



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

September 19, 2025

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Approval of SEQR for Library Green Roof

Dear Honorable Members:

Please find attached a resolution requesting legislative authorization to approve the SEQR determination made by the County.

If your Honorable Body requires any further information, please contact Deputy Commissioner Tracy Cichocki at the Department of Public Works. Thank you for your consideration of this request.

Sincerely yours,

A handwritten signature in blue ink, reading "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/rb
Enclosure

cc: Deputy Commissioner of Buildings and Grounds Tracy Cichocki

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Department of Public Works
Re: Approval of SEQR for Library Green Roof
Date: September 19, 2025

SUMMARY

Legislative authorization is requested to approve the updated SEQR determination for the installation of a Green Roof on the Central Library building.

FISCAL IMPLICATIONS

There are no fiscal implications for this resolution.

REASONS FOR RECOMMENDATION

The EFC has committed to providing a Green Innovation Grant Program (GIGP) \$3,000,000 grant to help fund the addition of a green roof to the Buffalo & Erie County Central Library. The grant requires a formal resolution to approve the State Environmental Quality Review (SEQR) determination prepared for the Legislature by the Department of Environment and Planning.

BACKGROUND INFORMATION

In November of 2024, your Honorable Body authorized the acceptance of grant funding and the approval of an initial SEQR determination in COMM. 18E-34 (2024). Through further discussions with the Environmental Facilities Corporation (EFC, New York State's Water Infrastructure Bank; granting agency) it was determined that the green roof project was qualified as a "treatment works" project under Section 212 of the Clean Water Act. This required a more thorough SEQR investigation to meet all applicable regulations. Erie County's Department of Environment and Planning worked in conjunction with personnel from EFC to complete an updated SEQR for the project.

CONSEQUENCES OF NEGATIVE ACTION

A successful SEQR determination and approval is a key requirement of the granting agency. Not authorizing the approval of the new SEQR determination would jeopardize the grant and the County would have to forfeit the \$3,000,000 grant award.

STEPS FOLLOWING APPROVAL

The Department of Public Works will work with the Department of Environment and Planning to memorialize the SEQR and submit it to the granting agency.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PUBLIC WORKS

Re: Approval of SEQR for Library Green Roof

WHEREAS, the Buffalo & Erie County Central Library has a roof that has reached the end of its useful lifespan; and

WHEREAS, the Erie County Department of Public Works has been authorized by COMM 4E-17 (2024) to start the process of designing a new roof for the Central Library; and

WHEREAS, Erie County desires to replace the 26,500 square feet of existing roof with a green roof; and

WHEREAS, the proposed green roof will provide water retention benefits, additional insulation to the building, and extend the life of the roofing membrane by approximately three times or 60 years; and

WHEREAS, Erie County has been awarded a GIGP grant in the amount of \$3,000,000 to install a green roof on the Central Library; and

WHEREAS, Title 6 of the New York Code of Rules and Regulations (“6 NYCRR”) Section 617.1 under the State Environmental Quality Review Act (SEQR) requires local governments when they directly undertake, fund or approve an action to evaluate whether said actions will have a significant impact on the environment; and

WHEREAS, Erie County acting through the Department of Environment and Planning has reviewed the action under the SEQR regulations and has made the determination that the action is classified as a Type 2 action pursuant to 6 NYCRR Section 617.5(c)(2),(3); and

WHEREAS, the proposed project is funded by the Federal Clean Water Act, the evaluation of the action for environmental impacts is required under National Environmental Protection Act (“NEPA”); and

WHEREAS, the Department of Environment and Planning has reviewed the action under 40 CFR 6.204 (a)(1)(iii) and has determined that it is classified as a “categorical exclusion” pursuant to the NEPA regulations.

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature has reviewed the action under SEQR and NEPA as proposed and hereby concurs with the Department of Environment and Planning determination; and

RESOLVED, the Erie County Legislature hereby determines that the proposed Central Library Green Roof Project is a Type II action in accordance with 6 NYCRR Section 617.5(c) (2) which is the 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, and (3) which constitute(s) the retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure and is therefore not subject to further review under 6 NYCRR Part 617; and be it further

RESOLVED, the Erie County Legislature has reviewed the action under 40 CFR 6.204 (a)(1)(iii) and has determined that it is eligible for exclusion from detailed environmental review under 40 CFR 6.204 (a) (1) and will not involve any extraordinary circumstance delineated in 40 CFR 6.204(b)(1) through (b)(10). An environmental impact statement or an environmental assessment will not be prepared and the action is considered excluded from detailed environmental review pursuant to the NEPA regulations; and

RESOLVED, that certified copies of this resolution be furnished to the Department of Public Works, County Executive's Office, Department of Environment and Planning, Division of Budget and Management and Buffalo & Erie County Central Library.