

CHAPTER VII – PROJECT COORDINATION

VII.A. INTRODUCTION

Public participation and coordination with agencies is a vital part of the environmental study process. Project coordination involves providing project updates and soliciting substantive comments from the affected public and agencies so that they may be addressed in a timely and efficient manner. The Council on Environmental Quality, Regulation 1503, recommends that comments be “as specific as possible” and “address either the adequacy of the [Environmental Impact] statement or the merits of the alternatives or both.” It recommends that the agency or organization who criticizes a methodology presented in the document “describe the alternative methodology it prefers and why.” Project coordination began shortly after project initiation and has continued on through scoping, project development, and the Draft DR/DEIS. Project coordination will continue until a Record of Decision is issued.

VII.B. PRE-SCOPING PUBLIC PARTICIPATION

VII.B.1. Stakeholder Interviews

Initial reactions and concerns related to the project were garnered by interviewing stakeholders in the fall of 1999. Stakeholders are elected officials representing persons living along Interstate 90 between Interchanges 48A and 50. Stakeholders include town supervisors and county executives, county legislators, state assemblymen and senators, the governor of New York, and federal representatives and senators. Interviews were conducted in person and via telephone with these officials. Stakeholders in all of the towns of the corridor identified traffic congestion on local roads as a major issue. Delays at the existing toll barrier are a concern as well. Stakeholders identified projects in the area requiring coordination with New York State Department of Transportation (NYSDOT). Some interviewees voiced support for moving the toll barrier east. Technical representatives were nominated by the stakeholders at this time.

VII.B.2. Open House

On December 1, 1999 in Williamsville, NY, a project open house was held to familiarize the public with the project, garner initial public input, and invite continued input and public participation. The public was informed of the Open House via mailing to stakeholders and other individuals that may be interested; ¼ page paid ads in the Buffalo News, the Batavia Daily News, and several community newspapers; and public service announcements on 19 local radio/TV stations including WBEN, WBFO, WIVB, and WKBW. **Exhibit 1** shows an

invitation to the meeting. At this meeting, participants viewed display boards with project objectives, aerial photographs of the study corridor, and the project schedule. The project team was available to answer questions, and written comments were solicited. The questions raised at the meeting have been used to develop a frequently asked question brochure (see [Exhibit 1](#)).

VII.C. SCOPING PROCESS

A formal scoping process has been implemented pursuant to National Environmental Policy Act (NEPA), State Environmental Quality Review Act (SEQRA), and the NYSDOT Design Procedures Manual. The main objectives of the scoping process are to identify affected public and agency concerns; facilitate an efficient Environmental Impact Statement (EIS) preparation process by promoting the coordination of reviewing agencies; define the issues and alternatives that will be examined in detail in the EIS while simultaneously devoting less attention and time to issues that cause no concern; save time in the overall process by helping to ensure that the draft EIS adequately addresses relevant issues, reducing the possibility that new comments will cause the EIS to be rewritten or supplemented.

To accomplish these objectives, a formal Notice of Intent to prepare and EIS was published in the Federal Register on February 16, 2000 (See [Exhibit 1](#)). A Draft Scoping Document identifying the range of alternatives and significant issues to be addressed in the EIS for the proposed project was sent to federal, state and local advisory agencies and made available to the public for review and comment on February 25, 2000. The letters to the agencies invited those with special expertise or legal jurisdiction to be cooperating agencies (See [Exhibit 2](#)).

The New York State Thruway Authority (NYSTA) then held identical agency and public scoping meetings on March 9, 2000. The following information was presented at those meetings:

- Study corridor features noted on aerial photographs
- Issues to be addressed in EIS
- Mapping of population density, water resources, agricultural resources, and land use
- Conceptual plaza alternatives
- Examples of Modern Toll Barrier facilities
- Schedule
- Overview of NEPA EIS process

Attendees were encouraged to participate in “break-out” group sessions to voice concerns which were important to them. “Break-out” groups contained 10-12 citizens, a NYSTA representative, a facilitator, and a recorder. Verbal comments were recorded on large tablet in front of each group during the discussions. Written comments were accepted from agencies and citizens for 30-days following the scoping meetings. In some

cases, additional discussions with cooperating agencies were undertaken to confirm the scope of studies required to address agency comments, and to promote coordination of reviewing agencies.

A final scoping document, issued on July 21, 2000, contains a summary of agency and public comments received during the scoping process, and incorporates substantive comments received to establish the final range of issues to be covered in the Draft Environmental Impact Statement (DEIS). This document was sent to agencies and made available to the public at local libraries and Town Clerk's offices.

VII.D. PROJECT NEWSLETTERS AND WEBSITE

Project newsletters have been issued in December 1999, August 2000, and September 2001 to update interested parties on the status of the project.

The August 2000 newsletter announced the launching of a project website. The website was subsequently redesigned in May 2004. The project website provides information about the project, and information on public involvement. Visitors can sign up for the project mailing list and send comments via electronic mail from the website. (See **Exhibit 3**)

VII.E. PROJECT INFORMATION MEETINGS

In the fall of 2000, project information meetings were held to present preliminary siting study findings and preliminary options for improving the existing toll barrier, as well as garner comments on information presented. Agencies were invited to an afternoon meeting on August 21, 2000 and the general public was invited to an evening meeting on September 20, 2000. A toll barrier configuration evaluation, 17 preliminary toll barrier placements, preliminary siting study findings, improvement alternative concepts, and a project schedule were presented at both meetings. A project information sheet was provided at the September meeting (see **Exhibit 7**). Written and verbal comments were taken during and following both meetings, and changes resulting from these comments have been incorporated into the siting study. Additional meetings were held with the Army Corps of Engineers (ACOE) and the New York State Department of Conservation (NYSDEC) to follow up on their comments.

In March of 2001, the siting study, as revised following public and agency comment, was presented. An agency meeting was held on March 6, 2001 and a public meeting was held on March 28, 2001. At these meetings, the progress of project was discussed and the findings of siting study after incorporation of agency and public comment was presented. A project information sheet made available at these meetings is provided as **Exhibit 4**.

VII.F. AGENCY COORDINATION

Agency coordination includes correspondence, meetings and consultations on specific issues. Agency correspondence is located in **Exhibits 5 through 8**. Meetings and other consultations are summarized below.

VII.F.1. Meetings on Traffic Issues and NYSDOT Review Comments

- Date: February 3, 2000
Agencies: NYSTA, NYSDOT Regions 4 & 5

At this meeting, scope of traffic studies, environmental process, regional concerns, and review/approval procedures were discussed. Region 4's concerns were related to impacts on Interchange 48A--especially truck Traffic on Route 77, Route 63 Study being scoped—stops at 48A, and bypass traffic on Routes 5 and 33. Region 5 concerns included traffic impacts on Routes 5 and 78, ROW acquisition procedures, and traffic impacts to county highways.

- Date: April 6, 2000
Agencies: NYSTA, Greater Buffalo-Niagara Regional Transportation Council (GBNRTC)

Engineers from the GBNRTC invited the Williamsville Toll Barrier Project Team from the Authority to come to the GBNRTC offices on April 6, 2000 and see a presentation of a license plate survey. The license plate survey was conducted on Wednesday April 28, 1999 to evaluate congestion at Interchanges 50 & 51, as well as the traffic volumes on the numerous on and off ramps in close proximity to Interchange 50.

- Date: May 17, 2000—traffic issues, scope, Interchange 50
Agencies: NYSTA, NYSDOT Region 5, GBNRTC

The purpose of this meeting was to introduce the Traffic Impact Study for Interchange 50, prepared by the GBNRTC to Thruway personnel, in order to identify a number of the traffic issues related with that project.

TVGA presented five general issues identified as part of the scoping of the Williamsville Toll Barrier project. Issues one and two concern impacts to local roads in the towns of Amherst, Cheektowaga, Clarence, and Lancaster resulting from the removal of tolls between Interchange 49 and the Williamsville Toll Barrier and the reduction in delay within that segment of roadway. Issues three and four involve potential bypasses of the Thruway beginning at Interchange 48A resulting from the potential reduction in delay due to the removal of the toll barrier. Issue five

concerns the potential impact to local roads if a toll increase between Interchange 48A and 49 is implemented.

It was agreed that issue five be studies to determine potential diversion impacts onto local roads.

- Date: February 8, 2001
Agencies: NYSTA, NYSDOT Region 5

Traffic impacts and the relationship of this project to the Transit Road Reconstruction Project and proposed Division Headquarters Building were discussed.

- Date: February 15, 2001
Agencies: NYSTA, GBNRTC

The purpose of this meeting was to present the methodology and preliminary results of the traffic study for the Williamsville Toll Barrier Improvement Project.

The Authorities' consultant explained that an origin-destination study was conducted along numerous traffic routes in the towns of Amherst, Clarence, Cheektowaga, and Lancaster. The study determined the number of motorists who bypass the Thruway using local roadways. Travel times between origin and destination for each vehicle were documented to isolate pass-through traffic from that traffic with intermediate destinations. Peak hour volumes were adjusted for seasonal variations to correlate with design hour volumes.

Maps were presented showing existing and future traffic volumes under the No-Build and Build scenarios. Impacts to Level of Service were presented for critical intersections, ramps, and roadway segments.

GBNRTC suggested that programmed roadway improvements for Main Street, Transit Road, and Wehrle Drive be incorporated into the Level of Service evaluation of these roadways.

- Date: July 9, 2001
Agencies: NYSTA, NYSDOT Region 5 and Erie County

Traffic impacts and the relationship of this project to the Transit Road Reconstruction Project and a county project which would widen Wehrle Drive were discussed.

- Date: August 8, 2001
Agencies: NYSTA, NYSDOT Region 5 and Erie County

Discussions on traffic impacts and the relationship of this project to the Transit Road Reconstruction Project and a county project which would widen Wehrle Drive were continued.

- Date: September 17, 2001
Agencies: NYSTA, FHWA, NYSDOT Region 5 and Erie County

The Federal Highway Administration stated that its purpose in evaluating the EIS for completeness is limited to ensuring all impacts of the project are identified, and that the proper agencies are given the opportunity to comment on the document. It is the cooperating agencies' responsibility to either accept or comment on the findings of the project documents.

- Date: January 8, 2002
Agencies: NYSTA, NYSDOT Region 5, GBNRTC

NYSDOT comments on the Traffic Study (Appendix A) were discussed. Specific topics of discussion were:

- Use of the regional Travel Demand Model for comparison purposes
- Use of HCM 2000 (recently released software)
- Use of p.m. traffic volumes for peak hour analysis (as opposed to a.m. traffic volumes)

- Date: February 15, 2002
Agencies: NYSTA, NYSDOT Region 5, GBNRTC

NYSDOT had requested that the GBNRTC run its recently released regional model to predict growth rates under the scenario involving relocation of the toll barrier to the west of Interchange 49. The resulting information indicated that the growth rates utilized in the Traffic Impact Study (Appendix A) are more conservative than those generated by the regional model. At this meeting and in a follow-up letter, the NYSDOT concurred that the growth rates utilized in the Traffic Impact Study are appropriate for use in the Design Report/Draft Environmental Impact Statement.

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- Date: November 18, 2002
Agencies: NYSTA, NYSDOT Region 5, GBNRTC, Erie County

An overview of the Phased Implementation Option for the Relocation Alternative was presented, along with the scope of the associated traffic study. The objective of the meeting was to gain concurrence of involved agencies on the scope of the traffic study for the Phased Implementation Option.
 - Date: July 29, 2004
Agencies: NYSTA, NYSDOT Region 5

NYSTA provided an update to NYSDOT on the status of the project and a summary of project changes. These changes included changing the ETC for traffic and related studies to 2008, pursuing a standard 16.5 foot bridge clearance, and assuming tolls would be retained on Interchange 49. The latter change is required by language in NYSTA's existing bond covenant. In addition, the DR/DEIS will be updated due to changes in regulations and guidance that have occurred since the studies were completed in 2001/2002.
 - Date: August 20, 2004
Agencies: NYSTA, NYSDOT Environmental Analysis Bureau

NYSTA had requested NYSDOT to conduct an advisory level review as part of the quality control process for the DR/DEIS in spring of 2004. NYSDOT advisory review comments on the 2003 Draft DR/DEIS were discussed.
 - Date: September 10, 2004
Agencies: NYSTA, NYSDOT Region 5

NYSDOT advisory review comments on the 2003 Draft DR/DEIS were discussed. NYSDOT provided updates on the Transit Road Reconstruction Project.
 - Date: September 15, 2004
Agencies: NYSTA, Erie County

Each Relocation Alternative site evaluated in the DR/DEIS has at least one bridge reconstruction associated with it. The roads associated with these bridges are owned by Erie County. Therefore, issues related to increasing the vertical clearance under the bridges and measures to minimize impacts due to associated roadway profile changes were

discussed. Erie County provided updates on the Wehrle Drive Reconstruction Project.

VII.F.2. Meetings on Siting

- Date: November 15, 2000
Agencies: NYSTA, NYSDEC, ACOE

Agency comments regarding preliminary siting study results were received and discussed. NYSDEC and ACOE agreed to meet with TVGA to prioritize wetlands types. Wetlands would be re-scored under different weighting scenarios and priorities discussed at the following meeting would be utilized in final scoring

- Date: December 18, 2000
Agencies: NYSTA, NYSDEC, representatives of ACOE were unable to attend, but submitted a letter of concurrence on Jan. 22, 2001

A meeting was held to discuss the relative weighting factor(s) for the wetland criterion to be used to re-score all mileposts within the study corridor for the relocation alternative. The result of the discussion was:

- The Sensitive Community Facilities criterion remained in Level 3;
- The ROW criterion remained in Level 3;
- The Farmland criterion was elevated to Level 2 (NYS Ag. & Markets Review);
- The criterion for Historically Significant Areas was elevated to Level 3 (NYSOPRHP Review);
- The Waste Sites criterion remained in Level 3 to reflect the likelihood that remediation could be designed to effectively avoid or mitigate related impacts;
- The Surface Waters criterion was elevated to Level 2 (NYSDEC/ACOE Review);
- The Wetland criterion was elevated to Level 2 (NYSDEC/ACOE Review);
- The criterion for Floodplains was elevated to Level 2;
- The Aquifers criterion was elevated to Level 2 (Mr. Mark Kandel indicated that this criterion should remain in Level 3 because no permit is required, groundwater resources can be protected via proper storm water management, and protection of wetlands and surface waters would ultimately protect groundwater. However, Dave Curtis stated that this criterion weighs heavily on the minds of the public and, therefore, should be elevated to Level 2);

- Date: May 2, 2001
Agencies: NYSTA, Town of Clarence

A meeting was held to review and discuss comments from the Town of Clarence regarding the siting study for the relocation alternative of the DEIS. A brief overview of the project, including scope, schedule and current status, was given by the Authorities consultant and a question and answer period ensued. The town will issue a letter summarizing its concerns.

- Date: January 15, 2001
Agencies: NYSTA, Town of Newstead

A meeting was held to review and discuss comments from the Town of Newstead regarding the siting study for the relocation alternative of the DEIS. A brief overview of the project, including scope, schedule and current status, was given by the Authorities consultant and a discussion of the Town's comments on the following topics ensued:

- Potential impacts to private water supply wells—discussion of history of groundwater impacts, Town to provide inventory of private wells
- Farmland Impacts—Siting study should put more emphasis on this—it has been revised as such based on DEC and ACOE comment
- Community Character—A new siting criterion has been added
- Interchange preclusion/Master Plan update—clarification of siting criteria, information on master plan to be provided to TVGA
- Village of Akron Water Transmission line—utilities will be addressed in DEIS

VII.F.3. Agency Consultation

- NYSDOT has been consulted in the development of the noise studies.
- Genesee County and Erie County Health Departments and the NYSDEC have been consulted on groundwater issues relating to public and private water supplies.
- Date: March 20, 2001 and October 11, 2005 field meetings to review and confirm wetlands delineation
Agencies: NYSTA, NYSDEC
- The US Army Corps of Engineers has been consulted to confirm wetlands delineations in both 2001 and 2005.

- Niagara Frontier Transportation Authority (NFTA)/Buffalo Niagara International Airport (BNIA) has been consulted regarding siting concerns related to the airport and the BNIA master plan.
- U.S. Fish and Wildlife Service and New York Natural Heritage Program has been consulted regarding General Ecology and Threatened/Endangered Species in both 2001 and 2005. (Correspondence in [Appendix I](#))
- The Natural Resource Conservation Service has been consulted regarding farmland in both 2001 and 2005.
- The New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) has been consulted regarding cultural resources in both 2001 and 2005. A determination of “No Adverse Effect” was issued by OPRHP on March 22, 2006.

VII.G. PUBLIC HEARINGS—TO BE SCHEDULED FOLLOWING NYSTA, NYSDOT, AND FHWA APPROVAL OF DEIS