prepared by Arcadis, and determined that the Project should be appropriately designated as an Unlisted Action, as defined under SEQRA. As an Unlisted Action, the Project is subject to further review under SEQRA.

Given the fact that the Project has been identified as an Unlisted Action under SEQRA, it is the opinion of the Engineering Department, Harris Beach and Arcadis that the Authority declare itself Lead Agency, as defined under SEQRA, and conduct a coordinated review of the Project thereby seeking input from various other Involved and Interested Agencies (as identified below). It is anticipated that the proposed project may require discretionary approvals and/or permits from the following entities and as such they are considered Involved Agencies, as defined under SEQRA.

- The United States Army Corps of Engineers (USACE);
- The New York State Department of Environmental Conservation (NYS DEC);
- The New York State Department of State, the New York State Department of Health; and
- The Town of Evans.

Therefore, it is recommended that the Board Authorize the Executive Engineer to sign Part 1 of the FEAF on behalf Authority, initiate activity to ultimately declare the Authority to act as Lead Agency, with respect to the Project, under SEQRA and begin the coordinated review process. Moving forward, under the coordinated review process, it will be the Authority's responsibility to submit the design documents along with the FEAF to the Involved Agencies. The Involved Agencies will be requested to submit comments within thirty (30) days, and assuming no Involved Agency otherwise indicates a desire to act as Lead Agency in place of the Authority, the Authority will then be cleared to name itself Lead Agency and to continue its review of the Project. The Authority will review and address any comments submitted by the designated agencies. The Authority will then, at a subsequent meeting, declare the Authority to be Lead Agency and make a determination of significance under SEQRA. This determination will render the Authority's decision relative to the environmental impact of the project.

MJQ:jmf

Attachments

cc: R.Stoll

L.Kowalski

M.Wymer

CONT-MP-088-2101-X-30-2

CONT-MP-090-2201-X-30-2