



ERIE COUNTY WATER AUTHORITY

INTEROFFICE MEMORANDUM

July 11, 2023

To: Terrence D. McCracken, Secretary to the Authority

From: Michael J. Quinn, PE, Senior Distribution Engineer
Michael W. Wymer, PE, Senior Production Engineer

Subject: Board Authorization – SEQR Type II Determination
Lead Service Line Replacements
LCRR Program Management - Contract MP-091
ECWA Project No. 202200135

Handwritten signatures in blue ink. The top signature appears to be "MJQ" and the bottom signature appears to be "MWW".

A funding application will be submitted to the New York State Environmental Facilities Corporation under the Water Infrastructure Improvements Grants (WIIA) program to fund the replacement of approximately 50 residential lead service lines. A complete application for this funding requires a resolution from the Board of Commissioners documenting their Determination of Significance under the State Environmental Quality Review (SEQR) Act.

The project will target replacements in the City of Lackawanna, Towns of Amherst and Cheektowaga, and Villages of Blasdell, Lancaster, and Depew all of which have disadvantaged areas as per New York State Potential Environmental Justice Area (NYSPEJA) standards.

The project will also include lead service line replacements in other municipalities as up to 50% of the funded replacements can be outside the disadvantaged areas. Therefore, in addition to the four municipalities identified above, the project will target service areas with high LSL tap sample concentrations (> 10 ppb) and children with elevated blood lead levels (>5 ppb). These communities include the Village of Hamburg and City of Tonawanda.

The replacement of service lines will span either from the watermain to the curb stop (public space jurisdiction), the curb stop to the meter (private space jurisdiction), or from the watermain to the meter (combination of public and private space jurisdictions). Replacement methods will include push/pull and/or open cut excavation to access the connection points. It is anticipated that the replacement of the lead service lines with copper piping will be in the same location, or immediately adjacent to the current locations of the lead service lines.

Based on this understanding, as described above and as recommended by the Authority's consultant, Arcadis (see attached correspondence) it is our determination that this scope of work would be considered Type II Action under SEQRA, in accordance with 6 NYCRR 617.5, assuming that no thresholds in part 617.4 are exceeded, and assuming the scope does not have any additional construction/upgrade associated with it.

It is our recommendation that Authority draft a resolution that this work is in accordance with the SEQR Type II Actions above for filing and submission with all permit and funding applications with this project scope.

MWW:jmf
Attachment
cc: L.Kowalski
CONT-MP-091-2101-X-30

SUBJECT
MP-91 ECWA LCRR – LSLR Funding NYS SEQR
Applicability

TO
Leonard Kowalski, PE
Executive Engineer
Erie County Water Authority

DATE
July 7, 2023

OUR REF
30154638

DEPARTMENT
Resilience Water

PROJECT NUMBER
30154638

COPIES TO
Michael Wymer, PE

NAME
Arcadis of New York, Inc.

The Erie County Water Authority (ECWA) MP-91 scope of work entails the replacement of lead service lines with copper piping, located within the Cities of Tonawanda and Lackawanna, NY, Town of Amherst, NY, and Villages of Lancaster, Depew, Blasdell, and Hamburg, NY. The project scope includes the replacement of up to 50 known lead service lines. At least half of the lead service lines planned for replacement are located within Environmental Justice areas. The replacement of service lines will span either from the water main to the curb stop (public space jurisdiction), the curb stop to the meter (private space jurisdiction), or from the water main to the meter (combination of public and private space jurisdictions). Replacement methods will include push/pull and/or open cut excavation to access the connection points. It is anticipated that the replacement of the lead service lines with copper piping will be in the same location, or immediately adjacent to the current locations of the lead service lines. All existing lead service lines that are removed from the ground will be properly disposed of according to relevant local, state, and federal requirements. If a new copper service is installed adjacent to the existing lead service line, then the lead service line will be abandoned in its existing location and will not be pulled from the ground surface.

Based on this understanding, as described above, it is our determination that this scope of work would be considered a Type II Action under the State Environmental Quality Review (SEQR) Act, in accordance with 6 NYCRR 617.5, assuming that no thresholds in part 617.4 are exceeded, and assuming the scope does not have any additional construction/upgrade components associated with it:

- (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section [617.4](#) of this Part;
- (6) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
- (13) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;

It is our recommendation that ECWA draft a Resolution that this work is in accordance with the SEQR Type II Actions above for filing and submission with all permit and funding applications associated with this project scope.

ERIE COUNTY WATER AUTHORITY
AUTHORIZATION FORM
For Approval/Execution of Documents
(check which apply)

Contract: MP-091 **Project No.:** 202200135
Project Description: Lead and Copper Rule Revisions (LCRR) Program Management

Item Description:


<input type="checkbox"/> Agreement	<input type="checkbox"/> Professional Service Contract	<input type="checkbox"/> Amendment	<input type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<input type="checkbox"/> Addendum
<input type="checkbox"/> Recommendation for Award of Contract	<input type="checkbox"/> Recommendation to Reject Bids		
<input type="checkbox"/> Request for Proposals			
<input checked="" type="checkbox"/> Other <u>Board Resolution – SEQR Type II Determination</u>			

Action Requested:


<input type="checkbox"/> Board Authorization to Execute	<input type="checkbox"/> Legal Approval
<input type="checkbox"/> Board Authorization to Award	<input type="checkbox"/> Execution by the Chairman
<input type="checkbox"/> Board Authorization to Advertise for Bids	<input type="checkbox"/> Execution by the Secretary to the Authority
<input type="checkbox"/> Board Authorization to Solicit Request for Proposals	
<input checked="" type="checkbox"/> Other <u>Board Resolution for SEQR Type II Determination</u>	

Approvals Needed:

APPROVED AS TO CONTENT:

<input checked="" type="checkbox"/> Sr. Distribution Engineer		Date: <u>7/12/2023</u>
<input type="checkbox"/> Chief Operating Officer	_____	Date: _____
<input checked="" type="checkbox"/> Executive Engineer		Date: <u>07/12/2023</u>
<input type="checkbox"/> Director of Administration	_____	Date: _____
<input type="checkbox"/> Risk Manager	_____	Date: _____
<input type="checkbox"/> Chief Financial Officer	_____	Date: _____
<input checked="" type="checkbox"/> Legal		Date: <u>7/12/2023</u>

APPROVED FOR BOARD RESOLUTION:

<input checked="" type="checkbox"/> Secretary to the Authority		Date: <u>7/12/2023</u>
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Remarks: _____

Resolution Date: _____ **Item No:** _____