



# ERIE COUNTY WATER AUTHORITY

## INTEROFFICE MEMORANDUM

May 22, 2024

To: Terrence D. McCracken, Secretary to the Authority

From: 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

*MWW*

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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 1,000 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 Cities of Tonawanda and Lackawanna, Towns of Amherst, Cheektowaga, Clarence, Eden, Hamburg, Lancaster, Marilla, Newstead, Orchard Park and West Seneca, and Villages of Blasdell, Depew, Hamburg, Lancaster, Sloan and Williamsville. The project scope includes the replacement of up to 1,000 known lead service lines. At least 15.5% of the lead service lines planned for replacement are located within Environmental Justice areas.

The project will target the replacement of lead service lines as identified from the Authority's list of known service line material and location identified by the predictive model (completed under Contract MP-091) as having a high probability of lead materials.

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 the recommendation of the Engineering and Water Quality Departments that the 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

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

<b>Contract:</b> <u>MP-091</u>	<b>Project No.:</b> <u>202200135</u>
<b>Project Description:</b> <u>Lead and Copper Rule Revisions (LCRR) Program Management</u>	

**Item Description:**



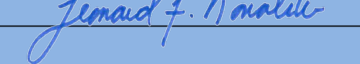

<input type="checkbox"/> Agreement	<input type="checkbox"/> Professional Service Contract	<input type="checkbox"/> Amendment	<input type="checkbox"/> Change Order
<input type="checkbox"/> BCD	<input type="checkbox"/> NYSDOT Agreement	<input type="checkbox"/> Contract Documents	<input type="checkbox"/> 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 (2024)</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 (2024)</u>	

**Approvals Needed:**

**APPROVED AS TO CONTENT:**

<input checked="" type="checkbox"/> Sr. Production Engineer	<u></u>	Date: <u>5/22/2024</u>
<input checked="" type="checkbox"/> Chief Operating Officer	<u></u>	Date: <u>05/23/2024</u>
<input checked="" type="checkbox"/> Executive Engineer	<u></u>	Date: <u>5/23/2024</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	<u></u>	Date: <u>5/23/2024</u>

**APPROVED FOR BOARD RESOLUTION:**

<input checked="" type="checkbox"/> Secretary to the Authority	<u></u>	Date: <u>5/23/2024</u>
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**Remarks:** \_\_\_\_\_

<b>Resolution Date:</b> _____	<b>Item No:</b> _____
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# Memo



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

**TO**  
Leonard Kowalski, PE  
Executive Engineer  
Erie County Water Authority

**DATE**  
May 14, 2024

**OUR REF**  
30154638

**COPIES TO**  
Michael Wymer, PE

**NAME**  
Arcadis of New York, Inc.

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The Erie County Water Authority (ECWA) MP-91 scope of work entails the replacement of lead service lines with copper piping, located within the municipalities listed below:

<b>Towns</b>	Amherst, Cheektowaga, Clarence, Eden, Evans, Hamburg, Lancaster, Marilla, Newstead, Orchard Park, West Seneca
<b>Cities</b>	Tonawanda, Lackawanna
<b>Village</b>	Blasdell, Depew, Hamburg, Lancaster, Village of Sloan, Williamsville

The Erie County Water Authority (ECWA) MP-91 scope of work entails the replacement of lead service lines with copper piping, located within the New York municipalities listed above. The project scope includes the replacement of up to 1,000 lead service lines as determined through a combination of field investigations, records review, and predictive modeling. Approximately 15.5% of the lead service lines planned for replacement are located within Potential Environmental Justice Areas (PEJAs). 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 line 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;

Mr. Len Kowalski  
ECWA  
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(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.