

Niagara Gorge Corridor

***Robert Moses Parkway Removal
Main Street to Findlay Drive
Niagara Falls, NY***

Design Report/Environmental Assessment

Appendix M - Coastal Zone Consistency Determination and Niagara River Greenway Consistency

PIN 5761.90

July 2016

In cooperation with:

**New York State Department of Transportation
New York Power Authority
USA Niagara Development Corporation
The City of Niagara Falls, NY**

M.1 Coastal Zone Consistency Determination

April 20, 2016

Mr. Andrew Giarrizzo, RLA
Associate Landscape Architect
NYS OPRHP
Niagara Region A & E Unit
3160 Deveaux Woods Drive
Niagara Falls, New York 14305

Re: F-2016-0192(FA)
NYS OPRHP - *Niagara Gorge Corridor*
Main Street to Findlay Drive
PIN 5757.91.121
Removal of the existing Robert Moses Parkway
(RMP) between Main Street and Findlay Drive, a
distance of almost 2.0 miles, and the reconstruction
of Third Street and Whirlpool Street which, in
combination, parallel the RMP along this segment.
General Concurrence - No Objection to Funding

Dear Mr. Giarrizzo:

The Department of State received the information you submitted regarding the above matter on 2/29/2016.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, the Department of State has no objection to the use of Federal Highway Authority funds for this financial assistance activity. This concurrence pertains to the financial assistance activity for this project only. If federal permits or other form of federal agency authorization is required for this activity, the Department of State will conduct a separate review for those permit activities. In such a case, please forward a copy of the federal application for authorization, a completed Federal Consistency Assessment Form, and all supporting information to the Department at the same time it is submitted to the federal agency from which the necessary authorization is requested.

When communicating with us regarding this matter, please contact Jeffrey Zappieri at (518) 474-6000 and refer to our file #F-2016-0192(FA).

Sincerely,



Jeffrey Zappieri
Supervisor, Consistency Review Unit
Office of Planning and Development

JZ/dc



Department
of State



Parks, Recreation and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

MARK W. THOMAS
Director, Western Region

PO Box 1132, Niagara Falls, NY 14303 (716) 278-1770 www.nysparks.com

February 12, 2016

Mr. Jeffrey Zappieri
Supervisor of Consistency Review
Consistency Review Unit
Office of Communities & Waterfronts
New York State Department of State
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001

RE: Niagara Gorge Corridor
Robert Moses Parkway Removal Project:
Main Street to Findlay Drive, Niagara Falls, NY
PIN 5757.91.121

Dear Mr. Zappieri:

The Federal Highway Administration (FHWA), in cooperation with the New York State Office of Parks Recreation and Historic Preservation (NYSOPRHP), is preparing a Draft Design Report/Environmental Assessment (DR/EA) in accordance with the National Environmental Policy Act (NEPA) for the Niagara Gorge Corridor, Robert Moses Parkway Removal Project (Project). The Project may be federally-funded and is located within the designated New York State Coastal Area. As such, this letter serves as Federal Aid Notification. A completed Coastal Assessment Form (CAF) and Federal Consistency Assessment Form (FCAF) are also enclosed for your review. It is not anticipated that the Project will require any federal permits or approvals.

The Project involves the removal of the existing Robert Moses Parkway (RMP) between Main Street and Findlay Drive, a distance of almost 2.0 miles, and the reconstruction of Third Street and Whirlpool Street which, in combination, parallel the RMP along this segment.

The primary need of the Project is to address the future transportation needs of the park visitors, commuters, bicyclists, hikers and people from the surrounding communities while considering how to balance those transportation needs with the goal to improve the park area environment, provide better access to the Niagara Gorge from the adjacent communities and enhance opportunities for sustainable economic development.

The Project improves public recreation opportunities in the designated Coastal Area by removing the RMP, adding over 18 acres of green space, and facilitating pedestrian access to the Niagara River Gorge Area. In addition, a new multi-use trail for pedestrians and bicyclists would be constructed within the gorge area along the Project's entire length.

For your information, a project location map and conceptual plan of the Build Alternative are enclosed. The Build Alternative would involve removal of the RMP (i.e., all vehicular lanes,

lanes used for the Robert Moses Parkway Trail, the Whirlpool Bridge Plaza overpass, and all other RMP interchange/accessory facilities) from Main Street (NYS Rte 104) to Findlay Drive.

The Build Alternative would also include:

- Reconstruction of Whirlpool Street from Main Street to Walnut Avenue and from Cedar Avenue to Findlay Drive as an at-grade, two-lane, 30 -MPH road to accommodate north-south vehicular and potential future bus access, and removal of Whirlpool Street from Cedar Avenue to Walnut Avenue;
- Reconstruction of Third Street from Main Street to Cedar Avenue in a manner consistent with that of Whirlpool Street;
- Restoration of the landscape / habitat on lands reclaimed along the Niagara Gorge rim from the removal of the RMP with native species;
- Construction of a pedestrian / bicycle trail network along the Gorge rim, connecting to other trail systems and adjoining neighborhoods; and
- Incorporation of amenities / betterments associated with the above improvements.

Please note that the Project Scoping Report for the Project was released in October 2013. This report (formerly called the Niagara Gorge Corridor Project, Robert Moses Parkway –North Segment) and additional project information are available on the project website.

<http://parks.ny.gov/inside-our-agency/public-documents.aspx>

As documented in the enclosed CAF and FCAF, NYSOPRHP has determined that the Project is consistent with New York State Department of State's coastal policies. We respectfully request your review of the enclosed materials and concurrence that the Project is consistent with coastal policies. Due to the accelerated project schedule, we appreciate your quick attention to this request.

Please do not hesitate to contact me at (716) 299-0806 or Andrew.Giarrizzo@parks.ny.gov should you have any questions or require additional information.

Respectfully,



Andrew Giarrizzo
Associate Landscape Architect

enclosures: Coastal Assessment Form, Project Location Map, Conceptual Plan

cc:

C. Mozrall, NYSDOT Region 5
K. Lorenz, NYSDOT Region 5
P. Tronolone, USAN
H. Anker, FHWA
T Donohue, Parsons

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Coastal Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. State agencies shall complete this CAF for proposed actions which are subject to Part 600 of Title 19 of the NYCRR. This assessment is intended to supplement other information used by a state agency in making a determination of significance pursuant to the State Environmental Quality Review Act (see 6 NYCRR, Part 617). If it is determined that a proposed action will not have a significant effect on the environment, this assessment is intended to assist a state agency in complying with the certification requirements of 19 NYCRR Section 600.4.
2. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the coastal policies contained in Article 42 of the Executive Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (a) making a certification of consistency pursuant to 19 NYCRR Part 600 or, (b) making the findings required under SEQRA, 6 NYCRR, Section 617.11, if the action is one for which an environmental impact statement is being prepared. If an action cannot be certified as consistent with the coastal policies, it shall not be undertaken.
3. Before answering the questions in Section C, the preparer of this form should review the coastal policies contained in 19 NYCRR Section 600.5. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

B. DESCRIPTION OF PROPOSED ACTION

1. Type of state agency action (check appropriate response):
(a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) _____
(b) Financial assistance (e.g. grant, loan, subsidy) _____
(c) Permit, license, certification _____
2. Describe nature and extent of action: _____

3. Location of action:

County	City, Town or Village	Street or Site Description
--------	-----------------------	----------------------------
4. If an application for the proposed action has been filed with the state agency, the following information shall be provided:
(a) Name of applicant: _____
(b) Mailing address: _____
(c) Telephone Number: Area Code (_____) _____
(d) State agency application number: _____
5. Will the action be directly undertaken, require funding, or approval by a federal agency?
Yes _____ No _____ If yes, which federal agency? _____

C. COASTAL ASSESSMENT (Check either "YES" or "NO" for each of the following questions)

YES NO

1. Will the proposed activity be located in, or contiguous to, or have a significant effect upon any of the resource areas identified on the coastal area map:
(a) Significant fish or wildlife habitats? ___ ___
(b) Scenic resources of statewide significance? ___ ___
(c) Important agricultural lands? ___ ___
2. Will the proposed activity have a significant effect upon:
(a) Commercial or recreational use of fish and wildlife resources? ___ ___
(b) Scenic quality of the coastal environment? ___ ___
(c) Development of future, or existing water dependent uses? ___ ___
(d) Operation of the State's major ports? ___ ___
(e) Land and water uses within the State's small harbors? ___ ___
(f) Existing or potential public recreation opportunities? ___ ___
(g) Structures, sites or districts of historic, archeological or cultural significance to the State or nation? ___ ___

3. Will the proposed activity involve or result in any of the following:
- (a) Physical alteration of two (2) acres or more of land along the shoreline, land under water or coastal waters?
 - (b) Physical alteration of five (5) acres or more of land located elsewhere in the coastal area?
 - (c) Expansion of existing public services of infrastructure in undeveloped or low density areas of the coastal area?
 - (d) Energy facility not subject to Article VII or VIII of the Public Service Law?
 - (e) Mining, excavation, filling or dredging in coastal waters?
 - (f) Reduction of existing or potential public access to or along the shore?
 - (g) Sale or change in use of state-owned lands located on the shoreline or under water?
 - (h) Development within a designated flood or erosion hazard area?
 - (i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?
4. Will the proposed action be located in or have a significant effect upon an area included in an approved Local Waterfront Revitalization Program?

D. SUBMISSION REQUIREMENTS

If any question in Section C is answered "Yes", AND either of the following two conditions is met:

Section B.1(a) or B.1(b) is checked; or
 Section B.1(c) is checked AND B.5 is answered "Yes",

THEN a copy of this completed Coastal Assessment Form shall be submitted to:

New York State Department of State
 Office of Coastal, Local Government and Community Sustainability
 One Commerce Plaza
 99 Washington Avenue, Suite 1010
 Albany, New York 12231-0001

If assistance or further information is needed to complete this form, please call the Department of State at (518) 474-6000.

E. REMARKS OR ADDITIONAL INFORMATION

Preparer's Name: _____
 (Please print)

Title: _____ Agency: _____

Telephone Number: (_____) _____ Date: _____

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. **APPLICANT** (please print)

1. Name: _____
2. Address: _____
3. Telephone: Area Code () _____

B. **PROPOSED ACTIVITY:**

1. Brief description of activity:

2. Purpose of activity:

3. Location of activity:

_____	_____	_____
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: _____

5. Federal application number, if known: _____

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known:

C. **COASTAL ASSESSMENT** Check either "YES" or "NO" for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

- | | |
|---|--------|
| 1. Will the proposed activity result in any of the following: | YES/NO |
| a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43) | — — |
| b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44) | — — |
| c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1) | — — |
| d. Reduction of existing or potential public access to or along coastal waters? (19, 20) | — — |
| e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10) | — — |
| f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29) | — — |
| g. Siting of a facility essential to the generation or transmission of energy? (27) | — — |
| h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35) | — — |
| i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35) | — — |
| j. Draining of stormwater runoff or sewer overflows into coastal waters? (33) | — — |
| k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39) | — — |
| l. Adverse effect upon land or water uses within the State's small harbors? (4) | — — |
| 2. Will the proposed activity affect or be located in, on, or adjacent to any of the following: | YES/NO |
| a. State designated freshwater or tidal wetland? (44) | — — |
| b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17) | — — |
| c. State designated significant fish and/or wildlife habitat? (7) | — — |
| d. State designated significant scenic resource or area? (24) | — — |
| e. State designated important agricultural lands? (26) | — — |
| f. Beach, dune or Barrier Island? (12) | — — |
| g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3) | — — |
| h. State, county, or local park? (19, 20) | — — |
| i. Historic resource listed on the National or State Register of Historic Places? (23) | — — |
| 3. Will the proposed activity require any of the following: | YES/NO |
| a. Waterfront site? (2, 21, 22) | — — |
| b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5) | — — |
| c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16) | — — |
| d. State water quality permit or certification? (30, 38, 40) | — — |
| e. State air quality permit or certification? (41, 43) | — — |
| 4. Will the proposed activity occur within and/or affect an area covered by a State-approved local waterfront revitalization program, or State-approved regional coastal management program?
(see policies in program document*) | — — |

D. ADDITIONAL STEPS

1. If all of the questions in Section C are answered "NO", then the applicant or agency shall complete Section E and submit the documentation required by Section F.
2. If any of the questions in Section C are answered "YES", then the applicant or agent is advised to consult the CMP, or where appropriate, the local waterfront revitalization program document*. The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. On a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy; and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

E. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: _____

Address: _____

Telephone: Area Code () _____

Applicant/Agent's Signature: _____ Date: _____

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Planning and Development, Attn: Consistency Review Unit, One Commerce Plaza-Suite 1010, 99 Washington Avenue, Albany, New York 12231.**
 - a. Copy of original signed form.
 - b. Copy of the completed federal agency application.
 - c. Other available information which would support the certification of consistency.
2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.
3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

*These state and local documents are available for inspection at the offices of many federal agencies, Department of environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

**Niagara Gorge Corridor
Robert Moses Parkway Removal: Main Street to Findlay Drive**

**Federal Coastal Assessment Form
Addendum to Item D. Additional Steps**

D.1 Full Project Description

The New York State Office of Parks, Recreation and Historic Preservation (“State Parks”), in partnership with the New York State Department of Transportation (NYSDOT), the City of Niagara Falls, USA Niagara Development Corporation, and the New York Power Authority are proposing construction of the **Niagara Gorge Corridor: Robert Moses Parkway (RMP) Removal Project: Main Street to Findlay Drive, Niagara Falls, NY (the “Project”)**. The Project involves the removal of the existing RMP between Main Street and Findlay Drive (see **Figure 1**), a distance of almost two miles, and the reconstruction of local streets that are immediately adjacent to the RMP along this segment to provide all local/Niagara Gorge Corridor vehicular access. The Project is currently in the preliminary engineering and environmental review phase, documented in a Design Report/Environmental Assessment (DR/EA) being prepared in accordance with Federal Highway Administration (FHWA) regulations that implement the National Environmental Policy Act (NEPA) and the New York State Environmental Quality Review Act (SEQRA).

The “Build Alternative” for the Project in the DR/EA would involve specifically include (see **Figures 2 and 3**) demolition of the RMP (i.e., all current vehicular lanes, former vehicular lanes used for the Robert Moses Parkway Trail, the Whirlpool Bridge Plaza overpass, and all other RMP expressway interchange/accessory facilities) from Main Street (NYS Rte 104) to Findlay Drive. The Build Alternative would also include:

- Reconstruction of Whirlpool Street from Main Street to Walnut Avenue and from Cedar Avenue to Findlay Drive as an at-grade, two-lane, 30-MPH road to accommodate north-south vehicular and potential future bus access, and removal of Whirlpool Street from Cedar Avenue to Walnut Avenue;
- Reconstruction of Third Street from Main Street to Cedar Avenue in a manner consistent with that of Whirlpool Street;
- Restoration of the landscape / habitat on lands reclaimed along the Niagara Gorge rim from the removal of the RMP with native species;
- Construction of a pedestrian / bicycle trail network along the Gorge rim (as part of the Greenway’s “Shoreline Trail” system), connecting to other trail systems and adjoining neighborhoods; and
- Incorporation of amenities / betterments associated with the above improvements.

The Project is intended to: remove the physical barrier of the expressway configuration of the RMP that effectively cuts off City neighborhoods from the Niagara Gorge; help restore the natural ecology of the Gorge rim along this segment through the reduction of paved surfaces; and redefine the area to best facilitate ecotourism and local quality of life, all while still providing sufficient multi-modal transportation access along and to this portion of the Niagara Gorge Corridor.

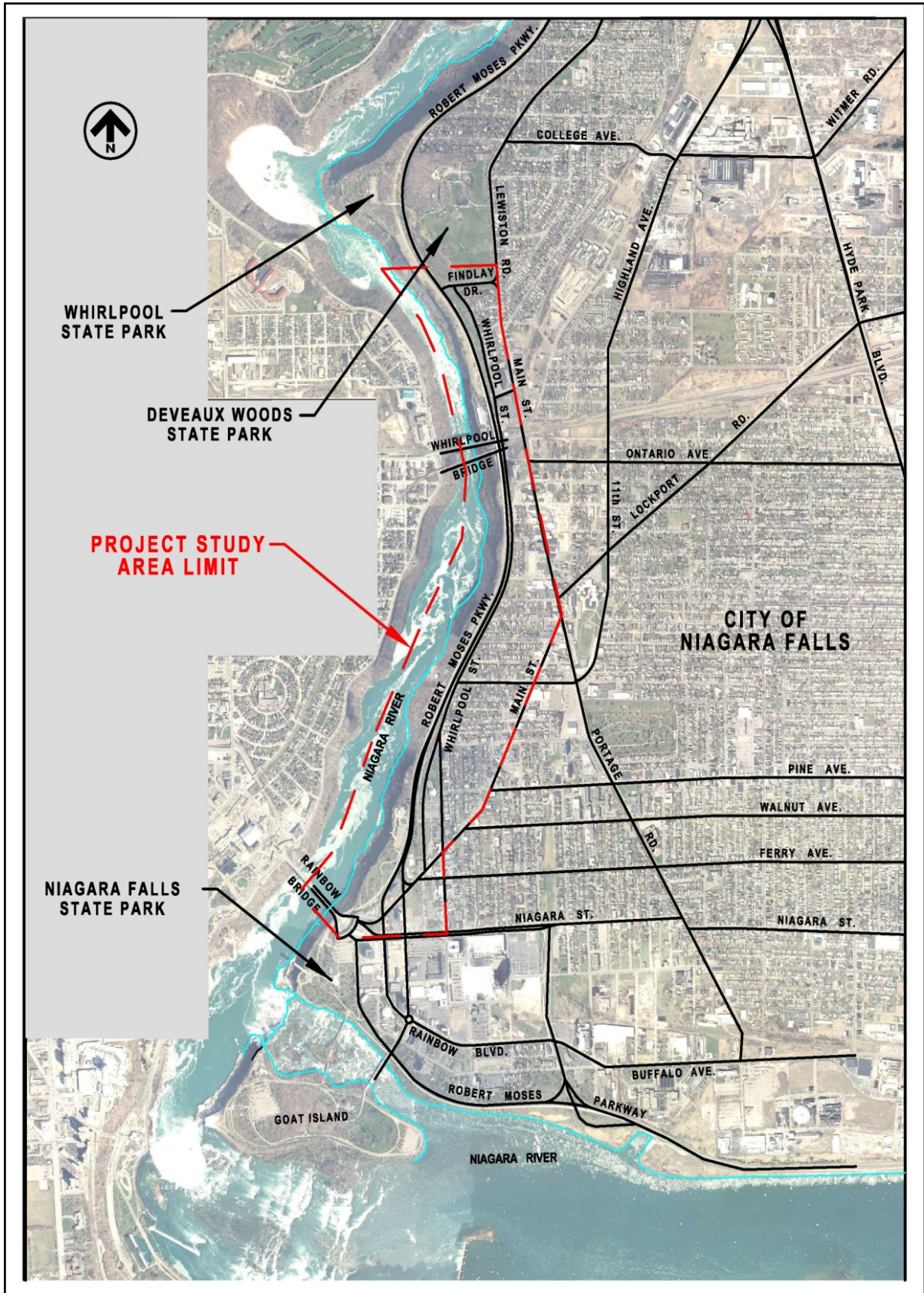


Figure 1: Project Area



Figure 2: Existing and Proposed Configuration: Looking South at Orchard Parkway

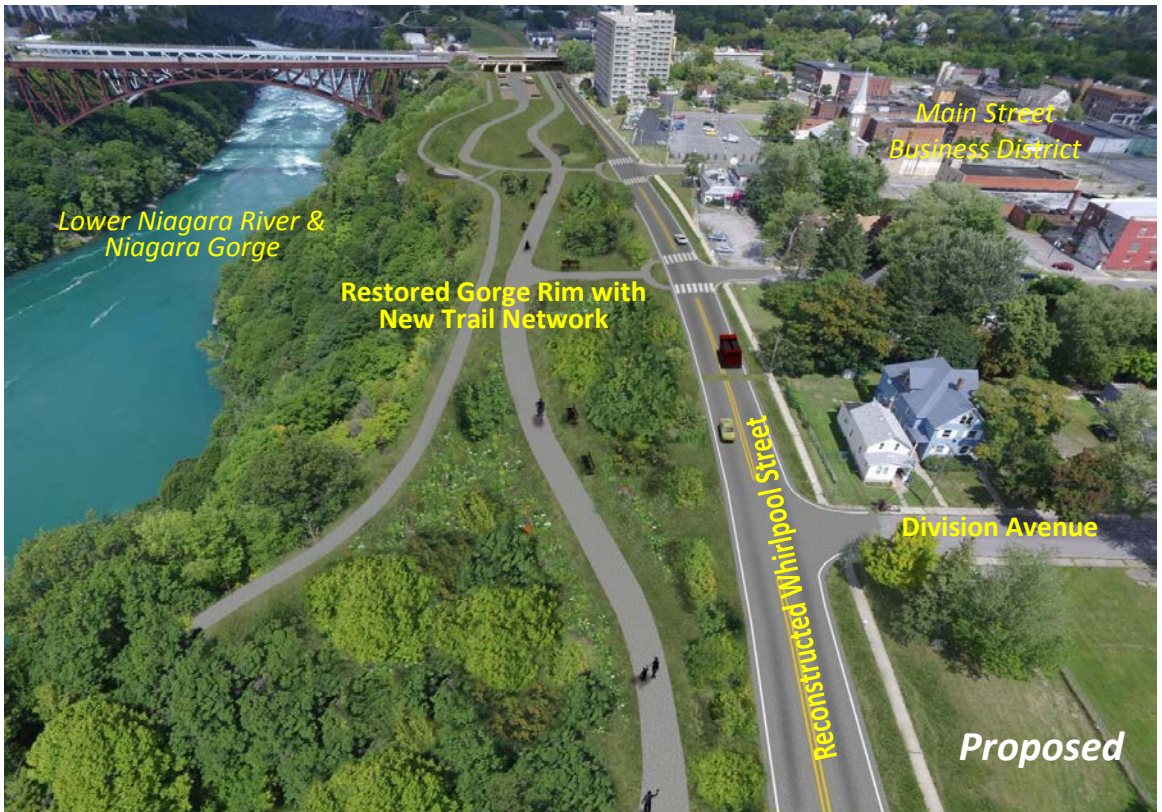
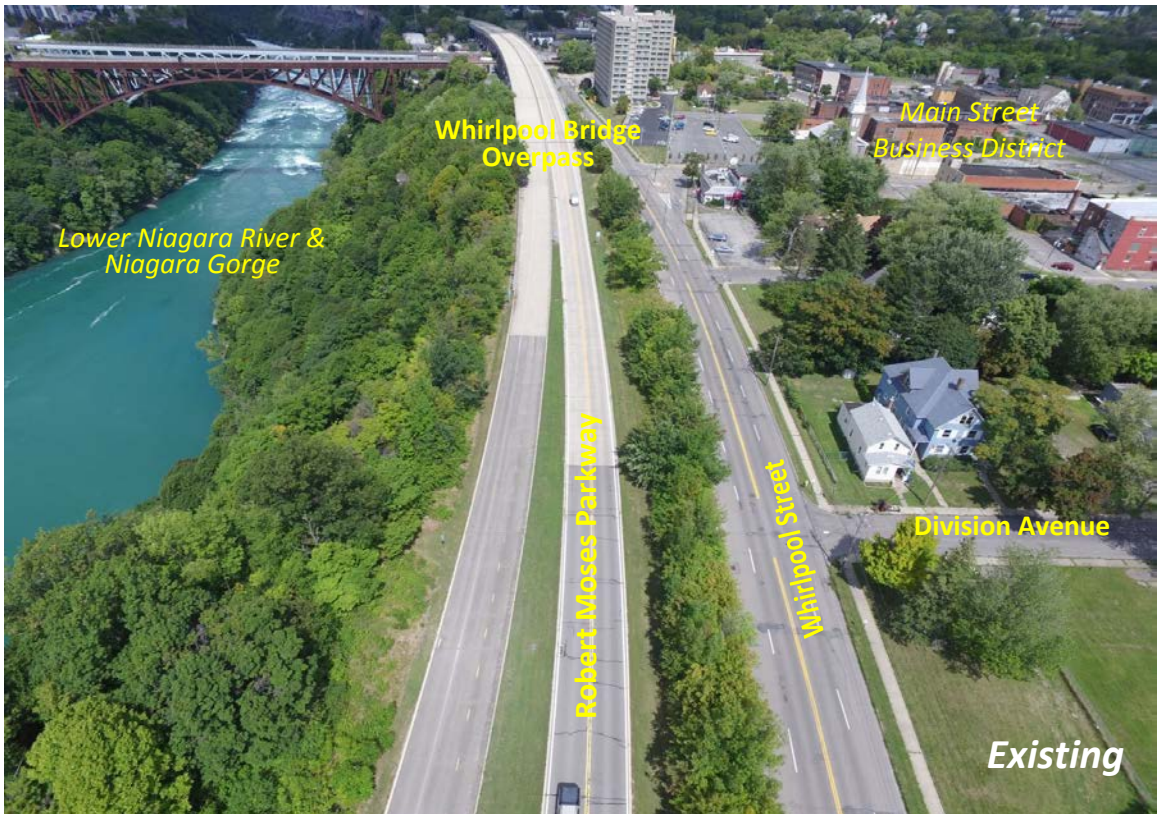


Figure 3: Existing and Proposed Configuration: Looking North at Division Ave.

D.2 Assessment of Project Consistency with Specific Coastal Policies

As directed, for certain questions that were answered “Yes” in Section C of the FCAF, the following sections outline in more detail the Project’s consistency with respect to the applicable state or local coastal policies.

FCAF Section C., Question 2 h.: Will the proposed activity affect or be located in, on, or adjacent to any of the following – a State, county, or local park? (Coastal Policies 19, 20).

Rationale for “Yes” answer: The Project Area includes a portion of Niagara Falls State Park and is also adjacent to Whirlpool State Park and DeVeaux Woods State Park.

Coastal Policy 19 - Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.

Consistency Assessment: By removal of the barrier exhibited by two miles of the RMP expressway infrastructure along the Niagara Gorge Rim and restoration of these lands with native vegetation, the Project would significantly increase the level of access to recreational resources in the Project Area both to the area’s ~8 million annual visitors and to City neighborhoods adjoining the Niagara Gorge. Thus, the Project is consistent with NYS Coastal Policy No. 19.

Coastal Policy 20 - Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it shall be provided in a manner compatible with adjoining uses.

Consistency Assessment: The Project would in no way affect the publicly-owned foreshore and lands immediately adjacent the foreshore (i.e., at the base of the Niagara Gorge along the Lower Niagara River). However, the Project would significantly free up access to the Gorge rim, and by extension, the base of the Gorge. Thus, the Project is consistent with NYS Coastal Policy No. 20.

FCAF Section C., Question 2 i.: Will the proposed activity affect or be located in, on, or adjacent to any of the following – a Historic resource listed on the National or State Register of Historic Places? (Coastal Policy 23)

Rationale for “Yes” answer: Niagara Falls State Park, which is in the Project Area is listed on the State and National Register of Historic Places (S/NRHP) and is a National Historic Landmark. The Project Area also contains two S/NRHP-listed historic districts in adjoining City neighborhoods.

Coastal Policy 23 - Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the state, its communities, or the nation.

Consistency Assessment: The Project would in no way affect or impair important features of Niagara Falls State Park or adjoining neighborhood historic districts, nor would the Project require the taking, razing, or other direct impacts to these resources. The Project would however, through the removal of the RMP and construction of trail system connecting Niagara Falls State Park to Whirlpool State and DeVeaux Woods State Parks, as well as to adjoining neighborhoods, would significantly improve and expand the resources of these parks and improve the context of the adjoining neighborhoods. Thus, the Project is consistent with NYS Coastal Policy No. 23.

FCAF Section C., Question 3 d.: Will the proposed activity require any of the following - State water quality permit or certification? (Coastal Policies 30, 38, 40)

Rationale for “Yes” answer: The Project would require State Pollution Discharge Elimination System (SPDES) Permit for construction activities.

Coastal Policy 30 – Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards.

Consistency Assessment: The only potential water quality effects of the Project involve potential sedimentation effects during demolition and construction activities. These issues would be fully addressed through the implementation of a Soil Erosion and Sedimentation Control Plan during the construction. Upon completion, the Project is anticipated to result in indirect improvement to water quality through the reduction of stormwater runoff from paved surfaces.

Coastal Policy 38 – The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.

Consistency Assessment: No sole source aquifers or surface water/groundwater drinking sources exist in the Project area. The Project is not anticipated to result in any direct impacts to surface or groundwater resources. The planning and design phases currently include assessment for any existing contamination in the Project Area and the Project shall include contract items and protocols should any contamination be encountered during construction activities.

Coastal Policy 40 – Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.

Consistency Assessment: The Project does not involve any planned discharges or discharge points associated with power generation or industrial facilities.

M.2 Niagara River Greenway Consistency

**1. NIAGARA RIVER GREENWAY COMMISSION
CONSULTATION AND REVIEW FORM**

Project Registration Number _____

*Niagara River Greenway Commission
Consultation and Review Form*

Type of Review Required: _____ Mandatory Consultation

_____ **X** Voluntary Review and/or Endorsement

PROJECT SPONSOR INFORMATION

Name: NYS Office of Parks, Recreation, and Historic Preservation
Mailing Address: Prospect Point, P.O. Box 1132, Niagara Falls
State: New York Zip Code: 14303
Federal Id# 14-6013200 Charities Registration # N/A

PROJECT TYPE

Check all that apply: Environmental Cultural/Heritage Land or Water Public Access
 Cultural Trail Educational/Interpretive
 Waterfront or Land Based Development Signage
 Recreational Other

Project Name: NYS DOT Project Identification Number (PIN) 5757.91.121
Niagara Gorge Corridor: Robert Moses Parkway Removal: Main St. to Findlay Dr.

Location: Niagara Falls

Site Address: Two-Mile Corridor along Niagara Gorge from Main Street to Findlay Drive

State: New York Zip Code: 14303

Minor Civil Division(s): City of Niagara Falls

County: Niagara County

Project Proponent Property Interest (own, lease, easement or other): Public rights-of-way passing over a combination of State lands (State Parks, New York Power Authority) and local lands (City of Niagara Falls)

AUTHORIZED OFFICIAL

Name: Mark Thomas Title: Western Region Director

Business Address: Prospect Park, P.O. Box 1132, Niagara Falls

State: New York Zip Code: 14303

Telephone Number: (716) 278-1702 Cell Number: N/A

Fax Number: (716) 278-1725

E-Mail Address: mark.thomas@oprhp.state.ny.us

PROJECT POINT OF CONTACT

Name: Thomas Donohue Title: Principal

Organization/Firm: Parsons (Prime Consulting Engineering Firm for Project)

Business Address: 40 LaRiviere Drive, Suite 350, Buffalo

State: New York Zip Code: 14202

Telephone Number: (716) 541-0733 Cell Number: N/A

Fax Number: (716) 541-0760

E-Mail Address: thomas.donohue@parsons.com

2. PROJECT NARRATIVE

2.1 Introduction

The New York State Office of Parks, Recreation and Historic Preservation (“State Parks”), in partnership with the New York State Department of Transportation (NYSDOT), the City of Niagara Falls (“City”), USA Niagara Development Corporation (USAN), and the New York Power Authority (NYPA) are proposing construction of the **Niagara Gorge Corridor: Robert Moses Parkway (RMP) Removal Project: Main Street to Findlay Drive, Niagara Falls, NY** (the “Project”). The Project involves the removal of the existing RMP between Main Street and Findlay Drive (see **Figure 1**), a distance of almost two miles, and the reconstruction of local streets that are immediately adjacent to the RMP along this segment to provide all local/Niagara Gorge Corridor vehicular access. The Project is currently in the preliminary engineering and environmental review phase, documented in a Design Report/Environmental Assessment (DR/EA) being prepared in accordance with Federal Highway Administration (FHWA) regulations that implement the National Environmental Policy Act (NEPA) and the New York State Environmental Quality Review Act (SEQRA).

The “Build Alternative” for the Project in the DR/EA would involve specifically include (see **Figures 2 and 3**) demolition of the RMP (i.e., all current vehicular lanes, former vehicular lanes used for the Robert Moses Parkway Trail, the Whirlpool Bridge Plaza overpass, and all other RMP expressway interchange/accessory facilities) from Main Street (NYS Rte 104) to Findlay Drive. The Build Alternative would also include:

- Reconstruction of Whirlpool Street from Main Street to Walnut Avenue and from Cedar Avenue to Findlay Drive as an at-grade, two-lane, 30-MPH road to accommodate north-south vehicular and potential future bus access, and removal of Whirlpool Street from Cedar Avenue to Walnut Avenue;
- Reconstruction of Third Street from Main Street to Cedar Avenue in a manner consistent with that of Whirlpool Street;
- Restoration of the landscape / habitat on lands reclaimed along the Niagara Gorge rim from the removal of the RMP with native species;
- Construction of a pedestrian / bicycle trail network along the Gorge rim (as part of the Greenway’s “Shoreline Trail” system), connecting to other trail systems and adjoining neighborhoods; and
- Incorporation of amenities / betterments associated with the above improvements.

The Project is intended to: remove the physical barrier of the expressway configuration of the RMP that effectively cuts off City neighborhoods from the Niagara Gorge; help restore the natural ecology of the Gorge rim along this segment through the reduction of paved surfaces; and redefine the area to best facilitate ecotourism and local quality of life, all while still providing sufficient multi-modal transportation access along and to this portion of the Niagara Gorge Corridor.

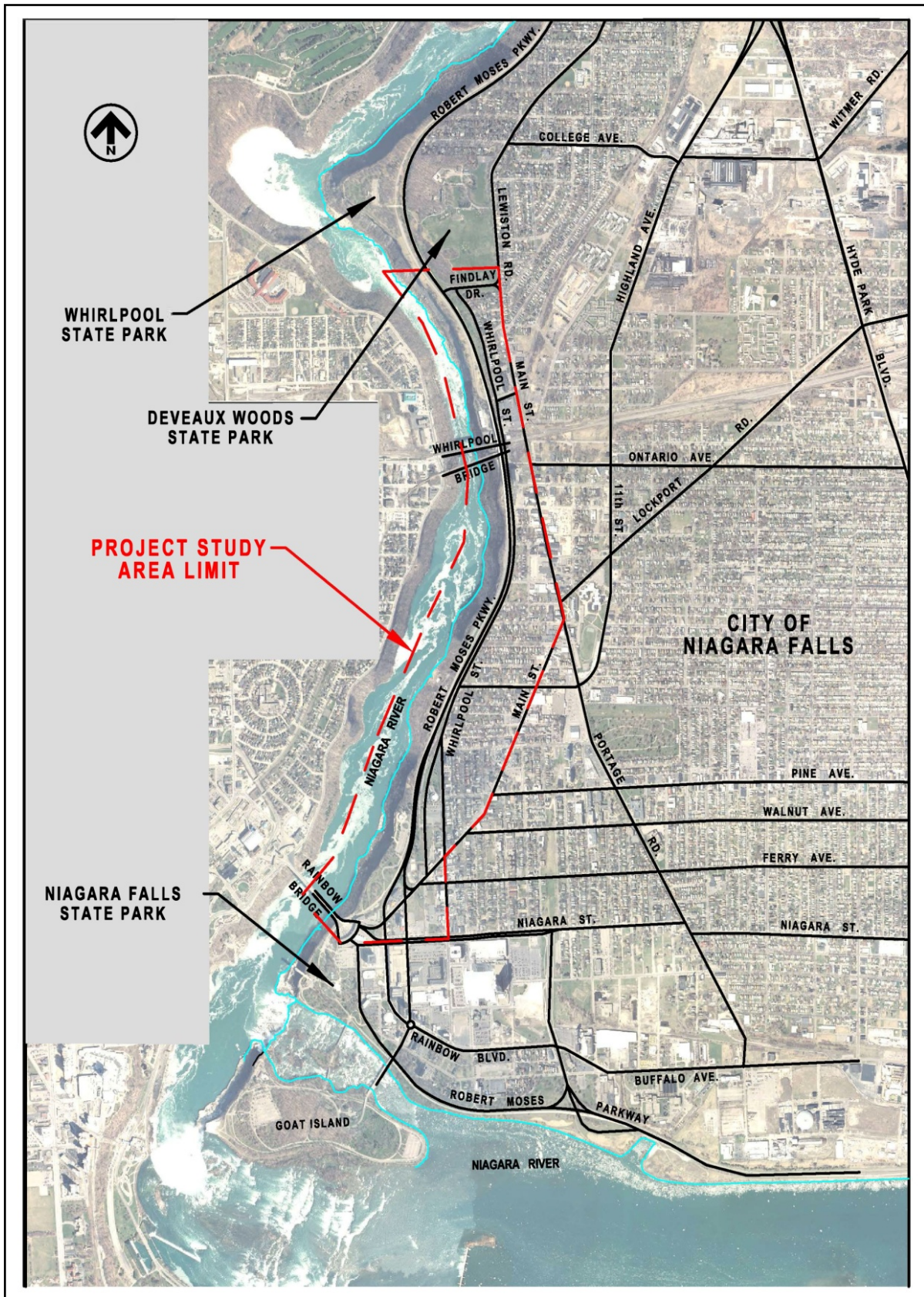


Figure 1: Project Area



Figure 2: Existing and Proposed Configuration: Looking South at Orchard Parkway



Figure 3: Existing and Proposed Configuration: Looking North at Division Ave.

2.2 Consistency with Niagara River Greenway Principles, Goals, and Criteria

The vision of the Niagara River Greenway is that of a “world-class corridor of places, parks and landscapes that celebrates and interprets our unique natural, cultural, recreational, scenic, and heritage resources and provides access to and connections between these important resources while giving rise to economic opportunities for the region.”

The Project’s purpose and need state specifically notes that it is intended to help meet the Niagara River Greenway Commission’s vision to celebrate and interpret our unique natural, cultural, recreational, scenic, and heritage resources along this portion of the Niagara River and provide access to, and connections between these important resources while giving rise to economic opportunities for the region. The following tables demonstrate consistency of the Project with various Niagara River Greenway Principles, Goals, and Criteria.

2.2.1 Greenway Principles

Excellence. The Project would significantly enhance the globally significant natural resources along the Niagara River by revegetating a two-mile corridor along the Niagara Gorge rim.

Sustainability. The Project would promote sustainability by reducing storm runoff; removing barriers to adjoining neighborhoods to promote revitalization; and being constructed in a manner to minimize long-term maintenance needs.

Accessibility. By removing the expressway and creating accessible trail networks, the Project would increase physical and visual access to and from the waterfront and related resources for a full range of users.

Ecological Integrity. By restoring two miles of land along the Gorge rim with native species, the Project would improve the health, vitality, and integrity of natural resources and wildlife habitats.

Public Well-Being. By restoring access between the City and the Niagara Gorge for recreational opportunities, the Project would promote physical and emotional wellness for the general public.

Connectivity. The Project would significantly increase the level of connectivity and access, in terms of trails, pathways, parks, and water access and would promote the continuity of open space and habitats along the Niagara Gorge.

Restoration. The Project would restore/replace over 18 acres of currently paved/disturbed lands along the Niagara Gorge rim with native vegetation and would promote revitalization of adjoining neighborhoods.

Authenticity. Through restoring and reconnecting the Niagara Gorge to the City of Niagara Falls, the Project would create a clear sense of place and identity that reflects the traditional spirit and heritage of the area.

Celebration. By opening access to the varied resources along the Gorge, the Project would provide opportunities to celebrate and share these diverse traditions with local residents and millions of visitors to the City.

Partnerships. The Project has and would continue to represent a broad partnership among State Parks, NYPA, NYSDOT, USAN, the City of Niagara Falls, and the general public.

Community Based. The Project is consistent with the City’s Comprehensive Plan and its configuration is reflective of broad consensus gained through numerous public meetings and workshops.

2.2.2 Greenway Goals

Improve Access. The Project would significantly increase the level of multi-modal access along the corridor, while maintaining an acceptable level of vehicular access.

Make Connections. Both physically, through trails and removing barriers, and figuratively/psychologically, through perceptions of the Gorge and adjoining neighborhoods, the Project would significantly connect the City to the Niagara Gorge.

Protect/Restore Environmental Systems. By reducing storm runoff to the River/Gorge through pavement removal, revegetating the Gorge rim with native species, and reducing habitat fragmentation, the Project would help protect and restore environmental systems.

Spark Revitalization and Renewal. By redefining the Niagara Gorge and Niagara Falls' North End neighborhoods as a single place, the Project is intended to be the impetus for a long-term revitalization of this section of the City.

2.2.3 Greenway Criteria

Consistency with Greenway Principles. As noted above, both quantitatively and qualitatively, the Project is consistent with all established Greenway Principles.

Priority Status. The Project advances four of five Greenway Priority Goals, specifically: "Improved access to waterfront resources"; "Development of an integrated trail and park system"; "Restoration of Niagara River Ecosystem"; and "Revitalization of Urban Centers".

Focus Area. The Project area is within the Greenway focus area, being immediately adjacent the River and Gorge. The Greenway plan notes that improving this core area would create discrete, visible results that would have a local, regional and even international impact.

Promote Long-Term Sustainability. By reducing the need for long-term highway maintenance while restoring natural/park resources, the Project would help promote sustainability of important sites/features.

Extend the Legacy of Frederick Law Olmsted. By significantly advancing a vision of a fully-accessible, emerald necklace of parks and open spaces along the Niagara River, the Project would help extend Olmsted's legacy.

Celebrate History and Heritage. By opening access, the Project would provide a significant canvas upon which to tell the varied stories of the area, ranging from the Underground Railroad Interpretative Center, to the Niagara Falls National Heritage Area, and also to the City's plans for a Cultural District.

Economic Viability. The Project reduces long-term costs associated with maintaining underutilized highway infrastructure and replaces it with lower-maintenance recreational/open space uses.

Availability of Local Sponsor or Partner. As noted above, the Project has and would continue to represent a broad partnership among various state/local agencies. Long-term responsibilities and relationships are already established among these partners.

Ability to Match or Leverage Funds. Niagara River Greenway funds are not currently being sought (although the possibility of future park enhancements could warrant such a need). The Project would be funded through a combination of NYPA and state/federal transportation funds.

2.2.3 Greenway Criteria (cont.)

Environmental Soundness. All aspects of the Project would strive to enhance the environmental quality of the region, including but not limited to stormwater runoff reduction; maximizing the use of green infrastructure; and reduction of urban heat sink effects.

Implementable. The Project is following a standard state/federal transportation project process for review and funding. This process is clearly tested and has been used for three decades to implement similarly scaled projects.

Consideration of Other Planning Efforts. Analyses made for the Project DR/EA indicate the Project would be clearly consistent with State Coastal Policies, the Comprehensive Plan, the National Heritage Area Management Plan, and NYPA's Niagara Power Project Recreation Plan and Land Management Plan, among other plans.

Clear Benefits. As demonstrated in above discussions, the Project would result in very clear benefits and is being specifically structured to maximize the beneficial impacts to the environment, to the economy and to the region.

2.3 Project Budget (Rounded)

Item	Amount	Sources
Public Scoping Process, Preliminary Engineering and Environmental Review	\$2,250,000	NYPA, FHWA, NYSDOT, USAN, City of Niagara Falls
Final Engineering, Construction Documents and Design Services During Construction	\$4,500,000	TBD
Hard Construction Costs	\$35,000,000	TBD
Acquisition	\$0	N/A
Construction Administration/On-Site Inspection	\$3,500,000	TBD
Operation and Maintenance/Year	TBD	State Parks, NYPA
TOTAL PROJECT COSTS	\$45,250,000	

The public scoping process (\$750,000) was funded through a combination of FHWA, NYPA, USAN, NYSDOT, and City funds. The current preliminary engineering and environmental review process (\$1.5 million) is being funded by NYPA.

Sources of final engineering and construction funding are anticipated to include a mix of NYPA and state/federal transportation funds. However, determination of funding sources has not been finalized pending the completion of preliminary engineering and environmental review processes.

2.4 Measures Taken at the Local Level to Gain Community and Government Support

The Project has involved an extensive agency coordination and public outreach effort. A Memorandum of Understanding (MOU) was drafted and signed in May 2006 by key partner agencies for the Project, which set for funding and moving the Project through various required phases of planning, design, and environmental review in anticipation of subsequent state/federal construction funding decisions.

An extensive public scoping process was conducted between 2010 and 2013 to vet possible alternatives; this involved significant involvement by various agencies, organizations, and the general public in multiple one-on-one meetings, workshops, public meetings/hearings. Broad support/consensus has been garnered for

this Project, which represents an initial phase pending a decision of the balance of the Gorge corridor from Findlay Drive to Lewiston. Public involvement activities have continued through the current DR/EA process, which to date has involved three public meetings/workshops, stakeholder/neighborhood meetings, and numerous agency coordination sessions.

2.5 Environmental Setting and Existing Conditions

The existing setting within the Project Study Area as combination of mixed hardwood successional forest within the Gorge itself, abutted by maintained park, open space, and highway corridor along the Gorge rim; which is in turn abutted by urbanized/mixed-use neighborhoods consisting of residential and main street commercial uses.

As previously noted, the Project is currently in its preliminary engineering and environmental review process, centering upon the completion of a DR/EA in accordance with both federal review requirements under NEPA and state requirements under SEQRA. In terms of anticipated impacts of the Project, no major social, economic, or environmental impacts related to the “Build Alternative” have yet been identified preliminary draft DR/EA preparation. For the most part, changes proposed under the Build Alternative do not include items that typically result in environmental impacts (i.e., such as the addition of road lanes, major road re-alignments, or large land developments that generate substantial increases in traffic). In fact, the Build Alternative includes the elimination and removal of existing travel lanes associated with the RMP and the reconstruction of Whirlpool/Third Streets in the Project Area along their existing alignments. In turn, a detailed traffic analysis indicated that redistribution of RMP traffic to the local road network would not result in any significant impacts to operations through the year 2040.

2.6 Conclusions/Summary

The Project (i.e., the Build Alternative) would have an overall positive effect on the Project Study Area in the context of the overall goals and objectives of the Niagara River Greenway Plan. The removal of two miles of the RMP, together with proposed improvements between Main Street and Findlay Drive, would help to facilitate access along and to the many resources along this segment of the lower Niagara River. Facilitating the establishment of a single, well-designed, and properly-scaled at-grade road and associated trail/open space connections among parks, destinations, and sites on the Gorge rim between Main Street and Findlay Drive (i.e., as an extension of the emerging “Shoreline Trail” system established by the Greenway) would represent the largest individual step in the region to date toward the realization of a planned Niagara River Greenway.

The Project would be fully consistent with the vision set forth in the Niagara River Greenway Plan. Specifically, the Project is within a portion of the Greenway focus area, being directly next to the Niagara River and would result in clear and measureable benefits by both actually realizing two miles of greenway created through the removal of the RMP’s expressway components, and this effort’s associated environmental benefits of reducing of highway stormwater runoff, reducing heat sink effects, and restoring the Niagara Gorge rim with native vegetative species. In turn, the Project would extend the legacy of Frederick Law Olmsted in its treatment of the Niagara Gorge Corridor and would reconnect the Niagara Gorge to adjacent City of Niagara Falls neighborhoods, providing direct near-term quality-of-life improvements by opening access to recreational resources, as well as longer-term prospects for revitalization by leveraging the redefinition of Gorge/City interface to facilitate neighborhood reinvestment.