

APPENDIX C

Appendix C: WATERFRONT ASSESSMENT FORM

PROJECT SPONSOR INFORMATION

Name: _____

Department/Organization _____

Mailing Address: _____

State: _____ Zip Code: _____

Federal Id# _____ Charities Registration # _____

Project Description

Project Name: _____

SBL: _____

Address: _____

Zip Code: _____

Council District: _____

Project Proponent Property Interest (own, lease, easement or other): _____

AUTHORIZED OFFICIAL

Name: _____ Title: _____

Business Address: _____

State: _____ Zip Code: _____

Telephone Number: _____ Cell Number: _____

Fax Number: _____

E-Mail Address: _____

PROJECT POINT OF CONTACT

Name: _____ Title: _____

Organization/Firm: _____

Business Address: _____

State: _____ Zip Code: _____

Telephone Number: _____ Cell Number: _____

Fax Number: _____

E-Mail Address: _____

DESCRIPTION OF SITE AND PROPOSED ACTION

1. Type of department action (check appropriate response):
 - (a) Directly undertaken (e.g. capital construction, planning activity, department regulation, land transaction) _____
 - (b) Financial assistance (e.g. grant, loan, subsidy) _____
 - (c) Permit, approval, license, certification _____
 - (d) Department undertaking action: _____
2. Describe nature and extent of action: _____

3. Location of action: _____
4. Size of site: _____
5. Present land use: _____
6. Present zoning classification: _____
7. Describe any unique or unusual land forms on the project site (i.e. steep slopes, swales, ground depressions, other geological formations): _____
8. Percentage of site which contains slopes of 15% or greater: _____
9. Streams, lakes, ponds or wetlands existing within or contiguous to the project area?
 - (1) Name: _____
 - (2) Size (in acres): _____
10. Will the action be directly undertaken, require funding, or approval by a state or federal department?
Yes ___ No ___ If yes, which state or federal agency? _____

Please indicate if the project will have no impact, a positive impact or negative impact on the LWRP policy objectives listed below. Provide explanations using the specified indicators to the maximum extent practicable.

Policy		Impact				
#	Objective (See full policy text in LWRP)	0	+	-	Indicators. Please describe the projects impact on:	Explanation
9	Protect and enhance recreational use of fish and wildlife resources				habitat sites, including breeding grounds, identified in the Inventory Section ____ native fish stocks efforts to restore sustainable populations of indigenous fish living in the Lake Erie, the Niagara River, Buffalo River and Scajaquada Creek systems as discussed in the Inventory Section ____; fishing access sites wildlife viewing facilities as identified in the inventory section _____.	
9A	Protect public health from contaminated fish				reduce contamination and restore local fisheries such that New York State Department of Health Fish Consumption Advisories are no longer required to protect public health. educate local subsistence anglers on fish consumption advisory provisions	
9B	Support local fishing related businesses					
19	Protect and increase public water related recreation resources and facilities				existing public waterfront access and water dependant recreation facilities as identified in the Inventory Habitat, Marina and Recreation sections development and implementation of a long term parks/recreation/open space master plan for the LWRA Limits on public access and recreational activities where uncontrolled public use would lead to disruption of the environmental cleanup measures or fish and wildlife resources	

20	Provide access to publicly owned foreshore and adjacent lands/retain such lands in public ownership				Impact public access to publicly owned foreshore and adjacent lands Public ownership of foreshore and adjacent lands	
25	Protect and enhance the local scenic quality of the LWRA				marinas, piers, wharfs and mooring areas as unique waterfront landscapes Niagara River Globally Significant Bird Area viewing sites	
1	Revitalize deteriorated and underutilized areas					
1A/5	Direct new water enhanced, mixed use development to areas identified in Section VII of the Inventory					

1B	Achieve local waterfront transportation objectives			<p>Seaway Trail as the City's primary multi-modal local waterfront transportation corridor</p> <p>Shoreline Trail and Jesse Kregel multi-modal off-road routes</p> <p>Route 198's impact on waterfront ecological, historic and public access resources.</p> <p>pedestrian connections below Route 190 in Black Rock Riverside</p> <p>connections below Route 190 downtown by straightening Erie Street from Main Street to the Erie Basin Marina.</p> <p>Thruway Toll Plaza land along Black Rock Canal for public access</p> <p>Virginia/Carolina exchange</p> <p>Minimize at grade parking facilities within the LWRA to preserve land for public access along the water's edge and adjacent in-land commercial development.</p> <p>Minimize waterfront truck traffic to the maximum extent practicable, redirecting through traffic to non-waterfront routes while supporting truck traffic associated with local businesses.</p> <p>connection between the Main Street and the waterfront through the Cars on Main Street effort and improvements to the Erie Street Ellicott radial.</p>	
1C	Develop the City as a high quality International Gateway			<p>Revitalize former industrial structures and vacant lands along Niagara Street north of the Peace Bridge to Ferry Street; and</p> <p>develop landscape gateway features</p> <ul style="list-style-type: none"> i. along the 190 in LaSalle Park; ii. west of the Hope VI project; iii. at the Carolina/Virginia Thruway interchange; iv. at Porter Avenue; and v. at the US Peace Bridge Plaza. <p>Improve connections between the US Shoreline Trail and the Niagara River Parkway trail bicycle and pedestrian trail system</p> <p>Support cross-border recreational boating and fishing with clearly identified marine border check-in sites</p> <p>Improve passenger train connections along the waterfront from downtown Buffalo through Niagara Falls to Toronto</p> <p>Facilitate and incentivize Buffalo resident enrollment in the Nexus trusted traveler program</p> <p>Explore opportunities for cross border interpretation of the War of 1812, Underground Railroad and shared ecological restoration efforts</p>	

1D	Long Term Waterfront Transportation Goals			<p>Reduce the I-190 Expressway's waterfront footprint and adverse impacts on public access and property values; early options include relocation of the I-190 in Black Rock/Riverside to the Tonawanda rail corridor and/or the conversion of Route I-190 to a boulevard</p> <p>Develop the Buffalo River Greenway as the southern complement to the Jesse Kregel/Scajaquada Creek Trail system</p> <p>Construct a connection between the Tiftt Street and Route 190 to redirect truck traffic from the waterfront inland and support the redevelopment of the Riverbend Brownfield Opportunity Area</p> <p>Remove the Skyway bridge overpass and bring Route 5 down to a level that is in concert with surrounding development.</p>	
4	Encourage water			<p>encourage the location of water dependent and related institutions and businesses such as maritime research and educational facilities, aquaculture, boat manufacturing, sales and services and fishing related businesses.</p>	
6	Expedite LWRA permit procedures				
11	Minimize property damage and risk to humans from flooding and erosion			<p>Preserve publicly held waterfront open space</p> <p>Honor waterfront setbacks from high water mark</p> <p>Preserve vegetative riparian buffers</p> <p>Provide onsite stormwater management</p> <p>Comply with City Flood Damage Protection laws</p> <p>Meet FEMA and HUD construction and insurance requirements</p> <p>Contribute to regional flood prevention efforts</p>	
23	Protect and enhance historic resources			<p>Native American archeological resources;</p> <p>War of 1812;</p> <p>Erie Canal;</p> <p>Buffalo's historic waterfront grain elevators;</p> <p>Underground Railroad structures and routes;</p> <p>Waterfront industrial heritage resources</p> <p>Waterfront Frederick Law Olmsted parks, particularly park features designed to provide views of and access to the City's waterways.</p> <p>Historic waterfront lighthouses and bridges.</p> <p>Other _____</p>	

24	Prevent the impairment of the Great Lakes Seaway Trail National Scenic Byway			<p>modification of geologic forms, the destruction or removal of vegetation, the destruction or removal of structures, wherever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource;</p> <p>the addition of structures which because of siting or scale will reduce identified views or which because of scale, form or materials will diminish the scenic quality of an identified resource.</p> <p>Protection and improvement of views from the Seaway Trail of the City's waterways; and</p> <p>Improvement of the scenic quality of the Seaway Trail in Buffalo through the implementation of the City's Complete Streets ordinance and incorporation of landscaping, heritage interpretation and pedestrian amenities into roadway improvement projects.</p>	
24A	Ensure outdoor advertising and signage complies with 23 USC 131 © and (s)				
2	Facilitate the siting of water dependent uses and facilities on or adjacent coastal waters			<p>Potential adverse impacts or interference with the continued operation of existing water-dependent uses as identified in the Inventory Section ____.</p> <p>Support for the development of new water-dependent uses where:</p> <ol style="list-style-type: none"> 1. The need for dredging is minimized; 2. Waterside and landside access, as well as upland space for parking and other facilities, is adequate; 3. Necessary infrastructure exists or is easily accessible, including adequate shoreline stabilization structures, roads, water supply and sewage disposal facilities, and vessel waste pump-out and waste disposal facilities; 4. Water quality classifications are compatible; 5. Impacts to important natural resources, such as wetlands and fish and wildlife habitats, could be avoided or minimized to the greatest extent practicable; and 6. Public access to the water's edge can be maintained, to the greatest extent practicable. 	

3	Develop Buffalo as a major state port/support waterborne transportation			waterborne cargo associated with the grain elevators, Kelly Island, City Ship Canal and the Ford Terminal Complex. recreational boating throughout the City's waterfront. Waterborne passenger facilities like water taxis and ferries	
27/29	Make sound energy development decisions			thoroughly examine and document potential adverse impacts to 1) the environment; 2) the Buffalo community's use and enjoyment of local waters for recreation, transportation and economic development; and 3) homeland security. Potential adverse impacts should be avoided to the maximum extent practicable and mitigated where avoidance is not possible	
28	Ice Management shall not damage fish and wildlife or their habitats, increase shoreline erosion or flooding or interfere with hydroelectric power production			periodically review the Niagara River Ice Boom to determine the impacts of ice boom operations on water recreation and industry, the Buffalo microclimate and growing season, Lake Erie evapotranspiration rates and water levels, fish and wildlife and their habitats and Niagara River erosion and sedimentation patterns. Potential adverse impacts should be avoided to the maximum extent practicable and mitigated where avoidance is not possible. ¹	
7	Protect significant fish and wildlife coastal habitats			State designated significant fish and wildlife coastal habitats Fish and wildlife service areas of interest	
7A	Protect publicly owned local habitats				
7B	Protect and restore naturalized shoreline areas				

¹ According to Section 37 of the 2007 Federal Energy Regulatory Commission Niagara Power Project License "the ice boom has never been a project facility and its storage and maintenance facilities are not within the project boundary." Therefore, ice boom impacts were not addressed in the 2007 FERC license.

7C	Manage harbor operations to protect ecological resources			Buffalo River Legacy Act project in-situ capping and ecological restoration sites	
7D	Protect and enhance the Niagara River Globally Significant Bird Corridor			Bird corridor habitat areas Avoid migration disruptions	
8	Protect fish and wildlife from hazardous wastes				
8A	Support strategic removal of contaminated sediments in the Buffalo River				
8B	Characterize and address LWRA contaminated sediment and botulism concerns			Scajaquada Creek/Hoyt Lake/Mirror Lake South Park Lake	
12	Protect natural protective features			Times Beach Nature Preserve, Outer Harbor Greenbelt (including Bell Slip), Gallagher Beach, Cazenovia Park, LaSalle Park and Delaware Park/Hoyt Lake/Scajaquada Creek and Squaw Island.	

16	Utilize public funds to protect key features from erosion			<p>Protection and maintenance of the following existing shoreline protective features:</p> <p>Bird Island Pier, Harbor breakwalls and Erie Basin Marina to protect the City shoreline from Lake Erie related flooding and erosion.</p> <p>Erosion control structures that protect the Colonel Ward Pumping Station and Buffalo Sewer Authority Bird Island Treatment Plant.</p> <p>Erosion control structures associated with LWRA remediated sites or confined disposal facilities.</p> <p>Erosion control structures associated with LWRA waterfront transportation facilities</p>	
30	Discharges to coastal waters will meet water quality standards			Compliance with BSA Industrial Discharge Permitting Chapter 491 Article III of the Buffalo Code re water pollution	
33/37	Control stormwater runoff and cso's into LWRA			The BSA CSO Long Term Control Plan City of Buffalo and BSA erosion control and post construction stormwater management requirements	
34	Limit discharges from vessels into coastal waters				
34A	Operate marinas to minimize adverse impacts on water quality			<p>provide pump out facilities to discourage the discharge of sewage within the City of Buffalo LWRA;</p> <p>provide boat wash down facilities to discourage the transport of aquatic invasive species;</p> <p>provide measures to prevent spillage of petroleum products at marina fueling stations and measures for the efficient and effective cleanup of spills; and</p> <p>minimize runoff from boatyards and service areas to prevent petroleum products, paints, solvents and other substances utilized in marine commercial activities that are harmful to the environment from entering surface waters and impacting the aquatic environment.</p>	

35	Minimize adverse impacts of dredging activities					
35A	Minimize adverse impacts from CDFs in the LWRA					
35B	Protect in situ treatment and habitat areas from dredging activities in the Buffalo River and City Ship Canal					
36	Minimize adverse impacts from petroleum and other hazardous materials					
36A	Avoid the development of new new petroleum and other hazardous material shipment and storage facilities, junk/salvage yards, recycling facilities, waste transfer facilities in the LWRA					

36B	City EMS shall review plans for the prevention and control of petroleum and chemical discharges within the LWRA				
36C	Existing chemical or petroleum facilities must minimize adverse impacts on the LWRA				water pollution, air pollution, noise pollution, obnoxious odors, litter, vector infestation and other conditions harmful to the public health.
38	Conserve and protect the quality and quantity of surface waters				Great Lakes Compact water quantity provisions Great Lakes Compact water conservation provisions Great Lakes Basin Action Agenda Pharmaceuticals and emerging contaminants of concern BRIC operation Jubilee Springs and WS Consolidated Aquifer
39	Minimize adverse impacts to LWRA from solid and hazardous wastes				
44	Protect wetlands				

D. COASTAL ASSESSMENT (Check either "Yes" or "No" for each of the following questions)

1. Will the proposed action be located in, or contiguous YES NO to, or have a potentially adverse effect upon any of the resource areas identified on the coastal area map:...

- (a) Significant fish or wildlife habitats?.....
- (b) Scenic resources of local or statewide significance?
- © Important agricultural lands?.....
- (d) Natural protective features in an erosion hazard area.....

If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

2. Will the proposed action have a significant effect upon: YES NO

- (a) Commercial or recreational use of fish and wildlife resources?.....
- (b) Scenic quality of the coastal environment?.....
- © Development of future, or existing water dependent uses?.....
- (d) Operation of the State's major ports?.....
- (e) Land or water uses within a small harbor area?.....
- (f) Stability of the shoreline?.....
- (g) Surface or groundwater quality?.....
- (h) Existing or potential public recreation opportunities?.....
- (l) Structures, sites or districts of historic, archeological or cultural significance to the City of Buffalo, State or nation?.....

3. Will the proposed action involve or result in any of the following: YES NO
- (a) Physical alteration of land along the shoreline, land under water or coastal waters?.....
 - (b) Physical alteration of two (2) acres or more of land located elsewhere in the coastal area?.....
 - © Expansion of existing public services or infrastructure in undeveloped or low density areas of the coastal area?.....
 - (d) Energy facility not subject to Article VII or VIII of the Public Service Law?.....
 - (e) Mining, excavation, filling or dredging in coastal waters?.....
 - (f) Reduction of existing or potential public access to or along the shore?.....
 - (g) Sale or change in use of publicly-owned lands located on the shoreline or under water?.....
 - (h) Development within a designated floor or erosion hazard area?.....
 - (i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?.....
 - (j) Construction or reconstruction of erosion protective structures?.....
 - (k) Diminished surface or groundwater quality?.....
 - (l) Removal of ground cover from the site?.....

4. PROJECT YES NO

- (a) If a project is to be located adjacent to shore:
- (1) Will water-related recreation be provided?.....
 - (2) Will public access to the foreshore be provided?....
 - (3) Does the project require a waterfront site?.....
 - (4) Will it supplant a recreational or maritime use?....
 - (5) Do essential public services and facilities presently exist at or near the site?.....
 - (6) Is it located in a flood prone area?.....
 - (7) Is it located in an area of high erosion?.....

YES NO

- (b) If the project site is publicly owned:
- (1) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?.....
 - (2) If located in the foreshore, will access to those and adjacent lands be provided?.....
 - (3) Will it involve the siting and construction of major energy facilities?.....
 - (4) Will it involve the discharge of effluents from major steam electric generating and industrial facilities into coastal facilities?.....
- © Is the project site presently used by the community neighborhood as an open space or recreation area?.....
- (d) Does the present site offer or include scenic views or vistas known to be important to the community?.....
 - (e) Is the project site presently used for commercial fishing or fish processing?.....
 - (f) Will the surface area of any waterways or wetland areas be increased or decreased by the proposal?.....
 - (g) Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project?.....
 - (h) Will the project involve any waste discharges into coastal waters?.....
 - (i) Does the project involve surface or subsurface liquid waste disposal?.....
 - (j) Does the project involve transport, storage, treatment

- or disposal of solid waste or hazardous materials?..... ___ ___
- (k) Does the project involve shipment or storage of
petroleum products?..... ___ ___
- (l) Does the project involve discharge of toxics, hazardous
substances or other pollutants into coastal waters?..... ___ ___
- (m) Does the project involve or change existing ice
management practices?..... ___ ___
- (n) Will the project affect any area designated as a tidal
or freshwater wetland?..... ___ ___
- (o) Will the project alter drainage flow, patterns or
surface water runoff on or from the site?..... ___ ___
- (p) Will best management practices be utilized to control
storm water runoff into coastal waters?..... ___ ___
- (q) Will the project utilize or affect the quality or quantity
of sole source or surface water supplies?..... ___ ___
- ® Will the project cause emissions which exceed federal or
state air quality standards or generate significant
amounts of nitrates or sulfates?..... ___ ___

D. REMARKS OR ADDITIONAL INFORMATION: (Add any additional sheets to complete this form.)

If assistance or further information is needed to complete this form, please contact Office of the City Clerk at: _____

Preparer's Name: _____ Telephone Number: _____

Title: _____ Agency: _____ Date: _____