Buffalo Outer Harbor Civic and Land Use Improvement Project

Buffalo, New York

State Environmental Quality Review Act
Full Environmental Assessment Form and Supporting Documentation

Applicant

Erie Canal Harbor Development Corporation
A subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development
95 Perry Street, 5th Floor
Buffalo, NY 14203

Contact

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Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Buffalo Outer Harbor Civic & Land Use Improvement Project		
Project Location (describe, and attach a general location map): 10, 32, 175, 225, 275, 461, 525, 575, 825 and a portion of 901 Fuhrmann Blvd (former Port Terminal B building).		
Brief Description of Proposed Action (include purpose or need): The adoption of a long-range general project plan (GPP) by the Erie Canal Harbor Development Corporation (ECHDC) to make improvements to Buffalo's Outer Harbor area, building upon improvements completed in 2019, including environmental remediation, public access features, diversification of ecological areas, retrofitting of the former Port Terminal B building to support events and programming, and incorporation of limited seasonal food/beverage and rest room facilities. Implementation of this GPP envisions a fully-funded first phase of development through 2026, with subsequent improvements being built over time as funding is secured from various sources, but likely over a 20-year span. Nevertheless, at any point in its implementation, the GPP will improve public use of the Outer Harbor and would provide financial, ecological, and community growth for Buffalo.		
Name of Applicant/Sponsor: Erie Canal Harbor Development Corporation (ECHDC)	Telephone: 716-846-8200 E-Mail:	
Address: 95 Perry Street, 5th Floor		
City/PO: Buffalo	State: NY	Zip Code: 14203
Project Contact (if not same as sponsor; give name and title/role): Steven Ranalli, President	Telephone: 716-846-8200 E-Mail: steven.ranalli@esd.ny.gov	
Address: 95 Perry Street, 5th Floor		
City/PO: Buffalo	State: NY	Zip Code: 14203
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☐Yes ☑No		
b. City, Town or Village Planning Board or Commission ☐Yes ☑No		
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☑Yes ☐No	Dept. of Public Works (curb cuts), Dept. of Permit & Inspection Services	TBD
e. County agencies ☑Yes ☐No	Dept. of Health (water service)	TBD
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	Public Auth. Con. Brd; Dept of State; Office of General Services (permits/inspection); NYSDEC	TBD
h. Federal agencies ☑Yes ☐No	USACE (Section 10; Section 404)	TBD

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes ☐No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes ☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

Remediaton Sites:915026, Remediaton Sites:B00149, Remediaton Sites:915324, Remediaton Sites:V00734, NYS Heritage Areas:West Erie Canal Corridor as described in the Buffalo Harbor Brownfield Opportunity Area Nomination Document dated September 2016.

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

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
N-3E: Mixed-Use Edge, D-OG: Green, N-1S: Secondary Employment Center

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

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Buffalo School District

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

c. Which fire protection and emergency medical services serve the project site?
Buffalo Fire Department, Erie County EMS

d. What parks serve the project site?
Buffalo Harbor State Park

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? 208 acres
b. Total acreage to be physically disturbed? 162 acres Note: 50 acres of disturbance in Phase 1
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 354.37 acres

c. Is the proposed action an expansion of an existing project or use? Note: Involves improvements to, but not expansion of existing recreational uses ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % N/A Units: N/A

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☑ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated 2+
- Anticipated commencement date of phase 1 (including demolition) 9 month 2021 year
- Anticipated completion date of final phase 9 month 2041 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

Future work after Phase 1 is dependent on fundraising and the success of the first phase. It is intended that the entire scope will be completed in 20 years.

f. Does the project include new residential uses? ☐ Yes ☑ No

If Yes, show numbers of units proposed.

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

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

If Yes,

i. Total number of structures 14

ii. Dimensions (in feet) of largest proposed structure: 45' height; 125' width; and 200' length

iii. Approximate extent of building space to be heated or cooled: 50,000 square feet

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

If Yes,

i. Purpose of the impoundment: _____

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

_____

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

_____

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

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

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

_____

D.2. Project Operations

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

If Yes:

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

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

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

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

_____

_____

i*v.* Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No

If yes, describe. _____

_____

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

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

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

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

_____

_____

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

If Yes:

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

_____

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

_____

_____

_____

_____

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

If Yes, describe: _____

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

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

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

_____

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

If Yes:

i. Total anticipated water usage/demand per day: <5000 gallons/day

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

If Yes:

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

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

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: A service line will be needed to serve Terminal B independently of Terminal A as well as new services to new restrooms and concessions
- Source(s) of supply for the district: Lake Erie

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

If, Yes:

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

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

_____

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

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

If Yes:

i. Total anticipated liquid waste generation per day: <5,000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): Wastewater from any new restroom stations and food/beverage facilities

_____

_____

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

If Yes:

- Name of wastewater treatment plant to be used: Bird Island Wastewater Treatment Plant
- Name of district: City of Buffalo Wastewater District
- Does the existing wastewater treatment plant have capacity to serve the project? ☑Yes ☐No
- Is the project site in the existing district? ☑Yes ☐No
- Is expansion of the district needed? ☐Yes ☑No

- Do existing sewer lines serve the project site? ☑ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☑ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: A service line will be needed to serve Terminal B independently of Terminal A as well as new services to new restrooms and food/beverage facilities

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☑ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

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

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: No plans or designs to capture, recycle or reuse liquid waste have been developed at this time.

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 2.04 acres (impervious surface)

_____ Square feet or 208 acres (parcel size)

ii. Describe types of new point sources. TBD with final design

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

Initial stormwater design include on-site bioretention and the use of existing area and roof drains which drain to Lake Erie.

- If to surface waters, identify receiving water bodies or wetlands: Lake Erie receives all runoff from on-site drainage
- Will stormwater runoff flow to adjacent properties? ☐ Yes ☑ No

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

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☑ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

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

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

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☑ No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

_____

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

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

_____

_____

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

If Yes:

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

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing 1420 Proposed 731 Net increase/decrease -689

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

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

N/A

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☑Yes ☐ No

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

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

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

If Yes:

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

Minor new demand

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

Via grid/local utility

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

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

i. During Construction:

- Monday - Friday: 7:00 AM to 5:00 PM
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: Dawn - Dusk
- Saturday: Dawn-Dusk -until 11PM for events
- Sunday: Dawn - Dusk
- Holidays: Dawn - Dusk

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Noise levels during construction phase will be typically during normal construction operations. The proposed amphitheater will periodically increase sound levels. Performances will be limited in a given year and occur during summer months and no human receptors are nearby.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: _____

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

The uses are intended to be a dawn-to-dusk facility, so artificial lighting is minimized. Lighting for safety and security is designed to be env. sensitive, with strict cutoff limits and no uplighting in bird migration areas. Terminal B will experience temporary increased lighting during events.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:_____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☑ Yes ☐ No

If Yes:

i. Describe proposed treatment(s):

For removal of invasive species. It is expected that pesticides will be used for limited, seasonal applications.

ii. Will the proposed action use Integrated Pest Management Practices? ☑ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : food/bev facilities only: 3-4 tons per 1000 SF/day (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: source separation facilities

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: private solid waste/recycling contractor

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

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

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

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

N/A

E. Site and Setting of Proposed Action

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

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☑ Urban ☑ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☑ Aquatic ☑ Other (specify): Recreational

ii. If mix of uses, generally describe:

The area has been adapted from the former Port of Buffalo (former bulk materials port area) for outdoor recreation and entertainment occupying

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	25.02	27.06	+2.04
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	110.06	126.02	+15.96
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	40.82	40.82	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	32.48	14.49	-18.00
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☑ Yes ☐ No

i. If Yes: explain: There are multiple open spaces, beaches, biking/walking trails and access to the waterfront for boating, kayaking, fishing, etc.

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

If Yes,

i. Identify Facilities:

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

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

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

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

If Yes:

i. Has the facility been formally closed? ☑ Yes ☐ No

- If yes, cite sources/documentation: 1999 ROD: BOH/Radio Tower Site & 2002 ORD: BOH Brownfields Site

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

Former landfill areas would be capped where necessary to limit long-term exposure and permit recreation activities; such remediation began in 2005 with Radio Tower Site and continued in 2018/19 with development of bike park facility.

iii. Describe any development constraints due to the prior solid waste activities: Environmental easement on Radio Tower Site

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☑ Yes ☐ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

NFTA Out Harbor Greenbelt (B00149)- Filling activities occured on the site from the 1870s-1960s. Northeast portion of site was once municipal dump and majority of site made of sediments from dredging. from 1969-1988, stored dry bulk materials (rock salt, zircon, foundry sand, iron ore, clay, gypsum, etc.)

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑ Yes ☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑ Yes ☐ No

☑ Yes – Spills Incidents database — Provide DEC ID number(s): 9201670, 9505040, 9713250, 9807221...

☑ Yes – Environmental Site Remediation database — Provide DEC ID number(s): 915026, B00149, 915324, V00734

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures:

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑ Yes ☐ No

If yes, provide DEC ID number(s): 915072, 915026, C915305, B00149, C915304, V0021...

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

All spills have been closed. 915026 Superfund Site remedy completed in 2005; undergoes annual remedial intergrity inspection. B00149 Brownfield Site remedy completed in 2010 with institutional and future limited use controls. 915324/V00734 dredging has been completed. Offsite cases closed except for C915304.

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

- If yes, DEC site ID number: B00149
- Describe the type of institutional control (e.g., deed restriction or easement): Environmental Easement
- Describe any use limitations: Control of land usage
- Describe any engineering controls: Ground water use restiction, soil management plan, cover system, monitoring plan, IC/EC plan
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☑ No
- Explain:

Proposed project is complying with all neccesary soil cover and land use requirements.

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? ~20-25 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? 0 %

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

Ud - Urban Land	78.8 %
W - Water	11.4 %
Hn - Haplaquolls, ponded	1.8 %

d. What is the average depth to the water table on the project site? Average: ~10 feet

e. Drainage status of project site soils:
☐ Well Drained: % of site
☑ Moderately Well Drained: 98.2 % of site
☑ Poorly Drained 1.8 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 98.2 % of site
☐ 10-15%: % of site
☑ 15% or greater: 1.8 % of site

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

h. Surface water features.

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

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i. Note: Lake Erie is within the project site, however FWW BU-3 is located adjacent to the project site

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

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

- Streams: Name Classification
- Lakes or Ponds: Name 837-128 Lake Erie Classification B
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) BU-3

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☑ Yes ☐ No

If yes, name of impaired water body/bodies and basis for listing as impaired:
Name - Pollutants - Uses:Lake Erie (Outer Harbor, North) – Priority Organics – Fish Consumption

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☑ No
If Yes:

i. Name of aquifer:

m. Identify the predominant wildlife species that occupy or use the project site:
Shore birds | Small mammals

n. Does the project site contain a designated significant natural community? ☐ Yes ☑ No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): _____
ii. Source(s) of description or evaluation: _____
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No

If Yes:
i. Species and listing (endangered or threatened):
Lake Sturgeon

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

If Yes:
i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☑ Yes ☐ No
If yes, give a brief description of how the proposed action may affect that use:
Project aims to improve safe access for fishing along the shore of the Outer Harbor

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☑ No
If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No
i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on **the National or State Register** of Historic P**laces, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register** of Historic Places? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☑ Historic Building or District

ii. Name: Eligible property:Port Terminal Building A (former Ford Motor Assembly Plant), Eligible property:Connecting Terminal ...

iii. Brief description of attributes on which listing is based:

Terminal Building A (former Ford Plant) associated with history of automobile manufacturing in Buffalo. Connecting Terminal part of grain elevator collection in Buffalo and associated with Buffalo's history as a shipping "break-in-bulk" point on Great Lakes

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. **Is** the project site **within fives miles of** any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Buffalo Harbor State Park and Great Lakes Seaway Trail

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): State Park and Federal Scenic Byway

iii. Distance between project and resource: <1 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Steven Ranalli, P.E. Date 11/9/20

Signature _____ Title President

PRINT FORM

Agency Use Only [If applicable]

Project :

Date :

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes"** to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No"** to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)

☐ NO ☑ YES

If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☑	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☑	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☑	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☑	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: Benefical land use impacts for expansion of public access and recreation		☑	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	□	□
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	□	□
c. Other impacts: _____ _____		□	□

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO ☑ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☑	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☑	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☑	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☑	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☑	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☑	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☑	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☑	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☑	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☑	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☑	☐

l. Other impacts: _____ _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. ☑ NO ☐ YES
(See Part 1. D.2.f., D.2.h, D.2.g)
If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☐ NO ☑ YES
If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☑	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☑	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☑	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☑	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☑	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☑	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☑	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	☑	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☑	☐
j. Other impacts: The project would involve removal of invasive plant species and ecological restoration with native plantings where applicable. _____		☑	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	**No, or small impact may occur**	**Moderate to large impact may occur**
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	 ☐ ☐	 ☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	 ☐ ☐	 ☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☐ NO ☑ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☑	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☑	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☑	☐

d. Other impacts: _____ _____		☑	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	□	□
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	□	□
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	□	□
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	□	□
e. Other impacts: _____ _____		□	□

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	□	□
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	□	□
c. Other impacts: _____ _____		□	□

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. ☐ NO ☑ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☑	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☑	☐
c. The proposed action will degrade existing transit access.	D2j	☑	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☑	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☑	☐
f. Other impacts: Beneficial multi-modal impacts through expansion of multi-use trail network.		☑	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy. ☑ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. ☐ NO ☑ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☑	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☑	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☑	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☑	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☑	☐
f. Other impacts: Temporary increase in lighting for events held at Terminal B (comparable or less than when port facilities were in operation).		☑	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☐ NO ☑ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☑	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☑	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☑	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☑	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☑	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☑	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☑	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☑	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☑	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☑	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☑	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☑	☐
m. Other impacts: Beneficial effects of remediation of contaminated areas and/or installation of appropriate barriers to limit any long-term exposure to users.		☑	☐

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ☑ NO ☐ YES

(See Part 1. C.1, C.2. and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, Elb	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ☑ NO ☐ YES

(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

Agency Use Only [IfApplicable]

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See FEAF Addendum for full discussion of considerations of potential environmental effects serving as the basis for responses in Part II.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
See FEAF Addendum

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
New York State Urban Development Corporation d/b/a Erie Canal Harbor Development Corporation as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Buffalo Outer Harbor Civic and Land Use Improvement

Name of Lead Agency: New York State Urban Development Corporation d/b/a Erie Canal Harbor Development Corporation

Name of Responsible Officer in Lead Agency: Paul J. Tronolone, AICP

Title of Responsible Officer: Vice President, Policy & Planning

Signature of Responsible Officer in Lead Agency: Date: 11/9/20

Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person: Paul J. Tronolone, Empire State Development

Address: 95 Perry Street, Suite 500 Buffalo, NY 14203

Telephone Number: 716-846-8200

E-mail: paul.tronolone@esd.ny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

Appendix C: COASTAL ASSESSMENT FORM

Project Sponsor Information

Name: Erie Canal Harbor Development Corporation

Department/Organization: Subsidiary of Empire State Development

Mailing Address: 95 Perry Street, Ste 500

State: Buffalo, NY Zip Code: 14203

Federal Id# N/A Charities Registration # N/A

Project Description

Project Name: Buffalo Outer Harbor Civic & Land Use Improvement Project

SBL:

Address: 10, 32, 175, 225, 275, 461, 525, 575, 825, and 901 Fuhrmann Boulevard

Zip Code: 14203

Council District: South

Project Proponent Property Interest (own, lease, easement or other): Own

Authorized Official

Name: Steven Ranalli, P.E Title: President

Business Address: 95 Perry Street, Ste 500

State: Buffalo, NY Zip Code: 14203

Telephone Number: 716-846-8200 Cell Number: N/A

Fax Number: N/A

E-Mail Address: steven.ranalli@esd.ny.gov

Project Point Of Contact

Name: Paul J. Tronolone, AICP Title: Vice President, Policy and Planning

Organization/Firm: Empire State Development

Business Address: 95 Perry Street, Ste 500

State: Buffalo, NY Zip Code: 14203

Telephone Number: 716-846-8200 Cell Number: N/A

Fax Number: N/A

E-Mail Address: paul.tronolone@esd.ny.gov

DESCRIPTION OF SITE AND PROPOSED ACTION

1. Type of department action (check appropriate response):

   (a) Directly undertaken (e.g. capital construction, planning activity, department regulation, land transaction) [✔]

   (b) Financial assistance (e.g. grant, loan, subsidy) [ ]

   (c) Permit, approval, license, certification [✔]

   (d) Department undertaking action: Erie Canal Harbor Development Corporation

2. Describe nature and extent of action: Adoption of General Project Plan for a long-term program of environmental remediation, and development of recreation and open space improvements and amenities.

3. Location of action: Buffalo Outer Harbor

4. Size of site: 208 acres

5. Present land use: Former industrial, maritime recreation, and open space

6. Present zoning classification: N-3E: Mixed-Use Edge, D-OG: Green, N-1S: Secondary Employment Center

7. Describe any unique or unusual land forms on the project site (i.e. steep slopes, swales, ground depressions, other geological formations):
   NONE

8. Percentage of site which contains slopes of 15% or greater: 0%

9. Streams, lakes, ponds or wetlands existing within or contiguous to the project area?

   (1) Name: Lake Erie; Buffalo River; and State Wetland BU-3 (Times Beach Nature Preserve)
   (2) Size (in acres): +/- 200 acres

10. Will the action be directly undertaken, require funding, or approval by a state or federal department?

    Yes [✔] No [ ] If yes, which state or federal agency? Erie Canal Harbor Development Corporation and USACE

Please indicate if the project will have no impact, a positive impact or negative impact on the LWRP policy objectives listed below. In addition, descriptions of any impacts, especially as they relate to any indicators that may be specified for policy objectives, must be attached to this form. ***Note that the full policy text may be referenced in the LWRP document.***

Goal/Policy		Impact			Indicators
#	*Objective*	*0*	+	-	*Please describe the projects impact on:*
1. Holistic Coastal Program					
1A	Safeguard economic, social and environmental interests of the state and its citizens.		✔		
2. Safeguard Quality and Quantity of Great Lakes Fresh Water					
2A	Discharges to coastal waters will meet water quality standards	✔			1. Compliance with Buffalo Sewer Authority (BSA) Industrial Discharge Permitting 2. Chapter 491 Article III of the Buffalo Code regarding water pollution
2B	Control stormwater runoff and CSO's into LWRA	✔			a. The BSA CSO Long Term Control Plan b. City of Buffalo and BSA erosion control and post construction stormwater management requirements
2C	Limit discharges from vessels into coastal waters	✔			a. Lake Erie Lakeside Management Plan b. Buffalo and Niagara River Remedial Action Plan] c. Provide pump out facilities to discourage the discharge of sewage within the City of Buffalo LWRA d. Provide boat wash down facilities to discourage the transport of aquatic invasive species e. Provide measures to prevent spillage of petroleum at marina fueling stations and measures for the efficient and effective cleanup of spills f. Minimize runoff from boatyards and service areas to prevent petroleum, paints, solvents & other environmentally harmful substances from entering surface waters.
2D-2F	Conserve and protect the quality and quantity of surface waters		✔		a. Lake Erie Lakewide Management Plan b. Niagara River Toxics Management Plan c. Buffalo and Niagara River Remedial Action Plan d. Environmental contamination to tributaries of Lake Erie, including the Buffalo River, Scajaquada Creek, and Cazenovia Creek e. Great Lakes Compact water quantity and conservation provisions f. Buffalo River Improvement Corporation (BRIC) operations g. Jubilee Springs and WS Consolidated Aquifer
2G	Prevent emerging contaminants such as pharmaceuticals, silicone, microplastics, and cyanobacteria	✔			a. Protect public water supply b. Protect food web
3. Promote Water Based Industry and Enterprise					
3A	Develop Buffalo as a major state port/support waterborne transportation	✔			a. Encourage the siting, including locations under jurisdiction of state public authorities, of land use and development which is essential to or in support of waterborne transportation of cargo and people

Goal/Policy		Impact			Indicators
#	*Objective*	*0*	+	-	*Please describe the projects impact on:*
3B	Protect existing, and encourage new, water dependent and related uses		✔		a. Waterborne industrial transport associated with the grain elevators and other water dependent industrial users located on industrially zoned waterfront land such as Kelly Island b. Opportunities to expand water borne transport c. Recreational and commercial boating throughout the City's waterfront
3C	Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters		✔		a. Potential adverse impacts or interference with the continued operation of existing water-dependent uses, including those listed in the Inventory Section III.E b. Support for the development of new water-dependent uses where: i. The need for dredging is minimized ii. Waterside and landside access, as well as upland space for parking and other facilities, is adequate iii. Necessary infrastructure exists or is easily accessible, including adequate shoreline stabilization structures, roads, water supply and sewage disposal facilities, and vessel waste pump-out and waste disposal facilities iv. Water quality classifications are compatible v. Impacts to important natural resources, such as wetlands and fish and wildlife habitats, could be avoided or minimized to the greatest extent practicable a. Public access to the water's edge can be maintained, to the greatest extent practicable
3D	Strengthen economic base of smaller harbor areas		✔		a. Support and increase "blue economy" enterprise and water dependent institutions and businesses
3E	Make sound decisions on the siting and construction of major energy facilities	✔			a. Thoroughly examine and document potential adverse impacts to: i. The environment ii. The Buffalo community's use and enjoyment of local waters for recreation, transportation and economic development
4. Encourage Commercial and Recreational Boating					
4A	Provide launches & platforms for human powered boating in suitable locations		✔		a. Adjacent upland and in-water uses including attractions, parks, boat storage, and public restrooms b. Avoidance of U.S. Coast Guard designated safety/security zones and sensitive ecological areas c. Health and safety factors including larger vessel traffic, water quality and presence of detritus
4B	Minimize potential safety hazards at access points for human-powered boating		✔		a. Operational measures to secure the facility to avoid unmonitored use b. Appropriate training of users c. Safety measures to avoid conflicts with commercial vessels, including communication with water dependent industrial users d. Safety measures for avoiding exposure to contaminated water and sediments

Goal/Policy		Impact			Indicators
#	*Objective*	*0*	+	-	*Please describe the projects impact on:*
4C	Design piers, docks & boating facilities to accommodate multiple water dependent uses, wide range of users & dynamic water levels		✔		a. Potential uses include recreational boating (motorized and human powered), historic and educational ships, passenger ferries, and charter facilities b. Use of universal design c. Impacts of high winds, seiche and flood events, climate change and long term lake level decline
4D	Incorporate safety features on bulkheads such as safety ladders		✔		
4E	Minimize conflicts between recreational, commercial, and freight vessels	✔			a. Giving priority to commercial vessels when determining rights to navigable waters b. Siting recreational boating facilities, particularly those serving vessels with limited power and maneuverability, in waters without heavy concentrations of maritime activity c. Siting, mooring, or docking facilities for recreational boats in areas where there is adequate natural protection or where structurally adequate and environmentally sound protection can be created d. Siting facilities for human & wind powered vessels to avoid locations with strong currents & those prone to heavy wave or wake action
4F	Minimize impact of commercial & recreational boating activities/facilities on aquatic environment and surrounding land and water uses	✔			a. Compliance with Lake Erie No Discharge Zone and other vessel waste discharge regulations and the provision of adequate pump out facilities
4G	Manage harbor operations to protect ecological resources		✔		a. Buffalo River and City Ship Canal project in-situ capping and ecological restoration sites
4H	Minimize adverse impacts from CDFs in the LWRA		✔		a. Potential contamination impacts on water quality and habitat; and b. Periodic monitoring of water quality in adjacent recreational and habitat area waters
5. Build Water-Enhanced Places that Enliven the Waterfront and Attract the Public					
5A	Direct new water enhanced, mixed use development to areas identified in Section VII of the Inventory		✔		
5B	Protect and enhance natural and manmade features which contribute to the scenic quality of the LWRA		✔		a. Great Lakes Seaway Trail National Scenic Byway b. marinas, piers, wharfs and mooring areas as unique waterfront landscapes

Goal/Policy		Impact			Indicators
#	*Objective*	*0*	+	-	*Please describe the projects impact on:*
5C	Protect & enhance Niagara River Globally Significant Important Bird Area viewing sites Protect and enhance Niagara River Globally Significant Important Bird Area viewing sites		✔		a. Niagara River Globally Significant Bird Area viewing sites
5D	Protect and enhance historic resources	✔			a. Native American archeological resources b. War of 1812 c. Erie Canal d. Historic waterfront grain elevators e. Underground Railroad structures and routes f. Waterfront industrial heritage resources g. Waterfront Frederick Law Olmsted parks, particularly park features designed to provide views of and access to the City's waterways h. Historic waterfront lighthouses and bridges i. Other historic resources
5E	Actions and development should provide multi-modal transportation facilities		✔		a. Streets should enable safe access for all users including persons with disabilities, pedestrians, bicyclists, motorists, and transit riders b. Streets should be designed to be consistent with the Transportation Network article of the Buffalo Unified Development Ordinance
5F	Achieve local waterfront transportation objectives		✔		a. Seaway Trail as the City's primary multi-modal local waterfront transportation corridor b. Shoreline Trail and Jesse Kregel multi-modal off-road routes c. Route 198's impact on waterfront ecological, historic, and public access resources d. Pedestrian connections below Route 190 in Black Rock Riverside e. Connections below Route 190 downtown by straightening Erie Street from Thruway Toll Plaza land along Black Rock Canal for public access f. Virginia/Carolina exchange g. Minimize at grade parking facilities within the LWRA to preserve land for public access along the water's edge and adjacent in-land commercial development h. Minimize waterfront truck traffic to the maximum extent practicable, redirecting through traffic to non-waterfront routes while supporting truck traffic associated with local businesses i. Connection between the Main Street and the waterfront through the Cars on Main Street effort and improvements to the Erie Street Ellicott radial

Goal/Policy		Impact			Indicators
#	*Objective*	*0*	+	-	*Please describe the projects impact on:*
5G	Long Term Waterfront Transportation Goals	✔			a. Reduce the I-190 Expressway's waterfront footprint and adverse impacts on public access and property values; early options include relocation of the I-190 in Black Rock/Riverside to the Tonawanda rail corridor and/or the conversion of Route I-190 to a boulevard b. Reduction of the impact of the I-198/I-190 interchange on Scajaquada Creek, Black Rock Canal and the Scajaquada Harbor redevelopment areas, public access and property values c. Develop the Buffalo River Greenway as the southern complement to the Jesse Kregel/Scajaquada Creek Trail system d. Construct a connection between the Tifft Street and Route 190 to redirect truck traffic from the waterfront inland and support the redevelopment of the South Buffalo Brownfield Opportunity Area e. Analyze the impact of removing the Skyway bridge overpass f. Mitigate the barrier to the waterfront created by the rail corridor
5H	Utilize signage within the WRA to assist in wayfinding & celebrate unique WRA cultural, recreational & environmental features		✔		a. The Unified Development Ordinance; b. federal National Scenic Byway signage regulations; and c. Niagara River Greenway signage guidelines.
6. Promote Buffalo as an International Gateway					
6A-6H	Promote Buffalo as an International Gateway	✔			a. Support the location of water dependent or enhanced International Trade Gateway hard and soft infrastructure b. Revitalize former industrial structures and vacant lands along Niagara Street, north of the Peace Bridge to Ferry Street c. Develop international gateway landscapes d. Improve connections between the US Shoreline Trail and the Niagara River Parkway trail bicycle and pedestrian trail system e. Encourage and expand cross-border recreational boating and fishing with clearly identified marine border check-in sites f. Improve passenger train connections along the waterfront from downtown Buffalo through Niagara Falls to Toronto g. Facilitate efficient border crossing for travelers at the Peace Bridge and other Western New York border entry points h. Improve cross border interpretation of the War of 1812, Underground Railroad and shared ecological restoration efforts i. Minimize adverse impacts of international gateway functions on WRA, with emphasis on vulnerable environmental justice populations, migratory bird populations, historic resources, and water resources
7. Protect and Rebuild the Lake Erie/Niagara River Food Web					
7A	Expand recreational use of fish and wildlife resources		✔		a. Habitat sites - including breeding grounds, identified in the Inventory Section II.C b. Native fish stocks - efforts to restore sustainable populations of indigenous fish living in the Lake Erie, the Niagara River, Buffalo River and Scajaquada Creek systems as discussed in the Inventory Section II.D c. Fishing access sites - wildlife viewing facilities as identified in the inventory section II.C

Goal/Policy		Impact			Indicators
#	*Objective*	*0*	+	-	*Please describe the projects impact on:*
7B	Protect significant fish and wildlife coastal habitats		✔		a. Times Beach, North Buffalo Harbor, Buffalo Harbor State Park, & Tifft Nature Preserve state-designated Significant Coastal Fish & Wildlife Habitats, as described in Inventory Section II C1 and on Map 11
7C	Protect wetlands		✔		
7D	Further develop commercial finfish, shellfish and crustacean resources in the coastal area	✔			a. Construction of new or improved on shore commercial fishing facilities b. Market seafood products c. Maintain adequate stocks d. Expand aquaculture facilities
7E	Protect fish and wildlife from effluent discharge from steam, electric generating, and industrial facilities into coastal waters	✔			a. Migratory, spawning and nursery patterns of Niagara River and Lake Erie fish and wildlife communities
7F	Water intakes shall minimize impingement or entrainment of fish and wildlife	✔			
7G	Protect, preserve, improve & restore publicly-owned habitat areas	✔			a. Areas identified as habitats of local significance in Inventory Section II.C.1
7H	Protect and restore naturalized shoreline areas		✔		a. Protect State and Federal wetlands b. Construct wetlands per the Buffalo and Niagara River Remedial Action Plan habitat restoration objectives
7I	Prevent the introduction of aquatic invasive species to the Great Lakes	✔			
7J	Protect public health from contaminated fish	✔			a. Reduce contamination and restore local fisheries such that New York State Department of Health Fish Consumption Advisories are no longer required to protect public health b. Educate local subsistence anglers on fish consumption advisory provisions
7K	Protect the Niagara River Globally Significant Important Bird Area		✔		a. Protect and enhance bird habitat areas b. Avoid disruptions to bird migration to the maximum extent practicable

Goal/Policy		Impact			Indicators
#	*Objective*	*0*	+	-	*Please describe the projects impact on:*
8. Provide Public Water Access in Support of the Public Trust					
8A	Provide access to publicly owned foreshore and adjacent lands		✔		a. Retain such lands in public ownership b. Impact public access to publicly owned foreshore and adjacent lands c. Public ownership of foreshore and adjacent lands
8B	Protect and increase public water related recreation resources and facilities		✔		a. Existing public waterfront access and water dependant recreation facilities as identified in the Inventory Habitat, Marina and Recreation sections b. Development and implementation of a long term parks/recreation/open space master plan for the LWRA c. Limits on public access and recreational activities where uncontrolled public use would lead to disruption of the environmental cleanup measures or fish and wildlife resources
8C	Encourage water dependent and water enhanced recreational uses		✔		
8D	*Development, adjacent to the shore will provide for water-related recreation*		✔		*a. Whenever such recreational use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development*
9. Maximize Coastal Resiliency					
9A	*Minimize damage from flooding by protecting natural protective features*	✔			*a. Times Beach Nature Preserve, Outer Harbor Greenbelt (including Bell Slip), Gallagher Beach, Cazenovia Park, LaSalle Park and Delaware Park/Hoyt Lake/Scajaquada Creek and Squaw Island*
9B	*Minimize property damage and risk to humans from flooding and erosion*	✔			*a. Preserve publicly held waterfront open space* *b. Require new development to be set back from the high water mark* *c. Require the maintenance of a vegetated riparian buffer* *d. Require on site storm water management for most new development* *e. Comply with City Flood Damage Protection laws* *f. Meet FEMA and HUD construction and insurance requirements* *g. Contribute to regional flood prevention efforts*
9C	*Where possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion*	✔			
9D	*Activities and development will not result in an increase in erosion*	✔			*a. Development* *b. Construction or reconstruction of erosion protection structures,* *c. Other activities*

Goal/Policy		Impact			Indicators
#	Objective	0	+	-	Please describe the projects impact on:
9E	*Construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least 30 years*	✔			*a. As demonstrated in design and construction standards and/or assured maintenance or replacement programs*
9F	*Utilize public funds to protect key features from erosion*	✔			*a. Bird Island Pier, Harbor breakwalls and Erie Basin Marina to protect the City shoreline from Lake Erie related flooding and erosion* *b. Erosion control structures that protect the Colonel Ward Pumping Station and Buffalo Sewer Authority Bird Island Treatment Plant* *c. Erosion control structures associated with LWRA remediated sites or confined disposal facilities* *d. Erosion control structures associated with LWRA waterfront transportation facilities*
9G	Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes	✔			a. Shall not interfere will natural processes which supply beach material to land adjacent to such waters b. Shall be undertaken in a manner which will not cause an increase in erosion of such land
9H	Ice Management shall not interfere with hydroelectric power production, damage fish and wildlife & their habitats, or increase shoreline erosion or flooding	✔			c. Periodically review the Niagara River Ice Boom to determine the impacts of ice boom operations on water recreation and industry, the Buffalo microclimate and growing season, Lake Erie evapotranspiration rates and water levels, fish and wildlife and their habitats and Niagara River erosion and sedimentation patterns. Potential adverse impacts should be avoided to the maximum extent practicable and mitigated where avoidance is not possible
9I	Preserve the natural protective function of key coastal areas		✔		a. Times Beach Nature Preserve b. Outer Harbor Greenbelt (including the Bell Slip) c. Tifft Nature Preserve d. Gallagher Beach e. Cazenovia Park f. Stachowski Park g. Seneca Bluffs h. LaSalle Park i. Delaware Park j. Jesse Kregal Pathway k. Unity Island l. Local habitat areas

Goal/Policy		Impact			Indicators
#	*Objective*	*0*	+	-	*Please describe the projects impact on:*
9J	Maintain and protect shoreline protective features	✔			a. Bird Island Pier, Buffalo Harbor break walls and the Erie Basin Marina to protect the City shoreline from Lake Erie related flooding and erosion b. Erosion control structures that protect the Colonel Ward Pumping Station and Buffalo Sewer Authority Bird Island Treatment Plant; c. Erosion control structures associated with WRA remediated sites or confined disposal facilities d. Erosion control structures associated with WRA waterfront transportation facilities
9K	Consider the potential impacts of climate change on the Buffalo WRA	✔			a. Buffalo's unique location on the Niagara River strait b. Bi-national water level management agreements c. Permitted discharge agreements d. Dredging, ice and flood management activities
9L	Periodically review Niagara River Ice Boom to determine potential adverse	✔			a. Water recreation and industry b. The Buffalo microclimate and growing season c. Lake Erie evapotranspiration rates and water levels d. Fish and wildlife and their habitats e. Niagara River erosion and sedimentation patterns
10. Minimize Environmental Degradation from Solid Waste and Hazardous Substances					
10A	Protect fish and wildlife from hazardous wastes		✔		
10B	Minimize adverse impacts of dredging activities		✔		a. Minimize adverse impacts from CDFs in the LWRA b. Protect in situ treatment and habitat areas from dredging activities in the Buffalo River and City Ship Canal
10C	Prevent or minimize spills into coastal waters from shipment and storage of petroleum and other hazardous materials	✔			a. All practicable efforts will be taken to expedite the cleanup of such discharges b. Restitution for damages will be required when these spills occur
10D	Minimize adverse impacts to LWRA from solid and hazardous wastes	✔			
10E	Support strategic removal of contaminated sediments in the Buffalo River		✔		
10F	Characterize and address LWRA contaminated sediment and botulism concerns	✔			a. Scajaquada Creek b. Hoyt Lake c. Mirror Lake d. South Park Lake
10H	City EMS shall review plans for the prevention and control of petroleum and	✔			

Goal/Policy		Impact			Indicators
#	*Objective*	*0*	+	-	*Please describe the projects impact on:*
	chemical discharges within the LWRA	✔			
10l	Existing chemical or petroleum facilities must minimize adverse impacts on the LWRA	✔			a. Water pollution, air pollution, noise pollution, obnoxious odors, litter, vector infestation and other conditions harmful to the public health
Other Selected State Policies					
NYS 6	Expedite LWRA permit procedures	✔			
NYS 29	Development of offshore uses and resources, including renewable energy resources, shall accommodate NYS's long-standing ocean and Great Lakes industries	✔			such as: a. commercial and recreational fishing; b. maritime commerce; and c. the ecological functions of habitats important to New York.

D. COASTAL ASSESSMENT (Check either "Yes" or "No" for each of the following questions)

		Yes	No
1.	Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas identified on the coastal area map:		
	(a) Significant fish or wildlife habitats?		✔
	(b) Scenic resources of local or statewide significance?		✔
	(c) Important agricultural lands?		✔
	(d) Natural protective features in an erosion hazard area?		✔
	If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.		
2.	Will the proposed action have a significant effect upon:		
	(a) Commercial or recreational use of fish and wildlife resources?		✔
	(b) Scenic quality of the coastal environment?		✔
	(c) Development of future, or existing water dependent uses?..		✔
	(d) Operation of the State's major ports?		✔
	(e) Land or water uses within a small harbor area?		✔
	(f) Stability of the shoreline?		✔
	(g) Surface or groundwater quality?		✔
	(h) Existing or potential public recreation opportunities?		✔
	(I) Structures, sites or districts of historic, archeological or cultural significance to the City of Buffalo, State or nation?		✔
3.	Will the proposed action involve or result in any of the following:		
	(a) Physical alteration of land along the shoreline, land under water or coastal waters?	✔	
	(b) Physical alteration of two (2) acres or more of land located elsewhere in the coastal area?		✔
	(c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the coastal area?		✔
	(d) Energy facility not subject to Article VII or VIII of the Public Service Law?		✔
	(e) Mining, excavation, filling or dredging in coastal waters?		✔
	(f) Reduction of existing or potential public access to or along the shore?		✔
	(g) Sale or change in use of publicly-owned lands located on the shoreline or under water?		✔
	(h) Development within a designated floor or erosion hazard area?		✔
	(I) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?		✔
	(j) Construction or reconstruction of erosion protective structures?		✔
	(k) Diminished surface or groundwater quality?		✔
	(l) Removal of ground cover from the site?		✔
4.	Project		
	(a) If a project is to be located adjacent to shore:		
	(1) Will water-related recreation be provided?	✔	
	(2) Will public access to the foreshore be provided?	✔	
	(3) Does the project require a waterfront site?	✔	
	(4) Will it supplant a recreational or maritime use?		✔
	(5) Do essential public services and facilities presently exist at or near the site?	✔	
	(6) Is it located in a flood prone area?	✔	
	(7) Is it located in an area of high erosion?		✔

			Yes	No
(b)	If the project site is publicly owned:			
	(1)	Will the project protect, maintain and/or increase the level and types of public access to water-	✓	
	(2)	If located in the foreshore, will access to those and adjacent lands be provided?	✓	
	(3)	Will it involve the siting and construction of major energy facilities?		✓
	(4)	Will it involve the discharge of effluents from major steam electric generating and industrial facilities into coastal facilities?		✓
(c)	Is the project site presently used by the community neighborhood as an open space or recreation area?		✓	
(d)	Does the present site offer or include scenic views or vistas known to be important to the community?		✓	
(e)	Is the project site presently used for commercial fishing or fish processing?			✓
(f)	Will the surface area of any waterways or wetland areas be increased or decreased by the proposal?			✓
(g)	Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project?			✓
(h)	Will the project involve any waste discharges into coastal waters?			✓
(I)	Does the project involve surface or subsurface liquid waste disposal?			✓
(j)	Does the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?			✓
(k)	Does the project involve shipment or storage of petroleum products?			✓
(l)	Does the project involve discharge of toxics, hazardous substances or other pollutants into coastal waters?			✓
(m)	Does the project involve or change existing ice management practices?			✓
(n)	Will the project affect any area designated as a tidal or freshwater wetland?			✓
(o)	Will the project alter drainage flow, patterns or surface water runoff on or from the site?			✓
(p)	Will best management practices be utilized to control storm water runoff into coastal waters?		✓	
(q)	Will the project utilize or affect the quality or quantity of sole source or surface water supplies?			✓
(r)	Will the project cause emissions which exceed federal or state air quality standards or generate significant amounts of nitrates or sulfates?			✓

D. REMARKS OR ADDITIONAL INFORMATION: (Add any additional sheets to complete this form.)

Refer to attachment for additional impact information.

If assistance or further information is needed to complete this form, please contact Office of Strategic Planning at 851-5029.

Preparer's Name: Paul Tronolone, AICP Telephone Number: 716-284-2556

Title: Vice President - Policy & Planning, Western NY Agency: Empire State Development Date: 10/26/2020

The adoption of a long-range general proposal plan (GPP) by the Erie Canal Harbor Development Corporation (ECHDC) to make improvements to Buffalo's Outer Harbor area, building upon improvements completed in 2019, including environmental remediation, public access features, diversification of ecological areas, retrofitting of the former Port Terminal B building to support events and programming, and incorporation of limited seasonal food/beverages and rest room facilities.

Implementation of this GPP envisions a fully funded first phase of development through 2021/2022, with subsequent improvements being built over time as funding is secured from various sources. Nevertheless, at any point in its implementation the GPP will improve public use of the Out Harbor and would provide financial, ecological, and community growth for Buffalo.

This proposed action is fully consistent with the State's Coastal Policies and the City of Buffalo's Local Waterfront Revitalization Program. For a more in-depth description of potential impacts, refer to the accompanying Full Environmental Assessment Form (FEAF) and its addendum. The below narrative provides a description of impacts as they relate to the Coastal Assessment Form.

LWRP Policy Objectives

The following sections outline various potential impacts as outlined by the Buffalo LWRP Objectives.

1 Holistic Coastal Program

A. Safeguard economic, social, and environmental interests of the state and its citizens

The project is proposed to enhance the coastal quality of the Buffalo Outer Harbor and increase interest in the Buffalo waterfront. Through improved and increased access points to the water, the addition of comfort stations and ability to expand on existing vendor amenities, and promotion of programing, this project will bolster social, economic, and environmental interests within the project area.

2 Safeguard Quality and Quantity of Great Lakes Fresh Water

A. Discharges to coastal waters will meet water quality standards
No impact.

B. Control stormwater runoff and CSO's into LWRA
No impact.

C. Limit discharges from vessels into coastal waters
No impact.

D. – F. **Conserve and protect the quality and quantity of surface water**
Proposed impacts to surface waters are primarily limited to the construction/rehabilitation of slips, boardwalks, and observation platforms. No water quality concerns are anticipated. Refer to section 2.3.2 of the FEAF Addendum.

G. Prevent emerging contaminants such as pharmaceuticals, silicone, microplastics, and cyanobacteria
No impact.

3 Promote Water Based Industry and Enterprise

A. Develop Buffalo as a major state post/support waterborne transportation
No impact.

B. Protest existing, and encourage new, water dependent and related uses
The proposed action is intended to revitalize the interest and use of the Outer Harbor waterfront. Improvements to the First Buffalo River Marina, existing slips, various access points directly to the water, and emphasis on waterfront views will enhance the existing and create new and exciting water dependent uses.

C. Facilitate the siting of water dependent uses and facilities on or adjacent to coastal water
This project supports the development of new water-dependent uses by creating functional waterside and landside access with upland space for parking and watercraft rental facilities and enhancing the public access to the water's edge.

D. Strengthen economic base of smaller harbor areas
The project is proposing improvements to the First Buffalo River Marina and enhancing the access points to the waterfront to those who own watercraft, as well as providing amenities to the potential to rent various watercraft within the project area to promote water recreation in Buffalo.

E. Make sound decisions on the siting and construction of major energy facilities
No impact

4 Encourage Commercial and Recreational Boating

A. Provide launches & platforms for human powered boating in suitable locations
Through the improvement of existing slips and enhanced access points to water, as well as the improvements/addition of rental kiosks, this project will improve on human powered boating locations.

B. Minimize potential safety hazards at access points for human-powered boating
This project is improving on and increasing the number of access points directly to the water at the site.

C. Design piers, docks & boating facilities to accommodate multiple water dependent uses, wide range of uses & dynamic water levels
Project includes improvements to the existing First Buffalo River Marina and various slips within Outer Harbor. Refer to FEAF for a full description of improvements.

D. Incorporate safety features on bulkheads such as safety ladders
The addition of safety measures at the Michigan Pier, Slip No. 2, and Slip No. 3 are proposed. Refer to section 1.2.2 of the FEAF Addendum.

E. Minimize conflicts between recreational, commercial, and freight vessels
No impact.

F. Minimize impact of commercial & recreational boating activities/facilities on aquatic environment and surrounding land and water uses
No impact.

G. Manage harbor operations to protect ecological resources
In conjunction with the US Army Corps of Engineers (USACE), a project at Slip No. 3 is currently underway to enhance the aquatic habitat by decreasing the depth of the area and reducing wave action of Lake Erie. Refer to the FEAF for further detail.

H. Minimize adverse impacts from CDFs in the LWRA
The project abuts the former CDF at the Times Nature Preserve but extensive soil contamination studies have been performed over the years. Refer to the FEAF Addendum for a full summary.

5 Build Water-Enhanced Places that Enliven the Waterfront and Attract the Public

A. Direct new water enhanced, mix use development to areas identified in Section VII of the Inventory
This project proposes enhancements to water enhanced, mixed use development within the area of the Ford Terminal Complex. Refer to the FEAF for a full description of proposed mixed-use development including space for a large-scale event center with food/beverage and retail vendor opportunities with prime access and views of the Buffalo waterfront.

B. Protect and enhance natural and manmade features which contribute to the scenic quality of the LWRA
The entire project area is designed with the intention to enhance the scenic quality of the area and create a visual destination for Buffalo residents and beyond. Refer to the FEAF.

C. Protect & enhance Niagara River Globally Significant Bird Area viewing sites
The Times Beach Nature Preserve directly to the north of the project area and the Outer Harbor are considered “gateway features” to the Niagara River Important Bird Area. Improvements within the project site will enhance connectivity and access to the area and will increase natural biodiversity as well. Refer to the FEAF.

D. Protect and enhance historic resources
No impact.

E. Actions and development should provide multi-modal transportation facilities
Building off of recent improvements to the existing roadway, this project proposes to further enhance the trail system off of the road and increase accessibility to the site for pedestrians and cyclists.

F. Achieve local waterfront transportation objectives
This project will reduce the number of parking spaces within its footprint to preserve land for public access along the water’s edge and adjacent in-land commercial development.

G. Long Term Waterfront Transportation Goals
No impact.

H. Utilize signage within the WRA to assist in wayfinding & celebrate unique WRA cultural, recreational & environmental features
The project includes adding wayfinding and informational signage to describe and inform the public of unique cultural and environmental feature.

6 Promote Buffalo as an International Gateway

A. -H. No impact.

7 Protect and Rebuild the Lake Erie/Niagara River Food Web

A. Expand recreational use of fish and wildlife resources
In conjunction with the USACE a project at Slip No. 3 is currently underway to enhance the aquatic habitat of the area.

B. Protect significant fish and wildlife coastal habitats
Consideration has been giving to both the Times Beach and Tifft Natures Preserves and the project will enhance natural enjoyment of both habitats. Refer to the FEAF.

C. Protect wetlands
The Times Beach Nature Conserve consists of NYSDEC Freshwater Wetland BU-3 and abuts the project site; however, the project proposes no impact to this area. Additionally, the nature of the fill material that makes up the land within the site does not constitute the proper conditions to support wetlands.

D. Further develop commercial finfish, shellfish, and crustacean resources in the coastal area
No impact.

E. Protect fish and wildlife from effluent discharge from steam, electric generating, and industrial facilities into coastal waters
No impact.

F. Water intakes shall minimize impingement or entrainment of fish and wildlife
No impact.

G. Protect, preserve, improve & restore publicly owned habitat areas
No impact.

H. Protect and restore naturalized shoreline areas
Proposed improvement includes shore stabilization.

I. Prevent the introduction of aquatic invasive species to the Great Lakes
No impact.

J. Protect public health from contaminated fish
No impact

K. Protect the Niagara River Globally Significant Bird Area

Project proposes to improve access to the Times Beach Nature Preserve and has been design will minimize disruptions to bird migration as much as possible.

8 Provide Public Water Access in Support of the Public Trust

A. Provide access to publicly owned foreshore and adjacent lands
Project proposes to increase public access to the waterfront within the Outer Harbor.

B. Protect and increase public water related recreation resources and facilities
Project proposes improvement to the Buffalo First River Marina as well as in increase to the number of water related recreational resource rental options and an increase/improvement to the waterfront access points.

C. Encourage water dependent and water enhanced recreational uses
Many components of the proposed project encourage water dependent and water enhanced recreational uses. Refer to the FEAF.

D. Development adjacent to the shore will provide for water-related recreation
As stated previously, and fully within the FEAF, this project proposes improvements to the Buffalo First River Marina, water related recreational rentals, and increased and enhanced public access to the waterfront.

9 Maximize Coastal Resiliency

A. Minimize damage from flooding by protecting natural protective features
No impacts.

B. Minimize property damage and risk to humans from flooding and erosion
No impacts.

C. Where possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion
No impacts.

D. Activities and development will not result in an increase in erosion
No impacts.

E. Construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least 30 years
No impacts.

F. Utilize public funds to protect key features from erosion
No impacts.

G. Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes
No impacts.

H. Ice Management shall not interfere with hydroelectric power production, damage fish and wildlife & their habitats, or increase shoreline erosion or flooding
No impacts.

I. Preserve the natural protective function of key coastal areas
Improvements within the Bell Slip Subarea include upgrading stonework edge, landscaping and trails near the proposed comfort station. These upgrades will provide further protection of the shoreline.

J. Maintain and protect shoreline protective features
No impacts.

K. Consider the potential impacts of climate change on the Buffalo WRA
No impacts.

L. Periodically review Niagara River Ice Boom to determine potential adverse impacts
No impacts.

10 Minimize Environmental Degradation from Solid Waste and Hazardous Substances

A. Protect fish and wildlife from hazardous wastes
Various studies show that levels of contamination at the site are not classified as "hazardous." Refer to the FEAF.

B. Minimize adverse impacts of dredging activities
Any dredging activities will be done in such a manner to improve ecological and scenic resources of the site.

C. Prevent or minimize spills into coastal waters from shipment and storage of petroleum and other hazardous materials
No impacts.

D. Minimize adverse impacts to LWRA from solid and hazardous wastes
No impacts.

E. Support strategic removal of contaminated sediments in the Buffalo River
Any sediments that would require excavation will be disposed of off-site. Refer to the FEAF.

F. Characterize and address LWRA contaminated sediment and botulism concerns
No impacts.

G. City EMS shall review plans for the prevention and control of petroleum and chemical discharges within the LWRA
No impacts.

H. Existing chemical or petroleum facilities must minimize adverse impacts on the LWRA
No impacts.

Other Selected State Policies

NYS 6 – Expedite LWRA permit procedures
No impacts.

NYS 29 – Development of offshore uses and resources, including renewable energy resources, shall accommodate NYS's long-standing ocean and Great Lake industries
No impacts.

Buffalo Outer Harbor Civic and Land Use Improvement Project
State Environmental Quality Review Act
Full Environmental Assessment Form Addendum

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1. PROJECT DESCRIPTION

1.1. Project Background/Location

The Erie Canal Harbor Development Corporation (ECHDC), a subsidiary of the New York State Urban Development Corporation doing business as (d/b/a) Empire State Development (ESD), is proposing the development of the Buffalo Outer Harbor. The Project is located on approximately 208 acres of land bounded by Times Beach Nature Preserve to the northwest, Fuhrmann Boulevard and the Buffalo River on the east, on the south by a vacant private parcel that once contained the former Freezer Queen production plant and Lake Erie on the west (refer to Figure 1, Project Location Map).

The Project Site includes ten (10) lots of record in the City of Buffalo with the following addresses: 10, 32, 175, 225, 275, 461, 525, 575, 825 and a portion of 901 Fuhrmann Boulevard. Each of these lots have been acquired by ECHDC. The properties at 10 and 32 Fuhrmann Boulevard front on the Buffalo River and comprise the First Buffalo River Marina. 175, 225, 275, 461, 525, 575, and 825 Fuhrmann Boulevard front on Lake Erie and include former port-related properties once owned by private entities and the New York Power Authority (NYPA) and now improved by ECHDC for recreational uses such as Wilkeson Pointe, as well as former open storage lands once owned by the Niagara Frontier Transportation Authority (NFTA). The property at 901 Fuhrmann Boulevard was also formerly owned by NFTA and contains former Port Terminal Building A & B; Terminal B and land surrounding it are part of the Project (refer to Figure 2, Aerial Imagery Map).

The Project Site is located in the Buffalo Outer Harbor section of the City's waterfront, referring to the properties along the Lake Erie shoreline within a protector harbor formed by an outer breakwall built in the 1920s. Opposite of the Outer Harbor is the Inner Harbor that includes lands along the Buffalo River. Historically, the Outer Harbor provided deep water port facilities and associated landside transportation and industrial uses. Over the last four decades as the local economy constricted away from heavy manufacturing, this pattern of use has been progressively evolving to one relaying more on proximity and access to the water for recreational uses and enhancement of less intensive waterfront uses.

The Buffalo Outer Harbor has already undergone a number of incremental trail access, clean-up/remediation, and recreational improvements over the last decade by the NFTA, the NYS Department of Transportation (NYSDOT), NYS Department of Environmental Conservation (NYSDEC), Erie County, the City of Buffalo, the U.S. Army Corps of Engineers (USACE), and ECHDC. Improvements have included shore stabilization, new trail systems along the water's edge and along public roads, remediation of formal disposal sites to create recreational areas and nature preserves, clearance of blighting structures and periodic programming of activities such as concerts.

1.2. Proposed Action

The Proposed Action involves the adoption of a General Project Plan (GPP) for the Buffalo Outer Harbor Civic and Land Use Improvement Project (the Project) in accordance with the New York State Urban Development Corporation Act.

The GPP would include a long-term program of necessary environmental remediation activities and development of recreational facilities to improve vacant, substandard and/or underutilized property

stretching along a nearly one-and-a-half-mile stretch of Lake Erie waterfront. The improvements would include both sitewide elements, features, and amenities, along with specific improvements in a number of Subareas. Full descriptions of improvements within the Project Site (refer to Exhibit A.1, Project Site Map) and its Subareas (refer to Exhibit A.2, Subareas Map) are provided below.

1.2.1. Sitewide Elements

Environmental Remediation. The lands comprising the Lake Erie shoreline in the Project Site were created progressively over the course of three quarters of a century through a succession of filling events to create the subject land area that exists today. These filling events over the history of the Project Site were predominately undertaken to facilitate heavy industrial uses. Given this legacy, various areas of the Buffalo Outer Harbor have been the subject of past investigations and analyses of environmental contamination directly and indirectly created by these uses and filling events. A 2002 Record of Decision for the "Buffalo Outer Harbor Brownfield" involved a "use-based" strategy for much of the land area, citing necessary future remedial actions coinciding with various types of future land development. ECHDC has since undertaken updates of prior investigations, most recently through a Human Health Risk Assessment completed in 2020. The information derived from this work informed necessary remedial activities included in the GPP, such as soil capping and/or restriction of access, in various portions of the Project Site to ensure that planned open space/recreational improvements could be used by the public within acceptable safety thresholds for exposure to contamination.

Cultural/Heritage. The Buffalo Outer Harbor contains resources that embody the City's waterfront industrial and maritime heritage. The artificial shoreline of the current Outer Harbor includes sea walls and piers that were constructed to accommodate rail lines, factories and industry, and areas that were used as dumps by the City and private entities to reclaim land for future port facilities. As industry declined and activity at the Port of Buffalo decreased in the mid-20th century, these industrial piers, factory buildings and grain elevators were either abandoned or changed from their original use. Several cultural resources either located within or near the Project Site remain, including the Outer Harbor Breakwater System, Buffalo Lighthouse, Seawall/Fuhrmann Boulevard/Hamburg Turnpike, Connecting Terminal Grain Elevator (Eligible for listing on the State and National Register of Historic Places [S/NRHP]), Great Northern Grain Elevator (S/NRHP-listed), Michigan/Municipal Piers, former Bell Aerospace Hydroskimmer test center, former Ford Pier and Terminal A complex (S/NRHP-eligible and listed by City of Buffalo as a Local Landmark). Under the GPP, on-site cultural elements would remain and be sensitively highlighted through signage, lighting, or other interpretive gestures. Other nearby resources would, if possible, be included in viewsheds and highlighted through interpretive means.

Water Access. Prior ECHDC improvements made at the Queen City Bike Ferry and Wilkeson Pointe—as well as through the establishment of Buffalo Harbor State Park—have increased public water access, while dock improvements and equipment upgrades at the First Buffalo River Marina have enhanced private water access to the northern end of the Project Site. Under the GPP, additional water access elements would be installed throughout the Project Site, including but not limited to transient docks, kayak launches, fishing piers, overlooks and step-downs, and continued upgrades to the Ferry landing and boat launches at the First Buffalo River Marina location will further increase access to the water's edge.

Land Access and Circulation. Prior to ECHDC acquisition of the Project Site, two multi-use pathways (one along Fuhrmann Boulevard (the Fuhrmann Greenway) and one along the water's edge (the Greenbelt) were built to increase access to and through the Project Site. ECHDC's Wilkeson Pointe improvements at the northern end, and the Lakeside Complex at the southern end, completed the Greenbelt Trail and connected it to the Fuhrmann Greenway so that over two miles of continuous, paved shoreline trail now exist in the Project Site for use by pedestrians and bicyclists. The introduction of ECHDC's seasonal Queen City Bike Ferry and the year-round, multi-use trail along Ohio Street connects the Outer Harbor trail network with Canalside and the City trail network, with additional connections already existing to Tifft Nature Preserve, Tifft Street, and the Buffalo Lakeside Commerce Park.

Under the GPP, the Project Site will see an enhanced network of new and improved trails that would connect the Ferry at the northern end of the site with Terminal B at the southern end. This enhanced network would provide a paved, multi-use "spine" that connects each Subarea of the Outer Harbor. Each Subarea would also have its own series of trails, both paved and unpaved, that will allow for further exploration of the various waterfront settings and offerings.

Paved parking lots will would be limited to only those necessary to service Subareas as necessary, allowing for handicapped parking accommodations for the disabled and elderly and closer access to support staging for to waterside activities and public amenities (e.g., personal watercraft put-in points and trailheads). It is expected that overall parking spaces within the Project Site would be reduced once the entire Plan is completed.

Open Space and Landscape. Outside of the First Buffalo River Marina and Terminal B Subareas, the City recently rezoned the Project Site as Open Space. The nearly 200- acres have been stripped of most former buildings and industrial equipment after sitting vacant for decades and the land is now slowly regenerating as a waterfront landscape. However, without much soil and burdened by severe weather and a large deer population, the landscape consists mainly of invasive and/or non-native species and a limited number of tree and shrub species. Earlier capital projects at Wilkeson Pointe and the Lakeside Complex were completed to increase the variety of tree and shrub species, focused on the needs of migrating birds and butterflies. These interventions have also included various deer fence protections methods in an effort to ensure the longevity of these plantings.

Under the GPP, the Project Site would employ a comprehensive, regenerative strategy that would strengthen the existing landscape while diversifying the plant materials based on past experiences, the weather and area micro-climate, and animal populations. The strategy would include the removal and management of invasive species while enhancements are made to the soil. A variety of plant typologies would be installed within and between Subareas to ensure the long-term sustainability of the landscape improvements, including a pollinator corridor along Fuhrmann Boulevard.

Comfort Stations, Signage and Wayfinding. The Project Site currently includes a limited amount of comfort station amenities (i.e., restrooms, water fountains, shade structures) at Wilkeson Pointe and the Lakeside Complex, but much of the site is underserved. The First Buffalo River Marina includes amenities for the slipholders but not for the general public. Signage and wayfinding are currently limited to the Lakeside bike park trails network and the paved shoreline trail.

Under the GPP, the placement of additional comfort stations throughout the new landscape will provide for a more even distribution of amenities while enhancing the various subareas. It is possible that one or more of these stations be used by police or other emergency service providers. In turn, an overall signage and wayfinding program will allow visitors to better understand where they are within the vast site, where the various subareas are located and how long it will take to get there. The signage will also be used to brand the Outer Harbor within the larger context of the emerging Buffalo Waterfront.

Passive and Active Recreational Amenities. The open space within the Project Site already provides for several passive and active recreational opportunities and spaces for various activities, programs, and events. From walking to biking, yoga to kickball, festivals, movies, concerts, 5k/8k runs, and travelling programs, the vast acreage allows for multiple types of programming to occur.

Under the GPP, the combination of improved water and land access, circulation, and landscaping would enhance and grow passive and active recreational activities. The Subareas will be developed to encourage certain types of programs and activities that best suit the site and/or adjacent uses. Small and medium-sized lawns could be used for a variety of seasonal activities, public and private events and festivals, while larger lawn areas can be used to host concerts, 5k/8k run after-parties, large festivals, and miscellaneous travelling programs. The restored, natural areas could be used for forest bathing, birding, fishing, educational walks, sunset viewing, as well as low impact recreational sports and/or meditative activities.

1.2.2. Subareas

The Buffalo Outer Harbor is generally composed of eight (8) Subareas, seven (7) of which are included in this GPP (refer to Exhibit A.2). While the Terminal A Subarea is not included in this Project, it is discussed below.

First Buffalo River Marina. This 15-acre Subarea is used for docking and storage of pleasure boats, launch services, and services for boaters, including minor repair of boats while in the water and on land, sale of supplies and/or provision of food and beverages. The marina also includes the landing for the Queen City Bike Ferry at the northern-most end of the site. The abandoned concrete silos of the 1915 Connecting Terminal Grain Elevator and 1955 Annex are located near the southern end of the property, with a nightly light show in operation since November 2015.

Large portions of the overall site would be opened to the public while the recreational marina and ancillary services will continue to be operated by a private entity. The current number of slips would be maintained with improvements to the slip holder's site access, parking, movement through the site, and security on land as well as on the docks. Boater and marina services, including but not limited to launch, repairs, winter storage, food/beverage and restrooms, would be continued and/or enhanced.

A relocation of the Queen City Bike Ferry landing to the center of the site would allow for a redistributed network of boardwalk, paved and unpaved trails through the site, while creating the first segment of the multi-use-"spine" connection between the landing and Wilkeson Pointe. The area near the landing would include an upland beach, decks, comfort station with food, beverage, and restrooms, as well as connections to the Connecting Terminal Grain Elevator experiences. Large areas of the site would be

landscaped with overlooks and trail signage. Minimal programming is expected at the Marina outside of the beach zone and grain elevators.

The Connecting Terminal Grain Elevator would see two interpretative enhancements, with the 1915 main house ground level improved and made accessible to the public, while an interpretive trail experience built at the ground level inside the 1955 annex bins would inform the public of Buffalo's grain elevator history. The existing lighting project would remain in place through 2025, completing its anticipated 10-year run.

Exhibit A.2.1 depicts the components of the First Buffalo River Marina Subarea.

Wilkeson Pointe. The 22.3-acre Subarea currently consists of edge improvements, a path network, restrooms near Fuhrmann Boulevard, temporary food and beverage facilities, a 16-space paved parking lot, and the iconic wind sculptures atop the Pointe. A large portion of the subarea was not improved as it was expected to be sold for private development. While the edge improvements, restrooms and iconic wind sculptures will remain, much of the site will be reconstructed to provide permanent amenities and refined spaces for programming and events that the public has enjoyed for the past four years.

The existing path network would be modified to create a single entrance to Wilkeson Pointe, and in line with the planned multi-use "spine" connection from the First Buffalo River Marina. The revised path network would remove confusion with the Times Beach Diked Disposal Area entrance at the north end of the site, as well as the bottleneck near the restrooms at the south end of the site. The vehicular entrance and parking spaces would also be relocated to allow for a more significant landscaped water's edge of Slip No. 3.

A permanent, seasonal comfort station including food/beverage and restrooms would be constructed with ancillary seating areas consisting of decks, lawns, and sand areas. This area will become the center of activity at the site and will support programming, events, and seasonal recreational activities at the facility or at adjacent lawns and open spaces. In addition, the site is expected to continue to provide rental opportunity stations for kayaks, stand up paddle boards, and bicycles.

A large portion of the site would include soil amendments and landscaping improvements, with meadows, grasslands, and pollinator fields. An enhanced vegetated buffer along the northern edge would keep Times Beach Diked Disposal Area separated from this site.

Exhibit A.2.2 depicts the components of the Wilkeson Pointe Subarea.

Michigan Pier. This 29.2-acre Subarea consists of the Michigan Pier, Slip No. 2, Slip No. 3, and a wedge of land between these constructed features and Fuhrmann Boulevard (refer to Exhibit A.2.3). The three industrial structures were built and filled in by the City of Buffalo circa 1927, with the former Municipal Pier constructed at approximately 1,100 ft. long by 220 ft. wide and surrounded by Slip No. 2 to the south and Slip No. 3 to the north. Sheet pile walls with above-grade concrete caps define these features while below-grade tie rods continue to support the Pier structure. Approximately one-third of this subarea is upland, with the rest of the space consisting of the two watered Slips.

The Michigan Pier would be rehabilitated to ensure its structural integrity with perimeter walkways and railing along the Slip No. 2 edge and western end. The upland area would include soil amendments and

landscaping improvements with a mix of meadow, forest, lawn, and pollinator fields. Enhanced vegetation along the northern edge would create a naturalized transition from the land improvements to the water improvements under Slip No. 3 (see below). Permanent, seasonal comfort stations including food/beverage, and restrooms, as well as rental opportunity stations would be constructed. A series of additional pathways, overlooks, and small lawn areas would provide for programming and events throughout the space while a pedestrian bridge connecting Michigan Pier to Wilkeson Pointe would increase access and overall connectivity. Finally, a wide multi-use walkway along the eastern edge, running parallel with the Fuhrmann Boulevard Greenway, would extend the "spine" from Wilkeson Pointe toward the Meadows.

Slip No. 2 would remain largely untouched except for required structural and safety measures and transient docks along the southern edge. This Slip would be used for recreational and commercial watercraft, and possibly water-dependent events such as the tri-annual Tall Ships festival that tours the Great Lakes. This Slip is approximately 1,100-ft. long by 400-ft. wide and nearly 25 feet deep.

ECHDC has been coordinating with the US Army Corps of Engineers (USACE) Buffalo District's proposal to complete a Section 204 Beneficial Use of Dredged Material for Ecosystem Restoration along the Buffalo Outer Harbor – Slip No. 3 project. In July 2020, the USACE assessed the environmental impacts of the Project in accordance with the National Environmental Policy Act and issued a Finding of No Significant Impact. Slip No. 3 would be rehabilitated with the use of dredged materials from the Buffalo River to create approximately 6.7 acres of coastal wetland habitat along the Lake Erie shoreline. The proposed Slip No. 3 project would be designed and constructed by USACE and jointly funded by it and ECHDC, which would contribute to the restoration of the aquatic ecosystem functions that have been lost or degraded in the eastern Lake Erie/Upper Niagara River basin. The habitat would be created by constructing an angled rubblemound breakwater structure with a weir opening at the mouth of Slip No. 3, placing approximately 285,000 cubic yards of dredged material within the Slip to raise the existing bottom by nearly 15 feet, installing habitat features (i.e., gravel beds, rock piles, rootwads, logs), and planting native species of submerged and emergent aquatic vegetation.

The Meadows. The 60.7-acre Subarea currently includes a paved pathway along the water's edge, asphalt and gravel parking areas (i.e., once serving the former Pier restaurant), and large areas of invasive species, brush, and emerging cottonwood trees divided by the paved/gravel Outer Harbor Drive originating from the Bell Slip subarea (refer to Exhibit A.2.4). The water's edge pathway is part of the Greenway Nature Trail or Greenbelt constructed in 2008 that stretches 6,400 feet along the Lake Erie shoreline. ECHDC extended the northern end in 2016 and the southern end in 2019, connecting the Greenbelt to the multi-use Fuhrmann Boulevard Greenway.

With the Greenbelt to remain, the site would include soil amendments and significant areas of landscaping improvements, with meadows, grasslands, forest, and pollinator fields comprising the bulk of the subarea. The shoreline would be strengthened with larger stones while providing locations for the public to fish, sunset watch, and direct physical access to the water.

The parking area would be reduced and replaced with a signature naturalized play area, overlooks, and comfort stations including restrooms to enhance the visitor's experience.

A series of paved, gravel, boardwalk, and cut-grass pathways would significantly enhance the connectivity through this subarea while extending the "spine" from the Michigan Pier to the shoreline, where it would combine with the Greenbelt. Additional comfort stations would be included along some of these pathways.

Bell Slip. This nearly 28.2-acre Subarea is defined by the watered Bell Slip and shoreline Greenbelt trail (refer to Exhibit A.2.5). The area also includes a 28-space paved parking lot and remnants of the former Bell Aerospace Hydroskimmer facility. The remainder of the site includes the Fuhrmann Boulevard roundabout entrance to Outer Harbor Drive and a large stand of trees, predominantly cottonwoods, that overlap the Meadows Subarea.

The Greenbelt trail would be modified to connect to the Fuhrmann Greenway at the roundabout entrance. The area would be reorganized with parking, a comfort station including restrooms, and enhanced landscaping which together provide a sense of place to the Bell Slip. The original parking lot would be removed while the building remnants would remain. A series of boardwalk trails would be constructed through the cottonwood stand while invasive species would be removed.

A large portion of the site would include soil amendments and landscaping improvements, with a composting center, forest, meadows, grasslands, and pollinator fields.

Lakeside Complex. In 2019, a 41.0-acre Subarea of the Outer Harbor was dedicated as the Lakeside Complex, including an extension of the multi-use trail system as well as a new bike park and off-road trails, a 50-space paved parking lot, a 3.5-acre event lawn, and large areas of regenerative landscapes. The reconstructed areas provided for active recreational opportunities at the southern end of the site, which is zoned for more intensive development. The components of the Lakeside Complex Subarea are depicted in Exhibit A.2.6.

The bike park area, including three tracks for various skilled riders and three off-road trails, is serviced by a paved entrance/parking lot and a plaza area at the south end. At the end of the parking, a cul-de-sac end has been designed for food trucks and site related events. A ticket kiosk near the entrance to the event lawn also provides food and beverage options during peak usage times. Approximately 33-acres of upland was treated for invasive species or redeveloped as regenerative landscape, meadow, pollinator field and lawn. Over 750 trees, 1,000 shrubs, and ornamental grasses were introduced to diversify the plant species and provide for a future seedbed.

Further enhancements to the Lakeside Complex would include the redevelopment of approximately 6-acres of upland area to support the Terminal B Subarea rehabilitation. This area, on the eastern side of the Terminal building would be improved with soil amendments, landscaping, and hardscaping to allow for a space that is integrated with the proposed facility improvements. The enlargement of the bike park plaza includes a comfort station, improved hardscaping, and the option for a seasonal food and beverage kiosk. Finally, extensions of the off-road trail system and other active recreational amenities (such as a skate park, ropes course, ziplines, drone course, etc.) are planned in this Subarea.

Terminal B. The nearly 100,000 square foot steel-frame and concrete block building has sat vacant for over a decade. Surrounded by approximately 12-acres of asphalt parking, the Lakeside Complex on three

sides and Lake Erie to the west, the building has been primarily used for off-season equipment storage since ECHDC took ownership.

Terminal B would be completely rehabilitated and adaptively re-defined to create secure storage, operations and maintenance offices, public restrooms, and back-of-house operations while providing the infrastructure, space, and utilities to support large-scale events and programming opportunities. The existing building façade and roof would be removed with the steel frame and foundation remaining. An approximately 30,000-square-foot facility would be created to support outdoor events, largely on the southern end of the existing building slab, with ancillary mezzanine and roof areas. This building component would be designed to allow for a transition to food/beverage and retail vendor opportunities if future market demand warrants.

A 9,000-square-foot permanent stage/storage/greenroom facility would be created on the eastern edge of the building slab while a public elevated walkway would be built along its western edge. The stage location would allow for improved support for outdoor concert event operations (e.g., negating the use of transient electrical generator or stage apparatuses), while the elevated walkway would extend the trails network with unparalleled views of Lake Erie, sunsets, and impending storms.

The outdoor space on the eastern side of the site (part of the Lakeside Complex Subarea) would be improved with soil amendments to cap limited surface contamination, landscaping, and hardscaping to allow for a space that is integrated with the building improvements. Exhibit A.2.7 depicts the components of the Terminal B Subarea.

Terminal A. The Terminal A Subarea consists of approximately 39 acres, the 560,000-SF former Port Terminal A, “Oil House”, Boiler/Fire Pump House, and “Blue Building” and is specifically excluded from this GPP. Terminal A is approximately 1,000 ft by 300-400 ft and consists of high-bay, low-bay, open area, maintenance shop, and office spaces. The one and two-story steel frame and masonry block and brick veneer building, originally a Ford Motor Company Plant, was designed by Albert Kahn and is considered a prime example of 20th Century industrial architecture and was designated as a local historic landmark by the City of Buffalo Historic Preservation Board in 2019.

Terminal A has been vacant for nearly 10 years and a 2017 inspection outlined environmental remediation, utility and fire suppression upgrades, roof, and exterior envelope rehabilitation, as well as interior space renovations necessary for the building to be reused again. In 2019 the ECHDC established a volunteer advisory panel of local citizens to study options and make non-binding recommendations to ECDCH concerning the future of Terminal A. The advisory panel is reviewing local market studies and best practices for similar facilities around the country, evaluating redevelopment scenarios, cost estimates, and schedules in order to assess a range of potential outcomes from demolition to full restoration. Recommendations from the advisory panel are expected in 2021.

Due to the complex issues regarding Terminal A, redevelopment of this Subarea is **NOT** included as part of this Proposed Action.

1.2.3. Project Phasing

Subject to necessary approvals, it is expected that the GPP would be implemented in phases based upon available funding. Phase 1 of the Project—which would total roughly $44 million in Buffalo Billion and

New York Power Authority (NYPA) relicensing funds—would begin in 2021, with completion of the upland work in 2026 and the in-water work by 2030. The entire Project is expected to be completed over a 20-year time horizon. Specifically, Phase 1 would include:

- Creation of new and enhanced open spaces, increased land and water access, as well as the addition of comfort stations and passive and active recreational amenities. Improvements on over 50 acres of upland and watered property, including the rehabilitation of Terminal B.
- All work described above for Wilkeson Pointe.
- In the Michigan Pier Subarea, the Slip No. 3 work in conjunction with USACE would be completed in its entirety. Upland and Slip No. 2 work would be completed in future phases.
- At the Bell Slip, a portion of the work as described above, including the reorganized entrance, comfort station, targeted landscaping and trail improvements would be completed. Boardwalk trails and large areas of landscaping improvements would be completed in future phases.
- At the Lakeside Complex, the work described above would be completed in its entirety.
- At Terminal B, the work described, with the exception of the 30,000 SF facility, would be completed in its entirety.

Future Phase(s) would include:

- All work described at the First Buffalo Marina, including interpretative features at the Connecting Terminal.
- At the Michigan Pier Subarea, upland and Slip No. 2 work described above would be completed in its entirety.
- At the Meadows, the work as described above would be completed in its entirety.
- At the Bell Slip, the boardwalk trails and large areas of landscaping improvements described above would be completed in its entirety.
- At Terminal B, the 30,000 SF facility described above would be completed in its entirety.

1.3. Limits of the Proposed Action

It should be noted that while the Proposed Action is limited to activities outlined in the GPP and noted above, it is acknowledged that these improvements involve a long-term program to facilitate further public access and enjoyment of the waterfront. Nevertheless, there is still a long-term objective to realize some form of additional development on portions of the Buffalo Outer Harbor lands in the future, such as possible future adaptive reuse/rehabilitation of former Terminal A. In turn, a number of other on-going projects could influence future use of the Project Site, including:

- The potential removal of the Buffalo Skyway, which is being assessed as part of a NEPA Environmental Impact Statement (EIS) sponsored by the NYS Department of Transportation (DOT).

- The potential relocation of the US Coast Guard Station located north of the Project Site.
- Additional site entrance improvements at the Times Beach Nature Preserve, being advanced by Erie County.

It is fully reasonable to separately conduct (or permissibly segment) the assessment of the impacts of improvements under the Proposed Action (as presented above in Section 1.2) from the environmental review of any potential future development on the Project Site (e.g., at Terminal A) or nearby projects being advanced by other agencies noted above, in consideration of the following:

- **Timing.** Undertaking planning, design/remedial activities, and construction of public access/recreational improvements on the site would further enhance public enjoyment of the Buffalo Outer Harbor in a manner fully permitted under current local development regulations and policies. Implementing these improvements now would not in any way commit ECHDC, DOT, US Coast Guard, the City, or any other agency to implement and/or approve any particular project(s) on or near the Buffalo Outer Harbor in the future. If and when the respective environmental review process for each of these efforts is initiated, it would need to cumulatively consider this Proposed Action. For example, ECHDC actively provided all its assumptions under this Proposed Action as input to DOT's Buffalo Skyway EIS. However, in recognition that there are currently no specific development proposals—defined in terms of location, type (residential, office, institutional, etc.), and scale (i.e., number of units, total area of new development, etc.)—under consideration for approval by any agency, it would be premature to attempt to speculate on aspects of any such future development.
- **Lack of Significant Impacts.** The specific components of the Proposed Action (i.e., environmental remedial activities and development of public access/recreation improvements and amenities) are not anticipated to result in any significant negative direct/indirect effects to social, economic, or environmental resources. Because any future development on the Project Site or projects in adjacent areas are all subject to their own environmental review processes and associated public reviews/approvals, advancing the Proposed Action now before any other future development or other projects are fully conceptualized would in no way affect the appearance or impression of information that would be reported in any future environmental documentation (i.e., it would not make the separated actions appear to have fewer impacts) nor would it in any way be less protective of the environment.
- **Independent Utility**. The specific components of the Proposed Action would have "independent utility" (i.e., would permit public enjoyment of the waterfront) from that of any possible future development on some portion of the Project Site or projects on adjoining sites, such as the removal of the Buffalo Skyway or relocation of the Coast Guard Station. While such other uses may well be related and complementary, the ultimate success of the Proposed Action would be in no way directly predicated upon any such future development or other projects.

2. ENVIRONMENTAL CONSIDERATIONS

The following sections outline various environmental considerations in accordance with SEQRA. These sections are organized according to the sections listed in Part 2 of the SEQRA Full Environmental Assessment Form.

2.1. Impact on Land

2.1.1. Existing Conditions

The Project is situated on 208 acres of land on Fuhrmann Boulevard and is composed of ten (10) tax parcels in the City of Buffalo. Two parcels, 175 and 225 Fuhrmann Boulevard, formally owned by Cargill and NYPA were most recently used (1968-2000) for bulk storage of road salt and for summer storage of the NYPA Lake Erie – Niagara River ice boom. These lands were also historically used for a variety of industrial purposes, most notably as a shipbuilding yard. These parcels were remediated by ECHDC in 2013 and converted to the recreation area known as Wilkeson Pointe.

The southern portion of the Project (235-901 Fuhrmann Boulevard) comprises the former Port of Buffalo operated by NFTA and its predecessor agency since 1960, and prior to that by the City of Buffalo. This area includes the former Port Terminal Building A (which historically was a Ford Motor Company plant) and the former Port Terminal B Building at 901 Fuhrmann Boulevard, open storage areas formerly used to store salt, sand and other bulk commodities, and slips (water inlets) for marine shipping including the Bell Slip, the Seaway (or Municipal Slip) and the Michigan Slip.

In the 1980s, NFTA leased a portion of these lands for a private waterfront restaurant/nightclub called Shooters (and later known as Breakers, and finally The Pier). This establishment closed in 2004 and was demolished by NFTA in 2010 as part of the implementation of a clean-up remedy for contaminated soils in the fill materials that in part formed the land in this area. The same clean-up effort yielded the first phase of the Greenbelt trail network along the Lake Erie shoreline.

Since this time, portions of the Project Site in the vicinity of the former location of The Pier have been periodically used for concert events and festivals. These activities were conducted under contracts between event promoters and the NFTA and have involved several large events. Upon the transfer of lands to ECHDC, these agreements were assumed by ECHDC for summer of 2015.

In 2016, ECHDC acquired the lands that include the First Buffalo River Marina (10 and 32 Fuhrmann Boulevard) at the northeastern end of the Project Site. This area was formerly developed for industrial and commercial use including use as a railroad yard for staging of rail cars. Aerial imagery shows that the railroad lines were removed from the area sometime between 1966 and 1972. Boat slips along the Buffalo River have been present since at least the 1930s, while marina operations began at this location in 1991. The area currently includes the privately operated boat marina/storage facility. The First Buffalo River Marina includes the Connecting Terminal and Grain Elevator which was constructed in 1925.

Surrounding land uses include a mix of conservation and marine uses. Lake Erie is immediately west of the Project Site and situated between Lake Erie and the First Buffalo River Marina is Times Beach Nature Preserve. Times Beach is located in an area formerly used as a confined disposal facility (CDF) for USACE, intended for depositing of dredged spoils from periodic dredging of the Buffalo Harbor to maintain

specified water depths for shipping. North of Times Beach is the U.S. Coast Guard Station. To the south of the Project Site is the site of the former Freezer Queen food processing plant (now razed) and Buffalo Harbor State Park. The Buffalo River is located to the east of the Project Site separated by New York State Route 5, also known as the Buffalo Skyway.

In 2006, the City of Buffalo adopted the "Queen City in the 21st Century: Buffalo's Comprehensive Plan" ("Comprehensive Plan"). The Comprehensive Plan sets forth broad policy statements for future development, specially calling out efforts and regulatory policies for the City to "*reconnect to its waterfront, improve public access to lake, rivers and creeks, link neighborhoods to the water's edge, leverage waterfront assets for appropriate economic development, and improve water quality, waterfront lands and habitat in the process*" (City of Buffalo 2006).

The Unified Development Ordinance, also referred to as the Buffalo Green Code replaced the City's zoning code in 2017. The Green Code was written to facilitate implementation of the Comprehensive Plan and to help achieve other land use policy documents such as a Brownfield Opportunity Areas (BOAs) and the Local Waterfront Revitalization Program (LWRP) as well as urban renewal plans which have been largely replaced by the Green Code. The Table below outlines each portion of the Project Site and the associated Zone and allowable uses. The type of activities proposed by the Project are allowable under the Green Code. The entire Project Site is located within the C-W Overlay Zone. Exhibit A.3, Zoning Map depicts the Project Site in relation to the Zones.

Table 1: Project Subarea Zoning Designations

Project Area	Zone	Overlay Zone	Allowable Uses
First Buffalo River Marina	N-3E	C-W	Cultural Facility, Open Space, Bicycle Parking Station, Marina Recreational, Pedestrian or Bicycle Path
Wilkeson Pointe, Michigan Pier, The Meadows, Bell Slip	D-OG	C-W	Open Space, Bicycle Parking Station, Pedestrian or Bicycle Path
Lakeside Complex	D-OG & N-1S	C-W	Open Space, Bicycle Parking Station, Pedestrian or Bicycle Path, Amusement Facility Indoor, Amusement Facility Outdoor Retail/Service General, Bicycle Parking Station
Terminal B	N-1S	C-W	Open Space, Amusement Facility Indoor, Amusement Facility Outdoor Retail/Service General, Bicycle Parking Station, Pedestrian or Bicycle Path

The Project is also within the State of New York designated Coastal Zone established under Executive Law Article 42, Waterfront Revitalization of Coastal Areas and Inland Waterways, New York State's law to implement the federal Coastal Zone Management Act. New York State established 44 policies for

development in the coastal zone regarding: encouraging the development in existing ports where infrastructure and public services are adequate; encouraging facilitation of public access for recreational purposes; protecting and revitalizing natural and man-made resources such as fish and wildlife habitats, agricultural lands, open space areas, and scenic and historic resources; and protecting natural and made-made features from damage caused by flooding and erosion. The law also establishes a procedure for localities to adopt LWRPs to provide specific guidance in a particular municipality. The City of Buffalo adopted its LWRP, which contains the Project Site in its entirety, in 2018, and was approved by NYSDOS in 2019 and concurred with by the U.S. Office of Coastal Management in July of 2020.

2.1.2. Impacts of the Proposed Action

The Proposed Action would result in positive land use impacts associated with further improvement of waterfront lands for public use. The Project represents a natural extension of the existing open space facilities and recreational access provided at Wilkeson Pointe and Times Beach Nature Preserve as well as serve in connecting various other networks of waterfront trails and access ways stretching north from Buffalo Harbor State Park to the U.S. Coast Guard Station. Assimilation of the First Buffalo River Marina provides new opportunities for public motorized boat access to Lake Erie while the Project also creates access points for non-motorized boats with the additional boat launch and slips.

Because ECHDC and its parent corporation ESD are state government agencies and the Proposed Action is located on state land, they have immunity from local planning board and building department permitting. Nevertheless, the Proposed Action would be fully consistent with the policies of the City Comprehensive Plan and Buffalo Green Code, and components involving new buildings (e.g., comfort stations, rehab/adaptive reuse of Terminal B, etc.) would be designed/constructed in full compliance with all New York State building codes that are administered locally by the City of Buffalo Department of Permit & Inspection Services.

The Proposed Action would also represent the best principles of “smart growth” through its remediation/reuse of brownfield property in an urbanized area that would contribute to an emerging pattern of recreational and open space facilities along the waterfront. To avoid any long-term health and safety issues related to past contamination and to preserve the integrity of any past remedial actions, ECHDC has employed protocols to ensure all patrons are not subjected to any harmful exposure to contaminated materials in the on-site soils (see Section 2.16 for detailed remediation activities).

The Proposed Action is fully consistent with the State’s Coastal Policies and the City’s Local Waterfront Revitalization Program (LWRP). This EAF includes a LWRP Coastal Assessment Form indicating that the Project would not result in adverse impacts to coastal resources and would not impair/infringe upon achievement of any coastal land use policy.

2.2. Impact on Geologic Features

The Project Site was created through periodic filling events over the last century and contains no unique geologic features. A discussion of the implications of the Project related to surface and subsurface soil contamination from these filling events is included in Section 2.16.

2.3. Impact on Surface Water

2.3.1. Existing Conditions

The majority of the proposed Project is located adjacent to Lake Erie in the Buffalo Outer Harbor, while a small portion at First Buffalo River Marina is located adjacent to the Buffalo River. The Niagara River/Lake Erie Basin Waterbody Inventory/Priority Waterbodies List Report was issued in September 2010. In this report the Project Site is considered to be in the North Outer Harbor and Buffalo River, Main Stem. The report classifies this area of Lake Erie as a Class B waterbody with impaired water quality, and the Buffalo River as a Class C waterbody also with impaired water quality. Water quality issues in the Niagara River/Lake Erie Watershed are for the most part associated with past and current industrial activities in the Great Lakes and urban centers in the watershed. The Project Site includes three former deep-water slips, Slip No. 2 and No. 3 that adjoin the Michigan Pier and the former Bell Slip.

The Project does not contain any mapped state or federally regulated wetlands. However, the 500-foot checkzone of the NYSDEC Freshwater Wetland BU-3 (associated with the Times Beach Nature Preserve) encroaches on the Buffalo First Marina portion of the Project. Because of the nature of the fill material that makes up the land, it is understood that the Project Site does not contain the proper conditions to support wetlands.

2.3.2. Impacts of the Proposed Action

The Proposed Action is not anticipated to result in any significant adverse impacts to surface water resources. Impacts to surface waters are generally limited to the construction/rehabilitation of slips, boardwalks and observation platforms. Increased impervious areas may result in additional stormwater volumes, however any concerns of this nature have been addressed in the Project's Stormwater Pollution Prevention Plan (SWPPP). Various stormwater best management practices (BMPs) and ecologically landscaped areas are proposed for permanent stormwater management. No water quality concerns are anticipated.

The USACE is currently leading the planning, design, and ultimate construction of the rehabilitation of Slip No. 3 within the Project Site, for which ECHDC will be contributing the required non-federal match for this Project component. The Project aims to reuse/deposit dredged material from Buffalo Harbor maintenance operations within the slip to create several wetland habitat alternatives protected by breakwaters within the former deep-water slip. This Project is designed to mimic naturally occurring coastal wetlands that occur behind barrier beaches, within drowned river mouths, or embayments. Such shoreline types provide natural protection from large waves and damage from ice. These improvements will net a positive impact on the surface waters within the Project Site by decreasing wave height at the Outer Harbor and providing increased natural aquatic environments. As noted in Section 1.2.2, USACE issued a Finding of No Significant Impact in July of 2020 for this effort, based upon an environmental assessment prepared in accordance with the National Environmental Policy Act.

The environmental assessment for component of the Proposed Action notes that it is anticipated to need a Section 404 permit under the Clean Water Act from the USACE. A permit under Section 10 of the

Federal Rivers and Harbors Act, also administrated by USACE would also likely be required for the proposed structures extending into the Buffalo River and Lake Erie.

As this Project component is anticipated to require a Section 404 permit, a Water Quality Certification under Section 401 of the Clean Water Act, which is administered by the New York State Department of Environmental Conservation ("NYSDEC") is also anticipated to be secured by USACE.

The Proposed Action will likely require an Article 15 Protection of Waters Permit from the NYSDEC for impacts to Lake Erie, a Class B and navigable waterway. Additionally, any impacts to the Buffalo River, a navigable waterway, would require coverage under Article 15.

Based on the NYSDEC Freshwater Wetland Mapping, the Proposed Action appears to be outside of the regulated 100-foot adjacent area of the NYSDEC Freshwater Wetland BU-3 and would therefore not require coverage under Article 24. However, the Proposed Action is located within the 500-foot checkzone of the NYSDEC Freshwater Wetland BU-3 indicating that the boundary of Wetland BU-3 should be field verified to determine the exact boundary and therefore the exact extent of the regulated 100-foot adjacent area.

Final design of the Project components will determine specific permitting needs for the proposed activities.

The Project will result in greater than one acre (>1 ac.) of earth disturbance and therefore a State Pollution Elimination Discharge System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) is anticipated. This permit regulates the discharge of stormwater during construction activities in order to help avoid any significant impacts to water quality. As part of this permit, a SWPPP will be developed that is in conformance with New York State requirements for discharge of stormwater from the site during construction.

2.4. Impact on Groundwater

2.4.1. Existing Conditions

Phase II investigations have been previously performed on the Project Site. The investigation of the Wilkeson Pointe in 2004 detected no volatile organic compounds (VOCs) or semi-volatile organic compounds (SVOCs) in the groundwater samples in excess of NYSDEC Groundwater Quality Standards. Metals concentrations that were elevated relative to NYSDEC Groundwater Quality Standards were observed to be ubiquitous in the groundwater and were considered likely attributable to the metals concentrations in the fill material used to create the land on which the Project occurs (LiRo Engineers 2012).

Similar results were found on most of the property at 235-901 Fuhrmann Boulevard which underwent Phase II investigations from 1991-1996, setting the basis for a 2002 Record of Decision (ROD) by NYSDEC. While these investigations indicated that groundwater samples exhibited low-to-moderate levels of metals including barium and lead, and very low levels of pesticides, all were below NYSDEC Groundwater Quality Standards. These contaminants were attributable to fill materials that were used to create the site over its history and were comparable to general groundwater quality exhibited in the

area. They were determined not to be significantly contributing to the contaminant loading of Lake Erie (NYSDEC 2002).

The exception to this was at the NFTA "Radio Tower Site" located north of 901 Fuhrman Boulevard, located outside of the Project Site. Elevated levels of VOCs and SVOCs were found in groundwater wells surrounding the site, with compounds measuring over NYSDEC thresholds at the time including 4-chloroaniline, dichlorobenzene, and naphthalene (NYSDEC 1999). However, NYSDEC's ROD for the remediation of this site indicated that this contamination is localized, and that groundwater flow is limited and not readily migrating away from the site or to Lake Erie. Thus, the ultimate remedy that was implemented at the Radio Tower Site was considered fully protective of groundwater resources.

In 1988 RCRA Environmental conducted a Soil and Groundwater Quality Assessment of the First Buffalo River Marina. The analytical samples for groundwater quality indicated elevated levels of toxic metals, chromium and lead possibly attributed to particulates in the samples, elevated levels of nontoxic metals, iron and manganese (considered non representative of environmental impacts according to RCRA) and low levels of polycyclic aromatic hydrocarbons (PAHs & naphthalenes), indicating residual affects possibly from creosote treated lumber used in rail operations. No further groundwater sampling was conducted during the most recent Phase II Environmental Site Assessment conducted by Hatch Acres Corporation (Hatch) for New York Power Authority of the First Buffalo River Marina (Hatch, 2010).

2.4.2. Impacts of the Proposed Action

It is not anticipated that the Project will result in any significant impacts to groundwater resources, nor would it result in any new pathways for migration of contaminated groundwater. The build out of any Project component involving substantial excavation (e.g., deeper than 10 feet) or involving remediation of soil contamination shall include a full assessment of potential effects to groundwater resources.

The Proposed Action includes several bioretention areas and native habitat creation to mitigate stormwater influences. These areas will act as a natural water treatment area to trap pollutants, solids, and nutrients prior to groundwater recharge.

2.5. Impact on Flooding

2.5.1. Existing Conditions

Figure 3 depicts the 100-year floodplain areas on the Project Site as mapped by the Federal Emergency Management Agency (FEMA). The 100-year flood is established under the National Flood Insurance Program (NFIP) as the standard for flood protection. It represents a magnitude/frequency that has a 1% chance of being equaled or exceeded in any given year. Stated alternatively, the 100-year flood has roughly a 1-in-4 chance of occurring over the life of a typical 30-year home mortgage (FEMA 2015). As shown, significant portions of ECHDC-owned lands lie within the 100-year floodplain (i.e. Zone AE) including the First Buffalo River Marina, Wilkeson Point, Slip No. 3, Slip No. 2, and Bell Slip.

No portion of the Project Site is located within the floodway, which is defined as the most dangerous flood area corresponding to the channel of a river or stream and the parts of the floodplain adjoining a channel that carries and discharges the flood water or flood flow.

Local development policies regarding floodplains is included in Article 31 of the City of Buffalo Charter. This local law is based on a federal model local ordinance for flood damage prevention that meets the required standards and content under the NFIP. New construction or substantial rehabilitation in land areas within Zone AE is not permitted unless it can be demonstrated that it will not cumulatively increase water surface elevation of the base flood more than one foot at any location. A Floodplain Development Permit may be required for any work within a floodplain, even if no-rise in water level is anticipated.

2.5.2. Impacts of the Proposed Action

The Project would not result in any significant short- or long-term impacts regarding development within the floodplain. Anticipated uses that would be located within the floodplain are generally limited to trails and outdoor recreation areas, which are all acceptable uses within a flood-prone area. The existing Connecting Terminal occurs within the floodplain. As the improvements to this feature would be to providing an interpretive walkway through the existing structure, no rise in the water level is anticipated. The proposed elevated deck is located above the base flood elevation of 581 feet and therefore will have no impact on flooding at this location.

2.6. Impact on Air

2.6.1. Existing Conditions

Under the provisions of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has established standards/criteria for six air constraints: carbon monoxide, nitrogen oxide, ozone, particulate matter, lead and sulfur dioxide. The Buffalo-Niagara Falls metropolitan area is classified as having an “attainment” for all standards related to these criteria pollutants. Given that Buffalo is an urbanized setting, air emission analyses for new development typically assess impacts from both regulated stationary sources (i.e., fixed stacks for boilers, venting equipment involving primary combustion, etc.) and mobile source (i.e. induced traffic), for emissions that contribute to elevated ground-level concentrations of carbon monoxide.

2.6.2. Impacts of the Proposed Action

The Project would not result in any significant short- or long-term air quality impacts. No new regulated stationary sources of air pollutants are proposed. In turn, air emissions from the site-induced traffic would also not result in any significant changes in concentrations of ground-level carbon monoxide. Based upon review of traffic projections included in the long range plan of the Greater Buffalo Niagara Regional Transportation Council (GBNRTC), anticipated traffic as a direct result of the Proposed Action would create no peak-hour deterioration in capacity ratios along street segments adjoining the Project Site.

2.7. Impacts on Plants and Animals

2.7.1. Existing Conditions

Historically, the Project Site has been used for heavy industrial activities, providing unsuitable habitat for any significant plant or animal resources. Species that have utilized this area tend to be more tolerant of highly disturbed urban areas that have relatively high levels of human activities, require small habitats for their life requisites, and/or are highly mobile. Some limited areas of the Project Site have been upgraded to support plant and wildlife habitat. For example, native plant species have been planted throughout Wilkeson Pointe as part of the establishment of the currently existing recreational areas. Bell Slip provides habitat for fish, amphibians, and invertebrates with additional aquatic plantings undertaken as part of the original establishment of the Greenbelt trail.

According to the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) tool, the federally threatened Northern-Long Eared Bat (*Myotis septentrionalis*) may occur within the Project Site. Non endangered wildlife typically found in and around the Project Site includes amphibians, snakes, birds, and small mammals.

According to the NYSDEC Environmental Resource Mapper, the Project Site is in the vicinity of several state-listed rare, threatened and/or endangered species. A New York Natural Heritage Program (NYNHP) consultation was initiated in August 2020 through the online Project Screening Request tool. A response from the NYNHP was received on September 8, 2020 stating that the state listed threatened Lake Sturgeon (*Acipenser fulvescens*) has been documented within Lake Erie, adjacent to the Project Site.

Lake Erie and the Buffalo River provide fish habitat surrounding the Project Site. Over 40 native species of fish have been recorded and the inlet areas near the Project Site have been identified as important spawning areas for certain fish species including muskellunge.

Tifft Nature Preserve is located southeast of the Project and contains a 75-acre cattail marsh, woodlands and grasslands. Various wildlife species such as white-tailed deer, songbirds, waterfowl and marsh birds, beaver and muskrat inhabit this area. The Times Beach Nature Preserve, located immediately north of the Project, contains a diverse coastal wetland habitat zones including silt flat, marsh, woodlands and uplands. Over 240 species of birds have been recorded to use the Times Beach Nature Preserve. Times Beach and the Outer Harbor overall are considered locally as “gateway features” to the Niagara River Important Bird Area, a “global priority” corridor recognized by the New York Chapter of the Audubon Society for its diversity and abundance of waterfowl and migratory bird species (Audubon Society 2013). Tifft Nature Preserve, Times Beach Nature Preserve, and the Buffalo Small Boat Harbor are all identified by NYSDOS as Significant Coastal Fish & Wildlife Habitats.

The USACE is currently in planning and design for an effort at Slip No. 3 to enhance the aquatic habitat. As described in the National Ecosystem Restoration (NER) plan, the activities include the placement of dredged material within Slip No. 3 to decrease the depth and the installation of a breakwater structure to contain the dredged material and reduce wave action from Lake Erie. The efforts at USACE Slip No. 3 would also include installing habitat features such as gravel beds, rock piles, rootwads to provide fish habitat and planting of native submerged and emergent aquatic vegetation.

2.7.2. Impacts of the Proposed Action

Overall, the Proposed Action is expected to positively impact plant and animal species within the Project Site. A primary focus of the Proposed Action is the restoration of ecological communities. Planned components in each of the Project Subareas include features that would enhance or create habitat through the planting of native species, preserve existing features and complement other nearby nature preserves. According to the USFWS and NYNHP, there are no known winter or summer bat occurrences within the City of Buffalo and no known hibernacula for the species are located within Erie County. The Proposed Action would not have adverse impacts to the state threatened Lake Sturgeon that is known to occur in Lake Erie.

To the maximum extent practicable, proposed amenities would be located on previously disturbed and/or existing paved areas and would thus result in limited effects to plant and animal habitat. Construction of some Project components such as the work at Terminal B may cause temporary impact to wildlife associated with construction noise and general disruption of normal conditions. However, any effects would be temporary and other sources of habitat and food are available nearby. It can be inferred that species would utilize the adjacent Times Beach and/or Tifft Nature Preserves where available space and compatible communities exist.

Any earth disturbing activity has the potential for siltation and sedimentation impacts. All earth disturbance associated with the Proposed Action will be conducted under the Stormwater Pollution Prevention Plan (SWPPP) that will be developed for the Project. Construction techniques will include the identified best management practices to prevent soil erosion and sedimentation of nearby surface waters and thus fishery resources. Upon completion of the Project, any ground disturbance will be landscaped and re-vegetated to stabilize the site from future erosion and allow for wildlife to re-inhabit the space.

2.8. Impacts on Agricultural Resources

The Project Site does not contain any agricultural resources.

2.9. Impacts on Aesthetic Resources

2.9.1. Existing Conditions

There are no unique visual resources on the Project Site itself. The Project Site can be generally characterized as a former industrial area reverting to a more naturalized state driven by the previous projects occurring in more recent years. The Project provides positive views of Lake Erie to the west, and the Buffalo River to the east (off the Buffalo First Marina portion of the Project). The Project Site is situated amongst several other positive visual features along the waterfront such as the Times Beach and Tifft Nature Preserves and the Buffalo Harbor State Park. The Project Site is located along the Great Lakes Seaway Trail, a federally designated National Scenic Byway.

2.9.2 Impacts of the Proposed Action

The Proposed Action would result in positive visual impacts on the Project Site and the surrounding area. Proposed improvements to the site through implementation of ecological restoration and landscaping features, added recreational facilities, and revitalization of existing blighted buildings will positively contribute to the character of the Outer Harbor and the waterfront environment in general. The Project Site will be visible from the Buffalo Skyway (NYS Route 5) which serves as the Great Lakes Seaway Trail National/State Scenic Byway, enhancing visual resources along this route. Furthermore, the proposed activities associated with the First Buffalo River Marina will positively impact the view from the Inner Harbor, located directly across the Buffalo River.

2.10. Impacts on Historic and Archaeological Resources

2.10.1. Existing Conditions

The land comprising the Project Site along Lake Erie was created through progressive filling operations occurring in the early to mid-20th century. It is unlikely that this portion of the Project contains any significant archaeological resources.

The First Buffalo River Marina portion of the Project contains the Connecting Terminal which is listed as eligible for the State and National Register of Historic Places (S/NRHP). This portion of the Project Site is located within a mapped archaeological sensitive area. One archaeological survey has been conducted within a portion of the First Buffalo Marina site as part of a past project to upgrade fencing and facilities (11SR61153).

The portion of Project Site containing former port lands fronting on Lake Erie does not contain any structures listed, eligible for listing or potentially eligible for listing on the NRHP. This portion of the Project Site has been subject to multiple previous Archaeological and Architectural surveys (as mapped by the online CRIS tool) and consultations with the Office of Parks, Recreation, and Historic Preservation (OPRHP). No archaeological or architectural resources have been identified within this portion of the Project.

The portion of the Project Site at 901 Fuhrmann Boulevard contains two (2) structures. Former Port Terminal A was constructed in 1931 that was originally a Ford Motor Company assembly plant and later used for light manufacturing and warehousing associated with the former port. Terminal A is S/NRHP-eligible and is designated by the City of Buffalo as a local historic landmark. No impacts to Terminal A are proposed.

Terminal B is not S/NRHP-eligible. This portion of the Project Site has been subject to multiple previous Archaeological and Architectural surveys (as mapped by the online CRIS tool) and OPRHP. No archaeological or architectural resources have been identified within this portion of the Project. Furthermore, given the constituents in the fill identified in Phase I/II environmental site assessments and Records of Decision governing remedial actions for this area, including municipal solid waste and cinder/ash from incinerator operations, it is unlikely that this portion of the Project contains any significant archaeological resources.

2.10.2. Impacts of the Proposed Action

Overall, the Proposed Action would result in no significant adverse impacts to resources on or eligible for inclusion on the S/NRHP. The open space and recreation improvements would result in no impacts to adjoining resources like the Terminal A or the Connecting Terminal, nor would result in any archaeological effects.

The Project would potentially involve minor impacts to the Connecting Terminal itself, limited to incorporation of an interpretative walkway through the former grain silos to highlight the importance of the area to transshipment of grain on the Great Lakes. However, this work is not included in the initial phase of construction under the GPP. In accordance with Section 14.09 of the New York State Historic Preservation Act, ESD/ECHDC will continue to consult with the State Historic Preservation Office of OPRHP as components of this Connecting Terminal interpretation are funded and designed for implementation.

2.11. Impacts on Open Space and Recreation

2.11.1. Existing Conditions

The Project Site currently contains formal recreation facilities including several multi-use paths, kayak/watersport rentals, bike rentals, a beer garden, a playground and an information kiosk. The First Buffalo Marina also provides access to Lake Erie for motorized and non-motorized boat recreation.

The Project Site is also situated near several other recreational and open space features along the waterfront including Times Beach Nature Preserve, Buffalo Harbor State Park, Tifft Nature Preserve and recent improvements to the Union Ship Canal as part of the Buffalo Lakeside Commerce Park redevelopment project. Furthermore, as part of the Southtowns Connector/Buffalo Outer Harbor Project (completed in 2010 by NYSDOT), Fuhrmann Boulevard was completely reconfigured and reconstructed from a series of one-way expressway frontage roads to a single, two-way waterfront parkway. As part of this reconstruction, an extensive system of multi-use trails was constructed on land reclaimed from former frontage road rights-of-way, stretching from the Union Ship Canal to the U.S. Coast Guard Station.

2.11.2. Impacts of the Proposed Action

The Proposed Action will not remove or impair any existing open space or recreational facility, rather it will expand and improve waterfront access and recreational facilities along the Buffalo Outer Harbor.

2.12. Impacts on Critical Environmental Areas

The Project Site does not contain any designated critical environmental areas as mapped by the NYSDEC.

2.13. Impacts on Transportation

2.13.1. Existing Conditions

The Project Site is accessible exclusively by Fuhrmann Boulevard, a two-lane, 30-miles-per-hour (MPH) divided parkway facility with on-street parking along its entire length. Access to the nearest highway facility from Fuhrmann Boulevard is provided to NYS Route 5 at the Outer Harbor Drive interchange just south of South Michigan Avenue and at Tifft Street about 1.25 miles south of the Project Site. Route 5 provides high-speed access (55-MPH) north and south and connects the interstate system within the City. Access from Fuhrmann Boulevard to the local road network is provided via Ohio Street near the south end of the Project Site. Traffic is limited along Fuhrmann Boulevard insofar as it terminates north of the Project Site at the U.S. Coast Guard Station. The primary purpose of Fuhrmann Boulevard is to provide access to the Buffalo Outer Harbor including the Project Site, as well as providing convenient on-street parking accommodations.

This existing road network is included on the regional long-range transportation plan, known as *Moving Forward 2050*, adopted by the GBNRTC in May 2018. This plan included a comprehensive analysis of a baseline regional traffic model in 2015, with 10-year and 20-year future scenarios in 2025 and 2035 respectively. The projected traffic was based on future assumptions for population, households, and employment for the two transportation assessment zones (TAZs) that comprise the Buffalo Outer Harbor (TAZ 300 and 570 - see Figure 4).

2.13.2. Impacts of the Proposed Action

The Proposed Action would result in no significant adverse transportation impacts. Figure 4 depicts modeled peak hour traffic volumes, projected growth rates, and volume/capacity (V/C) ratios for segments of Fuhrmann Boulevard for 2015, 2025, and 2035. Although growth is projected on Fuhrmann Boulevard, the highest V/C ratio on any one segment is projected to be 0.20 based on the GBNRTC Travel Demand Model indicating that 80% of the roadway capacity would still be retained. The Proposed Action retains existing public access to the Lake Erie waterfront while improving recreation opportunities but does not include any major developments that would be expected to generate significantly more traffic than existing facilities.

In terms of non-vehicular systems, the Proposed Action would significantly expand multi-purpose trail access for pedestrians and bicyclists, building upon past successes on the Buffalo Outer Harbor.

2.14. Impacts on Energy & Greenhouse Gas Emissions

The Project would have no significant adverse impacts to the use and management of energy resources. Additionally, no new sources of greenhouse gas emissions are being proposed as part of the Project. As such, the Project will have no significant adverse impacts related to greenhouse gas emissions.

2.15. Impacts on Noise, Odor, and Light

2.15.1. Existing Conditions

The Project does not contain any a major source of noise or odor. The Connecting Terminal currently has a nightly lighting display, projected onto the side of the grain elevator. Various colors and patterns are displayed on all four sides of the structure making it visible from several locations throughout Buffalo.

2.15.2. Impacts of the Proposed Action

The Project would not result in any significant adverse impacts regarding noise, light, odors, or glare, such as that associated with landfills, selected agricultural uses, or heavy manufacturing facilities. With regard to lighting, the Project would involve the installation of limited electrical power and site light facilities to serve security and public safety needs. Events held at Terminal B will cause temporary periodic increases in lighting and noise associated with performances.

These additional light sources are not anticipated to result in any adverse impacts to on-site or adjoining areas. During the design phase of the various Project components, site designers will employ best management practices to avoid any adverse effects, including implementing operational practices related to the "Lights Out New York" Initiative, which limits non-essential outdoor lighting from 11:00 PM to dawn from April 15 to May 31 and August 15 through November 15, the spring and autumn seasonal periods of peak bird migration (Palus 2015).

2.16. Impacts on Human Health

2.16.1. Existing Conditions

2.16.1.1 History of Filling Events and Site Uses

As late as the turn of the 20th century, the majority of the Lake Erie shoreline in the Project Site was actually located east of Fuhrmann Boulevard, aligning with the present day location of NYS Route 5 (where a seawall was located) and the Project Site consisted of underwater lands. Beginning in the late 19th century, when the Outer Harbor break wall was completed (located in the lake several hundred yards west of the Project Site) a succession of filling events occurred to progressively create the subject land area that exists today. These filling events included, but were not limited to (NYSDOT 2006):

- Construction of various rail lines and sidings, 1890-1925;
- Landfilling and construction of shipbuilding facilities in current location of Wilkeson Pointe, 1925;
- Construction of the Michigan Avenue Pier and Municipal Pier (AKA "Seaway Piers") in 1926-1927;
- Construction of the NFTA Buffalo Port Terminal Building A and pier (first occupied by as a Ford Motor Company assembly plant) in 1931;
- Landfilling at the foot of Michigan Avenue, 1927-1935;
- General municipal landfilling (incinerator ash and unconsolidated debris), 1935-1960;
- Construction of Buffalo Skyway complex (NYS Route 5), 1957; and

- Dredge filling along the Meadows Area and at Times Beach, 1960-1975.

These filling events over the history of the Project area were predominately undertaken to facilitate heavy industrial uses like auto assembly/parts manufacturing and port uses such as bulk storage/shipping of materials used in local steelmaking and coke operations. With the closing of the region's two largest steel plants in the early 1980s, bulk tonnage stored at the Port of Buffalo significantly declined and by the 1990s the Port was relocated to facilities two miles south at the former Bethlehem Steel complex in Lackawanna.

2.16.1.2 Past Site Investigations and Remedies

Given its extensive industrial history, various areas of the Outer Harbor have been the subject of past environmental investigations and analyses of contamination directly and indirectly created by these uses. Summaries of the conclusions and implications of these past studies are presented in the following sections.

First Buffalo River Marina

A Phase I/II Environmental Site Assessment was completed for the First Buffalo River Marina in 2010 while under New York Power Authority ownership (Hatch, 2010). Soil samples across the site indicated that SVOCs appear to be present in the fill and soils, most notably in the northeastern portion of the area. However, none of the analytical results for the soil samples exceeded the maximum value of 500,000 µg/kg listed in TAGM 4046. It is likely that the concentrations of SVOCs are associated with the fill materials and/or the results of past commercial and industrial activities at the site. No VOCs, pesticides, herbicides, and PCBs were detected above the NYSDEC-established thresholds.

At the southern end of the site, sediment sampling indicates seven (7) semi-volatile compounds that exceed the NYSDEC established thresholds, indicating that any sediments that would require excavation should be disposed offsite. The grain silos were tested and found to contain Asbestos Containing Materials (ACMs). Any rehabilitation or demolition of these structures would require abatement activities.

Wilkeson Pointe (175 & 225 Fuhrmann Boulevard)

After acquiring the parcels comprising Wilkeson Pointe, ECHDC commissioned Phase I/II Environmental Site Assessments in 2008 and 2011 to fully determine possible contamination in the area (ECHDC 2012). Soil sampling results showed widespread contamination with SVOCs and metals. No VOCs, pesticides, herbicides, and PCBs were detected above the NYSDEC-established thresholds. Further, there was no evidence of any underground storage tanks (USTs) or soil contamination typical of leaking USTs. Based on these observations, the contamination was determined to be attributable to the characteristics of the fill material used to create the site. These studies indicated that while the site exhibited contamination, they did not indicate substances or levels that would render the site to be classified as "hazardous" under state or federal regulations.

The site was remediated in 2012 through the capping of the site using approved capping material and a geotextile fabric to provide a physical separation between the existing site material and the cap

material. The cap extends to the shoreline where stone was used to protect the site from erosion and provide a barrier to contact by users of the shoreline (ECHDC 2008; 2012).

Michigan Pier

The Michigan Avenue Pier was constructed in 1926-1927, occupying approximately eight acres. The site is reportedly filled with dredge material from Lake Erie, demolition debris, and miscellaneous refuse. Phase I and II ESAs were conducted by NYSDEC in 1987 and an additional Phase II ESA was performed by NFTA. Supplemental studies were also conducted in 1991. These studies indicated that certain soil samples on the site exhibited elevated concentrations of metals and VOCs (URS 2012). Similar to Wilkeson Pointe, the Michigan Pier's soils are classified as contaminated but not hazardous under state/federal guidance and laws.

NFTA Port of Buffalo Lands

Beginning in 1987, state/local agencies have worked to investigate and address soil conditions on this portion of the Project Site; for example, NFTA has conducted a host of site assessments, soils testing/borings and remedial investigations/feasibility (RI/FS) studies to develop options for site clean-up of its former Port of Buffalo lands. The most extensive and comprehensive investigation was an RI/FS conducted in 1995 by DVirka and Bartilucci, which involved collection of a total of 122 surface soil samples on a roughly 100-by-100-foot grid. The results of these surface soil samples were compared against NYSDEC-established thresholds. Patterns of site contamination are summarized as follows (URS 2012):

- North of Bell Slip – 14 of 78 samples contain SVOCs at elevated concentrations. The SVOCs consist of carcinogenic PAHs (cPAHs), primarily Benzo(a)pyrene alone, and occasionally Dibenz(a,h)anthracene. The majority of the exceedances are concentrated in an approximately 400-600-foot-wide band extending from the southeast corner to the parking lot of the former Pier restaurant to the midpoint of the Greenbelt along the shoreline. Three of the 78 samples contain one or more elevated concentrations of metals, including arsenic, copper, cyanide, and mercury. These exceedances occur generally in the same band as SVOCs. Typically, there are only one or two elevated levels of metals at a particular sampling location.

- South of Bell Slip – 18 of 58 surface soil samples contain SVOCs at elevated concentrations. The SVOCs consist primarily of cPAHs including Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Dibenz(a,h)anthracene, and Indeno(1,2,3-cd)pyrene.

Two RODs were issued by NYSDEC in 1991 and 2002 regarding this portion of the Project Site:

- A 1999 ROD for the Buffalo Outer Harbor "Radio Tower Site" (i.e., NYSDEC Site No. 915026 located in a small portion of the "South of the Bell Slip" area immediately north of the paved portions of 901 Fuhrmann Boulevard), which had stipulations for a full clean-up and de-listing of this NYS-listed Inactive Hazardous Waste Site (AKA State Superfund Site), which is now fully completed (NYSDEC 1999); and

- A 2002 ROD for the "Buffalo Outer Harbor Brownfield Site" (i.e., NYSDEC Site No. B00149, comprising all former NFTA Port of Buffalo lands other than the "Radio Tower Site"), at which soils would be classified as contaminated, but not hazardous. This ROD involved a remedy consisting of installing a soil/geotextile cap and riprap stabilization along the Outer Harbor shoreline (i.e., in the area used to create the current "Greenbelt" trail loop) to prevent migration of soils into Lake Erie. This was completed in 2010. The 2002 ROD also called for implementation of a "use-based" strategy for the balance of the area, citing necessary future remedial actions coinciding with various types of future land development (e.g., residential, commercial) to prevent/block possible exposure pathways to site contaminants. For example, land use associated periodic visitation to the site (e.g., commercial and institutional development) could require a soil cap of one foot of clean fill; whereas detached single-family housing might require deeper soil cap or removal of soils for off-site disposal (NYSDEC 2002).

2.16.1.3 2012 Human Health Assessment

In 2012, NFTA and ECHDC commissioned URS Corporation (URS) to conduct a Limited Human Health Exposure Assessment to determine what level of risk recreational visitors and users of the Buffalo Outer Harbor lands. At the time of the assessment, access to portions of the Project Site was restricted and it was largely not utilized for any form of passive recreational uses. Understanding that past contamination of the Project Site did not pose any acute (i.e. immediate/short-term) risk to human health, NFTA and ECHDC wished the assessment to ascertain the level of risk associated with long-term exposure associated with programming and recreational activities from contamination known to be present in the soil/fill materials used to create these properties (URS 2012).

URS compiled and comprehensively assessed all past records and data collected at Outer Harbor properties and assessed the human health implications of using the Project Site for a variety of passive recreational uses including, but are not limited to:

- Bicycling and hiking
- Beach activities
- Outdoor events (movies, concerts, etc.)
- Art displays
- Rental concessions for boats, canoes, etc.

In conducting their assessment, URS used the most-recent soil cleanup objectives (SCOs), promulgated by NYSDEC in 2006 for soil remediation projects. These SCOs were developed to protect long-term public health based on the intended future use of a site. The intended use categories included "unrestricted", "residential", "restricted residential", "commercial", and "industrial" use. The proposed use of the site for passive recreational purposes would generally fall in the "restricted residential" and/or "commercial" use categories. In accordance with regulations governing SCOs at 6 NYCRR Part 375 1.8(g)(2), recreational uses assessed as part of this assessment correlated with SCO categories as follows:

- Those activities that potentially involve a reasonable potential for contact with onsite soils (e.g. beach activities, picnicking, soccer, baseball, etc.) would fall under the "restricted residential" use category; and

- Those passive recreational uses that only involve limited potential for contact with onsite soils (e.g. walking, hiking, concerts, etc.) would fall under the "commercial use" category.

URS stated that typical exposure pathways, the typical ways a person can come into contact with contaminated soils, for the anticipated recreation users groups at the Project Site would include the following (URS 2012):

- Exposure via dermal contact is considered a potentially complete exposure pathway for recreational site users and site redevelopment and/or maintenance workers.
- Exposure via ingestion is considered a potentially complete exposure pathway for recreational site users and site redevelopment and/or maintenance workers.
- Exposure via inhalation of fugitive dust is considered a potentially complete exposure pathway for recreational site users, and site redevelopment/maintenance workers. Nearby workers and users of the Greenbelt also could potentially be exposed; however, URS stated that this potential pathway is extremely limited in that the majority of the site is covered with vegetation which will limit dust formation. Also, the relatively short time of exposure and low contaminant concentration for any offsite exposure scenarios would likely be very low.

URS noted that the type and concentrations of contaminants on the Project Site varies from area to area and with location within the soil column. URS stated that these contaminants present a potential risk of long-term exposure to recreational users, primarily from dermal contact, ingestion, and inhalation of the surface soil/fill materials. URS noted that some rather large portions of the Project Site do not show any exceedance of SCOs for either "restricted residential" and/or "commercial" uses. As such, URS stated that these areas should be suitable "as-is" for passive recreational uses without implementation of any specific mitigation measures (URS 2012).

2.16.1.4 Recent Human Health Assessments

In 2018, LiRo Engineers, Inc. (LiRo) conducted a Phase II ESI over an area that was known at the time as the Buffalo Outer Harbor Civic Improvements Project. The investigation was split into six areas identified as Area A through Area F, Areas A through Area D are relevant to the current Project Site. Figure 5 illustrates the relevant investigation areas in relation to the Subareas of the Proposed Action. Area A comprises the majority of the Michigan Pier Subarea, Area B comprises a small portion of the Michigan Pier and the Meadows Subareas, Area C comprises majority of the Meadows and a portion of the Bell Slip Subareas, and Area D includes portions of the Bell Slip and Lakeside Complex Subareas. SVOC's and metals were detected in all observed areas, as well as asbestos containing materials in some portions. A summary of recommendations is provided below:

- Development plans should include the design of a site-wide cover system that is one- to two-feet thick.

- Development plans should include a Site Management Plan (SMP) which details provisions and procedures that will be implemented to prevent exposure of workers and recreational users to contaminated soil.
- Dust control practices are recommended during excavation or re-grading activities to minimize the creation and dispersion of fugitive airborne dust. A Community Air Monitoring Plan (CAMP) should be developed.
- A site-specific Health and Safety Plan should be developed prior to construction that will identify the possible locations and risk associated with the potential contaminants on the site as well as the administrative and engineering controls that will be utilized to mitigate concerns.

Refer to the LiRo reports for full report findings and additional recommendations.

To guide the design of necessary remedial activities associated with the Proposed Action, in February 2020 ECHDC contracted with GEI Consultants (GEI) to conduct a Human Health Risk Assessment of to determine the level of risk recreational visitors and workers (outdoor and construction) of the Project Site. Five (5) areas of concern were identified including Wilkeson Pointe, Area C – Cottonwood Copse, Area C –Outside Cottonwood Copse, Area C/D – Bell Slip and Area D (refer to Figure 5) when the reasonable maximum exposure (RME) scenarios were assessed. The toxicity assessment included toxicity values associated with threshold (non-carcinogenic) health effects and toxicity values associated with carcinogenicity.

Results indicated that for child recreational visitors, the non-cancer risk estimate exceeded the risk limit of one at Wilkeson Point. For construction workers, the non-cancer risk estimates exceeded the risk limit of one at Bell Slip and Area D. For outdoor workers, cancer and non-cancer risk estimates do not exceed risk limits at any of the five areas of concern.

2.16.2. Impacts of the Proposed Action

The Project would not result in any significant impacts with regard to adverse effects to human health related to exposure to on-site soils. A Site Management Plan has been developed to mitigate any potential exposure risks noted above. Mitigation protocols include the placement of two-feet of cover material to active recreational use areas and one-foot of cover material for passive recreational use areas. Fencing will be placed to limit access to uncovered areas. An excavation work plan has been established to mitigate risk to construction workers from exposure to soils at depth.

2.17. Consistency with Community Plans

As discussed in Section 2.1, the Proposed Action would be fully consistent with the City of Buffalo Comprehensive Plan, the LWRP and the Buffalo Green Code as well as New York State and local policies for uses with the coastal zone.

2.18. Consistency with Community Character

The Proposed Action would positively contribute to the growth and character of the neighborhood and community as a whole, by further repurposing of a brownfield area, maximizing public access and amenities along the Outer Harbor waterfront, and connect the area to already completed projects along the waterfront.

2.19. Secondary, Indirect and Cumulative Effects of the Proposed Action

The Proposed Action will result in a positive cumulative effect for the Buffalo Outer Harbor. The Project has been designed to help meet goals established by the City of Buffalo and the State of New York. The Project acts as a continuation of past projects intended to increase productive use of the water resources of Buffalo.

Exhibit A.1

Project Site Map

November 9, 2020

Exhibit A.2

Subareas Map

November 9, 2020

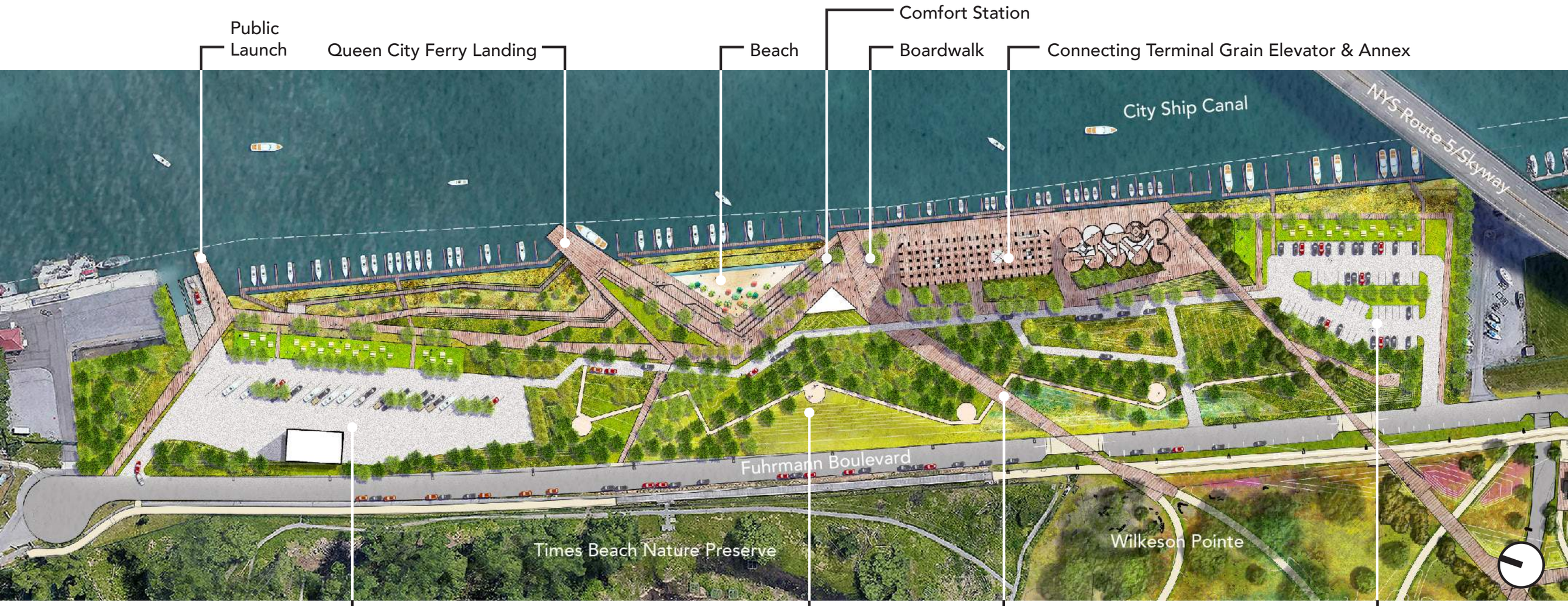


Exhibit A.2.1

First Buffalo River Marina

November 9, 2020

Cultural Transect & Multi-Use Spine

Regenerative Landscape

Times Beach Buffer

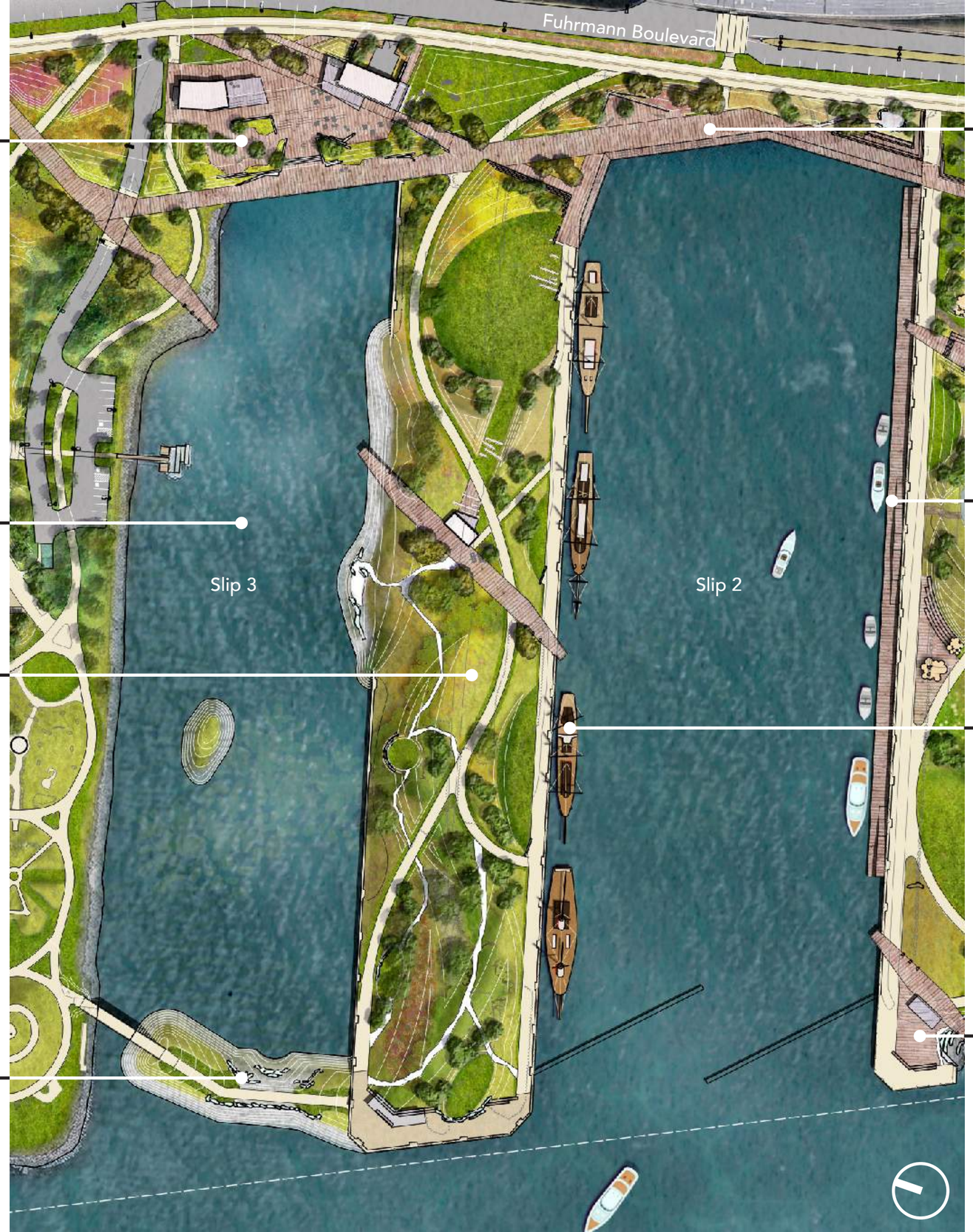
Kayak Launch

Comfort Station

Exhibit A.2.2

Wilkeson Pointe

November 9, 2020



Rental Space & Comfort Station

Buffalo Regional Sediment Management Project

Regenerative Landscape

Pedestrian Bridge & Breakwater

Boardwalk & Multi-Use Spine

Transient Docking & Promenade

Tall Ships Docking & Promenade

Overlook

Exhibit A.2.3

Michigan Pier

November 9, 2020

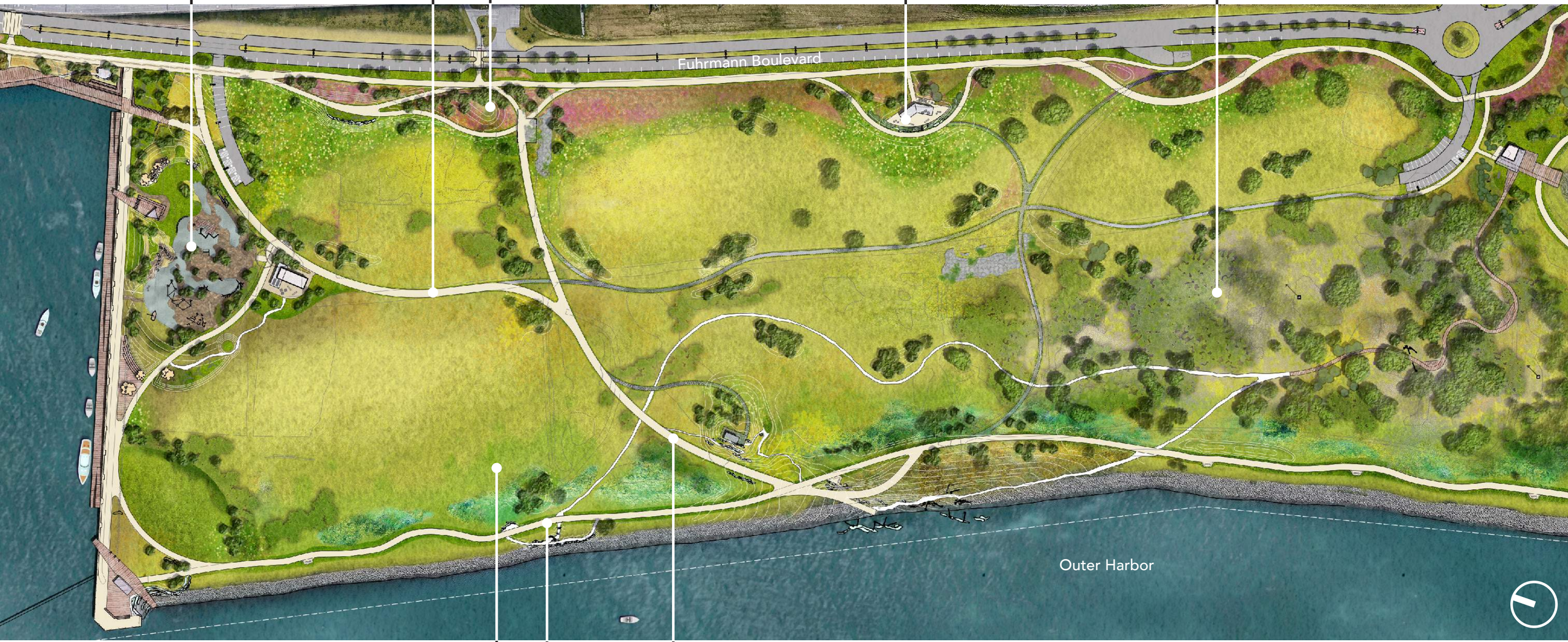
Great Lakes Interpretive Playground with Comfort Station

Multi-Use Spine

Overlook

Comfort Station

Regenerative Landscape



Regenerative Landscape

Overlook

Expanded Trail Network

Exhibit A.2.4

The Meadows

November 9, 2020

Exhibit A.2.5

Bell Slip

November 9, 2020

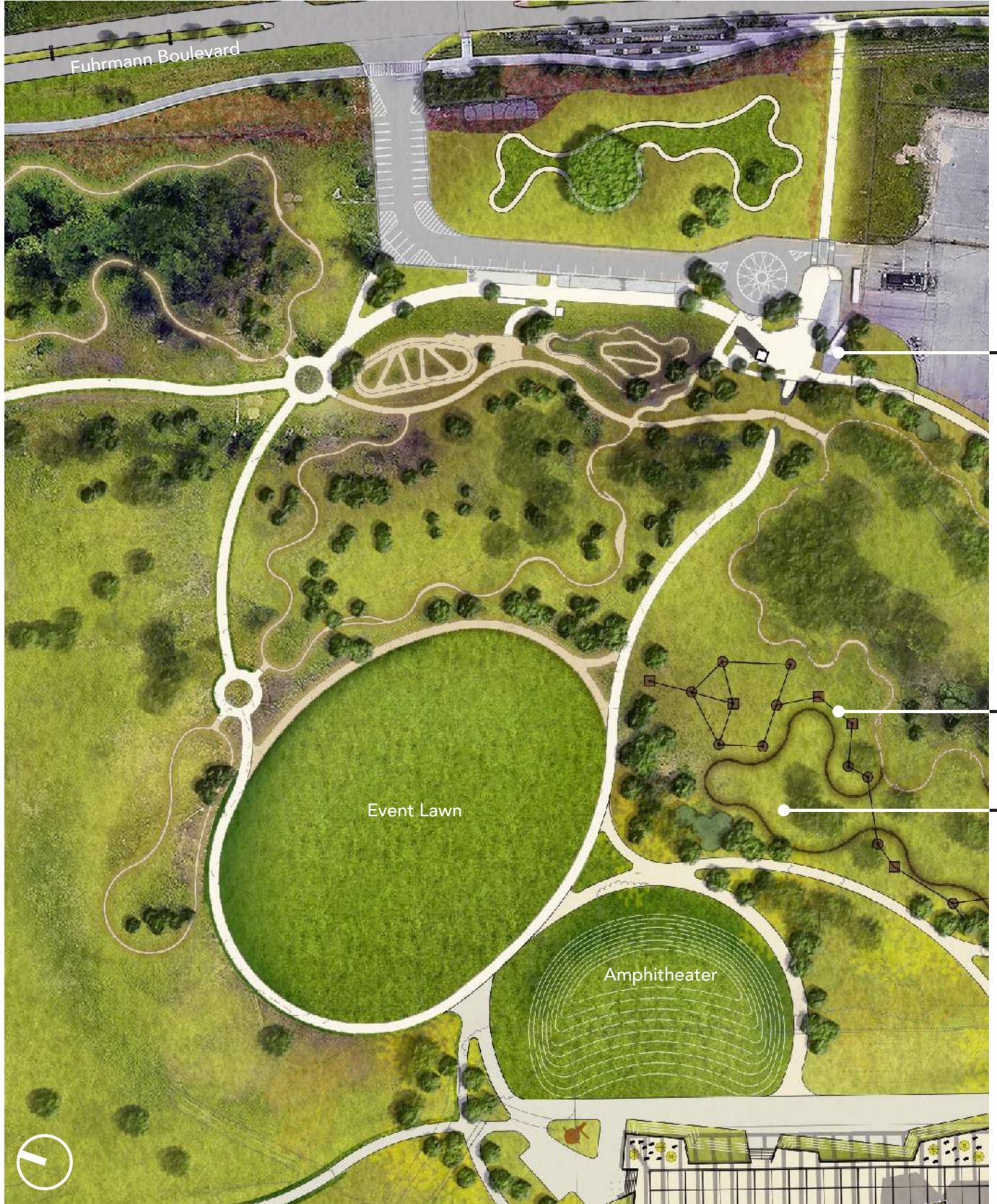


Exhibit A.2.6

Lakeside Complex

November 9, 2020

Exhibit A.2.7

Terminal B

November 9, 2020

Exhibit A.3

Zoning Map

November 9, 2020

ECHDC
Buffalo Outer Harbor
Land Use Improvement Project

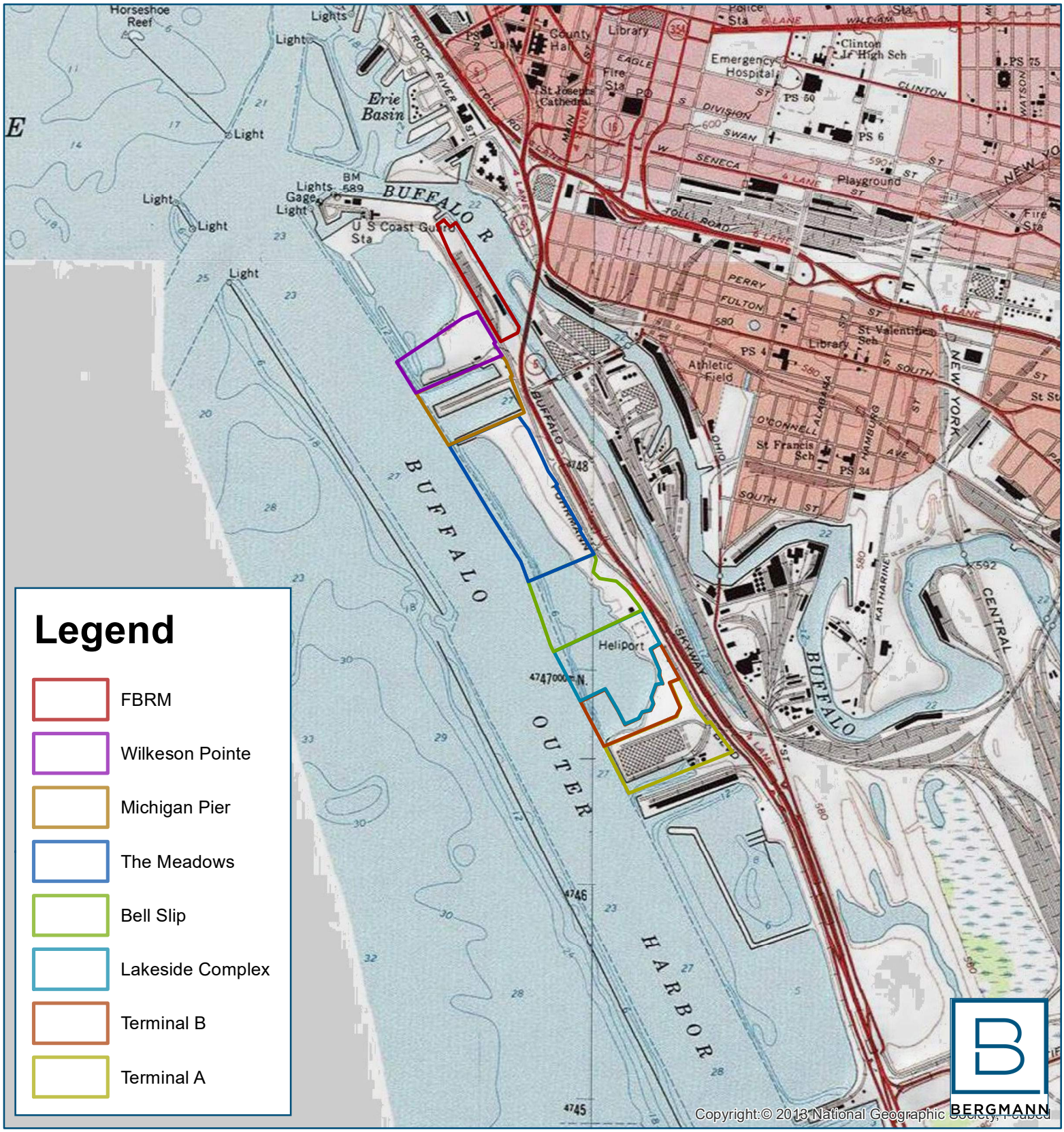
PROJECT LOCATION MAP

Fig. 1

2,000 Feet

N

City of Buffalo, Erie County, New York



Legend

- FBRM
- Wilkeson Pointe
- Michigan Pier
- The Meadows
- Bell Slip
- Lakeside Complex
- Terminal B
- Terminal A

BERGMANN

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ECHDC
Buffalo Outer Harbor
Land Use Improvement Project

AERIAL IMAGERY MAP

Fig. 2

1,000 Feet

N

City of Buffalo, Erie County, New York

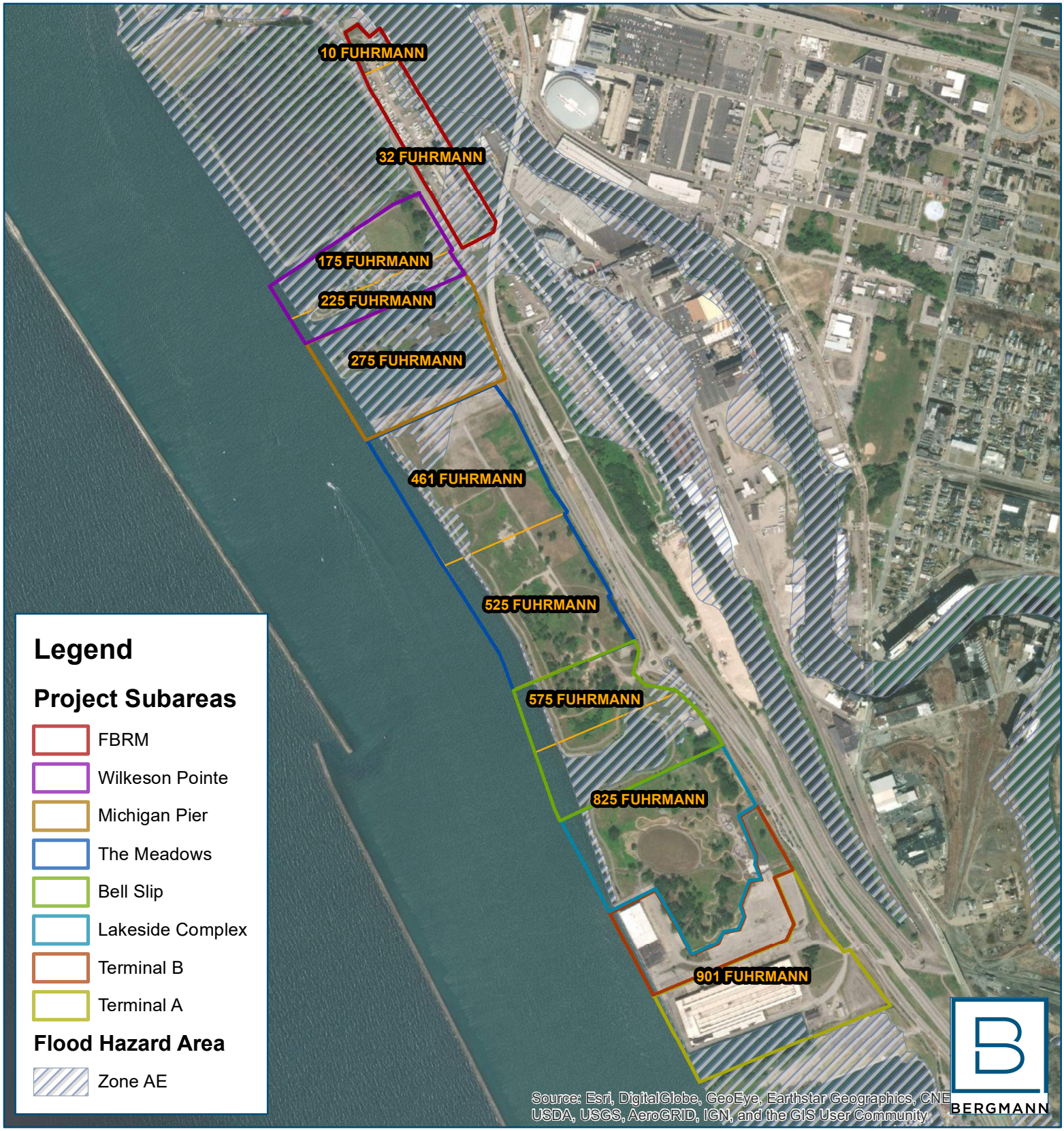
ECHDC
Buffalo Outer Harbor
Land Use Improvement Project

FEMA FLOOD HAZARD AREA MAP | Fig. 3

1,000 Feet

N

City of Buffalo, Erie County, New York



ECHDC
Buffalo Outer Harbor
Land Use Improvement Project

Buffalo Outer Harbor GBNRTC Travel Demand Model, 2015 Base & 2025, 2035 Forecast

Fig. 4

2,000 FEET

N

City of Buffalo, Erie County, New York

Fuhrmann BLVD
Ohio St to Outer Harbor Dr

%Change in Daily Modeled Volume 2015 vs 2025
Northbound: 289% (CAGR: 15%)
Southbound: 110% (CAGR: 8%)

%Change in Daily Modeled Volume 2015 vs 2035
Northbound: 287% (CAGR: 7%)
Southbound: 102% (CAGR: 4%)

Volume-to-Capacity Ratios
2015 Base
AM Peak Period NB: 0.00 SB: 0.01
PM Peak Period NB: 0.00 SB: 0.03

2025
AM Peak Period NB: 0.02 SB: 0.02
PM Peak Period NB: 0.02 SB: 0.04

2035
AM Peak Period NB: 0.02 SB: 0.02
PM Peak Period NB: 0.02 SB: 0.04

Fuhrmann BLVD
Tifft St to Ohio St

%Change in Daily Modeled Volume 2015 vs 2025
Northbound: 191% (CAGR: 11%)
Southbound: 17% (CAGR: 2%)

%Change in Daily Modeled Volume 2015 vs 2035
Northbound: 190% (CAGR: 5%)
Southbound: 18% (CAGR: 1%)

Volume-to-Capacity Ratios
2015 Base
AM Peak Period NB: 0.01 SB: 0.07
PM Peak Period NB: 0.01 SB: 0.18

2025
AM Peak Period NB: 0.03 SB: 0.09
PM Peak Period NB: 0.03 SB: 0.20

2035
AM Peak Period NB: 0.03 SB: 0.09
PM Peak Period NB: 0.03 SB: 0.20

TAZ 300

2015		2025		2035	
Population	0	Population	0	Population	0
Households	0	Households	0	Households	0
Employment	116	Employment	136	Employment	143

LEGEND

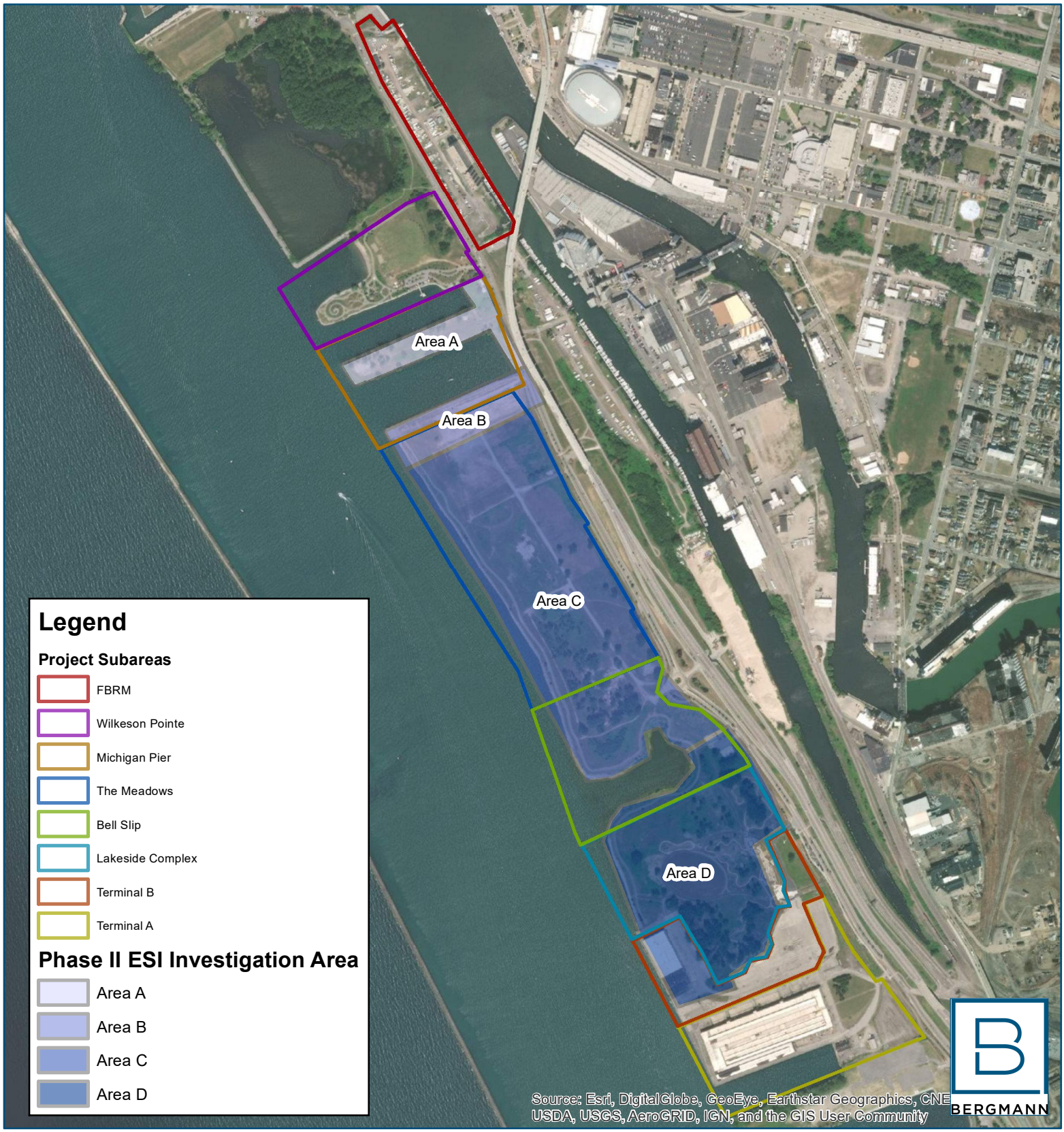
- Lakeside Complex
- First Buffalo Marina Project Area
- Terminal A Project Area
- Terminal B Project Area
- Wilkeson Pointe
- The Meadows
- Bell Slip

Contributing sources: NYS Office of Information Technology Services GIS Program Office (GPO) and NYS Department of Taxation and Finance's Office of Real Property Tax Services (ORPTS).
GIS.Boyndaries@ITS.ny.gov, 518-242-6031, Source: Esri, Digital Globe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

ECHDC
Buffalo Outer Harbor
Land Use Improvement Project

PHASE II ESI INVESTIGATION AREAS MAP — Fig. 5

1,000 Feet

N

City of Buffalo, Erie County, New York