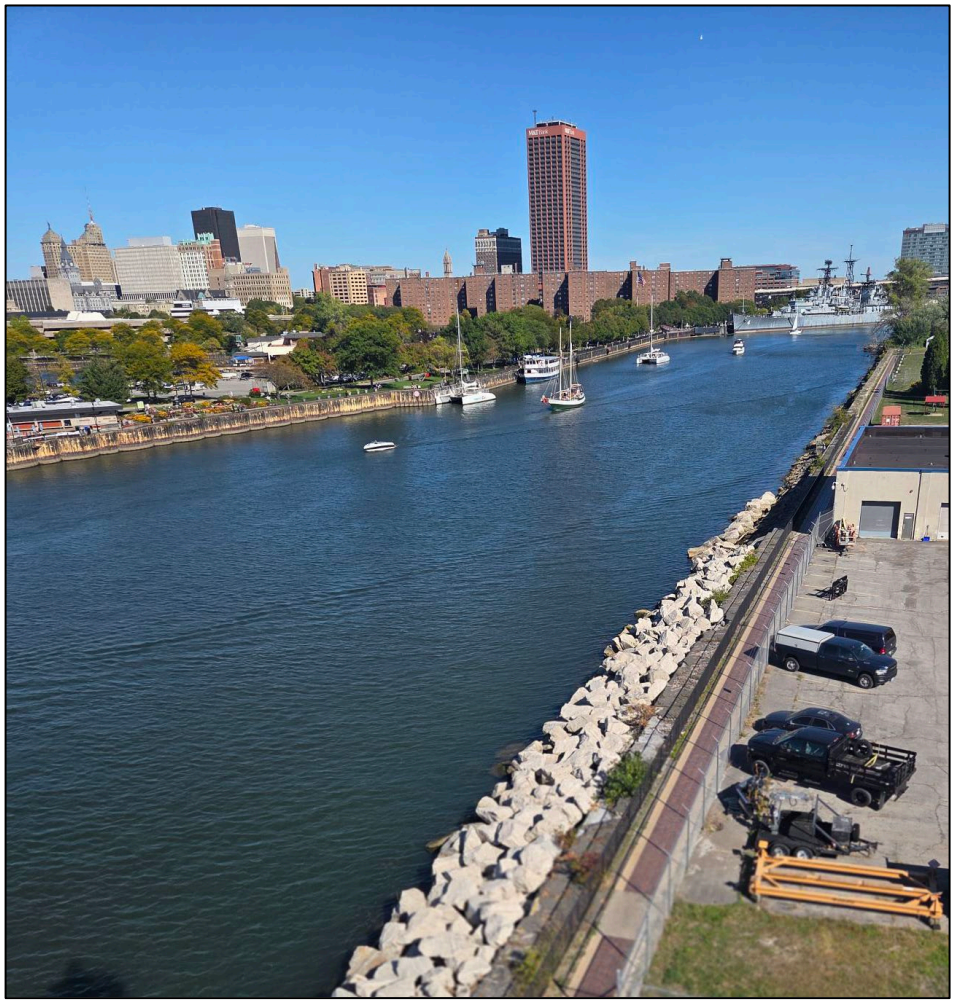
US Army Corps of Engineers
Buffalo District
BUILDING STRONG®

Operations and Maintenance
Buffalo South Pier, Buffalo, New York

National Environmental Policy Act Scoping and Clean Water Act 404(a) Public Notice

NEPA ID #: EAXX-202-00-H5P-1766417874



May 2026

U.S. Army Corps of Engineers
Buffalo District
478 Main Street
Buffalo, New York 14202

Table of Contents

1. Introduction 1

2. Need for Action 3

3. Repair Alternatives Under Consideration 3

4. Environmental Impacts 5

5. Public Participation and Interagency Coordination 6

6. Compliance with Environmental Protection Statutes 6

7. Request for Comments 9

List of Tables

Table 1: Measurements relevant to repair of Buffalo South Pier 5

List of Figures

Figure 1: Buffalo South Pier Repair location map. 2
Figure 2: Aerial view of the entrance to the Buffalo Inner Harbor and Buffalo South Pier. 2
Figure 3: Original pier construction cross section. 4
Figure 4: Proposed structural alternative, cross section. 4

1. Introduction

Implementation of the National Environmental Policy Act (NEPA) requires that federal agencies initiate "an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action." The purpose of this scoping information is to disseminate information regarding the U.S. Army Corps of Engineers (USACE) proposed Buffalo South Pier repair project, and to elicit any concerns of potential affected parties. This information has been prepared in accordance with Department of Defense NEPA Implementing Procedures (2025).

Additionally, this document serves as the public notice pursuant to Section 404(a) of the Clean Water Act (CWA). It is being administered in conformance with USACE regulation, "Practice and Procedure: Final Rule for Operation and Maintenance of Army Corps of Engineers Civil Works Projects involving the Discharge of Dredged Materials into Waters of the United States or Ocean Waters," 33 Code of Federal Regulations (CFR) 337.1. The purpose of this public notice is to specify what dredged/fill materials would be discharged into waters of the United States by implementation of the proposed action and advise all interested parties of the proposed project and to provide an opportunity to submit comments or request a public hearing.

Buffalo South Pier, also historically known as the South Mole, is located at the southern side of the mouth of the Buffalo River, where it empties into Buffalo Outer Harbor in the City of Buffalo, Erie County, New York (Figures 1 and 2). Buffalo South Pier protects the shoreline from severe wave action, flooding, and storm damage from Lake Erie at the entrance of Buffalo Inner Harbor, facilitating navigation and connection to Black Rock Channel, Lake Erie and the Great Lakes Navigation system.

Design of emergency repairs for construction occurring in 2021 revealed that the South Pier was the original U.S. South Mole, constructed 1819-1821. This structure is the oldest navigation feature in the City of Buffalo (predating the lighthouse atop it), and possibly the last intact example of a mole structure in the United States. Need for emergency repairs prompted geotechnical analyses and historical research of hardcopy records that revealed both the structural composition of the feature and its historical significance. Research suggests that sediments deposited from Lake Erie had covered the structure by the early twentieth century and the mole was almost lost to history. A combination of this natural accretion, combined with intentional placement of sediment, has essentially created new land to the south of the mole and what later came to be known as Times Beach. USACE is now in the process of nominating the Buffalo South Mole for consideration on the National Register of Historic Places.

The mole was expanded, protected, and repaired on various occasions in the 1800s and a portion of the timber mole on the channel side has since been removed. The South Pier, as it came to be known, has also had additional components added onto it over the years. Originally a pier with a lighthouse, in the 1930s it became the site of the Coast Guard reservation. To achieve this, soil was added to the lake side of the pier and filled to the level of the top of pier. Later, the stone covering of the timber crib maul was removed and replaced with armor stone.

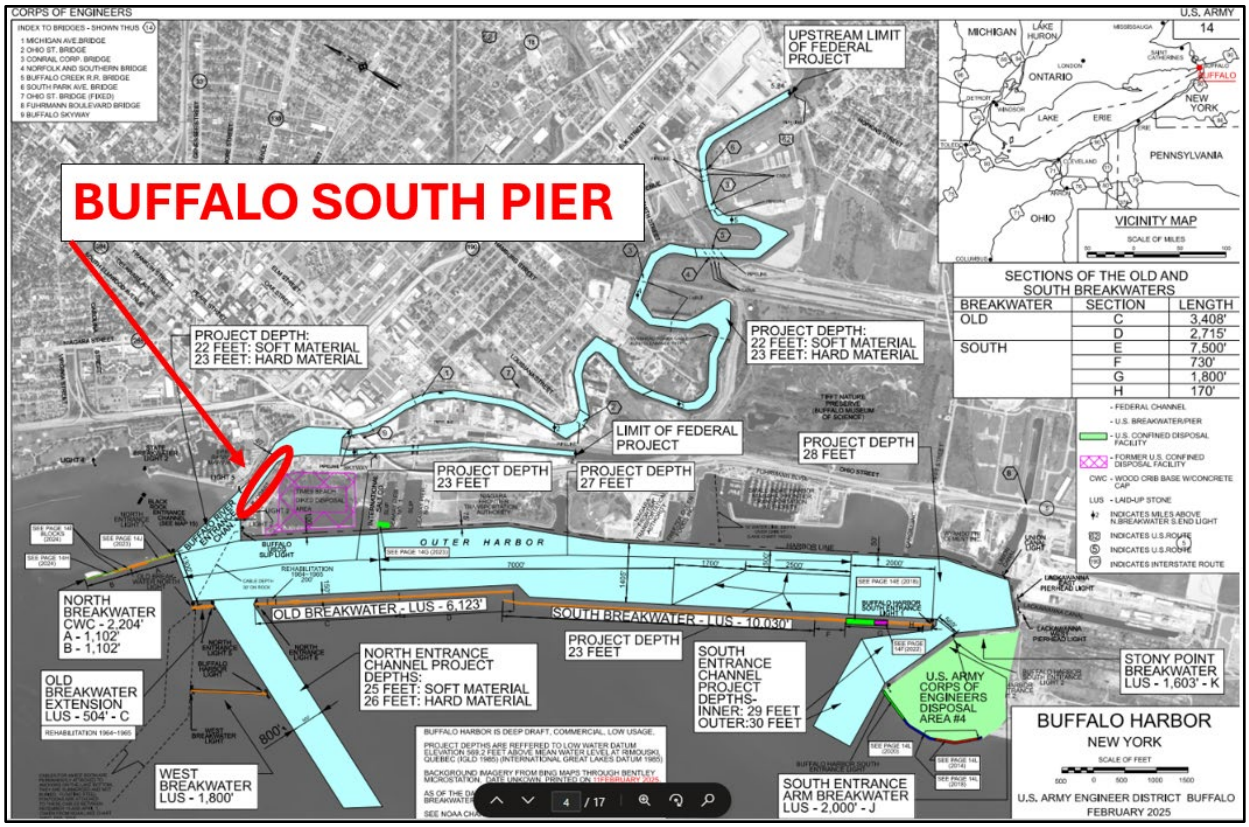


Figure 1: Buffalo South Pier Repair location map.

Figure 2: Aerial view of the entrance to the Buffalo Inner Harbor and Buffalo South Pier.

Buffalo Harbor was initially authorized by the Rivers and Harbors Act of 1826 with subsequent authorizations in 1866, 1874, 1896, 1899, 1900, 1902, 1907, 1909, 1910, 1912, 1919, 1927, 1930, 1935, 1945, 1960, 1962, 1986, and the 1986, 1988, and 2007 Water Resources Development Acts.

2. Need for Action

The U.S. Army Corps of Engineers (USACE), Buffalo District is investigating alternatives to repair the South Pier adjacent to the U.S. Coast Guard station in the Buffalo Harbor.

Armor stone repair has proven ineffective and has been observed to be shifting into the channel. The added stone on the channel bank has added more load to the soil and has led to a more unstable system. Geotechnical investigations have been completed to determine the root cause of movement within the system. Through these investigations it was discovered that fine-grain sediment had been removed through time from the voids in the structure, increasing the risk of sliding and further deterioration of the structure.

Buffalo South Pier spans approximately 1,375 feet and serves as an important navigation feature that protects the federal navigation channel at the critical nexus between Buffalo Inner Harbor and Buffalo Outer Harbor. Repair of the South Pier supports economic and social benefits associated with commercial and recreational navigation.

3. Repair Alternatives Under Consideration

In recent years, it has been observed that the structure of the Buffalo South Pier is experiencing movement. The stone placed on top of the existing timber crib has shifted into the channel and some washout, or sink holes, have been observed on the Coast Guard property adjacent to the original pier wall. The following alternatives are being considered to repair and protect the South Pier and preserve its function as a navigation feature.

- Alternative 1 (No Action) - A requirement of NEPA is to consider a No Action alternative. Under this alternative, the South Pier would continue to deteriorate and likely lose mass into the harbor, posing a hazard to public safety and safe passage of commercial and recreational vessels.
- Alternative 2 (Preferred) - To improve the Buffalo South Pier structure, USACE proposes building a new wall by embedding steel piles and driving strong steel sheets into the ground next to the old, damaged pier. The space between the new steel wall and the old pier will be filled in, and the top will be covered with a concrete cap. This plan geometry is based on a previous condition that used a large wooden frame (called a timber crib) filled with rocks to add support to the pier. As shown in Figure 3, the original timber crib structure was located approximately 20 feet away from the pier's wall. The new plan will restore the pier's strength using modern and more durable materials. The new wall will be made of large steel beams, called king piles, that are anchored deep into the rock underground. This will create a safe, strong border for the busy Buffalo Harbor. This option is proposed because it is good for boats, will last a very long time, and is much safer than alternative 3. The repair work might be done in sections over several seasons. The

most damaged parts of the pier will be repaired first to make sure it stays safe until the entire project is finished. Figure 4 depicts the proposed "king pile" structural alternative.

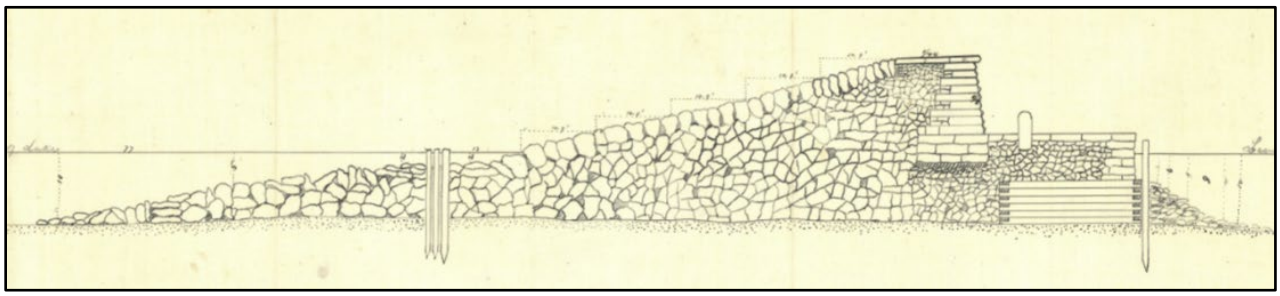


Figure 3: Original pier construction cross section.

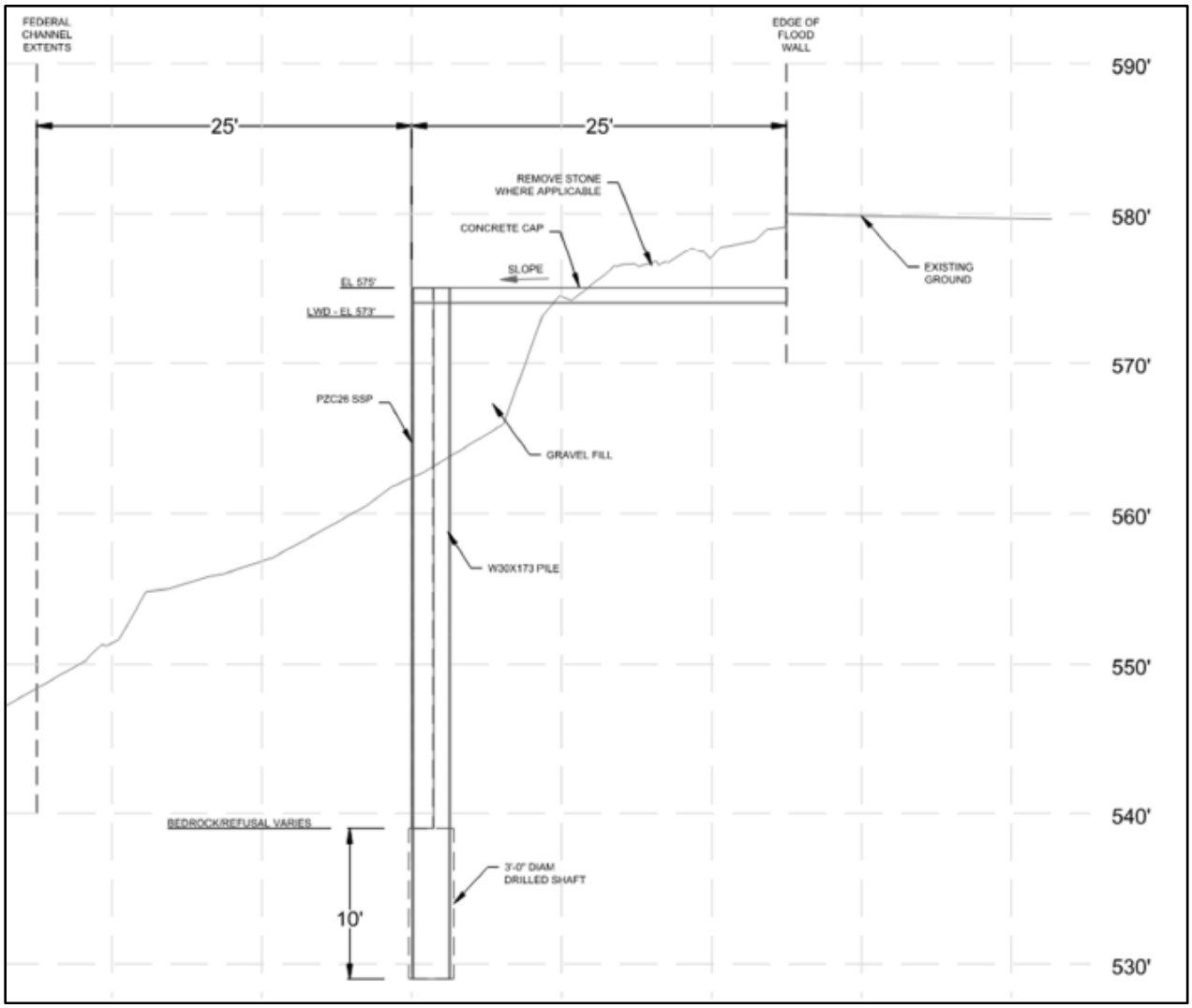


Figure 4: Proposed structural alternative, cross section.

This alternative, extending 1,375 feet as shown in Figure 5, is also favored because of its navigation and safety measures. The king pile alternative requires less technical experience

to install. Table 1 shows important measurements associated with this alternative, including length of repair, volume of concrete cap, and volume of structural fill.

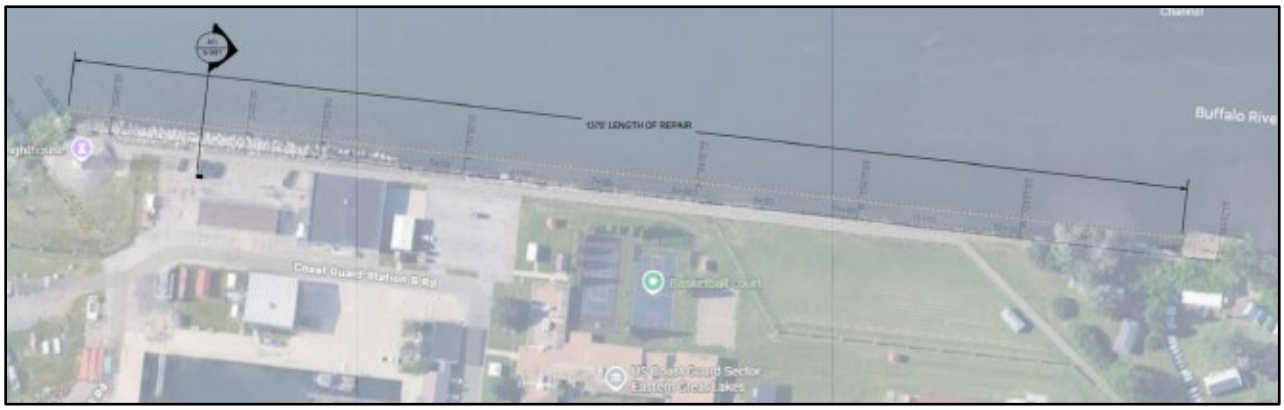


Figure 5: Plan view drawing showing Buffalo South Pier section.

Component	Estimated Measurement
Total Length of Repair	1,375 feet
Concrete Cap	1,300 cubic yards
Structural Fill	3,800 cubic yards

Table 1: Measurements relevant to repair of Buffalo South Pier

- Alternative 3 - Another considered alternative, called a battered pile design, would have involved building the wall with angled supports. This alternative is less favorable for several technical reasons. This design would cause the supports to stick out into the Buffalo River. Even though the supports would be outside the navigation channel, they could be dangerous to boat traffic. When the water level is high, the supports might be hidden underwater and a boat getting too close to the wall could hit them. Also, floating trash and ice could get caught on these angled supports, which would mean more clean-up and repairs.

4. Environmental Impacts

Anticipated future conditions and potential effects of the proposed action, including the No Action alternative, will be assessed for several social, economic, and environmental categories. These include but are not limited to:

- Fish and Wildlife Resources
- Water Quality
- Geology and Soils
- Contaminate Materials
- Air Quality
- Noise
- Recreation
- Aesthetics

- Historic Properties
- Property Values and Tax Revenues
- Employment
- Community Cohesion and Growth
- Transportation
- Public Facilities and Services
- Health and Safety

5. Public Participation and Interagency Coordination

Throughout the scoping and public notice process, stakeholders and interested parties are invited to provide comment and/or request a public hearing on the proposed alternatives that will be evaluated as part of the Operations and Maintenance (O&M) support to the South Pier repair project. An environmental assessment will be completed to document the evaluation of any potential social, economic, and environmental benefits and potential adverse impacts that may result from the final array of alternatives.

The South Pier repair designs have been based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. This reflects the national concern for both protection and utilization of important resources. The benefit which is reasonably expected to accrue from the proposal has been balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal have been considered including the cumulative factors thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

This activity is being coordinated with the following agencies, as well as other appropriate federal, state, and local agencies and organizations:

- New York State Department of State
- New York State Department of Environmental Conservation
- New York State Preservation Office
- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Environmental Protection Agency

6. Compliance with Environmental Protection Statutes

The proposed repairs to Buffalo South Pier will be evaluated for compliance with all other applicable environmental protection statutes, executive orders, etc. including but not limited to:

Abandoned Shipwreck Act of 1987 (43 USC 2101 et seq.); Archaeological and Historical Preservation Act of 1979 (16 USC 470 et seq.); National Historic Preservation Act of 1966 (54 USC 300101 et seq.); Executive Order 11593 (Protection and Enhancement of the Cultural

Environment), May 13, 1971. Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the USACE determined that the recommended plan has no effect on historic properties. Coordination with the New York State Historic Preservation Office (NYSHPO) began on March 01, 2023, with a project submission into the Cultural Resources Information System (CRIS). In a letter dated May 03, 2023, the NYSHPO stated that the repairs would have "No Effect on historic or archeological resources for this project." However, USACE gleaned additional information as a result of document review and geotechnical analysis and USACE is now in the process of nominating the Buffalo South Mole for consideration on the National Register of Historic Places. Coordination with NYSHPO is ongoing and a Determination of Effects will be prepared. USACE will also send individual letters to interested Tribal Nations with offers for Consultation.

Clean Water Act, as amended (Federal Water Pollution Control Act Amendments of 1972) (33 USC 1251 et seq.). The USACE will evaluate the discharge in accordance with the Clean Water Act Section 404(b)(1) Guidelines. Water quality and related information used in this evaluation will provide documentation to demonstrate that the recommended plan is in compliance with this Act.

This Scoping Document also serves as a Section 404(a) Public Notice, to be posted for a 30-day review period starting on May 1, 2026, to provide an overview of the project and an opportunity to request a public hearing to all potentially affected parties.

A section 401 Water Quality Certification (WQC) will be requested from the New York State Department of Environmental Conservation (NYSDEC). Further coordination with the NYSDEC will be conducted to obtain the 401 WQC, or waiver thereof, for the proposed repairs.

Coastal Zone Management Act of 1972, as amended (16 USC 1451 et seq.). The Act requires that federal actions reasonably likely to affect any land or water use or natural resource of the coastal zone, regardless of location, be consistent with approved state coastal management programs. The proposed repair work would be undertaken in a manner consistent, to the maximum extent practicable, with the New York State Department of State (NYSDOS) Coastal Zone Management Program. A Coastal Management Program federal consistency determination will be submitted to the NYSDOS documenting this determination.

Endangered Species Act of 1973, as amended (16 USC 1531 et seq.); Fish and Wildlife Coordination Act (FWCA) (16 USC 661 et seq.). In accordance with Section 7 of this Act, USACE is requesting information from the U.S. Fish and Wildlife Service (USFWS) on any listed or proposed species or designated or proposed critical habitat that may be present in the project area. If this consultation with USFWS identifies any such species or critical habitat, then USACE will conduct a biological assessment to determine the proposed project's effect on these species or critical habitat.

The USFWS web sites and Information for Planning Consultation ([https://ecos.fws.gov/ipac/], accessed March 2026) have been reviewed to generate the following list of federally threatened and endangered species that are/or may share a range with the project location:

- Monarch butterfly (*Danaus plexippus*)

Fish and Wildlife Coordination Act (16 USC 661 et seq.). The USACE is coordinating this proposed project with the USFWS to identify any fish and wildlife concerns, identify relevant information on the proposed project area, obtain their views concerning the significance of fish and wildlife resources and anticipated project impacts, and identify any additional resources which need to be evaluated. Full consideration will be given to their comments and recommendations resulting from this coordination.

National Environmental Policy Act (NEPA). In accordance with Department of Defense National Environmental Policy Act Implementing Procedures, the USACE will assess the potential environmental effects of the proposed action on the quality of the human environment. Using a systematic and interdisciplinary approach, an assessment will be made of the potential environmental impacts for the proposed action as judged by comparing the with-project and without-project conditions. The impact assessment process will determine if an Environmental Impact Statement is required, or if an Environmental Assessment and Finding of No Significant Impact is appropriate. This scoping information constitutes an initial request for public and agency input into this NEPA review process.

Other Coordination Requirements. In addition to the aforementioned federal statutes, the proposed project must also comply with other applicable or relevant and appropriate federal laws. The following sections present a comprehensive list of environmental protection statutes, executive orders, etc. Therefore, an additional intent of this scoping document is to disseminate pertinent project information to meet the applicable coordination/consultation requirements required under their provisions.

6.1 PUBLIC LAWS

a. American Folklife Preservation Act, P.L. 94-201; 20 U.S.C. 2101, *et seq.*
b. American Indian Religious Freedom Act, P.L. 95-341, 42 U.S.C. 1996, *et seq.*
c. Anadromous Fish Conservation Act, P.L. 89-304; 16 U.S.C. 757, *et seq.*
d. Antiquities Act of 1906, P.L. 59-209; 16 U.S.C. 431, *et seq.*
e. Archaeological and Historic Preservation Act, P.L. 93-291; 16 U.S.C. 469, *et seq*. (Also known as the Reservoir Salvage Act of 1960, as amended; P.L. 93-291, as amended; the Moss-Bennett Act; and the Preservation of Historic and Archaeological Data Act of 1974.)
f. Archaeological Resources Protection Act, P.L. 96-95 as amended, 16 U.S.C. 470aa, *et seq*.
g. Bald Eagle Protection Act; 16 U.S.C. 668.
h. Clean Air Act, as amended; P.L. 91-604; 42 U.S.C. 1857h-7, *et seq*.
i. Clean Water Act, P.L. 92-500; 33 U.S.C. 1251, *et seq*. (Also known as the Federal Water Pollution Control Act; and P.L. 92-500, as amended.)
j. Coastal Zone Management Act of 1972, as amended, P.L. 92-583; 16 U.S.C. 1451, *et seq*.
k. Comprehensive Environmental Response, Compensation, and Liability Act, P.L. 96-510, 42 U.S.C. 9601, *et seq*.
l. Endangered Species Act of 1973, as amended, P.L. 93-205; 16 U.S.C. 1531, *et seq*.
m. Energy Independence and Security Act, P.L. 110-140, 42 U.S.C. 15821, *et seq*.
n. Energy Policy Act, P.L. 109-58, 42 U.S.C. 13201, *et seq*.
o. Estuary Protection Act, P.L. 90-454; 16 U.S.C. 1221, *et seq*.
p. Farmland Protection Policy Act, P.L. 97-98, 7 U.S.C. 4201, *et seq*.
q. Federal Environmental Pesticide Control Act, P.L. 92-516; 7 U.S.C. 136.
r. Federal Water Project Recreation Act, as amended, P.L. 89-72; 16 U.S.C. 460-1(12), *et seq*.
s. Fish and Wildlife Coordination Act of 1958, as amended, P.L. 85-624; 16 U.S.C. 661, *et seq*.
t. Historic Sites Act of 1935, as amended, P.L. 74-292; 16 U.S.C. 461, *et seq*.
u. Land and Water Conservation Fund Act, P.L. 88-578; 16 U.S.C. 460/-460/-11, *et seq*.
v. Migratory Bird Conservation Act of 1928; 16 U.S.C. 715.
w. Migratory Bird Treaty Act of 1918; 16 U.S.C. 703, *et seq*.

x. National Environmental Policy Act of 1969, as amended, P.L. 91-190; 42 U.S.C. 4321, *et seq*.
y. National Historic Preservation Act of 1966, as amended, P.L. 89-655; 16 U.S.C. 470a, *et seq*.
z. Native American Graves Protection and Repatriation Act, P.L. 101-601, 25 U.S.C. 3001, *et seq*.
aa. Native American Religious Freedom Act, P.L. 95-341; 42 U.S.C. 1996, *et seq*.
bb. Noise Control Act, P.L. 92-574, 42 U.S.C. 4901, *et seq*.
cc. Resource Conservation and Recovery Act of 1976, P.L. 94-580; 7 U.S.C. 1010, *et seq*.
dd. River and Harbor Act of 1899, 33 U.S.C. 403, *et seq*. (also known as the Refuse Act of 1899)
ee. Toxic Substances Control Act, P.L. 94-469; 15 U.S.C. 2601, *et seq.*
ff. Watershed Protection and Flood Prevention Act, as amended, P.L. 83-566; 16 U.S.C. 1001, *et seq.*
gg. Wild and Scenic Rivers Act, as amended, P.L. 90-542; 16 U.S.C. 1271, *et seq.*

6.2 EXECUTIVE ORDERS

a. Executive Order 11593, Protection and Enhancement of the Cultural Environment. May 13, 1979 (36 FR 8921; May 15, 1971).
b. Executive Order 11988, Floodplain Management. May 24, 1977 (42 FR 26951; May 25, 1977).
c. Executive Order 11990, Protection of Wetlands. May 24, 1977 (42 FR 26961; May 25, 1977).
d. Executive Order 11514, Protection and Enhancement of Environmental Quality, March 5, 1970, as amended by Executive Order, 11991, May 24, 1977.
e. Executive Order 12088, Federal Compliance with Pollution Control Standards, October 13, 1978.
f. Executive Order 12372, Intergovernmental Review of Federal Programs, July 14, 1982.
g. Executive Order 12856, Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements, August 3, 1993.

6.3 OTHER FEDERAL POLICIES

a. Council on Environmental Quality Memorandum of August 11, 1980: Analysis of Impacts on Prime or Unique Agricultural Lands in Implementing the National Environmental Policy Act.
b. Council on Environmental Quality Memorandum of August 10, 1980: Interagency Consultation to Avoid or Mitigate Adverse Effects on Rivers in the National Inventory.
c. Migratory Bird Treaties and other international agreements listed in the Endangered

7. Request for Comments

The purpose of the scoping and public notice process is to provide an opportunity for the public and governmental agencies to provide input to help identify issues and alternatives, or provide information related to the proposed alternatives that may be considered in the development of the environmental assessment. If, after this evaluation, it is concluded that the proposed action would have no significant environmental impacts and an environmental impact statement is not required, the USACE will sign a FONSI.

Interested parties are encouraged to contact the USACE with their comments and recommendations regarding the proposed repairs to the Buffalo South Pier. Please review the project information and send your comments or recommendations in writing within 30 days to the following e-mail address:

BuffaloSouthPier@usace.army.mil

or via mail to:

U.S. Army Corps of Engineers - Buffalo District Environmental Analysis Section
478 Main St.
Buffalo, NY 14202-3199
ATTN: Environmental Analysis – Buffalo South Pier

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS, BUFFALO DISTRICT
478 MAIN STREET
BUFFALO, NEW YORK 14202-3278

July 17, 2026

REPLY TO
ATTENTION OF:

Environmental Analysis Section

SUBJECT: Buffalo South Pier, Erie County, New York - Request for Coastal Management Program Consistency Determination Concurrence for Buffalo South Pier Repair Project

Jennifer Street, Supervisor
Consistency Review Unit
Office of Planning and Development
New York Department of State, Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001

Dear Mrs. Street:

Enclosed for your review and comment is the Coastal Management Program Federal Consistency Determination and the National Environmental Policy Act Scoping Information Packet/Clean Water Act Section 404(a) Public Notice for our Buffalo South Pier repair project in the City of Buffalo, Erie County, New York. The structure of the Buffalo South Pier is experiencing movement and requires repair in order to preserve its function as a navigation feature.

The stone placed on top of the existing timber crib has shifted into the channel and sink holes have been observed on the Coast Guard property adjacent to the original pier wall. The proposed structural alternative for the pier aims to repair the stability of the system and alter the slope. As per the proposed design, steel sheet pile will be driven outboard the large stones and previous timber crib structure, backfilled, and capped with concrete. This project entails the repair of 1,375 feet of the South Pier, a concrete cap of 1,300 cubic yards, and 3,800 cubic yards of structural fill.

The USACE-Buffalo District has requested Water Quality Certification for the subject project from the New York State Department of Environmental Conservation, or waiver thereof, under Section 401 of the Clean Water Act.

In accordance with Coastal Zone Management Regulations 15 CFR, Part 930.34(a), the USACE has determined that the repairs required to maintain Buffalo South Pier would be undertaken in a manner which is consistent to the maximum extent practicable with the New York State Coastal Management Program. The enclosed Federal Consistency Determination documents this determination. Please advise us regarding your concurrence with these determinations by September 15, 2026.

Questions pertaining to this matter should be directed to Mr. Bryan Hinterberger at (716)

481-0090, by writing to the following address: U.S. Army Corps of Engineers, 478 Main St, Buffalo, New York 14202, or by e-mail at: Bryan.A.Hinterberger@usace.army.mil.

Sincerely,

Eric E Hannes

Eric E. Hannes
Supervisory Biologist
Environmental Analysis Section

Enclosures

NEW YORK STATE COASTAL MANAGEMENT PROGRAM
FEDERAL CONSISTENCY DETERMINATION

PROJECT NAME: Buffalo South Pier Repair
TYPE OF PROJECT: Operations and Maintenance (Repair)
COUNTY: Erie County

1. PROJECT DESCRIPTION

Buffalo South Pier, also known as the South Mole, is located on the southern side of the mouth of the Buffalo River as it enters the Buffalo Outer Harbor in the City of Buffalo, Erie County, New York. The pier serves as a critical navigation feature, protecting the federal navigation channel, facilitating safe passage between the Buffalo Inner Harbor and the Great Lakes Navigation System, and protecting the shoreline from severe wave action, flooding, and storm damage.

The U.S. Army Corps of Engineers (USACE) has identified the need to repair the pier due to structural instability. The existing armor stone has shifted, and the loss of fine-grain sediment from the structure's voids has increased the risk of sliding and further deterioration.

The proposed repair involves building a new 1,375-foot-long wall by embedding steel piles and driving steel sheets next to the existing damaged pier. The space between the new and old structures will be filled with approximately 3,800 cubic yards of structural fill, and the top will be finished with a concrete cap of approximately 1,300 cubic yards. This "king pile" design will restore the pier's strength and function using durable, modern materials.

2. EVALUATION

The USACE has analyzed the proposed project with respect to the 44 policy statements presented in Part II, Section 6 of the August 1982 State of New York Coastal Management Program and Final Environmental Impact Statement. The following policy statements have been determined to be applicable to the proposed action:

Policy 2 - ***Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.***

Consistency Statement: The proposed repair will ensure the pier continues to serve its primary function of protecting the federal navigation channel, thereby supporting the full utilization of commercial and recreational harbor facilities that rely on safe passage between the Buffalo Inner and Outer Harbors.

Policy 7 - ***Significant Coastal Fish and Wildlife Habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.***

Consistency Statement: The proposed repair work is not expected to adversely affect Significant Coastal Fish and Wildlife Habitats. USACE will coordinate with the U.S. Fish and Wildlife Service and the New York State Department of Environmental Conservation (NYSDEC) to identify and mitigate any potential impacts on fish and wildlife resources. A Section 401 Water Quality Certification will be obtained from NYSDEC to ensure the project complies with state water quality standards.

Policy 18 - ***To safeguard the vital economic, social and environmental interests of the State and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the State has established to protect valuable coastal resource areas.***

Consistency Statement: The repair of the Buffalo South Pier supports significant economic and social benefits associated with commercial and recreational navigation. The project's design resulted from an evaluation of the probable impacts on the public interest and is being coordinated with appropriate federal, state, and local agencies and the public. Full consideration has been given to the economic, social, and environmental interests of the region.

Policy 19 - ***Protect, maintain, and increase the level and types of access to public water-related recreational resources and facilities.***

Consistency Statement: The proposed repair will benefit recreational boating by providing for safe, sheltered navigation for all craft. By restoring the structural integrity of the pier, the project ensures continued and safe access to the recreational resources in the Buffalo Harbor and the wider Great Lakes.

Policy 23 - ***Protect, enhance and restore structures, districts, areas, or sites that are of significance in the history, architecture, archeology, or culture of the State, its communities, or the Nation.***

Consistency Statement: The Buffalo South Pier is a historic structure, originally constructed 1819-1821, and USACE has nominated it for the National Register of Historic Places. USACE is coordinating with the New York State Historic Preservation Office (NYSHPO) to develop a Determination of Effects. The proposed repair is designed to preserve the pier's essential navigation function while ensuring its long-term stability.

3. CONCLUSION

In accordance with Coastal Zone Management Regulation 15 CFR, Part 930.34(a), USACE has determined that the proposed repair of the Buffalo South Pier would be undertaken in a manner that is consistent to the maximum extent practicable with the State of New York Coastal Management Program.