



DASNY


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Memorandum

TO: Robert S. Derico, R.A., Director, Office of Environmental Affairs

FROM: Joanna Oliver, AICP, Environmental Manager 

DATE: January 6, 2020

RE: *State Environmental Quality Review (SEQR) Determination for the Onondaga-Cortland-Madison Board of Cooperative Educational Services ("BOCES") Master BOCES Program Lease Revenue Bonds Project — BOCES Program*

The Dormitory Authority of the State of New York ("DASNY") has received a funding request from the Onondaga-Cortland-Madison BOCES ("OCM BOCES") pursuant to DASNY's BOCES Program for its *Master BOCES Program Lease Revenue Bonds Project*. Accordingly, the funding request is subject to environmental review pursuant to the *State Environmental Quality Review Act ("SEQRA")*. Based on a review of the attached *Transaction Summary Update* dated January 6, 2019, and supporting documentation completed by a representative of OCM BOCES, it has been determined that for purposes of *SEQRA*, the Proposed Action would consist of DASNY's authorization of the issuance of up to \$12,850,000 in one or more series of fixed- and/or variable-rate, tax-exempt and/or taxable bonds, to be sold at one or more times through a negotiated offering on behalf of OCM BOCES. The bond funds would be used to purchase the currently leased OCM BOCES Crown Road campus (the "Proposed Project"). The Proposed Project is located at 4500 Crown Road, Liverpool, Onondaga County, New York.

The ability to create a BOCES was first established in 1948. The legislation was designed to enable school districts to combine their resources to provide services that otherwise would have been uneconomical, inefficient or unavailable. A BOCES is formed by the school districts of a supervisory district for the purpose of providing various educational services for such school districts on a cooperative or shared basis, which services may either be too expensive or duplicative for each school district to provide for itself. A BOCES is usually formed by an order of the Commissioner of Education after a petition has been made requesting the establishment of the BOCES by the respective Boards of Education. The decision to establish a BOCES is not subject to voter approval.

Section 1689 of the Public Authorities Law (the "Act") authorizes DASNY, upon application from a BOCES, to construct, acquire, reconstruct and furnish and equip BOCES facilities. In addition, the Act, authorizes DASNY to issue bonds and notes to obtain funds on behalf of BOCES.

OCM BOCES was established in 1948 and provides shared services to 23 school districts in Onondaga, Cortland, and Madison counties, serving approximately 60,000 students. OCM BOCES provides programs and services at four campuses: two in Liverpool, one in Syracuse and one in Cortland. On November 20, 2019, voters approved \$12,850,000 in financing for the purchase of its Crown Road Campus in Liverpool.

The proceeds of DASNY's bond issuance would be used to acquire the Crown Road campus, which consists of five parcels of real property (Onondaga County Tax Map ID No. 114.-02-02.1, No. 114.-02-02.3, No. 114.-02-02.4, No. 114.-02-02.5, and No. 114.-02-02.8), totaling approximately 15 acres and an approximate 83,600 gross-square-foot building located thereon. OCM BOCES currently leases and occupies this location, and no changes to the use or operation of this location is anticipated once acquired.

DASNY completed this environmental review in accordance with *SEQRA*, codified at Article 8 of the New York *Environmental Conservation Law* ("ECL"), and its implementing regulations, promulgated at Part 617 of Title 6 of the *New York Codes, Rules and Regulations* ("N.Y.C.R.R."), which collectively contain the requirements for the *State Environmental Quality Review* ("SEQR") process.

The BOCES Board of Education served as lead agency and conducted a coordinated *SEQR* environmental review of the Proposed Project (see attached Resolution and *SEQR* Negative Declaration Notice of Determination of Significance dated August 1, 2019). DASNY was an involved agency for that coordinated review and is bound by the determination of the lead agency.¹

Based on the above, and the additional information set forth below, DASNY, as an involved agency for the purpose of its funding action, independently analyzed the relevant areas of environmental concern and concurs with the lead agency's *Negative Declaration* that the Proposed Project would not have a significant adverse impact on the environment.

SHPA Determination. The Proposed Project was also reviewed in conformance with the *New York State Historic Preservation Act of 1980* ("*SHPA*"), especially the implementing regulations of section 14.09 of the *Parks, Recreation and Historic Preservation Law* ("*PRHPL*"), as well as with the requirements of the Memorandum of Understanding ("*MOU*"), dated March 18, 1998, between DASNY and the New York State Office of Parks, Recreation and Historic Preservation ("*OPRHP*").

It is the opinion of DASNY that the Proposed Project would have no adverse impact on historical or cultural resources in or eligible for inclusion in the National and State Registers of Historic Places.

State of New York State Smart Growth Public Infrastructure Policy Act ("*SSGPIPA*") Determination: Since the Proposed Action would include DASNY bond financing, a Smart Growth Impact Statement ("*SGIS*") for the Proposed Project was prepared pursuant to the *SSGPIPA* procedures (see "Smart Growth Impact Statement Assessment Form [*SGISAF*]", attached). DASNY's Smart Growth Advisory Committee reviewed the *SGIS* and attested that the Proposed Project, to the extent practicable, would meet the smart growth criteria established by the legislation. The compatibility of the Proposed Project with the criteria of the *SSGPIPA*, Article 6 of the *ECL*, is detailed in the *SGISAF*. As indicated on the form, the Proposed Project would be generally supportive of the *SSGPIPA*, and no further *SSGPIPA* analysis is required.

Attachments

cc: Portia Lee
Stephen J. Kosier
Cheryl E. Sarjeant
SEQR File
OPRHP File

¹ 6 N.Y.C.R.R. § 617.6(b)(3)(iii).



DASNY

SMART GROWTH IMPACT STATEMENT ASSESSMENT FORM

Date: January 6, 2020
Project Applicant: Onondaga-Cortland-Madison BOCES ("OCM BOCES")
Project Name: Onondaga-Cortland-Madison BOCES Master BOCES Program Lease Revenue Bonds
Program: BOCES Program
Project Location: 4500 Crown Road, Liverpool, Onondaga County, New York
Completed by: Joanna Oliver, AICP, Environmental Manager

This Smart Growth Impact Statement Assessment Form ("SGISAF") is a tool to assist the applicant and the Dormitory Authority of the State of New York's ("DASNY's") Smart Growth Advisory Committee in deliberations to determine whether a project is consistent with the New York State *Smart Growth Public Infrastructure Policy Act ("SSGPIA")*, Article 6 of the New York State *Environmental Conservation Law ("ECL")*.¹ Not all questions/answers may be relevant or applicable to all projects.

Description of Proposed Action and Proposed Project:

The Proposed Project would involve the issuance of new money bonds for OCM BOCES to purchase 4500 Crown Road in Liverpool, New York. OCM BOCES currently leases the 15-acre site containing a 83,600-gross-square-foot building. No changes to the use or operation of this location is anticipated once acquired.

Smart Growth Impact Assessment: Have any other entities issued a Smart Growth Impact Statement ("SGIS") with regard to this project? (If so, attach same). Yes No

1. Does the project advance or otherwise involve the use of, maintain, or improve existing infrastructure?
Check one and describe: Yes No Not Relevant

OCM BOCES wishes to acquire the property as would be more cost effective than continuing to lease the facility. Therefore, the Proposed Project would be consistent with this criterion.

2. Is the project located wholly or partially in a **municipal center**,² characterized by any of the following:
Check all that apply and explain briefly:

- A city or a village
- Within the boundaries of a generally-recognized college, university, hospital or nursing-home campus
- Area of concentrated and mixed land use that serves as a center for various activities including, but not limited to: **see below**
 - Central business districts (i.e., commercial or geographic heart of a city, downtown or "city center")
 - Main streets (i.e., primary retail street of a village, town, or small city)
 - Downtown areas (i.e., city's core, center or central business district)
 - Brownfield opportunity areas (<https://www.dos.ny.gov/opd/programs/brownFieldOpp/index.html>)
 - Downtown areas of Local Waterfront Revitalization Programs ("LWRPs") (<https://www.dos.ny.gov/opd/programs/lwrp.html>)
 - Transit-oriented development areas (i.e., areas with access to public transit for residents)
 - Environmental justice areas (<https://www.dec.ny.gov/public/911.html>)
 - Hardship areas

The OCM BOCES Liverpool campus is located in the Village of Liverpool. The Project Site is fully serviced with municipal infrastructure and public utilities.

¹ <https://www.nysenate.gov/legislation/laws/ENV/A6>

² DASNY interprets the term "municipal centers" to include existing, developed institutional campuses such as universities, colleges and hospitals.

3. Is the project located adjacent to municipal centers (please see characteristics in question 2, above) with clearly-defined borders, in an area designated for concentrated development in the future by a municipal or regional comprehensive plan that exhibits strong land use, transportation, infrastructure and economic connections to an existing municipal center? Check one and describe: Yes No Not Relevant

This is not relevant because the project is consistent with criterion 2 above.

4. Is the project located in an area designated by a municipal or comprehensive plan, and appropriately zoned, as a future municipal center? Check one and describe: Yes No Not Relevant

This is not relevant because the project is consistent with criterion 2 above.

5. Is the project located wholly or partially in a developed area or an area designated for concentrated infill development in accordance with a municipally-approved comprehensive land use plan, a local waterfront revitalization plan, brownfield opportunity area plan or other development plan? Check one and describe: Yes No Not Relevant

This is not relevant because the project is consistent with criterion 2 above.

6. Does the project preserve and enhance the state's resources, including agricultural lands, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and/or significant historic and archeological resources? Check one and describe: Yes No Not Relevant

It is the opinion of DASNY that OCM BOCES project would have no adverse impact on historical or cultural resources in or eligible for inclusion in the S/NR. Furthermore, no significant adverse impacts to agricultural lands, forests, surface and groundwater, air quality, recreation and open space, or scenic areas are anticipated as a result of the Proposed Project. Therefore, the Proposed Project would be consistent with this criterion.

7. Does the project foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and/or the integration of all income and age groups? Check one and describe: Yes No Not Relevant

The purchase of the OCM BOCES Liverpool campus and its continuing use by Onondaga, Cortland and Madison counties allows shared resources and programs for its students.

8. Does the project provide mobility through transportation choices, including improved public transportation and reduced automobile dependency? Check one and describe: Yes No Not Relevant

OCM BOCES would continue to provide educational programs and services; it does not provide transportation.

9. Does the project demonstrate coordination among state, regional, and local planning and governmental officials?³ Check one and describe: Yes No Not Relevant

The Board of Education of the BOCES conducted a SEQR review for the Proposed Project, and DASNY also conducted a SEQR review for the funding. Therefore, the Proposed Project would be consistent with this criterion.

10. Does the project involve community-based planning and collaboration? Check one and describe: Yes No Not Relevant

³ Demonstration may include *State Environmental Quality Review* ["SEQR"] coordination with involved and interested agencies, district formation, agreements between involved parties, letters of support, State Pollutant Discharge Elimination System ["SPDES"] permit issuance/revision notices, etc.

The Board of Education of the BOCES conducted meetings and a referendum on the Proposed Project was held on November 20, 2019. Therefore, the Proposed Project would be consistent with this criterion.

11. Is the project consistent with local building and land use codes?
Check one and describe: Yes No Not Relevant

The existing facility would meet all appropriate codes. Therefore, it would be consistent with this criterion.

12. Does the project promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations? Check one and describe: Yes No Not Relevant

This project would strengthen the community by continuing to provide services and programs to the counties while reducing costs related to the leasing of the facility. The project would not create new greenhouse gas emissions that would compromise the needs of future generations. Therefore, the Proposed Project would be consistent with this criterion.

13. During the development of the project, was there broad-based public involvement?⁴
Check one and describe: Yes No Not Relevant

As noted above, the Board of Education of the BOCES and DASNY conducted a SEQR review and a referendum was held for public vote. Therefore, the Proposed Project would be consistent with this criterion.

14. Does the Recipient have an ongoing governance structure to sustain the implementation of community planning? Check one and describe: Yes No Not Relevant

The Board of Education of the BOCES and the OCM BOCES have an on-going governance structure to support the development and implementation of capital projects.

15. Does the project mitigate future physical climate risk due to sea level rise, and/or storm surges and/or flooding, based on available data predicting the likelihood of future extreme weather events, including hazard risk analysis data if applicable? Check one and describe: Yes No Not Relevant

The project is to acquire an existing, operational, educational facility. This criterion is not relevant to the Proposed Project.

⁴ Documentation may include SEQR coordination with involved and interested agencies, SPDES permit issuance/revision notice, approval of Bond Resolution, formation of district, evidence of public hearings, *Environmental Notice Bulletin* ["ENB"] or other published notices, letters of support, etc.

DASNY has reviewed the available information regarding this project and finds:

- The project was developed in general consistency with the relevant Smart Growth Criteria.
- The project was not developed in general consistency with the relevant Smart Growth Criteria.
- It was impracticable to develop this project in a manner consistent with the relevant Smart Growth Criteria for the following reasons: _____

ATTESTATION

I, President of DASNY/designee of the President of DASNY, hereby attest that the Proposed Project, to the extent practicable, meets the relevant criteria set forth above and that to the extent that it is not practical to meet any relevant criterion, for the reasons given above.



Signature/Date

Robert S. Derico, R.A., Director, Office of Environmental Affairs
Print Name and Title