



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
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AUG 31 2005

Mr. Robert Arnold
Division Administrator
Federal Highway Administration
Leo W. O'Brien Federal Building
Clinton Avenue & N. Pearl Street
Albany, New York 12207

Rating: EC-2

Dear Mr. Arnold:

The Environmental Protection Agency (EPA) has reviewed the draft environmental impact statement (EIS) for the Southtowns Connector/Buffalo Outer Harbor project, Erie County, New York, (CEQ # 050259). This review was conducted in accordance with Section 309 of the Clean Air Act, as amended (42 U.S.C. 7609, PL 91-604 12(a), 84 Stat. 1709), and the National Environmental Policy Act (NEPA).

The stated purpose for the project is to improve regional and local transportation service, improve mobility and safety, support local and regional planning strategies, and support economic development and redevelopment. The current road configuration consists of New York State Route 5 as an elevated, limited-access, north-south freeway from Ridge Road to the Buffalo Skyway, with Fuhrmann Boulevard serving as a frontage road, Ohio Street as a minor arterial providing access from Route 5 to Downtown Buffalo, and several east-west roads intersecting Route 5, including Tiff Road. Improvements are proposed for all of these components.

To accomplish the proposed improvements, three alternatives are offered for full evaluation in the draft EIS. The Improvement alternative calls for improvements to Route 5 and Fuhrmann Boulevard, maintaining them as separate facilities, and would consolidate the interchanges and on off ramps. The Boulevard alternative would involve full reconstruction of both Route 5 and Fuhrmann Boulevard, converting them into one six-lane boulevard serving both commuter and local traffic. A wide landscaped median would be constructed and the road would be at grade level with signalized intersections. This alternative would also offer more direct access to the properties in the area. The Hybrid alternative would have a combination of the other two alternatives, with Route 5 elevated from the Skyway to Ohio Street, then transitioning to reconnect with Fuhrmann Boulevard as an at-grade six-lane boulevard. All of the alternatives propose to improve Ohio Street and the new Interstate 90/Tiff Street arterial as well as transit improvements and bicycle and pedestrian improvements. A preferred alternative is not offered, however, we believe that the Hybrid alternative provides the greatest benefit to the traveling public for all modes, with the least environmental impact.

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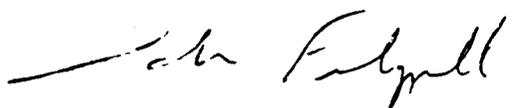
We appreciate that the draft EIS encourages multi-modes of travel on the new facilities and that the alternatives take into consideration that some future transit development, such as a dedicated transitway, could occur but would proceed as a separate project. We also note that the proposed design and profile of either the Hybrid or the Boulevard alternative would be more transit and pedestrian friendly than the existing corridor. However, we recognize that the Boulevard and Hybrid alternatives could also offer further advantages for transit use and access beyond those proposed in the draft EIS. For example, the final EIS should identify the best locations for bus stops and what different service options can be offered. Additionally, since the redevelopment sites would become destinations for work and recreation there should be transit opportunities proposed for this corridor. The final EIS should discuss what can be done as part of this project to encourage more transit use, (i.e., increasing the frequency of service, expanding the bus system into the redeveloped areas, and utilizing the new roads, such as the Tiffit Street arterial).

We are concerned that the document did not fully identify the cumulative impacts. Throughout the draft EIS a great deal of commercial, industrial and remediation activities are mentioned; however, the draft EIS did not provide an analysis of the cumulative effect on resources from all of these activities. The topics that should be evaluated in this cumulative effects analysis include impacts to air quality with a focus on impacts from diesel emissions from heavy equipment; hazardous materials management and remediation; water quality; Lake Erie, the Buffalo River, Smokes Creek, and Blasdell Creek; and Environmental Justice and community and neighborhood development. The final EIS should contain a discussion of the cumulative effects, both negative and positive, upon the resources we have identified as well as potential actions that may be considered to mitigate any adverse impacts.

In conclusion, based on our review and in accordance with EPA policy, we have rated this draft EIS as EC-2, indicating that we have environmental concerns (EC) about the cumulative effects analysis. Accordingly, additional information (2), as outlined in this letter, should be presented in the final EIS to address these issues. We also encourage FHWA and NYSDOT to explore more opportunities for transit improvements for the area.

Thank you for the opportunity to comment. Should you have any questions concerning this letter, please contact David Carlson of my staff at (212) 637-3502.

Sincerely yours,



John Filippelli, Chief
Strategic Planning and Multi-Media Programs Branch