

Niagara Gorge Corridor

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

Final Design Report/ Environmental Assessment



Whirlpool Street @ Orchard Parkway facing south



Whirlpool Street @ Orchard Parkway facing north



U.S. Department of Transportation
**Federal Highway
Administration**



NEW YORK
STATE OF
OPPORTUNITY.

**Parks, Recreation
and Historic Preservation**

In cooperation with:

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

PIN 5761.90

November 2016



PROJECT APPROVAL SHEET

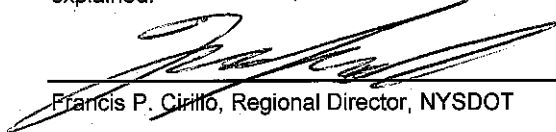
(Pursuant to SAFETEA-LU Matrix)

- A. IPP Approval:** The project is ready to be added to the Regional Capital Program and project scoping can begin.
- The IPP was approved by:
- Gary V. Gottlieb July 2, 2009
Regional Planning and Program Manager
- B. Recommendation for Scope Approval** The project cost and schedule are consistent with the Regional Capital Program.
- David Szuba May 20, 2013
Capital Facilities Manager, NYSOPRHP
- C. Scope Approval** The project cost and schedule are consistent with the Regional Capital Program.
- Mark W. Thomas May 20, 2013
Western District Director, NYSOPRHP
- Darrell F. Kaminski May 24, 2013
Regional Director, NYSDOT
- D. Public Hearing Certification (23 USC 128):** A public hearing was held on August 25, 2016 in accordance with 23 USC 128.
- Craig S. Mozfall Aug 25, 2016
Craig S. Mozfall, Project Manager, NYSDOT
- E. Recommendation for Design Approval:** The project cost and schedule are consistent with the Regional Capital Program.
- Mark W. Thomas 12/2/2016
Mark W. Thomas, Western District Director, NYSOPRHP



**F. Recommendation for
Design and Nonstandard
Feature Approval:**

All requirements requisite to these actions and approvals have been met, the required independent quality control reviews separate from the functional group reviews have been accomplished, and the work is consistent with established standards, policies, regulations and procedures, except as otherwise noted and explained.



Francis P. Cirillo, Regional Director, NYSDOT

12/12/16

**G. Nonstandard Feature
Approval:**

No nonstandard features have been identified, created, or retained.




Mark W. Thomas, Western District Director, NYSOPRHP

12/2/2016

H. Design Approval:

The required environmental determinations have been made and the preferred alternative for this project is ready for final design.



Wahid Albert, Chief Engineer, NYSDOT

12/21/16

for



PART A

FINAL DESIGN REPORT/ENVIRONMENTAL ASSESSMENT

PIN 5761.90

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PART B

July 2016 Design Report/Environmental Assessment (DR/EA)
(Appendices A thru Q for Part B separately bound)



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CHAPTER I - INTRODUCTION

This Final Design Report/Environmental Assessment (FDR/EA) has been prepared by the New York State Office of Parks, Recreation and Historic Preservation (NY Parks) using an errata format. The errata format maintains the continuity of the project, allowing the reader to follow the evolution of the project from the July 2016 DR/EA to this Final DR/EA. The July 2016 DR/EA located in Part B of this document, has been left intact and all modifications to that report are described in Part A of this document.

The proposed Project is located in the southwestern portion of Niagara County within the western New York State region. The approximately two-mile long Project Area, as shown in **Figure I-1 – Project Location Map**, begins just north of Niagara Falls and continues north along the Niagara River adjacent to the eastern rim of the Niagara Gorge. The Project is entirely located within the City of Niagara Falls beginning at Main Street, near the Rainbow Bridge leading into Canada, and continues north to the existing Robert Moses Parkway (RMP) intersection at Findlay Drive.

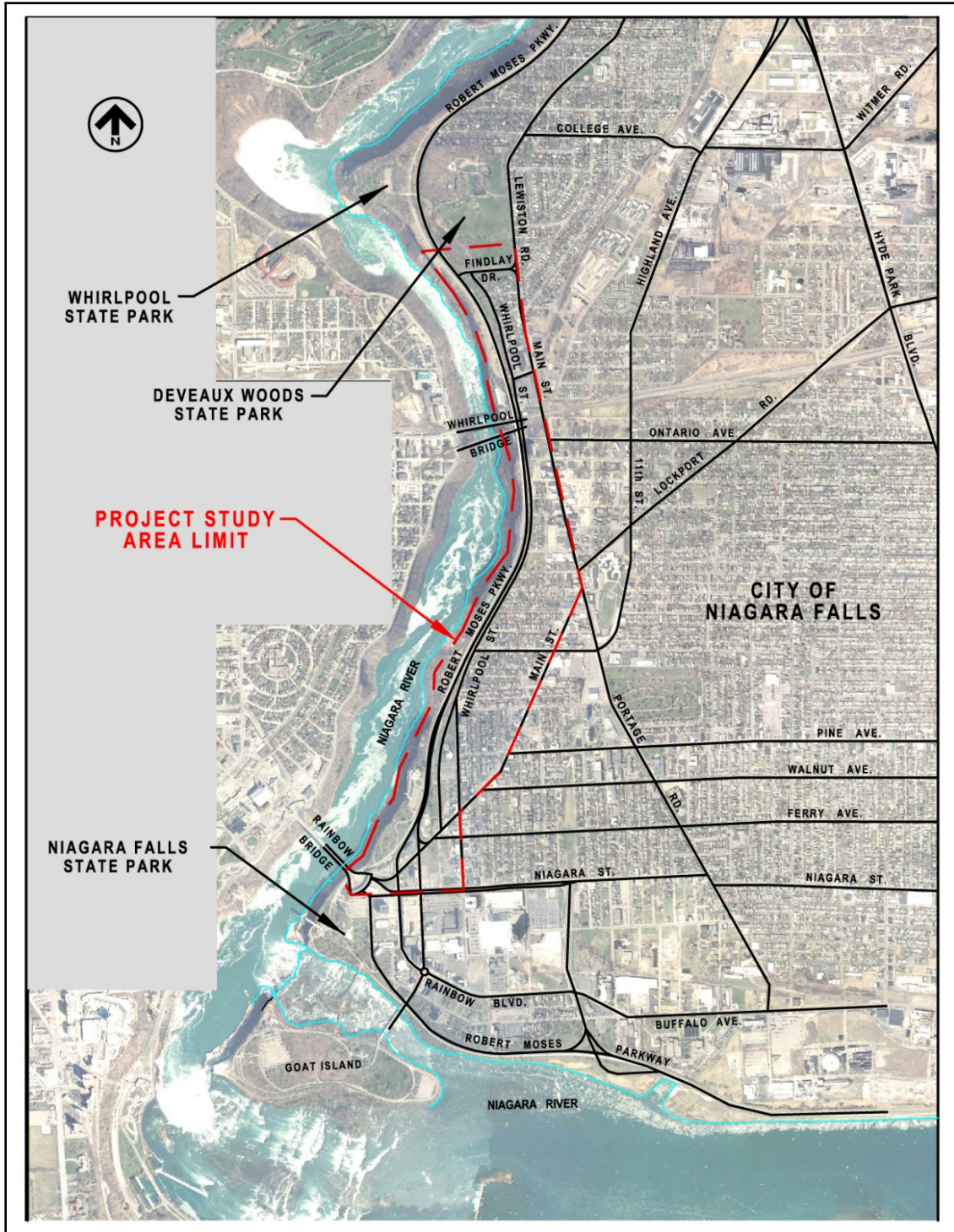
The Project would involve removal of the RMP (i.e., all vehicular lanes, lanes used for the Robert Moses Parkway Trail, the Whirlpool Bridge Plaza overpass, and all other RMP interchange/accessory facilities) from Main Street (NYS Rte 104) to Findlay Drive. The Project would also include:

- 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.

The proposed RMP Removal Project is classified in accordance with NEPA, Section 23 CFR 771.115 of FHWA's regulations and the State Environmental Quality Review Act (SEQR), Section 6 NYCRR Part 617. This Project is classified as a NEPA Class III Action, which in New York State requires preparation of a Design Report / Environmental Assessment (DR/EA) to determine the extent of the environmental impacts. In addition, the Project is being progressed as a SEQR Type I Action under 6 NYCRR Part 617. The Federal Highway Administration (FHWA) is the NEPA Lead Agency and State Parks is the SEQR Lead Agency.

Public information meetings were held on February 19, 2015, July 15, 2015 and November 15, 2015. A summary of the meetings are included in Part B, Appendix P. As a result of the public input received at these meetings, a Build Alternative was developed to satisfy the project objectives as described in Section 1.2.3.2 of the July 2016 DR/EA.

Figure I-1 – Project Location Map





CHAPTER II - PREFERRED ALTERNATIVE

The recommended alternative for this Project is the Build Alternative as described in Section 3.2.1.3 of the July 2016 DR/EA located in Part B. Plans and typical sections for the preferred alternative are included in Part B, Appendix A.

The recommendation is based on the evaluation of engineering, social, environmental and economic considerations regarding the proposed project. The recommended alternative meets the project objectives and design criteria set forth in the July 2016 DR/EA.

The project will be funded with State and New York Power Authority funds. The following is a summary of estimated construction cost for this project:

| | No Build | Build Alternative |
|-------------------------------|---------------------|--------------------------|
| Item Description | TOTAL \$ (2015) | TOTAL \$ (2015) |
| Demolition | -- | \$ 7,741,920 |
| Bridge Rehabilitation | \$ 2,277,883 | -- |
| Roadway and Ramps | \$ 1,338,040 | \$ 12,302,300 |
| Multi-Use Paths and Sidewalks | -- | \$ 1,804,800 |
| Bridge Construction | -- | -- |
| Landscaping | -- | \$ 1,731,920 |
| Other Work Items | \$ 26,400 | \$ 2,318,500 |
| Subtotal | \$ 3,642,323 | \$25,899,440 |
| | -- | -- |
| Mobilization | \$ 145,693 | \$ 1,294,972 |
| MPT | \$ 145,693 | \$ 2,589,944 |
| Design Contingency | \$ 364,232 | \$ 2,589,944 |
| Construction Contingency | \$ 182,116 | \$ 2,589,944 |
| TOTAL COST | \$ 4,480,057 | \$ 34,964,244 |

SAY = \$35,000,000

The final design and construction phases for the Robert Moses Parkway Removal from Main Street to Findlay Drive were added to the New York Statewide Transportation Improvement Program (STIP) in May 2016, although construction of this segment would involve only non-Federal-Aid (NFA) funds. However, the Project Scoping process was financed through federal aid funds, and future design, assessment and/or construction of subsequent segments north of Findlay Drive would potentially be eligible for federal aid funds.



CHAPTER III - HEARING CERTIFICATION

Following the release of the Draft Report / Environmental Assessment in July 2016, a public hearing on the Project was held at the Conference and Events Center Niagara Falls at 101 Old Falls Street, Niagara Falls, NY on Thursday, August 25, 2016. Details of the proposed Project's Build Alternative and the social, economic and environmental impacts associated with that alternative as reported in the Draft Report / Environmental Assessment were presented during the public hearing. The hearing also provided the public with an opportunity to ask questions and/or voice concerns related to these anticipated impacts.

The meeting ran from 5:00 PM to approximately 8:30 PM in an open house format where informal questions on the Project could be asked or discussed on a one-on-one basis with Project team members. In addition, a 45+ minute PowerPoint presentation was given at 6:00 PM, after which formal statements could be made by attendees from the public for the Project record and for further consideration by the Project team. A total of six speakers provided verbal comments in this formal portion of the hearing, which was recorded by a legal stenographer with transcripts prepared. The transcript from this formal portion of the public hearing is included in **Part A, Appendix i – Public Hearing Certification**. The entire presentation, including the speaker comments, was also recorded in its entirety on video.

During the open house portions of the hearing, informational handouts, display boards and a traffic simulation video were presented to further explain the Project and its effects on the environment. Staffed environmental stations were also provided to answer questions regarding air and noise, ecological resources, cultural resources, hazardous materials, traffic and right-of-way procedures.

Attendance during the 3½-hour public hearing totaled 55 members of the public. Comment sheets had been distributed at the meeting to allow attendees to submit written comments during or after the hearing until the end of the comment period on September 9, 2016. By the end of the comment period, a total of 20 completed comment sheets, letters and/or emails were received from the general public and local agencies, including the City of Niagara Falls, the Niagara Falls Water Board, the Niagara Falls Tourism Advisory Board and the Niagara Heritage Partnership. Specific comments included in these transmittals and responses to them are provided in Chapter IV of this final DR/EA document, while the actual completed comment sheets, letters and emails are included in **Part A, Appendix ii – Comment Documents Received**.

The hearing was advertised via a legal notice published in the *Niagara Gazette* on July 24 and August 7, 2016. In addition, a copy of the legal notice was mailed out to approximately 1,180 people on the project mailing list.

A summary of the public hearing, including presentation materials, is provided in **Part A, Appendix i – Public Hearing Certification**.



CHAPTER IV - SUMMARY OF COMMENTS RECEIVED AND RESPONSES

IV.A Introduction

Comments were generated within the 47-day comment period (July 24, 2016 – September 9, 2016) both from individuals who attended the Public Hearing and from agencies, organizations and individuals who had the opportunity to review the July 2016 DR/EA. After substantive written comments and transcripts from the oral comments were received, they were reviewed to determine similarities and were compiled according to the comment topic. In accordance with 23 CFR 771.119(g), responses were prepared for all substantive comments received.

Included in **Part A, Appendix ii** of this document is a copy of the actual comment documents received with appropriate document and response numbers identified for each comment.

IV.B. Origin of Comments

A total of 27 documents were received during the comment period in the form of completed comment sheets provided with the public hearing handout, letters, emails and verbally through the public hearing transcripts. **Table IV-1** provides the breakdown of the types of documents received. Each of the documents contain between 1 and 12 individual comments.

Table IV-1 – Document Types

| Document Type | Number of Documents |
|---------------------------|---------------------|
| Comment Sheet | 5 |
| Letters | 11 |
| Emails | 5 |
| Verbally (vis transcript) | 6 |
| Total | 27 |

A total of 91 individual comments were obtained from the documents. Those comments that were similar were combined into a single comment and grouped into seven categories. The result was a total of 78 unique (combined) comments as indicted in **Table IV-2**.



Table IV-2 – Comments by Category

| Category Number | Category Name | Number of Comments |
|-----------------|---------------------|--------------------|
| 1 | Design/Construction | 36 |
| 2 | Transportation | 13 |
| 3 | Alternatives | 7 |
| 4 | Environmental | 6 |
| 5 | Cultural Resources | 3 |
| 6 | Economic | 4 |
| 7 | General | 9 |
| Total | | 78 |

A total of 23 individuals provided comments. Of the 23 individuals, 4 provided both verbal and written comments. **Table IV-3** provides the names of those individuals submitting comments on the DR/EA. The table also includes the document number of each comment found in **Appendix ii**, the comment/response number for each comment found in **Section IV.C** as well as the number of comments obtained from each document. The comment/response number assigned to each comment was organized as follows:

Comment X-YY

Where X = the Category Number

YY = the order of the comment within that category.

e.g. Comment 2-10 is the tenth comment under Category 2 (Transportation)

Table IV-3 – List of Commenters

| Document No. | Name | Comment / Response No. | Number of Comments |
|--------------|--|--|--------------------|
| 1 | Anderson, Dale | 3-6 | 1 |
| 2 | Baxter, Bob – Niagara Heritage Partnership | 1-10, 3-2, 3-3, 3-4, 6-1, 7-3, 7-4 | 7 |
| 3 | Belcher-Calandra, Sybil | 1-15, 1-16, 1-17, 1-18, 7-1 | 5 |
| 4 | Bernhardt, Carl | 2-10, 2-11, 2-12, 4-5, 6-4 | 5 |
| 5 | Calandra, Joe | 2-7, 2-8, 7-5 | 3 |
| 6 | Crawford, June Justice | 7-7 | 1 |
| 7 | Davis, Dan | 5-3 | 1 |
| 8 | DeSantis, Tom – City of Niagara Falls | 1-11, 1-25, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-33, 1-34, 2-9, 7-8 | 12 |



| Document No. | Name | Comment / Response No. | Number of Comments |
|---------------------|--|--|---------------------------|
| 9 | Dyster, Rebecca | 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 2-3, 4-3, 7-1, 7-2 | 10 |
| 10 | Funke, Douglas | 2-5, 2-13 | 2 |
| 11 | Hufnagel, Jim | 3-7 | 1 |
| 12 | Hufnagel, Jim | 3-5, 3-7 | 2 |
| 13 | Grose, Gerald | 1-1, 1-2, 1-3, 2-1, 2-2, 3-1 | 6 |
| 14 | Kress, Helen | 4-1, 4-2 | 2 |
| 15 | Kress, Helen | 4-1, 4-2 | 2 |
| 16 | Lakomy, MD, Steve | 3-5 | 1 |
| 17 | Lewis, Herbert | 1-26, 6-2, 6-3 | 3 |
| 18 | Marchelos, Barbara | 4-4 | 1 |
| 19 | Miller, Lynn | 1-13, 1-14 | 2 |
| 20 | Ray, Robin | 1-36, 4-6 | 2 |
| 21 | Roll, Rick – Niagara Falls Water Board | 1-19, 1-20, 1-21, 1-22, 1-23, 1-24 | 6 |
| 22 | Skompinski, Carl | 2-4, 5-1, 7-9 | 3 |
| 23 | Skompinski, Carl | 1-11, 1-12, 2-4, 2-5, 2-6, 5-1, 5-2 | 7 |
| 24 | Smith, Amy | 4-4 | 1 |
| 25 | Smith, Pam | 1-25, 4-5, 7-6 | 3 |
| 26 | Vitello, Lisa – Niagara Falls Tourism Advisory Board | 1-35 | 1 |
| 27 | Vitello, Lisa – Niagara Falls Tourism Advisory Board | 1-6 | 1 |
| | TOTAL | | 91 |

IV.C. Responses to Comments on the DR/EA

This section includes a summary of the 78 relevant comments received “C” (followed by) a response “R” to each. These summaries convey the substance of the comments made but do not necessarily quote the comments verbatim. As noted above comments are organized by subject matter and where more than one commenter expressed similar views, the comments have been combined and addressed together.



IV.C.1. CATEGORY 1 - DESIGN/CONSTRUCTION

- C 1-1: The proposed signage for the Project should be constructed with materials and in a style that will enhance the natural aesthetics of the gorge rim as opposed to the aluminum and steel interstate highway signs that currently exist.
- R 1-1: Suggestion noted. During the final design phase, the selection of the materials and style of the non-highway related signs will be thoughtfully considered in the context of the setting and intent of the sign to the extent practicable.
- C 1-2: Commenter suggests the addition of at least one new public drinking fountain near the Whirlpool Bridge for people who will be traveling through the project area.
- R 1-2: Suggestion noted. During the final design phase, careful consideration will be given to providing amenities for the public that will be using the new park/open space, including drinking fountains.
- C 1-3: The proposed parking lot near the Whirlpool Bridge seems oversized and should be reduced by half. If future demand requires additional parking it could be expanded at that time.
- R 1-3: Suggestion noted. During the final design phase, a re-examination of the sizes and locations of the off-street parking lots will be made in close coordination with the stakeholders of the Project.
- C 1-4: The commenter wants to ensure that pavement removal associated with the Project will result in parkland that provides recreational opportunity for people along the Niagara River Gorge Rim.
- R 1-4: The Project will include: connecting currently disjointed parcels of open space for continuous recreational opportunities; restoring the newly created green space with native vegetation; constructing ample pathways for walking, jogging and bicycling; and providing additional overlooks to experience the views of the Niagara River gorge and gorge rim.
- C 1-5: The area should not be bulldozed completely, and a certified arborist should be utilized to ensure that a good mix of mature trees and new plantings result.
- R 1-5: It is not the intent to cut down all trees in the vicinity of the existing RMP, although many of them along the Whirlpool Street fence would be removed to allow the Project to be constructed. During the final design phase, it is anticipated that a tree survey will be conducted by qualified staff to determine which existing trees should and can be preserved in an effort to maximize the mix of mature and new trees to the extent practicable.
- C 1-6: Bike paths that are 13' wide and are to be shared by bicyclists, pedestrians and NYS Parks service vehicles (i.e., multi-use trails) would result in an overbuilt design that could function as roadways, which should not be the design for those paths.
- R 1-6: It is certainly not the intention to promote or allow motorized vehicles on any multi-use trail segments, except for the occasional need for Parks maintenance vehicles to use them. The multi-use trail has preliminarily been designed as 13-foot width based on AASHTO and



- NYS DOT design standards, although reduction to 10-foot width is considered acceptable in some situations. During the final design phase, a re-examination of the widths and locations of the pedestrian and multi-use pathways will be made in close coordination with the stakeholders of the Project.
- C 1-7: Commenter strongly recommends to minimize mowed lawns in the project area by only having areas near the Gorge Discovery Center and the Whirlpool Bridge be "manicured" and the bulk of the rest being a more natural area for wildlife habitat.
- R 1-7: During the final design phase, the size and location of mowed lawn areas will be determined, although it is the intent of the Project to convert as much of the newly-expanded green space as practicable into natural areas for potential wildlife habitat using native plant species.
- C 1-8: The existing footpaths in several places along the Gorge Rim should be left as they are to the extent possible.
- R 1-8: During the final design phase, the location and size of the footpaths to be constructed along the Gorge Rim will be determined, recognizing and taking into account the existing pathways, as well as the potential for improving the views, recreational experiences and safety of the public.
- C 1-9: The proposed parking lot opposite Pierce Avenue is not necessary since there is adequate parking within the project area already. It is suggested that an alternative could be moving the parking on Whirlpool Street, between Ashland and Chilton Avenues, to the west side of the road, and possibly designating most of the space for handicapped use only.
- R 1-9: Suggestion noted. The intent of adding this parking lot is to minimize the distance required to access this particular portion of the park/open space from parking lots located to the north and south of the area, and to minimize the need for recreational users to have to park/open space along Whirlpool Street. Also, since the overlooks in this area will be redesigned to be ADA-compliant, this lot will facilitate visitation by and for physically-challenged individuals. It should be noted, however, that during the final design phase, a re-examination of the sizes and locations of the off-street parking lots and on-street parking spaces will be made in close coordination with the stakeholders of the Project.
- C 1-10: The NHP recommends that the structural steel recovered from the removal of the RMP overpass over Whirlpool Bridge be re-adapted for use in the remediation of damage caused by the NYPA access road, so that the now separated portions of Devil's Hole State Park could be rejoined.
- R 1-10: The existing RMP viaduct over Whirlpool Bridge was designed for vehicular use. One of the considerations for removing the RMP between Main Street and Findlay Drive is that since only a portion of it is now being used for vehicular traffic, the portion that now carries bicyclists and pedestrians as the Robert Moses Parkway Trail is over-designed for such use. That general concern would continue if the bridge were to be removed for bicycle and pedestrian use at Devil's Hole State Park in the suggested manner. In addition, it is highly unlikely that the existing



- RMP bridge or a portion thereof could actually physically fit and/or function in the suggested manner. A great deal of engineering study and design would be required to even determine the practicality of its use in this regard, as well as the viability of redesigning, reassembling and reusing the structural steel components of the viaduct to make a new bridge. At this time, there is no intention to conduct such studies.
- C 1-11: Alternative porous materials for pavement, particularly for pedestrian pathways, as well as use of bio-engineered / green infrastructure elements should be promoted as much as practically possible. Use of such measures as permeable surfaces and raingardens via sustainable landscaping would limit runoff into sewers and allow for filtering of surface oils via ground infrastructure.
- R 1-11: As noted in Section 3.3.3.4 of the DR/EA (Drainage Systems), the project will involve the use of green infrastructure where feasible. During the final design phase, the selection of materials to be used for paved surfaces, as well as the use of rain gardens or other best management practices related to stormwater runoff quantity and quality will be thoughtfully considered for the Project.
- C 1-12: Where possible, historic native plants should be planted to help repopulate the landscape as well as serve as an education point for residents and visitors.
- R 1-12: As noted in the description of the Build Alternative and in various sections of Chapter 3 of the DR/EA, it is the intent of the Project to preserve as much of the existing meadowlands and to restore as much re-claimed land to green space as is practicable into natural areas for potential wildlife habitat using native plant species. Details in these regards will be developed during the final design phase.
- C 1-13: Consider emergency phones along the new paths.
- R 1-13: Suggestion noted. During the final design phase, careful consideration will be given to providing amenities for the public that will be using the new park/open space, including emergency phones.
- C 1-14: It's important that the new paths be open, wide and offer visibility for anyone (females, in particular) who may be alone.
- R 1-14: It is currently anticipated that the multi-use trail may vary between 10 and 13 feet in width, while pedestrian trails will be approximately 6 feet in width. Final width details of the actual trails throughout the parklands will be determined during final design.
- C 1-15: Will the utility infrastructure on Whirlpool Street (i.e., stormwater, sewer, water, electric) be replaced?
- R 1-15: The intent is to avoid the need to replace utility infrastructure along Whirlpool Street to the extent possible. However, should it be determined during final design that some replacement may be necessary, close coordination with the affected utility company will occur.
- C 1-16: Will adequate street lights be installed on Whirlpool Street and Spring Street?
-



- R 1-16: Appropriate street lighting will be installed along the length of Whirlpool Street and Spring Street as part of this Project.
- C 1-17: Will Spring Street be part of the reconstruction?
- R 1-17: The full length of Spring Street, from Whirlpool Street to Chasm Avenue, will be improved as part of the Project, including repaving and replacement of existing sidewalks.
- C 1-18: Given that radioactive spoils from the Lewiston Road reconstruction still reside on the property at the corner of Whirlpool Street and Bellevue Avenue, will the property be cleaned up and properly maintained?
- R 1-18: The reconstruction of Whirlpool Street will not require any property takings or construction outside the street right of way. However, during final design additional testing for hazardous and radioactive spoils will be undertaken and, depending on the results, remediation of the land that will be disturbed by the Project will be made.
- C 1-19: Substantial modifications will be required to maintain access to the Niagara Falls Water Board's underground infrastructure while conforming to the bridge/parkway removal.
- R 1-19: Understood and agreed. As-built details of the underground infrastructure to be affected and the resulting modifications required will be further addressed during the final design phase for the Project. Close coordination with the Niagara Falls Water Board in this regard will be maintained throughout that phase.
- C 1-20: The Niagara Falls Water Board has several sewer crossings along the RMP which should be included in Table 2-22 of the DR/EA regarding water and sewer infrastructure.
- R 1-20: Section 2.3.3.9 in the FDR/EA along with Table 2-22 have been updated to include that information.
- C 1-21: The Niagara Falls Water Board has a pedestrian access tunnel beneath the RMP at Ashland Avenue. That tunnel, the connected stone access building, and maintenance access to the adjacent Gorge Interceptor Shaft #6 will need to be preserved.
- R 1-21: Understood and agreed. As-built details of that tunnel and associated infrastructure, as well as their operational requirements, will be further addressed during the final design phase for the Project. Close coordination with the Niagara Falls Water Board in this regard will be maintained throughout that phase.
- C 1-22: The Niagara Falls Water Board noted the Gorge Force Main will require stringent protective measures during the construction effort.
- R 1-22: Understood and agreed. As-built details of that force main, as well as its operational requirements, will be further addressed during the final design phase for the Project. Close coordination with the Niagara Falls Water Board in this regard will be maintained throughout that phase.



- C 1-23: The Niagara Falls Water Board noted that their combined sewer overflow (CSO) diversion point at Cleveland Avenue currently accepts RMP drainage upstream from the diversion point. Redirecting storm drainage from there would further the stated project goal of reducing CSO.
- R 1-23: Comment noted. During final design, every effort will be made to redirect storm drainage to the downstream side of the diversion point at Cleveland Avenue.
- C 1-24: The Niagara Falls Water Board is presuming no involvement with maintenance measures for new stormwater green infrastructure elements. While the Water Board is a non-traditional MS4, it does not have authority or responsibility for construction and post-construction portions of the MS4 program.
- R 1-24: Comment noted.
- C 1-25: The proposed parking lot and access roadway opposite Pierce Avenue is unnecessary and should be considered for elimination since there is adequate parking at the Discovery Center and at Whirlpool State Park. If additional vehicle parking is necessary in the vicinity of Pierce Avenue, then first consideration should be for the installation of additional on-street parking, and if on-street parking is considered necessary there, then it should be along the west- or park-side of Whirlpool Street. In this context, some of the concepts and proposals posted on the NHP website should also be considered.
- R 1-25: Suggestion noted. The intent of adding this parking lot is to minimize the distance required to access this particular portion of the park from parking lots located to the north and south of the area, and to minimize the need for recreational users to have to park in residential portions of Whirlpool Street. Also, since the overlooks in this area will be redesigned to be ADA-compliant, this lot will facilitate visitation by and for physically-challenged individuals. It should be noted, however, that during the final design phase, a re-examination of the sizes and locations of the off-street parking lots and on-street parking spaces will be made in close coordination with the stakeholders of the Project.
- C 1-26: The new roadway, currently Whirlpool and Third Streets, should take on an urban character with urban-style development at its interface with the Cultural District, with sidewalks extending to the curb on both sides of the street, continuous parallel parking permitted, a double row of street trees, pedestrian crossings, high quality development and special streetscape treatments that prioritize pedestrian and non-vehicular forms of movement.
- R 1-26: Whirlpool and Third Street design details related to sidewalks, on-street parking, landscaping, pedestrian crossings and other streetscape treatments will be clarified and coordinated with local stakeholders, including the City of Niagara Falls, during the final design phase.
- C 1-27: The expansion of the parking lots within the park seems unreasonable, unnecessary and redundant since there are large existing parking areas throughout the length of the Project and immediately adjacent.



- R 1-27: During the final design phase, a re-examination of the sizes and locations of the off-street parking lots will be made in close coordination with the stakeholders of the Project, including the City of Niagara Falls.
- C 1-28: The new parking lot expansion in Niagara Falls State Park is an expansion of existing paved parking area within the park, while four lanes of pavement between such parking lots for Niagara Falls Bridge Commission (NFBC) "access" seems unnecessary and redundant given the adjacent two lanes of pavement for trolley services. A greater reliance on shared roadways could reduce roadway pavement while expanding greenspace in this area of the park.
- R 1-28: Removal of the extant divided-expressway segment under the Rainbow Bridge is preliminarily proposed to be replaced with two separate internal access drives. The access drive closest to the river gorge would provide access for trolleys and bicycle traffic, while the other would provide one-way employee access from the Niagara Falls State Park parking lot to the NFBC/CBP facilities located underneath the Rainbow Bridge, as well as needed parking for those employees under the bridge. This proposed system is intended to keep tourist traffic and employee traffic separated. During the final design phase, a re-examination of these designs will be further considered in coordination with the NFBC, CBP and State Parks.
- C 1-29: Can the needs of the NFBC be satisfied with only one ingress/egress point instead of two for their access road, or can the second entrance/exit be internalized on NFBC property?
- R 1-29: There needs to be separate points of ingress and egress at the parking lot on NFBC property since the access road to the Rainbow Bridge at the point of ingress to the parking lot is only one-way toward the bridge. Therefore, left-turns cannot be provided at that point to accommodate vehicles leaving the parking lot and wanting to go anywhere other than the bridge. The design for the proposed egress roadway from the parking lot is not dramatically different from the existing egress roadway.
- C 1-30: Final design of the project should incorporate additional and/or improved approaches for accommodating the needs of the pedestrians and bicyclists that will be using the new facilities between Main Street and Walnut Avenue. Except for the inadequate connection with Main Street, the multi-use path does not need to be 13 feet since the adjacent and parallel trolley lanes could be used for bicycles and the pedestrian path could then be narrower. Most bicyclists simply use public roadways for getting to where they want to go, but their access to the park will be constrained on the "new (Scenic) Park (way) Road," Third Street, and Whirlpool Street which are all designed for only 12-foot wide travel lanes. Cleaning up these faults and redundancies in the final designs will enhance the visitor experience and provide a far more natural landscape setting.
- R 1-30: Pedestrian-only trails have been designed for a six-foot width in all areas. Although the multiuse trail has preliminarily been designed as 13-foot width based on AASHTO and NYSDOT design standards, reduction to 10-foot width is considered acceptable in some situations. During the final design phase, a re-examination of the multi-use trail width in various areas, as well as the locations of access points with local streets will be made in close coordination with the



stakeholders of the Project, including the City of Niagara Falls. Regarding the 12-foot wide travel lanes of the local roadway system and the new “Park Road” to the Gorge Discovery Center (which, incidentally, would not be part of the “Niagara Scenic Parkway” system), it should also be noted that a two-foot offset between the 12-foot travel lanes and the curbs on both sides will be provided. Further widening of these lane widths to accommodate bicyclists will be considered during final design.

- C 1-31: The separate driveway for State Parks Police access to the [new “Park Road” to the Gorge Discovery Center] is unnecessary and redundant and should be eliminated in the final designs. (Note: Comment inaccurately referred to internal Park Road as the “Scenic Parkway”. However, technically, it would not be part of the Niagara Scenic Parkway system.)
- R 1-31: State Parks Police has indicated its preference for this second point of access to their new facility in order to provide greater ability to access various areas of their parks system quickly and efficiently during emergency situations. However, the need for this separate State Parks Police driveway will be further considered during the final design phase.
- C 1-32: The multi-use path and the Aquarium of Niagara's entry plaza should be given greater prominence, if not some significance in the final design.
- R 1-32: Comment noted. The location of the multi-use trail in relation to the Aquarium's entry plaza will be coordinated in detail between the Aquarium of Niagara and State Parks during final design.
- C 1-33: The Cedar Avenue overlook (3 or 5-car) parking lot is, at worst unnecessary and, at best, over built. If overdesigned, then its separate southbound driveway / slip-lane really should be eliminated.
- R 1-33: The inclusion of this overlook and its associated parking will be further examined during the final design process.
- C 1-34: Within the area north of Walnut Avenue (Discovery Center), a fundamental design flaw is the reliance on 13-foot wide multi-use trails, which is inappropriate to use throughout the Project. The multi-use trails should be used only where separated pedestrian and bicycle facilities are impractical, and even then, these should be reduced in width to no more than ten feet. Also, given that there are no bicycle facilities along Whirlpool Street, bicycle ingress and egress between the internal bike paths and points east of the Project needs greater design consideration so that their use of the 6-foot wide walking paths would not be necessary. Path alignments and widths need major adjustments.
- R 1-34: If separate bicycle-only and pedestrian-only trails were to be constructed throughout the length of the parklands instead of the currently-proposed multi-use trail, the likelihood is that the total pavement width required would exceed that of the single multi-use trail. Although the multi-use trail has preliminarily been designed as 13-foot width based on AASHTO and NYSDOT design standards, reduction to 10-foot width is considered acceptable in some situations. During the final design phase, a re-examination of the multi-use trail width in various areas, as well as the



locations of access points with local streets will be made in close coordination with the stakeholders of the Project, including the City of Niagara Falls.

- C 1-35: Commenter urged that the Project should not cut corners or look for the cheapest / easiest route, and that new construction should be kept to a minimum.
- R 1-35: Comment noted.
- C 1-36: Commenter requested that Spring Street be changed from a two-way street to a one-way street in the southbound direction. Additional no-parking signs are also needed along Spring Street.
- R 1-36: Approval to change Spring Street from a two-way street to a one-way southbound street would be within the sole jurisdiction of the City of Niagara Falls. The process to convert the street to one-way would require a petition from those that live within the area and requires approval from the City Council. A copy of the commenter's request has been forwarded to the City of Niagara Falls Department of Public Works for action and/or consultation.

IV.C.2. CATEGORY 2 - TRANSPORTATION

- C 2-1: Commenter suggests that pavement condition of Whirlpool Street be considered in the traffic studies.
- R 2-1: The current poor condition of the pavement of Whirlpool Street may indeed be affecting the current use of the street. However, the traffic analysis conducted, as indicated in the public hearing presentation, used the higher volumes recorded in 2010 as opposed to the more current volumes recorded in 2016 to base the future traffic projections on. Therefore, the current condition of Whirlpool Street's pavement would not account for any notable difference in existing traffic volumes since those volumes are already somewhat overstated, which ensures adequate project design.
- C 2-2: Commenter suggested closing the Scenic Parkway between Findlay Drive and Devils Hole for a few months following completion of this first-phase project in order to assess traffic impact on Lewiston Road in advance of continuing the improvements northward.
- R 2-2: Closing the Scenic Parkway between Findlay Drive and Devils Hole, even for a few months, is beyond the scope of this environmental review (as defined in Section 3.1.1.1 and Appendix D of the DR/EA) and would have to be coordinated with various responsible public agencies and stakeholders.
- C 2-3: If trolley stops were to be included in the Project, they should only be at the Discovery Center and at the Trailhead and parking area at the Whirlpool Bridge.
- R 2-3: Comment noted. Currently the Niagara Falls State Park Scenic Trolley service terminates at the Discovery Center and does not go further to the north. There are no specific plans to extend Scenic Trolley service further to the north at this time. Nevertheless, the preliminary road alignments, as depicted in Appendix A, all would be able to geometrically accommodate any future trolley and/or other types of non-rail transit access. During the final design phase of the



- Project, any consideration for additional trolley stops, if necessary, will be done in close coordination with the project stakeholders.
- C 2-4: Although the Project improves automobile access, there is no plan for road infrastructure to allow trolleys or buses to pull over and on-board/off board people and support equipment - bikes, strollers, etc. In this regard, there should be some sort of bump-outs where one can safely get on and off trolleys.
- R 2-4: The preliminary road alignments, as depicted in Appendix A, all would be able to geometrically accommodate any future trolley and/or other types of non-rail transit access, should a program for such transit service be established in the future.
- C 2-5: This Project is not only to help the City's tourist business, but it should also enhance the quality of life and support residents and families that do not own a car. In this regard, Project objectives indicate that public transportation and supporting infrastructure should be included as an important part of the Project.
- R 2-5: The Project objectives were significantly vetted through the public scoping process and again at the beginning of the DR/EA process, and are primarily focused at restoring the Niagara Gorge rim and visual/physical access between the Gorge and adjoining neighborhoods. Specifically expanding transit service was never an objective of this Project; nevertheless, the Project designers specifically ensured that all of the preliminary road alignments (depicted in Appendix A) would be able to sufficiently accommodate any type of non-rail transit service, should it be considered in the future.
- C 2-6: The Michigan Central Bridge should be developed as Niagara's version of NY City's High Line pedestrian park, although there could still be a barrier placed between the US and Canada until plans similar to those proposed for Whirlpool Bridge to open up the bridge for pedestrian traffic between the two countries are approved.
- R 2-6: Suggestion noted. While incorporation of the bridge into the Project is envisioned in the DR/EA, its implementation would require separate actions/agreements by the entities which own the title to the bridge, in coordination with US Customs officials.
- C 2-7: Commenter expressed concern regarding parking availability for residents of Whirlpool and Spring Streets, and that there are no driveways or overnight parking on Spring Street. Suggested possible use of the Old Mount St. Mary's nursing home lot for temporary resident parking.
- R 2-7: Potential resident parking options during the construction period will be explored and identified, as appropriate, during final design, in consultation with local residents and the City of Niagara Falls.
- C 2-8: Careful consideration of residents' access and egress during construction of the project will be essential, taking into account that many of the residents are elderly.



- R 2-8: Access and egress issues and potential solutions for local residents during the construction period will be explored and identified, as appropriate, during final design, in consultation with local residents and the City of Niagara Falls.
- C 2-9: Consideration should be given to widening Whirlpool Street at certain key intersections to allow for left-hand turning lanes (i.e., for southbound traffic, at the intersections with Cedar Avenue, Pine Avenue, and Cleveland Avenue; for northbound traffic, at the intersections with Pine Avenue and Bellevue Avenue, the latter in response to the NFBC projected plaza expansion).
- R 2-9: In order to accommodate a widening of Whirlpool Street at the suggested intersections to allow for left-hand turning lanes, it may be necessary to make trade-offs with other design features already proposed (.e.g., reduced width of verge areas, elimination of on-street parking, etc.). However, further consideration of these suggestions will be undertaken during the final design phase in close coordination with local stakeholders, including the City of Niagara Falls.
- C 2-10: Commenter expressed concern that traffic signals may be necessary at the many pedestrian crossings along Whirlpool Street which will slow down traffic. In addition, any future growth in population that may exacerbate the problem needs to be taken into account.
- R 2-10: Based upon the traffic analyses for the Project (see Section 3.3.1.3 and Appendix E), the level/nature of anticipated traffic along Whirlpool Street would not meet state/federal warrants for installing traffic signals at this time, although the use of pedestrian-actuated warning lights at major crosswalks may be considered during final design.
- C 2-11: Commenter expressed concern that the current traffic congestion at the Rainbow Bridge during holidays, weekends and all summer will be worse once the traffic is rerouted through residential streets. This increase in traffic will also increase risks, particularly if more children are in these areas.
- R 2-11: The construction of the proposed Project should have little to no effect on local roads due to traffic congestion headed for Canada at Rainbow Bridge during peak times. Without the RMP in place during these peak situations, southbound traffic on Third Street, including traffic that would otherwise have used the southbound RMP, may experience some queuing at Main Street due to bridge back-ups in the Build Alternative. However, traffic counts taken during summer holiday weekends in 2015 indicated that such peak volumes away from the bridge are generally similar to typical weekday peak hour counts. Therefore, the traffic volumes projected for the Build Alternative in the DR/EA document are expected to be similar to conditions on peak holidays and weekends.
- C 2-12: Commenter suggested that a natural look promotes the area's uniqueness and natural background with the Gorge is the best approach. After that, it's necessary to ensure the safety of the children and school buses and ensure adequate traffic flow into the city.
- R 2-12: It is the intent of the Project to provide a "natural look" as much as practicable by preserving existing meadowlands and converting newly-expanded green space into natural areas for potential wildlife habitat using native plant species. In regards to safety, the Project is being



- designed to provide appropriate striping and designated crosswalks on Whirlpool and Third Streets. Details regarding both of these aspects (i.e., natural elements and safety) will be further developed during the final design phase.
- C 2-13: Public transportation should include the use of green transportation, including use of electronic powered trolleys to highlight the benefits of the hydropower that we have in this region.
- R 2-13: The responsibility for consideration and/or implementation of public transportation outside of the objectives of the proposed Project and the jurisdiction of the involved agencies. Nevertheless, the Project designers specifically ensured that all of the preliminary road alignments (depicted in Appendix A) would be able to sufficiently accommodate any type of non-rail transit service, should it be considered in the future.

IV.C.3. CATEGORY 3 - ALTERNATIVES

- C 3-1: The No-Build Alternative is not a viable option due to the current number of redundant roadways and traffic demands.
- R 3-1: Comment noted. Under federal requirements the No-Build is required to be defined and evaluated as a baseline against which the Build Alternative is compared.
- C 3-2: The option for a total removal of the RMP between Niagara Falls and Lewiston, which would provide the highest potential for environmental restoration and preservation and presents the only option that also incorporates economic growth for the Niagara region, was supported by a study independent of the state but has been ignored by this study.
- R 3-2: The Project limits are between Main Street and Findlay Drive as suggested during Project Scoping and as approved by FHWA. Refer to Appendix D - White Paper on the Niagara Gorge Corridor Project: Appropriateness of Applying NEPA Requirements to the First Phase Project. Two of the objectives of this Project as currently designed are promoting and conserving the ecology and environment of the project area as well as supporting economic vitality, both of which are stated concerns in the comment. Alternative alignments/configurations north of Findlay Drive would be examined in a future environmental documentation process.
- C 3-3: Re-examination of the "logical termini" at Findlay Drive in favor of the City line should have been performed since removal of the RMP to at least the City line is supported by the findings of the December 2011 report entitled Regional Economic Growth Thru Ecological Restoration of the Niagara Gorge Rim. The Findlay Drive to City line section of the parkway should be part of the RMP that is removed first.
- R 3-3: The segment of the Parkway from Findlay Drive to the City of Niagara Falls line is outside the limits of this Project. The rationale for identifying the Main Street and Findlay Drive as the limits for this Project is discussed in Chapter 3, Section 3.1 of the DR/EA and fully presented in Appendix D (White Paper on the Niagara Gorge Corridor Project: Appropriateness of Applying NEPA Requirements to the First Phase Project). This rationale was accepted by FHWA because it would meet the three-step requirement to address federal environmental review



- standards for a phased project, specifically requiring a subject segment to: 1) connect logical termini and be of sufficient length to address environmental matters on a broad scope; 2) have independent utility or independent significance (i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made); and 3) not restrict consideration of alternatives for other reasonably foreseeable transportation improvements. Incorporating Parkway segments north of Findlay Drive—whether it involves Parkway removal, reconfiguration, or other treatments—would indeed restrict potential consideration of alternatives for the balance of the corridor from Niagara Falls to Lewiston, which will be the subject of a subsequent environmental impact statement process in the future.
- C 3-4: The commenter believes that reducing a potential security risk to the generating plant is an important consideration rather than an "excuse" for extending parkway removal to Lewiston, and that the issue of continued vehicle access across the plant may or may not represent a potential threat and should be examined on its own merit.
- R 3-4: The Niagara Power Plant, and the Parkway segment upon it, are outside the limits of this Project. The rationale for identifying the Main Street and Findlay Drive as the limits for this Project is discussed in Chapter 3, Section 3.1 of the DR/EA and fully presented in Appendix D (White Paper on the Niagara Gorge Corridor Project: Appropriateness of Applying NEPA Requirements to the First Phase Project). This rationale was accepted by FHWA because it would meet the three-step requirement to address federal environmental review standards for a phased project, specifically requiring a subject segment to: 1) connect logical termini and be of sufficient length to address environmental matters on a broad scope; 2) have independent utility or independent significance (i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made); and 3) not restrict consideration of alternatives for other reasonably foreseeable transportation improvements. Incorporating Parkway segments north of Findlay Drive—whether it involves Parkway removal, reconfiguration, or other treatments—would indeed restrict potential consideration of alternatives for the balance of the corridor from Niagara Falls to Lewiston, which will be the subject of a subsequent environmental impact statement process in the future.
- C 3-5: Supports the full removal of the RMP between Niagara Falls and Lewiston.
- R 3-5: Comment noted. Full removal of the RMP between Niagara Falls and Lewiston is not being considered as part of the proposed Project. However, full removal between Main Street and Findlay Drive would be achieved by the Project.
- C 3-6: Supports the original Alternative #3 developed during scoping which included the partial reuse of the RMP.
- R 3-6: Comment noted. The original Alternative #3 developed during scoping included the full removal of the RMP between Main Street and Findlay Drive, which is proposed under the Build Alternative.
- C 3-7: Commenter supports the removal of the RMP to include the segment near the Niagara Power Plant due to the high potential for terrorist attacks from the parkway.
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R 3-7: The Niagara Power Plant, and the Parkway segment upon it, are outside the limits of this Project. The rationale for identifying the Main Street and Findlay Drive as the limits for this Project is discussed in Chapter 3, Section 3.1 of the DR/EA and fully presented in Appendix D (White Paper on the Niagara Gorge Corridor Project: Appropriateness of Applying NEPA Requirements to the First Phase Project). This rationale was accepted by FHWA because it would meet the three-step requirement to address federal environmental review standards for a phased project, specifically requiring a subject segment to: 1) connect logical termini and be of sufficient length to address environmental matters on a broad scope; 2) have independent utility or independent significance (i.e., be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made); and 3) not restrict consideration of alternatives for other reasonably foreseeable transportation improvements. Incorporating Parkway segments north of Findlay Drive—whether it involves Parkway removal, reconfiguration, or other treatments—would indeed restrict potential consideration of alternatives for the balance of the corridor from Niagara Falls to Lewiston, which will be the subject of a subsequent environmental impact statement process in the future.

IV.C.4. CATEGORY 4 - ENVIRONMENTAL

C 4-1: The Project does not recognize the value of Niagara's natural environment in a meaningful way. The Project should be about the ecological uniqueness and the future of the environment of Niagara Falls that tourists come to see and not about vehicles and social-cultural matters. Much more attention should be devoted to the ecological distinctiveness of the Niagara River gorge and gorge rim and to future sources of tourism and related businesses that would enrich its ecosystem.

R 4-1: The DR/EA is required to consider all aspects of the project environment, including social and cultural elements in addition to the natural environment. Also, one of the needs for the Project as stated in the DR/EA is need to promote economic development and tourism based on the ecological uniqueness of the area, while one of the objectives is to "promote and conserve the ecology and environment of the Project Area". Every effort has been and will continue to be made during the final design phase to enhance the natural environment and its ecological uniqueness within the project area. This will include restoring the newly created green space with native vegetation and providing additional overlooks for tourists to experience the views of the Niagara River gorge and gorge rim.

C 4-2: There appears to be 13 times more space devoted to social/cultural analysis compared to environmental. Citing archeological evidence from previous eras means nothing unless the tourism industry will be showing off that history in the future.

R 4-2: The DR/EA follows required NYSDOT and FHWA content and format and considered all aspects of the project environment, including social and cultural elements in addition to the natural environment. The portion of the DR/EA dedicated to the analysis of cultural resources, including historic and archaeological resources, is expansive due to the number of such resources within the overall project study area and the need to satisfy specific process and



- reporting requirements under Section 106 of the National Historic Preservation Act. These requirements and associated federal and state guidance documents result in the need to prepare specific forms, photos, descriptions and analyses to demonstrate whether or not there is an effect on these resources. During the final design phase, it is intended to provide tourist-appropriate pathways and signage to previous historic sites, including historic markers indicating the importance of these sites.
- C 4-3: It is important to preserve as much of the existing meadowlands near Findlay Drive as possible since they have become wildlife habitat areas.
- R 4-3: As noted in the description of the Build Alternative and in various sections of Chapter 3 of the DR/EA, it is the intent of the Project to preserve as much of the existing meadowlands and to restore as much re-claimed land to green space as is practicable into natural areas for potential wildlife habitat using native plant species. Details in these regards will be developed during the final design phase.
- C 4-4: Support indicated for the natural development of the project area and desire that the Project will be an environmental success resulting in a corridor that will be a place for all to enjoy.
- R 4-4: Comment noted. It is certainly the intention to make this a Project that will be responsive to environmental concerns and provide an environment that will allow residents and visitors alike to enjoy and be proud of. A variety of features (e.g., use of native plant species for landscaping where practicable, providing numerous points of bicycle and pedestrian access from residential areas, etc.) have been proposed as part of the Project to ensure that these expectation are met. Further features in these regards may be considered during the final design process.
- C 4-5: It is essential that the Project be unique, provide a natural perspective with native trees, vegetation and wildlife habitat that are protected, maintained and enhanced, and that the amount of concrete and manicured lawn areas be greatly limited.
- R 4-5: It is the intent of the Project to preserve as much of the existing meadowlands and to convert as much of the newly-expanded green space as practicable into natural areas for potential wildlife habitat using native plant species. Details in these regards, including the final width of proposed paved trails and the location of mowed lawn areas, will be determined during the final design phase.
- C 4-6: Commenter expressed concern over the apparent spreading of contaminated dirt in the parking lot behind Old St Mary's Manor and believes the dirt should be totally removed. Also of concern is a mound of dirt, along with miscellaneous debris that should be removed near 2641 Spring Street.
- R 4-6: The Project in not anticipated to include work within the parking lot behind Old St Mary's Manor, nor on the property at 2641 Spring Street. Clean-up of these properties would be up to the property owners and the City of Niagara Falls. A copy of the commenter's request has been forwarded to the City of Niagara Falls Planning Department of Public Works for action and/or consultation.
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IV.C.5. CATEGORY 5 - CULTURAL RESOURCES

- C 5-1: The parking lot proposed at the foot of the Michigan Central Bridge should be part of an education center that focuses on the history of the bridge and the history of the area around it, thereby making it a destination with appropriate signage and wayfinding. This is a great opportunity to perhaps start looking at branding of the suspension bridge village area.
- R 5-1: Suggestion noted. There are no specific plans in this regard at this time, although the appropriateness and feasibility of providing historic markers and wayfinding signage at this location may be considered during final design in coordination with project stakeholders.
- C 5-2: Statues promoting old Native, French and British history could be employed along the length of the parkway to allow the City to benefit from its history.
- R 5-2: As appropriate, the provision of historical markers or statues of historic events along or in proximity to the current alignment of the RMP may be considered during the final design phase for this Project. Such consideration will be undertaken in close coordination with appropriate project stakeholders, including the City of Niagara Falls, Consulting Parties and NY SHPO.
- C 5-3: Commenter notes specific historic sites within the project area referenced in an 1895 article to be considered for demarcation and wayfinding signage.
- R 5-3: Comment and historic sites noted. The potential for providing historic markers and wayfinding signage will be considered during final design for the Project.

IV.C.6. CATEGORY 6 - ECONOMIC

- C 6-1: In response to the findings of the December 2011 report entitled Regional Economic Growth Thru Ecological Restoration of the Niagara Gorge Rim, a thorough investigation of the potential for regional ecotourism should have been performed, with the methods and results made available to the public.
- R 6-1: Eco-tourism is an important element of two specific objectives of this Project, as stated in Chapter 1, Section 1.2.3.2 of the DR/EA. One objective is to "Promote and conserve the ecology and environment of the Project Area" while the other objective is to "Support economic vitality." The ecological improvements proposed as part of the Project would help to promote eco-tourism while economic vitality of the area could benefit from increased eco-tourism. As a result, both of these objectives are also closely tied to the need for the Project as stated in Chapter 1, Section 1.2.3.1 which is "...there is a need to promote economic development and tourism within the corridor."
- C 6-2: Suggestion that areas should be included in the Project for artists and entertainers to market their wares to interested people, possibly including a stage or small amphitheater for artists to display their talents, as well as space for picnic areas.



- R 6-2: The physical changes to the area in and around the City's Comprehensive Plan recommendations for a Cultural District due to the proposed Project would provide a greater opportunity for future improvements (e.g., amphitheater, picnic facilities, etc.) to be considered by others in the future as separate projects. Continued coordination with the City of Niagara Falls and State Parks in this regard will occur during the final design phase for the Project, as applicable.
- C 6-3: The redesign of this segment of the Parkway must be integrated with the Cultural District Development Plan proposed for the area to the west of Whirlpool and Third Streets in order to provide a high-value setting for new boutique hotels, restaurants and galleries, residential developments and other appropriate reinvestment projects in the Park Place Heritage District and Main Street to the east.
- R 6-3: As indicated in Chapter 4, Section 4.2.1.2 of the DR/EA document, the potential for achieving the Core City Strategy of creating a Cultural District is very closely connected and largely dependent on the proposed Project. In this regard, the Project would better integrate the existing features within the district (i.e., the Discovery Center and the Aquarium), provide more available land that could be functionally used as part of the district, and improve visual and functional conditions along Third and Whirlpool Streets, thereby making adjacent areas more attractive for uses that could contribute to the viability of the district. However, the Comprehensive Plan recommendations regarding the Cultural District and other nearby areas are recognized in terms of a broad vision, but not as literal steps itemized at the Plan's original adoption in 2009.
- C 6-4: International tourists come to the area to view the natural wonders of the Gorge. They don't want to see just another manicured lawn with a few trees in it. If we make the area a place they want to see, they will encourage others from their countries to come and spend their tourist dollars in Niagara Falls.
- R 6-4: Comment noted. This comment will be considered during the final design phase when the size and location of mowed lawn areas will be determined. It should be noted that it is the intent of the Project to convert as much of the newly-expanded green space as practicable into natural areas for potential wildlife habitat using native plant species, as well as to minimize disruptions to existing natural areas.

IV.C.7. CATEGORY 7 - GENERAL

- C 7-1: Supports the Project.
- R 7-1: Comment noted.
- C 7-2: The division between the park created by the Parkway removal and the City of Niagara Falls should be invisible.



- R 7-2: Comment noted. It is the intent of the Project to remove all physical and perceived barriers between the newly-expanded, contiguous park/open areas and the adjacent neighborhoods in the City of Niagara Falls. That is a major objective of this Project, and that objective will be met.
- C 7-3: A refurbished Whirlpool Street will continue operation of the parkway north of Findlay Drive as a commuter route bypassing most of the business districts of Niagara Falls. Also, "stakeholders" beyond the Niagara area, including the thousands amassed by the Niagara Heritage Partnership (NHP) in favor of total removal of the RMP from Niagara Falls to Lewiston, should have been contacted.
- R 7-3: Regardless of whether or not the RMP would remain intact north of Findlay Drive, commuters would be moved closer to the primary business districts of Niagara Falls (i.e. Main Street, Third Street, Niagara Street, etc.) by moving all traffic from the RMP south of Findlay Drive to the local roadway system. As for notifications to stakeholders, the Project team amassed a database of interested parties during the original scoping process for the Niagara Gorge Scoping Project between 2010 and 2013, largely based on attendance at scoping meetings and written requests to be included on a contact list. This list, which included stakeholders located north of Findlay Drive as well as a full list of residents living within the immediate RMP Removal Project study area, was carried through the DR/EA process and refined to include additional meeting attendees as the Project progressed. It was this list that was utilized to send out invitations for public meetings and the public hearing during the DR/EA process.
- C 7-4: NHP agrees that NYPA funding for this project is appropriate, although they question why Niagara River Greenway monies are not also being considered since parkway removal and the restoration of natural gorge-rim landscapes are also appropriate in light of Greenway goals.
- R 7-4: Since the Project is largely located on lands owned by NYPA, and since NYPA has the funds available and has agreed to use those funds for the Project as proposed, it is unnecessary to pursue any further funding from the Niagara River Greenway Commission or any other agency or program. However, the area will continue to be eligible for future Greenway funding.
- C 7-5: What is the expected duration of the project once it begins?
- R 7-5: The target date for beginning construction at this time is March 2018. It is anticipated that construction will require 18 - 24 months to complete. The first portion of the construction phase would primarily be upgrading of Whirlpool and Third Streets, followed by removal of the RMP and then landscaping improvements within the parklands.
- C 7-6: We have both an obligation and an opportunity to protect and showcase our natural heritage for residents and visitors alike - now and for future generations to come.
- R 7-6: Comment noted. It is anticipated that the currently proposed RMP Removal Project will achieve these stated aims.
- C 7-7: Parks are what draw people to the area, while the residents need roads available and maintained to get them there.
- R 7-7: Comment noted.
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- C 7-8: The analyses performed for this Project appear to have adequately complied with all environmental requirements.
- R 7-8: Comment noted.
- C 7-9: Commenter suggests that all of the Report documents be posted online.
- R 7-9: Copies of the Design Report / Environmental Assessment are available on the State Parks website at the following link: <http://parks.ny.gov/inside-our-agency/public-documents.aspx>. The revised final version of this report will also be posted at the same site once completed.

CHAPTER V – REVISIONS TO THE DESIGN REPORT / ENVIRONMENTAL ASSESSMENT

The following revisions have been incorporated into the July 2016 DR/EA:

- Chapter 2 – Section 2.3.3.9. Utilities

1. On page 2-74, replace the first two paragraphs and Table 2-22 with the following:

There are no major private utilities running along the length of the RMP. However, there are several major City of Niagara Falls’ sewer lines (sewer overflows) crossing under the parkway near Chasm Avenue, Depot Avenue, Cleveland Avenue, Ashland Avenue and Walnut Avenue that outlet into the Niagara River.

Service connections for water, sewer and electric within the Project Study Area are provided for the facilities at the Niagara Gorge Discovery Center and Whirlpool State Park.

Along the other Project Study Area routes, the municipal and private utilities that are typically found in an urban area are also present. Utility type and owner information are presented in **Table 2-22**.

Table 2-22 - Existing Utilities

| Owner | Type |
|---------------------------|-------------|
| National Grid | Electric |
| National Fuel | Natural Gas |
| Verizon | Telephone |
| Time Warner Cable | Cable TV |
| Niagara Falls Water Board | Sewer |
| Niagara Falls Water Board | Water |



CHAPTER VI- FINAL SECTION 4(f) EVALUATION

On July 12, 2016, FHWA concurred with NYSDOT that there will be No Adverse Effect on cultural resources eligible for, or listed on, the National Register of Historic Places, the requirements of 36 CFR Part 800 have been met for this project and the Section 106 process was complete.

On November 18, 2016, FHWA made their final determination that there will be a de minimis use of several Section 4(f) properties as indicated below. No further evaluation will be required.

- a de minimis use at two recreational / parkland properties (including one that is only temporary);
- a de minimis use at two historic properties (including one that is also a recreational / parkland property that will result in no Section 4(f) use for that component);
- no Section 4(f) use at two recreational / parkland properties (including one that is also a historic property that will result in a de minimis use for that component); and
- no Section 4(f) use at four historic properties.

See **Part A Appendix iii – Additional FHWA Correspondence** for applicable correspondence related to this determination.

CHAPTER VII – LIST OF AGENCIES, ORGANIZATIONS AND PERSONS TO WHOM THE DR/EA WERE SENT

A list of the agencies, organizations and persons to whom the DR/EA were sent can be found in Part B, July 2016 DR/EA, Appendix Q.