

SEQRA

DRAFT SCOPING DOCUMENT

For a

Supplemental Draft Environmental Impact Statement

For the

Joseph Davis State Park
Proposed Master Plan Revision and Capital Improvements

Town of Lewiston
Niagara County, New York

Draft Scoping Document

For Preparation of a Supplemental Draft Environmental Impact Statement
For the Joseph Davis State Park
4130 Lower River Road, Lewiston, New York 14092

Classified Action: Type I

Lead Agency: **Town of Lewiston Town Board**
1375 Ridge Road
P.O. Box 330
Lewiston, N.Y. 10990

Lead Agency Consultant: **Conestoga-Rovers & Associates (CRA)**
285 Delaware Avenue, Suite 500
Buffalo NY 14202
(716) 856-2142
(716) 856-2160 fax

Involved Agencies: **STATE AGENCIES**

**New York State Office of Parks, Recreation and Historic
Preservation**
Niagara Falls State Park, P.O. Box 1132
Niagara Falls, New York 14303

New York State Department of State
Office of Communities and Waterfronts
One Commerce Plaza, 99 Washington Avenue
Albany, New York 12231-0001

New York State Department of Environmental Conservation
Region 9 Office
270 Michigan Avenue
Buffalo, New York 14203

New York State Department of Transportation
Region 5 Office
100 Seneca Street
Buffalo, New York 14023

LOCAL AGENCIES

Niagara County Department of Economic Development and Planning

Vantage Center
6311 Inducon Corporate Drive, Suite One
Sanborn, New York 14132

Niagara County Department of Public Works

Philo J. Brooks County Building
59 Park Avenue
Lockport, New York 14094

Niagara County Health Department

Mountainview Campus – Shaw Building
5467 Upper Mountain Road
Lockport, New York 14094

Niagara County Planning Board

Vantage Center
6311 Inducon Corporate Drive, Suite One
Sanborn, New York 14132

Niagara County Soil and Water Conservation District

USDA Service Center
4487 Lake Avenue
Lockport, New York 14094

Niagara River Greenway Commission

Beaver Island State Park
2131 West Oakfield Road
Grand Island, New York 14072

Town of Porter

3625 Creek Road
Youngstown, New York 14174

Village of Lewiston

145 North 4th Street
P.O. Box 325
Lewiston, New York 14092

Village of Youngstown

240 Lockport Street
P.O. Box 168
Youngstown, New York 14174

FEDERAL AGENCIES

Environmental Protection Agency

290 Broadway
New York, New York 10007

National Park Service, Northeast Region

200 Chestnut Street, Third Floor
Philadelphia, PA 19106
Attention: Jean E Sokolowski, Outdoor Recreation Planner

United States Army Corps of Engineers

1776 Niagara Street
Buffalo, New York 14207-3189

United States Coast Guard

Ninth Coast Guard District
1240 9th Street
Cleveland, Ohio 44199-2060

United States Customs and Border Protection

300 Airborne Parkway
Buffalo, New York 14225

United States Fish and Wildlife Service

New York Field Office
3817 Luker Road
Cortland, New York 13045

Interested Agencies:

Buffalo Audubon Society

1610 Welch Road
North Java, New York 14113

Buffalo Niagara River Keepers

1250 Niagara Street
Buffalo, New York 14213

Niagara River Anglers Association, Inc.

P.O. Box 203
Niagara Falls, New York 14304

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1.0 INTRODUCTION

1.1 Introduction

Joseph Davis State Park (JDSP) includes approximately 388 acres of land in the Town of Lewiston, Niagara County, New York (see Figure 1). It is located directly west of the Robert Moses Parkway, and includes approximately 1,400 feet of frontage along the Niagara River, (which represents an internal boundary between the United States and Canada). JDSP is owned by the State, but operated and maintained by the Town of Lewiston under an agreement with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP).

The park property is currently used for family and small group picnicking, disc golf, birding, hunting, fishing (along the river and in man-made ponds), walking and a variety of other passive recreational activities. A large swimming pool complex in the Central Day Use Area of the park has been closed for several years due to major repair needs. Large mowed areas are used for day use activities. JDSP is included in the Niagara River Corridor Important Bird Area, and the undeveloped portions of the park are considered important habitat for resident and migratory birds.

In February 2004, the OPRHP adopted a Final Master Plan/Final Environmental Impact Statement (FMP/FEIS) for JDSP. The FMP/FEIS outlined proposed improvements and restoration projects for the various facilities in the park. In order to make improvements more manageable, the park property was divided into three areas of interest: Riverside Area, Central Day Use Area, and Eastern Area. Each area was assigned improvements to meet individual goals and needs of JDSP, as well as, the overall long term environmental and recreational approach.

The Town of Lewiston has entered into a cooperative agreement with the OPRHP for the maintenance of the JDSP. As required by the agreement, all proposed improvements that are to be undertaken by the Town shall be approved by the OPRHP prior to issuance of a work permit for construction. All proposed capital improvement projects within the JDSP are also reviewed by Parks for consistency with the Master Plan. Improvement projects that are deemed inconsistent with the goals and objectives of the master plan are not permitted. The Town of Lewiston has reviewed the goals of the original FMP/FEIS and has identified several improvements for consideration and permit that are intended to provide future recreational opportunities for the region. Some of these park improvements are not included under the FMP/FEIS and, therefore, OPRHP cannot approve a work permit until the proposed improvements are incorporated into the Master Plan. As such, the Town of Lewiston has initiated the process to modify the Master Plan.

The proposed action is considered Type 1 pursuant to 6 NYCCR 617 and Article 8 of the State Environmental Quality Review Act ("SEQRA"), the rules and regulations implementing SEQR. The proposed action, as determined by OPRHP, is not consistent

with the 2004 Joseph Davis State Park Master Plan and may result in one or more impacts that may have a significant effect in the environment, based on information contained in the Master Plan.

The Town of Lewiston Town Board has established itself as “Lead Agency” by resolution on March 25, 2013 pursuant to the requirements to SEQRA, and on March 25, 2013 has adopted a Positive Declaration requiring a Supplemental Draft Environmental Impact Statement (“SDEIS”) for the Action.

The Town Board, as Lead Agency and Applicant, will initiate a public scoping process for the SDEIS and CRA, as Lead Agency consultant, has prepared this draft scope document for the SDEIS and the Town Board will request comments on it.

This document is the Draft Scope to be used in the scoping process. As such, this Draft Scope includes all elements required by the SEQRA regulations including: (1) a brief description of the proposed action; (2) potentially significant impacts, including an identification of those particular aspects of the environmental setting that may be impacted; (3) the extent and quality of information needed for the preparer to adequately address each impact, including identification of the relevant existing information, and require new information, including the required methodologies for obtaining new information; (4) initial identification of mitigation measures; (5) reasonable alternatives to be considered in light of the sponsor’s objectives.

1.2 Summary of Planning and Environmental Review Process

The Town of Lewiston Town Board (the “Lead Agency”) has initiated the SEQRA process for the review of the Action. The Town Board passed a resolution on March 25, 2013 declaring itself as the Lead Agency and issued a Positive Declaration on March 25, 2013 requiring the preparation of the SDEIS for the Action.

The SDEIS will discuss potential significant adverse impacts associated with the action and its reasonable alternatives; identify and consider mitigation measures to reduce or eliminate potential adverse impacts; and develop and analyze alternatives if there are potential unmitigated effects. After its publication, the SDEIS will be made available for public and involved and interested agency review and comment for a minimum 30-day period. Comments may be provided to the Lead Agency in writing during the SDEIS comment period, and a public hearing will also be held to receive comments on the SDEIS.

1.2.1 Potentially Significant Adverse Impacts

The following potentially significant areas of impact have been identified by the Town Board, as the Lead Agency, in their adoption of the Positive Declaration for the project. These areas and the other identified areas will be further evaluated in the SDEIS and are included in this Draft Scoping document:

- Biological/Ecological

1.3 Park and Project Description

The Town of Lewiston is considering various capital improvements to JDSP (see Figure 2). In accordance with the FMP/FEIS, the JDSP is evaluated as three separate improvement areas. The proposed improvements divided by improvement area are as follows:

- Riverside Area – Construction of a public boat launch, fishing pier and additional park roads to increase access to the Riverside Area.
- Central Day Use Area – Construction of 60 Recreational Vehicle and 10 Camp Sites, with a 4,800 square foot building containing supporting amenities/facilities within JDSP.
- Eastern Area – Construction of a 7 acre pond, wetland habitats, and associated paddle trails to connect two existing ponds.

1.4 Project Purpose, Public Need and Benefits

As taken from the FMP/FEIS, the original projects were designed in response to the following factors:

- The considerable opportunity for improved recreational use of JDSP
- Adaptive reuse opportunities of the abandoned pool complex
- Local and statewide input on the need for recreational facilities
- The need for protection and management of ecological resources
- The Town of Lewiston Comprehensive Plan which recommends expansion of recreational opportunities at existing facilities
- Partnership opportunities

The proposed revisions to the Master Plan will continue to meet this purpose and satisfy the JDSP's role as a State Park. Also, the revisions are in line with the broad range of local recreational needs determined by the Town of Lewiston.

1.5 Project Alternatives

Although the FMP/FEIS contained a detailed plan for the park property, the decisions and suggested project work were made in 2004. Since that time, the Town of Lewiston has determined various alternatives for park improvements. The SDEIS will discuss in further detail the 'no-action' alternative, the currently approved Master Plan alternative, and the preferred alternative. This will conclude with a discussion of the merit and reasoning behind the Town's desire to move forward with Master Plan revisions.

1.6 Government Agencies and Approvals

1.6.1 Table of Required Permits and Consultations

Approvals Required	<u>Phase 1</u> Riverside Area Improvements	<u>Phase 2</u> Central Day Use Area Improvements	<u>Phase 3</u> Eastern Area Improvements
Town Board	Yes (Project and SEQR)	Yes (Project and SEQR)	Yes (Project and SEQR)
Planning Board	Yes (Site Plan-River Overlay)	Yes (Site Plan- Campground Permit)	No
Joseph Davis State Park Development Corporation	Yes (Funding)	Yes (Funding)	Yes (Funding)
Zoning Board	No	No	No
Niagara County Health Department	No	Yes (Water Supply and Sewer)	No
Niagara County Soil and Water Conservation District	Yes (Site Plan-River Overlay)	No	No
Niagara County Planning Board/Economic Development	Yes (239m Referral & Master Plan)	Yes (239m Referral & Master Plan)	Yes (239m Referral & Master Plan)
Niagara County Department of Public Works	Yes (Highway Work Permit)	No	No
New York Office of Parks Recreation & Historic Preservation	Yes (Master Plan, SHPO, Work Permit)	Yes (Master Plan, SHPO, Work Permit)	Yes (Master Plan, SHPO, Work Permit)
New York State DEC	Yes (SWPPP, Launch, Streams, Wetlands)	Yes (SWPPP)	Yes (SWPPP, Wetlands, Streams)
New York State DOS	Yes (Coastal Management Zone)	Yes (Coastal Management Zone)	Yes (Coastal Management Zone)
New York State DOT	No	No	No
USFWS	No	Yes	Yes (MOU Funding Agreement)
USACOE	Yes (Launch, River, Wetlands)	No	Yes (Wetlands)

2.0 ALTERNATIVE ANALYSIS

This section of the SDEIS will evaluate and compare alternatives to the proposed action, which are listed below. The evaluation and comparison will include a conceptual subdivision plan and a tabular comparison of quantified impacts in addition to text. The tabular quantification will include, at a minimum, impacts on vegetation by type, wetlands, vernal pools, surface waters, water demand by type, wastewater flows, total area of disturbance, acreage of required blasting, and estimated traffic trips generated.

2.1 No Action Alternative

The “No Action” Alternative as required under 6 NYCRR 617.9.b.5. In consideration of the no-action alternative, a discussion should be provided that evaluates the current status of the parkland and its usage and required maintenance if it remains in this condition.

2.2 Master Plan Alternative

The Master Plan Alternative evaluates the incorporation of the previously approved capital improvements and projects.

2.3 Preferred Alternative

The proposed revisions to the Master Plan, as described in this document, is the preferred alternative. These improvements include a boat launch, a fishing pier expansion, improved access roads, RV and tent campsites and support facilities, a new pond, wetland habitat creation, and paddle trails. The SDEIS will discuss the development and justification of the need and proposed locations for these specific projects at the JDSP.

3.0 ENVIRONMENTAL SETTING, ENVIRONMENTAL IMPACTS, AND MITIGATION STRATEGIES

3.1 Local Soils, Geology, and Topography

According to the Niagara County Soil Survey, the following soils are found within the JDSP property:

65% of site

RbA - Rinebeck silt loam, 0 to 2% slopes

10-20% of site

Ma - Madalin silt loam

NaA - Niagara silt loam

<5% of site

ApA - Appleton silt loam, 0 to 3 percent slopes

Ca - Canandaigua silt loam

CmB - Claverack loamy fine sand, 2 to 6 percent slopes

Cs - Cosad fine sandy loam

HoB - Howard gravelly loam, 3 to 8% slopes

HoC - Howard gravelly loam, 8 to 15% slopes

OsB - Otisville gravelly sandy loam, 3 to 8% slopes

PsA - Phelps gravelly loam, 0 to 5% slopes

CmA - Claverack loamy fine sand, 0 to 2% slopes

HuF3 - Hudson soils, 20 to 45% slopes

Bedrock is generally composed of the Queenston formation shale at depths greater than 6 feet and test bored conducted in 1993 by Saratoga Associates encountered bedrock at depths greater than 49.5 feet.

As with any construction, there is potential for disturbance of soils during the installation of the new park features described. The work will require a State Pollution Discharge Elimination System (SPDES) Permit and the preparation of a Stormwater Pollution Prevention Plan (SWPPP). Under these items, disturbance to soils shall be minimized and mitigated using best management practices. JDSP has no other unusual land formations.

3.1.1 Cut/Fill Quantities

The majority of the JDSP is relatively level. However in the Riverside Area, west of Lower River Road, the property slopes steeply (>10%) to the west, then levels briefly before dropping steeply to the shoreline of the Niagara River. This also includes the lowest elevation of the park, which is 260 feet above sea level adjacent to the Niagara River.

The proposed revisions include the construction of a boat launch within the Riverside Area and the excavation of a new pond and paddle trail in the Eastern Area. These projects represent an alteration of the topography and removal of a large quantity of materials. The SDEIS will provide details for the type and quantity of materials to be excavated. In order to mitigate this impact, the materials removed shall remain on site and be utilized within the park to the maximum extent practical. Suggested locations and uses for these materials shall be presented and evaluated in the SDEIS.

3.2 Water Quality Resources

3.2.1 Surface Hydrology

- The Lower Niagara River is a large perennial river with complex flow dynamics. At JDSP, the River is approximately 2,200 feet wide and up to about 50 feet deep. The proposed boat ramp and fishing pier improvements will require encroachment into the River along the eastern shoreline. It is not anticipated that either project would significantly or adversely alter the flow dynamics of the River at this location. However, the design must take into consideration the currents, flows, and expected water levels.

The Scope of the SDEIS will include a general study of the flow dynamics at the boat ramp and fishing pier. An assessment of potential impacts to flow and currents will be prepared in support of the preferred design.

- A classified stream system is mapped in the eastern portion of the Park and several ponds and wetlands are present. The Scope of the SDEIS will include a detailed mapping and assessment of the surface water bodies in the eastern portions of the project area.

The project will be designed to avoid impacts to these resources to the extent practicable and will incorporate habitat creation and enhancement to mitigate for any unavoidable adverse impacts.

3.2.2 Subsurface Hydrology

Shallow subsurface hydrology will be studied as part of the Scope of the SDEIS to assess the feasibility of connecting the new and existing ponds with a paddle trail. There is potential for impacts to the groundwater in the Eastern Area in order to construct the pond and paddle trail.

3.2.3 Wetlands

New York State Wetlands

According to NYSDEC, New York State Wetlands are not located in the State Park boundaries. No impacts to these state resources are anticipated.

Waters of the United States (federally regulated wetlands)

Waters of the United States include waterbodies and wetland areas regulated under Section 404 of the Clean Water Act. Waters of the U.S., including wetlands, west of Lower River Road have been delineated and are limited to the Lower Niagara River and an intermittent first order unnamed tributary to the Lower Niagara River. The boundaries of these water bodies have been surveyed and added to the base map of the Park. Impacts to the Lower Niagara River will be limited to the boat ramp and proposed covered fishing pier. Impacts to the unnamed tributary are not proposed.

Various alternatives will be examined during the scope of the SDEIS and the impacts will be avoided or minimized to the extent practicable. The impacts will be quantified and mitigation will be proposed in accordance with US Army Corps of Engineers permit requirements and mitigation policy.

The USFWS National Wetland Inventory Map for the Park indicates that wetlands are present east of Lower River Road in proximity to the Central Day Use and Eastern Areas. Wetlands and waterways east of Lower River Road will be delineated as part of the scope of the SDEIS and a Jurisdictional Determination from the U.S. Army Corps of Engineers will be obtained for the project area.

Impacts related to federally regulated wetlands and waterways east of Lower River Road will be avoided the extent practicable, any impacts will be minimized, and mitigation will be provided as required by the USACOE permit requirements and wetland mitigation policy.

3.2.4 New York Coastal Management Consistency Evaluation

The project lies within the Lower Niagara River Coastal Management Area and is subject to review under the Waterfront Revitalization and Coastal Resources Act, Section 919. The project will be evaluated in accordance with the State Coastal Policies and a Consistency Determination will be obtained.

3.3 Air Resources

2.3.1 Local, Regional and State Climate

The SDEIS will include discussion on the current climate conditions as they relate to the proposed park improvements. Available historical weather data will be used to complete the review. Project improvements are not anticipated to

have an adverse impact on the local, regional or state climate, and therefore, no mitigation is necessary.

3.4 Air Quality

The SDEIS will include research and discussion on the current air quality condition at JDSP. The following impacts are anticipated:

- Construction: The project construction shall result in temporary increase in vehicle emissions and dust. Impacts will be mitigated using erosion and sediment best management practices to minimize disturbance and dust. Also, the project will incorporate standard construction practices, such as construction equipment will not to left to idle and water truck will be utilized when needed to control dust.
- Operation: Once the new park features are operational, there will be an anticipated increase in user traffic within JDSP and related emissions. This will not significantly impact air quality at JDSP or the surrounding area. It is important to note that the original goal of the Master Plan is to increase use and enjoyment of the park. Also, some park improvements will be geared towards pedestrian use of the facilities.

3.5 Ecological and Scenic Resources

3.5.1 Vegetation

JDSP includes a diverse variety of plant communities including lawns and mowed areas, herbaceous meadows, old field and shrub-scrub thickets, and mature secondary forest areas. A plant community and tree inventory was completed for the Riverside Area. As part of the scope of the SDEIS, a plant community inventory will be conducted for the Central Day Use Area and the Eastern Area. Existing studies will be reviewed and summarized and supplemental studies will be conducted if required. An analysis of project impacts on plant communities and habitats will be performed.

The proposed improvements have been sited to maximize use of lawn and field areas and minimize the loss of more valuable plant communities and habitats to the extent practicable. Plant communities within the Park that have been identified as of significant importance include the mature secondary forest areas including the shoreline vegetation along the Lower Niagara and forested areas in the Eastern Area, shrub scrub thickets and old fields, and wetland areas.

Mitigation for losses of plant communities and habitat deemed to be significant will be accomplished by converting lower value areas in the Park (i.e., lawn areas, mowed areas, or plant communities dominated by non-native invasives) to higher value habitats through habitat management and plantings as appropriate. Mitigation may also be accomplished by improvements to existing degraded habitats that are reduced in value due to the presence of invasive species or isolation. Mitigation strategies that will be considered will include planting desirable woody species, control or removal of invasive species, revised vegetation management, or a combination of these methods as appropriate.

3.5.2 Terrestrial Wildlife Ecology

JDSP provides a diverse array of habitats and thus supports a diverse assemblage of terrestrial wildlife including insects, herpetiles, birds, and mammals. The Joseph Davis Bird Conservation Area (BCA) is part of JDSP. It includes approximately 1,400 feet of frontage on the Niagara River. About two-thirds of the BCA is successional shrubland. Mature second growth forests are found in the eastern portion of the BCA and along the Niagara River shoreline. Other ecological communities represented in the BCA are old fields, open water and wetlands. The wetlands and adjoining transitional habitats provide important habitats for a wide variety of terrestrial and semi-aquatic wildlife species. JDSP is part of the National Audubon Society's Niagara River Corridor Important Bird Area (IBA).

The SDEIS will address potential adverse impacts to terrestrial habitats from the project and address opportunities to improve existing habitats as mitigation. The project will result in the loss or conversion of some habitats for the proposed improvements but also offers the opportunity to create other valuable habitats and restore or enhance existing degraded habitats to mitigate potential adverse impacts.

3.5.3 Aquatic Ecology

- Aquatic habitats in the western portions of the site include the Lower Niagara River and a small first order unnamed tributary (UNT) to the Lower Niagara River. The Lower Niagara provides a variety of important aquatic habitats for fish, herpetiles, mammals and birds. It is an important recreational fishery and provides habitats for numerous non-game fish including the Lake Sturgeon, a NY threatened species.

The UNT is ephemeral or seasonal and provides limited habitat for truly aquatic organisms. However, this UNT provides a wildlife movement corridor for semi-aquatic organisms and terrestrial wildlife that utilize riparian corridors.

The SDEIS will study and address potential adverse impacts to these aquatic resources that could potentially occur.

- Aquatic habitats in the eastern portion of the Park include several wetlands, ponds, and a small classified first order stream system. These diverse habitats support a wide range of wildlife and are important resources to the Park and the local community.

The SDEIS will inventory, study, and address potential impacts to these resources as appropriate. The project design will avoid and minimize adverse impacts to these resources to the extent practicable. Mitigation strategies for any adverse impacts will also be assessed as part of the SDEIS. The Eastern Area will include the creation of new wetland and aquatic habitats to mitigate for any potential impacts from the project.

3.6 Scenic Resources and Open Space

As shown on Figure 1 Project Site Map, the JDSP is 388 acres of publicly owned land. The parkland is comprised of a mix of maintained grounds and early successional vegetation. The surrounding land is a mix of residential, municipal (wastewater pumping station), and open space. There is a significant visual barrier between the park and surrounding properties due to the mature vegetation. The park is relatively flat with the exception of some portions of the Riverside Area. In this area, there are wooded hills that lead to an existing picnic area, followed by the steep shoreline along the Niagara River. Although broken up by the shoreline vegetation, there are several scenic views within this area.

Although construction within the Riverside Area will temporarily limit access to some areas of shoreline, it is not anticipated to be a significant impact. The incorporation of the described projects will result in the disturbance of vegetation and the modification of the shoreline for the boat launch. The SDEIS will include the analysis of the visual impacts. These impacts can be minimized by limiting tree removal during the projects and incorporating additional plantings.

Construction in the Central Day Use and Eastern Area will short-term and will not be visually significant outside of the park users. Upon completion, the campground will impact the available open space within the park and the general landscape. This will result in an increase in use of the JDSP, which is the long-term goal of the Master Plan. The addition of a new pond and paddle trail can be seen as an impact to the visual landscape of the park. However, the increase in accessibility and habitat creation will allow an increase in opportunity to enjoy the scenery and wildlife within JDSP.

3.7 Land Use/Community Character

3.7.1 Zoning and Land Use

The original and proposed revisions to the Master Plan do not include any changes in zoning and use of the property as parkland, Publicly Owned Land (PO). No mitigation measures are required.

The proposed revisions to the Master Plan are in conformance with the Town of Lewiston Comprehensive Plan.

3.7.2 Noise

Existing noise levels at JDSP are relatively low due to the open parkland and low population in the surrounding area. Noise is limited to typical recreational activities.

- Construction: Noise due to construction of the park improvements is unavoidable, but these noise levels are not anticipated to increase due to the revisions to the Master Plan. As discussed in the FMP/FEIS, construction noise shall be of short duration and well removed from adjacent residences. The three improvement areas outlined for the park improvements will be designed and constructed separately in accordance with available funding and to allow sequencing of projects. This will minimize the construction related impacts. In the short term, construction hours shall be limited and reasonable to reduce these impacts.
- Operation: Any increase in noise following construction and opening of the new facilities at JDSP will be minor, in line with current noise levels, and occur primarily during normal daytime hours of operation.
- The SDEIS will inventory other parks with campgrounds and boat launch sites and address potential noise impacts to park uses and surrounding uses as appropriate. The project design will avoid and minimize adverse impacts to these resources to the extent practicable. Mitigation strategies for any adverse impacts will also be assessed as part of the SDEIS. The Eastern Area will include restrictions on boat uses while the central day use area will include a noise ordinance or provisions to regulate noise for the project.

3.8 Traffic and Transportation

3.8.1 Transportation, Traffic Management and Local Road Use

The FMP/FEIS references a traffic study prepared by Erdman Anthony & Associates in 1998 for the JDSP. Based on this study, the level of service of the local roads around JDSP is adequate. It was also concluded that park improvements would not affect the level of service of the local roads.

- Construction: During construction, contractors will need to access the park property with materials, equipment, and personnel. As part of the SDEIS, the size, type and number of trips anticipated for the incorporation of the improvements will be calculated and evaluated. Methods to mitigate this impact will include sequencing of project work areas, limited work hours, designated parking for employees, construction only temporary access points, and designated storage areas.
- Operation: A minor increase in traffic is anticipated as a result of activities associated with the boat launch and camp ground sites. It is not anticipated that the revisions to the Master Plan will affect local roads beyond levels previously expected or decrease the level of service of the connecting roadway network. Because the goal of the Master Plan is to increase use of JDSP, the increase of traffic is seen as a positive impact..
- The SDEIS will inventory other parks with camp grounds and boat launch sites to establish appropriate number of camp sites, parking spaces and address potential traffic impacts to existing resources as appropriate. The SDEIS will include a review of existing traffic counts and available traffic studies. Resources include the JDSP Master Plan, Niagara County Highway Department, and New York State Department of Transportation. The project design will avoid and minimize adverse impacts to existing traffic resources to the extent practicable. Mitigation strategies for any adverse impacts will also be assessed as part of the SDEIS. Potential mitigation measures include reducing the number of camp sites or parking sites for the boat launch areas to align with existing roadway capacities and site area limitations.
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3.8.2 River Management

The Niagara River is a 37-mile strait that connects Lake Erie and Lake Ontario (BN Riverkeepers). The Niagara River is a hotspot for the water recreational activities. The boating industry sees all sorts of vessels including canoes, kayaks, sailboats and motorboats. The shoreline is home to many marinas and launches supporting various associations and clubs. The Niagara River is known in the fishing industry for salmon, trout, bass, walleye and muskies (Niagara River Guides). It is an important goal of the park development to encourage the use of the Niagara River. This is especially significant for any projects in the Riverside Area along the shoreline. Currently, the Riverside Area includes a small fishing dock and canoe launch. The current configuration of the dock does not allow for

larger vessels to access the water. Under the proposed revisions to the Master Plan, the fishing dock shall be enlarged, covered and extended into the Niagara River and a larger boat launch shall be installed. These features will improve access to the Niagara River and increase its use for boating and fishing. This is in line with the goals of the original Master Plan and no mitigation is required. The potential biological impacts are covered under various other sections of this document.

3.8.3 Pedestrian Access

Under the FMP/FEIS, the Riverside Area was slated for improved pedestrian circulation and access for fishing. The revisions in this area maintain this key element and will provide a positive impact to JDSP. It was anticipated in the Central Day Use and Eastern Areas that additional trails would connect the park interior and existing exterior trails. However, the revisions would eliminate these additional trails in lieu of camping and canoeing opportunities. As a result of the increase in use of park for these facilities, it is anticipated that these park visitors would also take advantage of existing trail system. Overall the impacts to pedestrians would be positive and no mitigation is required.

3.9 Socioeconomics

3.9.1 Construction Impacts

The proposed park improvements represent a significant investment by the Town of Lewiston. As a result, the three improvement areas and multiple projects will create construction based job opportunities for local companies and workers. The three areas shall be designed and constructed separately in relation to available funding. Each project shall be publically bid in accordance with Municipal Law and the duration of the work shall vary. It is likely that the winning contractors will hire within the significant pool of workers in the area. The estimated construction duration and the number of jobs anticipated will be finalized in the SDEIS, but does not represent the equivalent jobs needed for construction material manufacturing and supply. Any increase in job opportunities represents a positive economic impact to the Town and the region and no mitigation is required.

3.9.2 Local Economy and Employment

The development of JDSP, based on the proposed revisions, will result in the need for new employees with the Town's Recreational Department. The camping area, proposed for the Central Day Use Area, will require administrative personnel at the office/concession building and maintenance personnel for the bathroom/shower facilities. As part of the SDEIs, the number of jobs will be estimated, based on discussions with the Town's Recreational Department. These jobs will likely be seasonal and part-time. These improvements will also increase the number of park visitors and users from both the local area and the region. There is potential for a resultant local economic

impact if these people also visit other local businesses. It is not possible to calculate this impact, but any impact will be positive and no mitigation is required.

3.10 Community Facilities and Services

3.10.1 Public Health and Safety

- Police Services: Security for the park is provided by NYS Parks Police forces and will continue under the original and revised Master Plan. Therefore, there is no impact or mitigation required.
- Fire and Emergency Services: Under the FMP/FEIS, it is discussed that any improvement to the park facilities will result in more people using the park. As such, there is potential for an increase in accidents and injuries within the park property. The revisions to the Master Plan will not alter the need for fire and emergency services. However, the magnitude of this increase is not significant and can be handled by existing fire and emergency personnel and equipment. Therefore, there is no adverse impact anticipated.

3.10.2 Public Utilities

- Water Usage: The incorporation of camping sites into the Central Day Use Area and related bathroom/shower facilities will result in an increase in water usage in comparison to the FMP/FEIS. However, conclusions made in the FMP/FEIS still hold true and the existing water supply system is adequate to handle the increase. The remaining improvements will have minimal and no increase in water usage. No adverse impacts are anticipated.
- Sanitary Sewer: The bathroom/shower facilities will also require sanitary sewer service. As discussed in the FMP/FEIS, the park is currently serviced by sanitary sewers and capacity exists to connect the new facilities.

3.10.3 Recreational Facilities

The implementation of the original FMP/FEIS or the revisions to the Master Plan will not adversely impact recreational facilities in the area. Under either scenario, the increase in availability and diversity of recreational facilities will be positive impact to area residents.

3.10.4 Operation and Maintenance

- Town Government: Due to the fact that the Town will be responsible for the operation and maintenance of JDSP, the proposed revisions will require administration by the Town. However, the Town's current staff, outside of new hires discussed under employment, is adequate to handle

this work. There will not be a resultant increase in taxes and no mitigation will be required.

- School Districts: Although improved park facilities may be more attractive to homebuyers interested in the Town of Lewiston, it is not anticipated that the original project or proposed revisions will result in an increase in population and the need for educational services. Also, the revised projects shall incorporate educational opportunities within the park available to local schools and educational programs that educate visitors to the environmental significance of the parkland.

3.11 Cultural Resources

3.11.1 Archaeological Resources

The FMP/FEIS references a Phase 1A Cultural Resources Report which was conducted by Rush Consulting Services in 1998. JDSP is characterized as highly sensitive for the presence of evidence of historic and prehistoric activity. It was recommended that a Phase 1B subsurface investigation be undertaken in any areas to be developed that have not experienced prior ground disturbance. In anticipation of improvement, a Phase 1B was conducted in the Riverside Area of the park. However, due to the scope of the Master Plan revisions, additional Phase 1B investigations maybe required in the Central Day Use and Eastern Areas under the SDEIS. The Riverside Area Phase 1B, conducted by the University of Buffalo in December 2012, characterized the site as a multi-component historic and prehistoric site with considerable research potential. Since under the original and revised Master Plan, the site will be disturbed, the Phase 1B recommends that a Phase 2 Site Examination in areas of proposed impact. These studies are required before impacts can be defined and if necessary mitigated.

3.11.2 Architectural Resources

There is a lack of historic structures in the vicinity of JDSP. The FMP/FEIS characterized the original improvements as limited in scope and stated that no buildings on the State or National Register of Historic Places will be impacted by Master Plan implementation. The same conclusions can be made for the proposed revisions to the Master Plan.

4.0 UNAVOIDABLE ADVERSE IMPACTS

This section of the SDEIS shall list the long-term, permanent impacts that are likely to occur if the action is implemented despite mitigation measures, and shall compare in summary form the beneficial and adverse implications of these unavoidable impacts.

The impacts which are currently deemed unavoidable are:

1. Construction related impacts
2. Wetland impacts
3. Habitat loss/modification

These impacts and their mitigation are discussed in detail in the above sections of the SDEIS.

Construction

Construction impacts shall be short term, temporary impacts and mitigation shall include, but not be limited to the following:

1. SPDES Permit and SWPPP for erosion and sediment controls and best management practices.
2. Recycling and disposal of construction waste and natural materials.
3. Construction schedule management, limited work hours and project sequencing.

Soil excavation

The incorporation of the revisions to the Master Plan will result in the removal of a large quantity of soil materials from the parkland. Under this scenario, the impact is unavoidable, but can be mitigated by the reuse of these soils within the park for other purposes.

Wetlands

Some unavoidable impacts to wetlands and waterbodies are required to construct the Eastern Area improvements and paddle trail. The impacts will be mitigated in accordance with the Corps permit requirements and mitigation policy.

Habitats

Some shoreline vegetation along the Lower Niagara will be lost by the construction of the new boat ramp. Alternatives will be evaluated to avoid and minimize these impacts and reforesting currently non-forested areas along the bank and bluff are mitigation strategies currently being considered.

A significant area of shrubland / old field will be converted to openwater and wetlands in the Eastern Area. The conversion of shrub / old field habitat to open water and wetland will be mitigated by conversions of less valuable habitats to replace the lost habitats as deemed appropriate. Additionally, the Eastern improvements provide the opportunity to establish new valuable habitats including aquatic and wetlands habitats used by wildlife in the Park.

Potential increases in day use and human activities can be expected at the boat ramp site in the Riverside Area and the canoe dock in the Eastern Area. These changes in use intensity will be evaluated as they pertain to fisheries and avian use as part of the Scope of the SDEIS. Preferred alternatives will be selected that avoid or minimize impacts and that are mitigatable.

If during the preparation of the SDEIS, any adverse impacts that are not listed above are determined to be unavoidable, detailed discussion and analysis will be provided at that time.