

**Attachment A:
Summary of Comments and Responses on
City of Buffalo Main Street Multi-Modal Access and Revitalization Project
Environmental Assessment, April 2009**

A. INTRODUCTION

This attachment summarizes and responds to comments on the *City of Buffalo Main Street Multi-Modal Access and Revitalization Project Environmental Assessment*, April 2009 (the EA). The EA was prepared by the City of Buffalo, the Niagara Frontier Transportation Authority (NFTA), New York State Department of Transportation (NYSDOT), and Buffalo Place, in conjunction with the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA).

A Notice of Availability for the EA was published in the Buffalo News and online at www.buffalonews.com on April 6, 2009. Copies of the EA were available for public review and comment at the City of Buffalo Office of Strategic Planning (920 City Hall, Buffalo, NY 14202); Buffalo Place, Inc. (671 Main Street, Buffalo, NY 14203); and the NFTA (181 Ellicott Street, Buffalo, NY 14203).

The City of Buffalo conducted a Public Information Meeting from 5:00 to 7:00 pm on April 27, 2009 at the Erie County Public Library (1 Lafayette Square, Buffalo, NY 14203). After a presentation on the results of the EA, the public had an opportunity to ask questions, make comments, and/or indicate their opinion regarding the EA and the Project.

Comments on the *City of Buffalo Main Street Multi-Modal Access and Revitalization Project Environmental Assessment* were accepted via phone and mail at the NFTA offices through May 16, 2009. Verbal and written comments were also accepted at the Public Meeting held on April 27, 2009. In total, 34 written comments were received on the EA. The full text of each comment along with the transcript from the public meeting is included in Attachment A.1.

B. LIST OF COMMENTERS

This section lists all resource agencies, organizations, and individuals that commented on the EA. The comment number refers to the location in this document where the comment and the response can be found. Where no response is warranted, there is no comment number.

Name	Organization	Date Received	Method of Comment	Comment Number
Resources Agencies				
New York State Department of Environmental Conservation (NYSDEC)		May 22, 2009	Written comment	50
Organizations				
Rev. Paul R. Bossi	VOICE-Buffalo	May 13, 2009	Written comment	35, 37, 38, and 45
Margaret Brunson and Loretta Peszynski	League of Women Voters of Buffalo/Niagara	May 18, 2009	Written comment	34
Steven Carmina	Carmina, Wood, Morris PC	May 8, 2009	Written comment	General Support
Citizens Regional Transit Corporation (CRTC)		May 13, 2009	Written comment	2, 3, 4, 12, 15, 16, 17, 18, 19, 22, 23, 24, 27, 28, 29, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 48, 49, 51, 52, 53, 54, 55, 57, 58, 59, 60, 61, 62, 63, and 64
Anthony Colucci	Colucci & Gallaher, P.C. Buffalo Place, Inc	May 14, 2009	Written comment	General Support
Thomas P. Dee	Erie Canal Harbor Development Corp.,	May 12, 2009	Written comment	General Support
Scott W. Gehl	Housing Opportunities Made Equal (HOME)	May 11, 2009	Written comment	35 and 45
Don Hill	Hamlin Park Homeowner/Taxpayer Association	April 27, 2009	Oral and written comments	5, 14, 20, and 48
Chris Jacobs	Avalon Development Real Estate Company	April 27, 2009	Oral comment	General Support
Timothy Tielman	Campaign for Greater Buffalo History, Architecture & Culture	May 16, 2009	Written comment	10 and 11
Individuals				
Krista Allen		May 18, 2009	Written comment	34 and 35
Hedwig Auletta		May 13, 2009	Written comment	35 and 56
Paul Bond		April 30, 2009	Written comment	34
John Canney		Undated	Written comment	1
Sandra Carrubba		May 14, 2009	Written comment	21 and 48
Gaye Coston		April 30, 2009	Oral comment	35
Mary Joan D'Amore		May 7, 2009	Written comment	30 and 44
Aldo Ferrelli		April 27, 2009	Oral comment	47
Stephen P Fitzmaurice		April 27, 2009	Oral comment	General Support
		April 30, 2009	Written comment	
Gladys Gifford		April 27, 2009	Oral comments	2 and 5
Donna M. Gonser		May 6, 2009	Written comment	General Support

Name	Organization	Date Received	Method of Comment	Comment Number
Andrew R. Graham		May 15, 2009	Written comment	12, 34, and 35
Mary Gridean		April 27, 2009	Written comment	General Support
Michael J Guerra		May 14, 2009	Written comment	General Support
Peter Haumesser		April 27, 2009	Oral comments	Comments did not apply to the Project.
Robert J. Heffern		April 27, 2009	Written comment	2 and 45
Shirley Herman		April 27, 2009	Oral comment	45
Elizabeth M. Howell		April 27, 2009	Written comment	5 and 55
Yuri Hreshchyshyn		April 27, 2009	Written comment	13
Mary Jo Ippolito		April 27, 2009	Written Submission	5 and 45
Bill Kane		April 30, 2009	Oral comment	6
Patricia Kuczukowsky		April 27, 2009	Oral comment	2
Janet and Armand Mazzaroppi		May 7, 2009	Written comment	35 and 45
James Monroe		April 27, 2009	Oral comment	13, 25, and 26
		May 11, 2009	Written comment	
Richard Olday		April 27, 2009	Oral comment	34 and 47
Julie Phillipson		April 30, 2009	Oral comment	45 and 46
		May 7, 2009	E-mail comment	
L. Pickering		April 14, 2009	Written comment	2
Daniel Rodriguez		April 27, 2009	Oral comment	General Support
Dorothy Sowers		May 14, 2009	Written comment	6
Barbara Sowers		May 15, 2009	Written comment	5
Gregory Stein		April 27, 2009	Oral comment	7, 17, and 44
		April 27, 2009	Written comment	
James Steinwachs		May 18, 2009	Written comment	12, 34, 25, and 37
Lynda Stephens		April 27, 2009	Oral comment	7, 8, 9, 10, 27, 43, 45, and 61
		April 28, 2009	Written comment	
Seth Triggs		April 27, 2009	Oral comment	34
Todd Vaarwerk		April 20, 2009	Oral comment	35 and 36

C. COMMENTS RECEIVED

This section provides responses to comments received. The comments are paraphrased from the original text and grouped according to the following common themes. The full text may be found in Attachment A.1.

1. General Comments on the Project
2. Project Alternatives
3. Land Use, Public Policy, and Social Conditions
4. Socioeconomics
5. Visual and Aesthetic Considerations
6. Cultural Resources
7. Traffic and Transportation
8. Air Quality
9. Noise and Vibration
10. Natural Resources
11. Construction Impacts
12. Environmental Justice
13. Indirect and Cumulative Impacts
14. Process and Public Involvement
15. References

GENERAL COMMENTS IN SUPPORT OF THE PROJECT

Nine commenters responded in support of the City of Buffalo Main Street Multi-Modal Access and Revitalization Project. The supporters stated that the Project will enhance building access and encourage retail and office expansion, thereby increasing building occupancy along Main Street by promoting economic development. The supporters also indicated that the Project conforms with the 2003 *Queen City Hub Plan* and the City of Buffalo Comprehensive Plan. (Carmina, Colucci, Dee, Fitzmaurice, Grideon, Gonsler, Guerra, Jacobs, Rodriguez) The project also received 35 negative comments, 1 comment neither supporting nor opposing the project and 1 comment that was not applicable to the project.

OTHER GENERAL COMMENTS ON THE PROJECT

Comment 1: There are no stores or any other places for the cars to go and since they cannot park on Main Street there is no purpose to allow traffic there. Another reason traffic should not be allowed is that the emphasis seems to be converting large buildings downtown to condos and townhouses and living downtown without the traffic would be more appealing. (Canney)

Response 1: One of the purposes of the Project is to help revitalize downtown Buffalo so there are more reasons to go downtown. The Project will provide 209 parking spaces on Main Street for use by short term visitors. Adequate

sidewalk width will be retained to create an attractive streetscape for use by residents and visitors.

Comment 2: Terminology for mall is inconsistent: The Project will affect a pedestrian-transit mall, not a pedestrian mall. The comparison to other malls is flawed. Appendix A lists 72 pedestrian malls, of which 9 are pedestrian-bus, 3 are pedestrian-trolley, and only 1 is pedestrian-LRRT (Sacramento, CA). The research on this topic was poor and it provides no basis for the assertion that opening the pedestrian-LRRT mall to traffic will stimulate economic development. Other pedestrian malls (Madison, WI and Ithaca, NY) are successful. (CRTC, Gifford, Heffern, Kuczkowsky, Pickering)

Response 2: The Main Street corridor is technically a pedestrian-transit mall, which, like the other types of pedestrian malls, fundamentally involves closing a street to vehicular traffic. The clear trend in the other communities listed in Appendix A is towards the conversion of pedestrian malls to allow vehicular access (see page 1-5 and Appendix A of the Environmental Assessment for a discussion of other pedestrian-transit malls).

Comment 3: Definition of Project Area fails to identify extent of transit station impact. Existing stations draw from several blocks away from Main Street. (CRTC)

Response 3: The Project Area, as defined on page 1-2 of the EA, was expanded to account for all impacts to various resources beginning during the initial analysis in the Draft SEQR EIS (2002) where appropriate to fully evaluate the potential impacts of the Project on various resources.

Comment 4: The EA fails to identify source of "transportation enhancement grant" listed on page 2-7 of the EA. (CRTC)

Response 4: The Transportation Enhancement Program Grant is funded by the Federal Highway Administration and was awarded by New York State.

Comment 5: Funds would be better used elsewhere or to expand the light rail. (Gifford, Hill, Howell, Ippolito, Barbara Sowers)

Response 5: Four of the five commenters suggested using the money for other specific projects (refurbishing the rail bed, expanding or linking to other areas of the City, and demolishing a building), the final commenter simply state the money should be used for a "better project" but did not identify one. None of the proposed uses of funds would have met the Project's purpose and need.

Comment 6: Please retain the pedestrian mall to keep the area green and safe. (Dorothy Sowers) Narrow sidewalks will cause problems for special events like Thursdays in the Square. (Kane)

Response 6: The Project will continue to maintain a pedestrian-friendly environment by improving safety through increased lighting and presence of vehicles to provide more “eyes on the street” and replanting more trees than will be removed in order to keep the Project area “green.” If Thursday at the Square continues to draw the current crowds, Main Street will be closed between 4:00pm and 11:00pm during the event to provide a safe environment for the attendees.

Comment 7: There is no causal relationship between the decline of downtown and metro-rail/vehicle access. (Stein, Stephens)

Response 7: Research by the National Main Street Center suggests that pedestrian malls (i.e., the lack of vehicular access) may shrink the market base for local shops from the overall community to just the downtown commercial district itself. The Project will improve access to Main Street, which should improve its attractiveness for business, residential, and entertainment development. The experience of vehicle free zones in other cities indicates that restoring traffic is associated with increased investment, occupancy, and property value (see page 1-5 of the EA).

Comment 8: There needs to be additional study on the need to reinforce the underground vaults along Main Street. (Stephens)

Response 8: As documented by the 2006 *Final Design Report for the Preliminary Design of Main Street Multi-Modal Access and Revitalization Project* (Appendix B of the EA, drawings C-RP-01 through C-RP-13), there are no underground vaults on Main Street that extend past the sidewalk curb line.

Comment 9: The Project will require payback of federal monies due to the demolition of federally-supported 1980s rapid transit features. (Stephens)

Response 9: The Project will not require the payback of federal monies for the construction of the LRRT system because the LRRT system has met its “useful life.”

ALTERNATIVES

Comment 10: The EA does not seriously consider impacts on pedestrian accessibility to and from mass transit in the Theater Historic District (including providing accurate distances between the Fountain Plaza station and Theater Historic District), or the impact of the station’s removal on the continued vitality

and redevelopment of the district's historic resources. The EA also does not weigh the effects of increasing vehicular access versus the reduction in transit access from the removal of the Theater District Station. In the absence of any investigation of these impacts, the EA also fails to consider prudent and feasible alternatives to the station's elimination or to propose measures that would mitigate the impact of its elimination such as returning bus access (Stephens, Tielman).

Response 10: The Project calls for the elimination of the Theater District Station to accommodate new traffic routes, to enhance safety and to reduce operation costs. The Project will route traffic around the portal to prevent cars from entering the underground portion of the LRRT system. The existing Theater Station would interfere with the traffic route around the portal. In order to safely route vehicular traffic around the portal, the Theater Station would need to be eliminated from the LRRT system.. As a result of the removal of the Theater Station, LRRT users will have to walk a maximum of an additional 546 feet to access the Fountain Plaza Station from where the previous Theater Station once resided. LRRT users, including persons with disabilities, will continue to have LRRT system access to the Theater Historic District via the Fountain Plaza Station.

Comment 11: The EA states as one reason for eliminating the Theater Station the inclusion of a bicycle lane in the 600 block of Main Street, but does not state alternatives that would allow wider sidewalks on this block or reference the NFTA's own Peer Review for Cars Sharing Main Street (American Public Transportation Association [APTA] Peer Review), which strongly recommends not having bicycle lanes directly abutting the rail tracks. (Tielman)

Response 11: The Theater Station was not eliminated in order to include a bike lane in the 600 block of Main Street, but rather for design, safety and operating costs reasons as described in response to Comment 10. The primary conflict with bicycle lanes on Main Street is at the LRRT stations, where the stations and bike lane are in close proximity to avoid conflict with the LRRT rails. Since the Theatre Station will be eliminated, a designated bike lane will be provided in the 600 Block to link the Buffalo Niagara Medical Campus and locations north of the Project Area with the bike system at the Erie Canal Harbor (see page 2-5 of the EA) via Chippewa Street and the Pearl Street bike lane. Bicycle lanes are not proposed for the rest of the Project area, consistent with the recommendations of the APTA Peer Review and current city policy.

Comment 12: The EA should reference other alternatives that were discarded, for which no professional data to support the conclusions is provided. Consensus in the past was that cars should have separate lanes. (CRTC, Graham, Steinwachs)

Response 12: Other reasonable alternatives were considered as part of the detailed technical design review, but were eliminated for a variety of reasons (see Section 2.E - page 2-8 of the EA). The Outside the Trackbed Alternative, which would have cars in separate lanes, was eliminated because of concerns with public safety, disabled access, and sidewalk width adequacy (see discussion on page 2-8 of the EA). The public had opportunities to suggest alternatives during public workshops and meetings that were held (see Chapter 14 of the EA).

Comment 13: Other alternatives to the Project were suggested, including the “Green Concept Alternative” (Monroe) and placing all traffic on the East side of Main Street (Hreshchyshyn).

Response 13: Other reasonable alternatives to the Project were considered as part of the detailed technical design review, which included public workshops and scoping meetings, but were eliminated for a variety of reasons (see Section 2.E – page 2-8 of the EA). Neither of these two alternatives noted in the comment were specifically raised during the public scoping process. The Green Concept Alternative, however, is similar to the Enhance the Existing Pedestrian-Transit Mall Alternative that was considered, but eliminated because it did not meet the Project purpose (see page 2-11 of the EA).

Although placing all traffic on the East side of Main Street was not specifically identified as a reasonable alternative during the scoping process, it essentially combines aspects of several alternatives that were considered (see Section 2.E – page 2-8 of the EA). This alternative would create operational problems for NFTA in coordinating incoming and outgoing trains along the single track and would result in an unacceptably narrow sidewalk width on the East side of Main Street (i.e., <14 feet).

Comment 14: In this Green America stage, it is senseless to add emissions by removing the LRRT in favor of cars (Hill).

Response 14: The Project is supportive of the LRRT system. It is anticipated that the Project will increase employment levels in downtown Buffalo, which in turn will increase LRRT ridership (see page 7-10 of the EA). In terms of emissions, the Project is not expected to result in LRRT riders switching to vehicles to access Main Street, as all of the on-street parking will be short-term. Some of the traffic on Main Street is expected to be vehicular trips diverted from other streets in downtown Buffalo (see page 7-6 of the EA).

Comment 15: Note that the 99' width of Main Street allows for all modes of transportation to co-exist without cars driving on the LRRT track bed. (CRTC)

Response 15: Alternative configurations of the Project, including vehicles not sharing the track bed, were considered as part of the detailed technical design review during scoping, but were eliminated for various reasons. See page 2-8 of the EA for a discussion of the alternatives considered, but eliminated.

LAND USE, PUBLIC POLICY, AND SOCIAL CONDITIONS

Comment 16: The introduction to this chapter fails to note Buffalo's role as a transportation hub for the region. (CRTC)

Response 16: This chapter of the EA focuses on land use and not specifically transportation. See Section 7 of the EA and page 7-1 of Appendix B of the EA, which acknowledge the City of Buffalo's role as a hub for regional transportation.

Comment 17: Clearly, employment brings people downtown, not retail or entertainment. There is no data to support that this will create jobs. (CRTC, Stein)

Response 17: Refer to Appendix A and page 1-5 of the EA for a discussion of other cities with pedestrian malls that reintroduced vehicular traffic and saw an increase in occupancy rates, retail sales, and private sector investment. Retail and entertainment uses do attract people downtown. A 2008 study by Buffalo Place Inc documents over 6 million visits to downtown attractions including special events, sports, theatre and the waterfront, not including bar and restaurant visits (see pages 3-2 and 3-3 of the EA).

Comment 18: Section 3 of the EA is entitled "Land Use, Public Policy, and Social Conditions," but the discussion primarily focuses on public safety. (CRTC)

Response 18: Section 3 of the EA evaluates the Project in terms of compatibility with local and regional plans, compatibility with existing land uses, emergency response, all of which address aspects of social conditions, as well as public safety (see pages 3-4 through 3-7 of the EA).

Comment 19: Specific public policy for the City of Buffalo is not addressed and no supporting evidence is provided to show how the Project will address restoration and rehabilitation of vacant land. The EA incorrectly cites the

Queen City Hub Plan as agreeing with this Project's objectives; the citation merely states that this Project will have a "significant impact." The EA also cites the City of Buffalo Comprehensive Plan as generally supportive of Main Street development, but no specific references to this Project are cited. The EA also quotes the GBNRTC Long Range Plan without demonstrating specific ways this Project advances the goals of the Long Range Plan. (CRTC)

Response 19: The EA cites both the *City of Buffalo Comprehensive Plan* and the *Queen City Hub Plan*, which has been incorporated into the Comprehensive Plan to aid in its implementation (see page 3-5 of the EA). These two plans are the primary land planning policy documents guiding all development in the City of Buffalo and providing the policy framework for all other local planning efforts including plans for downtown.

The *Queen City Hub Plan* (volume 2, page 120) specifically endorses the return of vehicular traffic to Main Street and includes action items designed to "open closed streets and convert the majority of one-way streets to two-way." The *Queen City Hub Plan* determined that the active first floor uses along Main Street will benefit from a return of vehicular traffic.

The 2030 GBNRTC Long Range Plan (pages 125 to 127) specifically endorses the return of vehicular traffic to Main Street, which will help "meet the transportation goals and objectives of the region and supports the Regional Framework."

Comment 20: Current LRRT system is helpful to theaters and bistros along Main Street by creating a safe, pleasant environment. (Hill)

Response 20: The Project will compliment the current LRRT system, maintain an attractive streetscape, and enhance safety along Main Street in support of theaters and restaurants.

SOCIOECONOMICS

Comment 21: Studies have shown that cities with more foot traffic have better economies. In other words, public transit promotes successful businesses. For the nation's third poorest city to do anything that will worsen our already suffering economy is nonsensical. (Carrubba)

Response 21: Foot traffic on Main Street has been documented at levels higher than Philadelphia, Portland (OR), Cincinnati and Pittsburgh ([www.buffaloplace.com/aboutus/planning/graphics/2008 Pedestrian Study Final.pdf](http://www.buffaloplace.com/aboutus/planning/graphics/2008%20Pedestrian%20Study%20Final.pdf)), yet storefront occupancy problems persist. The City of Buffalo has determined that vehicular access is needed to support Main Street businesses.

Comment 22: Data for Socio-Economic Conditions has not been updated since the preliminary EA was issued in 2003. Even the data cited does not support the premise that the Project Area needs revitalization: there has been a significant increase in residential population in downtown Buffalo since 2000, and 47% of central business district employment is currently located on Main Street. (CRTC)

Response 22: The EA used the best available information. Data supporting the need to revitalize the Project Area are provided on page 1-7 of the EA.

Comment 23: Data in the table (4-2), chart (4-5), and chapter is not consistent with the narrative. Given the employment data cited, the Project is not needed for economic revitalization. Increased retail business is not a Project objective. (CRTC)

Response 23: The EA used the best available information. Data supporting the need to revitalize the Project Area are provided on page 1-7 of the EA. The Purpose and Need for the Project is to stimulate economic development, including retail occupancy (see page 1-7 of the EA).

Comment 24: Mitigation measures could be required by the NFTA to offset loss of transit revenues due to system delays. (CRTC)

Response 24: NFTA does not anticipate a loss of transit revenues. The Project is expected to result in an indirect increase in transit ridership as a result of increases in downtown employment (see page 7-10 of the EA).

Comment 25: A detailed economic study of lower Main Street is needed to determine the proper mix of businesses to support residents, local suburban users, and tourists. (Monroe)

Response 25: The Purpose and Need for the Project is to stimulate economic development; however, a detailed assessment of the mix of specific business needs is outside the scope of this assessment.

Comment 26: Current lower Main Street building owners should be required to make space available at rents that entice businesses, even if it means lowering the current rental rate for first floor retail space. (Monroe)

Response 26: Comment noted.

VISUAL AND AESTHETIC CONSIDERATIONS

Comment 27: The EA dismisses the visual impact of wires crisscrossing Main Street as similar to most urban streets, thereby undermining the aesthetic and practical bonus achieved when the electrical wires serving downtown Buffalo were buried. (CRTC) The Project would destroy the 1980's award winning streetscape. (Stephens)

Response 27: The catenary poles will be relocated to be less intrusive and provide a streetscape more consistent with historic downtown Buffalo (see pages 2-5 and 5-1 of the EA). The Project will improve the aesthetics of a streetscape that is greater than 20 years old.

Comment 28: The LRRT is present on the street every 10 minutes, or so, while automobiles would be everywhere, at all hours. (CRTC)

Response 28: Cars will be allowed on Main Street on a 24-hour basis. It is not anticipated, however, that the presence of cars on a downtown, urbanized street will have an adverse effect on the visual resources.

Comment 29: The width of sidewalks is not an issue for any of the alternative scenarios as the minimum width is 8' and every alternative offers at least 13' width. (CRTC)

Response 29: The Project will provide 25.75-foot-wide sidewalks, which is greater than the historic 20-foot-wide sidewalks that existed prior to construction of the pedestrian-transit mall (see page 2-6 of the EA). Other alternatives considered, but eliminated, such as the Outside the Trackbed Alternative, would have sidewalk widths as little as 13.75 feet, which was considered inadequate to accommodate peak pedestrian volumes along Main Street (see page 2-8 of the EA).

Comment 30: More benches would be better. (D'Amore)

Response 30: Comment noted.

CULTURAL RESOURCES

Comment 31: The chapter on cultural resources shows that the potential impacts of the Project extend beyond the Project footprint. (CRTC)

Response 31: The EA does not discuss cultural resources in the terms of those extending beyond the Project footprint, but rather discusses cultural resources in and near the Project Area and identifies the Area of Potential Effect. The EA

concludes that the Project will have no adverse effect on Cultural Resources (see page 6-10 of the EA). The NY State Historic Preservation Officer concurred with this finding in a letter dated October 27, 2006.

Comment 32: The conclusion that the No-Action Alternative forbids maintenance of Main Street Buildings is absurd. (CRTC)

Response 32: The EA concludes that some historic properties along Main Street would likely continue to suffer from vacancy and neglect as a result of the No-Action Alternative (see page 6-9 of the EA). The No-Action Alternative would not meet the Project purpose and need.

Comment 33: The reference to historic “harmonious and effective coexistence” of multiple modes of transportation neglects to research the accompanying historic negative impacts – especially ground and air pollution. Furthermore, the EA assumes that the LRRT functions as did the historic trolleys ignoring the different functions of each. (CRTC)

Response 33: This chapter of the EA simply points out that the Project will be consistent with the historic multimodal use of Main Street. Ground and air pollution are discussed in Chapters 8 and 10 of the EA.

TRAFFIC AND TRANSPORTATION

Comment 34: The only anticipated impact on transit scheduling mentioned in the EA is an overall one-minute addition to travel times for the LRRT operations. However, questions are raised in the APTA Peer Review that suggest there may be more substantial disruptions to Metro Rail service (e.g. vehicles stopping to drop off packages or people, cross traffic causing backup or accidents). The Peer Review further notes that variations in LRRT scheduling would adversely affect connecting bus coordination. This would be a significant burden on transit riders who depend on reliable service for their transportation needs. Use of the bridge ramps for handicapped access could delay trains. The Project should not be implemented until it can be demonstrated that there will be no negative effect on rail and bus service. (Allen, Bond, Brunson and Peszynski, Coston, CRTC, Graham, Olday, Steinwachs, Triggs)

Response 34: The transit system model (VISSIM) used conservative assumptions and determined that the LRRT trip duration will be extended by approximately one minute (see page 7-9 of the EA) as a result of cars sharing the trackbed. Main Street vehicle traffic volumes were estimated based on land use and traffic on adjacent streets. This volume was then adjusted upwards, to include increases that may occur in downtown if office occupancy and other uses increase over the next 25 years. Pedestrian volumes collected during peak summer usage were also escalated

assuming growth. Curb parking frequency was calculated based on current occupancy and parking duration at curb spaces on adjacent streets. This was also escalated to illustrate projected future growth. Use of the bridge ramps for handicapped access was considered.

NFTA provides for occasional unpredictable delays impacting system wide train and bus schedules by programming a five minute overlap for connecting trips. Based on the VISSIM analysis, NFTA does not plan to increase the overlap. Accidents and disabled vehicles are not considered standard operation conditions on Main Street (see page 7-8 of the EA). It should be noted that the anticipated one minute delay resulting from traffic on Main Street is less than the change in peak hour frequency that has occurred over the years, from seven minute to ten minute peak hour headways.

Comment 35: The Project relies on unproven technology to provide access for disabled and elderly people to the new LRRT stations and has not provided design details for the "Bridge Ramp." (Auletta, Bossi, Coston, CRTC, Gehl, Graham, Mazzaroppi, Steinwachs, Vaarwerk)

Response 35: Bridge ramps are commonly found on light rail vehicles to facilitate access to station platforms for disabled and elderly patrons. The bridge ramp technology is not new; bridge ramps are commonly used on trains for disabled patrons to access platforms. This Project would, however, place the bridge ramp on the platform in order to access the trains.

Comment 36: Loading zones should be provided at parking areas (Vaarwerk)

Response 36: Loading spaces are provided along Main Street, especially for buildings with no rear access from other streets.

Comment 37: The Project neglects a fundamental concern of public safety by allowing vehicles to drive under the HSBC Tower. This section of Main Street has been closed to vehicular traffic since the 9-11-01 attacks. (Bossi, CRTC, Steinwachs)

Response 37: The *Queen City Hub Strategic Plan for Downtown Buffalo* calls for opening closed streets to facilitate downtown travel, especially between strategic investment areas with limited street connections, as exists in the Erie Canal Harbor area. There are numerous buildings in the United States that have been built over public streets and successfully provide for both public access and safety. The City of Buffalo will design the roadway under HSBC Plaza to meet public safety requirements.

Comment 38: Transit ridership cannot be evaluated solely with reference to downtown employment, since transit riders have access to employment throughout the region serviced by the NFTA. (Bossi, CRTC)

Response 38: We agree that transit ridership cannot be evaluated solely with reference to downtown employment, but a strong positive statistical correlation was found, which served as the basis for explaining the general trend in declining ridership and the predicted increase in ridership as a result of the Project (see page 7-10 of the EA).

Comment 39: Since many one-way streets have already changed to two-way, new data are needed. (CRTC)

Response 39: The conversion of one-way streets to two-way streets were considered as part of the traffic modeling in the 2006 *Final Design Report for the Preliminary Design of Main Street Multi-Modal Access and Revitalization Project* (Appendix B of the EA).

Comment 40: The narrative bemoans the decline in LRRT ridership, while the chart shows a significant increase in LRRT ridership. (CRTC)

Response 40: Although ridership has increased in recent years, the overall trends in the data show that ridership continues to be below historic levels. See the graph on page 7-3 of the EA.

Comment 41: The EA promotes high-tech response to persistent graffiti, whereas simple regular maintenance and paint (part of NFTA routine capital budget) is adequate. (CRTC)

Response 41: Comment noted.

Comment 42: The statement that pedestrian volumes should increase at least the same rate as vehicular traffic has no basis in fact. (CRTC)

Response 42: The Greater Buffalo Niagara Regional Transportation Council generally uses a 0.5% growth factor in predicting future traffic volumes to account for natural increases in vehicular use (see page 7-5 of the EA). A similar rule of thumb does not exist for predicting peak hour pedestrian volumes. The analysis in the EA conservatively uses the same assumption regarding increases in background pedestrian volumes, even though pedestrian volumes have been decreasing recently (see page 7-11 of the EA).

Comment 43: Bicycle access should extend the length of the Project (except for under the HSBC Tower), thereby providing access to businesses along the route. (CRTC, Stephens)

Response 43: Bicycles are not currently allowed along the pedestrian-transit mall for safety reasons pursuant to Chapter LX-Section 53 as adopted in 1988 by the Common Council of the City of Buffalo. The Project will allow bicycle use of only the 600 block of Main Street to enable bicyclists to negotiate around the Portal and link with designated bike lanes on adjacent streets. Bicycles will still not be allowed along the remainder of the transit mall for safety reasons. The LRRT cars will accept bicycles.

Comment 44: Keep sidewalks as wide as possible; don't block streets (makes congestion); synchronize traffic lights, create safer stations for disabled access (audio cues). (D'Amore, Stein)

Response 44: The Project will maintain 25.75-foot sidewalks while other alternatives considered, but eliminated, such as the Outside the Trackbed Alternative, would have sidewalk widths as little as 13.75 feet (see page 2-8 of the EA). The Project signalization pattern will give priority to LRRT vehicles to limit congestion on Main Street (see page 7-8 of the EA). The transit stations will comply with the ADAAG guidelines (see page 7-16 of the EA).

Comment 45: I see concerns with pedestrian safety and having trains and cars in the same area is potentially dangerous. Straight roads lead to potential risks from high-speed vehicles and an enforcement presence will be required (Bossi, Heffern, Herman, Gehl, Ippolito, Mazzaroppi, Phillipson, Stephens)

Response 45: Pedestrian safety and having trains and cars in the same area have been considered in the design of this Project. The combination of a single lane of traffic in each direction and LRRT operations is expected to result in traffic speeds on Main Street of approximately 15 mph, compared to speeds of 25 mph on other parallel streets in the downtown area.

Comment 46: There will not be strict enough traffic control to be sure to give pedestrians (including disabled access) the right of way. (Phillipson)

Response 46: Mid-block crossing will not be allowed or permitted along Main Street. The Project will, however, provide signalized intersections that will enable pedestrian crossings at intersections just like other signalized intersections throughout the City of Buffalo.

Comment 47: Keep the 600 block as a pedestrian mall for safety reasons – cars will follow the trains down the tunnel. (Ferrelli, Olday)

Response 47: Trains will pause at the tunnel entrance to give the cars following behind, time to bear right onto the roadway around the portal. After the cars have proceeded, the mast arm blocking through-traffic to the tunnel will lower, and the train will proceed into the tunnel (see page 7-10 of the EA).

AIR QUALITY

Comment 48: Having automobiles in the Project area will worsen air quality (Carrubba, CRTC) and make it unhealthy for people living in that area. (Carrubba, Hill). Analysis of the impacts to air quality using a ruling by the State Implementation Plan based on NAAQ standards defies logic. (CRTC)

Response 48: The Project will result in increase air emissions on Main Street, although many of the vehicular trips on Main Street are expected to be existing trips diverted from other streets, so these trips will not represent a net increase in emissions within the City of Buffalo (see page 7-6 of the EA). The Project will conform to the New York State Implementation Plan and will not result in any violation of National Ambient Air Quality Standards (see page 8-3 of the EA).

Comment 49: Air quality should be sampled in the Project Area to set base-line for comparison; current condition may actually be better than usual "downtown urban environment." (CRTC)

Response 49: The air quality analysis in the EA meets NEPA and SEQRA requirements. Additional air quality monitoring beyond the scope of the analysis.

NOISE AND VIBRATION

No comments received.

NATURAL RESOURCES

Comment 50: We do agree that it is unlikely that the Peregrine falcons known to nest on the Statler Building would be adversely affected by the changes to the Main Street corridor. (NYSDEC)

Response 50: Comment noted.

Comment 51: The water resources narrative concludes that water pollution increases from the Project will be negligible; however such pollution will have an adverse impact on water quality – no matter how small. (CRTC)

Response 51: Relative to the overall pollutant loads in downtown Buffalo, the influence of the Project will be negligible (as described in Chapter 10(C) of the EA).

CONSTRUCTION IMPACTS

Comment 52: Construction impacts will result in some delays to the whole NFTA system, not just the LRRT portion of the system. (CRTC)

Response 52: The Project will be completed in a phased approach so that only one portion of the existing pedestrian-transit mall will be affected during a single construction season. The Project may result in some delays along the affected portion of the existing pedestrian-transit mall, which could affect other portions of the public transit system. These effects, however, will be temporary and NFTA will schedule most work within the trackbed during nighttime (i.e., LRRT not in operation) or off-peak periods to minimize potential delays (see page 11-3 of the EA).

ENVIRONMENTAL JUSTICE

Comment 53: The chart showing the analysis area for Environmental Justice omits the part of the Central Business District north of the Theater Station. The LRRT stations serve a radius of at least two blocks in every direction, hence these blocks should have been included. (CRTC)

Response 53: Figure 12-1 on page 12-3 of the EA shows the Analysis Area for the environmental justice evaluation. The analysis area consists of all census tracts abutting the Project Area and includes portions of downtown Buffalo extending several blocks east and west of the Project Area.

Comment 54: Surely the 50% minority population of the analysis area is significantly higher than the 46% minority population of the City of Buffalo. (CRTC)

Response 54: The 50% minority population is slightly higher than the 46% minority population in the City of Buffalo. The 44% of households is significantly higher than the 27% share for the City of Buffalo. However, the EA concludes that the Project will not result in any disproportional adverse impacts during construction or operation, such that these populations would suffer disproportionately high or adverse effects. Additionally, the Project could provide significant benefits for the Project area. (See page 12-1 to 12-5 of the EA)

Comment 55: The analysis area is more impoverished than is the whole city. Given the small population numbers, the EA could have done a direct survey of these people to determine the needed information and thereby assess the impacts of the Project on them. (CRTC, Howell)

Response 55: Since the Project will not result in any disproportionately high or adverse impacts to minority or low income populations, the Project sponsors did not undertake further surveys. Public scoping meetings and workshops were held in the Project Area and open to all members of the public. Notice of these meetings was sent to all residents in the Project Area and the Central Business District, so all local residents, including minority and low-income populations, has the opportunity to provide comments.

INDIRECT AND CUMULATIVE IMPACTS

Comment 56: The cumulative impact of this Project on the entire transit system is negative. The LRRT system is the spine of the entire bus-light rail system, providing essential connections for transit riders throughout metro Buffalo. This Project degrades the system, increasing the travel burden of those who have no alternative for reaching jobs and other services necessary for everyday living – predominately minority and low-income populations. The Project treats public transit as a liability, rather than promoting public transit as an asset. The Project allows air quality to degrade in the Project Area. The Project relies on faulty comparisons with pedestrian malls, not pedestrian-light rail malls, and therefore cannot deliver on claims for economic revitalization. (Auletta)

Response 56: The cumulative impact analysis concludes that the Project, in combination with other reasonably foreseeable future projects, will have overall beneficial effects for most resource areas, and no significant negative effects. The VISSIM modeling predicts that the Project will increase overall travel time by one minute along Main Street, which will not affect interconnections with the bus system (see page 7-9 of the EA). The Project will provide additional modal access to Main Street, which will enhance its viability as a business, residential, and entertainment center, both of which will benefit minority and low-income populations (see pages 4-6 and 12-5 of the EA). The Project will compliment public transit and is ultimately predicted to result in an increase in LRRT ridership (see page 7-10 of the EA). The Project will result in some degradation of air quality along Main Street, but since many of the predicted vehicular trips along Main Street are expected to be existing trips diverted from other roads (see page 7-6 of the EA), the overall effect on air quality in Buffalo will be negligible and the Project will be in conformance with the State Implementation Plan and will not result in a violation of air quality standards (see page 8-3 of the EA). The clear trend in the other communities is towards the conversion of pedestrian malls to allow vehicular access (see page 1-5 and Appendix A of the EA for a discussion of other pedestrian malls, as well as the response to Comment 2).

Comment 57: The EA does not adequately follow the criteria guidelines as defined by the Council on Environmental Quality, specifically to identify the consequences of the Project, particularly in relation to the impacts and cumulative effects on operations of the regional transit system. (CRTC)

Response 57: The EA considers the effects of the Project on the regional transit system. The predicted one minute increase in travel times as a result of the Project will not result in a ripple effect throughout the system as a five minute overlap is already built into the rail and bus scheduling (see page 7-9 in the EA). The EA complies with the National Environmental Policy Act and the Council on Environmental Quality's guidelines for cumulative impact assessment.

Comment 58: The discussion of Indirect and Cumulative Impacts in this EA is restricted to private development projects. All those listed in Appendix F are in close proximity to the Project Area, but are not dependent on the Project for success. (CRTC)

Response 58: The discussion also identifies past, present, and reasonably foreseeable public development projects with the potential to impact Main Street when combined with the Project (see Chapter 13 and specifically page 13-1 in the EA for a listing of public projects considered in the cumulative impact assessment).

Comment 59: The cumulative impacts of more constant pollution may be worse than expected, particularly if frustrated transit riders bring more cars into the city. (CRTC)

Response 59: The Project will not disrupt LRRT operations (i.e., predicted one minute increase in travel times along Main Street). The EA concludes that the Project will conform to the State Implementation Plan for air quality (see page 8-3 of the EA) and will result in a negligible increase in pollutant loads to receiving waters (see page 10-6).

Comment 60: None of the benefits cited in the Indirect and Cumulative Impact Conclusion (Chapter 13.C) are dependent on the Project. (CRTC)

Response 60: Cumulative effects are evaluated based upon the interaction of all past, present, and reasonably foreseeable future actions and are not solely dependent upon any one action. The EA concludes that the Project, in combination with other past, present, and future projects, will result in a number of beneficial effects (see page 13-7 of the EA).

PROCESS AND PUBLIC INVOLVEMENT

Comment 61: The current version of the EA for this Project does not incorporate any of the substantive public comments made in 2006 and 2002. (CRTC, Stephens)

Response 61: The EA has taken into account all comments during development of the design alternatives and Project. See Chapter 14 of the EA for a discussion of the public involvement process for the Project.

Comment 62: The EA does not offer any other reasonable courses of action to take, aside from the No-Action Alternative. The general public, including minority and low-income residents of the Project Area, was effectively shut out of the decision-making led by Buffalo Place and the City of Buffalo. More outreach to the Project Area households could have been done. (CRTC)

Response 62: The Project Sponsors undertook a significant public involvement process during the design, SEQRA, and NEPA assessments for this Project over the past several years. During the SEQRA/design phase, the Project Sponsors hosted multiple meetings and workshops that were open to the public. Notification of these meetings was mailed to all residences and businesses in the Central Business District and notices were posted in the Main Street transit stations. In addition, Project updates were published in newsletters and on the Project Sponsors' websites. A public meeting was also held to accept comments on the draft EA under SEQRA. The Project Sponsors also hosted a public meeting as part of the NEPA process where the general public could provide comments on the Project. Both the SEQRA EIS and NEPA EA were also available for a 30-day public review and comment period. See Chapter 14 of this EA for a discussion of the public involvement process for this Project.

Comment 63: No clear statement of process – that the EA leads to either a FONSI or an EIS. (CRTC)

Response 63: An EA is used to determine whether a project potentially would have a significant effect on the human environment. If the EA concludes that a project would have a significant effect, an EIS would be required. If the EA determines that a project would not have a significant effect, a Finding of No Significant Impact (FONSI) would be issued.

REFERENCES

Comment 64: Most of the references are pre-2002 and demonstrate the EA has not been updated. The consultants for parking needs have no experience evaluating urban parking needs compatible with public transit. (CRTC)

Response 64: The EA uses the most current information available. Desman Associates, the firm which prepared the parking study referenced in this EA, is national consulting firm specializing in parking and transportation studies.