

Niagara Gorge Corridor

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

Design Report/ Environmental Assessment

Appendix N - Full SEQRA EAF Part 1

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**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 9
270 Michigan Avenue, Buffalo, NY 14203-2915
P: (716) 851-7165 | F: (716) 851-7168
www.dec.ny.gov

March 17, 2016

Ms. Karen Terbush
NYS Office of Parks, Recreation & Historic Preservation
625 Broadway
Albany, New York 12238

Dear Ms. Terbush:

SEQR Lead Agency Designation Robert Moses Parkway Removal Project Main Street to Findlay Drive City of Niagara Falls, Niagara County

In response to your February 16, 2016, notice regarding the above-noted, please be advised of the following:

1. We have reviewed the available information in the New York State Natural Heritage Program database on known occurrences of rare or state-listed animals and plants, of significant natural communities, and other significant habitats. The following occurrences were identified in the area of the project site:

Common Name	Scientific Name	Status	Last Documented	Location
Calcareous Talus Slope Woodland	N/A	Unlisted	2000	Niagara Gorge Whirlpool Woods
Calcareous Cliff Community	N/A	Unlisted	2000	Niagara Gorge Whirlpool Woods
Lesser-Fringed Gentian	<i>Gentianopsis virginata</i>	Endangered	2009	Niagara Gorge Whirlpool Woods
Woodland Bluegrass	<i>Poa sylvestris</i>	Endangered	1988	Niagara Falls, top of gorge
Smooth Cliff Brake	<i>Pellaea glabella</i> ssp. <i>glabella</i>	Threatened	2011	Niagara Gorge Railway Trail
Elk Sedge	<i>Carex garberi</i>	Endangered	2009	Niagara Gorge Railway Trail

Common Name	Scientific Name	Status	Last Documented	Location
Sky Blue Aster	<i>Symphyotrichum oolentangiense</i>	Endangered	2011	Niagara Gorge Whirlpool Woods and De Veaux Woods State Park
Slender Blazing Star	<i>Liatris cylindracea</i>	Endangered	2011	Niagara Gorge Whirlpool Woods

It is recommended that a professional familiar with the identification of these species undertake a survey of the literature and determine if the proposed project area contains habitats which would favor these species. If favorable habitats exist, a field survey would be needed to determine if the species is actually present. If populations of the threatened species are found to be in the project area, project modification should be considered to avoid or minimize impact. Additionally, if your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

For most sites, comprehensive field surveys have not been conducted; the above information only includes records from our databases. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

It should be noted that native plant communities adjacent to the project site in the Niagara gorge and at De Veaux Woods have the potential to be impacted by the introduction of non-native species and non-local genotypes of native species in the final landscaping component of this project. Additionally, plant communities that exist on the gorge wall in "seepage" areas have the potential to be impacted by changes to surface and sub-surface hydrological patterns that may be affected by this project.

Prior studies and potential future projects that address ecological restoration have been conducted and proposed for the gorge and gorge rim areas both in and adjacent to the proposed project site. We recommend that NYS Office of Parks, Recreation & Historic Preservation review these studies, and if necessary, coordinate project plans and actions with organizations that have an interest in ecological restoration as related to this project. For more information on these studies and projects, please contact Mr. Timothy DePriest of the Division of Fish, Wildlife & Marine Resources at 716/851-7010.

2. The project area is located within a designated "Globally Significant Important Bird Area" by Audubon International. The project design should therefore take into consideration the impact to migratory songbird habitat that may be affected by the project.
3. Since project activities will involve land disturbance of 1 acre or more, the project sponsor, owner or operator is required to obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). This General Permit requires the project sponsor, owner or operator to control stormwater runoff according to a Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared prior to filing a Notice of Intent (NOI) and prior to commencement of the project. More information on General Permit GP-0-15-002, as well as the NOI form, is available on the Department's website at www.dec.ny.gov/chemical/43133.html. Information on permitting requirements and preparation of a necessary Stormwater Pollution Prevention Plan (SWPPP) is available on the Department's website at www.dec.ny.gov/chemical/8468.html.

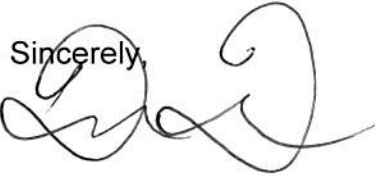
The City of Niagara Falls is designated as an MS4 community. The project sponsor, owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 shall have their SWPPP reviewed and accepted by the MS4 community. The "MS4 SWPPP Acceptance" form must be signed by the principle executive officer or ranking elected official from the MS4 community, or by a duly authorized representative of that person, and submitted along with the NOI, to the Department at NOTICE OF INTENT, NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505, telephone: 518/402-8111 to receive Department approval before construction commence.

4. As indicated on the EAF, several remediation sites were identified in the area of the proposed project. For information on these sites and how they may affect the project, please contact the Division of Environmental Remediation at 716/851-7220.

We concur that the NYS Office of Parks, Recreation & Historic Preservation should act as SEQR Lead Agency, since the environmental impacts of the proposal are primarily of significance to this agency.

Ms. Karen Terbush
March 17, 2016
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If you have any questions, please feel free to contact Ms. Michelle Woznick or me at 716/851-7165.

Sincerely,


David S. Denk
Regional Permit Administrator

MRW

ecc: Mr. Timothy DePriest, NYSDEC Division of Fish, Wildlife and Marine Resources
Mr. Andrew Giarrizzo, NYS Office of Parks, Recreation & Historic Preservation
Mr. Louis Paonessa, New York Power Authority



**Parks, Recreation
and Historic Preservation**

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

February 16, 2016

TO: Potentially Involved/Interested Agencies (see attached)

NAME OF ACTION: Niagara Gorge Corridor: Robert Moses Parkway (RMP) Removal Project
– Main Street to Findlay Drive

LOCATION: Two-mile corridor along Niagara Gorge between Main Street (NYS Rt.104)
and Findlay Drive
City of Niagara Falls
Niagara County

SUBJECT: SEQR Lead Agency Designation

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) is proposing improvements along a two mile section of the Niagara Gorge Corridor between Main Street and Findlay Drive. The proposed project includes: the demolition/removal of all RMP expressway interchange/accessory facilities from Main Street (NYS Route 104) to Findlay Drive in the City of Niagara Falls; reconstruction of Whirlpool Street as an at-grade, two-lane, 30-MPH local road; reconstruction of Third Street from Main Street to Cedar Avenue in a manner consistent with that of Whirlpool Street; restoration of the landscape/habitat along the Niagara Gorge rim on lands reclaimed from the RMP removal; construction of a pedestrian/bicycle trail network along the Niagara Gorge rim (as part of the Niagara River Greenway's "Shoreline Trail" system); and incorporation of associated amenities/betterments.

This action is subject to review under the State Environmental Quality Review Act (SEQR). The action is a Type I action in accordance with thresholds in 6 NYCRR Part 617, the rules and regulations implementing SEQR. Enclosed are a copy of a draft Environmental Assessment Form (Part 1), and attachments including maps, schematic plans and Coastal Assessment Form and policy discussion.

OPRHP intends to serve as Lead Agency for this project in accordance with SEQR. Please complete and return the attached form to me at the above address or via fax (518-474-7013) or e-mail to Karen.Terbush@parks.ny.gov by **March 18**. Please include a description of any permits or interest you may have with respect to the proposal as well as any comments, additional information or concerns you feel need to be addressed. If within thirty (30) days from the mailing of this notification there is no response, it will be assumed that your agency has no objections to State Parks serving as lead agency for the environmental review of the project.

If you have any questions regarding this project, please feel free to contact me or Andrew C. Giarrizzo, Associate Landscape Architect, Andrew.Giarrizzo@parks.ny.gov; 716-299-0806.

Sincerely,

Karen B. Terbush

Environmental Analyst 2



Parks, Recreation and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

Niagara Gorge Corridor: Robert Moses Parkway (RMP) Removal Project Main Street to Findlay Drive Potentially Involved/Interested Agencies

- City of Niagara Falls Mayor
- City of Niagara Falls City Council
- City of Niagara Falls Department of Code Enforcement
- City of Niagara Falls Department of Economic Development
- City of Niagara Falls Department of Engineering
- City of Niagara Falls Fire Department
- City of Niagara Falls Police Department
- City of Niagara Falls Department of Planning & Environmental Services
- City of Niagara Falls Department of Public Works & Parks
- Niagara Falls Water Board Water & Sewer Service
- Niagara County Legislature
- Niagara County Planning Board
- Niagara County Department of Public Works
- Niagara County Industrial Development Agency
- Greater Buffalo Niagara Regional Transportation Council
- Niagara Frontier Transportation Authority
- Niagara River Greenway Commission
- Empire State Development/USA Niagara Development Corp.
- New York Power Authority
- New York State Comptroller's Office
- New York State Department of Environmental Conservation, Region 9 Office
- New York State Department of State
- New York State Department of Transportation, Region 5 Office
- New York State Office of Parks, Recreation, and Historic Preservation, State Historic Preservation Office
- New York State Office of Parks, Recreation, and Historic Preservation, State Parks Police – Niagara Falls State Park
- Federal Highway Administration (advisory only)
- US Army Corps of Engineers, Buffalo District (advisory only)
- US Coast Guard – Buffalo Complex (advisory only)



**Parks, Recreation
and Historic Preservation**

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

February 16, 2016

RE: SEQR Lead Agency Determination
Niagara Gorge Corridor: Robert Moses Parkway Removal Project
Main Street to Findlay Drive

Dear Interested/Involved agency:

Please complete, sign and return this form as soon as possible for the above mentioned action. Please indicate whether your agency has a permit or approval or has comments on the proposed action and return **no later than March 18, 2016** to: Karen Terbush, Environmental Analyst 2, Environmental Management Bureau at the address below, or e-mail to: Karen.Terbush@parks.ny.gov, or fax to: 518-474-7013.

Agency: _____

Name of responsible person: (please print) _____

Concur with New York State Office of Parks, Recreation and Historic Preservation acting as Lead Agency? Yes ____ No ____

Permit or Approval Required? Yes ____ No ____

If yes, Nature of permit or approval required: _____

Additional Comments:

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
<p>i. Coastal Resources.</p> <p><i>i.</i> Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

• Total number of phases anticipated _____

• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

• Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p><i>i.</i> During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p><i>ii.</i> During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres</p>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: <u>NF State Park; Schoellkopf Power Station; Chilton-Orchard Pkwy District; Park Place District; US Customs House; DeVeaux School District</u>	
<i>iii.</i> Brief description of attributes on which listing is based: <u>Oldest State Park in US; former power plant site; arch. sig. residential districts; 1st federal bldg in region; and historic estate/school campus.</u>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): <u>Historic-era archaeological resources.</u>	
<i>ii.</i> Basis for identification: <u>Phase I Cultural Resources Investigation</u>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: <u>Great Lakes Seaway Trail, Niagara River Greenway, NF State Park, Whirlpool State Park, DeVeaux Woods State Park</u>	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Federal Scenic Byway, State-designated Greenway, and three State Parks</u>	
<i>iii.</i> Distance between project and resource: _____ <u>0</u> miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Thomas Donohue, Project Mgr, Parsons Date January 6, 2016

Signature  Title Prime Project Engineering Consultant

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

Addendum to FEAF Section F. Additional Information

The New York State Office of Parks, Recreation and Historic Preservation (“State Parks”), in partnership with the New York State Department of Transportation, 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, 3, and 4**) 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 Niagara River 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.

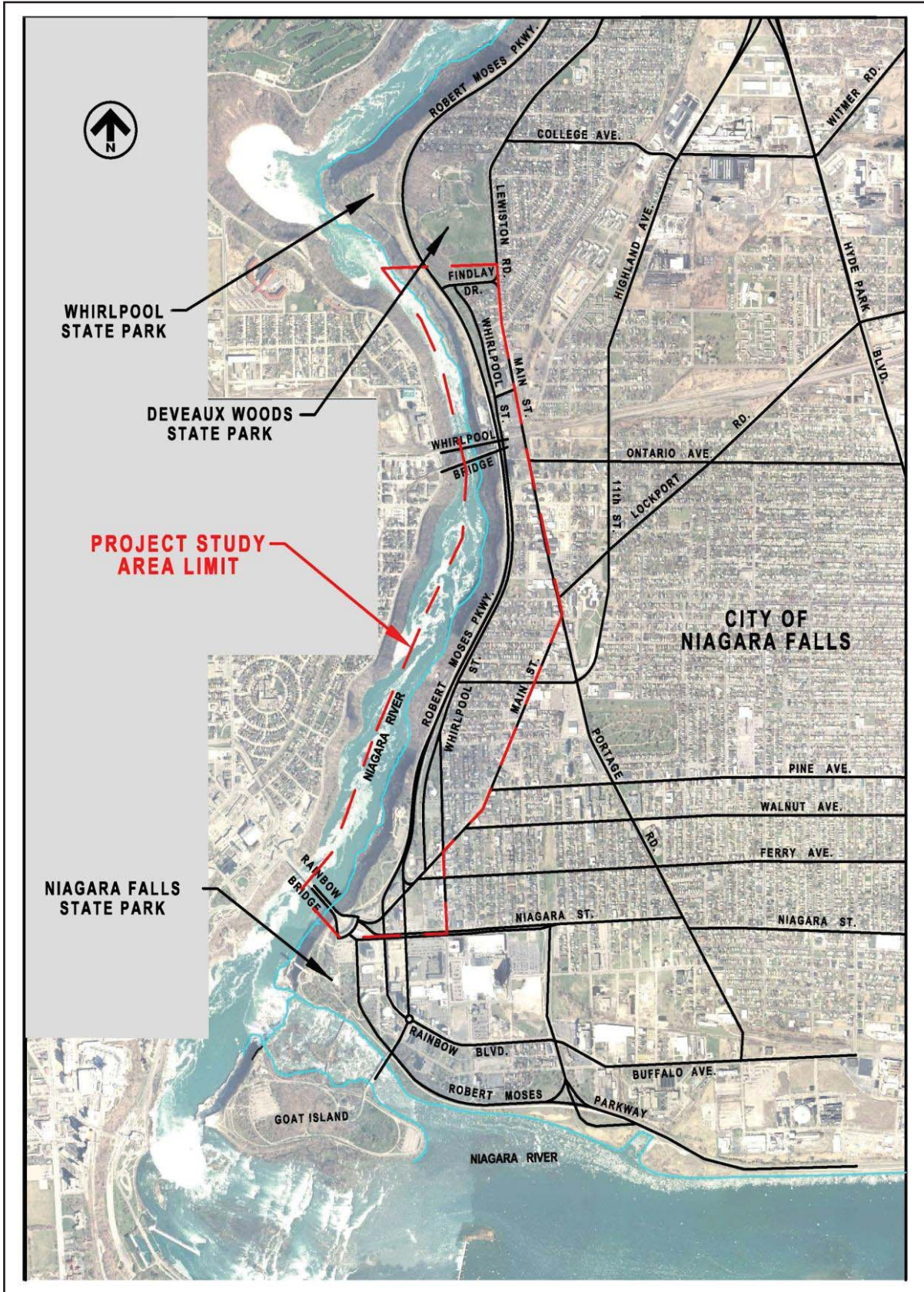


Figure 1: Project Area

BUILD ALTERNATIVE



FIGURE 2A

BUILD ALTERNATIVE - (CONTINUED)

Legend:

- Project Limits:
- Existing Trails: (Width varies - 5' wide min.)
- Multi-Use Trail: Pedestrians & Bicyclists (13' wide)
- Multi-Modal Trail: Pedestrians, Bicyclists & Trolley (13' wide min.)
- On-Street Trolley Line:
- Potential On-Street Parking:
- Gateway Node:
- Scenic Overlook:
- Gorge Trail Access:
- Existing/Proposed Parking:

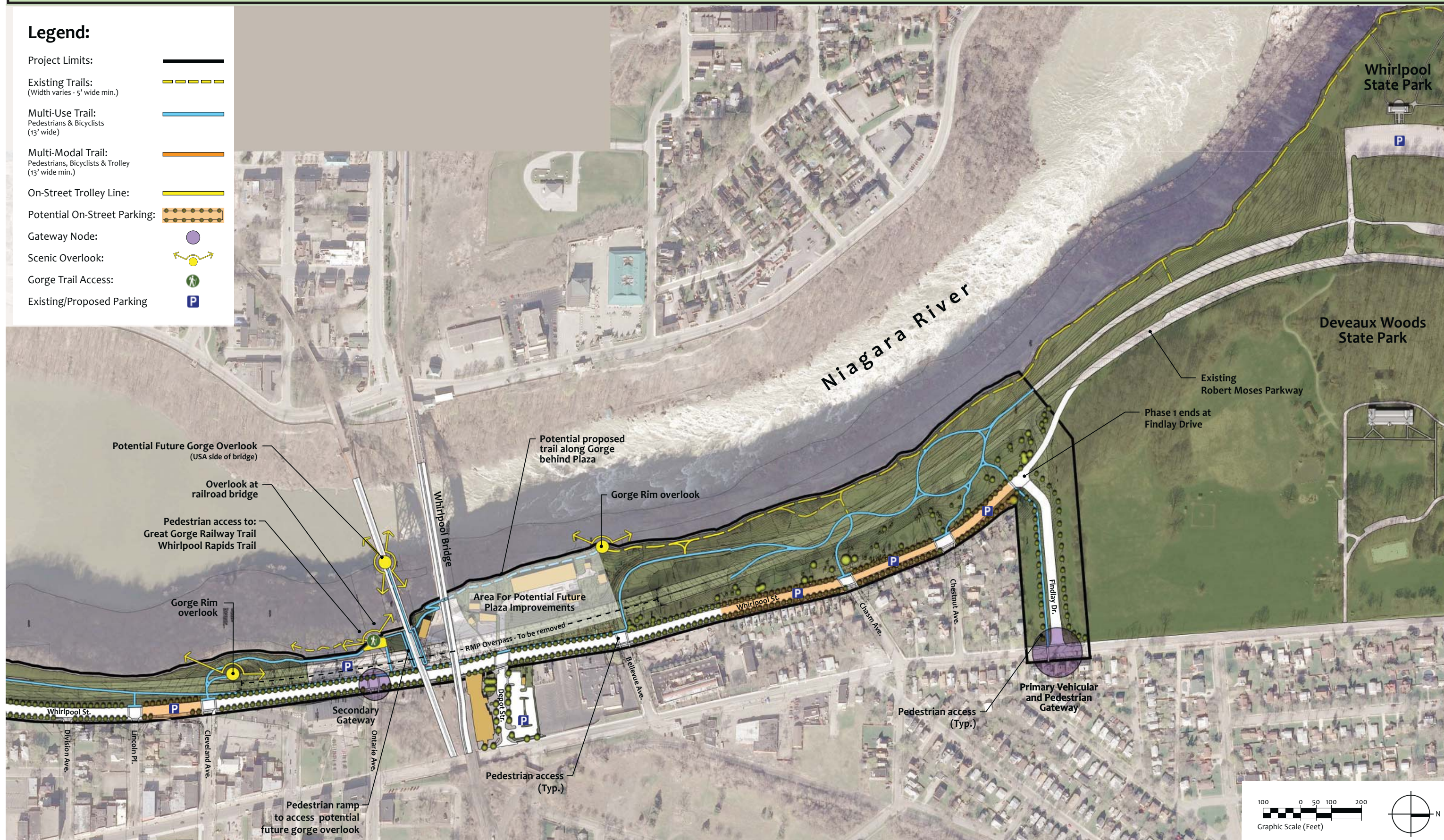


FIGURE 2B



Figure 3: Existing and Proposed Configuration: Looking South at Orchard Parkway

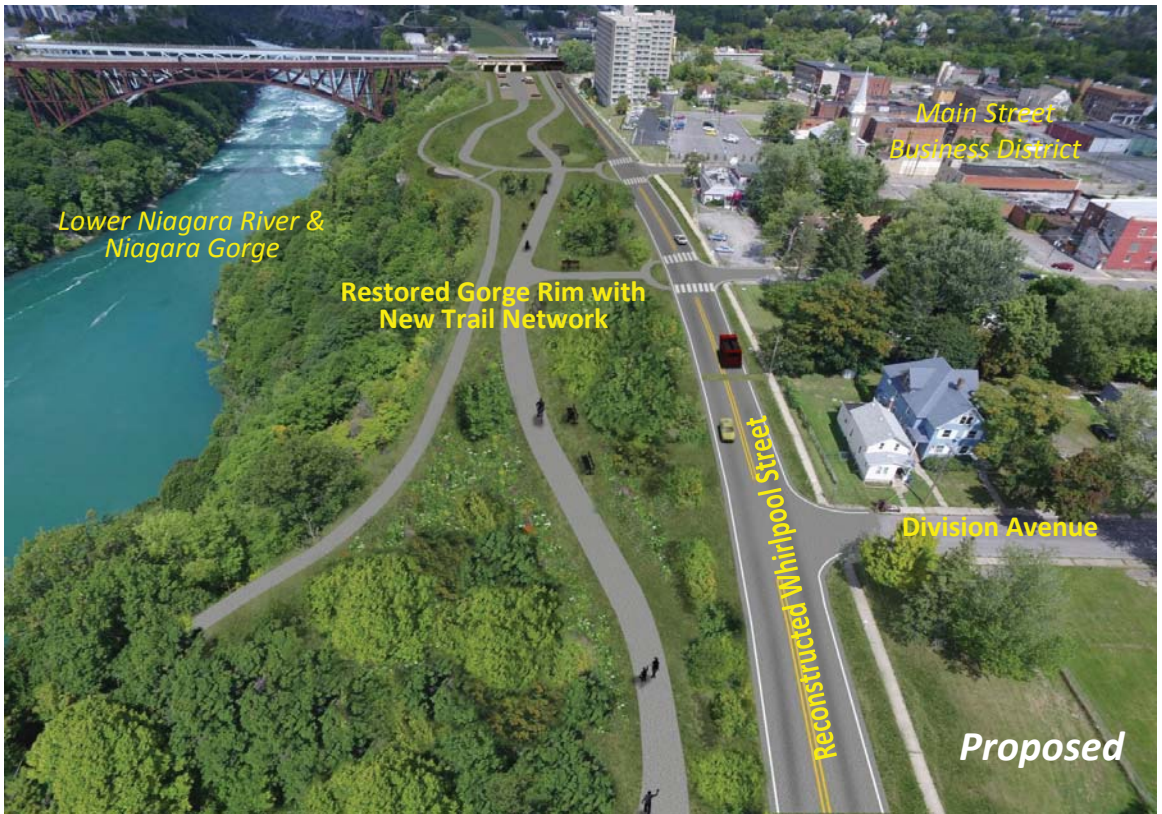
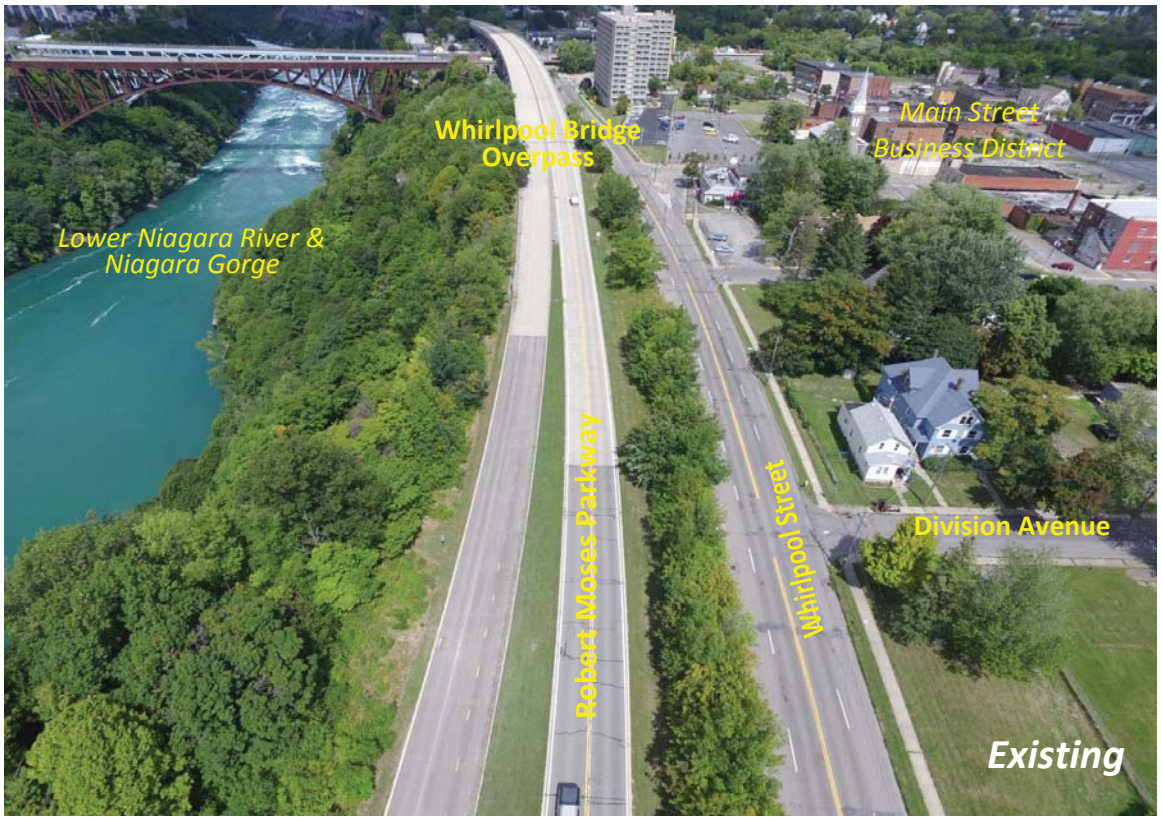


Figure 4: Existing and Proposed Configuration: Looking North at Division Ave.

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: _____