

## OUR OUTER HARBOR CAMPAIGN

### MEMORANDUM

TO: Trowbridge Wolf Michaels and ECHDC  
FROM: Our Outer Harbor Campaign  
Please respond to Nicole Matteson, [nicolelmatteson@gmail.com](mailto:nicolelmatteson@gmail.com)  
Date: February 14, 2017 - revised 2.9.17  
RE: "Improvements Projects"

Thank you for the opportunity to attend the January 13 meeting to offer our response to the proposed improvement projects of the ECHDC. The Our Outer Harbor Campaign is a coalition of 25 civic and environmental groups in WNY, many of whom have been working on issues of the Outer Harbor for many years going all the way back to the 1982 plan to transition from an industrial waterfront. This includes the Horizon's plans, the NFTA's proposals for housing and the more recent ECHDC Perkins & Will plans. It might also be interesting to note that through all those planning efforts, the desires of the public have not changed: open, green space, accessible, clean, a park. That is 35 years of consistent vision.

It is reinforcing that Governor Cuomo has come to a similar vision of public Great Lakes waterfronts in the State of New York when he announced on 12/1/16, the New Blueprint:

*For "Great Lakes (Erie and Ontario) Shoreline, Islands and Tributaries: "The shoreline of New York's Great Lakes is sufficiently developed such that creation of continuous open space systems is not feasible in most locations. Where large tracts of undeveloped shoreline exist, efforts need to be made to preserve them in an undeveloped state. Additional public access for fishing, boating, swimming and public recreation along the Great Lakes coastline is needed in urban, suburban and rural areas. Important habitats, particularly wetlands, tributaries, islands, bluffs, and dunes need protection. In this priority area significant coastal fish and wildlife habitats, especially those that support the regions federally listed endangered and threatened species, and lands that would provide low-impact public access and water-dependent recreation, are the lands most likely to be targeted." <http://www.dec.ny.gov/lands/98720.html>*

This is our agenda and we welcome the opportunity to work with ECHDC and your firm to achieve this shared vision. We have and continue to argue for a robust public process and open transparent communication.

This memo has five sections:

1. Introduction (above)
2. Our Outer Harbor Evaluation Questions
3. An evaluation of the Improvement Project according to our criteria and explanatory notes;
4. Suggestions for projects that could replace some of the ECHDC projects:
  - Lake Erie Commons (Site of former Pier Restaurant)
  - Bell Slip Preserve (Bell Slip and Sand Dune Forest)
  - Gateway Park (Former NYPA property and Connecting Terminal)
  - Revival Fields (Open space between Cottonwood Copse and Seaway Piers)
  - Pollinator Corridor (From Times Beach to Tiffit)
5. Opposition to other proposed projects beyond the "improvement" projects

## OUR Vision:

We envision a twenty-first century park on the “Outer Harbor,” defined as the Lake Erie land between Times Beach and the Terminal building, including the land east of Times Beach along the Buffalo River and City Ship Canal. This area should be designated as “parkland” by the state legislature to protect it for passive and active recreation, water-related activities, and preservation of biodiversity and natural habitats. This is our generation’s legacy to the future in honor of Frederick Law Olmsted, whose vision bequeathed us a magnificent park system.

Because we are a coalition and want to leave open space for communications and even disagreement, we are using ‘questions’ to help frame our vision and expectations for involvement. These questions are designed to be asked of any project proposed for the Outer Harbor. Some of the ECHDC proposals seem to fit within the guidelines - always depending on the design and details - and others are seriously flawed.

## 2. OUTER HARBOR EVALUATION QUESTIONS

Revised 11.30.16

1. *Is it truly public or does it exclude some publics?*
2. *Is it water based and/or dependent? Would it be better in a different location?*
3. *Does it protect and expand natural environments, and provide habitat? Is it harmonious with adjacent uses?*
4. *Does it divert urban development and financial resources from the city proper? Avoid sprawl? Avoid creating a second city on the Outer Harbor?*
5. *Does it meet the policies as outlined in the City’s LWRP; does it retain publicly owned lands in public ownership? Is it consistent with the Buffalo Comprehensive Plan’s sustainability, smart growth, safety and environmental justice principles?*
6. *Does it promote a healthy city? Does it encourage physical activity, provide access to natural world, protect from exposure to environmental hazards such as severe weather and contamination?*
7. *Was the decision to proceed based on a transparent and democratic process that includes public input?*
8. *Is this in keeping with the people’s vision of the Outer Harbor public lands?*
9. *Is this the “new Buffalo” type of sustainable development? Does this increased community wealth and protect our natural and preserve our shared cultural assets?*

### 3. ANALYSIS OF 'IMPROVEMENT PROJECTS'

#### Our Outer Harbor Campaign Questions

	#1 - Visitor Ctr at Bell Slip	#2 Complete bike path	#3 Adult Michigan Pier	#4 Overlooks at Bell Slip	#5 Signage	#6 Mountain Bike Course
Truly Public	Y	Y	Y (depends)	Y	Y	No - Single use
Water dependent; Enhanced	Enhanced	Y	Enhanced	Y	Y	N
Protect Habitat	N	Could	N	Could	Could	N opposite
Divert \$ from city Sprawl	N/A	N/A	N	N	N	N/A
Meet LWRP	Y	Y	Y	Y	Y	N
Promote Health; Protect from Contamination	Y	Y	Y	Y	n/a	Health for few; N
Transpar Process	No	No	No	No	No	No
Peoples vision	Could	Y	Could	Y/N	y	N
Sustainable Community Wealth	Y	Y	Y	Y	Y	N

#### NOTES

**#1 Visitor Center:** The Bell Slip area proposed has the advantages of being near a parking area and having a concrete pad to reuse. However, if one tracks this location, you would see that the parking lot is almost always full, including during the winter months as people take advantage of the bike / walking trail. Because this area has a higher ecological value than most, we argue that this is not the place to put additional activity. We suggest a visitor's center at Gateway Park - (See below under our proposals)

**#2 Extend Bike Path:** This is a great idea to continue the bike path through the Terminal Building location. Further, we encourage the design and perhaps even renovation of existing bike path with enhancements: more circuitous with vegetative/art obstacles to navigate, some mounds and plantings for both wind protection and for more view frames of the lakes. One might even suggest a few 'spurs' of various materials and configurations, to allow a kind of mountain bike trail for those more adventurous bikers but keeping the more stable trail the entire length. This would integrate an amateur mountain biking experience to a much larger population without designating one area of the OH for a single use.

**#3 Adult Playground on Michigan Pier:** The development of the Michigan Street Pier is an interesting idea (unfortunate use of language). The area is currently used by fisherpeople as a good remote location for quiet fishing. But it is also one more contaminated areas of land and if it is going to be used, may need the kind of restoration done at Wilkeson Point. Given the

cost of that kind of remediation (removal of soil and replacement), perhaps this is not the best project to be done at this point as there are many more 'visible' and accessible areas to be brought into public use. That would be our first suggestion - do Gateway Park or Lake Erie Commons before Michigan Avenue Piers. The activities such as volley ball and exercise trail could be easily accommodated at Wilkeson Point and along the current bike trail.

#4 Bell Slip Overlooks: We have concerns about any 'development' around this area because it is a critical habitat and needs protection. This is the area we are calling the Bell Slip Preserve. Too many uses at this site could endanger the water and terrestrial wildlife potential of this area. However, a wildlife 'viewing' platform would add an amenity if put on the Southern Corner of the Bell Slip as a temporary installation. Overall, this area would be better suited with increased plantings and places to sit.

#5: Signage. Good idea but depends totally on messaging and design. And as far as the public is concerned, this is a part of the Niagara Greenway Trail and should continue using the same design as the rest of the trail.

#6: Mountain Bike Course: Inappropriate for OH as it is a single use that covers a large area (and could be safety hazard to walkers); soil contamination on OH and need to avoid breathing and touching earth in many places; would be much better in some other location perhaps Silo City next to the kayak launch. It also seems as if this should be a 'private sector' project rather than a public one. The most important point: a mountain bike trail is totally inappropriate in the Cottonwood Copse as currently proposed just north of the Bell Slip. An undisputed goal of ours and the Governors should be to preserve critical habitat and this is one.

#### 4. SUGGESTED ALTERNATIVES

**Lake Erie Commons:** The old Pier Restaurant area is the most distressed area on the OH as it is 'vacant' and much of it is impervious. Start there and repair so everything is better. We propose a "pop-up village" made up of shipping containers for local businesses, food, small shops, etc. Could be closed in winter. Put in seasonal temporary boat docks along the Seaway Piers to give reason to stop. Many boaters complain there is so little to do and right now, the docking at the Inner Harbor is overwhelmed. This would be an alternative. This strategy was used successfully in Montreal and many other places brought new life to transitional areas.

**Bell Slip Preserve:** The Bell Slip is one of the most unique and ecologically sensitive places on the Outer Harbor and in all of Buffalo. Millions of dollars of public money have been spent on fish and wildlife habitat restoration and shoreline stabilization. The paved Greenway Trail goes along the forest and around the slip, opening up public access, beautiful vistas, and the joy of nature to bikers, hikers, families, visitors, and more. This investment has worked. Fish, mammals, birds, pollinators, and other insects including rare beetles, are here in abundance. Healthy wildlife populations promoting healthy ecosystems depend on this location. Rare native plants, including the Spotted Bee-balm help to characterize this area which consists of shoreline, sand features, and an emerging and sheltering cottonwood forest with very few invasives. Interesting flora and fauna can be found here in all seasons. Birds, butterflies, fox and fish are here.

The first step is preserving this area - cause no damage. Additional support would be to put a small walking trail through the Cottonwood Copse and along the shoreline

with interpretation of the resources. And third, prepare a restoration plan to connect the forest and Bell Slip that would include the removal of invasives that are beginning to appear along the slope of the Slip and connecting the habitats through which the bike path would weave.

**Gateway Park:** The area immediately across from the Inner Harbor is the most visible part of the Outer Harbor from the city and should be the place of welcoming. This area also sits adjacent to Times Beach and should serve as a buffer for the nature preserve by abiding by the Governors Lights Out New York Initiative and limiting parking. Currently the area is used as a marina and we encourage water based recreation at this site, but believe there is sufficient space for a green swath through the property and along the shoreline to create a 'park.' Further, we recommend using the grain elevator, The Connecting Terminal, as the proposed Visitor Center with kiosks, food and other amenities. The basement of the elevators has 20' high ceilings and sufficient space among the columns to do wonderfully interesting and specifically 'Buffalo' design.

**Revival Fields (not large crowd area!):** This proposed project is seen as the beginning of the habitat creation on the Outer Harbor in the area between the Cottonwood Copse and the Seaway Piers: to rebuild soil and create a hospitable area for plants. This large area is filled with debris but a closer examination shows that hardy native plants are appearing. The proposal is to combine art/science and develop a pattern on the land into which different experiments of landscape remediation / habitat development could be explored and tested. Over time this area would be transformed as it became ecologically more diverse and robust.

**Pollinator Corridor:** The Outer Harbor has been identified as a key site for pollinators, especially monarchs at the beginning of their migration. The idea for the Pollinator Corridors is to connect Times Beach to Tiff Nature Preserve through a continuous band of pollinator friendly vegetation.

**Michigan Avenue Pier:** This pier that juts out into the lake sets an interesting pattern along the shoreline. It is also one of the few places where the highway noise is minimal at the very west end. It might benefit from a build up of vegetation at the entrance to communicate it is not accessible for the immediate future. (By the way, there appears to be some cow parsnip at that location - should be checked and removed).

**Upgrade Existing Bike Trail:** The entire trail needs a lot more (native) planting along bike path to protect from wind. Much more likely to be used all year if protected

**Transportation:** We strongly urge that no new parking been accommodated. There are over 700 spaces along Fuhrman, use them. In addition and to avoid traffic congestion on the 'auto dead-end,' make investments in alternative transportation - more ferry and increased number of stops; gondola type river crossing; increased bus service; rebuilding of Michigan Street bridge as ped/bike. If these projects go forward, it has to have accompanying transportation investments.

**Public Park as Shared Vision:** Designate the entire Outer Harbor as a public park with protections.

## 5. OPPOSITION TO OTHER PROPOSED PROJECTS

**Large Concert Venue at Seaway Piers:** The Outer Harbor is NOT a good place for large concerts as it is always very windy and exposed. Further, the rationale for such concerts as they began in Buffalo was to bring people downtown to use other amenities. Having concerts at an isolated location like the Outer Harbor brings no secondary benefits, would cause serious traffic problems, and would most likely cause damage to ecological systems. If it were felt that the Outer Harbor was a good location, then consider the Terminal Buildings where there are services, where one might over time include secondary benefits depending on the restoration of those buildings, where there is acres of parking, and it is close to Ohio Street, Fuhrman Blvd and Tiffit Street, not a dead end like the Old Pier. But it would be preferable and better economic decision to bring the concerts into the city like at Coca Cola Field where there is infrastructure and support but still an outside venue. It is well known that one only gets frustrating congestion to put a big venue at the end of a peninsula.

**No Housing on Former NYPA Property:** In spite of the fact that the Buffalo Greencode still has this land designated as N-3E (neighborhood development), it should never be housing: it would be sprawl as the location is 3.5 miles from downtown, it is public land and should not be privatized, the Outer Harbor is designated by FEMA as one of the most vulnerable, exposed areas on the Great Lakes, it would cause damage to the Times Beach Nature Preserve, and it is inappropriate urban development which should happen in the city within and adjacent to other settlements with proper infrastructure.

**No Privatization or Housing of public waterfront lands:** Waterfront lands belong the public as stated in the NY Coastal Zone regulations (#20) and our own Buffalo LWRP (#8A). Proposals to sell or privatized any land or property should not be permitted.