



Lewiston-Porter Central School District

Human Resources Department

NA-1

Memorandum

Date: December 30, 2020
To: Paul Casseri
From: Patricia Grupka
Subject: Approval SEQRA negative declaration for PEC crawlspace project

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This memo serves as a request for the approval of the resolution issuing SEQRA Negative Declaration for the Primary Education Center Emergency Crawlspace Ventilation project.

On 12/30/2020 we were informed by the Department of Conservation that we could use the SEQRA from the 2017 capital project as the PEC work was related to the crawlspace work in the 2017 project.

The Negative declaration was redrafted to specify the work related to the crawlspace ventilation project at the PEC.



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LEWISTON-PORTER CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION

Resolution Issuing SEQRA Negative Declaration for Primary Education Center Emergency Crawlspace Ventilation

WHEREAS, the Lewiston-Porter Central School District (the “District”) and its Board of Education (the “Board”), in an effort to improve its educational facilities, propose to undertake a Primary Education Center Emergency Crawlspace Ventilation project consisting of various HVAC and Plumbing work; and

WHEREAS, the proposed Primary Education Center Emergency Crawlspace Ventilation project action has been classified as an “Unlisted” action under the State Environmental Quality Review Act (“SEQRA”), and the District / Board is the “Lead Agency” for purposes of undertaking the environmental review of the proposed action; and

WHEREAS, the District / Board has duly considered the proposed action, the Environmental Assessment Form, the criteria for determining whether the action 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, the District / Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination.

NOW, THEREFORE, BE IT RESOLVED by the Lewiston-Porter Central School District Board of Education that:

1. The District / Board is the lead agency under SEQRA, the Primary Education Center Emergency Crawlspace Ventilation project is an “Unlisted” action, and it will not result in a significant adverse impact on the environment.
2. The attached Negative Declaration, incorporated herein by reference, is issued and adopted for the reasons stated in the attached Negative Declaration.
3. The Superintendent of the District is authorized to sign and file or have filed on behalf of the District and its Board all documents necessary to comply with SEQRA.
4. This resolution is effective immediately.

PASSED AND ADOPTED this __st day of January, 2021 by the Lewiston-Porter Central School District Board of Education.



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

Lead Agency: Lewiston-Porter Central School District
Dated: December 30, 2020

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the New York State Environmental Conservation Law. The Lewiston-Porter Central School District (the "District") has reviewed the proposed capital improvements project and has determined that it will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Primary Education Center- Reconstruction

Location of Action: Lewiston-Porter Central School District Campus -Primary Education Center,
4061 Creek Road Youngstown, NY 14174
Towns of Lewiston and Porter, Niagara County

SEQR Status: Unlisted

Description of Action:

The Lewiston-Porter Central School District ("District") proposes to undertake a Capital Improvements Project, Primary Education Center Emergency Crawlspace Ventilation which includes renovation improvements at the Primary Education center. The work includes HVAC and plumbing items related to and not completed in the Lewiston-Porter Central School District 2017 project. Proposed work includes providing ventilation and improving drainage in the crawlspace, an area that underwent reconstruction as part of the 2017 project.

Reasons Supporting this Determination:

Potential environmental impacts associated with the proposed project were identified in the Environmental Assessment Form 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). As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the proposed project will not have a significant adverse impact 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;**

Proposed capital improvements to the Lewiston- Porter Primary Education Center will not create a substantial adverse impact associated with any of the above criteria. A Class C stream, floodplain, and wetlands are located on the undeveloped portion of campus, but no work is proposed in these or other undeveloped areas.

Any site work required will be conducted in accordance with the NYSDEC SPDES General Permit for Storm Water Discharges from Construction Activity, and a Storm Water Pollution Prevention Plan ("SWPPP") will be implemented. The SWPPP will include best management practices including dewatering methods and erosion and sedimentation controls that will be implemented during construction. The project does not include installation of petroleum or chemical storage tanks or other activity involving chemical contaminants such as



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pesticides that would have the potential to impact groundwater or surface water. Subsoils that will be excavated may be used for regrading or removed from the site as necessary, and topsoil will be segregated and reused on site. There will not be significant adverse environmental impacts to land, surface water, or groundwater from site work activities.

The proposed capital project will not create a substantial adverse change in existing air quality, noise or odor levels, light, solid waste production, or traffic during construction. Impacts from construction will be minimal and temporary, consistent with typical site work and construction activities including temporary traffic associated with construction workers, removal of construction and demolition debris and possibly excavated earth. Dust-suppression techniques including wetting ground surfaces and equipment as necessary, and other measures such as emission controls on construction equipment and work hour limits will be employed. The proposed project will be undertaken over approximately 6 months, during which work will be done at the Primary Education Center, primarily in the crawlspace, times taking into account school schedules and construction efficiencies, and construction equipment/vehicles will be used for limited periods. There will not be a substantial impact due to the duration of construction activities. Construction and demolition debris will be reused, recycled or disposed appropriately off-site, and hazardous materials such as asbestos-containing materials will be removed and managed in accordance with applicable regulatory requirements, and there will be no significant adverse impacts.

The proposed project will not create a substantial adverse change in existing air quality, noise or odor levels, light, solid waste production, or traffic after construction is completed. Refuse generation and noise and traffic levels at the existing campus will not change significantly as student, staff, and visitor populations will not change as a result of the project.

- (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 NYSDEC EAF Mapper indicates that the site does not contain any species of plant or animal that is listed as endangered, threatened, rare or of special concern or any habitat for an endangered or threatened species. As described above, proposed work will be undertaken on existing developed portions of the campus, no site work is proposed in undeveloped areas. The project will not result in the removal or destruction of large quantities of sensitive vegetation or significant habitat such as forest, and there will not be a significant adverse impact. Similarly, the project will not have a significant impact on fauna as the project will not remove or destroy large quantities of fauna or substantially interfere with the movement of resident or migratory fish or wildlife. The proposed project will not have a substantial adverse impact on a threatened or endangered species of animals or plants, rare species, or the habitat of such a species, or have other significant adverse 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 campus is not within or adjacent to a Critical Environmental Area as designated pursuant to 6 NYCRR § 617.14(g), and the capital project 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;**



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The project site is an existing school campus, and the campus and District facilities which will be upgraded will continue to serve the local community. The proposed capital improvements project will not create a conflict with the community's current plans or goals as officially approved or adopted and will not have significant impacts to the community or community services.

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

According to the New York State Office of Parks, Recreation and Historic Preservation (State Historic Preservation Office or "SHPO") Cultural Resource Information System ("CRIS") database, the District's buildings are not listed historic sites, and the campus is not located within an archeologically sensitive area. The project's architect has determined that the proposed capital improvements work, which will consist of reconstruction of existing impervious surfaces and associated improvements on previously disturbed and developed areas of the campus, substantially at the Lewiston-Porter Primary Education Center, is exempt from SHPO review due to the nature of the work items being identified as exempt in the Letter of Resolution between SHPO and the State Education Department. If any work items that are not exempt were to be undertaken, information on them would be submitted to SHPO. Given the applicability of the Letter of Resolution exemptions, that proposed site work will be located in previously disturbed and developed campus areas, and prior determinations by SHPO, the proposed project will not have a significant adverse impact on archeological or historic resources. The proposed capital improvements will improve and maintain existing District sites and facilities. The project will not impair the character or quality of important historical, archeological, architectural, or aesthetic resources, or existing community or neighborhood character.

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

The proposed project will maintain and upgrade existing facilities and will not create a major change in the use of either the quantity or type of energy.

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

Hazardous materials such as asbestos-containing materials which may be encountered will be handled and disposed in accordance with applicable rules and regulations. The project will maintain and upgrade the existing District campus and facilities and will not create a hazard to human health.

- (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 capital project will maintain and upgrade the District's existing campus and facilities. It will not result in a substantial change in use or intensity of use of land, including agricultural or open space resources, or create a substantial change in the capacity to support existing uses. The proposed capital improvements will occur in already developed areas on the campus, and the majority of the District-owned land will remain undeveloped. The campus is not active agricultural land, is not in an agricultural district, and the developed portions of the site where the proposed site work will occur have disturbed soils.

- (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 capital project will maintain and upgrade the District's existing facilities, specifically at the existing Lewiston-Porter Primary Education Center. Construction workers will be at the campus for limited periods. The improvements will not encourage or attract a large number of people to come to the existing



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campus as the project will not increase student or staff populations or attract additional visitors. There will not be significant adverse impacts.

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

The proposed capital 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.

- (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 capital 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 capital project is one action, all of its elements have been reviewed together, and the action does not meet any of the above criteria.

For Further Information:

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Superintendent of Schools

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Youngstown, NY 14174

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