



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUL 25 2006

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

Dear Mr. Arnold:

The Environmental Protection Agency (EPA) has reviewed the final environmental impact statement (EIS) for the Southtowns Connector/Buffalo Outer Harbor project, Erie County, New York, (CEQ # 20060254). 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 Tiffi Road. To accomplish the proposed improvements, the Modified Improvement alternative has been selected as the preferred.

In our August 31, 2005 comment letter on the draft EIS, we raised the concern that the document did not fully identify the cumulative impacts. We noted that the draft EIS discussed a great deal of commercial, industrial and remediation activities but that it had not provided an analysis of the cumulative effect on resources from all of these activities. Our letter pointed out several resources that should be evaluated for cumulative effects and gave examples of those, such as; impacts to air quality with a focus on 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. We expected that the final EIS would contain a discussion of the cumulative effects, both negative and positive, to these resources as well as potential actions that may be considered to mitigate any adverse impacts. Though the final EIS did give a cursory mention to the positive impacts from these actions, the document still lacked a cumulative effects analysis.

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,

A handwritten signature in black ink, appearing to read "John Filippelli". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

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