

NOTICE FOR PUBLIC COMMENT:

PLEASE TAKE NOTICE that pursuant to Chapter 6 of the New York Code of Rules and Regulations Part 617, which constitutes the implementing regulations under Article 8 of the Environmental Conservation Law of the State of New York entitled “Environmental Quality Review” (“SEQRA”), the City of Lackawanna, as Lead Agency under SEQRA, will hold a public comment period of 30 days on the “Draft Scoping Document” for the implementation of the Lackawanna First Ward Brownfield Opportunity Area Project, Step 3 – Implementation Strategy.

Written comments will be accepted by the lead agency until the close of business on **December 30, 2016**. Please send all written comments to the contact listed below.

Name of Project: City of Lackawanna First Ward Brownfield Opportunity Area Plan, Step 3 – Implementation Strategy

Description of Proposed Action:

In 2012, the City of Lackawanna completed a New York State Brownfield Opportunity Area (BOA) Step 2-Nomination Document and was subsequently awarded a grant from the New York State Department of State (NYSDOS) for the BOA Step 3-Implementation Strategy in 2015. The BOA plan is currently being prepared in accordance with the guidelines established by the NYSDOS.

The BOA study area is comprised of the western portion of the City of Lackawanna and generally follows the perimeter of the First Ward neighborhood. The majority of the area includes what was formerly the Bethlehem Steel Site property, which contains numerous brownfield and underutilized properties. The Step 3 – Implementation Strategy for the First Ward will include a thorough analysis of the market conditions in the study area, assess zoning and land use laws within the City which currently inform development, consult with the public on community desires for the City, identify sites within the study area that may be environmentally compromised, as well as prepare an implementation strategy that revitalizes the overall economic structure and well-being of the community.

Lead Agency: City of Lackawanna

Location of Proposed Action: City of Lackawanna, NY

Action Classification: Type I Action

To View a Copy of the Scoping Document:

The Scoping document has been posted electronically on the City of Lackawanna webpage, <http://www.lackawannany.gov/>, and is also available for review at the City of Lackawanna Public Library, 560 Ridge Road, Lackawanna, NY and at the City of Lackawanna City Hall, Department of Development, 714 Ridge Road, Lackawanna, NY.

Contact Person: Samantha Herberger
C&S Companies
141 Elm Street, Suite 100
Buffalo, NY 14203
Email: sherberger@cscos.com
Phone: (716) 847-1630

By order of the City of Lackawanna, Department of Development
Dated: November 29, 2016

State Environmental Quality Review Act

Draft Scoping Document

For the Preparation of a Generic Environmental Impact Statement

City of Lackawanna, First Ward Brownfield Opportunity Area Implementation Strategy City of Lackawanna, Erie County, NY



**LEAD AGENCY:
City of Lackawanna
714 Ridge Road
Lackawanna, NY 14218**

**PREPARED BY:
C&S Engineers, Inc.
141 Elm Street, Suite 100
Buffalo, NY 14203**

November 2016

Contents

1.0 Introduction	2
1.1 BOA Plan/GEIS Document Organization	2
1.2 Purpose of GEIS	3
1.3 Involved Agencies	3
2.0 SEQRA/GEIS Review Procedures	4
2.1 Scoping	4
2.2 Preparation of the GEIS	5
2.3 Public Review	5
3.0 Anticipated Content of BOA/GEIS	5
3.1 Description of Proposed Action	5
3.2 Community Participation	6
3.3 Environmental Setting	6
3.4 Potential Significant Impacts	6
3.4.1 Land Use and Zoning.....	6
3.4.2 Historic and Cultural Resources	7
3.4.3 Traffic Study/Transportation Impacts	7
3.4.4 Contamination Impacts/Hazardous Materials	7
3.5 Other Impacts	7
3.5.1 Cumulative Impacts	7
3.5.2 Unavoidable Adverse Environmental Impacts	7
3.5.3 Irreversible and Irretrievable Commitment of Resources.....	7
3.6 Mitigation Measures	8
3.7 Alternatives to Proposed Action	8
4.0 Compliance with SEQRA	8

1.0 Introduction

The City of Lackawanna (City) acting as Lead Agency pursuant to the State Environmental Quality Review Act (SEQRA) and its implementing regulations (6 NYCRR Part 617) has prepared this Scoping Document for the combined New York State Brownfield Opportunity Area Plan (BOA) and Generic Environmental Impact Statement (GEIS) to support the adoption and implementation of the First Ward BOA. Adoption of this plan constitutes the “Project” or “Proposed Action” subject to SEQRA.

In 2012, the City of Lackawanna completed a BOA Step 2-Nomination Document and was subsequently awarded a grant from the New York State Department of State for the BOA Step 3-Implementation Strategy in 2015. The BOA Plan is being prepared in accordance with the guidelines established by the NYSDOS. The BOA study area is comprised of the western portion of the City of Lackawanna and generally follows the perimeter of the First Ward neighborhood. The majority of the area includes what was formerly the Bethlehem Steel Site property, which contains numerous brownfield and underutilized properties.

The Step 3 – Implementation Strategy for the First Ward Neighborhood will include a thorough analysis of the market conditions in the study area, assess zoning and land use laws within the City which currently inform development, consult with the public on community desires for the City, identify sites within the study area that may be environmentally compromised, as well as prepare an implementation strategy that revitalizes the overall economic structure and well-being of the study area.

The purpose of this document is to determine the scope of environmental issues and concerns associated with the plan and will ultimately inform the GEIS. This document will identify potential significant adverse environmental impacts that could be expected from the adoption and implementation of the BOA Plan. Additionally, the scoping process will identify possible mitigation measure to lessen these impacts. Importantly, this Scoping Document is intended to eliminate non-significant or irrelevant environmental impacts associated with the BOA Plan. The content of the GEIS will be based off of this scoping document, following public review and coordination with Involved Agencies.

1.1 BOA Plan/GEIS Document Organization

For this project, SEQRA is integrated into the BOA process. As such, the GEIS will be directly incorporated in the BOA as provided by the NYSDOS requirements as funding agency. The GEIS will be organized with sections from both First Ward BOA

Nomination Document and the First Ward BOA Implementation Strategy. The table below provides a schematic of each component that ultimately make up the GEIS.

BOA Plan	GEIS Document
Section 1: Description of Project Boundary	Description of Proposed Action
Section 2: Community Participation	SEQRA Public Hearing conducted simultaneously with hearing for BOA Plan
Section 3: Existing Conditions	Description of Environmental Setting
Section 4: Implementation Strategy	Potentially Significant Adverse Impacts Description of Mitigation Measures Description of Alternatives to Proposed Actions
Section 5: Compliance with SEQRA	Consistency with NYSCMP Coastal Policies Consistency with Heritage Area GEIS References Conditions of Future Actions

1.2 Purpose of GEIS

Under SEQRA law, actions identified as ‘Type I actions’ and ‘Unlisted’ actions are required to be reviewed in order to determine potential significant environmental impact. This project is considered a Type I action for several reasons under SEQRA regulations (617.4):

- The adoption of a municipality's land use plan, the adoption by any agency of a comprehensive resource management plan or the initial adoption of a municipality's comprehensive zoning regulations;
- The adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district;
- A project or action that involves the physical alteration of 10 acres.

A GEIS or Generic Environmental Impact Statement is used to consider more broad based actions or related groups of actions that agencies may approve, fund or directly undertake. Typically, a GEIS assesses environmental impacts of an entire program that involves wide application or plans, such as the BOA Plan. A GEIS can also analyze and assess cumulative impacts of an entire group of actions.

1.3 Involved Agencies

Potential involved agencies that will be required to approve/or adopt the BOA Plan include:

- City of Lackawanna
- New York State Department of State
- New York State Department of Environmental Conservation

Potential future involved agencies that may have a permit, approval and/or funding role in the implementation of the BOA Plan include:

- Lackawanna Municipal Housing Authority
- Lackawanna Community Development Corporation
- New York State Department of Transportation
- New York State Office of Parks, Recreation and Historic Preservation
- Erie County Planning Board
- Erie County Industrial Development Agency

2.0 SEQRA/GEIS Review Procedures

Procedural steps the City of Lackawanna must complete involved with sequential completion of SEQRA review are described below.

2.1 Scoping

The City is currently conducting the scoping process, which contains multiple objectives to be fulfilled. These are as follows:

- Identification of significant environmental conditions which may be affected by the project
- Eliminate irrelevant impacts or issues, and eliminate or de-emphasize non-significant impacts
- Describe extent and quality of information needed
- Define reasonable alternatives for avoiding specific impacts which must be discussed in the GEIS
- Identify possible mitigation measures for potential impacts discussed in the GEIS

Scoping generally involves two main tasks and deliverables; draft scoping document and the final scoping document. The draft scoping document (this document) will be circulated for public comment period of about 30 days. Following the close of the public comment period, a final scoping document will be prepared and used as the framework for the GEIS.

2.2 Preparation of the GEIS

Preparation of the GEIS requires two main steps. These include the Draft Generic Environmental Impact Statement (DGEIS) and the Final Generic Environmental Impact Statement (FGEIS).

The DGEIS is prepared in accordance with the final scoping document and will describe all project induced significant environmental impacts, reasonable alternatives for the project and mitigation measures to be implemented to lessen these impacts. When this document is accepted by the City of Lackawanna, it will be distributed to all interested agencies and be available for public review.

The FGEIS will primarily incorporate feedback from the public on the DGEIS and provide reasonable alterations to the document, if necessary. Upon acceptance of the FGEIS, the document will be made available to all interested agencies and members of the public. The City will then issue a Findings Statement to approve or deny the adoption and implementation of the BOA Plan.

2.3 Public Review

The preparation and review of the BOA/GEIS is designed to provide opportunities for involvement by interested agencies and the general public. This scoping document will be available for public review and comment until **December 30th, 2016**. All substantive comments provided with a 30-day comment period will be included in the final BOA/GEIS.

3.0 Anticipated Content of BOA/GEIS

The following is a brief overview of the components anticipated to be included in the GEIS.

3.1 Description of Proposed Action

The GEIS will contain the following components:

- Overview of the BOA Implementation strategy including potential redevelopment projects and changes to the built environment

3.2 Community Participation

This section will include the intended public participation plan to satisfy both NYS SEQRA and NYS BOA requirements. This will include all methods and techniques utilized in gaining community input in the BOA Program. Additionally, all held public meetings and encounters throughout the BOA process will be described.

3.3 Environmental Setting

This section will include a description of the environmental setting of the BOA. Information provided in the Step 2 Nomination Document will be updated and expanded upon. Sections of the Environmental Setting will include:

- Community Setting
- Existing Land Use
- Existing Zoning Districts
- Property Ownership
- Historic and Cultural Resources
- Transportation Systems
- Natural Resources
- Brownfield, Underutilized and Vacant Sites
- Infrastructure and Utilities

3.4 Potential Significant Impacts

The purpose of this section is to identify any significant potential impacts that would arise from this BOA Plan. These potentially significant impacts will be analyzed and assessed in the GEIS. Factors to be assessed will include:

3.4.1 Land Use and Zoning

The adoption of the BOA may result alterations, changes, and/or development within the City of Lackawanna. Changes in the City's existing zoning code is likely based on the lack of guidance it currently gives developers and City officials. These changes may include implementation of new design standards such as guidance for building setbacks, signage and density as well as an alteration in the types of uses allowed in different zones.

The BOA/GEIS will discuss the potential impacts to land use as well as ensure consistency with community goals such as the City's newly written Comprehensive Plan.

3.4.2 Historic and Cultural Resources

The GEIS will assess the effects of the BOA Plan on known historic and cultural resources that exist within the study area. The focus of this assessment will be on impacts to visual environment of the resource. No potential impact is expected.

3.4.3 Traffic Study/Transportation Impacts

The GEIS will assess the impacts of development on transportation systems and traffic within the First Ward BOA. A traffic study will be conducted in order to completely analyze potential significant impacts.

3.4.4 Contamination Impacts/Hazardous Materials

The BOA Plan identifies potential locations of contaminated sites located within the BOA. Available environmental investigations and determinations will be reviewed and considered as they relate to these sites. Ongoing or scheduled remediation activities will be presented as mitigation measures as well.

3.5 Other Impacts

3.5.1 Cumulative Impacts

This BOA/GEIS will identify the potential cumulative impacts from the proposed implementation plan in combination with other projects in the area that are planned to occur within the near future with or without the proposed project.

3.5.2 Unavoidable Adverse Environmental Impacts

The BOA/GEIS will identify any impacts that cannot be avoided or adequately mitigated.

3.5.3 Irreversible and Irrecoverable Commitment of Resources

This section of the BOA/GEIS will identify any resources that may be irretrievably lost as a result of this BOA implementation.

3.6 Mitigation Measures

This section will identify mitigation measures to eliminate potential significant impacts associated with the BOA Plan. This section may include criteria for site-specific review for future development or additional plans/analyses to assess the impacts identified.

3.7 Alternatives to Proposed Action

The GEIS will present an evaluation of alternatives to the proposed BOA Plan. Alternatives will include the following:

- Preferred Alternative;
- Alternative Redevelopment Scenarios;
- No-Action Alternative (Business as Usual).

4.0 Compliance with SEQRA

This section will describe how SEQRA has been satisfied as well as any conditions of criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance. Consistency with New York State Coastal Management Program's Coastal Policies and Heritage Area Management Plans will also be discussed.