EXECUTIVE SUMMARY

I. DESCRIPTION OF PROPOSED ACTION

The New York State Thruway Authority (NYSTA) and the Federal Highway Administration (FHWA), as joint lead agencies, in cooperation with the New York State Department of Transportation (NYSDOT), have prepared this Design Report/Draft Environmental Impact Statement (DR/DEIS) to document studies regarding the development of a modern mainline toll barrier on the New York State Thruway (Interstate 90) to the northeast of the Buffalo metropolitan area. The modern toll barrier would address operational and capacity concerns at the existing mainline toll barrier located between Interchanges 49 and 50 in the Town of Amherst, Erie County, New York, which is commonly referred to as the Williamsville Toll Barrier. The Williamsville Toll Barrier currently consists of ten toll islands (including tandem booths in the westbound direction) that service five (5) westbound lanes, three (3) eastbound lanes, and three (3) reversible lanes.

The project corridor consists of an 18-mile length of Interstate 90 that extends from the existing toll barrier location in the Town of Amherst (just east of Interchange 50), Erie County, to Interchange 48A in the Town of Pembroke, Genesee County. The 18-mile project corridor occurs primarily within Erie County, in the Towns of Amherst, Cheektowaga, Clarence, Lancaster, and Newstead, and passes within close proximity to the Town of Alden. The project corridor ends in the Town of Pembroke in Genesee County.

In New York State, Interstate 90 is segmented into miles and each mile has an associated milepost with milepost numbers increasing from east to west. The locations of sections of the project corridor and significant major features within the study corridor are referenced to those mileposts. The western terminus of the project corridor occurs immediately west of the existing Toll Barrier at Interchange 50, which is located approximately at Milepost 420. The eastern limit of the project corridor is Interchange 48A (Milepost 401.72).

This project is necessitated by capacity deficiencies and operational concerns at the existing Williamsville Toll Barrier (Milepost 419.68). The capacity deficiencies have resulted in congestion and delays, which in turn contribute to increased vehicle emissions and resulting energy usage at that location. Congestion at the barrier may also deter usage of this segment of the Thruway, thereby burdening alternative routes on local arterial roads. It is also predicted that traffic volume will continue to rise 2.7 percent per year, thereby exacerbating the congestion currently observed at the Williamsville Toll Barrier. The current toll barrier does not include highway speed E-ZPass lanes, which are capable of increasing toll barrier capacity at a rate higher than additional manual toll collection lanes. The current toll barrier also does not meet current guidelines for toll barrier approach/departure elements and queue zones. Operational concerns include safety issues related to employee access to the toll booths, which requires employees to cross multiple lanes of traffic on foot. In addition, vehicular access to the existing Operations Building is potentially hazardous for employees, delivery, and/or service vehicles traveling to the toll plaza from the

west. Other concerns relate to traffic and employee safety issues in connection with the operation of reversible lanes at the toll barrier. In addition, the existing Operations Building and parking lot do not adequately serve the needs of the NYSTA. Additional detail on existing conditions is provided in Volume I, Chapter II.

Based on these capacity deficiencies and operational concerns at the existing Williamsville Toll Barrier, the following goals and objectives were developed for the project:

- Reduce travel time and delays through the project's study corridor by providing adequate toll processing capacity to minimize toll processing delays at the toll plaza.
- Provide improved highway and toll plaza safety by these actions:
  - Separate motorists stopping at the barrier from motorists with E-ZPass that are not required to stop, allowing these two (2) groups to diverge and merge before and after the physical limits of the toll barrier approach and departure zones;
  - Lengthen toll plaza approach and departure zones to current highway standards to provide adequate distances for diverging traffic approaching the barrier and merging traffic departing the barrier;
  - Lengthen toll plaza queue zones to current highway standards to "store" queued vehicles awaiting processing in toll lanes entered after vehicles have completed their diverging maneuvers within an approach zone;
  - Lengthen toll plaza recovery zones to current highway standards to allow vehicles exiting toll booths to accelerate back to highway speeds before merging with E-ZPass Traffic in the plaza's departure zones; and
  - Lengthen weaving zones between the barrier and interchange traffic.
- Improve toll barrier safety for patrons, toll booth operators, toll barrier support personnel and maintenance forces alike by:
  - Providing thruway personnel safe and direct all-weather access to toll booths, toll barrier canopy, and toll equipment without having to cross active toll lanes at grade, eliminating a potential hazard to Thruway personnel and patrons alike; and
  - Improving access to the toll barrier and toll barrier utility building, eliminating the need for emergency vehicles, Thruway personnel, and delivery vehicles to make turns across active toll plaza lanes.
- Provide a toll facility that:
  - Minimizes fuel consumption and associated emissions;
  - Minimizes impacts to other environmental resources such as wetlands, floodplains, groundwater, and farmland; and
  - Mitigates unavoidable environmental impacts when feasible and reasonable.
- Provide a toll barrier support facility capable of serving the Thruway staff required to operate the toll barrier at full capacity at any time during the facility's design life span.
- Provide approach, departure, and plaza pavements with design lives that are consistent with the expected service or design life of a new toll barrier facility.
- Maximize the benefits of innovative technologies to minimize the physical size and environmental impact of the toll facility. Encourage the use of E-ZPass electronic toll collection to improve traffic flow, promote energy conservation, reduce vehicle emissions, and reduce noise.

- Follow the legal requirement to provide revenue to fulfill the terms and agreements made with the holders of notes and bonds issued by the Thruway and to provide adequate funds to meet the expense of maintenance and operation.

II. OTHER GOVERNMENTAL ACTIONS

NYSTA Actions

Current planned construction projects on Interstate 90 within the study corridor that may be relevant include:

Pavement Repair/Resurfacing

- Milepost 393.70 to Milepost 404.70 in 2009
- Milepost 404.70 to Milepost 416.90 in 2011
- Milepost 416.90 to Milepost 419.80 in 2011

Bridges Over/Under Interstate 90:

- Interchange 48A On-Ramp (BIN 5516879)—Rehabilitation or deck repair in 2006
- Murder Creek (BIN 5516840)—Rehabilitation in 2007
- South Newstead Road (BIN 5511650)—Rehabilitation or deck replacement in 2008
- Deck repair in 2011:
  - Harris Hill Road (BIN 5511879)
  - Conrail (BIN 5511889)
  - Transit Road (BIN 5030279)
  - Interchange 49 Westbound Ramps (BIN 5512160)
- Ransom Road (BIN 5511670)—Rehabilitation in 2011

Joint NYSTA/NYSDOT Action

The NYSTA, in conjunction with the Greater Buffalo-Niagara Regional Transportation Council (GBNRTC) and NYSDOT is currently studying the Interstate 90 corridor between Interchange 49 and Interchange 53, including the connection to Interstate 290 at Interchange 50 under the Buffalo Corridor Study. This study is being conducted to address congestion and safety issues that have developed due to changes in commuter origins and destinations. This study is ongoing and no final recommendations, conclusions, or proposals have been reached. However, the study is expected to propose some interchange reconfiguration and bridge replacement work. In contrast, the Williamsville Toll Barrier Project is necessitated by capacity, operational, and safety concerns. Logical termini have been established for each project based on the purpose and need for the project. In the vicinity of Interchange 50, right-of-way concerns and the location of existing infrastructure is expected to be the primary factor in the establishment of feasible alternatives. Therefore, any reasonably feasible transportation projects resulting from the Buffalo Corridor Study are not expected to limit the feasible alternatives of the Williamsville Toll Barrier Improvement Project or vice versa. Since both projects have independent utility and neither project negates the need for the other, the Buffalo Corridor Study is being progressed independently from the Williamsville Toll Barrier Improvement Project. Moreover, approval of the

Williamsville Toll Barrier Improvement Project does not automatically trigger or commit NYSTA or FHWA to approve any other transportation projects that could be recommended by the Buffalo Corridor Study.

Action by Others

Other government actions planned near the project corridor include:

- NYSDOT is planning reconstruction of Route 78 (Transit Road) between Interstate 90 and Main Street (PIN 5209.40). Letting is scheduled for September 2006 with construction expected to be complete in 24-30 months.
- Erie County is planning reconstruction and widening of Wehrle Drive from Ellicott Creek to Transit Road (PIN 5755.19). Letting is scheduled for summer 2006.
- NYSDOT is planning rehabilitation of Route 77 from Route 20 to Interstate 90 (PIN 4077.06). Letting is scheduled for February 2009.

These actions are discussed in greater detail in Volume I, Chapter II.

III. SUMMARY OF FEASIBLE ALTERNATIVES

The alternatives evaluated in the DDR/DEIS include:

- No modification of the existing mainline toll plaza (No-Build Alternative)
- Improvement of the existing mainline toll plaza (Improvement Alternative)
- Replacement of the existing mainline toll plaza (Relocation Alternative)

These alternatives were identified in the Scoping Document for this project, which was issued in 2000. For the alternatives involving construction activities, alternative plaza configurations, design, and technology applications were evaluated with respect to a number of factors including, but not limited to, operational efficiency, public safety, employee health and safety and cost of construction, operation and maintenance. A preferred plaza configuration, featuring highway speed E-ZPass lanes in the center of the plaza, was developed based on those factors and serves as the basis for evaluating the build alternatives. Highway speed E-ZPass lanes allow motorists to maintain their speed while tolls are electronically collected through the reading of windshield mounted E-ZPass tags. The following sections discuss each of the primary alternatives, while more detail on alternative development and design issues is provided in Volume I, Chapter III.

A. No Build Alternative

Under the No Build Alternative, the Williamsville Toll Barrier would remain at its present location, the toll plaza and booths would remain as presently configured, and the facility would maintain current operations.

B. Improvement Alternative

Under the Improvement Alternative, the Williamsville Toll Barrier would remain at its present location and physical improvements would be implemented. Physical improvements considered include expansion of the toll plaza to provide the capacity and features of the preferred plaza configuration, including highway speed E-ZPass lanes that bypass the toll barrier and provide non-stop barrier-free toll collection.

The proximity of Interchange 50 to the existing toll barrier location, however, does not allow for development of the highway speed E-ZPass lanes while providing sufficient length for motorists to make toll-barrier related decisions and change lanes. Therefore, the preferred plaza configuration is not feasible at this location.

Since the preferred plaza configuration is not feasible, a secondary alternative was considered. A "moderate speed E-ZPass" configuration would incorporate dedicated 20 miles per hour E-ZPass lanes in the center of the plaza. However, this configuration is not feasible at the existing location, for similar reasons related to the geometry and proximity of the barrier to Interchange 50.

Consequently, a "hybrid" Improvement/Relocation Alternative was considered. In order to provide sufficient sight distance and weaving distance relative to Interchange 50, both the eastbound and westbound portion of the preferred plaza configuration would be shifted to the east of the existing location until feasible locations were found. Because the plaza is essentially relocated, this "hybrid" alternative was evaluated by the same criteria used to evaluate each relocation alternative.

C. Relocation Alternative

The Relocation Alternative consists of the removal of the Williamsville Toll Barrier and construction of a new mainline toll barrier somewhere between the Williamsville Toll Barrier and Interchange 48A. This 17-mile segment of I-90 is hereinafter referred to as the relocation study corridor. Because multiple potential locations for the replacement toll barrier exist within the relocation study corridor, the evaluation process included a number of sites as well as a number of implementation options, as discussed below.

1. Site Selection

The relocation study corridor was divided into 17 segments, each of which is one-mile in length, using milepost markers established along I-90. The milepost markers are used to provide a means of segregating the entire corridor into regular intervals for comparative evaluation purposes and as consistent reference points throughout the entire project corridor.

Within each of these one-mile segments, an evaluation was performed to determine the most appropriate location for the placement of the toll barrier footprint within that one-mile segment. The footprint for the preferred plaza configuration, the exterior plaza with

interior highway speed E-ZPass lanes, was utilized during the evaluation. Factors such as existing infrastructure, highway geometry, and human and natural resources were considered in placing this footprint on each one-mile segment. The 17 sites identified within this report represent the best possible placements within each one-mile segment. The "hybrid" alternative, developed as a variation of the Improvement Alternative, was considered alongside the 17 relocation sites.

A siting study was performed following the selection of the 17 alternative locations to identify the locations that are best suited for toll barrier development based on a numerical scoring system specifically developed for the project that incorporates relevant social, environmental, economic, and engineering factors. This was accomplished through the comparative analysis of potential relocation sites and the "hybrid" alternative. This process culminated in the identification of three most suitable sites for further detailed impact evaluation and eventual comparison with other project alternatives. The "hybrid" alternative did not compare favorably to the relocation alternative sites and was therefore not advanced alongside the three sites selected in the siting study. The siting study incorporated comments from agencies such as the U.S. Army Corps of Engineers (ACE) and the New York State Department of Environmental Conservation (NYSDEC), as well as public comments, and constitutes the initial phase of the relocation alternative evaluation being conducted for the DR/DEIS.

The sites selected during the siting study were:

- Milepost 410 in the Town of Newstead, Erie County. The toll plaza would be located between Billo Road and North Millgrove Road.
- Milepost 408-409 in the Town of Newstead, Erie County. The toll plaza would be located between North Millgrove Road and South Newstead Road.
- Milepost 404-405 in the Town of Pembroke, Genesee County. The toll plaza would be located between Crittenden Road in the Town of Newstead and Lake Road in the Town of Pembroke.

Following completion of the siting study, thorough engineering evaluations were performed on each of the three selected sites. In general, all three sites provide a similar level of operational benefit, and all meet project objectives. Construction costs for these three relocation alternatives are estimated at $65 to $75 million plus an additional $5.7 million for mitigation of environmental impacts when feasible and reasonable.

2. Implementation Options

In addition to the construction of the entire facility (e.g., full build-out) in 2008 (estimated time of completion or ETC), two other implementation options were evaluated with respect to feasibility and cost. These options were developed and analyzed in an effort to explore potential means of reducing the initial capital investment associated with the project. One of these implementation options involves relocating the westbound toll barrier facilities in an initial phase while maintaining operations at the existing toll barrier for eastbound traffic until that portion is relocated under a second phase. The other

implementation option, staged construction, would include relocation of both the eastbound and westbound plazas to the selected site in ETC, but would limit the number of manual toll collection lanes constructed to that expected to have sufficient capacity to handle summer traffic volumes through 2015 (ETC+7), based upon current E-ZPass penetration rate projections. The remaining manual toll collection lanes would then be constructed when the additional capacity is needed. Staged construction is recommended as a means of implementing the Relocation Alternative while limiting up-front capital costs. In addition, Staged construction allows the NYSTA additional flexibility in addressing future capacity needs should more motorists utilize E-ZPass than currently projected. Staged construction is expected to reduce initial construction costs by $0.9 million. It would not change the impacts or benefits of toll barrier relocation appreciably.

IV. SOCIAL, ECONOMIC, AND ENVIRONMENTAL CONSIDERATIONS

A. Summary of Impacts

The feasible alternatives were evaluated for probable beneficial and adverse social, economic, and environmental impacts, and, where appropriate, mitigation measures were evaluated. This impact assessment was conducted using the standards, regulations, and guidelines established under NEPA and SEQRA. The most significant issues, as identified in the scoping process, are summarized below. More details on social, economic, and environmental conditions are provided in technical appendices, which are also summarized in Volume 1, Chapter IV.

1. Changes in Travel Patterns

The No-Build alternative will result in continuing and increasing congestion at the toll barrier, which will result in additional congestion on local roads due to avoidance of the toll barrier.

The Relocation Alternative, for all sites, will result in increased vehicle use of Interstate 90 due to elimination of congestion; less traffic on the majority of local roads; and additional traffic on Transit Road, Wehrle Drive, and Interchange 49 ramps. A net decrease in the overall volume on the local roadway network of approximately five percent would result from implementation of the Relocation Alternative.

Interchange 49, which is currently part of the ticketed toll collection system, would be converted to a fixed fee toll structure under the Relocation Alternative. At ETC (2008), queues at the Interchange 49 toll plaza are not expected to extend beyond the existing available queue space at the interchange. Should projected traffic volumes be realized subsequent to 2008, modifications to the Interchange 49 toll plaza facilities may be necessary to prevent queues from reaching Transit Road.

2. Economics

Under the No-Build Alternative, delays at the barrier will cost travelers more than $3.2 million per year by 2028. Negative impacts to established business districts and the local economy are expected due to increased traffic congestion on many local roads under this alternative. In addition, increased use of the local roads will commensurately increase operating and accident costs.

All Relocation Alternative sites equally benefit local and regional economies through construction expenditures and increased tax revenue, and have minor adverse impacts on a few established business districts. Estimated travel, operating, and accident costs for the Relocation Alternative will be significantly less than under the No-Build Alternative.

3. Noise

Under the No-Build Alternative, predicted noise levels at the existing barrier will remain at acceptable levels through 2028 if the existing noise barriers are maintained.

Under the Relocation Alternative, noise levels at the existing Williamsville Toll Barrier location will remain at acceptable levels through 2028 with the maintenance of the existing noise barriers; and at the Relocation Alternative sites, predicted noise levels would not be increased perceptibly over the No-Build condition in 2028.

4. Air Quality

Under the requirements of the 1970 Clean Air Act and its amendments; Erie and Genesee Counties are designated as attainment areas for all “criteria” pollutants, except ozone.

Erie and Genesee Counties are in non-attainment under the 8-hour ozone standard at the lowest classification level, identified as the “basic” classification level.

Under the No-Build Alternative, idling vehicles at the toll barrier will result in elevated levels of vehicle emissions. However, carbon monoxide (CO) and Particulate Matter (PM) levels would remain within acceptable levels.

Under the Relocation Alternative, the elimination of congestion at the existing Williamsville Toll Barrier location results in a minor reduction in CO emissions at that location; while at any chosen Relocation Alternative site, predicted levels of CO and other vehicle pollutants will slightly increase but would remain at acceptable levels.

Due to the proximity of the three alternate Relocation Sites; a shared mesoscale emissions analysis addressing potential regional air quality impacts was performed for oxides of nitrogen (NO_X), volatile organic compounds (VOCs), carbon monoxide, and particulate matter.

Through the year 2028; the regional impacts on the emissions of ozone-precursor compounds, carbon monoxide, and particulate matter, due to the demolition of the existing Williamsville Toll Barrier and the construction of a modern toll facility at any one of the studied relocation sites, are predicted to be slight. Predicted increases in regional travel, which may in part be attributable to the congestion relief predicted to accompany the construction of a relocated modern toll facility, are predicted to slightly increase regional emissions. At the same time; the actual emissions that can be associated directly with traffic decelerating, idling and accelerating during the tolling process will be reduced with the replacement of the existing Williamsville Toll barrier with a relocated modern toll facility having highway speed E-ZPass capabilities.

While the project has not yet been incorporated into the regional travel demand model for air quality conformity purposes, the mesoscale results have been compared to the regional emissions forecasts in the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) 2025 Long Range Plan for Erie and Niagara Counties Update (February 2004). It is anticipated that the small increase in ozone-precursor compounds that is forecasted to occur as a result of the build alternative will not impact the current regional air quality conformity status. This will be verified by the GBNRTC via inclusion of the build alternative in the regional travel demand model that is utilized for regional emissions analysis after the preferred alternative has been confirmed, and prior to the FHWA Record of Decision being issued.

5. Wetlands

The No-Build Alternative will not impact wetlands.

The maximum wetland impacts expected due to the Relocation Alternative sites are:

- Milepost 410
  - 7.0 acres under joint NYSDEC and ACE jurisdiction
  - 0.3 acres under ACE jurisdiction
  - 7.3 acres total wetland impact
- Milepost 408-409
  - 9.2 acres under joint NYSDEC and ACE jurisdiction
  - 4.7 acres under ACE jurisdiction
  - 13.9 acres total wetland impact
- Milepost 404-405
  - 3.5 acres under joint NYSDEC and ACE jurisdiction
  - 9.6 acres under ACE jurisdiction
  - 13.1 acres total wetland impact

Throughout the process of developing and evaluating the Relocation Alternative, substantial efforts have been made to avoid or minimize wetland impacts to the greatest extent practicable while considering separate environmental, economic, and other pertinent factors. It is anticipated that there will be opportunities for additional minimization of wetland impacts during final design. Specific mitigation measures will be

determined in consultation with appropriate state and federal agencies once a specific site is selected.

6. Surface Water Bodies and Groundwater Quantity and Quality

The No Build Alternative will not impact surface water bodies or groundwater quantity and quality.

Under the Relocation Alternative, no significant impacts are anticipated to drainage patterns and groundwater quantity. Only minimal surface water quality impacts are predicted for the Relocation Alternative, and these impacts include a reduction of pollutant loadings in the vicinity of the Williamsville Toll Barrier and increases in chloride concentrations at Mileposts 410, 408-409, and 404-405. Near Milepost 408-409, two (2) wells associated with farms that already have chloride concentrations above the standard would continue to have chloride levels above the standard. No other wells are predicted to exceed water quality standards for chloride concentrations.

Regionally, the Relocation Alternative results in the reduction of the potential for spills due to improvements to merging lanes and reduced congestion. Standard erosion and sedimentation controls will be implemented to prevent construction impacts to surface water. Storm water management facilities will be included in final project design to ensure proper operation of a constructed facility.

7. Floodplains

The No Build Alternative will not impact floodplains.

There are no mapped floodplains in two of the three Relocation Alternative sites: therefore, these alternatives do not impact floodplains. At Milepost 404-405, floodplain impacts are expected to be minimal.

8. Historic and Cultural Resources

The No-Build Alternative will not impact historic and cultural resources.

The Relocation Alternative has the potential to impact the following resources:

- Milepost 410: One (1) National Register of Historic Places (NRHP)-eligible residence exists at 4055 Ransom Road adjacent to the limits of bridge reconstruction. However, due to the location in relation to the bridge, impacts are expected to be negligible.
- Milepost 408-409: Two (2) NRHP-eligible resources are located on South Newstead Road adjacent to the area impacted due to bridge reconstruction. These resources include the Mount Olive Cemetery and an associated church structure. A non-standard stopping sight distance for the roadway profile over the bridge is proposed to avoid significant visual impacts and nine (9) unmarked

burial plots within the right-of-way. The proposed profile will not decrease the stopping sight distance below the existing distance provided.

- Milepost 404-405: No NRHP-eligible resources have been identified in proximity to the limits of reconstruction.

Although the New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) issued a finding of No Effect for the project in November 2004, changes to the project subsequent to initial cultural resources evaluation has necessitated expansion of the Area of Potential Effect. Supplemental Phase 1A and Phase 1B work has been completed and has been reviewed by NYSOPRHP. In March 2006; NYSOPRHP was again able to issue a finding of No Effect for the project presented in this DDR/DEIS.

9. Farmland

The No Build Alternative will not impact farmland.

Under the Relocation Alternative, the following minor impacts on farmland currently in active use are anticipated:

- Milepost 410—0.7 acres in the Alden-Newstead Agricultural District in Erie County
- Mileposts 408-409—0.8 acres in the Alden-Newstead Agricultural District in Erie County
- Milepost 404-405—1.0 acres in the Alden-Newstead Agricultural District in Erie County

The total area impacted (active and non-active) represents a less than 1% decrease to the total acreage within the agricultural district.

10. Right-of-Way

The No-Build Alternative does not require any right-of-way acquisition.

The estimated area of additional right-of-way required for the Relocation Alternative vary by site as follows:

- Milepost 410: 17.8 acres
- Milepost 408-409: 5.2 acres
- Milepost 404-405: 22.1 acres

11. Threatened and Endangered Species

The No-Build Alternative will not impact threatened or endangered species.

No threatened or endangered species have been identified within the areas potentially impacted by the Relocation Alternative sites.

12. Section 4(f)

No impacts to properties subject to Section 4(f) protection have been identified for either the No-Build or Relocation alternatives.

B. Comparison Of Alternatives

The No-Build Alternative does not involve any capacity improvements. Therefore, as traffic volumes on this segment of Interstate 90 continue to increase, the already unacceptable level of service at the toll barrier will continue to decline. This will result in increased congestion and delays, as well as the potential for a higher incidence of rear-end accidents. For these reasons, the No-Build Alternative does not meet the project objectives and is not considered to be a feasible alternative. The No-Build Alternative is, however, retained in the study for comparison purposes.

Various options for improving the existing barrier were considered under the Improvement Alternative. However, the close proximity of Interchange 50 to the Williamsville Toll Barrier does not allow for development of an improved plaza configuration for a toll barrier at this location. Since the improvement alternatives were shown to be infeasible, a "hybrid" Improvement/Relocation Alternative was considered and evaluated as a Relocation Alternative. The "hybrid" Improvement/Relocation Alternative did not compare favorably to the Relocation Alternative and was therefore not advanced alongside the three alternate relocation alternative sites studied.

The Relocation Alternative is recommended for advancement because it satisfies all of the project objectives and provides substantial benefits. This alternative will result in a number of moderate to insignificant adverse social and environmental impacts. Additionally, the relocation of the existing Williamsville Toll Barrier to one of the alternate relocation sites may provide future benefit to the region by extending the unticketed limits of the mainline Thruway to the east of Interchange 49 and increasing the options available to regional transportation planners to further reduce regional congestion and associated pollutant emissions with further transportation projects. The three sites selected in the siting study have similar impacts on most social and environmental resources. However, Milepost 408-409 requires the least amount of additional right-of-way acquisition and has the lowest anticipated visual impact of the three most suitable sites. While Milepost 408-409 has the highest anticipated groundwater and wetlands impacts, these impacts are conducive to further minimization during final site design activities. Visual and right-of-way impacts are more difficult to minimize during final design activities. Therefore, Milepost 408-409 is recommended as the preferred site for toll barrier development.

V.

AREAS OF CONTROVERSY

The areas of significant controversy include:

- Although measures to address congestion at the Williamsville Toll Barrier is supported by traffic analysis, there is resistance by some local residents near the proposed Relocation Alternative sites to the placement of a new toll barrier in their respective municipality.

- Construction at any of the proposed Relocation Alternative sites will require the conversion of land currently used in part for agricultural purposes. While these impacts represent less than 1% of the total acreage within the Alden-Newstead Agricultural District, the Erie County Farm Bureau has issued a resolution opposing toll barrier relocation to Milepost 408-409 due to perceived impacts to the Richardson Farm.

VI. UNRESOLVED ISSUES

Unresolved issues with other governmental agencies for the project include:

- For unavoidable impacts, specific mitigation measures will be determined in consultation with appropriate state and federal agencies once a specific relocation site is selected.
- Existing traffic congestion on local roads surrounding Interchange 49, particularly on Transit Road and Wehrle Drive, has been evaluated for potential mitigation measures. The evaluation concluded that the congestion in this area requires a transportation solution beyond the scope of the Williamsville Toll Barrier Improvement Project. Moreover, the relocation of the toll barrier to the east of Interchange 49 is an action with independent utility designed to address capacity and operational issues at the current facility. When executed, the Williamsville Toll Barrier Improvement Project will benefit other portions of the local transportation network and facilitate future local transit projects intended to address the existing congestion in the vicinity of Interchange 49.
- Development of an equitable toll payment schedule for a relocated barrier and Interchange 49 is ongoing.
- The proposed toll barrier will be incorporated into the regional model(s) developed by the applicable Metropolitan Planning Organization(s) and an air quality conformity determination obtained, once a specific relocation alternative site is selected.
- Determined using currently accepted traffic modeling techniques; the traffic impacts presented in the WTB DDR/DEIS are considered conservative predictions of future worst case traffic conditions that would maximize, for study and analysis by this project, the future potential environmental, social and economic impacts of the alternatives studied by this project. These conservative predictions of future traffic conditions have a limited use to other future regional and local transportation projects, and actual future traffic impacts of the alternatives studied by this project could vary as the regional and local transportation network evolves. As an aid to future regional transportation planning the NYSTA and the NYSDOT have agreed to the execution of a post-construction traffic study of the local roadway network to confirm actual traffic volumes across the local

roadway network modeled for this project, once a chosen alternative is constructed and actual resulting traffic patterns and diversions have become stable.

VII. OTHER REQUIRED FEDERAL AND STATE ACTIONS

As part of the Relocation Alternatives, up to 22.1 acres of land must be acquired by the NYSDOT and the Right-of-Way must be established. The majority of land to be acquired is currently privately held. All property acquisition will be performed in accordance with "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970" (P.L. 91-646).

In addition, the following permits and applications may be required as part of the project and are discussed in Volume I, Chapter IV.

Storm Water

- Federal Clean Water Act (CWA), Section 301 and 402 - National Pollution Discharge Elimination System (NPDES) storm water permit
- State Pollutant Discharge Elimination System (SPDES) permit program as administered by NYSDEC under a Stormwater Discharges Associated with Construction Activity Permit (GP-02-01).

Water Quality

- New York State 401 Water Quality Certification (per 6NYCRR Part 700-705)

Wetlands

- Freshwater Wetlands Permit (per NYSDEC and Article 24 of the NYS ECL)
- Section 404 (Waters of the United States) permit (ACE).

Farmland Protection

- NRCS Form AD-1006 for conversion of Federal Protected Farmland