



CHAPTER 1 – EXECUTIVE SUMMARY

1.1. Introduction

The New York State Office of Parks, Recreation and Historic Preservation ("State Parks"), in partnership with the New York State Department of Transportation (NYSDOT), the City of Niagara Falls, USA Niagara Development Corporation (USAN), and the New York Power Authority (NYPA) has proposed construction of the Robert Moses Parkway (RMP) Removal Project: Main Street to Findlay Drive, Niagara Falls, NY (referenced throughout as "the RMP Removal Project" or "the Project"). The Project involves the removal of the existing RMP between Main Street and Findlay Drive, a distance of almost 2.0 miles, and the reconstruction of Third Street and Whirlpool Street which, in combination, parallel the RMP along this segment. The Project is primarily a highway modification project identified by NYSDOT Project Identification Number (PIN) 5761.90.

This Project is the result of a scoping process that had been conducted for a six-mile Robert Moses Parkway – North Segment Project (a.k.a., Niagara Gorge Corridor [NGC] Project). The *Niagara Gorge Corridor Project: Final Scoping Report* was released in October 2013, thereby completing the scoping process. That document confirmed the intent to advance a project between Main Street and Findlay Drive as a first phase project. As a result of the scoping process conducted for the NGC Project, and as agreed to by the partner agencies proposing the Project, it was determined that a project between Main Street and Findlay Drive should be advanced as a separate action through the environmental documentation process pursuant to the National Environmental Policy Act (NEPA). It has been concluded that such project meets the criteria for evaluation in a NEPA document as stated in 23 CFR 777.111(f) in regards to logical termini, independent utility and not restricting consideration of alternatives for other reasonably foreseeable transportation improvements.

The proposed RMP Removal Project between Main Street and Findlay Drive 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.

This DR/EA was prepared in accordance with the NYSDOT *Project Development Manual*, NYSDOT *Procedures for Implementation of State Environmental Quality Review Act* (17 NYCRR [New York Codes, Rules and Regulations] Part 15), and FHWA regulations *Environmental Impact and Related Procedures* (23 CFR Part 771). In accordance with 17 NYCRR Part 15, the NEPA and SEQR processes for this Project are being coordinated; therefore, a single DR/EA being prepared to satisfy NEPA can be used to satisfy the SEQR documentation requirement as well, although a Negative Declaration must still be prepared by the SEQR Lead Agency (i.e., State Parks) and other SEQR Involved Agencies, as appropriate.

1.2. Purpose and Need

1.2.1. Where is the Project Located?

The Project is located in the southwestern portion of Niagara County within the western New York State region. The approximately two-mile long Project Study Area (a.k.a., “Project Area”), as shown in **Figure 1-1**, 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. A more detailed Project Area map is shown in **Figure 1-2**. Beginning at Main Street in the City of Niagara Falls, the proposed Project extends from 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 Study Area is roughly defined by the following, although its limits may vary slightly depending on the specific study discipline or resource:

- an imaginary line 1,000 feet north of, and parallel to Findlay Drive to the north;
- Main Street and Third Street to the east;
- Niagara Street to the south; and
- the Niagara Gorge rim to the west.

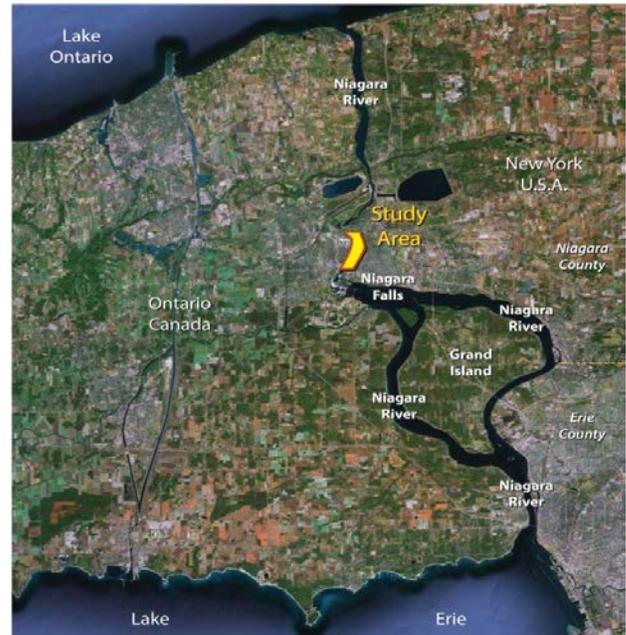
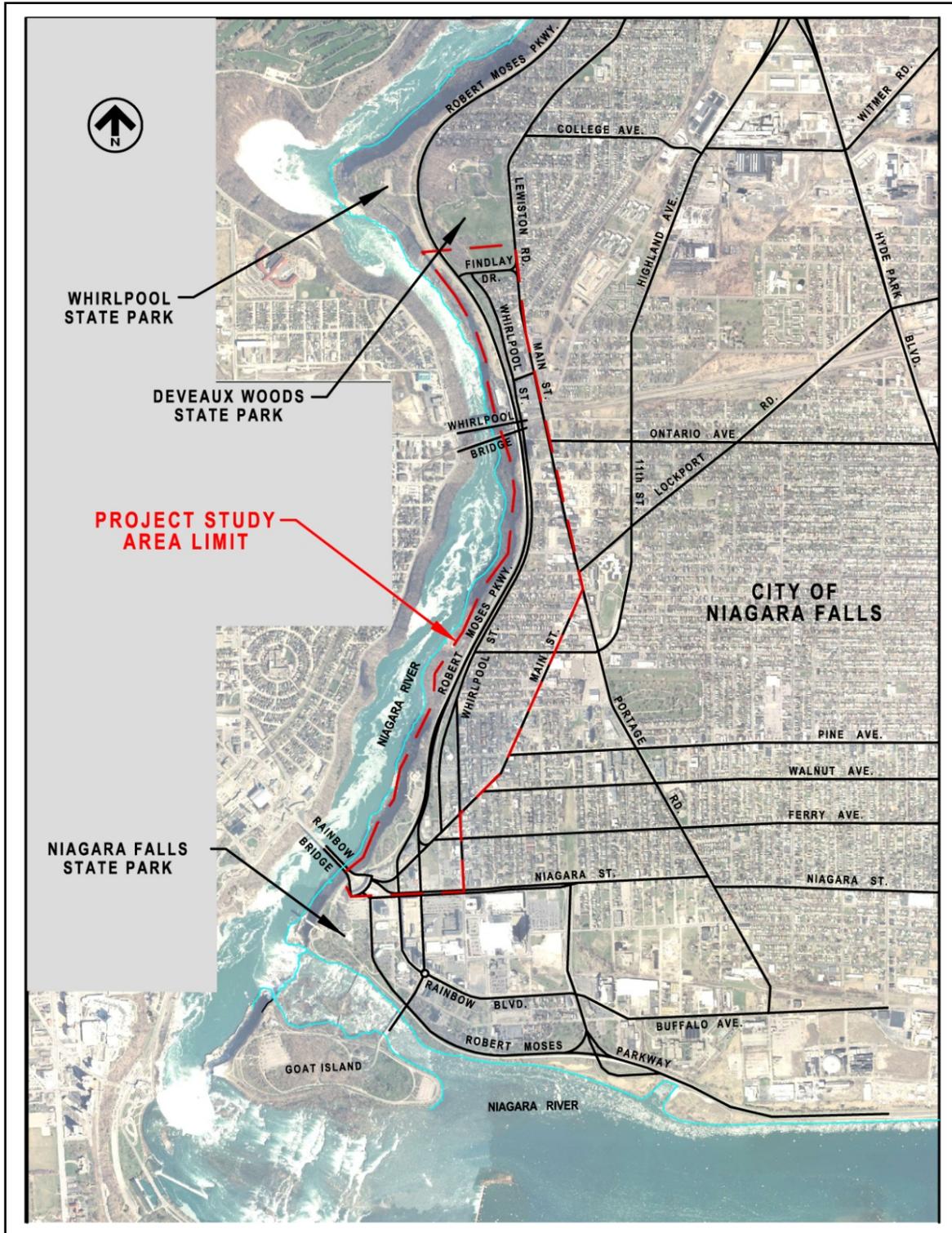


Figure 1-1 - Project Area Map

This Project Study Area includes both the RMP and Third Street / Whirlpool Street as shown in **Figure 1-2**. Improvements along these roadways are specifically proposed as part of this Project. It should be noted that the traffic study limits extend beyond the Project Study Area delineated in **Figure 1-2**, encompassing several of the major roadways shown on the overall graphic.

Figure 1-2 – Project Location Map





The segment of the RMP that passes from south to north through the Project Study Area is part of the New York State Parkway System. As such, the RMP is owned by State Parks; however, it passes over lands that are in part owned by NYPA under their federal license to operate the Niagara Power Project, and is maintained by NYSDOT under an agreement with State Parks. As previously mentioned, the RMP segment in the Project Study Area is entirely within the City of Niagara Falls, and its southern end is within the downtown development district in which economic development initiatives are advanced by USAN.

Like all facilities in the State Parkway System, the RMP is a limited-access roadway that for the most part contains the design features of an expressway or freeway, although selected segments of the RMP have been reconfigured over the past three decades. In accordance with New York State regulations at 9 NYCRR 397.3, no commercial trucks are permitted on the RMP, although buses and recreational vehicles with commercial licenses are allowed, provided their immediate destination is a park facility under the jurisdiction of State Parks. Within the Project Study Area, the RMP is designated as NYS Route 957A and is classified as a Principal Arterial/Expressway. It currently includes a bridge over an access road to the Niagara Falls Sewage Pumping Station (Sewage Plant Road) located opposite Spruce Street and a major viaduct adjacent to Whirlpool Street that crosses over the Whirlpool Bridge crossing to Canada, the CSX Railroad, and an abandoned railroad bridge.

Also included in the Project Study Area are the northern segment of Third Street (i.e., between Main Street and Cedar Avenue) and the entirety of Whirlpool Street. In combination, these two roadways provide an alternative and parallel local street route to the RMP through the Project Study Area.

1.2.2. Why is the Project Needed?

Since the RMP was completed more than 50 years ago, the surrounding community and parklands have experienced significant changes that have led to a re-examination of the purpose and need for this limited access highway. As originally conceived, the RMP was to have provided a scenic and efficient route for vehicular travel between nearby parks, communities and attractions. The RMP was designed to be part of a parkway system along the Niagara River and the Lake Ontario shoreline that would link communities from Niagara Falls to Rochester and beyond. The RMP and the Lake Ontario State Parkway (LOSP) further to the east were designed to accommodate anticipated significant growth in the number of local residents and visitors to the region. In Niagara Falls, the RMP was built to serve the motorized transportation needs of a community that was more than twice as large as it is today. Completion of the whole parkway system was never realized and a gap of nearly thirty miles exists along the south shore of Lake Ontario between the northern terminus of the RMP at Fourmile Creek State Park and the entrance to the LOSP at Lakeside State Park.

Today the needs and concerns of the region have changed significantly from the early 1960's when the RMP was constructed. Rather than experiencing continued growth following construction of the RMP, the city's population has decreased by more than 50% since that time. As a result, the original four-lane limited access highway, which was once envisioned to carry a multitude of motorists, is now underutilized.



Economic development and support for the local business community are currently near the top of the list of community concerns. Preservation and restoration of the upper rim of the Niagara Gorge, one of the region's most cherished resources, as well as unimpeded pedestrian/bicycle access to the Gorge rim from neighborhoods adjoining the RMP (which for safety reasons are fully cut off, except at a few locations), are now considered just as important as, or more important than, the need to maintain an underutilized and oversized transportation system. In addition, the growth in cycling and walking has led to increased efforts to provide suitable and sustainable multimodal routes.

The changes in community goals, decreases in population and increased awareness of the natural environment, along with a nearby robust transportation system, have all cast a shadow on the continued usefulness of the existing RMP.

Questions about the RMP are not new. Numerous economic development studies, planning documents, and public interest group documents have debated the future of, and the need for the RMP, and/or have specifically proposed the redesign or elimination of the RMP. These include the *Comprehensive Plan for the City of Niagara Falls* (2009), the *City of Niagara Falls Niagara River Greenway Vision and Proposed Projects* (2006), the *Niagara River Greenway Plan* (2007), and the USAN's *Downtown Niagara Falls Multimodal Access Program* (2005), among others. The future of the RMP was also debated at a forum hosted by Niagara University during 2003 and has been discussed on many community websites. Wild Ones (a native plant and natural landscape advocacy group) also released a report called "Regional Economic Growth through Ecological Restoration of the Niagara Gorge Rim", prepared by EDR Companies, in late 2011.

To better determine how changes to the RMP might affect the area, State Parks completed a two-year pilot project to study the effects of reducing the RMP to one lane in each direction along the existing northbound pavement between the Niagara Gorge Discovery Center and the Niagara Power Project, located north of the current Project Study Area. The abandoned southbound lanes were left in place and opened for use by bicyclists and pedestrians as a multi-use trail known as the "Robert Moses Parkway Trail." The RMP was reconfigured in September of 2001 and in December of 2003 the Pilot Project Evaluation Report was published. This report noted that travel time within the study area increased by only two minutes while accidents and emissions were reduced. The report concluded that a reduced speed, two-lane configuration was adequate to serve the motorized transportation needs for both today and in the future.

Since 2003, the two-lane section of the RMP has continued to serve motor vehicles despite some growing concerns regarding operational, safety and environmental issues. The conversion of the closed southbound lanes to the Robert Moses Parkway Trail has also received a fair amount of criticism as well. Many people simply do not like the utilitarian feel of the converted expressway lanes. Because it uses the full width of the former southbound lanes, the pathway is oversized, lacks integration with the existing natural environment, and provides no increased level of access to adjoining neighborhoods (i.e., still limited to a few overpass bridges in roughly five miles along the Gorge). The pilot project also did little to improve park access for the local residents, restore the natural environment, or encourage park visitors to venture away from the RMP into the City of Niagara Falls' business districts.



However, the current RMP is also considered a critical physical road link between the state park facilities located along the Niagara Gorge rim and the multitude of existing and proposed attractions in Niagara Falls and beyond. The parks immediately located along the RMP within the Project Study Area include Niagara Falls State Park, Whirlpool State Park, DeVeaux Woods State Park, and designated recreational lands owned by NYPA as part of their license to operate the Niagara Power Project. In combination, these parks and recreational lands create a large contiguous area of green space along the Gorge rim for the entirety of the Project Study Area and beyond. Unfortunately, much of this green space is not directly accessible to local neighborhoods due to the presence of the RMP and pedestrian and bicycle access is limited to only a few locations.

The need for removal of the RMP to help reconnect the City of Niagara Falls to the Niagara Gorge is greater now than it ever has been. The City has completed or is in the process of completing many new projects that will help revitalize the local business districts and bring additional visitors to the area. Since its completion, the RMP has been seen as a physical barrier effectively cutting off the city from the waterfront. The existing parkway system would need to be reconfigured to create the connections desired by the City.

The Project also needs to meet the Niagara Greenway Commission's vision to celebrate and interpret our unique natural, cultural, recreational, scenic and heritage resources in the NGC and provide access to, and connections between these important resources while giving rise to economic opportunities for the region.

This Project has been proposed to address the future transportation needs for park visitors, commuters and people from the surrounding communities while improving the park environment and providing additional access to the Niagara Gorge from the adjacent communities.

1.2.3. What are the Objectives / Purposes of the Project?

This Project has been proposed to address the future transportation needs of the park visitors, commuters, bicyclists, hikers and people from the surrounding communities while considering how to balance those transportation needs with the goal to improve the park area environment, provide better access to the Niagara Gorge from the adjacent communities and enhance opportunities for sustainable economic development. Presented below is a discussion of deficiencies and needs related to the Project, followed by a discussion of objectives for the Project.

1.2.3.1. Need Statement

The Project Study Area, particularly in areas along the Niagara Gorge, exhibits several deficiencies / needs as listed and described below:

- *The total number of travel lanes that parallel the Niagara Gorge far exceeds the traffic demand in the existing condition as well as in the future.* Most transportation projects are undertaken due to a deficiency of adequate capacity to handle the existing and projected traffic volumes. The configuration of the RMP and adjacent roadways within the corridor, however, currently provides



an over-abundance of travel lanes for vehicles that traverse the area. In some locations, there are eight travel lanes available (including the former southbound RMP lanes currently used as the Robert Moses Parkway Trail), which is more than what is needed. For instance, in either peak hour (i.e., AM or PM), it is projected that no more than 1,200 vehicles in both directions would use the three major north-south roadways combined within the Project Study Area (i.e., RMP, Third Street / Whirlpool Street and Main Street) in the 2040 No-Build condition. As a result, there is more roadway pavement in place than is necessary, thereby resulting in unnecessary additional cost to maintain, and land currently occupied by roadway that could be put to other, more efficient and beneficial uses. In turn, the impervious coverage created by this pavement serves to continue to impair the ecology of the Niagara Gorge and the Niagara River through contaminated stormwater runoff, fragmentation of habitat areas, and absorption of heat. Therefore, the purpose of the proposed Project in this regard would be to reduce the number of vehicular lanes in the Project limits to only that needed to support projected traffic by removing the RMP and shifting traffic to local roadways, thereby reducing overall maintenance costs, providing the ability to create additional land for more productive recreational use, and lessening adverse environmental effects to the Gorge and River ecology.

- *There are limited points of access between the adjacent neighborhoods and the Niagara Gorge rim, thereby restricting the amount of local usage of this great natural resource.* In the Project Study Area, there are only three locations where local, regional and nationwide populations can directly access the Gorge rim and areas to the west of the RMP (i.e., via the Robert Moses Parkway Trail at Main Street and Rainbow Boulevard, via a pedestrian bridge at the Aquarium of Niagara and via the converted RMP off-ramp below the RMP viaduct near the Whirlpool Bridge). An additional point of access, however, is located north of the Project Study Area at the at-grade pedestrian crosswalk between Whirlpool and DeVeaux Woods State Parks. As a result, despite the proximity of the Gorge rim, people's ability to actually enjoy the recreational and scenic opportunities of the Gorge and the Lower Niagara River is limited. The need to reconnect the City and the Region to its waterfront via the removal of the RMP is an important element of the *Niagara Falls Comprehensive Plan* and the City of Niagara Falls Greenway Vision. Therefore, the purpose of the Project in this regard would be to provide continuous access between the adjacent residential and commercial area and the Niagara Gorge rim by removing all physical barriers along the entire length of the Project Area.
- *The Project Area lacks a continuous trail network that links together existing and proposed attractions, parks, trails, cultural/historic sites and adjacent neighborhoods in a more natural park-like setting.* Although the Robert Moses Parkway Trail provides for the exclusive use of bicyclists and pedestrians and is separated from the vehicular portion of the RMP by a grassed median, it still has the appearance of half of an expressway. In addition, as noted above, there are only limited points of access between adjoining City neighborhoods and the Robert Moses Parkway Trail and Niagara Gorge rim. The need for a continuous bicycle and pedestrian trail system along the Niagara Falls waterfront, including the Project Study Area, was also identified in the City of



Niagara Falls Greenway Vision, the *Niagara River Greenway Plan* and the *Niagara Falls National Heritage Area Management Plan*. Therefore, the purpose of the Project in this regard would be to provide an attractive trail network for bicyclists and pedestrians along the entire length of the Niagara Gorge from Main Street to Findlay Drive, which would also connect to other existing trail networks into the Gorge and with all streets in adjoining City of Niagara Falls neighborhoods.

- *Although not technically a transportation deficiency, there is a need to promote economic development and tourism within the corridor.* The *Niagara Falls Comprehensive Plan*, the *Erie-Niagara Framework for Regional Growth*, the *One Region Forward Regional Plan for Sustainable Development* and other policy documents promulgated by the State's Niagara Falls-based economic development agency (USAN) all identify this as an important need, especially in light of the City's ongoing economic struggles. The existing configuration of the RMP in the Project Area actually impedes addressing this need. This is because it minimizes opportunities to realize appropriately-scaled, sustainable development in the City that capitalizes on proximity to the Gorge and the Niagara River in a manner that could extend visitor stays and create associated economic benefits. Therefore, the purpose of the Project in this regard would restore the Niagara Gorge rim within the project limits by removing the RMP to allow for further active/passive recreational enjoyment, and to help transform business districts in the Project Study Area to best complement and capitalize on the proximity to these natural/recreational assets.

The deficiencies and needs presented above are oriented toward improvement of the overall transportation system located within and in proximity to the corridor, as well as enhancement of the recreational, visual and economic opportunities of the corridor. The needs would be met with the construction of the proposed Project between Main Street and Findlay Drive. The Project Area extends north of Niagara Falls State Park (which attracts 9 million annual visitors) and downtown Niagara Falls (i.e., the primary location for lodging and dining facilities). In turn, the Project Area immediately runs along some of the City of Niagara Falls' most densely developed neighborhoods, and would open direct Gorge/waterfront recreational access to its entire ~50,000 residents.

Removal of pavement associated with the existing RMP would add 6.7 acres to the contiguous parkland / green space that currently exists along the Gorge rim within the Project Study Area.¹ This action would also allow 13.4 acres of isolated parcels east of the RMP to be annexed as part of the total contiguous parkland / green space within the Project Study Area. In combination, these enhancements would add a total of 20.1 acres to the contiguous parkland / green space that currently exists west of the RMP. As a result, the current total of 116.7 acres of contiguous parkland / green space within the Project Study Area would increase to 136.8 acres, comprising a wide, fully-accessible green ribbon connecting Niagara Falls State Park and Whirlpool State Park.

¹ Although total pavement removal would be 12.4 acres when the existing Robert Moses Parkway Trail on the former southbound lanes of the RMP is also taken into account, the pavement associated with this trail is already considered to be recreational land due to its purpose as a bicycle and pedestrian facility.



As indicated above, the purpose of the proposed Project between Main Street and Findlay Drive is to directly address these deficiencies and needs.

1.2.3.2. Project Objectives

Based on the needs described above, a final list of five basic Project Objectives was prepared and listed in the Final Scoping Report, each with its own set of sub-objectives. The ability of the Project to achieve the five basic objectives and to fulfill the Purpose and Need is addressed below.

- **Improve access and transportation** – Direct multi-modal access from City neighborhoods along the Niagara Gorge rim in the Project Study Area and associated open space lands would be improved by the removal of RMP pavement, safety appurtenances and other physical barriers between Main Street and Findlay Drive. As a result, continuous visual and physical access would be provided along this entire segment. Access within the open space lands would also be improved with construction of an attractive system of trails designed to accommodate pedestrians and bicycles, and connect to existing trails along the Gorge rim and within the Gorge itself. Localized multi-modal transportation conditions within the area would also be improved through new streetscape and landscape amenities included as part of the reconstruction of Whirlpool Street and Third Street in the Project Study Area. Enhancements, including road features to facilitate traffic calming and potential future public transit access, wider grass verge/snow storage areas, pedestrian amenities (e.g., wider sidewalks, designated crosswalks, and curb bulb-outs at major intersections), lighting, street trees, and signage would be incorporated into the Project design to make it more desirable for both drivers and local residents. Therefore, this overall objective would be met.
- **Promote and conserve the ecology and environment of the Project Area** – Environmental conditions along the state parks and NYPA open space lands would be improved by elimination of pavement, bridges, and other impervious areas/structures of the RMP between Main Street and Findlay Drive. In this regard, all areas where pavement from the existing RMP and access roadways are proposed to be removed would be appropriately restored with native vegetation that would further enhance water quality (by naturally filtering storm water runoff), habitat connectivity, and the aesthetics of the entire setting of the Gorge rim in this segment. The removal of pavement and restoration of such lands with a new multi-use trail network (likely constructed from porous pavement) and native vegetation would expand the areas that can be used for enjoying the region's natural and scenic beauty. In addition, the improved pedestrian and bicycle access to, from, and along the Gorge rim, connecting to scenic overlooks and trailheads leading down into the Gorge, would further promote the opportunities to enjoy these natural features. Such improvements and integration of the RMP lands between Main Street and Findlay Drive into a well-configured chain of parks, open spaces and cultural/historic sites along the Niagara Gorge would also help to promote eco-tourism and heritage tourism in the area. Therefore, this overall objective would be met.



- **Support economic vitality** – The Project would fully redefine business districts near the Niagara Gorge, yet would still maintain existing access to communities north of the Project Area. This would ultimately promote a transformation of the area that would contribute to neighborhood economic stability through increased visitation by recreational users of the Gorge and Gorge rim. The improved accessibility, sustainability, and visual conditions resulting from the Project, a corridor which is very close to the center of the tourist activity in the immediate region, could potentially contribute to the overall attractiveness of the City of Niagara Falls and Western New York as a tourist destination. The removal of the RMP (and its associated grade separation, barriers, and fences) would facilitate intuitive way-finding along the Gorge from Main Street to Findlay Drive, with Whirlpool Street essentially operating as a “Gorge-front” boulevard and promenade. Therefore, this overall objective would be met.
- **Minimize impacts to adjacent neighborhoods** -- Whirlpool Street would largely serve as the boundary between the State Parks / NYPA open space lands along the Gorge and adjacent residential neighborhoods, and would accommodate most north-south vehicular access between Main Street and Findlay Drive. This at-grade road would be designed as a “Complete Street” to proactively accommodate pedestrian, bicycle, and transit access in proper balance with vehicular access, and done so in a manner that would be visually pleasing to properly complement the world-class natural setting along the Gorge. Whirlpool Street would be completely reconstructed to provide traffic calming features (e.g., avoiding excessively wide travel lanes, providing curb bulb-outs at certain intersections, etc.), on-street parking where appropriate, a wide verge area where possible, and a complete new streetscape, including new sidewalks, street lighting, and landscaping . These improvements would enhance the visual appearance, perception of safety, and functionality of the overall neighborhood setting along Whirlpool Street. Therefore, this overall objective would be met.
- **Support Niagara River Greenway Plan and Other Local/Regional Policy Documents** – The proposed improvements between Main Street and Findlay Drive would help to facilitate access along and to the Niagara River region’s many resources. Facilitating the establishment of a single, well-designed, and properly-scaled at-grade road and associated trail/open space connections among parks, destinations, and sites on the Gorge rim between Main Street and Findlay Drive would represent the largest individual step in the region to date toward the realization of a planned Niagara River Greenway. The proposed improvements would also contribute toward the celebration and interpretation of the Niagara Gorge’s unique natural, cultural, recreational, scenic and heritage resources, all of which are addressed in the Niagara River Greenway Plan, as well as other local and regional policy documents including but not limited to the *Niagara Falls National Heritage Area Management Plan*, NYPA’s Land Management Plan and Recreation Plan for the Niagara Power Project and the *Niagara Falls Comprehensive Plan*. Therefore, this overall objective would be met.



1.3. What Alternative(s) Are Being Considered?

A number of alternatives for reconfiguring/removing segments of the RMP have been developed and considered over the past several years, beginning with those developed and presented during the scoping process for the entire NGC between Main Street in Niagara Falls and Center Street in Lewiston. Once it was determined that a shorter, first-phase Project corridor between Main Street and Findlay Drive in Niagara Falls demonstrated logical termini and independent utility, and would not restrict consideration of alternatives for other reasonably foreseeable transportation improvements, only the alternatives related to this currently proposed two-mile long project were considered in this DR/EA. A full discussion of all alternatives considered is provided in **Chapter 3**.

After consideration of a number of alignment features along the Project limits, two alternatives have been carried forward for detailed assessment in this DR/EA document and Section 4(f) Evaluation: a “No-Build Alternative” and a “Build Alternative” (a.k.a., the “proposed Project” or simply the “Project”). A brief description of the two alternatives is presented below.

No-Build Alternative

The No-Build Alternative is established as a baseline against which the “Build Alternative” is compared. Under the No-Build Alternative, all built features of the RMP would remain in place between Main Street and Findlay Drive. This would involve continuation of the current use/alignment established under the 2000 “Pilot Project”, including use of the former southbound expressway lanes as the “Robert Moses Parkway Trail”; use of the former northbound expressway lanes as a single, two-way, 40-mile-per-hour (MPH) highway; and continuation of all other existing expressway features, such as the Whirlpool Bridge overpass, pedestrian bridges, and access prevention from adjoining neighborhoods (e.g., fencing, guiderails, grade separation, etc.). In turn, the existing four-lane alignments of Whirlpool Street and Third Street would remain directly adjacent the RMP between Main Street and Findlay Drive.

Build Alternative

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

- Reconstruction of Whirlpool Street from Main Street to Walnut Avenue and from Cedar Avenue to Findlay Drive as an at-grade, two-lane, 30-MPH road to accommodate north-south vehicular and potential future bus access, and removal of Whirlpool Street from Cedar Avenue to Walnut Avenue;
- Reconstruction of Third Street from Main Street to Cedar Avenue in a manner consistent with that of Whirlpool Street;
- Restoration of the landscape / habitat on lands reclaimed along the Niagara Gorge rim from the removal of the RMP with native species;



- Construction of a pedestrian / bicycle trail network along the Gorge rim, connecting to other trail systems and adjoining neighborhoods; and
- Incorporation of amenities / betterments associated with the above improvements.

Detailed plans, profiles, typical sections and select cross-sections for the Build Alternative are presented in **Appendix A**.

1.4. How Will the Alternative(s) Affect the Environment?

1.4.1. Summary of Impacts

No major social, economic, or environmental impacts related to the Build Alternative (a.k.a., the “proposed Project” or “Project”) have been identified during DR/EA preparation. For the most part, changes proposed under the Build Alternative do not include items that typically result in environmental impacts such as the addition of more travel lanes, major road re-alignments or large land developments that generate substantial increases in traffic. In fact, the Build Alternative includes the elimination and removal of existing travel lanes associated with the RMP and the reconstruction of Whirlpool / Third Streets in the Project Area along their existing alignments. In turn, a detailed traffic analysis indicated that redistribution of RMP traffic to the local road network would not result in any significant impacts to operations through the year 2040.

For purposes of the DR/EA, the No-Build Alternative has also been considered so as to compare social, economic and environmental conditions associated with not constructing the Project with those related to construction of the Project.

The results of the studies comparing social, economic and environmental impacts of the No-Build and Build Alternatives are presented in detail in **Chapter 4** of this document and are summarized in **Table 1.1** below.



Table 1-1 – Summary of Impacts

Impact Category	Resource Type	Impacts	
		No-Build	Build Alternative
Social	Land Use	No direct change. No indirect redevelopment potential.	Improve use of and accessibility to parkland. Indirect redevelopment potential.
	Demographics	No direct change to continuing outmigration of population.	No direct change, but potential to improve quality of life to slow outmigration of population.
	Planning / Zoning	Would not allow existing City plans to be achieved.	Would allow existing City plans to be achieved.
	Community Cohesion	No change in accessibility to parklands or community cohesion.	Improved accessibility to parklands and resulting improved community cohesion. Minor disruptions during construction.
	Home / Business Relocations	None.	None.
	Social Groups / Environmental Justice	No change in existing services or conditions to target populations.	Increased opportunity for target populations to access parklands. Enhanced bicycle / pedestrian use. No disproportionately high / adverse impacts to EJ populations.
	Schools / Places of Worship / Community Facilities	No change in existing traffic levels (and associated safety concerns), other than normal growth.	No impact to schools or places of worship. Potential minor disruptions to County Court Building during construction..
Economic	Regional and Local Economies	No change. No construction expenditures to generate short-term employment and income. Continued opportunity cost of not capitalizing on City's proximity to Niagara Gorge.	Potential for positive effects on regional and local economies during construction. Citywide, has the potential to change image of Niagara Falls that could result in significant economic benefits in long term.
	Businesses / Business Districts	No change, except as result of continued economic struggles.	Minor disturbances to selected businesses near Whirlpool / Third Streets during construction. Potential minor short-term spending benefits for local businesses. Long-term potential to transform the economic setting / context of Main Street and north side of downtown by eliminating physical and psychological barrier to Niagara Gorge.
Environment	Wetlands	None.	None.
	Surface Waters / Navigable Waters	Continued short/long-term detrimental effects to Niagara River from runoff associated with impervious surfaces.	Reduction in runoff effects from removal of paved surfaces associated with the RMP and incorporation of ecologically-sustainable stormwater systems.
	Floodplains	None.	None.
	Aquifers / Wells	None.	None.



Impact Category	Resource Type	Impacts	
		No-Build	Build Alternative
	Stormwater Management	No change from existing drainage system. Continued short/long-term detrimental effects to Niagara River from runoff associated with impervious surfaces.	Disturbed areas would have closed ecologically-sustainable stormwater systems to treat runoff before being outlet into Niagara River. Multi-use paths would drain directly onto grasses / vegetated surfaces and/or be constructed of pervious pavement.
	Ecology / Wildlife	Continued short/long-term detrimental effects from fragmentation of habitat and proliferation of non-native invasive species.	Some temporary minor impacts to wildlife / vegetation during construction and demolition. No direct impact on significant natural communities, T&E species, aquatic species or critical environmental areas. Long-term benefits through removal of invasive vegetative species and restoration of Gorge rim with native species.
	Historic / Cultural Resources	No change. Continued adverse visual effects to context of the Old Customs House and several residential historic districts that pre-dated the RMP.	No direct / detrimental effect on any National Register listed or eligible historic or archaeological resources anticipated. Visual improvement to Old Customs House and two bridges across Niagara Gorge.
	Parks and Recreation Areas	No change from existing limited access to Gorge rim and parkland west of RMP. No improvement to bicycle / pedestrian access.	RMP pavement removal and annexation of isolated parcels east of RMP add 20.1 total acres to contiguous parkland. Improved access to Gorge and Gorge rim and improved bicycle/pedestrian access via new network of trails. .
	Visual Resources	No change.	All visual changes show an improvement on the current conditions within the project limits, with no notable negative impacts in the visual quality of the site.
	Air Quality	No change (area already in attainment for levels of all "criteria pollutants" under the U.S. Clean Air Act).	Given no significant traffic impacts, no measurable change in concentrations of ground-level carbon monoxide (CO) or any other criteria pollutants.
	Energy	Indirect energy similar to existing. Direct energy slightly higher.	Indirect energy to be reduced in long-term. Direct energy slightly higher than No Build.
	Noise	All receptors below impact threshold.	All receptors below impact threshold.
	Asbestos	None.	Further testing required for utilities to be disturbed / removed. Coordination and, if necessary, abatement at several sites during demolition activities.
	Hazardous Waste /	No disturbance.	Further site investigation may be



Impact Category	Resource Type	Impacts	
		No-Build	Build Alternative
	Contaminated Materials		required. Remediation Plan to be developed, as necessary.
	Construction Effects	None.	Short-term inconvenience, traffic disruption, construction noise and dust to nearby residents, businesses and recreational users.

1.4.2. Anticipated Permits / Certifications / Coordination

The following permit requirements are anticipated for this project.

NYSDEC:

- State Pollutant Discharge Elimination System (SPDES) General Permit
- Water Quality Certification (Sec 401) of the Clean Water Act

NYSDOS

- Coastal Zone Federal and State Consistency Certification

Coordination

- Coordination with NYSDEC
- Coordination with Federal Highway Administration
- Coordination with the Federal Energy Regulatory Commission (regarding consistency with NYPA's Land Management Plan and Recreation Plan for the Niagara Power Project)
- Consultation with New York State Historic Preservation Officer (SHPO)
- Coordination with the U.S. Fish and Wildlife Service
- Coordination with the New York Natural Heritage Program

Others

- Construction Staging Permit
- Local Permits



1.5. What Are the Costs and Schedules?

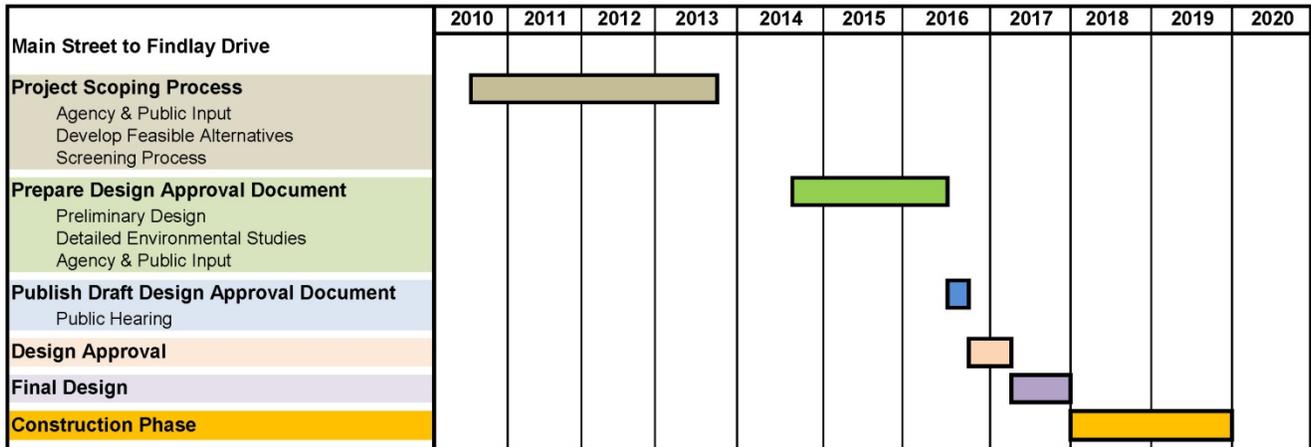
Preliminary estimates have been made for construction costs associated with the No-Build and Build Alternatives. Costs for the No-Build Alternative are limited to anticipated near-term maintenance costs associated with the RMP, Whirlpool Street and Third Street within the Project limits (i.e., Main Street to Findlay Drive). The estimates for the Build Alternative are based on the current preliminary level of design only. **Table 1-2** shows the preliminary cost estimates in 2015 dollars. More detailed cost estimates can be found in **Appendix C - Construction Cost Estimates**.

Table 1-2 – Preliminary Cost Estimates

	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
<i>Subtotal</i>	\$ 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
<i>Rounded Total</i>	\$5,000,000	\$ 35,000,000

Figure 1-3 shows the schedule anticipated for the Project.

Figure 1-3 - Schedule



1.6. Which is the Preferred Alternative?

The Preferred Alternative is the Build Alternative as presented in **Section 1.3**. The Build Alternative is also referred to as the “proposed Project” and/or the “Project” throughout the document.

1.7. Public and Stakeholder Involvement

1.7.1. Partner Agencies Coordination

A Memorandum of Understanding (MOU) was drafted and signed in May 2006 by key partner agencies for the Project including the City of Niagara Falls, State Parks, NYSDOT and USAN. In addition, while not a signatory to the MOU, NYPA has participated as a Project partner, given that they continue to own a majority of the land on which the RMP sits (and has provided funding together with other partner agencies for the various planning processes to date). The 2006 MOU set the basis among these agencies for moving various RMP proposals through public scoping and preliminary engineering (e.g., DR/EA process) in anticipation of subsequent construction funding decisions.²

The MOU clearly indicated the agencies’ intent to consider alternatives that had independent utility from other segments of the RMP, as well as the potential for a phased approach. In the latter regard, the first phase was defined as the Main Street to Findlay Drive segment of the RMP (i.e., the proposed Project under this DR/EA).

² It should be noted that Federal/State-funding was used for the Public Scoping Process that was completed in 2013, while NYPA funding has been used for undertaking this ongoing DR/EA process. On March 22, 2016, Governor Andrew M. Cuomo announced funding for the Project’s final design and construction phases, subject to completion of the environmental review process, from a combination of NYPA and State Parks sources.



Day-to-day management of the preliminary engineering activities leading to this Draft DR/EA has been conducted with key design/planning staff of the Partner agencies and the consultant engineering team. These meetings have been conducted largely on a bi-weekly basis since inception of the proposed Project to coordinate schedule/milestones, provide preliminary feedback on Project components, and provide the first line of coordination on interagency issues (e.g., historic/archaeological resources consultation, coordination of effects to park/recreational resources under each agency's jurisdiction, considerations regarding future jurisdiction/maintenance responsibilities of Project improvements, etc.).

In addition, periodic coordination meetings have been held with executive members of the Partner agencies over the course of the DR/EA process, as discussed below:

- *Partner Agency Meeting No. 1* (December 12, 2014) – The first meeting that occurred after completion of the Project scoping process was held on December 12, 2014. At this meeting, based on feedback received during scoping and further studies, it was agreed that a single alternative, the Build Alternative, would be advanced. Three separate concepts for this alternative were presented and discussed at the meeting.
- *Partner Agency Meeting No. 2* (January 27, 2015) – This meeting was held on January 27, 2015. Details of the three concepts developed for the Build Alternative were further discussed and, as appropriate, revisions related to each one were suggested. Plans for an upcoming public information meeting were also discussed.
- *Partner Agency Meeting No. 3* (May 28, 2015) – This meeting was held on May 28, 2015. Much of this meeting focused on the results of the public information meeting held on February 19, 2015 (see discussion of Public Information Meeting No. 1 in **Section 1.7.3** below).

1.7.2. Project Scoping

A scoping process was initiated in 2010 to address the future of the then-proposed six-mile Robert Moses Parkway – North Segment (a.k.a., Niagara Gorge Corridor [NGC] Project), and guide development of transportation system alternatives that meet the desires of the area stakeholders, foster economic development, preserve and enhance the area's environmental assets and showcase the region's tourism assets. Following an initial meeting of the Project team and the MOU members in August 2010, three separate stakeholder meetings were held in October 2010. The three meetings were scheduled to focus the concerns that may be held by three separate categories of stakeholders.

- *Municipal / Village Representatives Meeting held on October 1, 2010* (including stakeholders: Niagara County Department of Public Works; Village of Lewiston; Niagara Falls Central School District; and Town of Lewiston)
- *Elected Officials / Public Agencies Meeting held on October 21, 2010* (including stakeholders: New York State Senator Maziarz; Assemblywoman DeMonte's Office; New York State Department of Environmental Conservation [Permits]; Niagara River Greenway Commission;



Niagara Falls Bridge Commission; New York Power Authority; U.S. Border Patrol; Greater Buffalo Niagara Regional Traffic Council; and USA Niagara Development Corporation).

- *Cultural, Commercial and Environmental Groups Meeting held on October 27, 2010* (including stakeholders: Cataract Tours; One Niagara; Laborer's Local #91; Niagara Falls Tourism Board; Niagara Majestic; Niagara Falls Block Club Council; Sierra Club; Parkway Preservation Committee; Wild Ones Niagara; Niagara Frontier Wildlife Habitat Council; Niagara University; Main Street Business and Professional Association; Buffalo Audubon Society; Niagara River Region Chamber of Commerce; Artpark; Upper Mountain Fire Department; Aquarium of Niagara; Old Fort Niagara; EDR Companies; Preserve De Veaux; Niagara County Environmental Management Council; Bedore Tours, Inc.; Niagara Heritage Partnership; Buffalo Niagara River Keeper; Niagara Falls High School; New York State Assembly 138th District; USA Niagara Development Corporation; and City of Niagara Falls).

In addition to the initial stakeholder meetings, several public scoping meetings and additional stakeholder meetings were also held over the next 2½ years;

- *Public Scoping Meeting No. 1 held on November 30, 2010* (attended by approximately 250 people; a total of 179 verbal and written comments received).
- *Subsequent Stakeholder Meeting held on May 26, 2011* (attended by representatives from Senator Maziarz's Office; Senator Grisanti's Office; City of Niagara Falls Mayor, City of Niagara Falls Planning Office; Village of Lewiston; Niagara Falls School District; USA Niagara Development Corporation; Niagara Frontier Publications; Parkway Preservation Committee; Niagara Falls Bridge Commission; New York Power Authority; U.S. Border Patrol; and Greater Buffalo Niagara Region Traffic Council).
- *Public Scoping Meeting No. 2 held on June 6 2011* (attended by more than 160 people; a total of 173 comments / matrix score sheets received).
- *Public Open House held on February 20, 2013* (held in conjunction with release of Draft Scoping Report; attended by approximately 100 people; a total of 145 comments received during and after the open house).

1.7.3. DR/EA Public Involvement for the Proposed Project

Since advancing the Project between Main Street and Findlay Drive into the DR/EA process, a number of public involvement activities have been undertaken. These activities are presented below.

Stakeholder Meetings

Separate meetings with a variety of stakeholders, including the Partner agencies, have been conducted by the engineering / environmental consultant for the DR/EA process. These meetings were conducted either in person or by telephone. The primary purposes of these meetings were to obtain any insights on the Project, discuss potential issues from the perspective of each stakeholder and identify any proposed



projects or improvements that each stakeholder may be undertaking. These stakeholder meetings are listed below:

- *Telephone Meeting with Niagara Falls Bridge Commission (August 18, 2014)*
- *Meeting with Aquarium of Niagara (August 27, 2014)*
- *Meeting with City of Niagara Falls, Planning and Environmental Services (August 27, 2014)*
- *Meeting with USA Niagara (August 27, 2014)*
- *Meeting with State Parks (September 16, 2014)*
- *Meeting with City of Niagara Falls, Engineering Department (August 5, 2015)*
- *Meeting with Niagara Falls Water Board (August 7, 2015)*

Public Information Meeting No. 1

On February 19, 2015, a public information meeting, also referred to as an open house, was held at the Conference and Events Center Niagara Falls at 101 Old Falls Street, Niagara Falls, NY. The purpose of the meeting was to present preliminary concept alternatives for the Project proposed between Main Street and Findlay Drive, and to receive feedback from the public on the Project. Several design concepts for achieving the removal of the RMP were presented during the meeting, and the public voiced its preference for a stop sign on Findlay Drive rather than Whirlpool Street. This meeting served as the first formal introduction to the general public of the Project as currently proposed.

The meeting ran from 3:00 PM to 8:00 PM, with a presentation on details of the Project at both 4:00 PM and 6:00 PM. Before and after each presentation, the public was provided with an opportunity to review the latest designs, ask questions informally and provide input to Project designers and agency representatives. Attendance during the five-hour open house totaled 87 people. Written comments were accepted until after the comment period ended on March 31, 2015, with a total of 82 comments received.

The meeting was advertised via a newspaper announcement / article in the *Niagara Gazette* on February 8, 2015. In addition, a meeting announcement in postcard format was mailed out to all residents of the Project Study Area and all names and addresses on the Project mailing list. A total of approximately 1,300 postcards were mailed out.

A summary of the meeting, including presentation materials and topics discussed, is provided in **Appendix P.1 – Public Information Meeting No. 1 (February 19, 2015)**.

Special Whirlpool Street Neighborhood Meeting

A special meeting with residents of the neighborhood closest to the Whirlpool Street / Findlay Drive intersection was held at the DeVeaux Theater in DeVeaux Woods State Park on Wednesday, July 15, 2015 to provide information and exchange ideas regarding design options for improvements to that intersection. Although the preference at the larger public meeting in February had been for a stop sign on Findlay Drive rather than Whirlpool Street, a number of the neighborhood residents at this meeting indicated their preference for a stop sign on Whirlpool Street. Other issues raised by attendees and discussed at the meeting related to subsurface drainage, traffic, tour bus usage, parking lane design, roadway alignment and other miscellaneous topics.



The meeting started at 6:30 PM with a formal presentation starting at 7:00 PM. Attendance during the meeting totaled 17 people from the neighborhood. Members of the neighborhood had been invited to the meeting via post cards that were hand delivered by the City of Niagara Falls Planning Department staff to approximately 50 residences along the four blocks of Whirlpool Street between Bellevue Avenue and Findlay Drive.

A summary of the meeting, including presentation materials and topics discussed, is provided in **Appendix P.2 – Special Whirlpool Street Neighborhood Meeting (July 15, 2015)**.

Public Information Meeting No. 2

A second public information meeting on the Project, which was now officially known as the “Niagara Gorge Corridor Robert Moses Parkway Removal Project: Main Street to Findlay Drive,” was held at the Conference and Events Center Niagara Falls at 101 Old Falls Street, Niagara Falls, NY on Tuesday, September 15, 2015. Details of the proposed Project’s preliminary design and ongoing environmental review process were presented during the meeting and the public was provided with an opportunity to voice concerns and/or further ideas about the Project design. Regarding the design of the Whirlpool Street / Findlay Drive intersection, the preference of the attendees appeared once again to be a stop sign on Findlay Drive.

The meeting ran from 4:00 PM to 8:00 PM, with a presentation on details of the Project and the ongoing environmental studies for the Project at 6:00 PM. A question-and-answer session followed the presentation. Before and after the formal presentation and question-and-answer session, the public was provided with the opportunity to review the latest designs, ask questions informally and provide input to Project designers and agency representatives. Two traffic video simulation videos were also presented, one showing a comparison of the two intersection options at Findlay Drive and the other showing an aerial view). Attendance during the four-hour public meeting totaled 75 people. Written comments were accepted until after the comment period ended on September 30, 2015, with a total of eighteen completed comment sheets and/or emails received.

The meeting was advertised via a newspaper announcement / article in the *Niagara Gazette* on September 6 and 13, 2015, as well as in the *Buffalo News* on September 4, 2015. In addition, a meeting announcement in postcard format was mailed out to all residents of the Project Study Area and all names and addresses on the Project mailing list. A total of approximately 1,325 postcards were mailed out.

A special effort was made to reach out to the environmental justice (EJ) communities in inviting them to attend this public information meeting. In addition to the announcements in a local newspaper and the invitational postcards mailed out to residents of the EJ Study Area and all names and addresses on the Project mailing list, the Project team worked with the Niagara Falls Housing Authority to ensure distribution of copies of flyers and posters to specific locations within the EJ Study Area and the City where such populations reside or otherwise interact. A total of 11 community outlet locations were utilized that displayed a total of 17 posters and distributed a total of 480 flyers advertising the meeting.



A summary of the meeting, including presentation materials and topics discussed, is provided in **Appendix P.3 – Public Information Meeting No. 2 (September 15, 2015)**.

1.7.4. Section 106 Consultation Meetings

In conjunction with the DR/EA prepared for this Project, and pursuant to the requirements for the protection of the nation's cultural resources as mandated by Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations set forth by 36 CFR Part 800, as amended, consulting parties must be given an opportunity to express their views on a proposed project. In addition to the State Historic Preservation Officer (SHPO), other consulting parties may include any federally-recognized Indian tribes that attach religious and cultural significance to historic properties that may be affected by an undertaking, representatives of local governments, and individuals and organizations with a demonstrated interest in the undertaking and its effects on historic properties, among others.

In this regard, two separate Section 106 Consultation Meetings were held for this Project on March 16, 2016 at the DeVeaux Auditorium at DeVeaux Woods State Park. These include the following:

- **Tribal Nations Meeting** – This meeting was held from 2:00 PM to 4:00 PM to discuss and consider the views of the tribal nations on the Project and its potential to affect properties of religious and cultural significance. A representative from each tribe (i.e., the Seneca Nation of Indians, the Tuscarora Nation, the Tonawanda Band of Seneca Indians and the Seneca-Cayuga Tribe of Oklahoma) was formally invited to attend this meeting via letter. A total of three individuals representing two of the four tribes actually attended the meeting.
- **Consulting Parties Meeting** – This meeting was held from 6:00 PM to 8:00 PM to discuss and consider the views of the consulting parties on the Project and its potential to affect historic and archaeological properties. A total of six individuals representing five organizations (i.e., Niagara Falls National Heritage, BRI-NK Foundation/NFHPS, Park Place Historic District, Buffalo Olmsted Parks Conservancy and the City of Niagara Falls Historian) as well as one unattached individual were formally invited to attend this meeting via letter. All seven invited individuals actually attended the meeting.

During both meetings, a PowerPoint presentation was provided to help inform attendees about the Project's history, the currently proposed Build Alternative, the cultural studies that have been undertaken and completed to date, and the results of those studies. A set of six display boards showing the proposed Build Alternative was also available for viewing. A question-and-answer period was also held during both meetings.

Summaries of both meetings, including presentation materials, topics discussed, invitation and follow-up letters sent and comments received, are provided in **Appendix G.4 – Consulting Parties Consultation and Correspondence**.



1.7.5. Public Hearing

Following public release of this Draft DR/EA, a public hearing will be held, which is scheduled for August 25, 2016. At the public hearing, members of the public will be offered the opportunity to provide both oral and written comments on the findings of the Draft DR/EA. These comments can be provided orally in a public forum with a stenographer, in writing by completing comment forms made available at the hearing, and/or informally on a one-on-one basis with members of the Project team. Details of the Project design and associated impacts will be presented as part of the hearing.

The overall public comment period for the Draft DR/EA will begin at the time of public release of the document and will end at least 30 days later. Throughout the comment period, the public is invited to submit comment letters, e-mails, and/or completed comment forms.



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