

TRANSPORTATION PROJECT REPORT

DRAFT DESIGN REPORT / DRAFT ENVIRONMENTAL IMPACT STATEMENT / DRAFT 4(f) EVALUATION

APPENDIX B2 Coordination Plan

November 2016

PIN 5470.22
NYS Route 198 (Scajaquada Expressway Corridor)
Grant Street Interchange to Parkside Avenue Intersection
City of Buffalo
Erie County



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U.S. Department of Transportation
Federal Highway Administration

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NYS Route 198 (Scajaquada Expressway) Corridor I-190 to NYS Route 33 PIN 5470.22

Section 1. Introduction

1.1 Purpose of Coordination Plan

This Coordination Plan for the NYS Route 198 (Scajaquada Expressway) Corridor Project (hereafter, “the Scajaquada Corridor Project”) outlines the process for engaging the public and coordinating with agencies. The Plan is consistent with the most recent federal transportation reauthorization law, Fixing America’s Surface Transportation (FAST) Act of 2015, which carries forward the public involvement principles of the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005. SAFETEA-LU implemented the development of a Coordination Plan for all projects for which an Environmental Impact Statement (EIS) is prepared under the National Environmental Policy Act (NEPA) of 1969. As expressed in the SAFETEA-LU Environmental Review Process Final Guidance, “the purposes of the Coordination Plan are to facilitate and document the lead agencies’ structured interaction with the public and other agencies and to inform the public and other agencies of how the coordination will be accomplished.”

This Coordination Plan will be in effect throughout the environmental review process, beginning with scoping and ending with the Record of Decision. The plan is a flexible, “living” document that can be amended as needed during the project environmental review process. Changes to the Coordination Plan are documented in the “Revision History” section on the last page of the document.

1.2 Project History

In 1951, the City of Buffalo Planning Commission adopted a *Major Traffic Ways Plan* that included the Scajaquada Expressway as one component of a system of expressways intended to alleviate heavy traffic volumes on residential streets. This plan built upon the 1946 New York State *Report on the New York State Thruway and Arterial Routes in the Buffalo Urban Area*. The City Planning Commission’s 1951 *Planning Progress Report* promoted “channelization of traffic onto limited access expressways.”

The Scajaquada Expressway was constructed in the 1950s and 1960s through the historic Delaware Park. This park was developed between 1868 and 1898 and is considered by the Buffalo Olmsted Parks Conservancy to be the centerpiece of the series of parks and boulevards in Buffalo designed by Frederick Law Olmsted. Park facilities and features are located on either side of the Scajaquada Expressway.

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A Notice of Intent to prepare an Environmental Impact Statement (EIS) for the Scajaquada Corridor Project was published in the *Federal Register* on October 17, 2007. The purpose of the project is to provide geometric and operational improvements to NYS Route 198 in its current location from the Grant Street interchange to the intersection of Parkside Avenue, including the segment through Delaware Park. These improvements will be made while maintaining local connectivity and a critical transportation link between I-190 and NYS Route 33, and providing enhanced compatibility with adjacent land uses.

1.3 Key Environmental Topics

The EIS for the Scajaquada Corridor Project will contain an assessment of the Project's potential social, environmental and economic impacts. The key environmental topics for the Project include the following:

- Historic/cultural resources (Section 106 of the National Historic Preservation Act of 1966)
- Parks and recreation areas (Section 4(f) of the Department of Transportation Act of 1966; Section 6(f) of the Land and Water Conservation Fund Act) –
- Surface waters/water quality
- Traffic effects, including air quality and noise effects
- Environmental justice

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Section 2. Lead/Cooperating/Participating Agencies/Public Involvement

2.1 List of Agencies, Roles and Responsibilities

SAFETEA-LU requires the identification of Lead, Participating and Cooperating Agencies in the development of an EIS.

Lead Agencies: The FHWA is the Federal Lead Agency for the project and the NYSDOT is Joint Lead Agency. It is the responsibility of the Lead Agencies to identify Cooperating Agencies and Participating Agencies, invite those agencies to serve in this capacity, and collaborate with the agencies as described below.

Cooperating Agency: According to Council on Environmental Quality (CEQ) regulations (40 CFR 1508.5), “Cooperating Agency” means any Federal agency, other than a Lead Agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternative. A State or local agency of similar qualifications or, when the effects are on lands of tribal interest, a Native American tribe may, by agreement with the Lead Agencies, also become a Cooperating Agency. Cooperating Agencies are responsible for providing input on:

- Purpose and Need
- Range of Alternatives
- Methodologies
- Level of detail for analysis of alternatives
- Identification of issues that could substantially delay or prevent granting of permit/approval
- Mitigation

All Cooperating Agencies are also “Participating Agencies” (see below).

Participating Agencies: A Participating Agency is a Federal, State, tribal, regional, or local government agency that may have an interest in the project. The roles and responsibilities of Participating Agencies include, but are not limited to:

- Participating in the scoping process
- Providing input on defining the project purpose and need, range of alternatives, methodologies, and the level of detail for the analysis of alternatives.
- Identifying, as early as practicable, any issues of concern regarding the project’s potential environmental or socioeconomic impacts.
- Providing timely input on unresolved issues.

The standard for Participating Agency status is more encompassing than the standard for Cooperating Agency status. Therefore, Cooperating Agencies are, by definition, Participating Agencies, but not all Participating Agencies are Cooperating Agencies. The roles and responsibilities of Cooperating and Participating Agencies are similar, but Cooperating Agencies

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have a higher degree of authority, responsibility and involvement in the environmental review process. A Cooperating Agency with jurisdiction may adopt without recirculating the environmental impact statement of a lead agency when, after an independent review of the statement, the cooperating agency concludes that its comments and suggestions have been satisfied.

Table 1 lists the agencies that are anticipated to participate in the project, along with the reason for their requested involvement and particular responsibilities.

Table 1. Cooperating and Participating Agencies, Roles and Responsibilities.

Agency	Role	Responsibilities
US Army Corps of Engineers	Cooperating Agency	Section 404 of the Clean Water Act
US Environmental Protection Agency	Cooperating Agency	Section 309 of the Clean Air Act, National Environmental Policy Act
U.S. Department of the Interior, US Fish and Wildlife Service	Cooperating Agency	Section 7, Endangered Species Act
U.S. Department of the Interior, National Park Service	Cooperating Agency	Section 6(f) of the Land and Water Conservation Fund Act
NYS Department of Environmental Conservation	Cooperating Agency	New York State environmental permits
NYS Office of Parks, Recreation and Historic Preservation: State Historic Preservation Office	Cooperating Agency	Section 106 of the National Historic Preservation Act
NYS Office of Parks, Recreation and Historic Preservation: State Parks	Cooperating Agency	Alternate State Liaison Officer for Section 6(f) of the Land and Water Conservation Fund Act
NYS Department of State	Cooperating Agency	Coastal Zone Management Act
City of Buffalo	Participating Agency	
Greater Buffalo-Niagara Regional Transportation Council	Participating Agency	
Niagara Frontier Transportation Authority	Participating Agency	
New York State Thruway Authority	Participating Agency	
Erie County	Participating Agency	
Erie County Soil and Water Conservation District	Participating Agency	

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2.2 Agency Contact Information

Table 2 lists contact information for the agencies involved in the project.

Table 2. Contact Information.

Agency	Name/Title	Phone/Email
Federal Highway Administration		
NYS Department of Transportation		
U.S. Army Corps of Engineers		
U.S. Environmental Protection Agency		
U.S. Department of the Interior, U.S. Fish and Wildlife Service		
U.S. Department of the Interior, National Park Service		
NYS Department of Environmental Conservation		
NYS Office of Parks, Recreation and Historic Preservation: State Historic Preservation Office		
NYS Office of Parks, Recreation and Historic Preservation: State Parks		
NYS Department of State		
City of Buffalo		
Greater Buffalo-Niagara Regional Transportation Council		
Niagara Frontier Transportation Authority		

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Agency	Name/Title	Phone/Email
New York State Thruway Authority		
Erie County		
Erie County Soil and Water Conservation District		

2.3 Public Involvement

A project stakeholder group was formed in 2007. A current list of the stakeholder group members is included in Table 3. Members of the stakeholder group meet periodically and were tasked with the following responsibilities:

- Be a “sounding board” for the project team to determine how concepts may be received by the public
- Bring ideas and viewpoints of their constituency to the discussion
- Strive to build consensus

Stakeholders (and the public) were invited to a series of public interactive design workshops. Each session focused on ideas and concepts for different sections of the corridor.

Table 3. Stakeholder Group Members.

Albright-Knox Gallery	Greater Buffalo Niagara Regional Transportation Council
American Trucking Association	Grant-Amherst Business Association
Black Rock-Riverside Alliance	Green Options Buffalo
Black Rock-Riverside Good Neighbors Planning Alliance	Martin House Restoration Corporation
Buffalo and Erie County Historical Society	Medaille College
Buffalo-Niagara Convention & Visitors Bureau	Motorists for 198
Buffalo-Niagara Riverkeeper	New Millennium Group
Buffalo Olmsted Parks Conservancy	New York State Senate Member Marc Panepinto
Buffalo State College	New York State Assembly Member Jane Corwin
Buffalo Zoo	New York State Assembly Member Crystal Peoples
City of Buffalo	New York State Assembly Member Sean Ryan
City of Buffalo Common Council Representatives	New York State Department of Transportation
City of Buffalo Department of Public Works, Parks, & Streets	Niagara Frontier Transportation Authority
City of Buffalo Office of Strategic Planning	Parents for a Safer Delaware Park

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Table 3. Stakeholder Group Members.

Burchfield-Penny Art Center	Parkside Community Association
Catholic Health System	PCA/SCC
Delaware Park Steering Committee	Restore our Community Coalition
Elmview Place Block Club	Richardson Center Corporation
Erie Community College	Save 198 Expressway
Erie County Department of Environment and Planning	Scajaquada Pathway Committee
Erie County Legislature, District 2	Sisters Hospital
Erie County Legislature, District 3	United States Congressman Chris Collins
Expressway Supporter	United States Senator Charles Schumer
Federal Highway Administration	United States Senator Kirsten Gillibrand
Forest District Civic Association	Vision Niagara
Forest Lawn Cemetery	Wellness Institute
Forest Lawn Group	

Other opportunities for public involvement have/will include:

- Public meetings
 - ✓ NEPA Scoping Meeting held 11/28/2007 – Introduced the public to the project; solicited comments on the proposed Purpose and Need Statement; obtained input on environmental resources and described an intended schedule
 - ✓ Public Information Meeting held 4/9/2014 – Provided an update on project status; outlined a vision for transformation of the corridor; and offered an opportunity for questions and answers moderated by Assemblyman Ryan
 - ✓ Public Information Meeting held 9/16/2015 – Summarized the assessment of two new concepts that were requested at the April 9, 2014 meeting. NYSDOT representatives answered questions that were submitted by the public
 - ✓ Public Information Meeting held 2/10/2016 – Summarized the anticipated Build Alternative and provided an updated project schedule
 - ✓ Public Open House 5/19/2016 – Provided the opportunity for the public to browse project displays on concepts for potential improvements, ask questions, and submit comments
- Interactive design workshops
 - ✓ Interactive Design Workshop #1 held 9/16/2009 – Working session to discuss ideas, options, and preferences for the corridor section from I-190 through the Grant Street interchange
 - ✓ Interactive Design Workshop #2 held 11/4/2009 – Working session to discuss ideas, options and preferences for the corridor section from Parkside Avenue to NYS Route 33

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- ✓ Interactive Design Workshop #3 held 4/29/2010 – Working session to discuss ideas, options and preferences for the corridor section from Elmwood Avenue through Delaware Park
- Public hearing (to be held after the release of the Draft Environmental Impact Statement (DEIS))
- Project website, (www.dot.ny.gov/scajaquadacorridor) - contains presentations, graphics, meeting minutes, and other summary information to keep the general public informed.
- Project newsletters (3/2008, 9/2009)

The scoping comment period extended through February 26, 2016. A public comment period will be established for the Draft Environmental Impact Statement (DEIS). A public hearing will be held during the DEIS public comment period. The DEIS will be made available electronically on the project website and paper copies will be available at a number of locations near the project site (such as municipal offices and libraries). Comments received at the public hearing and during the DEIS comment period will be considered and responded to, as appropriate, in the Final Environmental Impact Statement.

Addition information regarding public involvement will be located in Appendix G of the Draft Environmental Impact Statement.

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Section 3. Project Schedule and Coordination Points

The environmental review process includes opportunities for agencies and the public to provide input. Table 4 summarizes the key coordination points and project milestones. Estimated dates are included for informational and resource planning purposes. Timeframes and review periods were established in accordance with 23 CFR 771 and NYSDOT policies and procedures, including existing agreements.

Table 4. Project Schedule and Coordination Points.

<u>Coordination Point</u>	<u>Date</u>
Notice of Intent Publication	October 17, 2007
Agency Scoping Meeting	November 13, 2007
Public Scoping Meeting	November 28, 2007
Public Information Meeting	April 9, 2014
Public Information Meeting	September 16, 2015
Public Information Meeting	February 10, 2016
Section 106 of the National Historic Preservation Act Consulting Party Meetings	March 22 and 23, 2016
Scoping Report Published	May 2016
Public Open House	May 19, 2016
Public Distribution of the DEIS	Fall 2016
Notice of Availability of DEIS	Fall 2016
Public Hearing	December 2016
End of NEPA DEIS comment period	Winter 2017
Notice of Availability of FEIS	Winter 2017
Notice of Availability of ROD	Winter 2017
Construction to Begin	2017 or 2018

Abbreviations:

DEIS = Draft Environmental Impact Statement

FEIS = Final Environmental Impact Statement

ROD = Record of Decision

In addition, cooperating agencies have been invited to monthly conference calls. These have included project updates and an opportunity for agencies to ask questions and provide input. These meetings have been held on:

- June 15, 2016
- July 20, 2016
- August 17, 2016
- September 21, 2016
- October 19, 2016

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Section 4. Revision History

Table 5. Revision History.

Revision Number	Date of Revision	Description/Reason for Revision
1	01/03/2008	Contacts from responding cooperating and participating agencies have been added. The stakeholder list has been updated.
2	10/21/2009	Contacts from responding cooperating and participating agencies have been added. The stakeholder list has been updated. The coordination points and schedule have been updated.
3	11/2/2010	The coordination points and schedule have been updated. Dave Hill replaced Craig Mozrall as the NYSDOT Project Coordinator
4	1/18/2013	The coordination points and schedule have been updated. Agency contact information has been updated. Stakeholder list has been updated.
5	2/19/2016	The coordination points and schedule have been updated. Agency contact information has been updated.
6	5/13/2016	Project History was revised.
7	11/3/2016	Agency contacts and cooperating agency meetings added.