



**DASNY**

**ANDREW M. CUOMO**  
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Chair

**REUBEN R. MCDANIEL, III**  
Acting President & CEO

**Memorandum**

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

**FROM:** Matthew A. Stanley, AICP, Senior Environmental Manager

**DATE:** May 5, 2020

**RE:** *State Environmental Quality Review (SEQR) Type II Determination* for the St. John's University 2020 Financing Project (Independent Colleges & Universities Program)

St. John's University ("St. John's" or the "University") has requested financing from the Dormitory Authority of the State of New York ("DASNY") pursuant to DASNY's Independent Colleges and Universities Program for its *2020 Financing Project*. Accordingly, the *2020 Financing Project* is subject to environmental review pursuant to the *State Environmental Quality Review Act ("SEQRA")*.

Based on a review of the attached *Revised Single Approval Transaction Summary*, dated April 30, 2020, it has been determined that for purposes of *SEQRA*, the Proposed Action would consist of DASNY's authorization of the issuance of an amount not to exceed \$325,000,000 in one or more series of fixed- and/or variable-rate, tax-exempt and/or taxable Series 2020 Bonds, to be sold through a negotiated offering or private placement.

The bond proceeds would be used for the refunding and fix-out of all or a portion of DASNY's St. John's University variable rate Series 2008B-1, and Series 2008B-2 bonds (\$103.9 million); ; and refunding all or a portion of DASNY's St. John's University fixed-rate Series 2012B, Series 2013A, and Series 2015A bonds (\$178.2 million). In addition, the bond proceeds would be utilized for the financing, refinancing, and/or reimbursing the University for various construction and renovation costs related to capital projects (see attached project description) (\$32.8 million). Collectively, these project elements constitute the "Proposed Project".

**Description of the Institution.** St. John's University is an independent, not-for-profit institution of higher education chartered under the laws of the State of New York. The University was founded in 1870. Today, the University's main campus is in Queens, with other New York campuses in Staten Island, Hauppauge, and Manhattan. The University currently includes six schools and colleges: College of Liberal Arts and Sciences, College of Pharmacy and Health Sciences, School of Education, Peter J. Tobin College of Business, College of Professional Studies, and School of Law. The University offers over 100-degree programs, ranging from associate level to full doctorates.

**SEQR Determination.** DASNY completed this environmental review in accordance with the *SEQRA*, codified at Article 8 of the New York *Environmental Conservation Law* (“*ECL*”) and 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 *SEQR* process. The Proposed Project components are classified within *SEQR* as follows:

- Maintenance or repair involving no substantial changes in an existing structure or facility is a Type II action as specifically designated by 6 N.Y.C.R.R. § 617.5(c)(1).
- 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 Part 617.4 is a Type II action as specifically designated by 6 N.Y.C.R.R. § 617.5(c)(2).
- Refinancing of existing debt is a Type II action as specifically designated by 6 N.Y.C.R.R. § 617.5(c)(29).
- Purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials, is a Type II action as specifically designated by 6 N.Y.C.R.R. § 617.5(c)(31).

Type II “actions have been determined not to have significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, article 8.”<sup>1</sup> Therefore, no further *SEQR* determination or procedure is required for any project identified as Type II.

**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*”). In compliance with Article III, Section 3.0 of the *MOU*, *OPRHP* would be notified of the Proposed Project being funded with bond proceeds.

St. John’s is in the process of defining the campus buildings where DASNY financing would be utilized for the above-described activities. Those buildings subject to review under *SHPA* will be submitted to *OPRHP* as appropriate.

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

#### Attachments

cc: Susan J. Bouton, Esq.; Stephen J. Kosier; *SEQR* File, *OPRHP* File

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<sup>1</sup> 6 N.Y.C.R.R. § 617.5(a).