

Metro Rail Expansion Project

FINAL SCOPING DOCUMENT



May 2019

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Appendix A – Scoping Comments and Responses

Acronyms/Abbreviations

AA.....	Alternatives Analysis
APE.....	Areas of Potential Effect
BNMC.....	Buffalo Niagara Medical Campus
CFR.....	Code of Federal Regulations
CWA.....	Clean Water Act
DEIS.....	Draft Environmental Impact Statement
DL&W.....	Delaware, Lackawanna and Western
EA.....	Environmental Assessment
FEIS.....	Final Environmental Impact Statement
FTA.....	Federal Transit Administration
GBNRTC.....	Greater Buffalo-Niagara Region Transportation Committee
GHG.....	Greenhouse Gas
LOD.....	Limits of Disturbance
LPA.....	Locally Preferred Alternative
LRT.....	Light Rail Transit
NEPA.....	National Environmental Policy Act of 1969
NFTA.....	Niagara Frontier Transportation Authority
NRHP.....	National Register of Historic Places
NYSDEC.....	New York State Department of Environmental Conservation
NYSDOT.....	New York State Department of Transportation
OPRHP.....	Office of Parks, Recreation and Historic Preservation
SAC.....	Stakeholder Advisory Committee
SEQRA.....	State Environmental Quality Review Act
SPDES.....	State Pollutant Discharge Elimination System
TAC.....	Technical Advisory Committee
TOD.....	Transit-Oriented Development
UB.....	University at Buffalo
USACE.....	U.S. Army Corps of Engineers
USDOT.....	U.S. Department of Transportation
USFWS.....	U.S. Fish and Wildlife Service

1. Introduction

The Niagara Frontier Transportation Authority (NFTA) is proposing to expand the existing light-rail transit (LRT) (Metro Rail) from the existing Metro-Rail terminus at University Station, along Kenmore Avenue, Niagara Falls Boulevard, Maple Road, and Sweet Home Road, through the University at Buffalo (UB)-North Campus to Audubon Parkway and I-990. A light maintenance/storage facility is proposed at the end of the line.

Niagara Frontier Metro Systems, Inc. (the Lead Agency¹) is preparing an environmental impact statement (EIS) for the Metro Rail Expansion Project (the Proposed Action) in accordance with the requirements of the State Environmental Quality Review Act (17 NYCRR [New York Codes, Rules and Regulations] Part 15). The project is classified as a State Environmental Quality Review Act (SEQRA) Type I action, indicating that it has the potential for significant environmental impacts or substantial controversy on environmental grounds that should be evaluated. Given the scale of the Proposed Action and its local and regional significance, NFTA has issued a Positive Declaration² pursuant to SEQRA, requiring the preparation of an EIS. This Final Scoping Report establishes the framework and anticipated EIS analyses areas and allows the public to provide input on the scope of work for the EIS and how the EIS will be prepared.

Because NFTA will apply for federal funds administered through the Federal Transit Administration (FTA) or other federal sources to cover a portion of the Proposed Action's capital costs, it is anticipated that the environmental analyses conducted for the SEQRA EIS will also be compliant with the National Environmental Policy Act of 1969 (NEPA) (42 U.S. Code § 4321 et seq.). Initially, FTA would consider a NEPA-compliant environmental assessment (EA).³ FTA could determine that the EA sufficiently enables the issuance of a Finding of No Significant Impact, thereby completing the NEPA process. Otherwise, a federal EIS⁴ will be prepared. The NEPA EA or EIS will rely on the same environmental analyses that will be prepared for the SEQRA EIS and will address the additional requirements of relevant federal rules, regulations, and Executive Orders that are further described in this Final Scoping Document. While the scoping process is not a mandatory step during the preparation of a NEPA EA, if a NEPA EIS is required for the Proposed Action, this scoping process will serve as the formal scoping process that is required for a NEPA EIS.

¹ The Lead Agency coordinates the SEQR process and is responsible for making key SEQR determinations during the review process.

² The Positive Declaration starts the EIS process and is a determination by the Lead Agency that an action could result in one or more significant environmental impacts and so will require the preparation of an EIS before agency decisions are made regarding the action.

³ An EA determines whether a federal action could cause significant environmental effects.

⁴ Federal agencies prepare an environmental impact statement if a proposed major federal action is determined to significantly affect the quality of the human environment. The regulatory requirements for an EIS are more detailed and rigorous than the requirements for an EA.

1.1 SCOPING

Scoping occurs early in the environmental review process and affords an opportunity for agencies and the public to provide input on the Proposed Action’s purpose and need, its objectives, the potential alternatives under consideration, and the environmental analysis methodology. A Draft Scope for the project was issued on January 24, 2019. Oral and written comments were received during the scoping meeting held by NFTA on February 12, 2019 at Sweet Home Middle School at 4150 Maple Rd, Amherst, NY 14226. The scoping meeting was attended by over 80 members of the public. Attendees left nine comments on the rollout map, 21 completed comment cards, and three comments with the stenographer.

Written comments were accepted from the issuance of the Draft Scope through the public comment period, which ended March 10, 2019. After the end of the comment period on March 10, 2019, NFTA collected and considered the comments received and prepared this Final Scoping Document to summarize the comments and the results of the scoping process.

The majority of the comments relevant to the Draft Scope focused on: (1) potential traffic and safety concerns related to the Proposed Action; (2) suggestions for station locations; (3) concerns related to potential property acquisitions or property values; (4) concerns related to noise and vibration impacts; (5) concerns related to construction impacts; and (6) suggestions for extensions to the LPA or other alternatives. A number of comments were made in general support or opposition to the project, but did not relate to the proposed approach or methodology for the impact assessments. In addition to the comments described above, several comments requested analyses that are beyond the scope of this project’s SEQRA review (see Appendix A, “Scoping Comments and Responses”).

1.2 DOCUMENT PURPOSE

This Final Scope reflects changes made in response to relevant public comments on the Draft Scope, as well as additional details on the need for improved transit. Deletions are not shown in this document. However, additions to text not found in the Draft Scope have been incorporated into the Final Scope and are indicated by double-underlining. The Final Scoping Document addresses the following:

- Section 2, Project Overview, describes the Proposed Action’s corridor.
- Section 3, Purpose and Need, presents the problem statement, the Proposed Action’s “purpose” and “need” statements, and goals and objectives.
- Section 4, Alternatives Considered describes the alternatives that will be evaluated in the EIS.
- Section 5, Environmental Review describes the environmental review process.
- Section 6, Scope of Work describes the methodologies that will be used to identify any potential adverse environmental impacts resulting from the Proposed Action alternatives.
- Section 7, Public Participation and Agency Coordination describes the tools and techniques that have and will be used to engage agencies and the public and to provide opportunities for their input throughout the environmental review process.

2. Project Overview

The existing Metro Rail—located in Erie County, New York—runs along Main Street for 6.4 miles between the Erie Canal Harbor Station in downtown Buffalo and the University at Buffalo (UB) South Campus (UB-South Campus). The Proposed Action would extend the LRT system north from the current University Station to I-990 interchange with Audubon Parkway, servicing the towns of Tonawanda and Amherst and the UB-North Campus. A light maintenance/storage facility is proposed at the end of the line. Figure 1 shows both the existing Metro Rail line and the Proposed Action’s corridor.

The transportation system in the corridor serves a diversity of land uses and activities ranging from the waterfront to the urban center of downtown Buffalo and the Buffalo Niagara Medical Campus (BNMC), to the large and expanding UB campuses and other colleges, to older established residential neighborhoods and emerging commercial and employment centers.

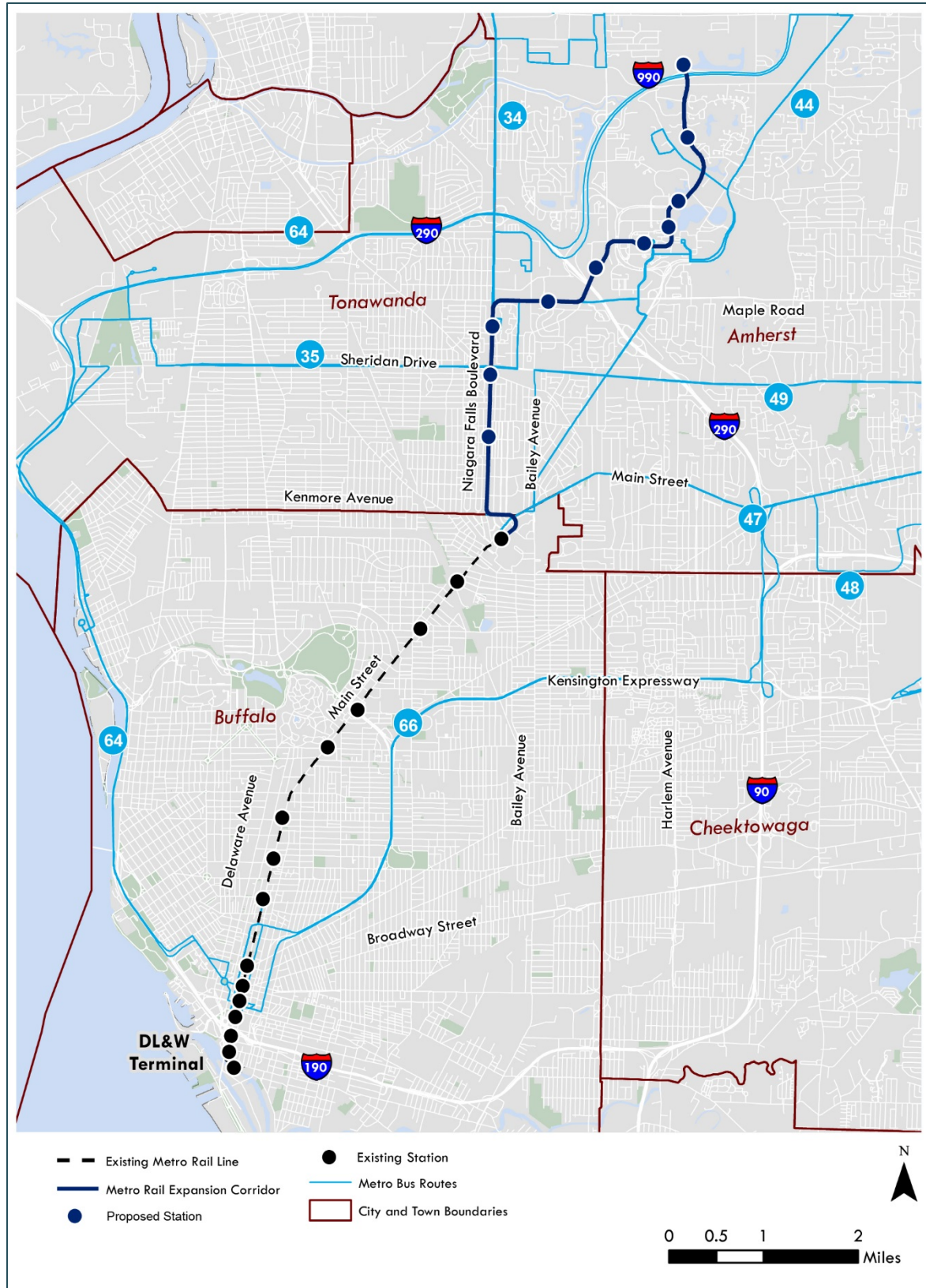


Downtown Buffalo



Canalside

Figure 1. Metro Rail Expansion Project Corridor



2.1 REGIONAL TRANSIT SYSTEM

NFTA is the public transportation operator in the Buffalo-Niagara metropolitan region and the study corridor, operating the Metro Rail LRT system and a network of bus lines.

2.1.1 Metro Bus

NFTA Metro Bus service in the region includes 13 express bus routes, 37 regular bus routes, and three Metrolink van shuttle routes. Many of these routes intersect with or serve a portion of the Proposed Action corridor, including the following:

- **Metro Bus Route 34-Niagara Falls Boulevard** provides service between the Erie Canal Harbor Station and the Hazelwood/Woodridge Station and runs on three branches. One runs to the Audubon Industrial Park, one runs to Hazelwood/Woodbridge, and one runs to Creekside and Pineview.
- **Metro Bus Route 35-Sheridan** provides east-west service along Sheridan Drive in the town of Tonawanda and into the town of Amherst. It serves Boulevard Mall and Northtown Plaza as well as UB-North Campus.
- **Metro Bus Route 44-Lockport** runs primarily via Millersport Highway between the city of Lockport and University Station. It serves UB-North Campus and provides limited service to the Weinberg Campus.
- **Metro Bus Route 47-Youngs Road** provides service between University Station and Erie County College-North Campus, the Amherst International Industrial Park, and the Buffalo Niagara International Airport.
- **Metro Bus Route 48-Williamsville** runs primarily along Main Street and provides service between University Station and Erie Community College-North Campus and the Eastern Hills Mall.
- **Metro Bus Route 49-Millard Suburban** runs via Sheridan Drive and other roads between University Station and Millard Fillmore Suburban Hospital.
- **Metro Bus Route 64-Lockport** is an express bus route running between the city of Lockport, with stops at CrossPoint Business Park, Allen-Medical Campus, and downtown Buffalo.
- **Metro Bus Route 66** is an express route operating between downtown Buffalo and Eastern Hills Mall via Main Street. The route serves the Main and Union park-and-ride lot, as well as the Allen-Medical Campus.

While Metro Bus service is available, frequency of the service is limited and it is often slower because it operates in traffic on a congested roadway network. Existing bus transit service often requires patrons to transfer among routes, which results in longer travel times for riders.

2.1.2 Metro Rail

Metro Rail runs along Main Street between the Erie Canal Harbor Station in downtown Buffalo and the UB-South Campus (University Station). The first 1.2-mile segment of the 6.4-mile service is on the surface in the downtown area, while the remaining portion of the line is underground. The line has 13 stations. An Events Only Station is located across from KeyBank Center, which operates only during events at the arena and at Canalside. Park-and-ride lots are available at University Station (450 spaces) and LaSalle Station (732 spaces). The Metro Rail Maintenance Yard & Shop is located at the former Delaware, Lackawanna and Western (DL&W) Terminal. NFTA is progressing plans to extend Metro Rail service to the DL&W Terminal with a new full-time station on the ground floor to provide enhanced access to the Canalside and Cobblestone Districts.

Weekday service runs from 5:10 a.m. to 12:30 a.m. every 13 minutes or less and includes 90 trips in each direction. Saturday service runs from 7:05 a.m. to 12:49 a.m. every 17 minutes or less and includes 62 trips in each direction, and Sunday / holiday service runs from 8:00 a.m. to 11:49 a.m. and includes 46 trips in each direction. For hockey games and selected events at the KeyBank Center and at Canalside, a later train departs the Events Only Station 30 minutes after the end of the event.



Church Street Station

NFTA reports that during fiscal year 2018, 4.5 million riders used the LRT system. Table 1 and Table 2 show the annual and daily boardings and alightings at each station for the north- and southbound directions. The data shows that the busiest stations are University, Church Street, Lafayette Square, Fountain Plaza, and Utica.



University Station

Located near the intersection of Main Street and Niagara Falls Boulevard on the University at Buffalo-South Campus, University Station is a major transfer point between Metro Rail and many city and suburban bus routes.

Table 1. Estimated Annual Metro Rail Ridership by Station (2017)

Station	Boardings	Alightings
University	790,307	832,928
LaSalle	232,017	251,274
Amherst	332,316	339,686
Humboldt Hospital	163,741	164,026
Delavan-Canisius College	188,514	176,241
Utica	439,865	454,853
Summer-Best	234,434	207,069
Allen-Medical Campus	343,796	342,594
Fountain Plaza	448,928	425,770
Lafayette Square	470,680	410,647
Church Street	503,307	450,782
Seneca	117,217	187,292
Erie Canal Harbor	253,164	275,122
TOTALS	4,518,286	4,518,284

Source: NFTA

Table 2. Estimated Daily Metro Rail Ridership by Station (2017)

Station	Boardings	Alightings
University	2,656	2,799
LaSalle	780	845
Amherst	1,117	1,142
Humboldt Hospital	550	551
Delavan-Canisius	634	592
Utica	1,478	1,529
Summer-Best	788	696
Allen-Medical Campus	1,156	1,151
Fountain Plaza	1,509	1,431
Lafayette Square	1,582	1,380
Church Street	1,692	1,515
Seneca	394	629
Erie Canal Harbor	851	925
TOTALS	15,187	15,185

Source: NFTA



Metro Rail along Main Street



Metro Rail passengers

2.1.3 University at Buffalo Bus Service

UB provides the following extensive bus and shuttle service for its students, faculty and staff, and visitors:

- **Stampede Service** (the main service) runs between the UB-North and UB-South Campuses along Millersport Highway and Grover Cleveland Highway. Stampede buses run approximately every 5 to 10 minutes, Monday through Friday, during the academic year and every 30 to 60 minutes on weekends and during the summer.
- **University at Buffalo-North Campus Shuttle Services:**
 - **Express Service** runs between the Ellicott Complex and the Spine. During the fall and spring semesters, with buses departing the Ellicott Tunnel for Lee Loop every 5–7 minutes.
 - **North Campus Shuttle** service connects the entire UB-North Campus, stopping at 18 different key locations. The service also provides a valuable park-and-ride option from the Alumni and Stadium parking lots. The shuttle operates every 10 minutes during the

semester between 8:00 a.m. and 7:00 p.m. After 7:00 p.m., the shuttle operates every 10 to 20 minutes.

- **Green Line Shuttle** service provides a valuable park-and-ride option from the Center for Tomorrow lot to Flint Loop in the heart of the UB-North Campus. The Green Line operates Monday through Friday from 7:00 a.m. to 7:00 p.m. with departures every 10 minutes.
- **University at Buffalo-South/Downtown Campus Shuttles:**
 - **Orange Line Shuttle** service operates Monday through Friday from 8:00 a.m. to 3:30 p.m. with departures every 20 minutes. The Orange Line is a rotator shuttle connecting all areas of the UB-South Campus to the UB Blue Line downtown shuttle and the inter-campus Stampede bus stops. The Orange Line Shuttle provides park-and-ride service from the Main-Bailey and Parker Lots.
 - **Blue Line Shuttle** service connects the Downtown and South Campuses during the weekdays. The Blue Line operates daily every 30 minutes between 7:30 a.m. and 5:30 p.m.
 - **Mall/Market Shuttle** service runs Wednesday and Saturdays during the fall and spring semester when classes are in session. Shuttles provide transportation to Walmart, Wegmans, Tops (on Maple Rd) and the Boulevard Mall from both UB-North and UB-South Campuses.

3. Purpose and Need

The **purpose** of the Proposed Action is to provide a fast, reliable, safe, and convenient transit ride in the Metro Rail Expansion corridor, linking established and emerging activity centers along the existing Metro Rail line in Buffalo with existing and emerging activity centers in the town of Amherst. The Proposed Action would better serve existing rail and bus riders, attract new transit patrons, improve connections to/from Buffalo, Amherst and Tonawanda, and support redevelopment and other economic development opportunities. Importantly, it will serve to improve livability by increasing mobility and accessibility in communities throughout the Proposed Action corridor. The Proposed Action would:

- Serve increased travel demand generated by new development in downtown Buffalo and Amherst.
- Provide high-quality transit service to and from key activity centers in the Proposed Action corridor by providing a time-efficient transit option connecting and serving key destinations in the corridor (UB campuses, BNMC, the Buffalo central business district, business parks, the Buffalo waterfront, among others).
- Better serve transit-dependent populations and improve opportunities for participation of the workforce in the overall regional economy.
- Improve the system operating efficiency of the transit network.
- Support local and regional land use planning and transit-oriented development (TOD).
- Provide social benefits from transit investment that supports an array of economic and affordable housing development.
- Help meet the sustainability goals and measures as contained in the following state, regional, and local plans:
 - *One Region Forward: A New Way to Plan for Buffalo Niagara*
 - *Moving Forward 2050: A Regional Transportation Plan for Buffalo Niagara*
 - *Framework for Regional Growth: Erie and Niagara Counties, New York*
 - *UB 2020 Plan*
 - *Western New York Regional Economic Development Strategic Plan*
 - *Queen City in the 21st Century: Buffalo's Comprehensive Plan*
 - *Town of Amherst Bicentennial Comprehensive Plan*
 - *Town of Tonawanda 2014 Comprehensive Plan Update*
- Help relieve parking constraints and capacity issues on the BNMC and surrounding downtown area to minimize traffic and parking-related impacts on neighborhoods.

The *need* for improved transit service has three main components: (1) the need to serve increased travel demand generated by recent, pending, and future development; (2) the need for high-quality service to key activity centers; and (3) the need to better serve transit-dependent population segments.



Serve increased travel demand



Provide high-quality service to key activity centers



Improve service for transit-dependent population

3.1 **SERVE INCREASED TRAVEL DEMAND**

The Buffalo metropolitan region is experiencing substantial economic growth and transformation. Downtown Buffalo has over \$3 billion of projects recently completed, under construction, or planned, including projects at the Erie Canal Harbor and the BNMC. Meanwhile, Amherst continues to grow, with opportunities for more commercial and mixed-use development, including infill of vacant properties and parcels and expansion of the UB-North Campus. Ongoing implementation of the *UB 2020 Plan* will also have a significant economic impact.

The Greater Buffalo-Niagara Region Transportation Committee (GBNRTC) has projected the region’s population, households, and employment by sector for 2040. These projections are used for transportation demand modeling purposes, and serve the goal of helping the region plan for more sustainable, transit-oriented growth. Total population, household, and employment growth is projected at the regional level and then allocated to smaller geographies to understand travel demand at the local scale. The production of these projections, and their allocation to smaller areas, relies on several assumptions. Among these, the results of the projections reflect the assumption that an enhanced transit project will be built in the region, and that the increased accessibility to more jobs and households that enhanced transit creates will in turn intensify development near transit stations.

Table 3, Table 4, and Table 5 present population and household growth for both the existing Metro Rail corridor and Proposed Action corridor separately, together, and for the region. The baseline year is 2015 and 2040 is the year for which projections were produced; the half-mile buffer around existing and proposed stations was the geography that was analyzed.

Table 3. Estimated and Forecasted Population (2015 and 2040)

Geography	2015		2040		2015–2040	
	Number of Residents	Share of Region	Number of Residents	Share of Region	Numeric Change	Percentage Change
Existing Metro Rail	63,084	6%	68,917	6%	5,833	9.2%
Proposed Action	36,093	3%	36,008	3%	-85	-0.2%
Total Metro Rail Corridor	99,177	9%	104,925	9%	5,748	5.8%
Buffalo-Niagara Region	1,136,272	100%	1,150,512	100%	14,240	1.3%

Source: GBNRTC

The corridor has fewer number of households (Table 4) and fewer inhabitants of those households (Table 5) than the rest of the region, and their size is projected to continue reducing. Household size in the total corridor is projected to decrease further between 2015 and 2040, and faster than the decrease projected for the region. This is consistent with typical transit-oriented growth scenarios because households living near transit tend to be smaller than households living at larger distances from transit.

Table 4. Existing and Forecasted Number of Households (2015 and 2040)

Geography	2015		2040		2015–2040	
	Number of Households	Share of Region	Number of Households	Share of Region	Numeric Change	Percentage Change
Existing Metro Rail	31,753	6%	35,064	7%	3,311	10.4%
Metro Rail Expansion	17,771	3%	17,718	3%	-53	-0.3%
Total Metro Rail Corridor	49,524	9%	52,782	10%	3,258	6.6%
Buffalo-Niagara Region	521,782	100%	528,596	100%	6,814	1.3%

Source: GBNRTC

Table 5. Existing and Forecasted Size of Households (2015 and 2040)

Geography	2015	2040	2015–2040 Percentage Change
Existing Metro Rail	1.99	1.97	-1.1%
Metro Rail Expansion	2.03	2.03	0.1%
Total Metro Rail Corridor	2.00	1.99	-0.7%
Buffalo-Niagara Region	2.18	2.18	-0.1%

Source: GBNRTC

The greater Buffalo-Niagara region, the GBNRTC, the City of Buffalo, the Towns of Amherst and Tonawanda, and UB have plans in place or are developing new plans and land development ordinances to support and encourage sustainable development and redevelopment. The plans and ordinances are geared toward a dramatic transformation of the built environment, and public transit investment can help foster and leverage further reinvestment, redevelopment, and revitalization. New public transit improvements are consistent with these regional and local plans.

Such growth, however, will require supporting infrastructure and public facilities and services, particularly transportation. Increasing development will increase the demand for work trips and non-work trips, including shopping, medical services, and entertainment. Expanded transportation

options will be especially important for workers to have access to the increasing employment opportunities both in Buffalo and Amherst. As job and population growth occurs, transportation issues and challenges will need to be addressed and improved public transit and increased transit usage will be an important part of any solutions.

The existing roadway network experiences traffic congestion, particularly during peak periods, and without mitigation, the anticipated level of new development will further increase congestion within the corridor. Expanding roadway capacity is not viable because of constraints on available rights-of-way, environmental impact concerns, and concerns that highway investments are not a sustainable, long-term solution and that they do not encourage mixed-use, compact development—all goals of regional and local plans. Similarly, the parking supply is constrained, particularly in downtown Buffalo, and it is unlikely—as well as undesirable—that new parking will accommodate projected employment increases.

There is a need for new investments to provide a high-quality, increased transit services in the Proposed Action corridor to mitigate the growth of traffic and congestion, to enable and support more sustainable development patterns, and to preserve roadway capacity. As a prime example, BNMC, in planning for its major expansion, has developed an extensive Transportation Demand Management program, including working with NFTA to increase transit service opportunities and usage as well as multimodal transportation.

As the City of Buffalo and towns of Amherst and Tonawanda continue to develop and redevelop, increasing transit service would help to shape and support the patterns of future development. Expanding and enhancing transit service along the Proposed Action corridor would promote and support higher development densities and mixed uses. Such development patterns would support more sustainable growth, possibly leveraging additional economic development and employment opportunities, while minimizing needs to expand roadway and parking capacity.

3.2 PROVIDE HIGH-QUALITY SERVICE TO KEY ACTIVITY CENTERS

Bus service is the only public transit service available for travel to and from activity centers in Amherst. The Amherst portion of the Proposed Action corridor receives transit service from three NFTA Metro Bus Routes (Route 34, Route 44, and Route 49), which connect with the Metro Rail University Station. The frequency of service on these routes is limited, ranging from 30 outbound trips daily on Route 34 to only eight daily outbound trips on Route 49. Also, the length of the routes increases travel times, and riders are subject to the same delays as are motorists due to traffic congestion. Additionally, travel by bus is affected by the region's significant winter weather, in terms of frequent ice and snow conditions. These conditions can make bus travel during winter difficult and time consuming. Moreover, while these bus routes serve various retail centers, office parks, and multifamily residential complexes in Amherst, they do not serve several other major corridors including Main Street, Bailey Drive, Maple Road, Sweet Home Road, and Audubon Parkway.

Limited service and delays make bus service a less attractive option, especially for riders who need to complete their trip by making transfers. Many Metro Rail riders transfer to or from bus service to reach destinations within the towns of Amherst and Tonawanda. This minimum two-seat affects the desirability of the trip for current and potential transit riders. There is a need for faster, more

reliable transit service and one that can offer a one-seat transit ride. Providing high-quality transit and eliminating the need for transfers at University Station would improve travel times of current riders and attract additional transit riders. These additional riders could include persons who could otherwise drive to and park at University Station or who are dropped off there.

In sum, the existing bus service underserves the major activity centers and corridors in Amherst and does not provide a connection to the major activity centers in Buffalo without requiring a transit mode transfer. Improved transit service along the highest ridership travel corridor—the Proposed Action corridor, which serves key activity centers—would improve access both for city residents to suburban activity centers and suburban residents to city activity centers. A high-quality, high-capacity, and convenient public transit service would improve travel for current riders and attract new riders. Such a service would increase travel options for all travelers in this important corridor.

3.3 IMPROVE SERVICE FOR TRANSIT-DEPENDENT POPULATIONS

Transit-dependent population segments refer to people who cannot drive due to physical or financial reasons. Such segments include the elderly, disabled, and low-income households, and students. GBNRTC's recent Onboard Survey found that most transit riders using NFTA transit services are transit dependent: 84 percent of riders do not have access to a vehicle, 58 percent can be classified as low income, and 57 percent of riders in the region do not have a valid driver's license (Greater Buffalo-Niagara Regional Transportation Council 2017).

The Proposed Action study area⁵ was evaluated for levels of transit dependency to better visualize transit needs. The transit dependency index (TDI) was calculated using the following formula:

$$\text{TDI} = \frac{\text{Population} * (\% \text{ housing units without a vehicle} + \text{Senior citizens} + \text{children ages 18 and under} + \text{individuals below poverty})}{\text{Total Population}}$$

The results of the transit dependency index relative to the study area were grouped into four categories: very low, medium, high, and very high (Figure 2). The population with the highest dependency is in the northeastern section of the study area north and west of the UB north campus.

Figure 3 presents commute to work data for the study area. Again, the study area was grouped into four categories: very low, medium, high, and very high. In comparing the areas with the highest percentage of residents that commute to work by transit to the areas that have the highest TDI, there are areas within the study area that are transit dependent, yet do not currently commute by transit. Presumably, the choice not to commute by transit is related to the limited transit options within the study area.

⁵ Defined as ¼-mile from the Proposed Project's alignment and ½-mile from proposed stations.

Figure 2. Transit Dependency Index

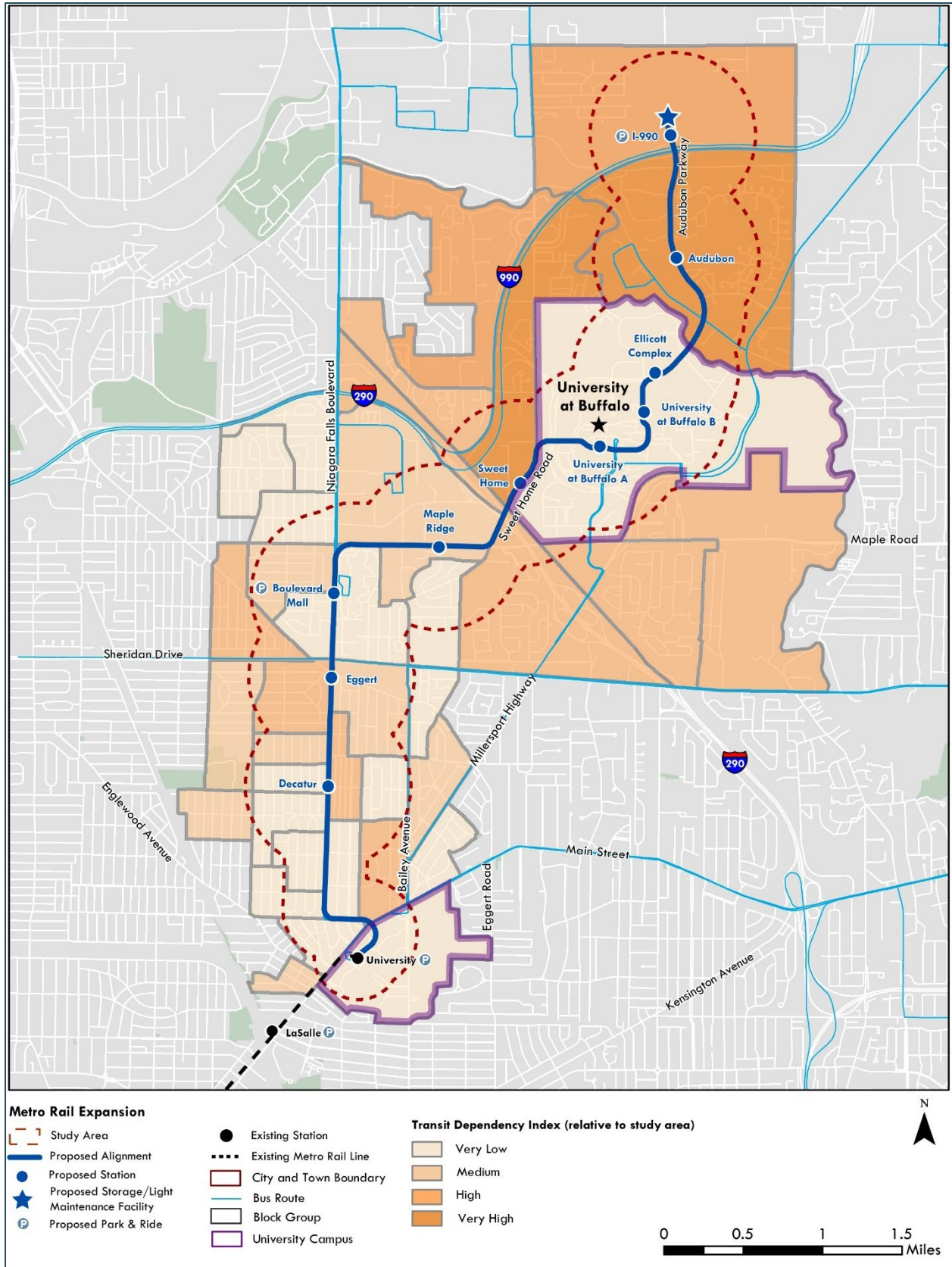
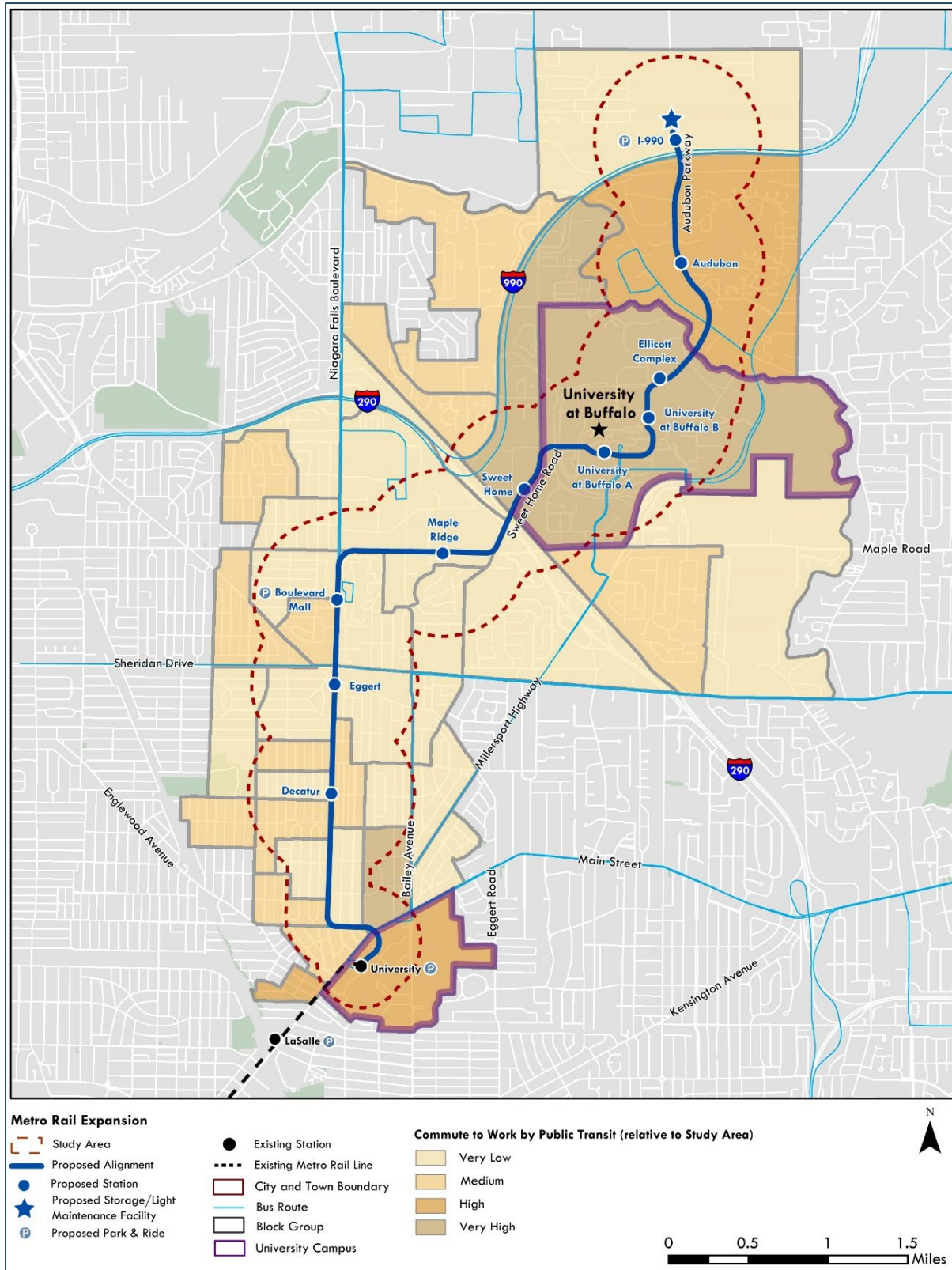


Figure 3. Commute to Work



The lack of quality transit service in the corridor involves both residential origins and key trip destinations, including work and other trip purposes. The study area has many senior-living complexes, facilities serving disabled persons, low-income housing complexes, apartment complexes, and student housing. The current Metro Rail and Metro Bus routes serve some, but not all these locations. For example, current bus routes provide some service to the UB-North Campus and the Weinberg Campus, but for the most part, the residents of the many housing complexes in this area do not have transit options.

The transit-dependent populations in the study area are affected by limited connectivity of the existing transit services. Lack of transit affects the ability of residents to access employment and other opportunities, and to travel to and from work or non-work purposes. The Proposed Action would increase the study area population's access to high-quality transit and employment opportunities in Amherst and Buffalo. Moreover, with a growing aging population and with a rising number of students, increased transit service would help the region respond to the travel challenges faced by transit-dependent populations and to changing demographic trends.

3.4 GOALS AND OBJECTIVES

Table 6 presents goals and objectives that are directly linked to the Purpose and Need and focus on related transportation, economic, and environmental issues.

Table 6. Goals and Objectives

Goals	Objectives
<ul style="list-style-type: none"> ▪ Develop a cost-effective, attractive, and high-quality transit service to serve the Proposed Action corridor 	<ul style="list-style-type: none"> ▪ Provide a reliable and convenient transit service ▪ Improve mobility
<ul style="list-style-type: none"> ▪ Mitigate the growth of traffic congestion on study area roadways. 	<ul style="list-style-type: none"> ▪ Increase the share of trips using transit (both bus and rail) in study area
<ul style="list-style-type: none"> ▪ Improve the accessibility of transit in the study area. 	<ul style="list-style-type: none"> ▪ Increase the number of transit options for travelers ▪ Provide more convenient transit services for riders transferring to or from Metro Rail at University Station ▪ Improve the connectivity of transit services ▪ Improve livability by providing increased access to facilities, such as, medical services, food shopping, retail shopping, entertainment, etc.
<ul style="list-style-type: none"> ▪ Increase the effectiveness of the regional transit system. 	<ul style="list-style-type: none"> ▪ Increase system ridership ▪ Increase system revenue
<ul style="list-style-type: none"> ▪ Support sustainable future economic growth in the study area. 	<ul style="list-style-type: none"> ▪ Serve new markets with high-quality transit services to support economic development ▪ Provide the basis for transit-oriented development and design to enable the development/redevelopment of quality neighborhoods ▪ Strengthen the regional economy
<ul style="list-style-type: none"> ▪ Avoid or minimize adverse community and environmental effects. 	<ul style="list-style-type: none"> ▪ Avoid or minimize impacts to sensitive environmental resources ▪ Avoid or minimize negative impacts to neighborhoods ▪ Avoid or minimize negative impacts to businesses

4. Alternatives Considered

The potential for providing high-quality transit service in the Proposed Action corridor has been considered for nearly 50 years. The concept for Metro Rail evolved in the 1960s and 1970s as one segment of a proposed 43-mile network of rapid-transit rail lines across the region. Plans were developed for a 14-mile rail line running between downtown Buffalo and Amherst to north of the planned UB-North Campus. Due to concerns regarding cost effectiveness and consistency with local objectives, the rail line was scaled back to a six-mile rail line terminating at the UB-South Campus. This line opened in 1985 and continues to operate as Metro Rail.

In 2010, NFTA updated their 2001 Strategic Assessment. The review examined both available exclusive rights-of-way and existing major arterial corridors as possible locations for major transit investments. The study identified four corridors as candidates for future major investment. The Proposed Action corridor was recommended as a candidate for further study. The following describes other key reasons that support the need to evaluate possible future transit improvements in the corridor:

- GBNRTC’s adopted metropolitan long-range transportation plan— *Moving Forward 2050: A Regional Transportation Plan for Buffalo Niagara*—includes a transit investment in this corridor.
- GBNRTC’s congestion management system shows congestion along several roadway segments in the study area.
- Multiple regional planning efforts have identified the Proposed Action corridor as a growth corridor.
- Buffalo, UB, Amherst, and Tonawanda have comprehensive plans that promote compact, mixed-use, center-based development complementary to transit service.
- UB has three campuses with the need to transport students, faculty, and staff between them in an efficient, safe, and scheduled manner.
- The Proposed Action is expected to receive favorable ratings by the FTA in the Capital Investment Grants Program.
- GBNRTC recently completed a TOD study along the current Metro Rail Corridor and Proposed Action corridor that identified a strong potential for TOD growth and a commitment to revamping land use development patterns to support light rail transit.

4.1 ALTERNATIVES ANALYSIS

The Amherst-Buffalo AA was initiated by NFTA in the fall of 2012 along with GBNRTC. The overall goal of the Amherst-Buffalo AA was to evaluate a range of high-quality transit service alternatives to improve transit access between key activity centers in Buffalo and Amherst, provide enough information to support the recommendation of a locally preferred alternative (LPA), and enable the GBNRTC to adopt the LPA as part of fiscally constrained portion of the long-range transportation plan.

The Amherst-Buffalo AA involved a three-tiered approach that established screening methodology and selection criteria. A Project Steering Committee, Project Advisory Committee, and a robust public participation plan were established to help guide the study with input and feedback from community stakeholders. During the study, four public information meetings were held as well as over 75 staff-level meetings and presentations to community organizations and stakeholders.

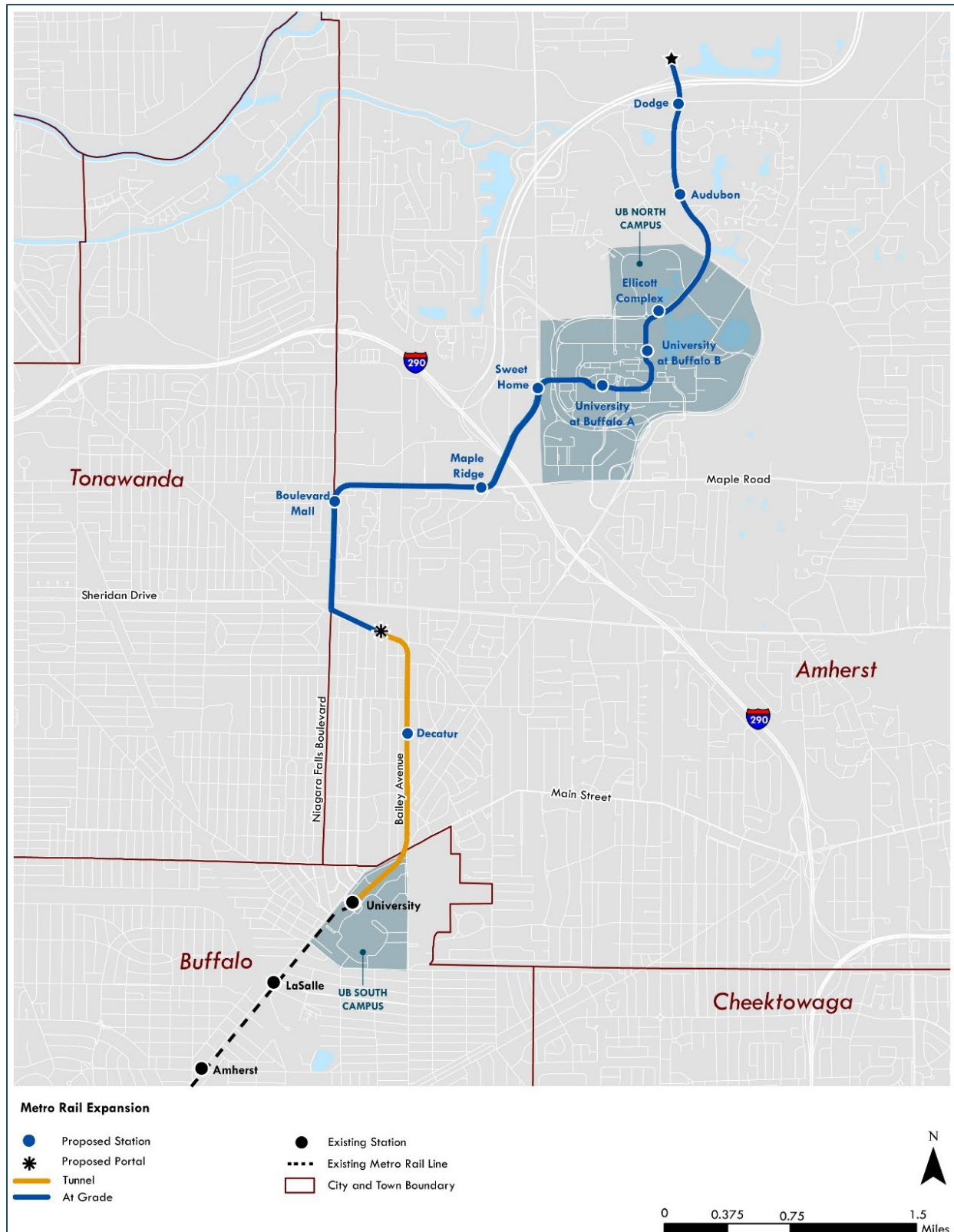
At the onset of the study, 36 alternatives were identified as part of a long list for evaluation in Tier 1. The long list consisted of four modes (Light Rail, Bus Rapid Transit, Preferential Bus, and Enhanced Bus) along with three main alignments (Niagara Falls Boulevard, Bailey Avenue, and Millersport Highway). The 36 alternatives were screened based on criteria that considered those that could be reasonably built and would not have a significant impact on the community or environment. The result of Tier 1 was 15 remaining alternatives to be refined and evaluated in more detail in Tier 2.

During Tier 2 analysis of the Amherst-Buffalo AA, conceptual level engineering was completed for the remaining alternatives. The alternatives were also subjected to quantitative assessment and compared across modes to determine the best performing. The result of the Tier 2 analysis was seven alternatives to advance to Tier 3, the final evaluation tier.

Tier 3 analysis of the Amherst-Buffalo AA applied measurable categories of evaluation including land use, mobility, and cost effectiveness to the remaining seven alternatives. Measurable criteria for each category included travel time, employments served, number of activity centers, operating and maintenance costs, capital cost, growth locations served, projected ridership including UB boarding and operating revenue. Construction costs were developed for the alignment options (in 2014 dollars) to assist in the selection of an LPA.

After reviewing the technical results of the Amherst-Buffalo AA and considering feedback from the Project Steering and Advisory Committees and the public, NFTA recommended the Niagara Falls Boulevard LRT Alternative as the strongest alternative to advance as the LPA. The LPA (Figure 4) was generally defined as extending light-rail transit from the existing Metro Rail terminus at University Station, extending underground along Bailey Avenue to a tunnel portal on Eggert Road, continuing at grade on Niagara Falls Boulevard to Maple Road to Sweet Home Road, onto and through UB-North Campus to Audubon Parkway, and terminating near the I-990 interchange.

Figure 4. Original Locally Preferred Alternative (Amherst-Buffalo AA)



4.2 TRANSIT-ORIENTED DEVELOPMENT STUDY

The GBNRTC initiated a comprehensive TOD planning effort in the fall of 2016 to complement the Amherst-Buffalo AA study and to support the Proposed Action. This effort included developing TOD typologies for various station areas and using a Desirability & Readiness Assessment for identifying which Metro Rail stations areas had the greatest potential for stimulating TOD. The TOD study further identified strategies for facilitating the build-out of TOD at key station areas. These strategies and tools included revised TOD-focused land use and zoning codes, capital projects to ready stations areas for TOD, policies and tools to encourage TOD, such as value capture and development financing, and an agreement that creates and focuses a Regional TOD Committee.

Stakeholder and community workshops were held in 2017 (March, June, and October) for various stages of the planning effort about Smart Growth TOD along the Metro Rail line in Buffalo and the Proposed Action extension to Amherst and Tonawanda. The multi-day workshops included presentations by the Proposed Action team, followed by interactive discussions among stakeholders and members of the public. In addition to these workshops, the Proposed Action team attended meetings and shared information about the Proposed Action with multiple community and professional organizations. A final open house was held in August 2018 to present the TOD vision that the community and stakeholder members helped develop.



TOD stakeholder and community workshops

4.3 LOCALLY PREFERRED ALTERNATIVE REFINEMENT

Following the Amherst-Buffalo AA, the adoption of the original LPA in the fiscally constrained Transportation Improvement Program, and the TOD study, NFTA agreed to a request from stakeholders to study the feasibility of exiting University Station directly to Niagara Falls Boulevard, via Kenmore Avenue, rather than running beneath Bailey Avenue. Under this option, from University Station, the alignment would travel underground along Kenmore Avenue and onto Niagara Falls Boulevard where it would surface through a portal just north of Kenilworth Avenue and continue along Niagara Falls Boulevard to a common point at the intersection of Eggert Road and Niagara Falls Boulevard. From here, the alignment would follow the original LPA to the interchange of I-990 and Audubon Parkway. Ten new stations are proposed – Decatur, Eggert, Boulevard Mall, Maple Ridge, Sweet Home, three stations on the UB north campus, Audubon, and I-990. The Eggert Station was added in response to Scoping comments requesting an additional stop

on Niagara Falls Boulevard. Figure 5 presents the refined LPA and Table 7 presents the evaluation criteria for the LPA refinement.

The results of the evaluation identify that this refined LPA could save approximately \$200 million dollars (in 2014 dollars) in construction costs by reducing the construction of a tunnel from 10,000 linear feet to only 3,400 linear feet. The refined LPA would also eliminate a costly underground station. Another evaluation factor was travel times, which would be just under 21 minutes from I-990 to University Station for the refined LPA and just under 22 minutes for the original LPA. Even though the travel times are comparable, the refined LPA would have fewer impacts to existing parcels. Further detail on the evaluation can be found on the Proposed Action website (<http://nftametrorailexpansion.com/>).

During meetings with the Technical Advisory Committee (TAC) and Steering Advisory Committee (SAC), the consensus was to move forward with the environmental process utilizing the refined LPA and to eliminate the Bailey Avenue portion of the alignment. This was reviewed by the NFTA Board of Commissioners and with the general public during a meeting held on December 6, 2018.

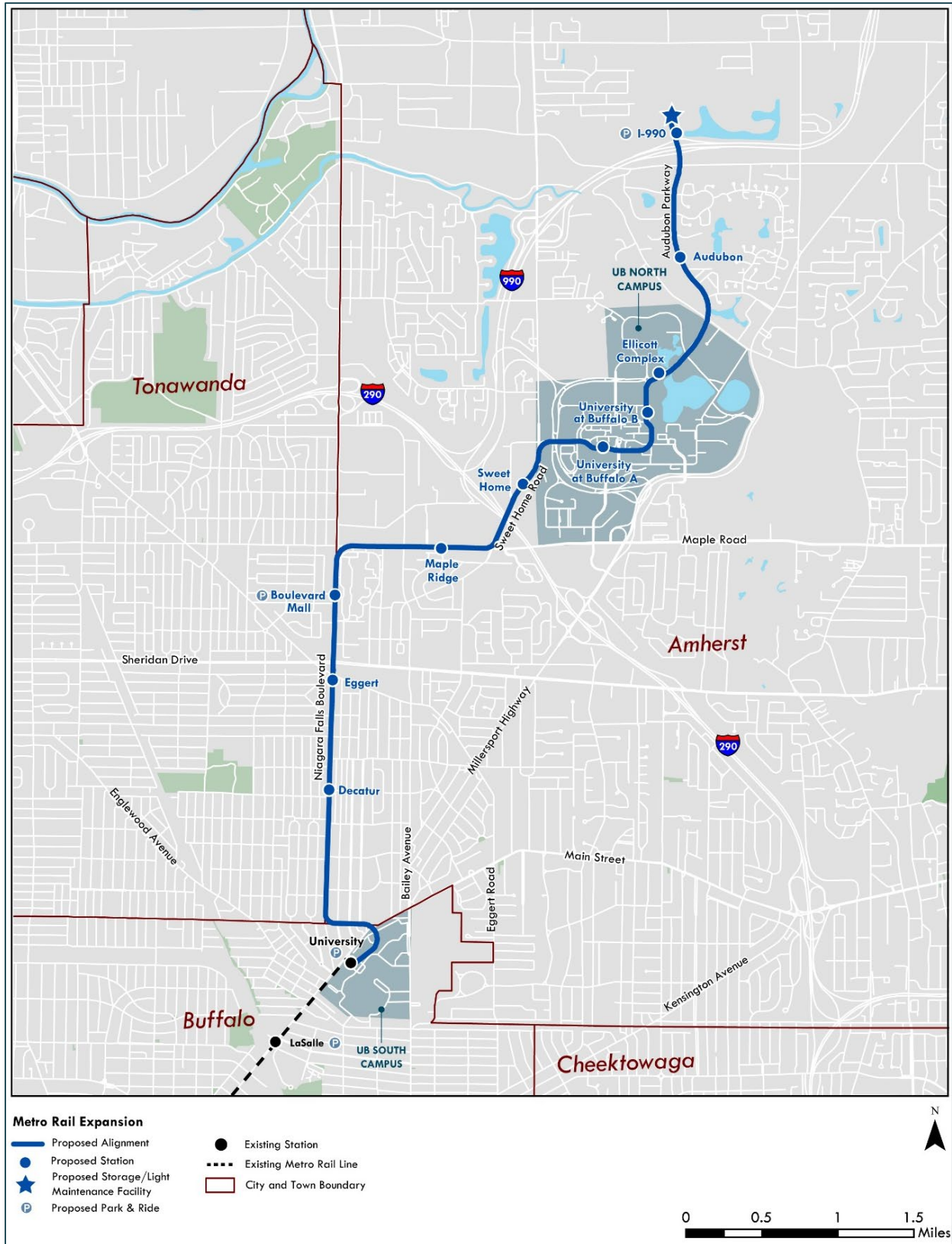
4.4 NO BUILD ALTERNATIVE

In the environmental review process, the No Build Alternative is used as a starting point to provide a comparison of all Build Alternatives in terms of costs, benefits, and impacts. The No Build Alternative includes all highway and transit facilities identified in the fiscally constrained 2018 regional transportation plan for the Buffalo-Niagara region—*Moving Forward 2050*—with the exception of the Proposed Action.

Table 7. Locally Preferred Refinement Alternative Evaluation Criteria

Category	Evaluation Criteria
Order-of-Magnitude Cost	<ul style="list-style-type: none"> ▪ Difference in tunneling length ▪ Number of underground stations ▪ Purchase of right-of-way ▪ Operations and maintenance costs
Overall Constructability	<ul style="list-style-type: none"> ▪ Availability of contractors ▪ Schedule/length of construction ▪ Impacts to traffic and business operations ▪ Utility conflicts ▪ Right-of-way impacts
Travel Time	<ul style="list-style-type: none"> ▪ Length of time Metro Rail travels between UB-North Campus station and University station
Community/Economic Development	<ul style="list-style-type: none"> ▪ Transit-supportive elements in place or can be put in place (zoning, policy, community support, plans, etc.) ▪ Opportunity for transit-oriented development
Municipal Coordination	<ul style="list-style-type: none"> ▪ Local and regional stakeholder preference/acceptance
Ridership	<ul style="list-style-type: none"> ▪ Maximizes ridership
Accessibility	<ul style="list-style-type: none"> ▪ Impacts to adjacent property access ▪ Accessibility by transit-supportive populations
Traffic	<ul style="list-style-type: none"> ▪ Change to existing travel patterns ▪ Impacts to AM/PM peak-period volumes ▪ Impacts to level-of-service ▪ Impacts to intersection level-of-service
Environmental	<ul style="list-style-type: none"> ▪ Minimizes impact on natural and human environments ▪ Ability to reduce auto-dependency ▪ Noise sensitive land uses within proximity to alignment
Safety	<ul style="list-style-type: none"> ▪ Passenger access to stations ▪ Light-rail transit/ vehicular traffic intermixing
Connectivity	<ul style="list-style-type: none"> ▪ Connections with Metro Bus ▪ Multimodal opportunities ▪ Increase pedestrian and bicycle connectivity

Figure 5. Refined Locally Preferred Alternative



5. Environmental Review

The potential social, economic, and environmental impacts (beneficial and adverse) of the Proposed Action will be evaluated and presented in an EIS. This section describes the analysis framework for the EIS, which will evaluate potential impacts of the LPA and No Build Alternative described in Section 4 of this [Final Scoping Document](#). This section begins with a description of the environmental review process and anticipated permits and approvals needed for the Proposed Action.

5.1 STATE QUALITY ENVIRONMENTAL REVIEW ACT

The Proposed Action is subject to environmental review under SEQRA based on the discretionary actions associated with the Proposed Action's implementation by NFTA and other involved agencies. SEQRA was enacted by the New York State legislature in 1975 and requires New York governmental agencies to identify potential environmental effects that would result from their discretionary actions, to evaluate reasonable alternatives to avoid or minimize impacts, and—to the extent that adverse impacts are identified—avoid or otherwise mitigate those impacts to the maximum extent practicable, consistent with social, economic, environmental, and other considerations. State and local governments and agencies must review their discretionary actions in accordance with SEQRA, unless such actions fall within certain statutory or regulatory exemptions, before undertaking, funding, or approving the actions. NFTA is proposing to be the SEQRA Lead Agency for the Proposed Action and has determined that the Metro Rail project is a SEQRA Type I action (17 NYCRR § 15.6), indicating that it has the potential for environmental impacts that should be evaluated under SEQRA. On December 21, 2018, NFTA issued a Combined Notice that included its intent to act as Lead Agency and prepare an EIS. On January 24, 2019, the NFTA Board of Commissioners approved a Positive Declaration requiring preparation of an EIS, along with the release of a Draft Scoping Document for the Draft Environmental Impact Statement (DEIS). The SEQRA process facilitates public involvement in the process by providing the opportunity for public comment on the Draft Scoping Document that sets the framework for the DEIS and the DEIS itself when it is published and available for public review.

A public scoping meeting was held under the direction of NFTA on February 12, 2019, at Sweet Home Middle School. In addition to public comments received orally and in writing at the February 12 scoping meeting, written comments on the Draft Scoping Document were accepted through 5:00 PM on March 10, 2019, at which point the public comment period for the Draft Scoping Document closed.

All comments received prior to the close of the comment period were considered by NFTA and this Final Scoping Document, inclusive of any changes as appropriate, was prepared and distributed. A DEIS will then be prepared for review by NFTA. Upon its determination that the DEIS document is complete and sufficiently analyzes the environmental effects of the Proposed Action pursuant to the Final Scoping Document, NFTA will issue a Notice of Completion. Publication of the DEIS and

issuance of the Notice of Completion commence the public review period. During this time, the public may review and comment on the DEIS, either in writing or at a public hearing convened for the purpose of receiving such comments.

A public hearing will be held to accept comments on the DEIS, and a written comment period will be provided. After the close of the public comment period on the DEIS, a Final EIS (FEIS) will be prepared. All substantive comments received on the DEIS, at the hearing or during the comment period, become part of the SEQRA record and are summarized and responded to in a new chapter of the FEIS, "Response to Comments." NFTA and each involved agency must adopt a set of written findings based on the FEIS prior to taking any discretionary actions subject to SEQRA.

5.2 NATIONAL ENVIRONMENTAL POLICY ACT

The EIS will also be prepared in accordance with the Council on Environmental Quality's regulations for implementing the procedural provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500–1508 and the Federal Highway Administration/Federal Transit Administration (FTA) Environmental Impact and Related Procedures; Final Rule (23 CFR Part 771). While the Proposed Action does not include a federal action at this time, NFTA could seek federal funding and enter the FTA's Capital Investment Grant program. As such, the SEQRA environmental findings could be used to prepare and make a NEPA-level environmental determination. FTA will serve on an advisory committee to review the environmental documents, along with other involved and interested agencies, per SEQRA.

5.3 SMART GROWN INFRASTRUCTURE ACT

The State Smart Growth Public Infrastructure Policy Act (SSGPIPA) requires state infrastructure agencies to determine that a public infrastructure project is, to the extent practicable, consistent with the relevant criteria specified in SSGPIPA prior to approving, undertaking, supporting or financing a public infrastructure project. This includes providing grants, awards, loans or assistance programs in furtherance of a project. A Smart Growth Impact Statement Assessment Form (SGISAF) will be completed for the Metro Rail Expansion Project and included in the DEIS.

6. Scope of Work

The environmental analysis will consider potential direct, indirect, and cumulative effects of the Proposed Action on the social, economic, and environmental resources within the study area. FTA has established specific methodologies and criteria to assess potential environmental effects under NEPA, which would be followed in completion of the technical analyses in the DEIS. Where specific criteria are not provided by FTA, the DEIS will rely on methodologies developed or adopted by other relevant federal and state agencies.

The proposed analysis methodologies for the Proposed Action are outlined in the following sections for the subject areas to be evaluated in the EIS. The methodologies herein summarize the study area, regulatory requirements, analysis tools, and criteria for identifying potential environmental impacts in the DEIS. Methodologies will be further detailed in the DEIS. Each chapter of the DEIS will focus on potential impacts related to operation (i.e., the postconstruction condition) of the Proposed Action. The construction effects chapter will identify the potential construction-period (i.e., temporary) effects on relevant environmental resource areas in the construction analysis years.

The DEIS will include both the short-term (construction) and long-term (operational) impacts of the Proposed Action. An analysis year of 2040 will be used, which includes the anticipated year of completion (2030) and a reasonable planning horizon to evaluate long-term environmental consequences.

6.1 PROJECT DESCRIPTION

The first chapter of the DEIS will introduce the reader to the Proposed Action and present its purpose, need, and benefits, including social and economic considerations. This chapter will provide a detailed description of the Proposed Action including project location and boundaries, existing uses on the Proposed Action corridor and other directly affected areas, and the proposed uses. General operating assumptions will be described, including maintenance operations, such as snow removal. The chapter will also describe objectives relating to the Proposed Action. The project description will also provide additional detail on the planning history of the Proposed Action. In addition, the chapter will describe the SEQRA process and the environmental setting to be analyzed in the DEIS, the required actions and approvals necessary for project implementation, and the roles of the Lead Agency and other involved public agencies.

6.2 LAND USE, ZONING, AND COMMUNITY CHARACTER

The DEIS will include an assessment of the Proposed Action's consistency with land use, zoning, and community character, as detailed below.

6.2.1 Land Use

The land use analysis will consider the Proposed Action's consistency to existing land uses, zoning, and other public policies such as comprehensive plans or economic development plans. Trends and known development projects or other proposed future land uses expected by the 2040 analysis year will also be identified and described. The study area for the analysis of land use will encompass a ¼-mile radius from the Proposed Action corridor alignment and a ½-mile radius from proposed stations. Several activity centers were identified during early screening (Boulevard Mall and UB) and commercial corridors (Main Street, Bailey Drive, Maple Road, Sweet Home Road, and Audubon Parkway).

6.2.2 Zoning

Existing zoning in the study area will be described and depicted on a map. Compatibility of current land uses with existing zoning in the study area will also be examined and reported. Relevant land use plans that encompass or address the Proposed Action corridor will be reviewed and analyzed. The DEIS will evaluate the consistency of the Proposed Action with applicable land use plans.

6.2.3 Community Character

Community character is a broad-based parameter encompassing a range of variables which, in addition to land use and zoning, include socioeconomic conditions, open space, historic and cultural resources, visual resources, transportation, and noise. The DEIS will provide a narrative description of community character in the area surrounding the Proposed Action.

This chapter will evaluate whether the Proposed Action conforms to the character of the surrounding study area. In general, a community character impact could result if there is a potential for a combination of potential significant impacts to land use/zoning, socioeconomic conditions, open space, historic/cultural resources, visual resources, transportation, and noise to adversely impact the character of a local community. Because the Proposed Action could result in impacts to more than one of these variables, a community character analysis will be conducted. This analysis will identify the defining features of the study area, assess how these major characteristics relate to the area's overall character, and analyze whether the Proposed Action could significantly alter the defining features of the community. If any potential significant adverse impacts are identified, appropriate mitigation measures to avoid or reduce these impacts will be proposed.

6.3 SOCIOECONOMIC CONDITIONS

The socio-economics analysis will consider the Proposed Action's potential effects on socioeconomic conditions, such as population, housing, and primary business sectors. The analysis of socioeconomic conditions will consider potential regional effects of the Proposed Action within the Buffalo metropolitan area and potential local effects within an area similar to the land use study area. The chapter will describe the existing demographic and economic conditions, including population, housing, and employment, in the study area using U.S. Census Bureau data, data from the latest U.S. Census American Community Survey, U.S. Census Zip Code Business Patterns, New York State Department of Labor data, and other sources.

Using publicly available information and existing research, potential socioeconomic conditions in the future without the Proposed Action will be summarized. This future will assume previously approved and in-construction projects in the city of Buffalo, towns of Amherst and Tonawanda, and Erie County as identified through online research and outreach to the applicable municipalities. This effort will be done in conjunction with the land use analysis. An evaluation will be conducted to determine whether any planned projects or in-construction projects would alter existing trends regarding economic activity in the study area, Buffalo, Amherst, Tonawanda, and Erie County.

Projected data that builds on growth assumptions contained in the ridership model will be used to predict how changes to transit availability and physical impacts of the Proposed Action will affect the corridor and the Greater Buffalo region. Impacts on population and employment will be evaluated from a transit service and accessibility perspective based on the riders anticipated to be served by light rail stations. Population, housing, and employment data will be presented at both the county level and Proposed Action corridor level for the base year and forecast year (2040). The primary economic focus areas will be locations identified in the TOD study as redevelopment opportunities.

6.4 ACQUISITIONS AND DISPLACEMENTS

The Proposed Action could require the purchase of property, potentially resulting in displacement of residential, commercial, or industrial uses. Permanent or temporary easements could also be required for the Proposed Action right-of-way. Encroachments by businesses or residents (buildings, storage of materials, fences, etc.) and other illegal use of the existing right-of-way could be present along the corridor and would need to be resolved to ensure available rights-of-way for the Proposed Action. In addition to acquisition or displacement along the Proposed Action right-of-way, additional areas that could require acquisition include station areas, park-and-ride lots, maintenance facilities, rail yards, and ancillary facilities such as traction power substation locations and signal structures. Individual acquisition parcels will be identified, mapped, and set in the context of neighborhoods, community services, and Environmental Justice populations. Potential easements will also be identified.

Procedures and programs related to right-of-way acquisition for the Proposed Action will be consistent and in accordance with applicable state rules and regulations and NFTA's updated Real Estate Acquisition Management Plan. Local sources of information will include the Erie County Tax and Property Appraiser database.

6.4.1 NEPA Compliance

Federally funded or federally assisted projects that require property acquisition through eminent domain must comply with the Uniform Relocation and Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S. Code § 4601 et seq.).

6.5 COMMUNITY FACILITIES AND UTILITIES

The assessment of community facilities will include an evaluation of the effects of the Proposed Action on the cohesiveness of residential areas (the ability of residents to communicate and interact

with each other in ways that lend to a sense of community) and community facilities. Items of importance to people such as mobility, safety, economic effects, relocation, separation, noise, and aesthetics will be identified. The analysis will evaluate the effects of the Proposed Action on communities and their quality of life.

The study area for community facilities includes the land area located within ¼-mile on either side of the Proposed Action alignment and ½-mile radius from proposed stations. Neighborhoods or facilities where only a portion of the area falls within in the distance-based buffer will be considered in their entirety for analysis purposes.

Data collection efforts will focus on obtaining maps, data, and qualitative information on existing conditions, including existing established neighborhoods, proposed neighborhoods, existing community services, and public issues and concerns. In addition, community service providers within the study area will be consulted. For example, the local fire departments of Eggertsville, North Bailey, Kenilworth, Brighton, Ellicott Creek, and Getzville.

The evaluation of the impact of the Proposed Action on community facilities will include consideration of direct and indirect impacts. In addition to initial reviews of aerial photography and necessary site visits, existing neighborhood travel patterns (physical barriers), land use and community services, including an inventory of existing emergency services (police, fire and emergency medical services) and their locations and routes, will be noted.

The Proposed Action could affect existing electrical power, water and sewer facilities, storm drainage systems, natural gas lines, and telecommunications transmission lines. As such, the impact to these systems will be assessed during preliminary engineering and described in the DEIS. Avoidance and minimization measures will be employed to reduce the impacts and costs associated with relocation utilities both above and below ground. Where feasible the design team will minimize possible utility conflicts.

6.6 ENVIRONMENTAL JUSTICE

The Environmental Justice analysis will follow the guidance found in the U.S. Department of Transportation's (USDOT) *Final Order on Environmental Justice*, April 1997 (as subsequently amended), as well as the U.S. Environmental Protection Agency's *Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses* (April 1998) and FTA's *Environmental Justice Policy Guidance for Federal Transit Administration Recipients* (Circular 4703.1 effective August 15, 2012).

An Environmental Justice analysis will be prepared to identify any disproportionately high and adverse impacts on minority or low-income populations that could result from the Proposed Action. Socioeconomic data collected for the study area and for city of Buffalo and Erie County for comparative purposes (including for minority households, transit-dependent populations and low-income households) will be used to identify locations of populations of concern. Erie County will be used as a comparison tool because of the potential regional influence of this project and because it best represents the regional project area.

Areas where the Proposed Action could cause significant direct, indirect or cumulative adverse impacts (on human health, the natural environment, or the community) from the long-term operation of the Proposed Action's service and construction activities will be described in relation to the Environmental Justice communities.

The Proposed Action will be planned and designed to minimize impacts to Environmental Justice communities to the maximum extent practicable. A comparison of the race/ethnicity characteristics and socioeconomic status of the population in the study area who would benefit from the Proposed Action will be compared to those who would be adversely affected. If disproportionately high adverse impacts would result from the Proposed Action, mitigation measures will be developed through coordination with the affected community.

The Public Participation and Agency Coordination Plan includes an extensive outreach program of community meetings throughout the Proposed Action study area, including the ability to provide project information in multiple languages, as necessary. A description of the outreach efforts undertaken to inform and involve minority and low-income populations who could be affected by the Proposed Action will be provided.

6.7 VISUAL RESOURCES

The visual analysis will evaluate the Proposed Action based on views from surrounding communities of the LPA and views of the communities from the LPA. Visual impacts to an area will be ascertained by the following

- Defining the existing visual environment.
- Identifying key views in that environment.
- Analyzing visual resources and community perception of those resources.
- Depicting the Proposed Action appearance.
- Assessing the visual impacts of the Proposed Action.
- Developing mitigation measures.

The visual resource section will be prepared in accordance with the SEQRA guidance for assessing potential visual and aesthetic impacts of a project, including New York State Department of Environmental Conservation (NYSDEC) guidance policy, *Assessing and Mitigating Visual Impacts* (July 31, 2000).

6.7.1 NEPA Compliance

The FTA does not provide specific guidance for assessing visual impacts. Therefore, the following Federal Highway Administration publications will be used for guidance:

- *Guidance for Preparing and Processing Environmental and Section 4(f) Documents* (Technical Advisory T 6640.8A, 1987)
- *Esthetics and Visual Quality Guidance Information* (August 1986)

6.8 HISTORIC AND CULTURAL RESOURCES

Cultural resources include both archaeological and architectural resources. Architectural resources include the following:

- National Historic Landmarks; properties listed on the State and National Registers of Historic Places (S/NR) or formally determined eligible for S/NR listing (S/NR-eligible), or properties contained within a S/NR listed or eligible historic district
- Properties recommended by the New York State Board for listing on the S/NR
- Potential architectural resources (i.e., properties not identified by one of the programs listed above, but that appear to meet their eligibility requirements)

Archaeological resources include material culture and other physical remnants of past human activities on a site and can also include archaeological resources associated with Native American populations that used or occupied a site; these resources are also referred to as “precontact,” because they were deposited before Native Americans’ contact with European settlers. Archaeological resources can also include remains from activities that occurred during the historic period, which began with the European colonization of the region in the 17th century.

As is required of any state agency undertaking a discretionary action, the Proposed Action will be subject to review by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) pursuant to the New York State Historic Preservation Act of 1980, as set forth in Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law (Section 14.09). Therefore, an analysis will be undertaken to examine the potential impacts of the Proposed Action on historic and cultural resources in consultation with OPRHP, pursuant to Section 14.09. Any areas of potential effect (APE) will be determined in coordination with the OPRHP and extensive field reconnaissance will be conducted to identify resources within the APE.

6.8.1 NEPA Compliance

Federal agencies must consider the effects of their undertakings on historic properties and provide the Advisory Council on Historic Preservation a reasonable opportunity to comment on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register of Historic Places (NRHP). FTA and NFTA are responsible for carrying out the Section 106 review for this project in consultation with the New York State Historic Preservation Officer at the New York State OPRHP. The Section 106 of the National Historic Preservation Act (54 U.S. Code § 306108; 36 CFR Part 800) process will be conducted in consultation with the Advisory Council on Historic Preservation, Native American Tribes, and Consulting Parties.⁶

6.9 PARKS, RECREATION AREAS, AND OPEN SPACES

The DEIS will identify existing and planned public parklands, including public parks, greenways, recreation areas, and wildlife and waterfowl refuges with the potential to be affected by the Proposed

⁶ Certain individuals and organizations with demonstrated interest in the project may participate as a Consulting Party because of the nature of their legal or economic relationship to the project or affected properties, or their concern with the project’s effects on historic properties.

Action. The assessment will include an inventory of the existing public open spaces and recreational resources that serve the communities within the study area. The facilities and services will be recorded, and the nature of the Proposed Action's effects will be described. The potential effects that the Proposed Action will have on the study area's existing open space/recreational resources will be described. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

6.9.1 NEPA Compliance

In preparing a NEPA compliant document, the DEIS will include the evaluation necessary to support a Section 4(f) evaluation of alternatives to avoid adverse impacts on uses subject to Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended, which protects historic and cultural resources, public parks and wildlife refuges from conversion to transportation uses unless (1) it can be demonstrated that there is no feasible or prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreation area, wildlife and waterfowl refuge, or historic sites resulting from such use. Section 4(f) applies to historic sites regardless of ownership, but only to publicly owned parks, recreation areas, and refuges.

Before approving a project that requires the use of a Section 4(f) property, FTA must determine that there is no feasible and prudent alternative to the use of such land and the Proposed Action includes all possible planning to minimize harm to such land. A Section 4(f) property is defined as a publicly owned parkland, recreation area, or wildlife and waterfowl refuge of national, state, or local significance; or land from a publicly or privately owned historic site of national, state, or local significance, which are properties listed on or eligible for the NRHP. If the Proposed Action would result in the use of historic resources, parklands, or other properties protected by the U.S. Department of Transportation Act—Section 4(f) (49 U.S. Code § 303; 23 U.S. Code § 138; 23 CFR Part 774). FTA will make a Section 4(f) finding for this Proposed Action.

6.10 NATURAL RESOURCES

The DEIS will evaluate the impacts of the alternatives on ecosystems including existing threatened and endangered species (fish, plants and wildlife), habitats and flora. The impact evaluation process will identify both beneficial and adverse impacts. Where potential adverse impacts are identified, design modifications and mitigation measures will be identified to reduce or eliminate the impact.

Data collection for natural areas will be made for a corridor-wide area; however, the impact assessment will be limited to the study area. Input regarding the relevant resource areas will be collected from a review of U.S. Fish and Wildlife Service (USFWS) Threatened and Endangered Species databases, New York State Heritage's databases, Erie County Soil Survey, aerial photography, topographic maps and a technical staff field investigations. The most current data from local sources and recent aerial photography, supplemented by limited field work, will be used in the analysis.

6.10.1 NEPA Compliance

Section 7 of the Endangered Species Act (16 U.S. Code §§ 1531–1544; 50 CFR Part 402 requires federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) for actions for which

they provide funding, issue permits, or grant approval that could jeopardize threatened or endangered species, or destroy or adversely modify their critical habitats.

6.11 WATER RESOURCES

Water resources (groundwater, surface waters, floodplains/floodways, and stormwater) will be analyzed to determine potential impacts of the Proposed Action. Existing conditions, potential impacts and mitigation measures will be presented for each topic area. The impact evaluation process will identify both beneficial and adverse impacts. Where potential adverse impacts are identified, design modifications and mitigation measures will be identified to reduce or eliminate potential impacts.

6.11.1 Groundwater

This section will describe existing groundwater resources and evaluate potential impacts to groundwater resources that could be caused by the Proposed Action, and will identify and characterize proposed means of avoiding or mitigating such impacts.

6.11.2 Surface Waters

The section will describe surface waters (i.e., wetlands, streams, rivers, lakes, and ponds) within and adjacent to the Proposed Action (if any), including their respective state and federal classifications. If relevant and applicable, the DEIS will identify the need for any Article 24 Freshwater Wetlands permits and/or Article 15 Stream Disturbance Permits, or approvals required under Sections 401 and 404 of the Clean Water Act. Any Proposed Action-related impacts to surface water resources will be described, along with proposed measures to avoid, minimize, and/or mitigate such impacts.

Under the Freshwater Wetlands Act (Environmental Conservation Law, Article 24; 6 NYCRR 663), the NYSDEC administers a permit program regulating activities in wetlands and their adjacent areas. NYSDEC requires a permit for almost any activity which will alter the wetlands or the adjacent areas.

6.11.3 Floodplains

This section will identify any Federal Emergency Management Agency regulated floodplain or floodway areas (as well as any local data), and provide an assessment of potential Proposed Action-related impacts to floodplains or floodways (if any). The section will also identify and describe mitigation activities in relation to such impacts.

6.11.4 Stormwater

The DEIS will describe any construction-related impacts to drainage, stormwater runoff, and consequent effects upon water quality in the vicinity of the construction site. An NYSDEC State Pollutant Discharge Elimination System (SPDES) permit will be required because construction would involve land disturbance of more than one acre. The applicability of an individual SPDES permit for operation of the Proposed Action will be confirmed through consultation with NYSDEC.

6.11.5 NEPA Compliance

The Clean Water Act (33 U.S. Code §§ 1251–1387 and 33 CFR Parts 320–330) (CWA)—also known as the Federal Water Pollution Control Act—is intended to restore and maintain the chemical, physical, and biological integrity of U.S. waters. It regulates point sources of water pollution (i.e., discharges of municipal sewage, industrial wastewater, stormwater); non-point source pollution (i.e., runoff from streets, agricultural fields, construction sites, and mining that enter waterbodies, from other than the end of a pipe); and the discharge of dredged or fill material into navigable waters and other “Waters of the United States.”

Section 404 of the CWA requires authorization from the Secretary of Army, acting through the U.S. Army Corps of Engineers (USACE), before dredged or fill material may be discharged into Waters of the United States. Waters of the United States are defined by the USACE regulations, among other things, as (1) all waters “which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide”; (2) tributaries of such waters; and (3) wetlands adjacent to such waters (33 CFR § 328.3[a]). Wetlands are defined by the USACE regulations as those areas “that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” (33 CFR § 328.3[b]).

Activities authorized under Section 404 must comply with Section 401 of the CWA, which requires that applicants for federal permits or licenses for an activity that could result in a discharge to navigable waters must provide to the federal agency issuing a permit certificate (either from the state where the discharge would occur or from an interstate water pollution control agency) that the discharge would comply with Sections 301, 302, 303, 306, 307, and 316 (b) of the CWA. However, certain nationwide permits from the USACE do not require Section 401 water quality certifications.

Federal and state agencies must regulate and limit the location of a project in a floodplain to avoid adverse impacts associated with the occupancy and modification of floodplains. FTA will make a floodplain determination for the Proposed Action in accordance with Executive Order 11988 of 1977; USDOT Order 5650-2, April 23, 1979.

Federal and state agencies must avoid adverse impacts from the destruction or modification of wetlands unless there is no practical alternative and all possible measures to minimize harm are taken. FTA is required to make a formal wetland finding for this project in accordance with Executive Order 11990 of 1977; USDOT Order 5660.1A, “Preservation of the Nation’s Wetlands,” August 24, 1978.

6.12 SOILS AND FARMLANDS

This section will evaluate and describe topography, surface and subsurface soils, and bedrock conditions within the Proposed Action site. Potential impacts to soils could result from demolition of existing facilities, excavation and grading for construction of the light rail expansion, site restoration, and landscaping. Topographical concerns include changes in slope during or after project implementation that could alter drainage patterns and potentially increase runoff. This section will

also describe mitigation measures that will be used to avoid, minimize, or mitigate impacts to geology, soils, and topography, including an approved erosion and sediment control plan.

6.12.1 NEPA Compliance

Soils in the Proposed Action study area will be evaluated as part of the Farmland Protection Policy Act regulation (7 CFR Part 658). This requires federal agencies to evaluate the impacts of federally funded projects that could involve converting farmlands to nonagricultural uses and to consider alternative actions that would lessen the adverse effects of the land's conversion. The evaluation process will focus on identifying any prime,⁷ unique,⁸ or statewide important⁹ farmlands.

6.13 TRANSPORTATION

The purpose of the transportation analyses is to determine the effects of the Proposed Action on existing transit service, vehicular, bicycle, and pedestrian traffic on the local street network, parking, and vehicular and pedestrian safety. The transportation chapter will summarize the existing transit and non-motorized transportation system in the study area and the potential impacts of the No Build Alternative and LPA. Safety and security of the existing system and the LPA will also be discussed.

6.13.1 Transit

Existing transit service will be described, including the existing Metro Rail LRT system and bus service. Long-term operational effects of the LPA on public transportation use and services will be considered by examining forecasted ridership demand and potential changes to existing facilities once the Proposed Action becomes operational. The DEIS will also focus on transit operating plans (e.g., rail, bus), travel speeds, travel times, service coordination, transit vehicles, and level-of-service for the LPA.

6.13.2 Roadways

A traffic impact analysis will be prepared at critical intersections where traffic conflicts could occur. The DEIS will address the following 19 intersections within the local street network:

- John James Audubon Parkway and Town Complex entrance
- John James Audubon Parkway and North Forest Road
- John James Audubon Parkway and Lee Road (roundabout)
- Rensch Road and John James Audubon Parkway
- Sweet Home Road and Rensch Road

⁷ Land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses.

⁸ Land, other than Prime Farmland, that has combined conditions to produce sustained high-quality and high yields of specialty crops, such as citrus, nuts, fruits, and vegetables when properly managed.

⁹ Land that does not meet the criteria for prime or unique farmland is considered "farmland of statewide importance" for the production of food, feed, fiber, forage, and oilseed crops.

- Maple Road and Sweet Home Road
- Maple Road and Hillcrest Drive
- Maple Road and Bailey Avenue
- Maple Road and Alberta Drive
- Niagara Falls Boulevard and Maple Road
- Niagara Falls Boulevard/Large Parking Lot Driveway just north of Treadwell Road
- Niagara Falls Boulevard and Mall Entrance aligned with Treadwell Road
- Niagara Falls Boulevard and Almeda Avenue
- Niagara Falls Boulevard and Sheridan Drive
- Niagara Falls Boulevard and Eggert Road
- Niagara Falls Boulevard and Highland Avenue
- Niagara Falls Boulevard and Longmeadow Road
- Eggert Road and Alberta Drive
- Eggert Road and Sheridan Drive

6.13.3 Pedestrian and Bicycle Facilities

The DEIS will document existing and planned pedestrian and bicycle facilities located within the Proposed Action corridor and present potential benefits and impacts during operations and construction of the LPA (compared with the No Build Alternative).

6.13.4 Parking

The DEIS will identify parking facilities, locations, and the number of parking spaces located within the LPA parking study area. These will include parking lots wholly or partially within the limits of disturbance (LOD), on-street parking in the LOD, and public parking garages within 0.25 mile of Proposed Action stations. Data sources will include field reconnaissance, available mapping, and data from parking facility owners, including Erie County, NFTA, and private entities.

6.13.5 Safety

The DEIS will identify general safety and security considerations related to the design, construction, and operation of the LPA including new tracks, at-grade crossings, stations, tunnels, and the storage and maintenance facilities. The Preferred Alternative (determined after the DEIS comment period and subsequently analyzed in the FEIS) would feature current safety and security systems and procedures to protect passengers, workers, and adjacent communities. This section will address general safety procedures that would be in place once the Proposed Action is in operation, as well as those to be implemented during its construction.

6.14 NOISE AND VIBRATION

The DEIS will analyze potential noise and vibration impacts on noise and vibration sensitive resources such as schools, hospitals, residences, hotels/motels, wildlife/natural areas, and historic structures associated with the Proposed Action. Analysis of noise and vibration associated with the Proposed Action will use procedures described in the FTA guidance manual, *Transit Noise and Vibration Impact Assessment* (FTA Report No. 0123, September 2018).

6.15 AIR QUALITY

Air quality analysis will include evaluations of macro- and micro-scale air quality for the entire region. Erie County is in attainment¹⁰ for PM₁₀ and PM_{2.5}; therefore, an assessment of the impacts of particulate matter will not be included in the DEIS. Because the Proposed Action is proposed to be partially funded with Capital Investment Grant funding, Transportation Conformity¹¹ is assumed.

6.16 ENERGY

Energy is consumed in the construction, maintenance and operation of transportation systems. Transportation energy is generally discussed in terms of direct and indirect energy consumption. Direct energy involves all energy consumed by vehicle propulsion together with that energy consumed to support vehicle operation, such as guideway and station lighting. Indirect energy consumption involves the one-time, non-recoverable energy expenditure involved in constructing the physical infrastructure associated with a project.

6.16.1 NEPA Compliance

For consistency with the Proposed Action's New Starts application, the energy analysis methods and calculations laid out in the FTA guidance document, *Proposed New Starts and Small Start Policy Guidance* (January 9, 2013, or subsequent updates to this guidance released by the FTA) will be used in this analysis.

6.17 CLIMATE CHANGE AND ADAPTATION

The DEIS will also address the effects of climate change and the question of how the FTA capital investment in the Proposed Action would be protected against extreme weather events, such as flooding and heat waves, that could affect transit infrastructure and passenger comfort. The study area for climate change adaptation planning will be Erie County.

¹⁰ Areas with concentrations of criteria pollutants that are below the levels established by the National Ambient Air Quality Standards.

¹¹ A process required by the Clean Air Act Section 176(c) that establishes the framework for improving air quality to protect public health and the environment. The goal of transportation conformity is to ensure that Federal Highway Administration and Federal Transit Administration funding and approvals are given to highway and transit activities that are consistent with air quality goals.

6.17.1 NEPA Compliance

Project-specific details to evaluate project-level impacts will come from coordination with the FTA and review of relevant documentation. For example, greenhouse gas (GHG) emissions could serve as a measure of the Proposed Action's potential impact on climate change. Currently, neither the U.S. Environmental Protection Agency nor FTA has adopted quantitative GHG emission thresholds applicable to the Proposed Action. GHG emissions could be calculated by multiplying the vehicle-miles traveled of each type of vehicle by the carbon dioxide emission factors taken from the New and Small Starts Evaluation and Rating Process Final Policy Guidance (FTA, 2013). NFTA will work with FTA to determine and clearly identify appropriate data needs.

6.18 HAZARDOUS AND CONTAMINATED MATERIALS

The hazardous and contaminated materials analysis will summarize results of a database review and any previous studies or investigations in the area to document any hazardous or contaminated soils or substances within the proposed area of construction. The DEIS will identify protocols and measures to be undertaken during construction to avoid adverse effects on human health from Proposed Action-related exposure to hazardous materials. Handling requirements for potentially hazardous or contaminated materials will be identified, which will outline the procedure for removal of these substances during construction. The analysis will be outlined in a Hazardous Waste/Contaminated Materials Screening Report.

6.19 CONSTRUCTION EFFECTS

The Proposed Action would involve physical improvements within the corridor that would result in construction-related impacts. The DEIS will address the construction impacts and related mitigation and preventive measures that can be implemented to minimize the negative impacts of construction activities. Descriptions of the impacts associated with the construction phase of the Proposed Action could include disruptive effects on the community. This section of the DEIS will identify corrective measures where feasible to reduce potential community disruption.

Transportation and circulation impacts during construction are perhaps the most commonly experienced impacts by the public and vary based on construction activities related to aerial structures or activities located at at-grade railroad crossings. These impacts occur to traffic, transit, pedestrian, and bicycle movements, on-street parking and access to adjacent properties. Disruptions to traffic flows could also occur as a result of at-grade crossing construction; LRT station construction; bridge construction; utility relocations; and increases in truck and construction equipment near the work sites. The extent of disruptions to existing traffic vary significantly by location and specific construction activity. Both partial and full closures of affected roadways/intersections could occur, with varying durations.

6.20 INDIRECT AND CUMULATIVE IMPACTS

In addition to the direct effects of the Proposed Action, the DEIS will also document secondary/indirect and cumulative impacts of the Proposed Action. Secondary effects are caused by a project but occur later in time or are farther removed in distance than direct impacts. These impacts

include changes in land use attributable to the Proposed Action (induced growth) and impacts on environmental resources that occur as a result of the Proposed Action's influence on land use. Cumulative impacts include the total of all impacts to a particular resource that have occurred, are occurring, and will likely occur as a result of any action or influence, including the direct and reasonably foreseeable indirect impacts of a federal project.

6.21 COMMITMENT OF RESOURCES

Commitment of Resources will focus on two concepts: the permanent commitment of resources as compared to the benefits of the Proposed Action, and the relation between expending environmental resources in the short term and gaining productivity in the long term. Both concepts will be qualitatively addressed and documented to identify issues such as improved mobility, reduced travel time, reduced congestion on the regional highway network, support for the region's economic development and reduction in mobile source air pollutants.

7. Public Participation and Agency Coordination

The Proposed Action is employing a comprehensive outreach strategy to solicit and incorporate public and stakeholder opinions in the environmental analysis and decision-making process. The outreach efforts are detailed further in the Public Participation and Agency Coordination Plan, which is available on the project website, which meets the requirements of the Fixing America's Surface Transportation Act, and facilitates compliance with relevant guidance including “Linking the Transportation Planning and NEPA Processes” (Appendix A to 23 CFR Part 450).

The New York State Department of Transportation (NYSDOT) and Erie County own the street right-of-way along the approximate 7-mile corridor. In this capacity, NYSDOT and Erie County have participated in the analysis of the Proposed Action from the initial stages, including the Amherst-Buffalo AA. The NYSDOT and Erie County will continue to participate as a Participating Agency under NEPA in the environmental review process. Other Cooperating and Participating Agencies are listed in the Public Participation and Coordination Plan, per Title 40 CFR 1508.5.

NFTA relies on the input from the TAC, SAC, and working group of representatives from University at Buffalo (UB Working Group). The TAC comprises representatives from the GBNRTC, Erie County, Empire State Development, the towns of Tonawanda and Amherst, and the City of Buffalo. The SAC includes representatives from a variety of community and stakeholder groups, including developers and real estate professionals, businesses, property owners, not-for-profits, housing and transportation agencies, community and economic development agencies, and academic institutions. The TAC and SAC have been formed for the NEPA process and replace the Project Advisory Committee used during the Amherst-Buffalo AA. The UB Working Group includes faculty, student representatives, and planning staff. These project partners are responsible for providing input and review of key deliverables.

During Scoping, NFTA met with The NYSDEC and UACE to discuss potential impacts to wetland and threatened and endangered species. NFTA will continue to coordinate with these agencies, among others, throughout the preparation of the DEIS.

The project website (<http://www.nftametrorailexpansion.com>) was developed to publicize the study and share information with the public. Six public meetings and four open houses will be held throughout the Proposed Action schedule to engage the public at key project milestones. Two public hearings will be held to collect comments on the DEIS. Ad-hoc meetings/outreach sessions will also be held to encourage participation and provide information to members of the public. There is a project mailing list, and throughout the Proposed Action, newsletters will be developed and sent (via email and ground mail) to keep the community updated on the Proposed Action's status.

Appendix A. Scoping Comments and Responses

This section compiles NFTA's responses to the comments received during the public scoping comment period. NFTA received 132 comments via hard copy, email, or verbal testimony during the 45-day public comment period and one scoping meeting that followed the release of the Draft Scoping Report. Comments came from government and regulatory agencies and residents.

NFTA considered all comments in the preparation of the Final Scoping Report. Comments included support or opposition to all or parts of the Proposed Action, as well as specific issues, such as the type of transit, the transitway alignment, stations, and potential natural and human environment effects of the Locally Preferred Alternative (LPA). NFTA grouped the comments into common themes and prepared responses to each theme. This document contains NFTA's topical responses on the following themes, which will be addressed in a Draft Environmental Impact Statement (DEIS) for the Proposed Action. The DEIS will be the subject of a future public hearing and notice and comment period, and NFTA's responses to all comments received during the scoping process and regarding the DEIS will be included in the Final Environmental Impact Statement (FEIS) for the Proposed Action. The comments received during the scoping process were summarized into the following themes and categories:

1. Support
2. Opposition
3. Station Locations
4. Specific Design Comments
5. Operations
6. Funding
7. Environmental Concerns
8. Transportation and Safety Concerns
9. Support for Extensions or Other Alignments
10. Public Outreach

Table 1 lists all organizations and individuals that commented during the Scoping period and the corresponding comment themes. In addition to the organizations and individuals, 45 comments were received with no name or organization. Those comments fit into the following categories: Support, Opposition, Station Locations, Specific Design Comments, Funding, Environmental Concerns, Transportation and Safety Concerns, and Support for Extensions or Other Alignments.

Table 1. Scoping Comment Themes

Name	Date Received	Method of Comment	Comment Theme/Category
Alex	2/12/2019	Public Meeting	Support
Alex	2/5/2019	Crowdsource Map	Transportation and Safety Concerns
Alex	2/5/2019	Crowdsource Map	Transportation and Safety Concerns
Barnes, Bob	2/12/2019	Public Meeting	Environmental Concerns, Station Locations, Public Outreach
Basinski, Phil	2/13/2019	Email	Support for Extensions or other Alignments
Brayman, Barb	2/5/2019	Website	Support for Extensions or other Alignments
Brewer, Walt	2/28/2019	Letter	Funding
Brork, Tom	2/12/2019	Public Meeting	Support
Burkard, Kevin	2/12/2019	Public Meeting	Support for Extensions or other Alignments, Transportation and Safety Concerns
Busch, Mary	2/7/2019	Website	Support for Extensions or other Alignments, Transportation and Safety Concerns
Casstevens, Martin	2/14/2019	Public Meeting	Public Outreach, Funding, Environmental Concerns
Chris	2/6/2019	Crowdsource Map	Specific Design Comments
Chrystal, Charles	2/5/2019	Crowdsource Map	Support for Extensions or other Alignments
Comtois, Mary	2/12/2019	Public Meeting	Support
Cottrell, Dylan	2/6/2019	Crowdsource Map	Support for Extensions or other Alignments
Cross, Gail	3/10/2019	Public Meeting	Opposition, Environmental Concerns
Crump, Naquon	2/12/2019	Public Meeting	Support for Extensions or other Alignments
Crump, Naquon	2/12/2019	Public Meeting	Support for Extensions or other Alignments
Cumming, Sandra	3/5/2019	Website	Support for Extensions or other Alignments
David, Kowal	2/12/2019	Public Meeting	Transportation and Safety Concerns
DeMars, Michael	2/12/2019	Public Meeting	Environmental Concerns, Environmental Concerns, Environmental Concerns
DeMars, Michael	3/10/2019	Website	Opposition
Denk, David / New York State Department of Environmental Conservation	3/6/2019	Letter	Environmental Concerns
DiDomizio, Annette & Joe	3/10/2019	Letter	Opposition
DiSturco, Maria	2/13/2019	Website	Opposition
Elizabeth, Giles	2/12/2019	Public Meeting	Station Locations
Elve, John	2/12/2019	Public Meeting	Opposition, Environmental Concerns
Fassbinder, Katie	2/11/2019	Website	Support
Gardner, Carrie	2/4/2019	Website	Support
Gary, Ranney	2/12/2019	Public Meeting	Opposition, Transportation and Safety Concerns
Gateway to the Southtowns	2/6/2019	Crowdsource Map	Environmental Concerns, Environmental Concerns, Environmental Concerns
Gifford, Gladys	3/11/2019	Letter	Support
Grabowski, Abigail	2/5/2019	Crowdsource Map	Environmental Concerns

Table 1. Scoping Comment (continued)

Name	Date Received	Method of Comment	Comment Theme/Category
Heath, Christina	2/12/2019	Public Meeting	Support
Henrich, S	3/5/2019	Website	Public Outreach, Environmental Concerns, Environmental Concerns
Horbowicz, Denise	2/11/2019	Website	Station Locations
Krystle	1/28/2019	Crowdsource Map	Transportation and Safety Concerns
L. Erb, Don	2/1/2019	Crowdsource Map	Transportation and Safety Concerns, Environmental Concerns, Operations
L. Erb, Don	2/1/2019	Crowdsource Map	Station Locations
L. Erb, Don	2/1/2019	Crowdsource Map	Funding
LaRosa,	2/4/2019	Website	Station Locations
LaRosa, Mitch	2/12/2019	Public Meeting	Support
Line, Airport	2/5/2019	Crowdsource Map	Support for Extensions or other Alignments, Public Outreach
Ludwig, Katie	2/14/2019	Email	Support
Maerten-Rivera, Jaime	2/12/2019	Public Meeting	Opposition
Marzec, Diane	2/12/2019	Website	Support for Extensions or other Alignments, Operations
McLellan, Lilian	2/12/2019	Public Meeting	Support
Michelle, Tomaino	3/5/2019	Email	Opposition, Transportation and Safety Concerns
Michniewicz, Jennifer	3/1/2019	Website	Support for Extensions or other Alignments
Monroe, Linda	2/28/2019	Letter	Public Outreach, Public Outreach, Environmental Concerns
Norris, Brandon	2/2/2019	Website	Public Outreach, Transportation and Safety Concerns, Environmental Concerns
O'Brien, Carol	2/19/2019	Email	Support for Extensions or other Alignments, Funding
O'Brien, Carol	2/12/2019	Email	Environmental Concerns, Transportation and Safety Concerns
O'Brien, Carol	2/10/2019	Email	Transportation and Safety Concerns
O'Brien, Carol	3/14/2019	Email	Support for Extensions or other Alignments
Palmer, Sivontre	2/6/2019	Public Meeting	Opposition
Pusch, Derek	2/14/2019	Email	Specific Design Comments, Transportation and Safety Concerns, Transportation and Safety Concerns
Pusch, Derek	2/14/2019	Email	Specific Design Comments
Ranney, Gary	3/10/2019	Public Meeting	Support for Extensions or other Alignments, Environmental Concerns
Sampson, Dave	2/12/2019	Public Meeting	Support for Extensions or other Alignments
Sanders, Steve	2/12/2019	Public Meeting	Support
Sean	2/5/2019	Crowdsource Map	Support for Extensions or other Alignments, Specific Design Comments

Table 1. Scoping Comment (continued)

Name	Date Received	Method of Comment	Comment Theme/Category
Seemueller, Robert	2/12/2019	Public Meeting	Station Locations
Seemueller, Robert G.	2/9/2019	Crowdsource Map	Specific Design Comments, Environmental Concerns
Seemueller, Robert G.	2/9/2019	Crowdsource Map	Specific Design Comments, Operations
Seemueller, Robert G.	2/9/2019	Crowdsource Map	Specific Design Comments
Seemueller, Robert G.	2/9/2019	Crowdsource Map	Station Locations
Seemueller, Robert G.	2/9/2019	Crowdsource Map	Support for Extensions or other Alignments
Seemueller, Robert G.	2/9/2019	Crowdsource Map	Station Locations
Seemueller, Robert G.	2/9/2019	Crowdsource Map	Station Locations
Seemueller, Robert G.	2/9/2019	Crowdsource Map	Opposition
Sparling, Janice	2/15/2019	Email	Opposition, Environmental Concerns
Steinberg, Stephen	2/12/2019	Public Meeting	Support
Suter, Patrick	2/14/2019	Public Meeting	Support
Thornton, Matt	2/5/2019	Crowdsource Map	Support, Transportation and Safety Concerns
Vinti, John	2/15/2019	Website	Support for Extensions or other Alignments
W, Morlock	2/1/2019	Website	Support for Extensions or other Alignments
Wagner, Scott	2/26/2019	Website	Operations
Walters, Gary	2/13/2019	Website	Operations
Ward, Daniel	2/6/2019	Email	Support, Support for Extensions or Other Alignments
Warnily, Bob	2/12/2019	Public Meeting	Transportation and Safety Concerns, Station Locations, Support for Extensions or Other Alignments
Wrona, Mike	2/6/2019	Email	Support for Extensions or other Alignments
Wujek, Tom	2/13/2019	Website	Support, Specific Design Comments, Operations
Wyckoff, Garret	2/6/2019	Crowdsource Map	Support for Extensions or other Alignments
Ziaja, Maria	2/24/2019	Email	Support, Specific Design Comments

A.1 SUPPORT FOR METRO RAIL EXPANSION

Summary of Comments: Approximately 23 commenters stated support for the Metro Rail Expansion. Beyond the broad and general support for the Proposed Action, many of the comments noted various benefits of the project and the LPA.

The following characteristics and elements were supported:

- Expansion of an existing service
- Alignment along Niagara Falls Boulevard
- Connection to University at Buffalo campuses
- Links campuses to downtown Buffalo
- Improved accessibility

- Decrease in car exhaust
- Community benefit
- Provides an option for those with disabilities
- Supports economic growth and re-urbanization

RESPONSE: The LPA has been identified for many of the reasons stated above. As stated in Section 3 of the Scoping Report, the purpose of the Proposed Action is to provide a fast, reliable, safe, and convenient transit ride in the Metro Rail Expansion corridor, linking established and emerging activity centers along the existing Metro Rail line in Buffalo with existing and emerging activity centers in the towns of Amherst and Tonawanda. The Proposed Action would better serve existing rail and bus riders, attract new transit patrons, improve connections to/from Buffalo, Amherst, and Tonawanda, and support redevelopment and other economic development opportunities. Importantly, it will serve to improve livability by increasing mobility and accessibility in communities throughout the Proposed Action corridor.

The LPA is the result of the Alternatives Analysis, feedback from agencies, and the continued involvement of the community. Throughout the development of the LPA, refinements were made to reduce project impacts, reduce overall project costs, and to maintain a cost-effective project while providing a high-quality system.

A.2 OPPOSITION FOR METRO RAIL EXPANSION

Summary of Comments: Approximately 13 commenters expressed overall opposition to the Metro Rail Expansion project. This does not include those who may oppose a portion of the LPA, which are addressed in other responses. Among the issues stated for their opposition are:

- The Proposed Action is not needed or justified
- The cost of the Proposed Action can't be justified during the current financial recession
- If built, it will bring unwanted development to the area
- The Proposed Action will further the gentrification of areas and force the displacement of low-income households
- The primary beneficiaries of the project will be developers
- There is no capacity to expand the Metro Rail
- The Proposed Action will create traffic congestion and increase travel times
- The Proposed Action will damage the community character and neighborhoods
- The Proposed Action will have noise impacts
- The Proposed Action will have vibration impacts
- The LPA will create safety concerns along the corridor

RESPONSE: Comment noted. NFTA will further compare the impacts, costs, and benefits of the LPA in the Draft Environmental Impact Statement. Section 6 of the Final Scoping Document outlines the scope of work and methodologies that will be used to identify any potential adverse environmental and social impacts resulting from the Proposed Action. If any potential significant adverse impacts are identified, appropriate mitigation measures to avoid or reduce these impacts will be proposed.

A.3 STATION LOCATIONS

Summary of Comments: Approximately 24 commenters focused on station locations, including support or opposition for the proposed stations identified during the scoping period and suggestions for additional station locations.

RESPONSE: All station locations are preliminary and will be reviewed and revised if necessary as part of the EIS. Input from local communities has and will continue to be sought to refine these station locations.

A.4 SPECIFIC DESIGN CONCEPTS

Summary of Comments: Approximately 14 comments dealt with more detailed design issues such as track layout and design, vehicle design/method of payment, re-use of existing structures, streetscape elements, maintenance, station access, storage yard and maintenance facility, and parking.

RESPONSE: Assumptions for design elements, including tracks, stations, parking, will be made for the purposes of the environmental analysis. These elements will be further refined during the preliminary and final design. NFTA will consider input from the public throughout both the environmental analysis and preliminary and final design.

A.5 OPERATIONS

Summary of Comments: Approximately 6 people commented on specific operation elements, including schedule, fares, technology, and train speeds.

RESPONSE: Operating assumptions will be made for the purposes of the environmental analysis and per the conceptual design efforts. These assumptions will be outlined in the Draft EIS and follow the NFTA methodology for current operations. Detailed operating plans will be determined during final design. NFTA will consider input from the public throughout both the environmental analysis and preliminary and final design.

A.6 FUNDING

Summary of Comments: Approximately 5 people commented on project costs, cost-effectiveness, and funding of the project.

RESPONSE: The Financial Analysis chapter of the EIS will include an analysis of potential funding strategies.

A.7 ENVIRONMENTAL CONCERNS

Summary of Comments in General: Approximately 24 comments addressed the Metro Rail Expansion’s potential impacts to the environment. Comments dealing with specific resources or environmental effects are addressed below by topic area, generally following the outline of the Scoping Report.

RESPONSE: The Metro Rail Expansion is being planned and designed in accordance with all local, state, and federal laws and regulations. These regulations, including the State Environmental Quality Review Act (SEQRA) and the National Environmental Policy Act (NEPA), set out specific criteria for environmental and social impacts and how they are to be avoided and/or mitigated against. Respective jurisdictional agencies have been and will continue to be consulted throughout the development of the project. As described in Section 6 of the Final Scoping Report, the potential social, economic, and environmental impacts (beneficial and adverse) that could be expected to occur with the construction and operation of the LPA will be evaluated and presented in the Draft EIS. The Draft EIS will summarize these impacts, while providing further detail within the associated technical reports.

A.7.1 Community Character

Summary of Comments: Commenters’ expressed concern that the Proposed Action would have a negative impact on their neighborhood or community, while others feel that there would be a positive impact. Some of the reasons cited for negative impacts included safety concerns, property impacts, loss of parking, impacts to community cohesion, and construction impacts.

RESPONSE: As discussed in Section 6 of the Final Scoping Report, the direct and indirect effects of the Project will be evaluated as part of the Draft EIS. Effects to traffic, land use, social conditions, economic conditions and other topics will be studied. Section 6 of the Final Scoping Report identifies the key environmental topics of concern for the Project. As stated in Section 6, the Draft EIS will evaluate the Proposed Action’s conformance with the character of the surrounding study area. This analysis will identify the defining features of the study area, assess how these major characteristics relate to the area’s overall character, and analyze whether the Proposed Action could significantly alter the defining features of the community. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

A.7.2 Property Acquisitions and Displacements

Summary of Comments: Commenters expressed concern about right-of-way impacts on private property, especially associated with the at-grade alignments; the potential for residential and business displacements; the taking of private property by eminent domain; and being clear about which communities would have displacements.

RESPONSE: As stated in Section 6 of the Final Scoping Report, the Proposed Action could require the purchase of property, potentially resulting in displacement of residential, commercial, or industrial uses. Permanent or temporary easements could also be required for the Proposed Action right-of-way. Encroachments by businesses or residents (buildings, storage of materials, fences, etc.) and other illegal use of the existing right-of-way could be present along the corridor and would need to be resolved to ensure available rights-of-way for the Proposed Action. Additional areas that could require acquisition include station areas, park-and-ride lots, maintenance facilities, and ancillary facilities such as traction power substation locations and signal structures. Individual acquisition parcels will be identified in the context of neighborhoods, community services, and Environmental Justice populations. Potential easements will also be identified.

Procedures and programs related to right-of-way acquisition for the Proposed Action will be consistent and in accordance with applicable state rules and regulations and NFTA's updated Real Estate Acquisition Management Plan. Local sources of information will include the Erie County Tax and Property Appraiser database.

A.7.3 Water Resources

Summary of Comments: Commenters noted concern about water resources, including groundwater, waterways, and wetlands. Commenters were concerned with the impact to Ellicott Creek and the wetlands near I-990.

RESPONSE: As stated in Section 6 of the Final Scoping Report, the potential effects on water resources, including groundwater, surface water, and wetlands will be assessed and documented in the Draft EIS. Respective jurisdictional agencies have been and will continue to be consulted throughout the preparation of the Draft EIS and development of the project.

A.7.4 Noise and Vibration

Summary of Comments: Seven commenters stated that the Metro Rail Expansion will have a negative effect on noise or vibration levels near the alignment. Comments reflected concern over the noise generated by warning horns and "wheel squeal". Other comments raised concerns over the impacts and mitigation of construction noise on residents and noise impacts.

RESPONSE: As stated in Section 6 of the Final Scoping Report, the potential effects on noise and vibration will be assessed and documented in the Draft EIS.

A.7.5 Construction

Summary of Comment: Commenters expressed concern regarding potential construction impacts associated with the Proposed Action, including traffic-related impacts, noise, and dust.

RESPONSE: The Proposed Action would involve physical improvements within the corridor that would result in construction-related impacts. As stated in Section 6 of the Final Scoping Report, the Draft EIS will address the construction impacts and related mitigation and preventive measures that can be implemented to minimize the negative impacts of construction activities. Corrective measures to reduce potential community disruption will be identified.

A.8 TRANSPORTATION AND SAFETY CONCERNS

Summary of Comments: Approximately 18 comments related to concerns about transportation including public transportation (transit), highways/roadways, bicycle and pedestrian facilities, parking, and safety/security. Some felt that the Proposed Action would contribute to traffic congestion or increase travel times in the corridor; others noted concerns with the traffic effects at specific intersections or on specific roadways. Some people were concerned with safety and security along the LPA or that local bus service would be affected. There were comments relating to pedestrian access and circulation and requests for additional bicycle and pedestrian connections. Finally, there were questions related to the traffic analysis.

RESPONSE: As described in Section 6 of the Final Scoping Report, the effects of the Metro Rail Expansion on local traffic, vehicular safety, and pedestrians and bicycle facilities will be examined in the Transportation chapter of the EIS.

The project collected traffic count data at all signalized intersections along the LPA. The traffic analysis will analyze each of those signalized intersections to evaluate the change in signalized intersection level of service operations. The analysis will not account for traffic diversions, which are a personal preference and difficult to model accurately, but will be based on highest possible volumes.

A.9 SUPPORT FOR EXTENSIONS OR OTHER ALIGNMENTS

Summary of Comments: Approximately 44 comments supported alignments or options not included in the Proposed Action and/or suggested alternative routes or configurations. This includes preference for Bailey Avenue, tunnel alternatives for all or part of the alignment, support for expanded bus service, support for alignments or options not included in the LPA, different termini, and other alignments/configurations, including service to the Buffalo Niagara International Airport and Walden Galleria.

RESPONSE: As described in Section 4 of the Final Scoping Report, the Locally Preferred Alternative was identified through an iterative process that included stakeholder feedback. The Amherst-Buffalo AA was initiated by NFTA in the fall of 2012 along with GBNRTC to evaluate a range of high-quality transit service

alternatives. A 3-step evaluation was conducted, with input from stakeholders. After reviewing the technical results of the Amherst-Buffalo AA and considering feedback from the Project Steering and Advisory Committees and the public, NFTA recommended the Niagara Falls Boulevard LRT Alternative as the strongest alternative to advance as the LPA.

Following the Amherst Buffalo AA, the adoption of the original LPA in the fiscally constrained Transportation Improvement Program, and a subsequent transit-oriented development (TOD) study, NFTA agreed to a request from stakeholders to study the feasibility of exiting University Station directly to Niagara Falls Boulevard, via Kenmore Avenue, rather than running beneath Bailey Avenue. Under this option, from University Station, the alignment would travel underground along Kenmore Avenue and onto Niagara Falls Boulevard where it would surface through a portal just north of Kenilworth Avenue and continue along Niagara Falls Boulevard to a common point at the intersection of Eggert Road and Niagara Falls Boulevard. From here, the alignment would follow the original LPA to the interchange of I-990 and Audubon Parkway.

The focus of the Draft EIS will be the LPA. Extensions to the LPA or other LRT alignments may be considered in the future, as a separate effort.

A.10 PUBLIC OUTREACH

Summary of Comments: Amongst the comments on the Metro Rail Expansion Draft Scoping Document, there were several comments regarding public outreach efforts and the presentation of materials. People commented on the quality of the outreach efforts and notification of the scoping meeting.

RESPONSE: NFTA continues to expand the public outreach program associated with the Metro Rail Expansion to share information and gain input into the project. The broader outreach efforts are summarized in Section 7 of the Final Scoping Document.

A.10.1 Meeting Notification

Summary of Comments: Commenters stated the lack of notice for the scoping meeting.

RESPONSE: The scoping meeting was promoted through a meeting notice distributed in the Buffalo News, Amherst Bee, and KenTon Bee a month prior to the event, an invitation on GBNRTC and NFTA's social media accounts, and an email invite to past project participants and the Western New York elected officials delegation. Invitations were also provided to individuals who stopped by the pop-up booth at University Station the week prior to the meeting as well as members of the Stakeholder Committee.

A.10.2 Meeting Format and Content

Summary of Comments: Commenters disapproved of the meeting format indicating that the material was too generalized and cited a lack of opportunity for public testimony.

RESPONSE: NFTA appreciates the comments provided on the meeting format and presentation materials. The intent of the scoping meeting was to provide a summary of the scope of work for preparation of the Environmental Impact Statement. There were opportunities to provide public testimony to a stenographer at the meeting or provide written comments through comment cards or tablets at the meeting. The scoping comment period provides an opportunity for the public to review the scope of work for the environmental analysis. NFTA will continue to engage in public and agency input throughout the EIS process.

A.10.3 Meeting Time and Location

Summary of Comments: Commenters criticized the time of the meeting, noting that it is in conflict to the workday, and the location, which was not accessible to the current Metro Rail line.

RESPONSE: Public meetings have been and will continue to be located, scheduled and planned to provide opportunities for participation. Meeting locations are chosen that are accessible to transit. A project website has also been established, which provides current project information and a means for the public to submit comments. NFTA will continue to consider public and agency input throughout the EIS process.