



January 16, 2018

TO: Buffalo Common Council and Buffalo Planning Board
FROM: Western New York Environmental Alliance
Lynda Schneekloth, Advocacy Chair
RE: 901 Fuhrman ECHDC Proposal for Bike Path and Habitat Restoration

The WNYEA is a coalition of over 100 environmental groups in WNY whose mission is the preservation and protection of the natural heritage of the region, the public health of the residents, and the imperative to raise the voices of frontline communities regarding environmental impacts. One of our major projects is the “Outer Harbor Campaign” where we focus on the Public Trust common law principles. This aspect of our law states that those resources that belong to all of us shall be not be privatized or sold. We view the Outer Harbor as public trust lands and so insist that any governmental agency hold the land, holds it in trust for all of us and must therefore, include the public in any discussions regarding use.

So to begin our comments, we can say that we support of the design proposed for the Southern End of the Outer Harbor immediately adjacent north of the Terminal Buildings. We are delighted that ECHDC has incorporated many of the suggestion and met our principles for public use and protection and restoration of habitat we have proposed over time for the Outer Harbor. We read this design to include: expanded public access, multi-use bikeways and trails; habitat restoration; proposed shifting of festivals to this portion of the Outer Harbor; repurposing one of the terminal buildings; and protecting the public from contamination. These are all in keeping with our principles for this public trust land.

The title of this proposal is “Create Bike Park in DOG/N-1S Zone,” and there are three principles relevant to this aspect of the proposal that we would like to comment on.

- (1) Is the project 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 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*

Obviously the urban bike trail does promote heathy recreation and the overall strategy of the design does a good job of protecting people from exposure to contaminants. However, the current length and configuration of the “urban bike trail” appears to overwhelm the site, is targeted to a single form of use, is not water dependent and we suggest, might better be located elsewhere.

However, it is clear that there will be a single track bike trail and we would like to suggest that this is an excellent opportunity to have a conversation among the environmental community, the bikers, and ECHDC on the proposed management and use of this landscape.

We encourage ECHDC to facilitate this conversation that will ensure the protection of non-bikers, provide more 'off road' experience for nature walks and bird watching, and will protect habitat during sensitive seasons.

Perhaps there will be opportunities elsewhere on the Outer Harbor but without a Master Plan, we do not see where this type of experience will occur. And so we continue to argue for an open process to develop a shared vision for these public trust lands rather than be surprised by the next proposal such as recently released regarding the former NYPA property.

These issues aside, the WNYEA does support the design of this southern portion of the Outer Harbor, hopes it is renamed as a more public landscape, and will continue to encourage opportunities for more conversations about the single track bike trail.

Cc: Steven Ranalli, ECHDC