

Kenneth Adams, President and CEO
Empire State Development
president@esd.ny.gov
633 Third Avenue, New York City, New York 10017

September 26, 2014

Dear Mr. Adams:

The League of Women Voters of Buffalo/Niagara (LWVBN) has maintained an active interest in the use and development of the region's waterfronts in Erie County for many years. A core value of the League is citizen participation in all parts of government. Therefore, we are examining and monitoring closely the manner in which various governmental agencies that own or regulate the Outer Harbor properties in Buffalo, NY, guide its future development.

This letter is in regard to actions undertaken by the Erie County Harbor Development Corporation (ECHDC), a subsidiary of Empire State Development. The ECHDC commissioned a study of the City of Buffalo's Outer Harbor to create a "blueprint" for future development. This process is currently in its final stages, having completed a public presentation on September 9. Consultants expect to issue their final report by October 1, 2014.

The LWVBN regards the whole process as flawed, from its very inception.

First, the Request For Proposals (RFP) for the Outer Harbor was and is not readily available to the public, whether on the ECHDC website or in hard copy.

Second, the "public meetings" conducted by the consultants failed to engage the public in meaningful discussions. At these meetings the public was divided into small groups where their views were collected and funneled to the consultants. At no time was there an opportunity to share their visions with each other. Therefore, the resulting "plan" is a vision created by the consultants, not the community's vision for the Outer Harbor arrived at through consensus.

Third, the planning process has been hurried along as requested in the RFP, without regard for effective public engagement. The "public meetings" were held in July and August when many people were away from the area; the September 9 summary meeting was held on Primary Day. Since planning efforts for the Outer Harbor have been ongoing for several years, the ECHDC should have allowed this current process to engage the public more effectively, and to build directly on the work done previously.

Furthermore, the ECHDC has not acknowledged the need for required State Environmental Quality Review Act oversight. Since development of a "plan" is considered an "Action" requiring SEQR, the October 1 roll-out cannot be a viable plan for the Outer Harbor. Instead, environmental impact studies should be done in compliance with SEQR regulations, followed by public hearings which then lead to a realistic plan.

Therefore, the LWVBN asks that Empire State Development tell its subsidiary, ECHDC, to pause this process in order to engage the public fully and transparently through these actions:

publish the RFP on its website; make the Board agendas available to the public; conduct an appropriate environmental review; conduct public hearings as required by SEQRA.

The LWVBN appreciates the effort and motivation that underlies this push by the ECHDC to establish viable public use and enjoyment of the Outer Harbor. Much can be done in the future to enhance public access, encourage recreational activities and protect the natural environment of the Outer Harbor. However, the whole of the public must be able to participate fully in planning for the future of this unique community asset.

The LWVBN and the public expect your prompt reply.

Sincerely,

Joan T. Parks, President LWVBN

1272 Delaware Avenue, Buffalo, NY 14209

co-signers:

Sierra Club Niagara Group

Citizens for Regional Transit

21st Century Park on the Outer Harbor

WNY Environmental Alliance

cc: Sam Hoyt, Regional President Empire State Development

Gov. Andrew Cuomo

Rep. Brian Higgins

Assemblyman Sean Ryan

Mayor Byron Brown, Buffalo, NY

Buffalo City Council members

Mark Poloncarz, Erie County Executive