

SAFETEA-LU 6002 COORDINATION PLAN

**Environmental Impact Statement for
Buffalo Harbor Bridge Project
Buffalo, New York**

PIN 5758.17

March 2011



SAFETEA-LU Coordination Plan Revision History

Revision No.	Date	Description of Revision
1.0	April 16, 2009	Pre- Draft - Original Document
1.1	May 29, 2009	Revisions per agency comments
2.0	November, 2009	Contact/Schedule/Miscellaneous Revisions/updates
2.1	December 9, 2009	Updated Schedule and Meeting Information
2.2	March 5, 2010	Updated Study Map, Stakeholders, Schedule
2.3	March 23, 2011	Updated Study Map, Stakeholders, Schedule

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1. Introduction

1.1 Project Overview

The Erie Canal Harbor Development Corporation (ECHDC), in cooperation with the New York State Department of Transportation (NYSDOT) has prepared the following coordination plan as required by SAFETEA-LU 6002 for the proposed Buffalo Harbor Bridge project (PIN 5758.17). This is a bridge replacement project located in the City of Buffalo, Erie County. ECHDC and NYSDOT are advancing this project through an Environmental Impact Statement (EIS).

The Project is intended to replace the capacity of the former South Michigan Avenue Bridge over the City Ship Canal. The former South Michigan Avenue Bridge once passed over the City Ship Canal in the vicinity of the General Mills Plant and connected Michigan Avenue to Fuhrmann Boulevard; it was rendered inoperable and removed by the City of Buffalo in 1957.

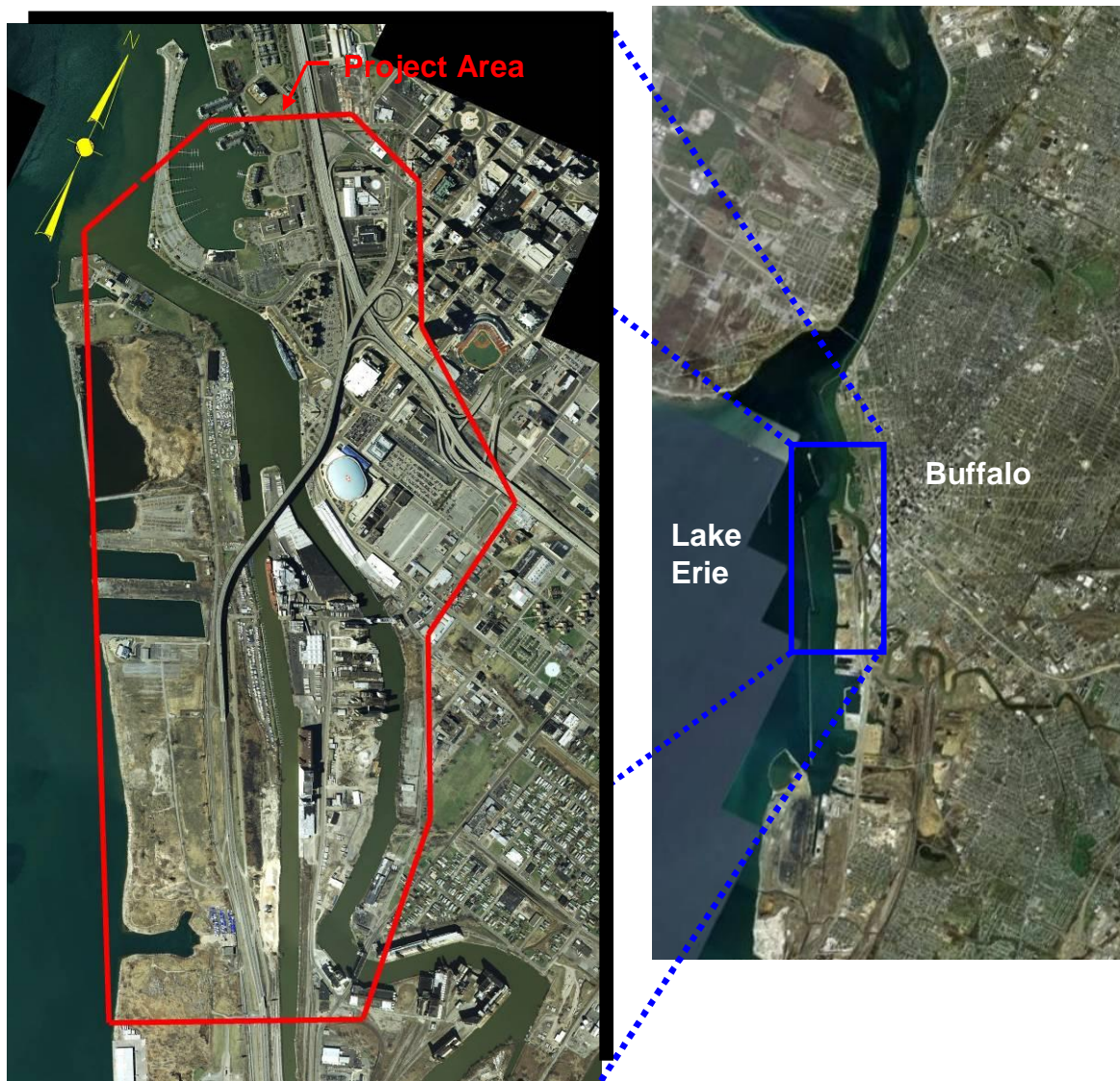


Figure 1 – Project Study Area

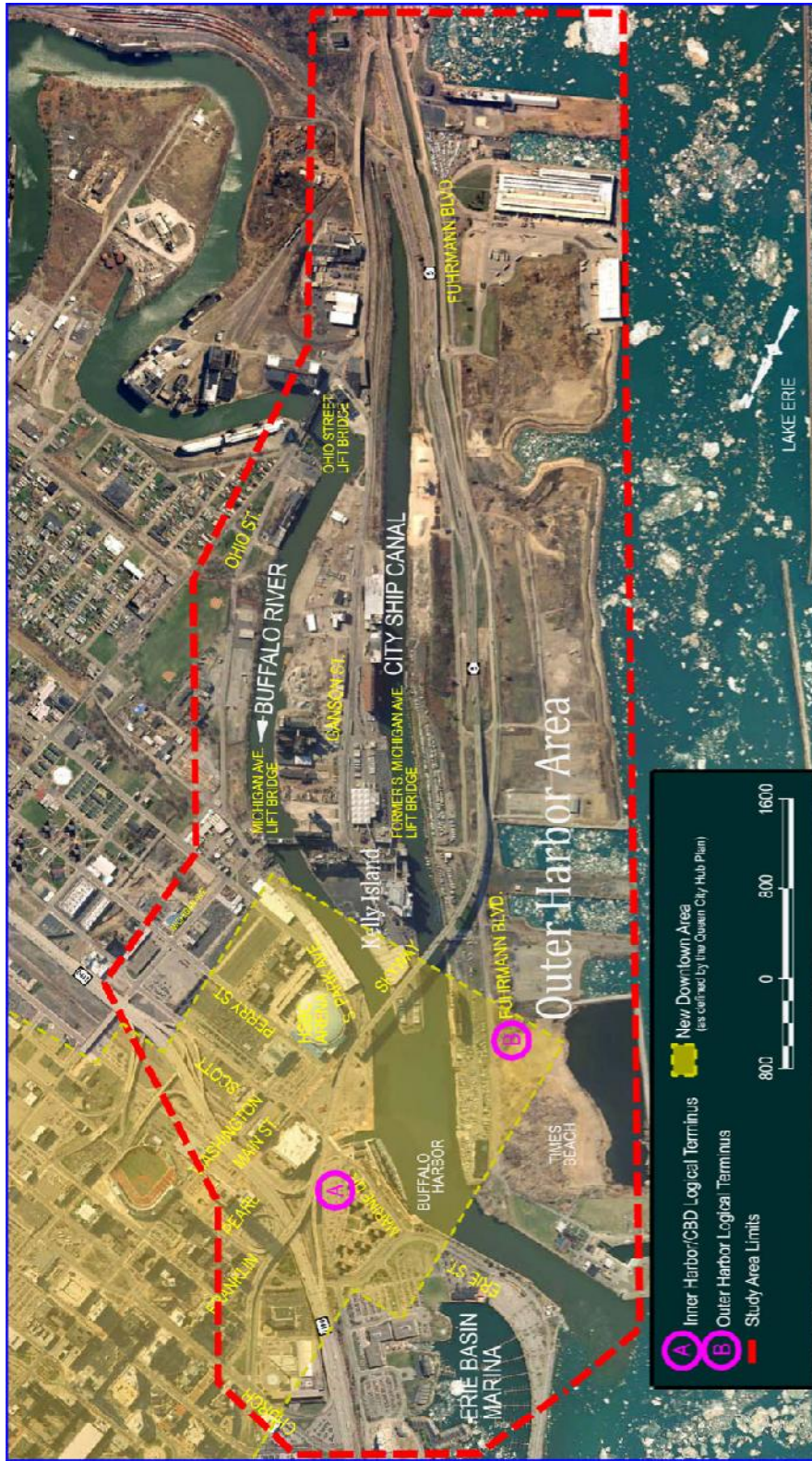


Figure 2 – Study Area Map



The proposed project area is comprised of an approximately 1.5 mile corridor extending from a northern terminus at the mouth of the Buffalo River in the vicinity of the Erie Basin Marina to a southern terminus near the southern navigation limit of the City Ship Canal west of the existing Ohio Street Bridge in the inner and outer harbor area of downtown Buffalo (containing various local streets that end short of the Buffalo River or the City Ship Canal). The Buffalo River crosses the corridor and contains a federally-regulated shipping channel in this area. See Figure 2 for a more detailed project study area map. Because the preliminary scope of the Project calls for a low-level bridge, it is likely that the proposed Project would involve a moveable structure (e.g., bascule, swing, lift, turntable or other type of moveable bridge).

The Project corridor also contains several existing and/or planned land and water uses including, but not limited to several private marinas, mature industrial facilities, the Erie Canal Harbor, the proposed Canal Side project, the proposed Waterfront Village project, and the proposed Seneca Buffalo Creek Casino Complex.

Two prior reports have been prepared by the City of Buffalo related to a new local bridge connection over the Buffalo River. In 1987, the City prepared an Engineering Report for a Gateway Bridge and in 1998; the City prepared an Expanded Project Proposal (EPP) for an Inner-Outer Harbor Link. Both of these prior efforts examined various alternatives for a local bridge connecting the Inner and Outer Harbor areas. In addition to replacement of the South Michigan Avenue Bridge on Michigan Avenue, these studies examined other potential crossing locations such as Erie, Pearl, Main and Ganson Streets, as well as various moveable bridge types (i.e., swing, vertical lift, and bascule).

1.2 Purpose of the Coordination Plan

In an effort to provide for more efficient environmental reviews for project decision making, Section 6002 of Public Law 104-59, the “Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users” (SAFETEA-LU), enacted August 10, 2005, implemented the development of a coordination plan for all projects for which an Environmental Impact Statement (EIS) is prepared under the National Environmental Policy Act (NEPA) of 1969.

As expressed in the SAFETEA-LU Environmental Process Final Guidance, “the purposes of the coordination plan are to facilitate and document the lead agencies’ structured interaction with the public and other agencies and to inform the public or other agencies of how the coordination plan will be accomplished.”

This Coordination Plan is intended to define the process by which the ECHDC will communicate information about the Buffalo Harbor Bridge project (PIN 5758.17) EIS to the lead, cooperating and participating agencies and to the public. The plan also identifies how input from agencies and the public will be solicited and considered in the environmental review process.

Since the Federal Highway Administration (FHWA) is providing funding for this project, FHWA serves as the lead federal agency for the project. The NYSDOT, as the direct recipient of Federal funds for the project, and ECHDC, as the local sponsor for the project, will serve as joint lead agencies.

The purposes of the SAFETEA-LU 6002 coordination plan are to facilitate and document the lead agencies’ structured interaction with the public and other agencies and to inform the public and other agencies of how the coordination plan will be accomplished. The coordination plan is meant to promote an efficient and streamlined process and good project management through coordination, scheduling, and early resolution of issues.

This Coordination Plan will:

- Identify the early coordination efforts;



- Identify cooperating and participating agencies to be involved in agency coordination;
- Establish the timing and form for agency involvement in defining the project's purpose and need and study area, the range of alternatives to be investigated, and methodologies, as well as in reviewing the EIS drafts and the selection of the preferred alternative and mitigation strategies.
- Establish the timing and form for public opportunities to be involved in defining the project's purpose and need and study area and the range of alternatives to be investigated, providing input on issues of concern and environmental features, and commenting on the findings presented in the Draft EIS.
- Describe the communication methods that will be implemented to inform the community about the project.

In accordance with NYSDOT's 2004 Public Involvement Manual, this project requires a level of participation designed for "complex projects". Therefore, this Coordination Plan will also outline the process by which the required level of public involvement will be accomplished.

The Coordination Plan will be updated periodically to reflect any changes to the project schedule and other items that typically require updating over the course of the project.



2. Lead/Cooperating/Participating Agencies

SAFETEA-LU requires the identification of lead, cooperating and participating agencies in the development of an EIS.

2.1 Lead Agencies

2.1.1. The project joint lead agencies are:

- a. Federal Highway Administration (FHWA)
- b. New York State Department of Transportation (NYSDOT)
- c. Erie Canal Harbor Development Corporation (ECHDC)

2.1.2. Responsibilities: It is the responsibility of the lead agencies to identify cooperating and participating agencies, and to invite those agencies to serve in this capacity. The lead agencies must perform the functions that have been traditionally performed in preparing an EIS in accordance with 23 CFR Part 771 and 40 CFR Parts 1500-1508. In addition, SAFETEA-LU adds that the lead agencies must now identify and involve participating agencies; develop coordination plans; provide opportunities for public and participating agency involvement in defining the purpose and need and determining the range of alternatives; and collaborate with participating agencies in determining methodologies and level of detail for the analysis of alternatives. In addition, lead agencies must provide increased oversight in managing the process and resolving issues.

**Table 1
Lead Agency - Roles, Responsibilities and Contacts**

Agency	Role	Contact	Responsibilities
Federal Highway Administration	Joint Lead Agency (Accepted)	Michael Davies, P.E. Acting Division Administrator Federal Highway Administration Leo W. O'Brien Federal Building 1 Clinton Avenue Albany, New York 12207	Manage the environmental review process; Prepare EIS and Record of Decision document; Provide opportunity for public and participating/cooperating agency involvement; Arbitrate and resolve issues.
New York State Department of Transportation	Joint Lead Agency (Accepted)	Thomas Romano, P.E. Project Liaison NYSDOT - Region 5 (Buffalo) 100 Seneca Street Buffalo, New York 14203 716-855-7045 tromano@dot.state.ny.us	Provide assistance with the environmental review process; Provide oversight of the NEPA process; Prepare EIS and decision document; Provide oversight of public and participating/cooperating agency involvement; Arbitrate and resolve issues.
Erie Canal Harbor Development Corporation	Joint Lead Agency (Accepted)	Steven P. Ranalli, P.E. Senior Project Manager Erie Canal Harbor Development Corporation 95 Perry Street, 5th Floor Buffalo, NY 14203 716-846-8241 sranalli@empire.state.ny.us	Manage environmental review process; Prepare EIS and decision document; Provide opportunity for public and participating/cooperating agency involvement; Arbitrate and resolve issues



**Table 2
Other Key Project Contacts**

Contact	Phone	Email
Chris Millington, P.E. Area Engineer Federal Highway Administration Albany, New York	518-431-4125	
Farhan Haddad, P.E. Deputy Director - Major Projects New York State DOT 50 Wolf Road Albany, NY 12232	518-457-4422	fhaddad@dot.state.ny.us
Seyed Ghasemi City of Buffalo Department of Public Works 501 City Hall Buffalo, NY 14202	716-851-4263	sghasemi@city-buffalo.com
Keith Harlock, P.E. Consultant Project Manager Parsons Brinckerhoff 50 Lakefront Blvd Buffalo, NY. 14202	716-853-1220	harlock@pbworld.com

2.2 Cooperating Agencies

Cooperating Agencies are those governmental agencies specifically requested by the lead agency to participate during the environmental evaluation process for the project.

FHWA's NEPA regulations (23 CFR 771.111(d)) require those federal agencies, other than the lead agency, with jurisdiction by law (with permitting or land transfer authority) or special expertise with respect to any environmental impact involved in a proposed project or project alternative be invited to be cooperating agencies for an EIS. A State or local agency of similar qualifications or, when the effects are on lands of tribal interest, a Native American tribe may, by agreement with the lead agencies, also become a cooperating agency.

All cooperating agencies are also “participating agencies”, as described below. If new information reveals the need to request another agency to serve as a cooperating agency, ECHDC will issue that agency an invitation. A distinguishing feature of a cooperating agency is that regulations (40CFR Section 1501.6) permit a cooperating agency to “assume on request of the lead agency responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.” An additional distinction is that, pursuant to 40CFR 1506.3, “a cooperating agency may adopt without re-circulating the environmental impact statement of a lead agency when, after an independent review of the statement, the cooperating agency concludes that its comments and suggestions have been satisfied.”



Table 3 lists all of the agencies anticipated to be involved as “cooperating” agencies in the environmental review process for the Buffalo Harbor Bridge project and their associated roles and responsibilities. This table will be updated upon receipt of agency acknowledgements of the coordination letters.

**Table 3
Cooperating Agencies – Roles, Responsibilities and Contacts**

Agency	Role	Contact	Responsibilities
US Coast Guard (9 th District)	Cooperating Agency (Accepted)	Scot M. Striffler US Coast Guard (9 th District) 1240 E. 9 th Street Cleveland, OH 44199 (212) 902-6087 scot.m.striffler@uscg.mil	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures Adopt EIS and coordinate public involvement when possible Potential for land acquisition coordination Section 9 Permit
US Army Corps of Engineers	Cooperating Agency (Accepted)	Joseph Rowley US Army Corps of Engineers 1776 Niagara Street Buffalo, NY 14207-3199 (716) 879-4279 joseph.m.rowley@usace.army.mil	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures Adopt EIS and coordinate public involvement when possible Section 404 Permit Section 10 of the Rivers and Harbors Act of 1899
US Environmental Protection Agency	Cooperating Agency (Accepted)	Lingard Knutson US EPA 290 Broadway, 25 th Floor New York, NY 10007 (212) 637-3747 knutson.lingard@epa.gov	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures Adopt EIS and coordinate public involvement when possible Responsibility in Phase II Stormwater permits Responsibility for Section 303(d) listed streams Section 404 Permit involvement



**Table 3
Cooperating Agencies – Roles, Responsibilities and Contacts**

Agency	Role	Contact	Responsibilities
U.S. Fish and Wildlife Service	Cooperating Agency (Accepted)	David Stilwell U.S. Fish and Wildlife Service 3817 Luker Road Cortland, NY 13045 (607) 753-9334 david_stilwell@fws.gov	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures Evaluate endangered and/or threatened species and significant natural communities and habitats
New York State Department of Environmental Conservation	Cooperating Agency (Accepted)	David Denk New York State Department of Environmental Conservation 270 Michigan Avenue Buffalo, NY 14203 (716) 851-7165 dsdenk@gw.dec.state.ny.us	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures Adopt EIS and coordinate public involvement when possible Evaluate endangered and/or threatened species and significant natural communities and habitats Responsibility under USEPA and expertise in air quality issues Responsibility for Section 303(d) listed streams SPDES/NPDES Permit Section 401 Water Quality Certification Protection of Waters Permit
New York State Department of State	Cooperating Agency (Pending response to invitation)	Mathew Maraglio New York State Department of State 99 Washington Avenue, Suite 1010 Albany, NY 12231-0001 (518) 474-6000 mathew.maraglio@dos.state.ny.us	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures Adopt EIS and coordinate public involvement when possible. Evaluate State and Federal coastal zone consistency. Coastal Zone Management Certification



**Table 3
Cooperating Agencies – Roles, Responsibilities and Contacts**

Agency	Role	Contact	Responsibilities
New York State Office of Parks, Recreation and Historic Preservation: State Historic Preservation Office	Cooperating Agency (Accepted)	Elizabeth Martin Historic Sites Restoration Coordinator New York State Office of Parks, Recreation and Historic Preservation Field Services Bureau Peebles Island, PO Box 189, Waterford, NY 12188-0189 (518) 237-8643 ext. 3287 elizabeth.martin@oprhp.state.ny.us	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures Adopt EIS and coordinate public involvement when possible Responsible for Section 106 consulting under Section 106 of the National Historic Preservation Act.
City of Buffalo	Cooperating Agency (Pending response to invitation)	Stephen Stepniak c/o Honorable Bryon Brown, Mayor City of Buffalo 65 Niagara Square, Rm.201 Buffalo, NY 14202 (716) 851-5636 sstepniak@ch.ci.buffalo.ny.us Gerald Chwalinski c/o Buffalo Common Council City of Buffalo 65 Niagara Square, Room 1308 Buffalo, NY 14202 (716) 851-5431 x5598	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures Adopt EIS and coordinate public involvement when possible Review for consistency with regards to the City's Draft Local Waterfront Revitalization Program (LRWP). Review for impacts to emergency services. Provide comments specific to local road systems, utilities, land use and economic development, and environmental protection.
Buffalo Urban Renewal Agency	Cooperating Agency (Pending response to invitation)	Greg Bernas Assistant Environmental Program Coordinator Buffalo Urban Renewal Agency 65 Niagara Street Room 920 Buffalo, New York 14202 (716) 851-5083 gbernas@ch.ci.buffalo.ny.us	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures Adopt EIS and coordinate public involvement when possible

2.3 Participating Agencies

SAFETEA-LU identified a new category of agencies for participation in the environmental review process for an EIS. These are federal and non-federal (i.e., State, tribal, regional, or local) government agencies that may have an interest in the project because of their jurisdictional authority, special expertise, and/or statewide interest. These participating agencies are formally invited to participate in the environmental review of the project. The roles and responsibilities of participating agencies include, but are not limited to:



- Participating in the NEPA process starting at the earliest possible time, especially with regard to the development of the purpose and need statement, range of alternatives, methodologies, and the level of detail for the analysis of alternatives;
- Identifying, as early as practicable, any issues of concern regarding the project’s potential environmental or socioeconomic impacts;
- Provide meaningful and timely input on unresolved issues; and
- Reviewing and providing comment on the Draft EIS and the preferred alternative.

By definition, cooperating agencies are participating agencies, but not all participating agencies are cooperating agencies. The roles and responsibilities of cooperating and participating agencies are similar, but cooperating agencies have a higher degree of authority, responsibility and involvement in the environmental review process.

Table 4 lists all of the agencies anticipated to be involved as “participating” agencies in the environmental review process for the proposed project and their associated roles and responsibilities. This table will be updated upon receipt of agency acknowledgements of the coordination letters.

**Table 4
Participating Agency – Roles, Responsibilities and Contacts**

Agency	Role	Contact	Responsibilities
Greater Buffalo Niagara Regional Transportation Council	Participating Agency (Accepted)	Mr. Hal Morse Greater Buffalo Niagara Regional Transportation Council 438 Main Street, Suite 503 Buffalo, NY 14202 (716) 856-2026 x311 hmorse@gbnrtc.org	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures Input on traffic analysis, forecasting, and level of service
Niagara Frontier Transportation Authority	Participating Agency ⁽¹⁾ (Accepted)	Ms. Kimberley Minkel Niagara Frontier Transportation Authority 181 Ellicott Street Buffalo, NY 14203 (716) 855-7470 kim_minkel@nfta.com	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures Review for compatibility with the current and/or future public transit system Coordination with proposed projects and nearby facilities



**Table 4
Participating Agency – Roles, Responsibilities and Contacts**

Agency	Role	Contact	Responsibilities
Erie County	Participating Agency (Accepted)	Mr. Kenneth Swanekamp Erie County Dept. of Planning and Environment 95 Franklin Street Erie County Rath Building Buffalo, NY 14202 (716) 858-6170 swanekak@erie.gov	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures
USDA Natural Resources Conservation Service	Participating Agency (DECLINED)		
Buffalo Sewer Authority	Participating Agency (Pending response to invitation)	Mr. David Comerford, Buffalo Sewer Authority 65 Niagara Square City Hall, Room 1038 Buffalo, NY 14202 (716) 851-4664 dcomerford@sa.ci.buffalo.ny.us	Provide comments specific to local utilities, land use and economic development, and environmental protection
Federal Emergency Management Agency	Participating Agency (Pending response to invitation)	Mr. Megan Jadowsich Regional Environmental Officer Federal Emergency Management Agency 26 Federal Plaza, Room 1337F New York, NY 10278-0002 (212) 680-3635 megan.jadowsich@DHS.Gov	Preview project for floodplain and floodway impacts
New York State Thruway Authority	Participating Agency (Accepted)	Mr. Paul Zakrzewski N Y State Thruway Authority 455 Cayuga Road, Suite 800 Cheektowaga, NY 14225 (716) 635-6218 paul_zakrzewski@thruway.state.ny.us	
Federal Transit Authority (FTA)	Participating Agency (Pending response to invitation)	Mr. James Goveia Planning & Environment Director Federal Transit Authority, Region 2 1 Bowling Green, Room 429 New York, NY 10004-1415 james.goveia@dot.gov	Provide coments specific to potential for alternatives to affect the light rail rapid transit system and provide expertise and/or jurisdiction for determination of effect.



**Table 4
Participating Agency – Roles, Responsibilities and Contacts**

Agency	Role	Contact	Responsibilities
New York Power Authority	Cooperating Agency	Patricia Lombardi New York Power Authority 123 Main St. White Plains, NY 10601-3170 (914) 681-6200 patricia.lombardi@nypa.gov	Provide comments on: <ul style="list-style-type: none"> ▪ Purpose and Need ▪ Range of Alternatives ▪ Methodologies ▪ Level of detail for analysis of alternatives ▪ Identification of issues that could substantially delay or prevent granting of permit/approval ▪ Opportunities for collaboration ▪ Mitigation measures Adopt EIS and coordinate public involvement when possible Responsible for Section 106 consulting under Section 106 of the National Historic Preservation Act.

Notes:

- (1) The Niagara Frontier Transportation Authority role may be elevated to Cooperating Agency if a crossing on Main Street becomes the preferred alternative.



3. Initial Coordination

In accordance with the requirements of SAFETEA-LU, a Project Initiation Letter dated March 27, 2009 was sent from ECHDC to NYSDOT. This letter was subsequently forwarded to FHWA formally notifying FHWA in writing of the intent to initiate the NEPA EIS process for this project. The coordination/scoping process was initiated in order to obtain comments and input from agencies and the public to help determine the purpose and need for the project, alternatives to be evaluated and the issues that will be examined as part of the EIS process.

3.1 Notice of Intent

Following the project initiation, FHWA with assistance from ECHDC and NYSDOT prepared a Notice of Intent (NOI) to Prepare an Environmental Impact Statement, as required by CEQ regulations 40 CFR 1501.7. The NOI was published in the Federal Register on April 13, 2009.

A Notification of the preparation of the EIS will be published in project area newspapers (Buffalo News), along with the announcement of two public Scoping Meetings.

3.2 Draft Coordination Package

ECHDC has distributed Initial Coordination Packages to agencies, officials, and organizations during May, 2009. The packages included a transmittal letter, a project summary and a project vicinity map and invite to the June 18th and 23rd Agency meetings. The project summary identify the draft purpose and need for the project.

Two groups of agencies and organizations will receive initial coordination packages:

- Cooperating Agencies
- Participating Agencies



4. Agency Coordination

Cooperating and Participating Agencies will be asked to submit comments during scoping that summarize their jurisdiction and/or special expertise related to the project area. Following scoping, lead agencies will collaborate with cooperating and participating agencies on methodologies for documenting environmental conditions and assessing impacts. All agencies will be notified of the availability of draft and final EIS documents and given appropriate comment opportunities (see Table 5). Lead agencies will also coordinate with agencies on completion of necessary permits following the Record of Decision (ROD).

The participating agencies for this project have roles and responsibilities that include, but are not limited to:

- Participating in the NEPA process starting at the earliest possible time, especially with regard to the development of the purpose and need statement, range of alternatives, methodologies, and the level of detail for the analysis of alternatives;
- Identifying, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts;
- Provide meaningful and timely input on unresolved issues; and
- Reviewing and providing comment on the Draft EIS and the preferred alternative.
- The Buffalo Harbor Bridge project is an important project to the vitality of the Buffalo region. Review of most information and documents will be expected in a period of 30 days or less.

The cooperating agencies for this project have roles and responsibilities that are similar to participating agencies, but cooperating agencies have a higher degree of authority, responsibility and involvement in the environmental review process.

4.1 Responses to Agency Comments

Specific opportunities for meaningful participation in the decision making process are provided via Agency Concurrence Points that have been identified in Section 6 for this project. When a comment is received, resolution and responses to those comments will be included in project documents. However, individual replies will not be sent to each person or agency originating the comments.



5. Public Involvement

Public involvement will be essential to determining the outcome and success of the project. The public will be offered numerous opportunities for input during the scoping and EIS process. A public involvement plan has been prepared in accordance with NYSDOT's Project Development Manual, and includes the following:

- Key stakeholders and interest groups, members of the public to be included in the process, likely to include neighborhood associations, local businesses, private developers, in addition to local civic and business organizations such as the Chamber of Commerce, and local officials.
- Schedule of public involvement activities
- Types, format, and frequency of stakeholder and public meetings to be held throughout the project.
- Types of public outreach to be used and detail of the advantages and logistics of each including:
 - Branding of project
 - Charrettes/Visioning Workshops
 - Information Centers
 - Key public stakeholder interviews
 - Informational website
 - Informational tools
 - Place Making
 - 3D Visualization
 - Public speaking opportunities

The major public involvement activities are summarized below:

5.1 Stakeholder Meetings

Stakeholder meetings will be held throughout the project. The stakeholder meetings will be conducted by ECHDC, the project consultant and appropriate agencies as needed. The following project stakeholders have been identified. (It is likely additional stakeholders will be identified throughout the public involvement process.)

Cooperating/Participating and Involved Agencies

- US Coast Guard (USCG)
- US Army Corps of Engineers (USACE)
- US Fish and Wildlife Service (USFWS)
- US Environmental Protection Agency (USEPA)
- Federal Highway Administration (FHWA)
- Federal Transit Authority (FTA)
- New York State Department of Transportation (NYSDOT)
- New York State Department of Environmental Conservation (NYSDEC)
- New York State Historic Office of Parks, Recreation and Historic Preservation (NYSOPRHP)
- New York State Department of State (NYSDOS)
- New York Power Authority (NYPA)
- New York State Thruway Authority (NYSTA)
- Niagara Frontier Transportation Authority (NFTA)
- Erie Canal Harbor Development Corporation (ECHDC)
- Erie County
- City of Buffalo
 - Mayor's Office
 - Common Council
 - Department of Public Works



- Buffalo Urban Renewal Agency (BURA)
- Buffalo Sewer Authority (BSA)
- Greater Buffalo Niagara Regional Transportation Council (GBNRTC)

Tribal

- Seneca Nation of Indians
- Tonawanda Seneca Nation of Indians

Stakeholders

• **Residential**

- Marine Tenants Council
- Marine Drive General Property Manager
- Waterfront Village
- Old First Ward Community Association
- Valley Community Association

• **Commercial**

- Buffalo Place, Inc.
- Pioneer Company
- Specialty Restaurants Corporation (Templeton Landing)
- Buffalo & Erie County Naval & Military Park
- Niagara Frontier Hockey, LLP (Buffalo Sabres)
- Seneca Gaming Corporation
- Benderson Development
- Buffalo News
- One HSBC Center (Tower)
- Buffalo Economic Renaissance Corporation
- Working for Downtown
- Buffalo Niagara Association of Realtors, Inc.
- CSX Railroad
- 191 Ganson Street Warehouse
- Buffalo Urban Development Corp.

• **Water Dependent – Shipping**

- General Mills
- Archer Daniels Midland (ADM) Company (The Pillsbury Company)
- Buckeye Pipeline Company (Buckeye Terminals LLP)
- Sand Products Corporation
- Lafarge Corporation
- St. Mary's Cement, Inc.
- Great Lakes Group
- River Wright Energy, LLC
- Local 1286 Longshoreman's Association
- American Federation of Grain Millers Local 36
- American Steamship Company

• **Water Dependent – Recreational**

- RCR Yachts/Skyway Marina
- First Buffalo River Marina
- China Light Yacht Club
- Seven Seas Sailing Club
- Buffalo Harbor Sailing Club
- Buffalo Yacht Club
- Buffalo Harbor Cruises (Miss Buffalo)



- Bison Rod & Gun Club
- Friends of the Cotter
- Western New York Windsurf Association
- Buffalo Urban Outdoor Education Foundation (Spirit of Buffalo)
- Erie County Federation of Sportsmen's Clubs. Inc.
- Southtowns Walleye Association of WNY, Inc.
- Niagara River Anglers Association, Inc.

● **Cultural Resource Organizations**

- Preservation Buffalo Niagara
- Campaign for Greater Buffalo
- The Industrial Heritage Committee
- Buffalo Olmsted Parks Conservancy
- Preservation Studios

● **Environmental Organizations**

- Niagara River Greenway Commission
- Buffalo Niagara Riverkeepers
- Great Lakes United
- Audubon Society
- Buffalo Ornithological Society
- Buffalo Museum of Science

● **Miscellaneous Organizations**

- Citizens Regional Transit Corporation
- Niagara Frontier Bicycle Club
- Partners for a Livable WNY
- League of Women Voters of Buffalo Niagara
- The New Millennium Group of WNY, Inc.
- Buffalo First
- Seaway Trail, Inc.
- Green Options Buffalo

5.2 Public Meetings

Four public scoping meetings will be held to solicit input regarding the project needs and objectives, the project and alternatives. The dates, times and locations of the public meetings will be determined at a later date. Informational handouts and meeting materials including display boards, aerials, maps, necessary graphics, colorized plans, handouts, and visualizations will be prepared as necessary to convey the project issues. The meetings will be advertised in advance. The following meetings are assumed:

- Initial public scoping meeting (held July 22, 2009)
- Final public scoping meeting (scheduled for December 16th, 2009)
- 2 Public Information Centers (Open Houses) (2011 - Dates TBD)

The final public scoping meeting will identify key project concerns and possible solutions that the lead agencies can use in developing the statement of the project purpose and need, determining project alternatives, and gathering data for impacts analysis. A 30-day comment period following the final public scoping meeting will be provided for the public to submit comments to be included in the scoping report.

5.3 Project Specific Outreach Tools

A number of public outreach tools will be utilized during the project as summarized below.



5.3.1. Project Branding – Project branding has been developed and will continue to be utilized to give this project a unique identification throughout the community. A project logo has been developed for this purpose as shown below in Figure 3. This logo will be used on the project website, project advertisements, project correspondence, reports, handouts and graphics.



Figure 3 – Project Logo

5.3.2. Visioning Workshops - Charrettes or Visioning workshops will be held to facilitate discussion and an exchange of ideas regarding the project area and expectations. The discussions, findings and consensus priorities gained from the workshops will provide an important baseline for future collaboration. The Charrettes/Visioning workshops will be held concurrently with public meetings defined in Section 5.2

5.3.3. Open Houses/Information Centers – Two Public Information Centers (Open Houses) will be held to provide the public with timely and accurate information pertaining to the project and its status. Display boards, handout materials and other support documents will be used.

5.3.4. Website - A project website will be developed and maintained for timely, updated, and publicly accessible project information. Key components of this website will include: project background, key documents, maps and photos, and project contact information.

5.3.5. Place Making - In order to provide an opportunity for stakeholders to better perceive the project area and to understand the projects impact, a Place Making exercise with project stakeholders, government officials and others will be planned. The Placemaking exercise will be a public/stakeholder tour of the proposed bridge crossing sites. The onsite exercise will be conducted on land. Conducting the Placemaking exercise will allow attendees to fully understand the project setting, constraints and context of the crossing location and allow more informed input into the project process.

5.3.6. 3D Visualization – As the project progresses visualizations of the proposed alternatives will be developed for use in the Visual Assessment Report and for public review. An additional “Realtime” model of the project area may also be developed by the University of Buffalo Center for Computational Research (CCR). This model may be used during public involvement meetings and other events for this and adjacent projects.

5.3.7. Other - Throughout the course of the project other public outreach may be employed such as public speaking opportunities may be identified and utilized as opportunities to speak about the project at public and organizational meetings.



5.4 Public Hearing

A public hearing will be held to provide the public with the opportunity to review and comment on the Draft EIS. There will be a 45-day comment period following the meeting for the public to submit comments on the Draft EIS.

5.5 Notice of Final EIS

Following publication of the Final - EIS (Notice of Availability (NOA)), a 30 day comment period will be provided for final public comments on the preferred project alternative and recommendations.

5.6 Public Officials

Throughout the project – Public officials will be kept informed of the project progress and outcomes. Lead agencies will provide all information to officials.



6. Scheduling

The following table lists major project activities and anticipated completion dates. Permitting activities are not specifically listed.

**Table 5
Major Project Activities and Anticipated Completion Dates**

Coordination points	Project Activities	Participants	Actions	Expected Completion
1	Project Initiation	Lead agencies	ECHDC/NYS DOT notifies FHWA to initiate EIS	April 2009 (completed)
2	Notice of Intent (NOI)	Lead agencies	Lead agencies collaborate on drafting NOI. FHWA submits NOI to Federal Register for publication	April 2009 (completed)
3	Project Coordination Plan (PCP)	Lead Agencies	Develop Project Coordination Plan and Public Involvement Action Plan	May 2009 (completed)
4	Scoping	Lead agencies	Invite cooperating and participating agency participation.	May 2009 (completed)
5	Scoping	Cooperating Agencies	Agency scoping meetings.	June 18 & 23, 2009 (completed)
6	Scoping	Stakeholders	Meetings for stakeholders - obtain scoping comments.	July 6, 7, & 9, 2009 (other meetings held – on-going)
7	Scoping	Lead agencies	Develop Project Website and update on a bi-monthly basis	Website access began July 2009
8	Scoping	Public	Initial Public Information Meeting	July 22, 2009
9	Scoping	Public	NEPA Public Scoping Meeting	December 16, 2009
10	Scoping	Cooperating/ Participating Agencies	Scoping document overview meetings	Dec. 21, 2009 Jan. 5, 2010
11	Scoping	Public & Lead Agencies	Review of public comments following final scoping meeting	Dec. 2009 – Feb. 2010
12	Scoping	Lead Agencies	Final Project Scoping Report (FPSR)	March 2010
13	Scoping	Public	Public Information Center #1 - hold Public Information Center to inform the public of scoping outcomes. Information is also disseminated to agencies, stakeholders, and public officials.	July 2011
14	Scoping	Public	Charrettes/visioning workshop (w/ Public Information Center #1)	July 2011
15	Pre-Draft DEIS	Lead Agencies	Development of Pre-draft DEIS	November 2011
16	Public Information meeting/Open House	Public	Public Information Center #2 - hold Public Information Center to update public on project status. Information is also disseminated to agencies, stakeholders, and public officials.	November 2011



Table 5 (Continued)
Major project activities and anticipated completion dates

Coordin-ation points	Project Activities	Participants	Actions	Expected Completion
17	Pre-Draft DEIS Review	ECHDC NYSDOT	Internal review by ECHDC/NYSDOT	June 2011
18	Draft DEIS	Lead Agencies	Incorporate ECHDC/NYSDOT/Agency comments and prepare Draft DEIS	October 2011
19	Draft DEIS Review	FHWA	FHWA Review Draft DEIS	December 2011
20	Final DEIS	Lead Agencies	Incorporate comments and complete Final DEIS	January 2012
21	Final DEIS	Lead Agencies	Final DEIS Notice of Availability (NOA)	February 2012
22	Public Hearing	Public	Public Hearing on Draft EIS	February 2012
23	Public Hearing comment Period	Public, Cooperating and Participating Agencies	Public and Agency comments on DEIS, 60-day comment period	March – April 2012
24	Final EIS	Lead Agencies	Review and analyze public comments and responses with City, public officials. Review schedule for Final EIS	July 2012
25	Draft Design recommendation	Lead Agencies	Prepare Draft Design recommendation	April 2012
26	Final EIS	Lead Agencies	Complete Final EIS, including design recommendation, Public and agency comments	May 2012
27	Final EIS	ECHDC NYSDOT	Internal review by ECHDC/NYSDOT	June 2012
28	Final EIS	FHWA	FHWA Review Final EIS	July 2012
29	Final EIS	Lead Agencies	Incorporate FHWA comments and finalize Final EIS	August 2012
30	Final EIS	Lead Agencies	Final EIS Notice of Availability (NOA)	September 2012
31	Final EIS	All Agencies and the Public	30-day comment period prior to ROD	September 2012
32	Record of Decision (ROD)	Lead Agencies	Submit Record of Decision (ROD)	October 2012



Table 5 (Continued)
Major project activities and anticipated completion dates

Coordin-ation points	Project Activities	Participants	Actions	Expected Completion
33	Permitting	USFWS, EPA, US Army Corps of Engineers (USACE); National Marine Fisheries Service (NMFS); Natural Resources Conservation Service (NRCS) and Lead Agencies	FHWA Executive Order 11990 Wetlands Finding. Evaluate and mitigate impacts on wetlands.	Findings Included in FEIS
34	Permitting	FEMA and Lead Agencies	Executive Order 11988; Floodplain Management To avoid the long- and short-term adverse impacts associated with the occupancy and modification of floodplains, and to restore and preserve the natural and beneficial values served by floodplains.	Findings Included in FEIS
35	Permitting	US Coast Guard (9 th District); and Lead Agencies	Section 9 – Bridge Permit - Rivers and Harbors Act of 1899: 33 U.S.C. 40. Must obtain approval of plans for bridge permits	Prior to Construction
36	Permitting	US Army Corps of Engineers and Lead Agencies	Section 10 Permit - Rivers and Harbors Act of 1899:33 U.S.C. 401) Must obtain approval of plans for construction, dumping, and dredging permits.	Prior to Construction
37	Permitting	US Army Corps of Engineers; NYSDEC and Lead Agencies	Section 404 Permit - Federal Water Pollution Control Act (1972), as amended by the Clean Water Act (1977 & 1987): 33 U.S.C. 1251-1376 Restore and maintain chemical, physical, and biological integrity of the Nation's waters through prevention, reduction, and elimination of pollution.	Prior to Construction



Table 5 (Continued)
Major project activities and anticipated completion dates

Coordin-ation points	Project Activities	Participants	Actions	Expected Completion
38	Permitting	New York State Department of Environmental Conservation and Lead Agencies	Section 401 Water Quality Certification. Protection of Waters Permit	Prior to Construction
39	Permitting	New York State Department of Environmental Conservation	SPDES/NPDES Permit	Prior to Construction
40	Permitting	New York State Department of State and Lead Agencies	Coastal Zone Consistency Approval Coastal Zone Management Act of 1972: 16 U.S.C. 145. Preserve, protect, develop, and (where possible) restore and enhance resources of the coastal zone.	Prior to Construction
41	Permitting	New York State Department of Environmental Conservation and Lead Agencies	Article 24 -Freshwater Wetlands Permit	Prior to Construction