Chapter 2:
Errata Table of Draft EIS Revisions

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2 Errata Table of Draft EIS Revisions

2.1 INTRODUCTION

Consistent with 40 CFR 1503.4(c) and 23 U.S.C. § 139(n)(1), and as described in the FTA's Standard Operating Procedures (SOP No. 10), if changes to the Draft Environmental Impact Statement (DEIS) are minor (e.g., response to comments involves factual corrections or an explanation that the comment does not warrant additional consideration), the Council on Environmental Quality (CEQ) regulations allow for an abbreviated Final Environmental Impact Statement (FEIS) through the use of errata sheets attached to a DEIS. This approach can be used with the combined FEIS/Record of Decision (ROD) or the traditional FEIS documents.

Table 2-1 below provides an overview of edits to the text of the DEIS, which is provided in Appendix A, "Draft Environmental Impact Statement," of the FEIS. These edits reflect relatively minor updates and corrections that were identified based on agency and public comments, as well as Metro and FTA (see Appendix L, "Summary of Comments and Responses"). Revisions are identified by DEIS Chapter or Appendix name, and the page number of the DEIS where the original text is located. The revised text is double-underlined, and a short explanation is provided as to why the revision was made.

While an errata sheet is used to present minor updates and corrections, this FEIS is not abbreviated. Text from several of the DEIS chapters or appendices are reproduced in chapters of this FEIS. Chapter 1, "Introduction," of the FEIS contains text from DEIS Chapter 1, "Purpose and Need," and DEIS Chapter 2, "Alternatives Considered," and their associated appendices. Chapter 4, "Public and Agency Outreach and Coordination," of the FEIS contains text from DEIS Appendix K, "Public and Agency Participation. Revisions to the language from the DEIS reproduced in the FEIS are identified in Table 2-1; however, the revisions are not shown in double-underlining within the applicable FEIS chapters as they are effectively new chapters in their entirety since they did not exist within the DEIS. More substantial additions or revisions to the DEIS text are included in Chapter 3, "Supplementary Analyses" of the FEIS.

Table 2-1 Errata Table of Draft EIS Revisions

<table>
<tr><th>ID</th><th>DEIS Chapter / Section</th><th>DEIS Location</th><th>Modification</th></tr>
<tr><td>1</td><td>Executive Summary</td><td>ES.3.4 Environmental Consequences

Page ES-21</td><td>Table ES-9 has been updated to include additional details from Chapter , Section 4.10, “Water Resources”.
<table>
<tr><th>Environmental Resource</th><th>LRT Build Alternative</th><th>BRT Build Alternative</th><th>Mitigation</th></tr>
<tr><td>Water Resources (Section 4.10)</td><td>Freshwater wetlands:
▪ 0.036 acres of wetlands affected by at-grade alignment.
Surface waters:
▪ Project would require a new bridge over Bizer Creek resulting in the loss of approximately 225 linear feet of daylight exposure and associated riparian habitat.
▪ Relocation of human-made drainage swales along I-990 and the northern portion of John James Audubon Parkway.
Stormwater:
▪ Net increase in impervious cover because of Project construction.
Groundwater:
▪ Stormwater pollution effects to groundwater quality.
▪ Groundwater collected at the tunnels effects to groundwater quality and potential drawdown of the water table.</td><td>Freshwater wetlands:
▪ 0.023 acres of wetlands affected by at-grade alignment.
Surface waters:
▪ Project would require a new bridge over Bizer Creek resulting in the loss of approximately 225 linear feet of daylight exposure and associated riparian habitat..
▪ Relocation of human made drainage swales along I-990 and the northern portion of John James Audubon Parkway.
Stormwater:
▪ Net increase in impervious cover because of Project construction.
Groundwater:
▪ Stormwater pollution effects to groundwater quality.</td><td>Freshwater wetlands:
▪ During final design avoidance, minimization, or mitigation measures will be completed.
▪ Effects to waters will ~~adhere to~~ be mitigated in accordance with all federal and state regulations, including a one-for-one replacement of wetland losses that exceed 0.10 acre.
Surface waters:
▪ During final design avoidance, minimization, or mitigation measures will be completed.
▪ Effects to surface waters will be mitigated in accordance with all federal and state regulations and aquatic communities will be restored or will adapt to their localized habitat changes.
Stormwater:
▪ Water quality treatment and increased stormwater runoff flows and volumes will be mitigated via new permanent stormwater management practices and detention practices that meet the requirements of the NYSDEC Stormwater Management Design Manual.
▪ Replace modify or improve the private stormwater basins at the Boulevard Mall Sweet Home Middle school and at the UB North Campus that are impacted by the project.
Groundwater:
▪ Water quality treatment and increased stormwater runoff flows and volumes will be mitigated via permanent stormwater management practices.
▪ Groundwater collected at the tunnels may need to be treated prior to being discharged into the drainage system.
▪ Potential settlement impacts and development of settlement mitigation plans will be further assessed during preliminary and final design.</td></tr>
</table></td></tr>
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<table>
<tr><th>ID</th><th>DEIS Chapter / Section</th><th>DEIS Location</th><th>Modification</th></tr>
<tr><td>2</td><td>Executive Summary</td><td>ES.3.4 Environmental Consequences

Page ES-26</td><td>A review of the information provided within Executive Summary as compared to Chapter 4, Section 4.14, “Energy” was completed. Table ES-12 has been updated as follows:

<table>
<tr><th>Environmental Resource</th><th>LRT Build Alternative</th><th>BRT Build Alternative</th><th>Mitigation</th></tr>
<tr><td>Air Quality (Section 4.13)</td><td>▪ No adverse impacts.</td><td>▪ No adverse impacts.</td><td></td></tr>
<tr><td>Energy (Section 4.14)</td><td>▪ No adverse impacts.
▪ LRT Build Alternative operations and patronage reduces energy consumption.
▪ -70,445 roadway network energy consumption (mmBtu/year)
▪ +9,981 transit operations energy consumption (mmBtu/year)
▪ -60,464 net energy consumption (mmBtu/year)</td><td>▪ BRT Build Alternative would result in a net increase in direct energy consumption.
▪ -4,745 roadway network energy consumption (mmBtu/year)
▪ +14,429 transit operations energy consumption (mmBtu/year)
▪ +9,684 net energy consumption (mmBtu/year)</td><td></td></tr>
</table></td></tr>
<tr><td>3</td><td>Executive Summary</td><td>ES.3.4 Environmental Consequences

Page ES-34</td><td>The acronym CTMP has been spelled out: Construction Traffic Management Plan.</td></tr>
<tr><td>4</td><td>Chapter 3</td><td>3.3 No Build Alternative

Page 3-17</td><td>The following paragraph about the proposed improvements not modeled in the No Build Alternative has been added.

The conversion of the Frontier Road and John James Audubon Parkway intersection into a roundabout and John James Audubon Parkway into an undivided roadway is expected to improve operations and safety along John James Audubon Parkway due to lower speeds. In addition, the reclaimed right-of-way is expected to improve non-motorized facilities servicing the University at Buffalo.</td></tr>
</table>

<table>
<tr><th>ID</th><th>DEIS Chapter / Section</th><th>DEIS Location</th><th>Modification</th></tr>
<tr><td>5</td><td>Chapter 3</td><td>3.4.1.1 Build Alternative Network Changes

Page 3-20</td><td>The following statement regarding replacing the Frontier roundabout with a full-access signalized intersection has been added.

Lane repurposing is proposed to occur on John James Audubon Parkway between North Forest Road and the I-990 southbound on and off bound ramps at the at-grade roundabout. Lane repurposing would entail converting John James Audubon Parkway from a four-lane divided facility to a two-lane roadway utilizing the existing two-lane southbound facility; the LRT Build Alternative and the BRT Build Alternative would operate on the vacated two-lane northbound travel lanes from North Forest Road to the I-990 southbound ramps. The <u>Frontier Road and John James Audubon Parkway intersection would convert the roundabout constructed in 2020 back to a traditional full-access signalized intersection.</u></td></tr>
<tr><td>6</td><td>Chapter 3</td><td>3.5.1.1

Page 3-40</td><td>The following statement has been added to the section, “The forecasted reduction in automobile volumes because of the Project’s mode shift benefit will further reduce the Project’s impact on traffic.”

The operation of the Project is forecasted to encourage a portion of automobile users to shift their travel preferences to transit. This is defined as a mode shift. This forecasted mode shift will reduce the vehicular demand within the Project corridor. For the purposes of transparency and full disclosure, this mode shift was not included within the Project Build Alternatives to document traffic impacts. This expected mode shift is a benefit of each Build Alternative. <u>The forecasted reduction in automobile volumes because of the Project’s mode shift benefit will further reduce the Project’s impact on traffic</u>. However, for the purposes of the EIS, it is conservatively assumed as a proposed mitigation strategy.</td></tr>
<tr><td>7</td><td>Chapter 3</td><td>3.5.1.4 Intersection Impacts with Proposed Mitigation Strategies

Page 3-48</td><td>Table 3-30 has been revised to remove conflicting conclusions on Project impacts.
<table>
<tr><th>Build Alternative</th><th>AM Peak (2040)</th><th>PM Peak (2040)</th><th>Midday Saturday (2040)</th></tr>
<tr><td>LRT Build Alternative with Proposed Mitigation Strategies</td><td>No Impacts</td><td>▪ No adverse impacts after mitigation.
▪ The proposed strategies for the LRT Build Alternative results in mitigating <u>all five</u> ~~four~~ adversely impacted intersections during the weekday PM peak period.
▪ ~~While allowances for left-turn movements at select locations on Niagara Falls Boulevard improves traffic progression along the corridor, one adverse impact is expected~~</td><td>▪ No adverse impacts after mitigation.
▪ The proposed strategies for the LRT Build Alternative results in mitigating all five adversely impacted intersections during the Saturday midday peak period.</td></tr>
</table></td></tr>
</table>

ID	DEIS Chapter / Section	DEIS Location	Modification
8	Chapter 4.9	4.9.2.4 Threatened or Endangered Species Page 4.9-7	Reference to updated D-key determination review added. An IPaC review for the Project made under the Programmatic Biological Opinion (PBO) for Transportation Projects within the range of the northern long-eared bat was initially conducted on September 30, 2023, and updated on March 27, 2024, ~~and~~ September 15, 2024, and January 29, 2026. This review resulted in a "may affect~~, and is not likely to adversely affect~~" determination. This determination becomes effective when the lead Federal action agency or designated non-federal representative requests the USFWS to rely on the PBO to satisfy the agency's consultation requirements for this project.
9	Chapter 4.9	4.9.3 Potential Mitigation Strategies Page 4.9-9	Additional mitigation measures have been added to chapter for consistency with Record of Decision. Areas disturbed during construction that are not part of the permanent Project footprint would be revegetated to the greatest extent practicable with a restoration seed mix plant and species indigenous to Western New York. NYSDOT policy will be followed; design and construction will include specifications to address the management of invasive species, including using a restorative seed mix. These efforts would be conducted in accordance with a Landscape Restoration Plan. Mitigation may be required for tree cutting in northern long-eared bat habitat. The removal of trees will be limited to the winter hibernation period (November 1 to March 31) when northern long-eared bats would not be present. As design advances and scheduling for tree cutting is planned, any mitigation required would be developed in coordination with FHWA, USFWS, and NYSDEC. In addition, any potential stream impacts resulting from a design change will be addressed and mitigated in accordance with state and federal requirements.
10	Chapter 4 Section 4.10	4.10.2.1 Freshwater Wetlands Page 4.10-4 and 4.10-5	Section 4.10.2.1 has been updated to reference the status of wetland jurisdictional determinations. As indicated in Table 4.10-2, approximately 1.26 acres of wetlands were delineated within the study area. The Project would affect 0.13 acres of wetlands (LRT), and 0.16 acres of wetlands (BRT). The Project limit of disturbance was used for permanent impacts and a limit of disturbance plus a 10 ft buffer was used for temporary impacts. As design progresses, all practicable measures (i.e., avoidance, implementation of erosion and sediment control measures) would be implemented to minimize effects to freshwater wetlands and state-regulated adjacent areas within the study area. During final design ~~preparation of the Final EIS~~, USACE and NYSDEC would confirm their respective regulatory responsibilities pertaining to wetlands through agency-specific jurisdictional determinations.

<table>
<tr><th>ID</th><th>DEIS Chapter / Section</th><th>DEIS Location</th><th>Modification</th></tr>
<tr><td>11</td><td>Chapter 4
Section 4.10</td><td>4.10.2.2
Surface Waters

Page 4.10-6</td><td>Section 4.10.2.2, “Surface Water,” has been updated to describe Project impacts to riparian habitat and aquatic wildlife and mitigation.

The new Bizer Creek bridge would result in a localized change in the aquatic flora and fauna species composition (under the bridge). In addition, the vegetated stream banks will be converted to developed land. Areas disturbed during construction that are not part of the permanent Project footprint would be revegetated, in accordance with a Landscape Restoration Plan, to the greatest extent practicable with plant species indigenous to Western New York.</td></tr>
<tr><td>12</td><td>Chapter 4
Section 4.13</td><td>4.13.1.1
Regional Analysis

Page 4.13-2</td><td>The title of Table 4.13.2 has been revised to clarify that the Build Alternatives are being compared to the No Build Alternative and the No Build Alternative has been removed from the table.

Estimated Reduction in 2045 in Pollutant Emissions Compared to the 2045 No Build Alternative Emissions (Grams per Day)
<table>
<tr><th>Alternative</th><th>Daily VMT</th><th>Carbon Monoxide (CO)</th><th>Nitrogen Oxides (NO_X)</th><th>Volatile Organic Compounds (VOC)</th><th>Particulate Matter ($PM_{2.5}$)</th><th>Carbon Dioxide Equivalent (CO_2e)</th></tr>
<tr><td>~~No Build Alternative~~</td><td>~~0~~</td><td>~~0~~</td><td>~~0~~</td><td>~~0~~</td><td>~~0~~</td><td>~~0~~</td></tr>
<tr><td>LRT Build Alternative</td><td>-44,792</td><td>-53,750</td><td>-448</td><td>-448</td><td>-269</td><td>-14,288,648</td></tr>
<tr><td>BRT Build Alternative</td><td>-2,938</td><td>-3,526</td><td>-29</td><td>-29</td><td>-18</td><td>-937,222</td></tr>
</table></td></tr>
<tr><td>13</td><td>Chapter 4
Section 4.13</td><td>4.13.1.1
Regional Analysis

Page 4.13-3</td><td>A direct reference for the EPA national control program has been added to Section 4.13, “Air Quality”.

Because the estimated VMT under the No Build Alternative and the LRT Build Alternative and the BRT Build Alternative are nearly the same, varying by less than 0.1 percent, it is expected there would be no appreciable difference in overall MSAT emissions among the No Build Alternative and the LRT Build Alternative and the BRT Build Alternative. For both future conditions, emissions are virtually certain to be lower than present levels in the analysis year (2040) as a result of the EPA’s national control programs that are projected to reduce annual MSAT emissions by over 90 percent between 2010 and 2050, as described in FHWA’s Updated Interim Guidance on Mobile Source Air Toxic Analysis in NEPA Documents[1]. While local conditions may differ from these national projections in terms of fleet mix and turnover, VMT growth rates, and local control measures, the magnitude of EPA-projected reductions is so great that MSAT emissions in the study area are likely to be lower in the future than they are today.</td></tr>
</table>

[1] https://www.fhwa.dot.gov/ENVIRonment/air_quality/air_toxics/policy_and_guidance/msat/fhwa_nepa_msat_memorandum_2023.pdf

ID	DEIS Chapter / Section	DEIS Location	Modification
14	Chapter 4 Section 4.13	4.13.1.3 Microscale CO Analysis Page 4.13-7 Page 4.13-8	Maps highlighting the intersections determined to have a Level of Service (LOS) D or worse for the 2040 forecast year, as well as which intersections meet the volume threshold screening criteria requiring a microscale modeling analysis has been added to Section 4.13, Air Quality.
15	Chapter 4 Section 4.13	4.13.1.4 Page 4.13-10	Section 4.13.1.4 has been revised to state: Because the Greater Buffalo Niagara Region is attaining for particulate matter, it is not required to perform a particulate matter hotspot for transportation projects per the transportation conformity regulations outlined in 40 CFR Part 93. The NYSDOT TEM describes the process for determining if a microscale PM10 analysis is required. While particulate matter emissions are not typically modeled as part of a transportation project air quality analysis in New York, it may be appropriate in some situations, if a conformity demonstration is required. Because the Greater Buffalo Niagara Region is attaining for particulate matter, it is not required to perform a particulate matter hotspot for transportation projects per the transportation conformity regulations outlined in 40 CFR Part 93. ~~The Project is not located in an area where transportation conformity is required.~~ Furthermore, the project does not meet any of the criteria outlined in 40 CFR 93.123(b) requiring a quantitative analysis of local particulate emissions (hot spots) in non-attainment or maintenance areas. Therefore, no microscale particulate matter modeling was performed as part of this air quality analysis.
16	Chapter 4 Section 4.17	4.17.1.2 Construction Education and Outreach Plan for Each Build Alternative Page 4.17-4	References to where the public can access the plans that will be developed by the Project team, including a Construction Education and Outreach Plan and a Traffic Management Plan, (*www.nftametrotransitexpansion.com*) have been added to Section 4.17. A community education and outreach plan will be developed for the preferred Project Build Alternative and ~~No Build Alternative~~ available on the Project website: *www.nftametrotransitexpansion.com*. The purpose of this plan is to address any construction-related impacts and provide general construction scheduling information, coordinate construction work with adjacent business activities, and assist with the resolution of issues that could develop between residents, motorists, the contractor, and Metro. The details of the program would be included in a Construction Education and Outreach Plan, which would be completed pre-construction and implemented by Metro during construction.

<table>
<tr><th>ID</th><th>DEIS Chapter / Section</th><th>DEIS Location</th><th>Modification</th></tr>
<tr><td>17</td><td>Chapter 4
Section 4.17</td><td>4.17.2
Construction Consequences of the Build Alternatives

Page 4.17-21
Page 4.17-22</td><td>A qualitative air quality analysis has been added for the construction phase of the Project to document potential impacts.

Activities related to construction of the Build Alternatives would include increases in particulate matter in the form of fugitive dust (from demolition, ground clearing and preparation, grading, stockpiling of materials, on-site movement of equipment, and transportation of construction materials), as well as exhaust emissions from material delivery trucks, construction equipment, and workers' private vehicles. Dust emissions typically occur during dry weather, construction activities, or high wind conditions. Temporary impacts to air quality from construction activities would occur during the construction period. Elevated emissions would likely occur immediately adjacent to the construction activities, staging areas, and material hauling routes.</td></tr>
<tr><td>18</td><td>Appendix C1 Transportation Technical Report</td><td>Section C.5.1.5 Intersection Impacts with Proposed Mitigation Strategies

Page C-113</td><td>Table C.77 has been revised to remove conflicting conclusions on Project impacts.

<table>
<tr><th>Build Alternative</th><th>AM Peak (2040)</th><th>PM Peak (2040)</th><th>Midday Saturday (2040)</th></tr>
<tr><td>LRT Build Alternative with Proposed Mitigation Strategies</td><td>No Impacts</td><td>▪ No adverse impacts after mitigation.
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</table>
</td></tr>
<tr><td>19</td><td>Appendix I4 Hydraulic Analysis</td><td></td><td>A cross-section conceptual design of the Bizer Creek bridge crossing for the LRT Build Alterative has been added to Appendix I4, Hydraulic Analysis. The impacts to the Creek would be the same for both the LRT Build Alternative and BRT Build Alternative.</td></tr>
</table>