

# Niagara Gorge Corridor

Robert Moses Parkway Removal Project:

Main Street to Findlay Drive

Niagara Falls, NY

## Public Hearing

Design Report/  
Environmental Assessment (DR/EA)

Environmental Assessment (DR/EA)

**August 25, 2016**

# Agenda

- Hearing Purpose & Background
- What Has Taken Place Since Last Public Meeting
- Alternatives
- Effects of the Build Alternative
- Right-of-Way (Required per Eminent Domain Procedure Law)
- Schedule
- Public Comments



# Hearing Purpose & Background

# Hearing Purpose

## Meeting Objectives

- Present result of the studies documented in the DR/EA
- Receive public comments of the anticipated social, economic, and environmental effects of the Project
- **LAST PUBLIC REVIEW BEFORE DESIGN APPROVAL** (Decision to do the Project)
  - Neighborhood sessions during final design/construction
    - Staging and Details
    - Maintenance & Protection of Traffic

# Hearing Purpose

## Agencies

- **Federal Highway Administration (FHWA)**
  - Lead Federal Agency – Issues Federal Design Approval
- **NYS Office of Parks, Recreation, and Historic Preservation (“State Parks”)**
  - Owns Robert Moses Parkway itself – Issues State Design Approval
- **NYS Department of Transportation (DOT)**
  - Maintains Parkway under agreement with State Parks
- **City of Niagara Falls**
- **USA Niagara Development Corporation**
  - Subsidiary of Empire State Development
- **New York Power Authority**
  - Built the Parkway in 1961/62 & owns majority of the land on which the Parkway sits
  - Owns opens space within and along the rim of the Niagara Gorge
  - Funding the Project

# Hearing Purpose

## Compliance with Laws & Regulations – One Process

- **Federal**

- **National Environmental Policy Act (NEPA)**  
Federal Highway Administration NEPA Regulations (23 CFR 771)
- **Section 4(f) of the Department of Transportation Act**  
(Use of Parkland, Wildlife Reserve, Historic Resources)
- **Section 106 of the National Historic Preservation Act**  
(Cultural Resources – Built & Archaeological Resources)
- **Coastal Zone Management Act**
- **Other:** Section 7 of Threatened/Endangered Species Act, Section 6(f) of the Land & Water Conservation Fund Act, Migratory Bird Act, Env. Justice, Wetlands/Floodplains, etc.

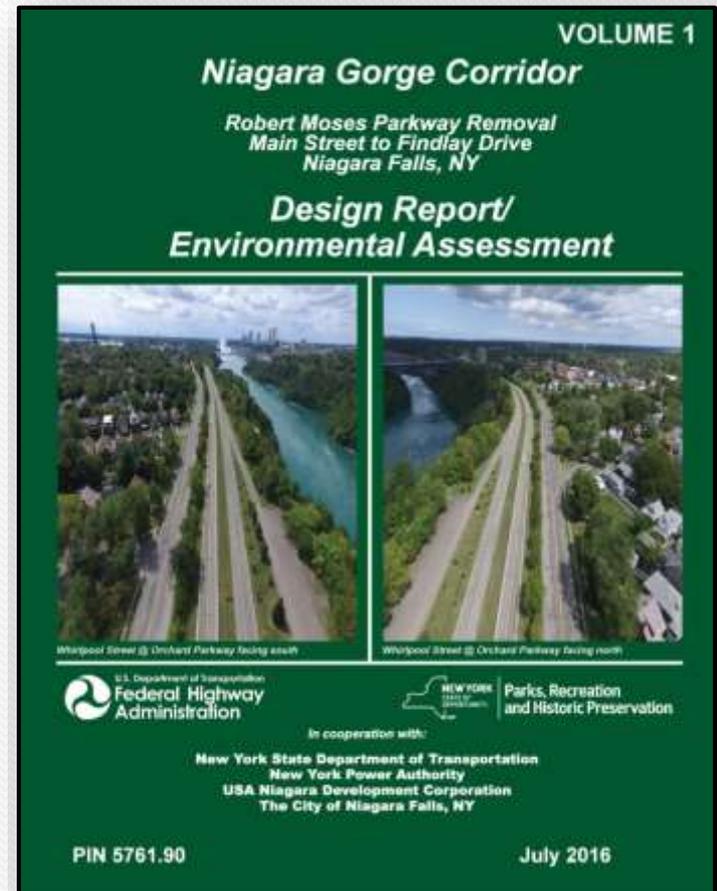
- **State Laws/Regulations**

- **New York State Environmental Quality Review Act (SEQRA)**
- **New York State Eminent Domain Procedural Law**
- **Other :** Section 14.09 (Historic Resources), NYSDEC Water Quality Cert.

# Purpose of the Public Hearing

## DR/EA Public Review Locations

- **Niagara Falls State Park**  
Administration Bldg.  
332 Prospect St  
Niagara Falls, NY 14303
- **DeVeaux Woods State Park**  
Administration Bldg.  
3180 DeVeaux Woods Dr East  
Niagara Falls, NY 14303
- **Earl W. Brydges Public Library**  
1425 Main St  
Niagara Falls, NY 14305
- **Niagara Falls City Clerk's Office**  
City Hall - 745 Main St  
Niagara Falls, NY 14302



# Hearing Purpose

DR/EA Public Review Locations

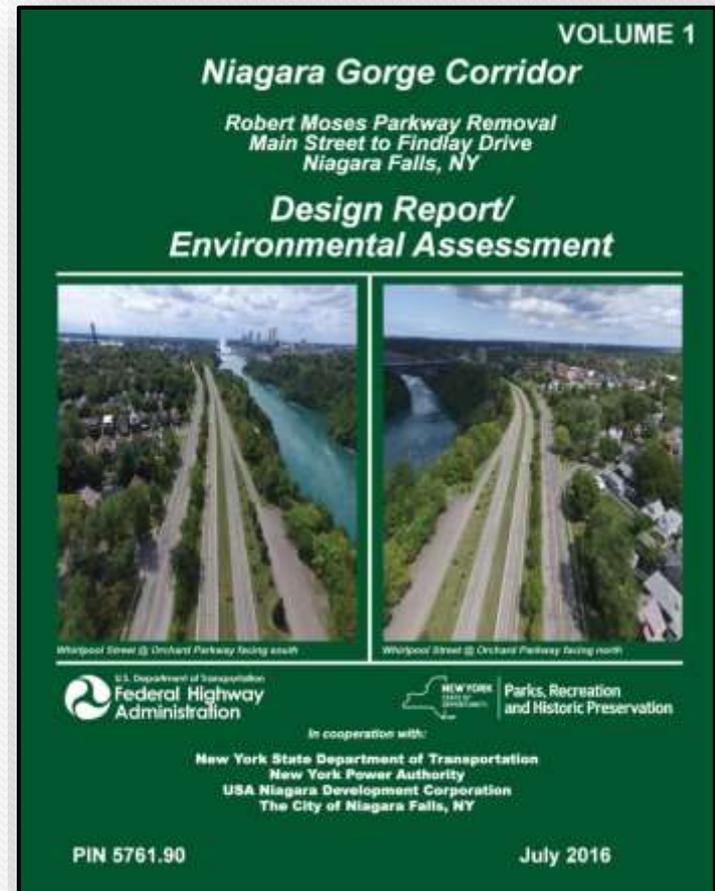
Online:

[http://nysparks.com/  
inside-our-  
agency/public-  
documents.asp](http://nysparks.com/inside-our-agency/public-documents.asp)

Scroll down to:

Robert Moses Parkway –  
North Segment

Design Report/Environmental  
Assessment



# Hearing Purpose

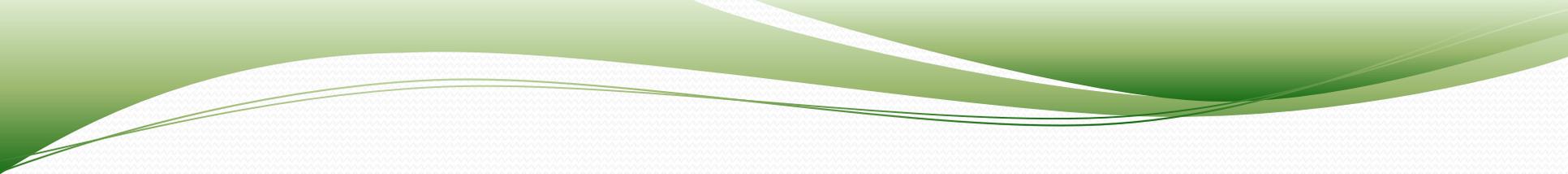
## Other Housekeeping Items & Documents Marked for the Public Record

- **Sign-in Sheet**
- **Documents for the Record:**
  - **Public Notice**
    - Niagara Gazette – July 24 & August 7, 2016
    - Distributed by Mail to all Involved and Interested Agencies
    - Blast email to ~250 recipients
    - Mailer to ~1100 persons on Project Mailing List
  - **Design Report/Environmental Assessment**
    - Niagara Gorge Corridor, Robert Moses Parkway Removal  
Main Street to Findlay Drive, Niagara Falls, NY, PIN 5761.90
    - Prepared by Parsons
    - Dated July 2016

# Background

## What is a Design Report/Environmental Assessment (DR/EA)?

- Enough design detail to make broad decisions
  - Road alignment(s) & cross-sections
  - Overall concepts for final design (e.g., landscaping, lighting)
  - Land/Right-of-Way necessary to build – acquisitions/easements, if any (no major anticipated)
- Evaluates social, economic, and environmental effects
  - **“Build Alternative”** – the defined characteristics/design of the Project used to determine potential future impacts.
  - **“No-Build” Alternative** – Doing nothing; leaving the Parkway in place as it currently exists. Baseline against what the “Build Alternative” is compared.
- If No Major Issues = Design Approval & Finding of No Significant Impact (FONSI)



# Project Corridor

Near North Main Street Business District



Whirlpool State Park

DeVeaux Woods State Park

Findlay Drive

Customs House/  
Train Station Project

Whirlpool Bridge

North Main Street

Multi-Purpose Trail (Robert Moses Parkway Trail)

Robert Moses Parkway  
Whirlpool Street

# Background

## Project Review History

- Public Scoping: Niagara Gorge Corridor – Niagara Falls to Lewiston (2013) - Evaluated six (6) alternatives – all had similar approach from Main Street to Findlay Drive
  - Logical termini - Rational end points for a transportation improvement and for review of the environmental impacts.
  - Independent utility or independent significance
  - Cannot restrict alternatives for future phases



# Background

## Project Goals

- Improve Access and Transportation (Pedestrian, Bicycle, Vehicular)
- Promote and Conserve the Ecology and Environment of the Corridor (Help restore Niagara Gorge rim)
- Support Local Economic Vitality (Falls, Niagara Gorge, & City as one “Place”)
- Minimize Impacts to Adjacent Neighborhoods (Connect neighborhoods to Gorge/River)
- Support *Niagara River Greenway Plan*



# Background

## Activities Since Last Public Meeting

- Refined the Build Alternative
- Conducted numerous environmental studies
- Section 106 Process
  - Phase 1B Archeological Survey (Shovel Tests)
  - Meetings with “Consulting Parties”
  - Section 106 Findings Document
- Section 4(f) assessment
- Design Report/Environmental Assessment



# Alternatives

# Alternatives

## Alternatives Under Consideration

- **No-Build Alternative**
  - No major change from current conditions
  - Baseline against what the “Build Alternative” is compared.



# Alternatives

## Alternatives Under Consideration

- **Build Alternative**
  - Remove All Expressway Features of the Parkway
  - Rebuild Whirlpool Street & Portion of Third Street
  - Naturally Restore Reclaimed Lands and Incorporate Trail System Along Gorge Rim Linking to Neighborhoods
- **Design Options/Concepts** for Build Alternative considered over the past year (A, B and C)
  - Reviewed 3 Options at the **South End** near Discovery Center and Aquarium
  - Reviewed 2 Options at the **North End** at Whirlpool Street and Findlay Drive
  - Conclusions drawn from the Sept 2015 Public Meeting – Build Alternative

# Alternatives

## South End: Option Presented At Sept 2015 Public Meeting



- Open parkland between the Discovery Center and Aquarium
- Curvilinear pedestrian paths
- Short, direct and familiar route between tourist designations
- High net pavement removal
- High percentage of the open parkland
- Traffic patterns - remain very similar to established routes
- Parks' maintenance operations
- Reduces traffic along the residential portion of Third Street.

# Alternatives

North End:

Whirlpool Street &  
Findlay Drive

Option Presented At  
Sept 2015 Public Meeting

Traffic Stops on  
Findlay Drive



# Public Comments on Build Alternative

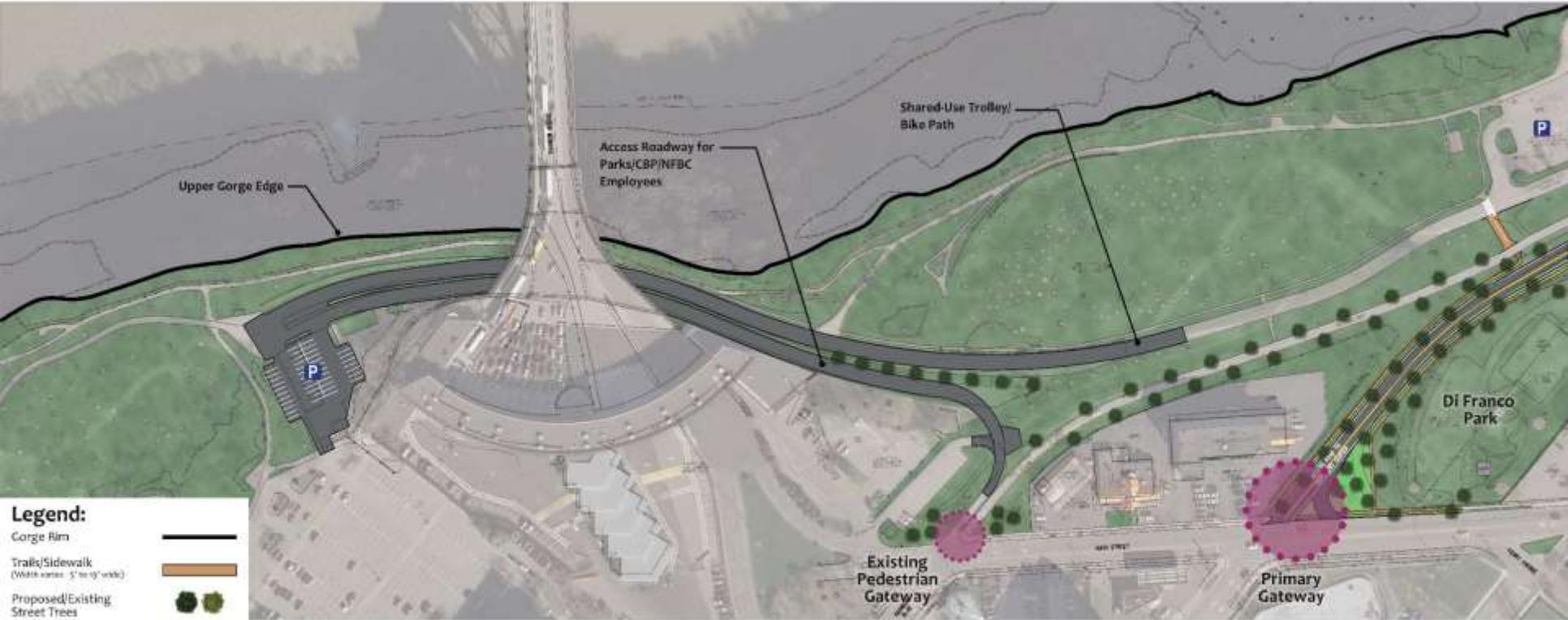
- Traffic Stop Sign on Findlay Drive
- Roadways should be designed to allow for any future public transit system
- Final design should incorporate “green infrastructure” such as bioswales



# Build Alternative

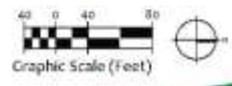
**NIAGARA GORGE CORRIDOR  
ROBERT MOSES PARKWAY REMOVAL  
MAIN STREET TO FINDLAY DRIVE      AUGUST 2016**

**BUILD ALTERNATIVE  
SHEET 1**



- Legend:**
- Gorge Rim
  - Trails/Sidewalk  
(Walk varies 5' to 10' wide)
  - Proposed/Existing  
Street Trees
  - Proposed Meadow
  - Gorge Trail Access
  - Parking

In cooperation with:  
 New York State Office of Transportation  
 New York Power Authority  
 USA Niagara Development Corporation  
 The City of Niagara Falls, NY



**NIAGARA GORGE CORRIDOR  
ROBERT MOSES PARKWAY REMOVAL  
MAIN STREET TO FINDLAY DRIVE      AUGUST 2016**

**BUILD ALTERNATIVE  
SHEET 2**



- Legend:**
- Gorge Rim
  - Trails/Sidewalk (Width varies - 3' to 15' wide)
  - Proposed/Existing Street Trees
  - Proposed Meadow
  - Gorge Trail Access
  - Parking

in cooperation with:  
 New York State Department of Transportation  
 New York Power Authority  
 USA Niagara Development Corporation  
 The City of Niagara Falls, NY



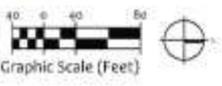
**NIAGARA GORGE CORRIDOR  
ROBERT MOSES PARKWAY REMOVAL  
MAIN STREET TO FINDLAY DRIVE      AUGUST 2016**

**BUILD ALTERNATIVE  
SHEET 3**



**Legend:**

Gorge Rim	
Trails/Sidewalk (Width varies - 5' to 15' wide)	
Proposed/Existing Street Trees	
Proposed Meadow	
Gorge Trail Access	
Parking	



In cooperation with:  
 New York State Department of Transportation  
 New York Power Authority  
 USA Niagara Development Corporation  
 The City of Niagara Falls, NY

**NIAGARA GORGE CORRIDOR  
ROBERT MOSES PARKWAY REMOVAL  
MAIN STREET TO FINDLAY DRIVE      AUGUST 2016**

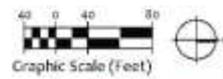
**BUILD ALTERNATIVE  
SHEET 4**



**Legend:**

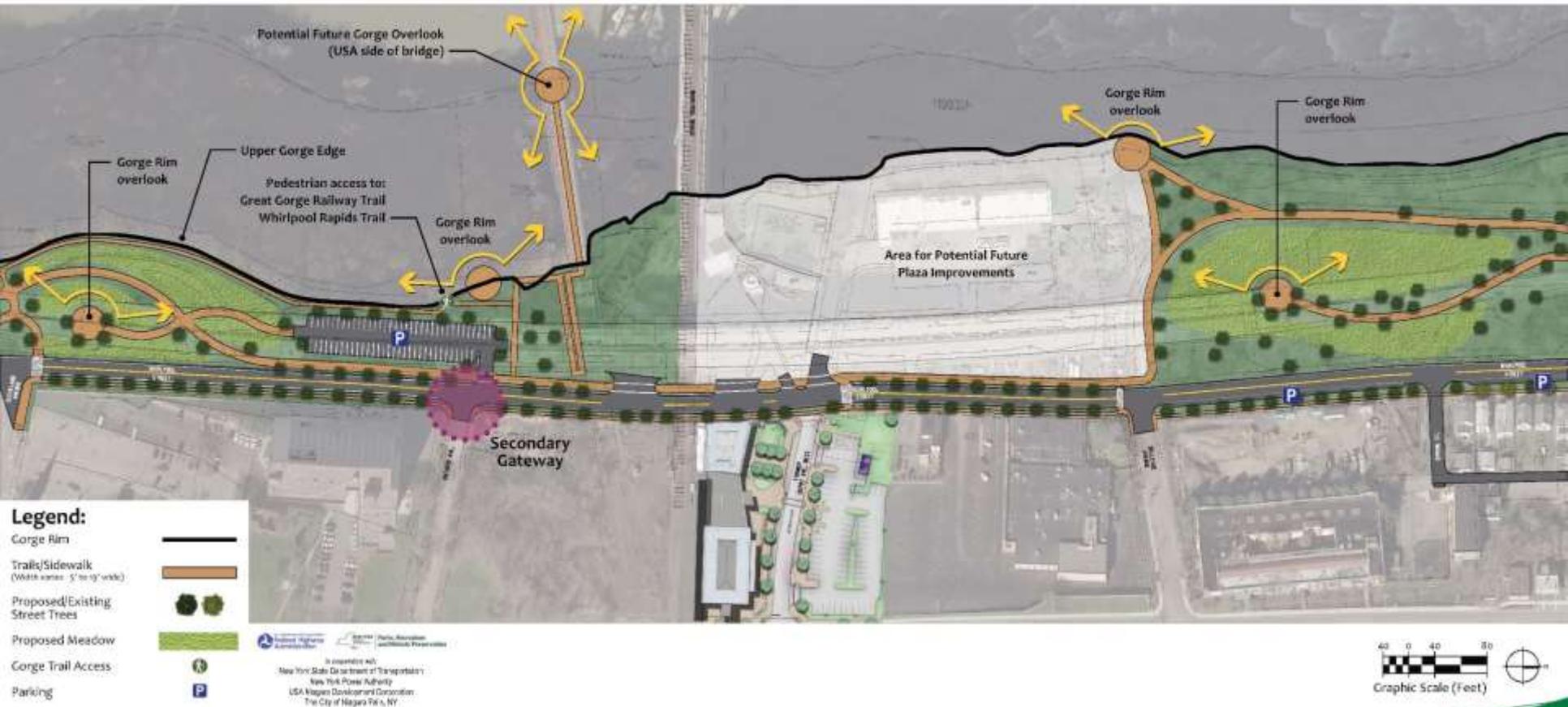
- Gorge Rim 
- Trails/Sidewalk  
(Walk varies: 5' to 10' wide) 
- Proposed/Existing  
Street Trees 
- Proposed Meadow 
- Gorge Trail Access 
- Parking 

  
 In cooperation with:  
 New York State Office of Transportation  
 New York Power Authority  
 USA Niagara Development Corporation  
 The City of Niagara Falls, NY



**NIAGARA GORGE CORRIDOR  
ROBERT MOSES PARKWAY REMOVAL  
MAIN STREET TO FINDLAY DRIVE      AUGUST 2016**

**BUILD ALTERNATIVE  
SHEET 5**



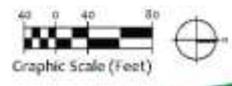
# NIAGARA GORGE CORRIDOR ROBERT MOSES PARKWAY REMOVAL MAIN STREET TO FINDLAY DRIVE      AUGUST 2016

# BUILD ALTERNATIVE SHEET 6



- Legend:**
- Gorge Rim
  - Trails/Sidewalk (Walk varies: 5' to 10' wide)
  - Proposed/Existing Street Trees
  - Proposed Meadow
  - Gorge Trail Access
  - Parking

In cooperation with:  
New York State Office of Transportation  
New York Power Authority  
USA Niagara Development Corporation  
The City of Niagara Falls, NY



*Existing*



*Proposed*



*Existing*



*Proposed*



# Build Alternative

## Cost Estimate

- \$35 million  
Construction only
- Up to \$42 million budgeted
  - Construction
  - Final design
  - Bid documents
  - Construction Administration, Oversight, & Inspection
- Funding availability announced in March

MAIN STREET TO FINDLAY DRIVE CONSTRUCTION COST	
Item Description	Cost
Demolition	\$ 7,741,920
Roadway and Ramps	\$ 12,302,300
Multi-Use Paths and Sidewalks	\$ 1,804,800
Landscaping	\$ 1,731,920
Other Work Items	\$ 2,318,500
<b>Subtotal</b>	<b>\$ 25,899,440</b>
Mobilization	\$ 1,294,972
MPT	\$ 2,589,944
Design Contingency	\$ 2,589,944
Construction Contingency	\$ 2,589,944
<b>TOTAL COST</b>	<b>\$ 34,964,244</b>
<b><i>Rounded Total</i></b>	<b>\$ 35,000,000</b>

# Build Alternative

## Traffic Projections

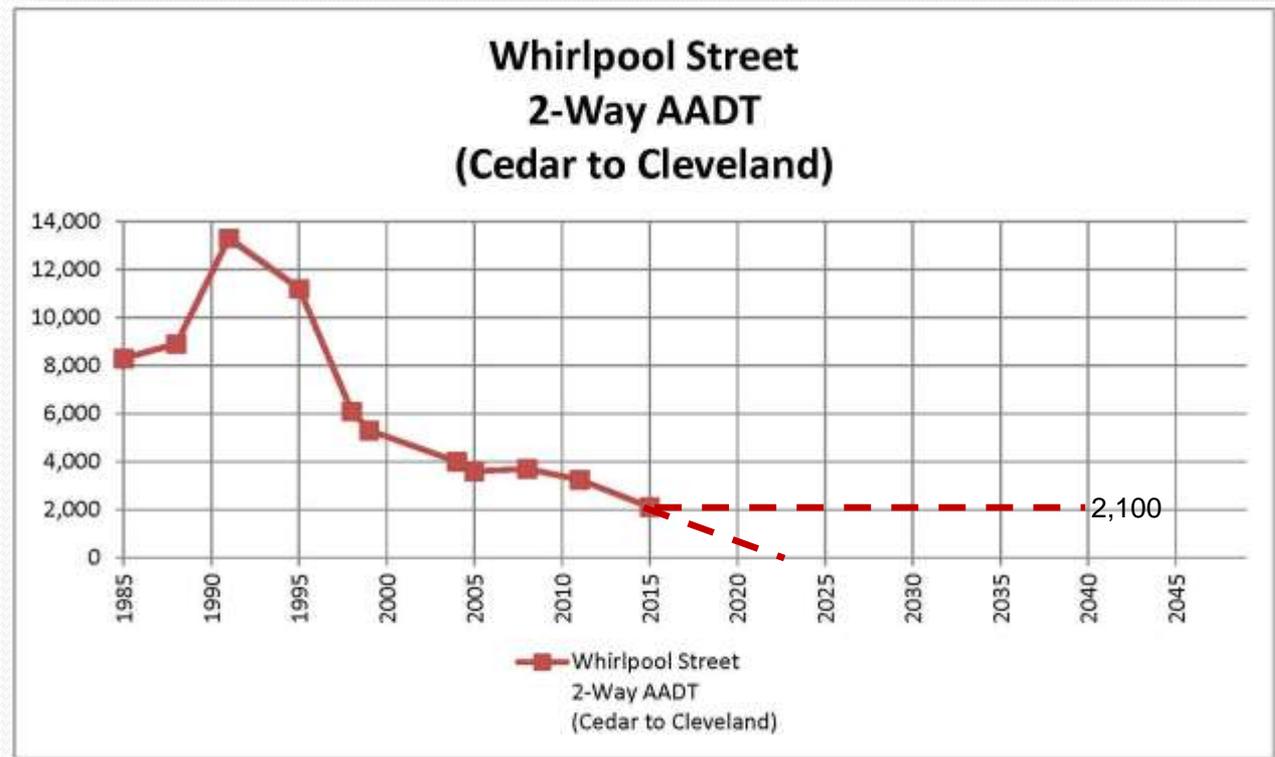
- Modeling and Analysis of What is Anticipated to Happen
- Estimated Time of Completion + 20 Years (ETC+20)
- ETC+20=Year 2040



# Build Alternative

## Traffic Projections

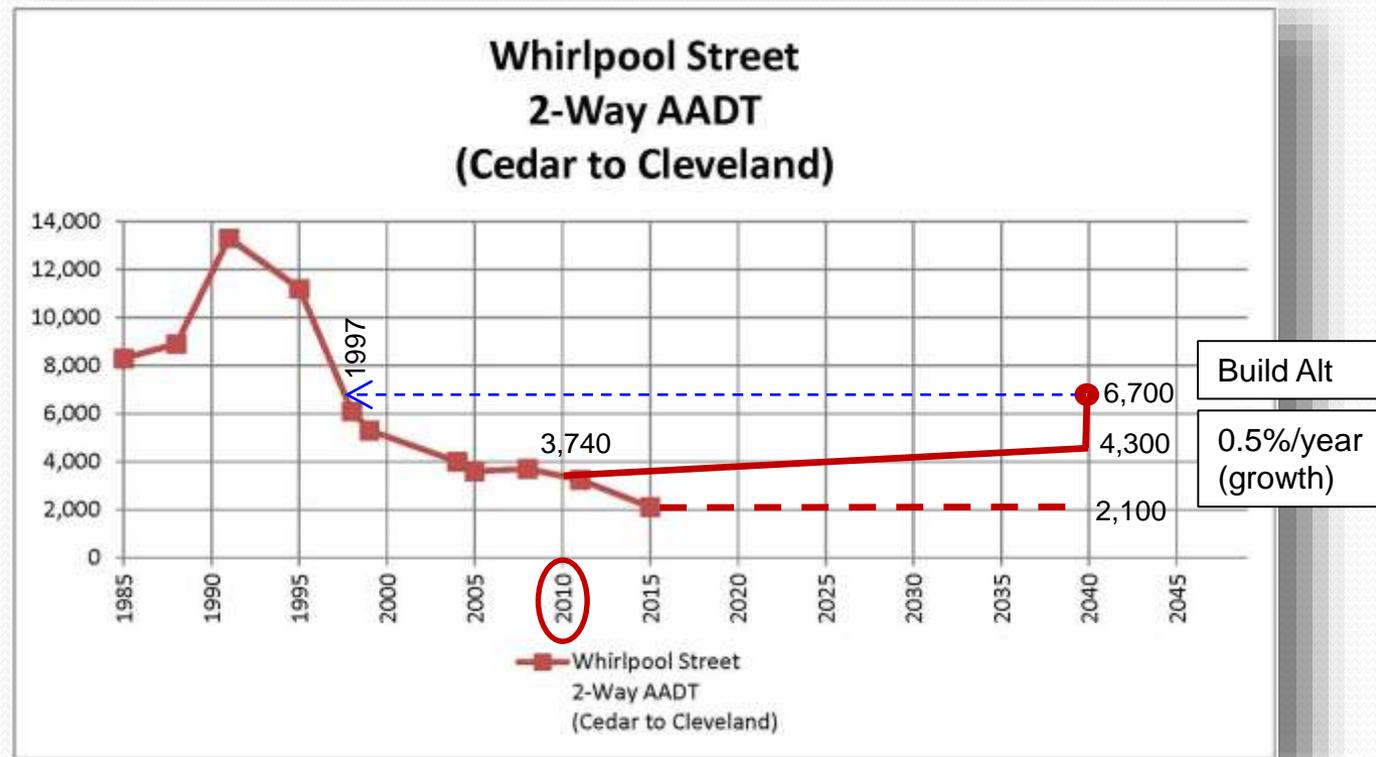
- No Build Alt
  - Whirlpool Street



# Build Alternative

## Traffic Projections

- No Build Alt
  - Whirlpool Street
  - Future Whirlpool
- Build Alt
  - plus Parkway
  - Overall, still relatively low numbers by Year 2040



# Build Alternative

## Traffic Simulation

- Traffic Simulation –  
Overall Corridor





# Effects of the Build Alternative

# Effects of the Build Alternative

## Social Effects

- Build Alternative would reconnect City neighborhoods to the Niagara Gorge rim:
  - No adverse effects to land use or demographics
  - Improvements to community cohesion
  - No displacement of homes/residences
  - No disproportionate adverse effects to low income or minority populations (i.e., Environmental Justice)
  - No significant effects to schools or places of worship or other community facilities



# Effects of the Build Alternative

## Social Effects

- Consistent with City's Comprehensive Plan & Zoning
- One of the "Big Moves" of the Plan



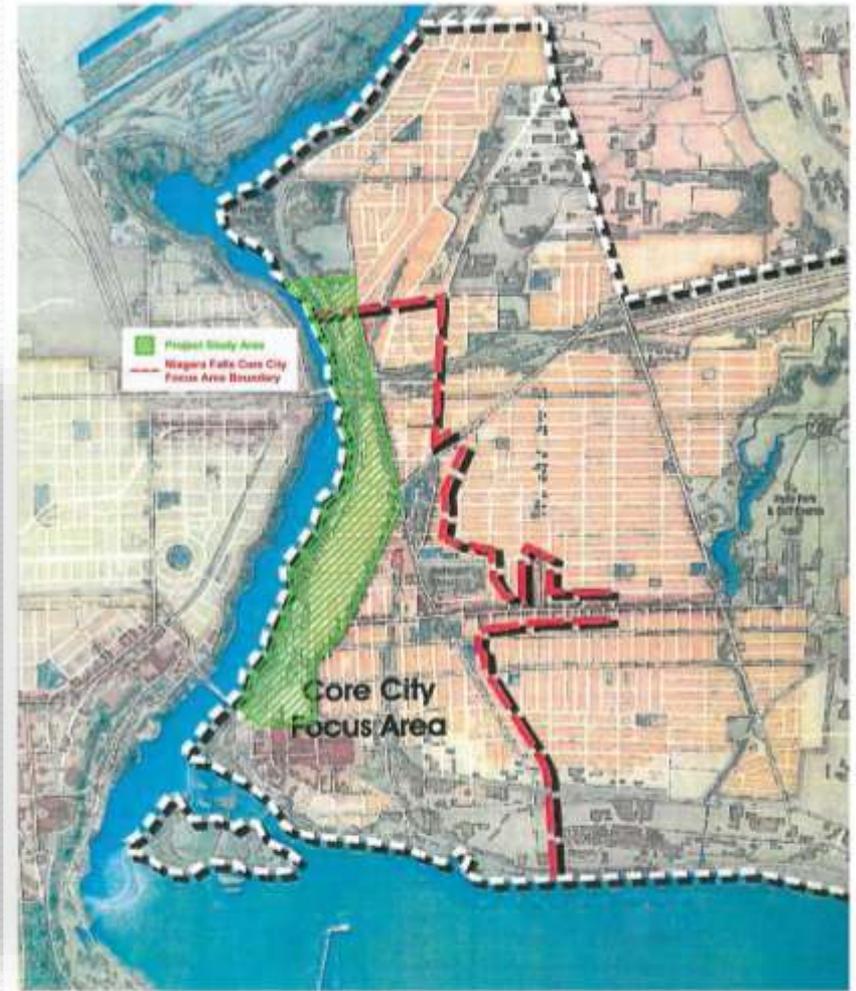
The character of the Robert Moses Parkway in the Customs House and North Main Lot. Precinct will be that of a drive through a park.



New residential development along the riverfront drive will need to have a strong presence.



Section A: Proposed section through riverfront drive north



# Effects of the Build Alternative

## Economic Effects

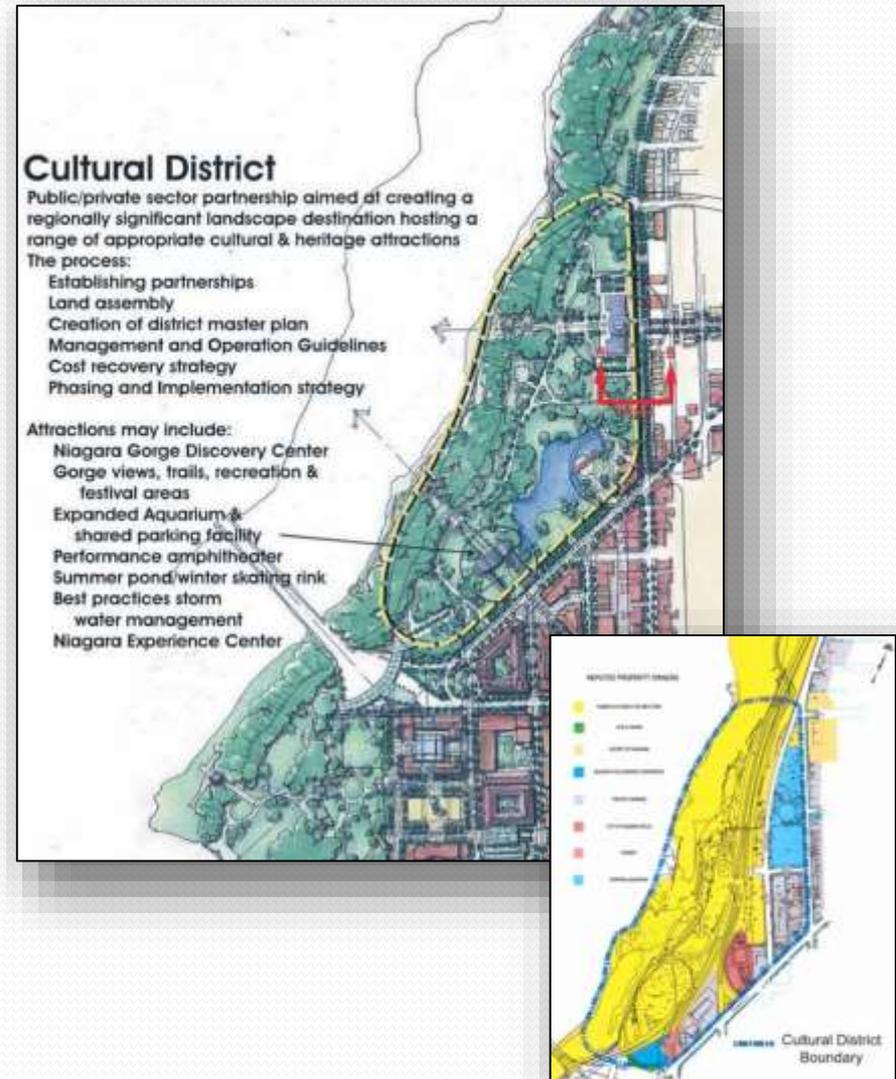
- Would result in \$35 million in direct expenditures during construction
- Would create almost 430 jobs during construction (direct, indirect, and induced)



# Effects of the Build Alternative

## Economic Effects

- Longer term - Consistency with City's and State's economic development objectives
  - Reconnects the City to its greatest resource
  - Facilitates planning, definition, and realization of City's concept for a "Cultural District"



*Existing*



**Downtown  
Niagara Falls**

**Cultural District**

**DiFranco  
Park**

**Aquarium  
of Niagara**

**Gorge  
Discovery  
Center**

**Schoellkopf  
Power Station  
Ruins**

*Proposed*

**Downtown  
Niagara Falls**

**Cultural District**

**DiFranco  
Park**

**Aquarium  
of Niagara**

**Gorge  
Discovery  
Center**

**Schoellkopf  
Power Station  
Ruins**



*Proposed*

**Downtown  
Niagara Falls**

**Cultural District**

**DiFranco  
Park**

**Aquarium  
of Niagara**

*Future  
Outdoor Recreation  
Programming of Space*

**Gorge  
Discovery  
Center**

**Schoellkopf  
Power Station  
Ruins**



# Effects of the Build Alternative

## Economic Effects

- Consistency with other City and State's recent/planned economic development projects
  - Public Safety Complex
  - New Intermodal Train Station
  - Underground Railroad Interpretative Center



# Effects of the Build Alternative

## Economic Effects

- Business Districts
  - Third Street District
  - North Main Street District
  - No business displacements
  - Potential in the long term to “re-define” these districts
  - *One Region Forward* (Regional Sustainability Plan) – Main Street “What-If” Scenario
    - Opportunities for 30 discreet future development projects
    - Notable reductions in the use of fossil fuel, storm runoff, and other negative environmental effects of development



# Effects of the Build Alternative

## Environmental Effects

- Net removal of ~12 acres of pavement
- Net creation of ~7 acres of new open space
- Realizes a ~140-acre unbroken ribbon of park/open space along the gorge rim
- Opens direct access to over 400 acres of open space within the Niagara Gorge



# Effects of the Build Alternative

## Environmental Effects

- Improvements to Surface Water Quality and Stormwater Management
  - Reduction in runoff
  - Opportunities for green infrastructure
- Improvements to Terrestrial Ecology & Wildlife
  - Reduction in habitat fragmentation
  - Enhancement of diversity
  - Long-term enhancement of important bird area
- Consistency with Coastal Policies
  - Approved by the NYS Dept. of State
- No impacts to wetlands, floodplains, aquifers, or farmlands



# Effects of the Build Alternative

## Environmental Effects

- No significant traffic impacts:
  - Air quality
    - No carbon monoxide hot spot effects
    - No exceedance of National Ambient Air Quality Standards (NAAQSs)
  - Energy
    - Short-term uses during construction
    - Long term – no significant change resulting from road changes



# Effects of the Build Alternative

## Environmental Effects

- Noise Assessment: Use of TNM 2.5 Noise Prediction Model
  - Sixteen (16) In-field Measurement Locations & 26 Modeled Receptor Locations
  - Land Use Analysis/Noise Abatement Levels:
    - Park/Residential: 67 dBA max
    - Commercial: 72 dBA Max
- Projected 2040 Peak Hour Noise Levels Would Not Approach Noise Abatement Criteria (NAC)
  - Largest single increase east side of Third Street near Main Street: 61 dBA to Projected 65 dBA (but still under 67 dBA threshold)
  - Most locations 1 dBA increase or less.



# Effects of the Build Alternative

## Environmental Effects

- Section 4(f) of the Department of Transportation Act of 1966
- “Use” of parkland, wildlife refuges, or historic resources
  - Build Alternative would only involve “de minimis” temporary use of Robert Moses Parkway Trail (SB expressway lanes) and City’s closed DiFranco Park during construction – both substantially improved after construction
  - Build Alternative would have “No Adverse Effect” on historic resources, thus no “use” under 4(f)



# Effects of the Build Alternative

## Environmental Effects

- Section 106 of the National Historic Preservation Act – Consultation Process
  - Participants:
    - Federal Agency – FHWA
    - New York State Department of Transportation
    - New York State Office of Parks, Recreation and Historic Preservation
    - State Historic Preservation Officer (SHPO)
    - Advisory Council on Historic Preservation
    - Federally Recognized Tribes
    - Other Consulting Parties and the Public
  - Undertook Phase IA and Phase IB Archaeological & Historic Structure Assessments



# Effects of the Build Alternative

## Environmental Effects

- Section 106 of the National Historic Preservation Act – Consultation Process
  - Evaluated Effects to Resources on or Eligible for Inclusion on the National Register of Historic Places:
    - Historic Structures:
      - No Effects to National Register-eligible Bridges
      - No Effects to Historic Districts
      - No Adverse Effects to National Register-eligible Aquarium and U.S. Customs House – Improvements to Context
    - Archaeological Resources:
      - No National Register-eligible Resources Encountered in the Corridor



# Effects of the Build Alternative

## Environmental Effects

- Section 106 of the National Historic Preservation Act – Consultation Process
  - Overall Section 106 Finding
    - No Adverse Effect
  - Section 106 Findings Document:
    - Received SHPO Concurrence
    - Findings Have Been Circulated to Tribes & Other Consulting Parties



# Effects of the Build Alternative

## Environmental Effects

- Hazardous Materials
  - Areas of Known/Potential Concern
  - Multiple sites along corridor



# Effects of the Build Alternative

## Environmental Effects

- Hazardous Materials
  - Asbestos Containing Materials (ACMs)
    - Pipe wrapping & other utilities
    - Bridge features
  - Radioactive Materials
    - Encountered on Lewiston Road project and along Gorge rim
    - Gamma survey conducted – preliminary readings near Findlay, Whirlpool Bridge and Aquarium
  - Addressing sites
    - Likely to encounter materials requiring disposal
    - Protocols in place and allowances in cost estimate



# Effects of the Build Alternative

## Environmental Effects

- Threatened & Endangered Species
  - Northern Long-Eared Bat
  - Federal-/State-Listed as “Threatened”
  - Wide range in the U.S. and Canada
  - Inhabit trees during “pup” season (June 1<sup>st</sup> – July 31<sup>st</sup> )
  - No direct loss anticipated – prevent impacts by limiting periods for any tree removals as part of the Build Alternative



# Effects of the Build Alternative

## Construction Effects

- 18 to 24 month project
- Periodic/short-term traffic disruptions: Short-term inconvenience of loss of Gorge rim trail during demolition
- Construction noise and dust
- Short-term loss of wildlife habitat and displacement
- Periodic minor disruptions to business districts
- Potential for asbestos and hazardous waste site exposure to site workers



# Effects of the Build Alternative

## Construction Effects

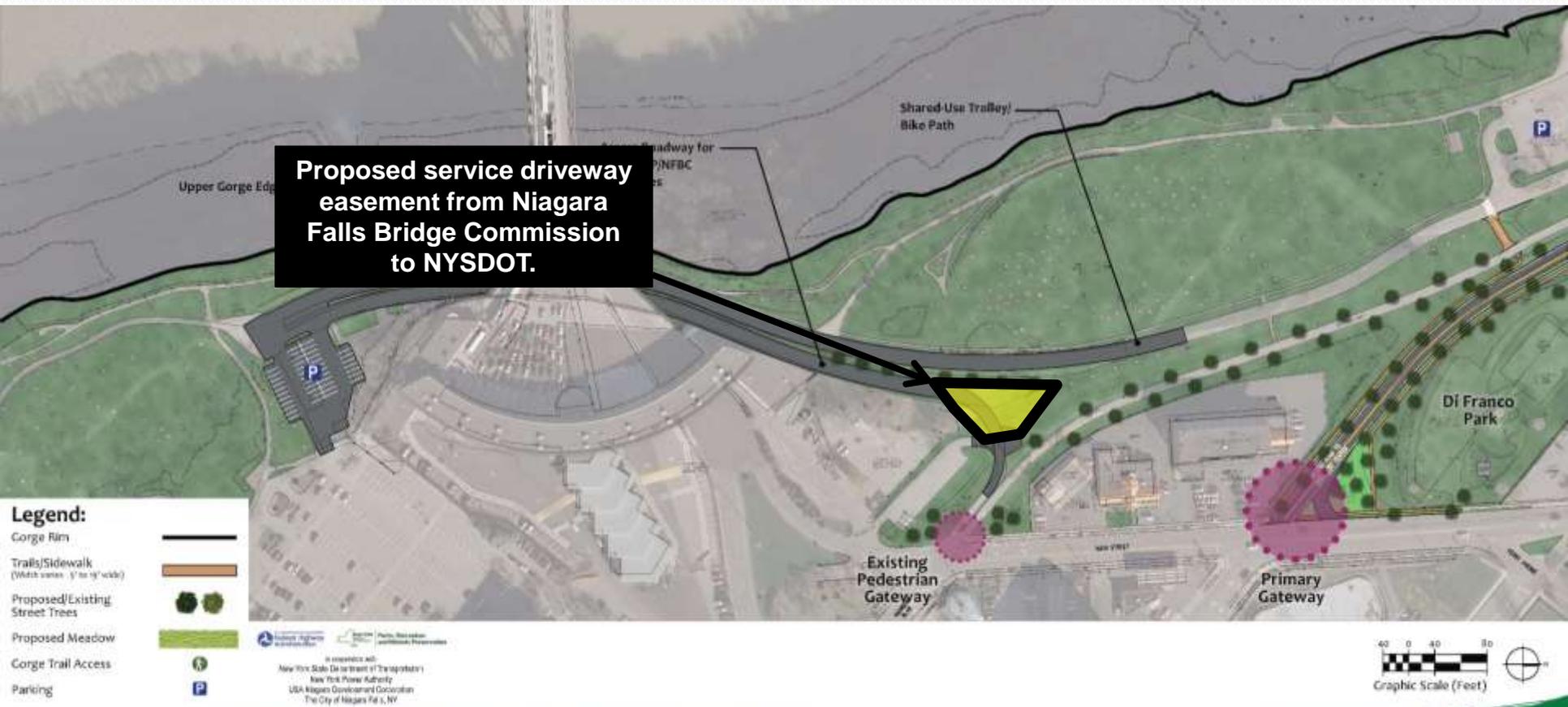
- Limiting Construction Effects
  - Advising the public of project staging & maintaining community advisory information network
  - Use of “Best Practices” during construction
    - Soil erosion/sedimentation control
    - Road wetting to lessen dust emissions
    - Limiting hours of construction to limit noise impacts
  - Incorporation of standard protocols when encountering hazardous materials





# Right-of-Way

# Right-of-Way



# Right-of-Way



# Right-of-Way

- Contact each affected property owner
- Deliver a copy of the acquisition map
- Explain the project and the effect that it will have on the property
- Provide a preliminary time table and information regarding the Department's acquisition process
- Order an appraisal
- Inspection of the property
- Appraisal reports
- Direct damages
- Indirect damages

# Right-of-Way

- Temporary easement
- One-offer system
- Full offer of compensation
- Filing a map and notice of appropriation
- Agreement is signed
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
- If you must move... We can help
- Just compensation



# Visualizations

- Looking North at Main Street - EXISTING



# Visualizations

- Looking North at Main Street - PROPOSED



# Visualizations

- Looking South at Cedar Ave - EXISTING



# Visualizations

- Looking South at Cedar Ave - PROPOSED



# Visualizations

- Looking South at Pierce Street - EXISTING



# Visualizations

- Looking South at Pierce Street - PROPOSED



# Visualizations

- Looking West at Ontario Street - EXISTING



# Visualizations

- Looking West at Ontario Street - PROPOSED



# Visualizations

- Looking South at Findlay - EXISTING



# Visualizations

- Looking South at Findlay - PROPOSED



# Niagara Gorge Corridor

Robert Moses Parkway Removal Project: Main Street to Findlay Drive

**PUBLIC  
COMMENT  
PERIOD**



# How to Submit Comments

- Verbally tonight (recorded by stenographer)
- Not a “Question & Answer” Session
- Submit a comment sheet tonight
- E-mail: **thomas.donohue@parsons.com**
- Submit via regular mail:

**Niagara Gorge Corridor Project**

**c/o Parsons**

**40 LaRiviere Drive, Suite 350**

**Buffalo, NY 14202**

Comments due before **September 9, 2016**