

# *SEQRA* *Documentation*

# APPENDIX F



## Niagara Communities Comprehensive Plan

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### **NIAGARA COUNTY, NEW YORK REQUEST FOR LEAD AGENCY STATUS AND REQUEST FOR MUNICIPAL REVIEW AND RECOMMENDATION ON THE NIAGARA COMMUNITIES COMPREHENSIVE PLAN 2030**

**MAY 22, 2009**

By this letter, Niagara County requests Lead Agency Status as petitioner for the adoption of the proposed Niagara Communities Comprehensive Plan 2030 for Niagara County, New York, hereafter referred to as “the Plan.” Please advise whether your agency agrees with Niagara County acting as Lead Agency by completing and returning the attached consent form. Consent forms must be postmarked no later than June 30, 2009 and should be mailed in hard copy to the following address:

Niagara Communities Comprehensive Plan  
Attn: Clerk of the Legislature  
Niagara County Legislature  
175 Hawley Street  
Lockport, NY 14094

Please find enclosed in connection with the Plan a complete State Environmental Quality Review (SEQR) Full Environmental Assessment Form Part 1 and Part 2 with attachment as well as a copy of the Plan on CD. This project is a Type I action pursuant to 6 NYCRR Part 617 of the Implementing Regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law. The project involves preparation of Niagara County’s first-ever comprehensive plan and the proposed action is the adoption of the Plan by the Niagara County Legislature.

The Plan does not commit Niagara County or any municipality within Niagara County or any other stakeholder to undertake, approve, or fund any specific action or actions at this time. The Plan provides a series of recommendations only, which can be used by the County to establish policies towards achieving goals and objectives identified in the Plan. As such, a Generic Environmental Impact Statement (GEIS) is not required for this project. However, once the Plan is adopted and implementation of its recommendations commences, specific actions, policies, and projects, especially site-specific projects, considered by Niagara County may require additional SEQRA review at that time.

New York State General Municipal Law Article 12-B Section 239-d(5) requires the Niagara County Legislature to refer the Plan to the county planning board as well as to the planning boards and legislative bodies of each municipality within Niagara County for review and recommendation prior to the Plan’s adoption. Please consider this letter a formal request for review and recommendation on the Plan by the planning board and legislative body of your municipality. Recommendations must be postmarked no later than June 30, 2009 and should be mailed in hard copy to the address above.

Niagara County also invites your participation in the environmental review process as an involved agency or interested party. Written comments on the Plan will be received and considered by Niagara County between June 1, 2009 and June 30, 2009 as part of a 30-day public comment period. Comments on the Plan must be postmarked no later than June 30, 2009 and should be mailed in hard copy to the address above. Please be sure to differentiate between comments and recommendations, per the previous paragraph. The Niagara County Legislature will also hold a public hearing on the Plan on June 16, 2009 at 6:30 pm in the Niagara County Courthouse Legislative Chambers. A list of involved agencies/interested parties is attached along with the notice of public comment period and notice of public hearing.

If you have any questions about the environmental review or municipal review/recommendation process, please contact Ben Bidell, Niagara County Senior Planner, at (716) 278-8756. Thank you.



## Niagara Communities Comprehensive Plan

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### INVOLVED AGENCIES AND INTERESTED PARTIES CONTACT LIST

Environmental Notice Bulletin  
NYS Department of Environmental Conservation  
625 Broadway, 4<sup>th</sup> Floor  
Albany, NY 12233-1750

NYS Department of State  
Quality Communities Program  
99 Washington Avenue  
Albany, NY 12231

City of Lockport Mayor and Common Council  
Municipal Building  
One Locks Plaza  
Lockport, NY 14094

City of Niagara Falls Mayor and City Council  
City Hall  
745 Main Street  
Niagara Falls, NY 14302

City of North Tonawanda Mayor and Common Council  
City Hall  
216 Payne Avenue  
North Tonawanda, NY 14120

Town of Cambria Supervisor and Town Board  
Town Hall  
4160 Upper Mountain Road  
Sanborn, NY 14132

Town of Hartland Supervisor and Town Board  
Town Hall  
8942 Ridge Road  
Gasport, NY 14067

Town of Lewiston Supervisor and Town Board  
Town Hall  
1375 Ridge Road, P.O. Box 330  
Lewiston, NY 14092

Town of Lockport Supervisor and Town Board  
Town Hall  
6560 Dysinger Road  
Lockport, NY 14094-7970

Town of Newfane Supervisor and Town Board  
Town Hall  
2896 Transit Road  
Newfane, NY 14108-9705

Town of Niagara Supervisor and Town Board  
Town Hall  
7105 Lockport Road  
Niagara Falls, NY 14305-3598

Niagara County Planning Board  
6311 Inducon Corporate Drive  
Sanborn, NY 14132

NYS Housing Trust Fund Corporation  
Office of Community Renewal  
Hampton Plaza, 38-40 State Street, 9<sup>th</sup> Floor  
Albany, NY 12207

City of Lockport Planning Board  
Municipal Building  
One Locks Plaza  
Lockport, NY 14094

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Town Hall  
8942 Ridge Road  
Gasport, NY 14067

Town of Lewiston Planning Board  
Town Hall  
1375 Ridge Road, P.O. Box 330  
Lewiston, NY 14092

Town of Lockport Planning Board  
Town Hall  
6560 Dysinger Road  
Lockport, NY 14094-7970

Town of Newfane Planning Board  
Town Hall  
2896 Transit Road  
Newfane, NY 14108-9705

Town of Niagara Planning Board  
Town Hall  
7105 Lockport Road  
Niagara Falls, NY 14305-3598



## Niagara Communities Comprehensive Plan

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Town of Pendleton Supervisor and Town Board  
Town Hall  
6570 Campbell Boulevard  
Lockport, NY 14094-9229

Town of Porter Supervisor and Town Board  
Town Hall  
3265 Creek Road  
Youngstown, NY 14174

Town of Royalton Supervisor and Town Board  
Town Hall  
5316 Royalton Center Road  
Middleport, NY 14105

Town of Somerset Supervisor and Town Board  
Town Hall  
8700 Haight Road, P.O. Box 368  
Barker, NY 14012-0368

Town of Wheatfield Supervisor and Town Board  
Town Hall  
2800 Church Road  
North Tonawanda, NY 14120

Town of Wilson Supervisor and Town Board  
Town Hall  
375 Lake Street, P.O. Box 537  
Wilson, NY 14172-0537

Village of Barker Mayor and Village Board  
Village Hall  
8708 Main Street, P.O. Box 298  
Barker, NY 14012-0298

Village of Lewiston Mayor and Village Board  
Village Hall  
145 N. 4th Street, P.O. Box 325  
Lewiston, NY 14092

Village of Middleport Mayor and Village Board  
Village Hall  
24 Main Street, P.O. Box 186  
Middleport, NY 14105-0186

Village of Wilson Mayor and Village Board  
Village Hall  
375 Lake Street, P.O. Box 596  
Wilson, NY 14172-0596

Village of Youngstown Mayor and Village Board  
Village Hall  
240 Lockport Street, P.O. Box 168  
Youngstown, NY 14174

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Wilson, NY 14172-0596

Village of Youngstown Planning Board  
Village Hall  
240 Lockport Street, P.O. Box 168  
Youngstown, NY 14174



## Niagara Communities Comprehensive Plan

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### STATE ENVIRONMENTAL QUALITY REVIEW LEAD AGENCY STATUS CONSENT FORM

This notice is directed to you in accordance with State Environmental Quality Review Act (SEQRA) procedures. Please complete and submit the attached form to Niagara Communities Comprehensive Plan, Attn: Clerk of the Legislature, Niagara County Legislature, 175 Hawley Street, Lockport, NY 14094. This form must be postmarked no later than June 30, 2009. Additional sheets may be used if necessary. Enclosed you will find a complete Full Environmental Assessment Form Part 1 and Part 2 with attachment for review.

1. Your agency's potential jurisdiction in the proposed action.

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2. Your agency's concurrence that Niagara County assume the responsibility of lead agency.

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3. Issues that your agency believes should be addressed.

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Name of Involved Agency

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Name and Title of Responsible Official

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Signature of Responsible Official

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Date of Signature

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**NIAGARA COUNTY  
LEGISLATURE**  
NIAGARA COUNTY COURTHOUSE  
LOCKPORT, NEW YORK 14094-2740  
• (716) 439-7000 • Fax: (716) 439-7124

**WILLIAM L. ROSS  
CHAIRMAN**

**MARY JO TAMBURLIN  
CLERK OF THE LEGISLATURE**

**MAY 22, 2009**

**NOTICE OF PUBLIC COMMENT PERIOD**

**PLEASE TAKE NOTICE** that Niagara County will conduct a public comment period for a period of 30 days, to begin June 1, 2009 and end June 30, 2009 on the draft Niagara Communities Comprehensive Plan. The draft plan is available in all of the public libraries in Niagara County as well as online at [.niagaracounty.com/mapsreports.asp](http://niagaracounty.com/mapsreports.asp). Please address all comments to the Niagara Communities Comprehensive Plan Attn: Clerk of the Legislature, Niagara County Legislature, 175 Hawley Street, Lockport, New York 14094.

Mary Jo Tamburlin, Clerk  
Niagara County Legislature

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**NIAGARA COUNTY  
LEGISLATURE**  
NIAGARA COUNTY COURTHOUSE  
LOCKPORT, NEW YORK 14094-2740  
• (716) 439-7000 • Fax: (716) 439-7124

**WILLIAM L. ROSS  
CHAIRMAN**

**MARY JO TAMBURLIN  
CLERK OF THE LEGISLATURE**

**MAY 22, 2009**

**NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that in accordance with General Municipal Law Article 12-B Section 239-d(6) the Niagara County Legislature will conduct a public hearing on the 16<sup>th</sup> day of June, 2009 at 6:30 PM in the Legislature Chambers, Courthouse, 175 Hawley St., Lockport, New York, for the purpose of hearing public comments on the draft Niagara Communities Comprehensive Plan. The draft plan is available in all of the public libraries in Niagara County and online at [.niagaracounty.com/mapsreports.asp](http://niagaracounty.com/mapsreports.asp).

Mary Jo Tamburlin, Clerk  
Niagara County Legislature

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## Niagara Communities Comprehensive Plan

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1. Your agency's potential jurisdiction in the proposed action.

Village Government within County

2. Your agency's concurrence that Niagara County assume the responsibility of lead agency.

Niagara County is lead agency

3. Issues that your agency believes should be addressed.

N/A

Name of Involved Agency

Village of Lewiston

Name and Title of Responsible Official

Mayor

Signature of Responsible Official

[Signature]

Date of Signature

5/29/09





## Niagara Communities Comprehensive Plan

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1. Your agency's potential jurisdiction in the proposed action.

City of Lockport

2. Your agency's concurrence that Niagara County assume the responsibility of lead agency.

3. Issues that your agency believes should be addressed.

Name of Involved Agency

City of Lockport

Name and Title of Responsible Official

Michael W. Tucker, Mayor

Signature of Responsible Official

Date of Signature

June 2, 2009



## Niagara Communities Comprehensive Plan

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1. Your agency's potential jurisdiction in the proposed action.

The Town of Porter

2. Your agency's concurrence that Niagara County assume the responsibility of lead agency.

The Town of Porter totally agrees that Niagara  
County should be the lead agency.

3. Issues that your agency believes should be addressed.

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Name of Involved Agency

The Town of Porter

Name and Title of Responsible Official

MERTON K. WIEPERT SUPERVISOR

Signature of Responsible Official

Merton K. Wiepert

Date of Signature

6-209



## Niagara Communities Comprehensive Plan

### STATE ENVIRONMENTAL QUALITY REVIEW LEAD AGENCY STATUS CONSENT FORM

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1. Your agency's potential jurisdiction in the proposed action.

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2. Your agency's concurrence that Niagara County assume the responsibility of lead agency.

We have no issues with Niagara County assuming the responsibility  
of lead agency.

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3. Issues that your agency believes should be addressed.

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Name of Involved Agency

Town of Royalton Supervisor

Name and Title of Responsible Official

Richard J. Lang

Signature of Responsible Official

Richard J. Lang

Date of Signature

6-3-09





## Niagara Communities Comprehensive Plan

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This notice is directed to you in accordance with State Environmental Quality Review Act (SEQRA) procedures. Please complete and submit the attached form to Niagara Communities Comprehensive Plan, Attn: Clerk of the Legislature, Niagara County Legislature, 175 Hawley Street., Lockport, NY 14094. This form must be postmarked no later than June 30, 2009. Additional sheets may be used if necessary. Enclosed you will find a complete Full Environmental Assessment Form Part 1 and Part 2 with attachment for review.

1. Your agency's potential jurisdiction in the proposed action.

Town of Somerset

2. Your agency's concurrence that Niagara County assume the responsibility of lead agency.

The Town of Somerset concurs with Niagara County assuming  
lead agency.

3. Issues that your agency believes should be addressed.

Name of Involved Agency

Town of Somerset

Name and Title of Responsible Official

Richard J. Meyers, Supervisor

Signature of Responsible Official

Date of Signature

June 18, 2009



## Niagara Communities Comprehensive Plan

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1. Your agency's potential jurisdiction in the proposed action.

Town of Hartland

2. Your agency's concurrence that Niagara County assume the responsibility of lead agency.

Town of Hartland has a Comprehensive plan and does not  
object to Niagara County taking lead responsibility in the  
overall plan

3. Issues that your agency believes should be addressed.

Development of jobs - & increase in Tax base  
Commercial site development & , Wine trail development  
recreational tourism

Name of Involved Agency

Town of Hartland

Name and Title of Responsible Official

Michael A Hartman Code Enforcement

Signature of Responsible Official

Michael A Hartman

Date of Signature

6-25-09



## Niagara Communities Comprehensive Plan

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1. Your agency's potential jurisdiction in the proposed action.

**Town of Lewiston, New York**

2. Your agency's concurrence that Niagara County assume the responsibility of lead agency.

**Motion made on June 22, 2009, that Niagara County is here by  
authorized to be the Lead Agency. Motion seconded and carried  
unanimously.**

3. Issues that your agency believes should be addressed.

**n/a**

Name of Involved Agency

**Town of Lewiston**

Name and Title of Responsible Official

**Fred M. Newlin, Supervisor**

Signature of Responsible Official

Date of Signature

**June 25, 2009**



**RESOLUTION 2009 - 4**

**TOWN OF LEWISTON  
TOWN BOARD**

**Town Hall  
1375 Ridge Road, Lewiston, New York**

**RESOLUTION OF THE TOWN OF LEWISTON TOWN BOARD  
JUNE 22, 2009**

**Whereas, the Lewiston Town Board meeting on June 22, 2009 at 7:00 p.m. at  
1375 Ridge Road, Lewiston, New York passed the following Resolution;**

**Motion of Councilman Alfonso M. Bax to authorize the County of Niagara to  
be the Lead Agency for the Niagara Community Comprehensive Plan.**

**Motion was seconded by Councilman Michael A. Johnson with all Town Board  
Members voting in the affirmative.**

**Dated: June 22, 2009**

**Carol J. Brandon  
Lewiston Town Clerk**

**SEAL**





## Niagara Communities Comprehensive Plan

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### MEMORANDUM

**TO:** Involved Agencies/Interested Parties

**FROM:** William L. Ross, Chairman, Niagara County Legislature

**DATE:** July 6, 2009

**RE:** Niagara Communities Comprehensive Plan - SEQRA Negative Declaration

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The Niagara County Legislature has designated itself lead agency pursuant to the New York State Environmental Quality Review Act (SEQRA), 6 NYCRR 617.6 for completion of its comprehensive plan, entitled *Niagara Communities Comprehensive Plan 2030*. Adoption of the *Niagara Communities Comprehensive Plan 2030* is a Type I action pursuant to SEQRA, 6 NYCRR 617.4. The project involves preparation of the plan and the proposed action is adoption of the plan by the Niagara County Legislature.

After preparing and reviewing Part 1 and Part 2 of the Full Environmental Assessment Form (EAF) for the project, the Niagara County Legislature has determined that adoption of the *Niagara Communities Comprehensive Plan 2030* does not constitute an action that will result in any significant adverse environmental impacts and therefore, a generic environmental impact statement (GEIS) does not need to be prepared for purposes of determining impacts resulting from this action.

The Niagara County Legislature, as lead agency, has made a determination of no significance and hereby issues a Negative Declaration pursuant to SEQRA, 6 NYCRR 617.7. Enclosed is a copy of the Negative Declaration and Full Environmental Assessment Form Parts 1 and 2 with Attachment A as well as copy of the SEQRA Environmental Notice Bulletin sent to the New York State Department of Environmental Conservation. The final draft *Niagara Communities Comprehensive Plan 2030* is available online via Niagara County's website at [.niagaracounty.com/MapsReports.asp](http://niagaracounty.com/MapsReports.asp).

The Niagara County Legislature acknowledges that the *Niagara Communities Comprehensive Plan 2030* is intended as a guidance document that provides a series of recommendations only, which can be used to establish policies towards achieving goals and objectives identified in the plan. The Niagara County Legislature also acknowledges that the plan, which addresses a range of topics including land use, is not intended to be a land use plan given that Niagara County does not have regulatory authority over land use controls, which is delegated to local municipalities under New York State's Municipal Home Rule Law. The Niagara County Legislature further acknowledges that the plan does not commit Niagara County, any municipality within Niagara County, or any other stakeholder to undertake, approve, or fund any specific actions or actions including projects identified in the plan. The Niagara County Legislature also recognizes that any future actions, policies, or projects, especially site-specific projects, carried out in connection with the plan will be subject to SEQRA prior to implementation.

If you have any questions, please direct them to:  
Benjamin J. Bidell, Senior Planner/Project Coordinator  
Niagara County Department of Economic Development  
6311 Inducon Corporate Drive  
Sanborn, New York 14132  
(716) 278-8756



## Niagara Communities Comprehensive Plan

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### INVOLVED AGENCIES/INTERESTED PARTIES CONTACT LIST

Environmental Notice Bulletin  
NYS Department of Environmental Conservation  
625 Broadway, 4<sup>th</sup> Floor  
Albany, NY 12233-1750

NYS Department of State  
Quality Communities Program  
99 Washington Avenue  
Albany, NY 12231

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## Niagara Communities Comprehensive Plan

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Village Hall  
240 Lockport Street, P.O. Box 168  
Youngstown, NY 14174

State Environmental Quality Review  
**NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance

Project Number

Date: July 6, 2009

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Niagara County Legislature as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

**Name of Action:**

Adoption of the Niagara Communities Comprehensive Plan 2030  
by the Niagara County Legislature.

**SEQR Status:** Type 1 ☒  
Unlisted ☐

**Conditioned Negative Declaration:** ☐ Yes  
☒ No

**Description of Action:**

The project involves preparation of a comprehensive plan for Niagara County and adoption of the plan by the Niagara County Legislature. The plan, which is entitled the Niagara Communities Comprehensive Plan 2030, serves to address five overarching goals: encouraging desirable and appropriate growth and development; strengthening the local economy; improving delivery of services; prioritizing and coordinating capital improvements; and improving the quality of life for Niagara County residents. The plan focuses on five key areas, which are organized as chapters in the plan: land use and environment, which includes transportation; economic development; county services, facilities, and infrastructure; education; and public health and safety. Following an in-depth community outreach and public participation process, Niagara County developed a plan that: provides an overall vision for the County; identifies issues and challenges as well as assets and opportunities at the local, subregional, and county level; establishes goals and objectives for Niagara County, working in collaboration with its communities; and provides strategies and recommendations for achieving stated goals and objectives. The plan is intended as a guidance document to assist decision-making in Niagara County. The final draft Niagara Communities Comprehensive Plan is available online at [www.niagaracounty.com/MapsReports.asp](http://www.niagaracounty.com/MapsReports.asp).

**Location:** (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Niagara County (countywide)



**Reasons Supporting This Determination:**

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

Niagara County prepared a Full Environmental Assessment Form Part 1 and Part for the Niagara Communities Comprehensive Plan leading to a determination that the plan will not result in any significant adverse environmental impacts and as such, a generic environmental impact statement does not need to be prepared. Niagara County has issued a Negative Declaration because: the Niagara Communities Comprehensive Plan is intended as a guidance document, which contains recommendations only that can be used to establish policies towards achieving the goals and objectives identified in the plan; the plan is not intended to be a land use plan as Niagara County does not have regulatory authority over land use controls, which is delegated to local municipalities under New York State's Municipal Home Rule Law; the plan does not commit Niagara County, any municipality within Niagara County, or any other stakeholder to undertake, approve, or fund any specific actions or actions, including projects identified in the plan; and future actions, policies, or projects, especially site-specific projects, carried out in connection with the plan will be subject to the New York State Environmental Quality Review Act prior to implementation.

**If Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

**For Further Information:**

Contact Person: Benjamin J. Bidell, Senior Planner, Niagara County

Address: 6311 Inducon Corporate Drive, Suite One - Sanborn, New York 14132

Telephone Number: (716) 278-8756

**For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:**

Chief Executive Officer , Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway Albany NY 12233-1750 (Type One Actions only)

**Deadline:** Notices must be received by **6 p.m. Wednesday** to appear in the following Wednesday's ENB

☒ Negative Declaration - Type I

### Conditioned Negative Declaration

\_\_\_\_\_ Draft Negative Declaration

### Positive Declaration

with Public Scoping Session

Draft EIS

\_\_\_\_\_ with Public Hearing

Generic

Supplemental

Final EIS

Generic

Supplemental

DEC Region # 9 County: Niagara Lead Agency: Niagara County Legislature

Project Title: Niagara Communities Comprehensive Plan 2030

**Brief Project Description:** The action involves . . .

The project involves preparation of a comprehensive plan for Niagara County and the proposed action involves adoption of the plan by the Niagara County Legislature. The plan, entitled the Niagara Communities Comprehensive Plan 2030, serves to address five overarching goals: encouraging desirable and appropriate growth and development; strengthening the local economy; improving delivery of services; prioritizing and coordinating capital improvements; and improving the quality of life for Niagara County residents. The plan focuses on five key areas, which are organized as chapters in the plan: land use and environment, which includes transportation; economic development; county services, facilities, and infrastructure; education; and public health and safety. Following a substantive community outreach and public participation process, Niagara County developed a plan that: provides an overall vision for the County; identifies issues/challenges and assets/opportunities at the local, subregional, and county level; establishes goals and objectives for Niagara County working in collaboration with its communities; and provides strategies and recommendations for achieving goals and objectives. A Full Environmental Assessment Form Part 1 and Part 2 with Attachment have been prepared and have been posted online along with the final draft Niagara Communities Comprehensive Plan 2030 and Negative Declaration, which can be found at [www.niagaracounty.com/MapsReports.asp](http://www.niagaracounty.com/MapsReports.asp). The Niagara Communities Comprehensive Plan 2030 is intended as a guidance document to assist decision-making in Niagara County.

Project Location (include street address/municipality): Niagara County (countywide)

**Contact Person:** Benjamin J. Bidell, Senior Planner, Niagara County Department of Economic Development

Address: 6311 Inducon Corporate Drive      City: Sanborn      State: NY      Zip: 14132

Phone: (716) 278-8756 Fax: (716) 278-8757 E-mail: [benjamin.bidell@niagaracounty.com](mailto:benjamin.bidell@niagaracounty.com)

For Draft Negative Declaration / Draft EIS: Public Comment Period ends:                    /                    /

For Public Hearing or Scoping Session: Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Time: \_\_\_\_ : \_\_\_\_ am/pm

Location: \_\_\_\_\_

A hard copy of the DEIS/FEIS is available at the following locations:

The online version of the DEIS/FEIS is available at the following publically accessible web site:

For Conditioned Negative Declaration: In summary, conditions include:

**617.20**  
**Appendix A**  
**State Environmental Quality Review**  
**FULL ENVIRONMENTAL ASSESSMENT FORM**

**Purpose:** The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

**Full EAF Components:** The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

---

**THIS AREA FOR LEAD AGENCY USE ONLY**

**DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions**

**Identify the Portions of EAF completed for this project:**



Part 1



Part 2



Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☒ A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- ☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.\***
- ☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

\*A Conditioned Negative Declaration is only valid for Unlisted Actions

Niagara Communities Comprehensive Plan 2030

\_\_\_\_\_  
Name of Action

Niagara County Legislature

\_\_\_\_\_  
Name of Lead Agency

William L. Ross

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from responsible officer)

July 6, 2009

\_\_\_\_\_  
Date

website

APPROVED

NIAGARA COUNTY ATTORNEY

BY



**PART 1--PROJECT INFORMATION**  
**Prepared by Project Sponsor**

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Niagara Communities Comprehensive Plan 2030

Location of Action (include Street Address, Municipality and County)

Niagara County, NY

Name of Applicant/Sponsor Niagara County Legislature

Address 175 Hawley Street

City / PO Lockport State NY Zip Code 14094-2740

Business Telephone 716-439-7213 (County Manager)

Name of Owner (if different) SAME

Address \_\_\_\_\_

City / PO \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Business Telephone \_\_\_\_\_

Description of Action:

Adoption of Niagara Communities Comprehensive Plan 2030

See Attachment A to this Full Environmental Assessment Form (FEAF) for a complete description of the proposed action and specific answers to questions in Parts 1, 2, and 3. Answers are provided according to the same Part section and Question number.

**Please Complete Each Question--Indicate N.A. if not applicable**

**A. SITE DESCRIPTION**

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: ☒ Urban ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☒ Rural (non-farm)  
☒ Forest ☒ Agriculture ☒ Other See Chapter III of Plan  
Also see Attachment A for land uses
2. Total acreage of project area: 337,253 acres.
- | APPROXIMATE ACREAGE   | PRESENTLY       | AFTER COMPLETION |
|---|-----------------|------------------|
| Meadow or Brushland (Non-agricultural)                              | <u>NA</u> acres | <u>NA</u> acres  |
| Forested  | <u>NA</u> acres | <u>NA</u> acres  |
| Agricultural (Includes orchards, cropland, pasture, etc.)           | <u>NA</u> acres | <u>NA</u> acres  |
| Wetland (Freshwater or tidal as per Articles 24,25 of ECL)          | <u>NA</u> acres | <u>NA</u> acres  |
| Water Surface Area  | <u>NA</u> acres | <u>NA</u> acres  |
| Unvegetated (Rock, earth or fill)                                   | <u>NA</u> acres | <u>NA</u> acres  |
| Roads, buildings and other paved surfaces                           | <u>NA</u> acres | <u>NA</u> acres  |
| Other (Indicate type) <u>See Attachment A for land use acreages</u> | <u>NA</u> acres | <u>NA</u> acres  |
3. What is predominant soil type(s) on project site? See Attachment A for associations
- a. Soil drainage: ☒ Well drained NA % of site ☒ Moderately well drained NA % of site.  
☒ Poorly drained NA % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? NA acres (see 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? ☐ Yes ☒ No See Attachment A
- a. What is depth to bedrock 1.5-6.0+ (in feet)
5. Approximate percentage of proposed project site with slopes: See Attachment A  
☐ 0-10% NA % ☐ 10- 15% NA % ☐ 15% or greater NA %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? ☒ Yes ☐ No See Attachment A
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No
8. What is the depth of the water table? 0.0-3.0+ (in feet) See Attachment A
9. Is site located over a primary, principal, or sole source aquifer? ☒ Yes ☐ No See Attachment A
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☒ Yes ☐ No See Attachment A

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? ☒ Yes ☐ No

According to:

See Attachment A

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

☒ Yes ☐ No

Describe:

See Attachment A

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

☒ Yes ☐ No

If yes, explain:

See Attachment A

14. Does the present site include scenic views known to be important to the community? ☒ Yes ☐ No

See Attachment A

15. Streams within or contiguous to project area:

See Attachment A

a. Name of Stream and name of River to which it is tributary

16. Lakes, ponds, wetland areas within or contiguous to project area:

See Attachment A

b. Size (in acres):



17. Is the site served by existing public utilities? ☒ Yes ☐ No See Attachment A
- a. If **YES**, does sufficient capacity exist to allow connection? ☐ Yes ☐ No
- b. If **YES**, will improvements be necessary to allow connection? ☐ Yes ☐ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☒ Yes ☐ No See Attachment A
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No See Attachment A
20. Has the site ever been used for the disposal of solid or hazardous wastes? ☒ Yes ☐ No See Attachment A

## B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate). See Attachment A
- a. Total contiguous acreage owned or controlled by project sponsor: NA acres.
- b. Project acreage to be developed: NA acres initially; NA acres ultimately.
- c. Project acreage to remain undeveloped: NA acres.
- d. Length of project, in miles: NA (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. NA %
- f. Number of off-street parking spaces existing NA ; proposed NA
- g. Maximum vehicular trips generated per hour: NA (upon completion of project)?
- h. If residential: Number and type of housing units:
- |            | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially  | <u>NA</u>  | <u>NA</u>  | <u>NA</u>       | <u>NA</u>   |
| Ultimately | <u>NA</u>  | <u>NA</u>  | <u>NA</u>       | <u>NA</u>   |
- i. Dimensions (in feet) of largest proposed structure: NA height; NA width; NA length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? NA ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? NA tons/cubic yards.
3. Will disturbed areas be reclaimed ☐ Yes ☐ No ☒ N/A
- a. If yes, for what intended purpose is the site being reclaimed?
- 
- b. Will topsoil be stockpiled for reclamation? ☐ Yes ☐ No
- c. Will upper subsoil be stockpiled for reclamation? ☐ Yes ☐ No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? NA acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

☐ Yes ☒ No

6. If single phase project: Anticipated period of construction: NA months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated NA (number)

b. Anticipated date of commencement phase 1: \_\_\_\_\_ month \_\_\_\_\_ year, (including demolition)

c. Approximate completion date of final phase: \_\_\_\_\_ month \_\_\_\_\_ year.

d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No

8. Will blasting occur during construction? ☐ Yes ☒ No

9. Number of jobs generated: during construction NA ; after project is complete NA See Attachment A

10. Number of jobs eliminated by this project NA .

11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No

If yes, explain:

12. Is surface liquid waste disposal involved? ☐ Yes ☒ No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount \_\_\_\_\_

b. Name of water body into which effluent will be discharged \_\_\_\_\_

13. Is subsurface liquid waste disposal involved? ☐ Yes ☒ No Type \_\_\_\_\_

14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? ☐ Yes ☒ No See Attachment A

16. Will the project generate solid waste? ☐ Yes ☒ No

a. If yes, what is the amount per month? \_\_\_\_\_ tons

b. If yes, will an existing solid waste facility be used? ☐ Yes ☐ No

c. If yes, give name \_\_\_\_\_ ; location \_\_\_\_\_

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☐ No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No

a. If yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/month.

b. If yes, what is the anticipated site life? \_\_\_\_\_ years.

18. Will project use herbicides or pesticides? ☐ Yes ☒ No

19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No

20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No

21. Will project result in an increase in energy use? ☐ Yes ☒ No

If yes, indicate type(s)

22. If water supply is from wells, indicate pumping capacity NA gallons/minute.

23. Total anticipated water usage per day NA gallons/day.

24. Does project involve Local, State or Federal funding? ☒ Yes ☐ No

If yes, explain:

The Niagara Communities Comprehensive Plan 2030 was prepared with grant funds provided by the New York State Department of State Quality Communities Program, grant funds provided by the New York State Housing Trust Fund Corporation, Office of Community Renewal (formerly the Office for Small Cities), and funds from Niagara County's General Fund.

## 25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
City, Town, Village Planning Board	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
City, Town Zoning Board	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
City, County Health Department	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
Other Local Agencies	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
Other Regional Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Niagara County Legislature	July 2009
State Agencies	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
Federal Agencies	<input type="checkbox"/> Yes	<input type="checkbox"/> No		

## C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? ☒ Yes ☐ No See Attachment

If Yes, indicate decision required:

<input type="checkbox"/> Zoning amendment	<input type="checkbox"/> Zoning variance	<input checked="" type="checkbox"/> New/revision of master plan	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Site plan	<input type="checkbox"/> Special use permit	<input type="checkbox"/> Resource management plan	<input type="checkbox"/> Other



2. What is the zoning classification(s) of the site?

NA

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

NA

4. What is the proposed zoning of the site?

NA

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

NA

6. Is the proposed action consistent with the recommended uses in adopted local land use plans?

☒

Yes

☐

No

See Attachment A

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

NA

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile?

☒

Yes

☐

No

9. If the proposed action is the subdivision of land, how many lots are proposed? NA

a. What is the minimum lot size proposed? \_\_\_\_\_

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

☐ Yes ☒ No

a. If yes, is existing capacity sufficient to handle projected demand? ☐ Yes ☐ No

12. Will the proposed action result in the generation of traffic significantly above present levels? ☐ Yes ☒ No

a. If yes, is the existing road network adequate to handle the additional traffic. ☐ Yes ☐ No

**D. Informational Details**

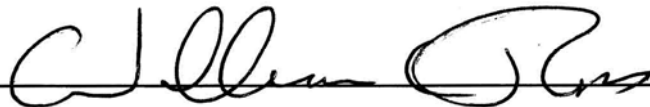
Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

**E. Verification**

I certify that the information provided above is true to the best of my knowledge.


Applicant/Sponsor Name Niagara County Legislature Date July 1, 2009

Signature



Title Chairman

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

APPROVED  
NIAGARA COUNTY ATTORNEY  
BY 

## PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

### Responsibility of Lead Agency

#### General Information (Read Carefully)

- ! In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- ! The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- ! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- ! The number of examples per question does not indicate the importance of each question.
- ! In identifying impacts, consider long term, short term and cumulative effects.

#### Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

#### Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO ☒ YES ☐ See Attachment A

#### Examples that would apply to column 2

- |  |                          |                          |                              |                             |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where the depth to the water table is less than 3 feet.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction of paved parking area for 1,000 or more vehicles.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction that will continue for more than 1 year or involve more than one phase or stage.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
--	-------------------------------------	-----------------------------------	--

- |   |                          |                          |  |
|---|--------------------------|--------------------------|--|
| • Construction or expansion of a sanitary landfill. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction in a designated floodway.            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

☒ NO ☐ YES See Attachment A

- |                        |                          |                          |  |
|------------------------|--------------------------|--------------------------|--|
| • Specific land forms: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
|------------------------|--------------------------|--------------------------|--|

#### Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |  |                          |                          |  |
|--|--------------------------|--------------------------|--|
| • Developable area of site contains a protected water body.                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Dredging more than 100 cubic yards of material from channel of a protected stream. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Extension of utility distribution facilities through a protected water body.       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction in a designated freshwater or tidal wetland.                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

4. Will Proposed Action affect any non-protected existing or new body of water?

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |  |                          |                          |  |
|--|--------------------------|--------------------------|--|
| • A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction of a body of water that exceeds 10 acres of surface area.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |



1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

5. Will Proposed Action affect surface or groundwater quality or quantity?

☒ NO    ☐ YES    See Attachment A

**Examples** that would apply to column 2

- |  |                          |                          |                              |                             |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will require a discharge permit.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction or operation causing any contamination of a water supply system.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will adversely affect groundwater.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action would use water in excess of 20,000 gallons per day.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow residential uses in areas without water and/or sewer services.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.                              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |  |                          |                          |                              |                             |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action would change flood water flows                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action may cause substantial erosion.                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action is incompatible with existing drainage patterns. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow development in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

#### IMPACT ON AIR

7. Will Proposed Action affect air quality?

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |   |                          |                          |                              |                             |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will induce 1,000 or more vehicle trips in any given hour.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in the incineration of more than 1 ton of refuse per hour.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the amount of land committed to industrial use.                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the density of industrial development within existing industrial areas.               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts:  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

#### IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |   |                          |                          |                              |                             |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |  | 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated by<br>Project Change     |
|--|-------------------------------------|-----------------------------------|--|
| • Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.                          | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation. | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |

#### IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |  | 1<br>Small to<br>Moderate<br>Impact | 2<br>Potential<br>Large<br>Impact | 3<br>Can Impact Be<br>Mitigated by<br>Project Change     |
|--|-------------------------------------|-----------------------------------|--|
| • The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)                                 | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction activity would excavate or compact the soil profile of agricultural land.   | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land. | <input type="checkbox"/>            | <input type="checkbox"/>          | <input type="checkbox"/> Yes <input type="checkbox"/> No |



	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

#### IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |   |                          |                          |  |
|---|--------------------------|--------------------------|--|
| • Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.                              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Project components that will result in the elimination or significant screening of scenic views known to be important to the area.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

#### IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |   |                          |                          |  |
|---|--------------------------|--------------------------|--|
| • Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Any impact to an archaeological site or fossil bed located within the project site.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

#### IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |   |                          |                          |  |
|---|--------------------------|--------------------------|--|
| • The permanent foreclosure of a future recreational opportunity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • A major reduction of an open space important to the community.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

#### IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

☒ NO ☐ YES See Attachment A

List the environmental characteristics that caused the designation of the CEA.

**Examples** that would apply to column 2

- |   |                          |                          |  |
|---|--------------------------|--------------------------|--|
| • Proposed Action to locate within the CEA?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quantity of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quality of the resource?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will impact the use, function or enjoyment of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

### IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |  |                          |                          |                              |                             |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Alteration of present patterns of movement of people and/or goods. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in major traffic problems.             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

### IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |   |                          |                          |                              |                             |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts:  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

### NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |  |                          |                          |                              |                             |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Blasting within 1,500 feet of a hospital, school or other sensitive facility.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Odors will occur routinely (more than one hour per day).   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will remove natural barriers that would act as a noise screen.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

### IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

☒ NO ☐ YES See Attachment A

- |  |                          |                          |  |
|--|--------------------------|--------------------------|--|
| • Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

### IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?

☒ NO ☐ YES See Attachment A

**Examples** that would apply to column 2

- |   |                          |                          |  |
|---|--------------------------|--------------------------|--|
| • The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will conflict with officially adopted plans or goals.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will cause a change in the density of land use.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Development will create a demand for additional community services (e.g. schools, police and fire, etc.)                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |



	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Proposed Action will set an important precedent for future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will create or eliminate employment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?

☒ NO
 ☐ YES

**If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3**

## Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

### Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

**Instructions** (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- ! The probability of the impact occurring
- ! The duration of the impact
- ! Its irreversibility, including permanently lost resources of value
- ! Whether the impact can or will be controlled
- ! The regional consequence of the impact
- ! Its potential divergence from local needs and goals
- ! Whether known objections to the project relate to this impact.

See Attachment A



## **New York State Environmental Quality Review Act Full Environmental Assessment Form Attachment A**

### **PART 1 - PROJECT INFORMATION**

#### **DESCRIPTION OF THE PROPOSED ACTION**

##### Description of Proposed Action

The proposed action is the adoption of the Niagara Communities Comprehensive Plan 2030 (hereafter referred to as the Plan) as the County's official and first Comprehensive Plan. The Plan is a document intended to guide decision-making at the County level in providing services, facilities and infrastructure based on countywide and up-to-date information on a comprehensive list of topics. The Plan provides:

- An overall vision for the future of the County
- The identification of current community issues, assets and opportunities provided by stakeholders during the comprehensive planning process
- Strategies for addressing issues and opportunities
- Goals and objectives in carrying out strategies
- Recommendations for further action in achieving stated goals and objectives

The Plan does not commit the County or any municipality within the County or any other stakeholder to undertake, approve or fund any specific action or actions at this time. Rather the Plan provides a series of recommendations, albeit some more detailed in scope than others that can be followed to achieve stated goals and objectives under five key elements of the Plan:

- Land Use, Transportation and the Environment
- Economic Development
- County Services, Facilities and Infrastructure
- Education
- Public Health and Safety

The Plan encourages dialogue, coordination and collaboration among stakeholders for dealing with varied issues throughout the County and forms a basis for future policy-making and establishing policies at the County level without formulating any stated policies at this time.

An introduction and overview of the Plan with a summary of its organization and content is provided in Chapter I, pages 1 through 9.

##### Purpose, Value and Need

Chapter II, specifically pages 1 through 10 of that chapter, discusses in detail the preparation of the Plan; its definition, content, authority and general requirements under Section 239-d of NYS General Municipal Law; and the Purpose, Value, Intent, Need and Benefits of the Plan. Chapter II also includes a summary of the planning process with an overview of community and stakeholder participation in the process which is documented throughout the Plan and in its appendices.

## **A. Site Description**

### **1. Present Land Use**

Niagara County contains virtually all typical forms of land use ranging from developed urban and suburban areas to less developed rural areas. Land use within the County is described in detail in Chapter III Section E and Figures III.E.1 through E.9. Land use in the Plan is categorized according to NYS Land Use Classification Codes.

### **2. Project Acreage**

Niagara County contains approximately 337,253 acres of land. Included in this total is approximately 29,795 acres of potential Federally-regulated wetlands and approximately 17,813 acres of potential State-regulated wetlands as described in Chapter III Section D. The breakdown by acreage of land use according to NYS land use classification includes:

Residential	115,606 acres
Agriculture	101,280 acres
Vacant Land	54,150 acres
Commercial	8,462 acres
Recreation	5,026 acres
Community Services	6,726 acres
Industrial	5,525 acres
Public Services	5,438 acres
Conservation and Parks	6,684 acres
Lakes, Reservations, etc.	14,908 acres
Other – Roads, ROW's, etc.	13,448 acres

### **3. Soil Types**

Soil information was obtained from the Soil Survey of Niagara County and from the U.S. Department of Agriculture, National Resource Conservation Service Web Soil Survey. The web address is <http://websoilsurvey.nrcs.usda.gov/app/>. Niagara County soils are described in Chapter III Section D. The County contains 11 soil associations ranging from well-drained to poorly-drained and 14 different hydric soils as illustrated on Figure III.D.3 of the Plan.

### **4. Bedrock**

Bedrock conditions in the County are described in Chapter III Section D and bedrock conditions vary across the County. Depth to bedrock generally ranges from 3.5 to 6.0+ feet in most areas although in some locations depth to bedrock may be as shallow as 1.5 feet according to the Soil Survey.

### **5. Topography**

Topography in the County is described in Chapter III Section D. Elevations are illustrated on Figure III.D.1a and 1b. Topography in the County is generally level to gently sloping with the exception of steeper terrain along the Niagara Escarpment, particularly along its north-facing slope.

### **6. State and National Register of Historic Places & Archeological Resources**

Cultural and historic resources are discussed in Chapter III Section I and illustrated for some locations on Figure III.I.1. A complete listing of National and State Register sites in the County is included in the Cultural Resources Appendix in the Plan.

### **7. Is project substantially contiguous to a site listed on Register of National Natural Landmarks?**

None are located within Niagara County.



## **8. Water Table**

According to the Niagara County Soil Survey, soils have a depth to seasonal high water that ranges from as low as 0.0 feet to 3.0+ feet with an average that appears to be in the range from 0.5 to 1.5 feet below the surface.

## **9. Primary, Principal, or Sole Source Aquifer**

Aquifers in the County are discussed in Chapter III Section D and identified on Figure III.D.4 Hydrology.

## **10. Hunting, Fishing, and Shell Fishing**

Hunting and fishing occur throughout the County and are discussed in Chapter III Section J.

## **11. Rare, Threatened, and Endangered Species**

Niagara County contains an abundance of terrestrial and aquatic ecological systems and the potential exists for rare, threatened and endangered species in many locations across the County, particularly along the Niagara River corridor and Ontario lakefront. The Niagara River corridor has been designated as an Important Bird Area (IBA). Several State listed threatened and endangered bird species have been identified including the pied-billed grebe, least bittern, black tern, common tern, bald eagle, peregrine falcon, northern harrier and sedge wren according to the Niagara River Greenway Plan Final EIS (April 2007). State listed aquatic species include the silver chub (endangered), lake sturgeon and mooneye (threatened) and black redhorse sucker and redbfin shiner (special concern). These and other species may occur throughout the area and specific listings of plant and animal species identified at the State and Federal level need to be determined in consultation with the NYSDEC Natural Heritage Program and the U.S. Fish and Wildlife Service for up-to-date listings as part of any further SEQRA actions in implementing the recommendations the Comprehensive Plan.

## **12. Unique or Unusual Land Forms**

Unique and unusual landforms include the Niagara Escarpment and related formations located along the Niagara River.

## **13. Open Space or Recreation Areas**

Open space resources and recreation areas are located throughout the County and discussed in Chapter III Section J and Chapter VII under parks and recreation. Existing parks are located on Figure III.D.5.

## **14. Scenic Views**

Scenic resources exist in many locations within the County the most notable are located along the Niagara River corridor, the Niagara Escarpment, the Lake Ontario shoreline.

## **15. Streams within or Contiguous to the Project Area**

Water resources including surface waters in the County are discussed in Chapter III Section D and identified on Figure III.D.4 Hydrology.

## **16. Lakes, Ponds, Wetland Areas**

Water resources including surface waters in the County are discussed in Chapter III Section D and identified on Figure III.D.4 Hydrology.

## **17. Public Utilities**

Public utilities are discussed in Chapter III Section H and Chapter VI of the Plan.

## 18. Agricultural Districts

Agricultural lands and agricultural districts are discussed in Chapter III Section E and illustrated on Figure V.4 in Chapter V. The following information is also provided that identifies specific agricultural district within Niagara County.

Ag District	Towns	Acres	
		1999*	2006**
District 2	Hartland, Royalton, Somerset	37,381	40,454
District 4	Hartland, Lockport, Newfane, Royalton	34,828	34,663
District 6	Cambria, Lewiston, Niagara, Pendleton, Wheatfield	22,283	24,076
District 7	Cambria, Lockport, Pendleton, Wheatfield, Wilson	17,449	18,067
District 8	Porter, Wilson	38,979	40,726
District 9	Royalton	25,186	30,667
	<b>TOTAL</b>	<b>176,106</b>	<b>188,654</b>
*Niagara County Agricultural and Farmland Protection Plan (2006)			
**Cornell University Geospatial Information Repository (CUGIR, 2006)			

## 19. Critical Environmental Areas

According to the NYSDEC website, there are no CEAs in Niagara County.

## 20. Solid and Hazardous Wastes

Several active and inactive solid and hazardous waste landfills and sites exist within the County. Municipal solid waste landfills are located at the Modern and Allied Niagara facilities in the County. Additional sites are located primarily in the western communities of the County.

# B. Project Description

The proposed action is the adoption of the Niagara Communities Comprehensive Plan which is an administrative action and not a site specific project. Therefore, answers to most questions in this Section B of Part 1 of the EAF are not applicable. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies and/or in particular site specific projects that are considered by the County, additional SEQRA review at that time may be warranted.

### 1. Physical Dimensions and Scale of the Project

The adoption of the Comprehensive Plan is countywide in scope and an administrative action that does not include project or site specific actions or physical actions affecting the environment.

### 2. Natural Material Removed from the Site

N/A

### 3. Reclamation

N/A

### 4. Vegetation Removed

N/A

### 5. Mature Forests (over 100 years old)

N/A

**6. Single Phase Project**

N/A

**7. Multi-phase Project**

N/A

**8. Blasting**

N/A

**9. Job Creation**

The proposed action to adopt the Plan does not involve job creation. Subsequent actions in implementing recommendations provided in the Plan may create employment opportunities in the future, both directly and indirectly.

**10. Job Elimination**

The proposed action to adopt the Plan does not involve job elimination.

**11. Relocation of projects or facilities**

The proposed action to adopt the Plan does not involve the relocation of projects or facilities.

**12. Surface Liquid Waste Disposal**

The proposed action to adopt the Plan does not involve the disposal of surface liquid waste.

**13. Subsurface Liquid Waste Disposal**

The proposed action to adopt the Plan does not involve the disposal of subsurface liquid waste.

**14. Water Body Surface Area**

The proposed action to adopt the Plan does not involve the surface area of any water body.

**15. Floodplain**

The proposed action to adopt the Plan does not involve floodplains. The Plan provides recommendations that will ultimately be beneficial to the function and integrity of existing floodplains and other water-related resources.

**16. Will the project generate Solid Waste?**

No

**17. Will project involve the disposal of Solid Waste?**

No

**18. Herbicides and Pesticides**

N/A

**19. Odors**

N/A

**20. Project Operating Noises**

N/A

**21. Energy Use**

N/A

## **22. Water Supply**

N/A

## **23. Total water usage by day**

N/A

## **24. Local, State or Federal Funding**

The Niagara Communities Comprehensive Plan 2030 was prepared with grant funds provided by the New York State Department of State Quality Communities Program, grant funds provided by the New York State Housing Trust Fund Corporation, Office of Community Renewal (formerly the Office for Small Cities), and funds from Niagara County's General Fund.

# **C. Zoning and Planning Information**

## **1. Planning or zoning decision?**

Yes. The proposed action does involve a planning decision which is the adoption of Niagara County's first comprehensive plan.

## **2. What are the current zoning classification(s) of the site?**

N/A

## **3. What is the maximum potential development by present zoning?**

N/A

## **4. What is the proposed zoning of the site?**

N/A

## **5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?**

N/A

## **6. Consistency with local plans.**

Yes. The Comprehensive Plan was prepared with input provided by communities and other stakeholders within Niagara County. Local plans were reviewed and additional information was provided by stakeholders and subsequently considered in the analysis of existing and future land use conditions and recommendations.

## **7. Predominate Land Uses**

N/A

## **8. Surrounding Land Use Compatibility**

The proposed action to adopt the Plan does not involve the subdivision of land. Subsequent actions in implementing recommendations provided in the Plan may require further SEQRA review at that time that specific actions are considered.

## **9. Subdivision of Land**

The proposed action to adopt the Plan does not involve the subdivision of land. Subsequent actions in implementing recommendations provided in the Plan may require further SEQRA review at that time that specific actions are considered.



## **10. Sewer/water district formation**

The proposed action to adopt the Plan does not involve the creation of sewer/water districts. Subsequent actions in implementing recommendations provided in the Plan may involve consideration for possible creation, consolidation or restructuring of districts in the future, that may require further SEQRA review at that time.

## **11. Community provided services**

The proposed action to adopt the Plan does not involve specific community services at this time. Subsequent actions in implementing recommendations provided in the Plan may involve community services in the future that may require further SEQRA review at that time.

## **12. Traffic Generation**

The proposed action to adopt the Plan does not involve traffic generation or potential impacts (adverse or beneficial) to traffic and/or transportation at this time. Subsequent actions in implementing recommendations provided in the Plan may involve traffic and/or transportation both directly and indirectly that may require further SEQRA review at that time that specific actions are considered.

# **PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE**

## **Impact on Land**

*Question 1. Will the Proposed Action result in a physical change to the project site?*

Answer - No. The Plan provides recommendations intended to reduce the potential for sprawl within the County by encouraging development to those areas of the County within cities, towns and villages that can best support and facilitate development as discussed in detail in Chapter V. The Plan also provides recommendations for protecting important natural and cultural resource areas from the adverse effects of sprawl through sustainable land use principles and practices. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

*Question 2. Will there be an effect to any unique or unusual land forms found on the site?*

Answer - No. The Plan is intended to protect and enhance important unique or unusual landforms. It provides recommendations for support of efforts to protect and manage undeveloped areas along the Niagara Escarpment. Its adoption is not anticipated to create adverse impacts on important landforms or features. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

## **Impact on Water**

*Question 3. Will Proposed Action affect any water body designated as protected?*

*Question 4. Will Proposed Action affect any non-protected existing or new body of water?*

*Question 5. Will Proposed Action affect surface or groundwater quality or quantity?*

*Question 6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?*

Answer – No. The Plan is intended to protect and enhance important surface and groundwater resources. Its adoption is not anticipated to create adverse impacts on water resources. In fact the Plan provides recommendations for protecting wetlands and floodplains from the adverse effects of unregulated development and encroachment. The Plan also recommends consideration of implementing “green infrastructure” and promoting greenways and stream restoration efforts within the County which will have positive influences on stormwater management, erosion control, drainage and runoff, water quality and quantity. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

### **Impact on Air**

*Question 7. Will Proposed Action affect air quality?*

Answer – No. The adoption of the Plan is not anticipated to create adverse impacts on air quality and air resources. The Plan provides recommendations for alternative means of transportation, mixed land use, redevelopment of underutilized properties, more walkable and sustainable communities designed to promote improved air quality. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

### **Impact on Plants and Animals**

*Question 8. Will Proposed Action affect any threatened or endangered species?*

Answer – No. The Plan is intended to protect and enhance important plant and animal resources. Its adoption is not anticipated to create adverse impacts on any threatened or endangered resources. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

*Question 9. Will Proposed Action substantially affect non-threatened or non-endangered species?*

Answer – No. The Plan is intended to protect and enhance plant and animal habitat and its adoption is not anticipated to create adverse impacts on non-threatened or non-endangered species. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

### **Impact on Agricultural Land Resources**

*Question 10. Will Proposed Action affect agricultural land resources?*

Answer – No. The Plan is intended to protect and enhance important agricultural land resources. Its adoption is not anticipated to create adverse impacts on agricultural resources. In fact, as discussed in several sections of the Plan, including Chapter V and VI the Plan recommends actions to promote agriculture and farmland resources. This includes support for an update of the County's Agriculture and Farmlands Protection Plan and land use principles that reduce the effects of sprawl on agriculture by encouraging development in non-agricultural areas of the County, including but not limited to redevelopment of brownfields and other previously developed lands. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

### **Impact on Aesthetic Resources**

*Question 11. Will Proposed Action affect aesthetic resources?*

Answer – No. The Plan is intended to protect and enhance important scenic and aesthetic resources. Its adoption is not anticipated to create adverse impacts on these resources. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

### **Impact on Historic and Archeological Resources**

*Question 12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?*

Answer – No. The Plan is intended to protect and enhance important cultural resources. Its adoption is not anticipated to create adverse impacts on historic and archeological resources. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

### **Impact on Open Space and Recreation**

*Question 13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?*

Answer – No. The Plan is intended to protect and enhance important open space and recreation resources. The adoption of the Plan is not anticipated to create adverse impacts on open space and recreation. In fact, recommendations provided in the Plan, primarily in Chapter VII include the preparation of a County Parks, Open Space, Trails and Recreation master plan to determine existing and future needs. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

### **Impact on Critical Environmental Areas**

*Question 14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area?*

Answer – No. The adoption of the Plan will not have an adverse impact on Critical Environmental Areas (CEA). There are no designated CEA in Niagara County at the present time. The Plan is intended to enhance the protection, conservation and management of important environmental features and resources in Niagara County. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

### **Impact on Transportation**

*Question 15. Will there be an effect to existing transportation systems?*

Answer – No. The Plan is intended to enhance existing transportation systems and alternative means of transporting people and goods. Recommendations relative to transportation are included primarily in Chapter VI and Chapter VII of the Plan. For example, the Plan recommends corridor long land use and transportation studies for several important highway corridors to maintain capacity and local character. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

### **Impact on Energy**

*Question 16. Will Proposed Action affect the community's sources of fuel or energy supply?*

Answer – No. The Plan is not anticipated to create adverse impacts on sources of fuel or energy supply. The Plan recommends actions to reduce the County's "ecological footprint" and promotes sustainable principles and practices intended to reduce energy use, for example through encouraging alternative means of transportation and mixed land uses that promote walkability and greater connectivity between communities and destinations. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

### **Noise and Odor Impact**

*Question 17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?*

Answer – No. The Plan is not anticipated to result in adverse noise and odor impacts. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

### **Impact on Public Health**

*Question 18. Will Proposed Action affect public health and safety?*

Answer – No. The Plan is intended to enhance public health and safety through a variety of recommended actions discussed, particularly in Chapter IX Public Health and Safety. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

### **Impact on Growth and Character of Community or Neighborhood**

*Question 19. Will proposed Action affect the character of the existing community?*

Answer – No. The Plan is intended to enhance quality of life in communities and be consistent with local plans that focus on protection of community and neighborhood character. Once the Plan is adopted and implementation of its recommendations commences, specific actions, policies or, in particular, site specific projects considered by the County may warrant additional SEQRA review at that time.

*Question 20. Is there, or is there likely to be public controversy related to potential adverse environmental impacts?*

Answer – No. The adoption of the Plan has not been shown to be controversial and no adverse environmental impacts are anticipated to occur from its adoption. Once the Plan is adopted and implementation of its recommendations commences, if public controversy becomes known or is anticipated to be possible for any specific actions, policies or, in particular, site specific projects considered by the County, then additional SEQRA review may be warranted at that time.

## **PART 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS**

The adoption of the Niagara Communities Comprehensive Plan, as an administrative action is not anticipated to result in significant adverse impacts upon the environment. Until such time that specific actions, policies or projects are identified and considered to be undertaken, approved or funded that may require additional SEQRA review by the County, no mitigation is required.

## **ADDITIONAL SEQRA CONSIDERATIONS**

### **ENVIRONMENTAL SETTING**

The environmental setting of Niagara County is described in detail in Chapter III of the Plan. The following topics are addressed in Chapter III accompanied by maps and other graphics that identify existing conditions and locations of important resources and characteristics of the County. Chapter IV of the Plan further summarizes key aspects of existing conditions and characteristics within each stakeholder community in the County.

Chapter III addresses the following topics in text and map formats. Additional information that discusses existing conditions within the County is addressed by topic in Chapters IV through IX.

- Geographic Setting
- History of Niagara County
- Political and Administrative Structure (also discussed on Chapter VII)
- Environmental Features (climate, geology, soils, surface and groundwater resources, etc. – also discussed in Chapter V)
- Land Use Characteristics (agriculture, residential, commercial, industrial, etc. – also discussed in Chapter V)
- Population and Housing



- Economic Data
- Economic Development (also discussed in Chapter VI)
- Cultural and Historic Resources
- Recreation and Tourism
- Transportation (roads, bridges, aviation, marine, etc. – also discussed in Chapter V)
- Health and Safety (also discussed in Chapter IX)
- Education (also discussed in Chapter VIII)

## **ALTERNATIVES CONSIDERED**

### No-Action Alternative

The no action alternative would be the continued lack of an adopted Comprehensive Plan at the County level. The lack of a Plan has inhibited the County's ability in the past by not having a Plan in place to use for decision-making, policy guidance and pursuing funding opportunities for projects. The lack of an adopted Comprehensive Plan has:

- Inhibited the County's ability to have a ready source of information to market areas outside of the County for enhanced economic, tourism and business development opportunities
- Restricted the flow of information to and from residents and communities in the County relative to the identification of issues and opportunities from a countywide perspective that are on the minds of stakeholders as now stated in the Plan
- Inhibited the ability to formulate, revise and achieve a coherent vision, goals and objectives for the County to enhance quality of life
- Limited the ability of the County to provide communities with one source of important countywide information that provides planning guidance based on up-to-date information
- Limited the ability of the County to benchmark itself against other counties and areas
- Precluded the ability to use the Plan as an educational tool for decision-makers and the public
- Restricted the ability of the County to formulate and establish important policies and chart a direction for dealing with present and future issues, opportunities and challenges as they arise.

### Alternative to Sustainability

The Plan provides recommendations that encourage and promote sustainable principles and related practices as an important alternative to less sustainable practices that create the potential for adverse impacts on the environment. Adherence to more sustainable principles and practices could promote more favorable development patterns throughout the County that will consequently result in positive benefits upon traditional population centers, developed areas, natural resources, farmlands, economic development opportunities, services and infrastructure and local community character.

## **UNAVOIDABLE ADVERSE ENVIRONMENTAL EFFECTS**

No significant unavoidable adverse effects are anticipated from adoption of the Niagara Communities Comprehensive Plan 2030. On the contrary, the Plan is focused on a series of recommendations designed to reduce or avoid potentially adverse impacts on the environment and communities by promoting sustainable principles and practices in providing services, facilities, and public infrastructure as well as through more sustainable land use development and protection of natural resources and environmentally sensitive areas of the County.

## **IRREVERSIBLE AND IRRETRIEVEABLE COMMITMENT OF RESOURCES**

The Plan does not directly commit the County or any municipality to a specific course of action that results in an irreversible and/or irretrievable commitment of resources, including human resources, materials and/or financial resources. Some of the recommendations of the Plan, such as preparation of future plans, locating and constructing new facilities, etc. may require commitment of resources at the time that such actions are considered. Depending on the scope and scale of future required commitment of resources, the County may need to conduct additional SEQRA review prior to undertaking, approving and/or funding such actions.

## **CUMULATIVE AND GROWTH INDUCING IMPACTS**

### Cumulative Impacts

The New York State Department of Environmental Conservation (NYSDEC) defines a cumulative impact as “two or more individual effects on the environment which, when taken together, are significant or which compound or increase other environmental effects. The individual effects may be changes resulting from a single project or a number of separate projects.” Cumulative impacts can result from the proposed action under consideration or external factors that may not be directly related to the proposed action.

An important goal of the Plan is to reduce unanticipated or unintended potential cumulative effects on the environment resulting from single actions or isolated decisions. The Plan promotes concerted actions involving multiple stakeholders and jurisdictions working together in collaboration to consider and mitigate the potential for cumulative impacts through coordinated actions. The Plan likewise recommends various actions that can be considered by the County and local municipalities to limit the adverse cumulative effects of sprawl on the environment. However, the Plan does not commit the County or any municipality to any policy or action at this time. Rather, the Plan outlines and emphasizes the beneficial effects of sustainable principles and practices for protecting environmentally sensitive areas, such as wetlands and floodplains and other important local resources, such as prime and unique farmlands and open space.

Recommendations contained within the Plan are anticipated to be consistent and compatible with local plans and efforts to protect the environment. These include avoiding development in environmentally sensitive areas such as wetlands and floodplains, encouraging farmland protection efforts and waterfront access and protection. The Plan also recommends preparing highway corridor plans for better traffic, access and land use management. Recommendations also include practices to reduce the adverse and potential cumulative effects of stormwater runoff and drainage through possible incorporation of green infrastructure practices as an alternative to more traditional gray infrastructure measures. The Plan also supports the establishment of blueways and greenways as functioning natural corridors in the County.

Any commitment to undertake, approve, or fund substantial actions or projects in specific areas of the County, including actions that may create a potential for cumulative impacts in an area(s) may require additional SEQRA review prior to decision-making on such actions or projects. For example, consideration of providing public access into potential environmentally sensitive areas via trail systems need to consider the potential impacts on sensitive resources from increased public use and exposure prior to undertaking an action.

### Potential Growth Inducing Impacts

The Plan itself will not result in any direct induced growth or development in any one area of the County. The Plan does not identify specific locations or consideration of new County facilities, infrastructure or services. These may be addressed in future revisions of the Plan and may need to undergo additional SEQRA review at that time when such information is known. Neither will it result in any immediate or direct extension of roads, utility infrastructure or County services that would induce growth.

The Plan includes numerous recommendations to achieve overall goals and objectives focused on managing future growth and development to reduce the potential for sprawl in areas of the County where extended infrastructure in particular, could result in adverse impacts on important local resources. Recommendations include a focus on maintaining existing infrastructure as a priority in lieu of new or expanded infrastructure wherever possible, unless public health and safety are a concern, in order to mitigate the adverse effects of sprawl on communities.

The Plan emphasizes redevelopment of traditional population centers in urban, suburban and rural areas of the County where development has occurred and where public infrastructure and services likely already exist, recognizing the “home rule” authority of local municipalities over land use decisions and regulations via zoning and other enforcement mechanisms. The Plan recognizes that further growth and development in developed areas may require upgrades to the condition and capacity of existing systems and the potential exists that in communities new or replacement systems, such as sewer, wastewater and water treatment, may also be necessary to encourage future growth and development in these areas as opposed to presently undeveloped areas. Any commitment to undertake, approve, or fund substantial capital improvement projects in specific areas of the County, including actions that may induce growth in an area(s) will require additional SEQRA review prior to decision-making on such actions or projects.

## **EFFECTS ON THE USE AND CONSERVATION OF ENERGY**

The Plan reiterates a goal of the County to reduce its “ecological footprint” and promotes the principles of sustainability throughout the County with the intent of avoiding and reducing potential adverse impacts on the environment. The Plan provides recommendations for both reducing the use of energy and conserving energy. For example, Chapter V of the Plan emphasizes the importance of encouraging more sustainable communities through the development of mixed land uses and more walkable neighborhoods by providing increased connections via alternative modes of transportation and greater access and mobility via these alternatives.

The Plan does not commit the County or any municipality to any specific course of action that will directly affect the use and conservation of energy. The next phase of the Plan is in implementing its recommendations through subsequent actions and definition of possible policies that the County may undertake towards energy reduction and conservation. Subsequent actions and establishing policies may require the County to conduct additional SEQRA review at that time to determine the effects of its actions or policies on the use of energy. For example, depending on the scope and scale of the program, subsequent actions and/or policies may include more aggressive recycling programs and the use of recycled materials in County operations; using more recycled construction and demolition materials in County capital projects; conducting energy audits of County facilities with the intent of becoming more energy efficient via replacement of heating, ventilation and air conditioning (HVAC) systems; replacement of vehicle fleets with more fuel efficient vehicles; and possible consolidation of facilities and services as a conservation measure. These types of actions may require additional SEQRA review at the time they are being considered.

## **COMPREHENSIVE PLAN - SEQRA APPENDIX**

The Comprehensive Plan includes an appendix that documents the SEQRA process followed for its adoption.