

Chapter 4: Social, Economic, and Environmental Considerations

This chapter presents a preliminary screening of potential impacts to existing social, economic, and environmental resources in the project area affected by each recommended project under the Multi-Modal Access Program. **Table 4-1** (presented at the end of the chapter) provides a summary of each recommended project component, its classification, involved agencies, and types of potential impacts.

4.1 Environmental Action Plan/National Environmental Policy Act Classification

Any federally-funded transportation project must be classified as Class I, II or III as specified under NYSDOT's Environmental Action Plan (EAP). These classes prescribe the level of documentation required under the National Environmental Policy Act (NEPA). Documentation requirements for each class are as follows:

- Class I projects are actions that may significantly affect the environment and require an environmental impacts statement (EIS). Typical examples of Class I projects include new expressway and highway projects of four or more lanes on a new location.
- Class II projects are actions that would not individually or cumulatively have a significant environmental effect on the human environment. They are categorically excluded from the requirement to prepare a NEPA Environmental Assessment (EA) or EIS.
- Class III projects are actions in which the significance of the environmental impacts is not established. All actions that are not Class I or II are Class III. All actions in this class require the preparation of an EA to determine the appropriate environmental document required. This results in either a *Finding of No Significant Impact* (FONSI), or may rarely result in the conclusion that an EIS is necessary. If an EIS is necessary, then the project must follow the Class I procedures.

Recommended projects under the Multi-Modal Access Program would likely fall under Class II or Class III definitions.

4.2 State Environmental Quality Review Act (SEQRA) Classification

Regulations in accordance with the State Environmental Quality Review Act (SEQRA) (under 6 NYCRR Part 617) apply to projects that are entirely undertaken, funded and/or approved by

state/local agencies. They also include three classifications for documentation requirements. These are summarized below as follows:

- Type I projects are likely to have a significant effect on the human environment and require the preparation of an EIS²². These are large scale projects similar to the Federal-aid NEPA Class I projects.
- Type II projects involve actions that do not have a significant effect on the environment and are on SEQRA Type II list. The design approval document format for a Type II project can vary from a standard Design Report to a Scope Summary Memorandum, depending on the proposed project and its scope and complexity.
- SEQRA Non-Type II projects (or “Unlisted” actions) are not on the SEQRA Type II list. Based on an EA²⁰, a determination would be made that the project will not have a significant effect on the environment and a *Negative Declaration* or a *Determination of No Significant Effect* (DONSE) is then filed. If the environmental assessment discloses that there is a potential for a significant effect, then a SEQRA EIS²⁰ must be prepared.

With the exception of the new parking structure project, all the recommended projects under the Multi-Modal Access Program would likely fall under Type II or Non-Type II (Unlisted) definitions.

4.3 List of Anticipated Cooperating Agencies

While depending on the ultimate funding and required permitting of each recommended improvement under Multi-Modal Access Program, a preliminary list of anticipated cooperating agencies would involve the following:

- Empire State Development Corporation (ESDC), the parent company of USA Niagara;
- NYSDOT Region 5;
- NYS OPRHP, Niagara Frontier Region;
- NYS OPRHP, Historic Preservation Bureau, in their role as State Historic Preservation Officer (SHPO);
- New York State Department of State (which administers the state’s coastal management program);
- NYPA; and
- The City of Niagara Falls.

²² A single NEPA/SEQRA EA/EIS is permitted for projects involving both state and federal agencies and/or funding.

4.4 Identification of Preliminary Issues

Table 4-1 outlines an initial screening of the potential social, economic, and environmental issues associated with components of the Multi-Modal Access Program (regardless of the level of significance). These generally focus on the following recommended projects:

- Old Falls Street East Mall Reconstruction;
- Rainbow Boulevard Traffic Calming;
- Robert Moses Parkway South/State Park Entrance Road Reconfiguration; and
- New Off-Street Parking Garage.

Compared to other actions in the program, these projects would generally involve a greater level of capital investment, disruptions, and other impacts associated with construction and operation. However, it is anticipated that if properly designed with appropriate safeguards and best management practices, none of the projects as described would result in significant impacts.

Table 4-1 Screening of Social, Economic, and Environmental Effects of Program Components

| Project Component/ Issue | Downtown Niagara Falls Multi-Modal Access Projects | | | | | | | | | |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| | Third Street Program | Old Falls Street West Mall Reconstruction | Old Falls Street East Mall Reconstruction | Rainbow Boulevard Traffic Calming | RMP South/State Park Entrance Road Reconfiguration | RMP North/Downtown Interface Reconfiguration | Comprehensive Wayfinding Program (Routing & Destinations) | Niagara Street Program | Parking Management Strategies | New Off-Street Parking Garage |
| Project Characteristics: | | | | | | | | | | |
| Brief Summary of Project Components | Widen sidewalks via bulb-outs for more active pedestrian zone; narrow roadway; gateway elements | Enhance walkways; gateway elements; landscaping | Off-season vehicular lanes; enhance walkways; 'gated' entranceway; landscaping | Narrow Rainbow Blvd. from 3rd to Daly Blvd; remove existing median and add pedestrian/bicycle features | Remove elements of grade-separated highway with modern roundabout entrance on entrance road | Transform NB lane to two-way vehicle access; replace SB lane as pedestrian/bicycle path | Signage along main downtown corridors to provide clear directions to points of interest; subdivided into specific use categories | Enhance walkways; gateway elements; landscaping | Creation of program of metered on-street parking and other parking management strategies | To accommodate 600 vehicles (with expansion capacity for 800 vehicles) located on east side of 3rd street |
| Environmental Classification: | | | | | | | | | | |
| Potential Implementing Agencies | ESDC; City of Niagara Falls | ESDC; City of Niagara Falls | ESDC; City of Niagara Falls | NYSDOT | NYSDOT; OPRHP; NYPA | NYSDOT; City of Niagara Falls | ESDC; NYSDOT | ESDC; NYSDOT; City of Niagara Falls | City of Niagara Falls | ESDC; City of Niagara Falls |
| EAP/NEPA Classification | Class II | N/A | N/A | Class III | Class III | Class II | Class II | N/A | N/A | N/A |
| SEQRA Classification | Type II | Type II | Non-Type II | Non-Type II | Non-Type II | Type II | Type II | Type II | Type II | Type I |
| Rationale for Classifications | Action will not have a significant effect on surrounding environment per 6NYCRR Part 617.5 (c) (2),(4),(5),(6) | Action will not have a significant effect on surrounding environment per 6NYCRR Part 617.5 (c) (2), (6) | The action is not likely to have a significant impact on the environment but is not on SEQRA Type II list (6NYCRR Part 617.5 (c)) and/or the impacts have not been clearly established. | The action is not likely to have a significant impact on the environment but is not on NYSDOT's SEQRA Type II list (17 NYCRR Part 15.14) and/or the impacts have not been clearly established (Class III). | The action is not likely to have a significant impact on the environment but is not on NYSDOT's SEQRA Type II list (17 NYCRR Part 15.14) and/or the impacts have not been clearly established (Class III). | Action will not have a significant effect on surrounding environment per 6NYCRR Part 15.14(e)(37) & Part 617.5 (c) (16); 23CFR Part 771.117(c)(3) | Action will not have a significant effect on surrounding environment per 6NYCRR Part 15.14 (e); Part 617.5 (c) (16); & 23CFR Part 771.117(c)(8) | Action will not have a significant effect on surrounding environment per 6NYCRR Part 617.5 (c) (2), (6) | Action will not have a significant effect on surrounding environment per 6NYCRR Part 15.14(e) & 6NYCRR Part 617.5 (c) (16) | Action exceeds thresholds defined at 6NYCRR Part 617.4 (b) (6) (i), (iii) & (iv) |
| Likely Design Approval Document | N/A | N/A | Design Report/ Environmental Assessment | Design Report/ Environmental Assessment | Design Report/ Environmental Assessment | Design Report or Design Report/ Categorical Exclusion | N/A | N/A | N/A | Full EAF with Technical Analyses ¹ |

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| Social, Economic, and Environmental Issues: | | | | | | | | | | |
| Social Issues | | | | | | | | | | |
| Consistency with Local Planning Policies | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | N/A | Yes |
| Community Cohesion | Yes; establishes a sense of place | Redeveloping the West Mall as more of a natural extension of the 1885 entrance to the Park will aid in community cohesion by better visual setting | Joining the East Mall with the West Mall via aesthetically pleasing landscaping details will aid in community cohesion/pride | Narrowing roadway and reducing traffic travel speeds lends a sense of place to those using the roadway and allows more opportunities for local businesses | No effect | No effect | No effect | Streetscape improvements will evolve this corridor into a vibrant, pedestrian-friendly district, and will aid in community cohesion by better visual setting | No effect | No effect |
| Changes in Travel Patterns/Accessibility | Access improved via better parking | No effect | Positive effect with addition of off-season travel lanes to access businesses on either side of mall | May affect existing travel patterns in the immediate area and/or roadway and/or accessibility to nearby businesses/venues by inducing a reduction in traffic volume on Rainbow Blvd. and consequently an increase in volume of other roadways | Positive impact: traffic roundabout to replace signaled intersection will calm traffic flow and improve desired traffic flow into Park. Accessibility to Daly Boulevard would be maintained | Positive impact: interface reconfiguration will ease traffic flow; secondary positive impact consists of provisions for bicycle/pedestrian bike access to this portion of the Park | Positive impact: revised and expanded wayfinding signs will improve overall traffic flow in/out of downtown area | No effect | No effect | No effect |
| Impacts on Schools, Recreation, Churches, or Businesses | Yes; positive impact on 3rd Street businesses w/improved access and streetscape design | Positive impact: businesses would be enhanced by visual and accessibility improvements | Positive impact on adjacent businesses with addition of off-season travel lanes | No effect | No effect | No effect | Positive impact: ease of locating points of interest (recreational & business) will occur as a direct result of wayfinding program | Positive impact: businesses would be enhanced by visual and accessibility improvements | No effect | No effect |
| Effects to Police, Fire, and/or Ambulance Access | Access to establishments for emergency services improved | No effect | Positive impact for emergency service access to adjacent businesses; will not affect level of service for this area | No effect | No effect | No effect | No effect | No effect | No effect | No effect |

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| Impacts on Highway Safety, Traffic Safety, and Overall Public Safety | Safety (public) improved w/streetscape design | No adverse effects; enhanced pedestrian travel incorporates safety measures | No adverse effects; enhanced off-season travel lanes would incorporate safety measures | Positive effect: roadway narrowing and traffic calming likely will result in less rear-end collisions and pedestrian crossing accidents; and will benefit overall public safety associated with vehicle travel | Positive impact: traffic flow will be improved with roundabout thereby increasing traffic safety overall | Positive impact: Reconfiguration of interface roadway will improve overall traffic, highway, and pedestrian safety | Potential Positive Impact: ease in locating points of interest should reduce overall traffic accidents thus improving overall traffic safety | No adverse effects; enhanced pedestrian travel incorporates safety measures | No effect | No effect |
| Potential Environmental Justice Issues | No adverse effects ² | Not applicable; non-residential zone | Not applicable; non-residential zone | No adverse effects ² | No adverse effects ² | Not applicable; non-residential zone | No effect | Not applicable; non-residential zone | No effect | No adverse effects ² |
| Economic Issues | | | | | | | | | | |
| Impacts on Local and Regional Economies | Positive impact: businesses would be enhanced by visual and accessibility improvements | Positive impact: businesses would be enhanced by visual and accessibility improvements | Positive impact: businesses would be enhanced by visual and accessibility improvements | Positive impact: businesses would be enhanced by visual and traffic calming improvements | Positive impact: tourist-related enterprises would be enhanced by visual connections to Park/River | Positive impact: tourist-related enterprises would be enhanced by visual connections to Park/River | Positive impact: tourist-related enterprises would be enhanced by improved wayfinding for visitors | Positive impact: businesses would be enhanced by visual and accessibility improvements | No significant adverse effects; businesses would benefit by greater turnover of spaces | No effect |
| Impacts on Businesses and/or Established Business Districts | Project will benefit locally-established businesses | Project will benefit locally-established businesses | Addition of off-season travel lane would aid local businesses along Mall | No significant effects anticipated; maintain capacity of access to 4 th Street and 6 th Street entrances | No effect | No effect | Positive impact: ease of locating points of interest will benefit local businesses via increase in tourist patrons | Project will benefit locally-established businesses | Potential negative impact: may affect abilities for vehicles to access businesses if reduction in meter locations and/or change in time allotted per fee/rate is implemented | Positive impact: new parking garage is source of revenue |
| Relocation/Displacement Effects | None | None | None | None | None | None | None | None | None | None |
| Environmental Issues | | | | | | | | | | |
| Surface Waters | No effect | No effect | No effect | No effect | No effect | No effect | No effect | No effect | No effect | None present |
| Wetlands | None present | None present | None present | None present | None present | None present | None present | None present | None present | None present |
| Coastal Zone Management | Not in Coastal Zone | Not in Coastal Zone | Not in Coastal Zone | Not in Coastal Zone | In Coastal Zone; would be consistent with coastal policies of improving visual setting and access to waterfronts | Not in Coastal Zone | Not in Coastal Zone | Not in Coastal Zone | Not in Coastal Zone | Not in Coastal Zone |
| Navigable Waters | No effect | No effect | No effect | No effect | No effect | No effect | No effect | No effect | No effect | No effect |

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| Floodplains | Not in a floodplain | Not in a floodplain | Not in a floodplain | Not in a floodplain | Not in a floodplain | Not in a floodplain | Not in a floodplain | Not in a floodplain | Not in a floodplain | Not in a floodplain |
| General Ecology and Wildlife | No effect | No effect | No effect | No effect | No effect | No effect | No effect | No effect | No effect | No effect |
| Historic and Cultural Resources | No effect | No effect | No effect | No effect | Unknown; potential for OPRHP eligible resources may exist | Unknown; potential for OPRHP eligible resources may exist | No effect | No effect | No effect | Potential contextual effect to nearby church |
| Visual Resources | Will enhance streetscape and overall image of local businesses | Improvements including landscaping and patio seating will enhance image of Old Falls Street venues | Improvements including landscaping and patio seating will enhance image of Old Falls Street venues | No effect | Would create a greater and more prominent sense of entry into the park, compared to highways features | Would eliminate visual barrier to Gorge access | Positive impact: New wayfinding signs would be visually pleasing element of streetscape | Will enhance streetscape and overall image of local businesses | No effect | No effect; structure would be designed in context with nearby buildings |
| Section 4(f) Issues (Use of Parks, Wildlife Refuges, & Historic Resources for Transportation Projects) | Not applicable | Not applicable | Not applicable | Not applicable | No anticipated effect considering no "use" of Park lands, rather, a reduction in the use of Park lands | No anticipated effect considering no "use" of Park lands, rather, a reduction in the use of Park lands | Not applicable | Not applicable | Not applicable | Not applicable |
| Air Quality | No effect | No effect | No effect | TBD: traffic calming that may require microscale analysis | No effect, considering low volumes that use the roadway | No effect, considering low volumes that use the roadway | No effect | No effect | No effect | No effect; structure will replace existing off-street parking lots |
| Noise Issues | Temporary during construction | Temporary during construction | Temporary during construction | Temporary during construction | Temporary during construction | Temporary during construction | No effect | Temporary during construction | No effect | Temporary during construction |
| Hazardous Waste (HW) | No HW issues present | No HW issues present | No HW issues present | Possible; if corridor construction work performed in area of existing or former gas service stations | No HW issues present | No HW issues anticipated | Not applicable | No HW issues present | Not applicable | Possible; if construction work performed in area of former underground storage tanks |
| Asbestos Issues | Possible; existing pavement may contain asbestos | No effect | No effect | Minor; existing road features may contain asbestos | Minor; existing road features may contain asbestos | No effect | No effect | No effect | No effect | No effect |
| Energy Issues | Temporary during construction | Temporary during construction | Temporary during construction | Temporary during construction | Temporary during construction | Temporary during construction | No effect | Temporary during construction | No effect | Temporary during construction |

Notes:

¹ Would not be a NYSDOT Project.

² While project location is in an area with low income/minor populations, it would result in positive effects.

³ Level II Analysis not anticipated

⁴ A projected increase over existing sound levels of 5dB or more requires detailed noise analysis.