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

Public Hearing
Design Report/
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:


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**
    - 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
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
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

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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
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 Aquarium of Niagara Gorge Discovery Center Schoellkopf Power Station Ruins DiFranco Park Downtown Niagara Falls Cultural District Gorge Discovery Center Aquarium of Niagara Schoellkopf Power Station Ruins
Proposed Aquarium of Niagara Gorge Discovery Center

Schoellkopf Power Station Ruins

DiFranco Park

Aquarium of Niagara

Gorge Discovery Center

Downtown Niagara Falls

Cultural District
Downtown Niagara Falls

Aquarium of Niagara Gorge Discovery Center

Schoellkopf Power Station Ruins

DiFranco Park

Cultural District

Proposed
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 1st – July 31st )
  - 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
Proposed service driveway easement from Niagara Falls Bridge Commission to NYSDOT.
Right-of-Way

Proposed service driveway easement from Aquarium of Niagara to City of Niagara Falls & Niagara Falls Water Board

Proposed service driveway easement from NYPA to City of Niagara Falls & Niagara Falls Water Board
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
Next Steps / Schedule

- End of Comment Period: Sept 9, 2016
- Final DR/EA: Nov 2016
- FONSI: Dec 2016
- Final Design: Jan – Dec 2017
- Bids: Jan 2018
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