

V-06.1

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1 such a plan and richly deserves a project plan that they can
2 take pride in. The Canal Side Project Plan is deeply rooted
3 with historic in the inner harbor while offering exciting
4 commercial, residential and recreational opportunities to
5 build a brighter future for our waterfront and our entire
6 community. Erie County provided the necessary funding for the
7 remediation and the subsequent demolition of the Memorial
8 Auditorium as this project will have an impact far beyond
9 city limits.

10 The demolition of the Aud has given people hope that
11 the waterfront development is truly happening. People are
12 already walking the current Erie Canal Harbor Site. Canal
13 Side welcomed thousands of visitors this summer thanks in
14 large part to the free programming offered on the site. We
15 must take advantage of this momentum and not let petty
16 differences or small project nuances obstruct the greater
17 goal of bringing Canal Side to fruition. By working together
18 we have the opportunity here to create a world class
19 destination for locals and tourists. The Canal Side Plan is
20 specific to design guidelines ensuring that Canal Side has a
21 dynamic look and feel grounded in historic precedent. The
22 original design guidelines for the Erie Canal Harbor parcels
23 located under the Skyway remain almost fully intact with two

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1 measurable alterations none of which will affect any attempts
2 at heritage based on development along those parcels. The
3 Canal Side Plan is a strategy for developing our waterfront
4 and is very similar to proven approaches used to rejuvenate
5 and create some of the world's greatest destinations as
6 mentioned Battery Park City, the Baltimore Inner Harbor and
7 others.

8 This plan also takes a serious look at sustainable
9 development and energy efficiency. The Erie Canal Harbor
10 Development Corporation is utilizing a very well respected
11 environmental consulting team to explore the feasible
12 application of sustainable design practices including but not
13 limited to LID, L-I-D, Water Management and many others.
14 There is no doubt in my mind that Erie County Executive Chris
15 Collin has the Canal Side Plan on the right track and we
16 should do everything possible to move forward as quickly as
17 possible. I want to also thank my many colleagues in
18 government for supporting this project and the members of the
19 Erie Canal Harbor Development Corporation for their
20 dedication and hard work in getting this plan off of the
21 ground. Thank you.

22 MR. ROACH: D. Patrick Curley to be followed by Paul
23 Brown.

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1 MR. CURLEY: Thank you very much. Ladies and
2 gentlemen, my name is Pat Curley. I am a member of the Board
3 of Trustees of the New York Power Authority and this is just
4 a great great pleasure for us to be here. You may recall a
5 couple of years ago when our generating station in Lewiston
6 was being relicensed by the Federal Energy Regulatory System
7 that we established several relicensing settlement agreements
8 and one of the-- or perhaps one of the most prominent one's
9 that we did was with the Erie Canal Harbor Development
10 Corporation and so we would be making payments to this
11 corporation. We're scheduled to make 50. We made two, so we
12 have 48 more to go. Tom Dee assures me tonight that I did
13 not necessarily need to bring my wallet, that I was okay just
14 to say a couple of words. What I want to let you know is how
15 pleased I am with the historical support that the power
16 authority has been able to give this tremendous Erie Canal
17 Harbor Corporation Program, the financial support that we
18 intend to do for the next 48 years. I look forward not
19 necessarily for all of those 48 years but I look forward to
20 the ongoing collaboration both structural as well as fiscal
21 collaboration between the two bodies and there are so many
22 plans that you have seen tonight that have been talked about
23 in detail and also in the general sense and those plans are

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1 very ambitious, they are far reaching, they are multiple
2 phased. And you can take my word for it that the New York
3 Power Authority will be part of that for at least the next 48
4 years. We are delighted. Thank you very very much.

5 MR. ROACH: Paul Brown is to be followed John S.
6 Kavanagh.

7 MR. BROWN: I'm Paul Brown. I'm the president of the
8 Buffalo Building Trades Council. We represent over 12,000
9 union members. So, you know with the economy the way it is I
10 would say weekly we get called about a new training program,
11 this person wants to start a training program. The problem
12 with that is you have nowhere to put these people. A project
13 like this would provide hundreds and hundreds of jobs to give
14 the opportunity for the people who come into the
15 apprenticeship program to make a good living, be able to
16 provide for their families. Tim Kennedy eloquently stated
17 how people 18 to 35 are leaving the area, that's the primary
18 age for apprentices and something like this is just super
19 that this project goes on. I understand there could be some
20 concerns. I heard about a parking ramp and I don't blame you
21 some of the times it comes up and I'm sure on this project
22 it's not going to be 100 percent union. I'm not completely
23 happy about that but for the good of Buffalo, the good of

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Erie County this project has got to go forward. You guys have busted your butts. It's time to move on and I congratulate you guys. You did awesome.

MR. ROACH: John S. Kavanagh to be followed by Terrence Robinson.

MR. KAVANAGH: Hi. Thank you. I'm originally from New York and I grew up in Europe and I've had the pleasure of moving to Buffalo. I believe I enjoy more of its architectural beauty as have my visitor friends from Europe and the East Coast as well as Canada. I'd like to express congratulations for moving this forward but I also have concerns that good is the enemy of Greater Buffalo's Architectural Heritage, it is staggering by North American standards. It is in my opinion that a truly global waterfront would not put a parking garage so prominently close to the structure and I would like to list a few of what I believe are the best global interests in the waterfront and I would like to encourage reconsideration of a parking garage because it has a certain phenomenal aspect in an area of-- that deserves to be as every bit as great as the heritage of 19th Century Buffalo. So, briefly Copenhagen Denmark, East Dublin Turkey, London, England, it would be unthinkable of those places to put a large parking ramp in especially with

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something as grand as an historical rebuild. So, that is my point here. Thank you.

MR. ROACH: Terrance Robinson to be followed by Mark Carey.

MR. ROBINSON: Terrance Robinson. My comments are offered as constructive. I just went over the DGEIS today, so I haven't had a chance to fully digest those 2000 pages. 1400 of them were Appendix G, I guess, which relates to the traffic. I have one philosophical question and that would be that the genesis of this project seems to have occurred roughly at least 8, 10 years ago. At least in the principle aspects and so I'm a little bit concerned about this project and that was underlying its feasibility at that time would still be pertinent today given all of the transition and the economy and other factors of that sort. So, the huge emphasis on that retail footprint and the attendant considerations I'm not certain whether they do or do not apply the way that they did apply several years ago.

In regard to the some of the historical components of it I did note and it was remarked that there is a significant possibility of adverse impacts to those archaeological resources. Given the importance of this location to the City of Buffalo geographically and historically I haven't seen

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1 addressed certain pre Civil War conditions. The Native
2 American here either at that site or in the vicinity.
3 Buffalo's tremendous admiration is its history in regard to
4 the maritime aspect of that and similar other considerations
5 from that pre Civil War period apart from the canal. I think
6 those things are important because they are both regional and
7 national historical treasures and if we're going to build
8 regionally we need to take a regional outlook at everything
9 that we do. Post Civil War that would be the German, Irish,
10 Eastern European ways of labor and you know Southern
11 African-American labor subsequent in their relationship to
12 that significant piece of property.

13 And I don't know that those things can be preserved
14 or if there are facts of significance or if that portion
15 exactly tells that story but I think it relates to it and it
16 would be unfortunate if any aspects of that were
17 irretrievably lost due to a precise history, perhaps an
18 actual historical artifacts. Once again I'm also concerned
19 about the environmental aspects of a 1200 car garage and you
20 may not have been taken into consideration with the potential
21 outer harbor egress and lastly the DGEIS has significant
22 concerns in regard to those sustainable development
23 parameters and other than sort of a functional service to

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1 that. But I'd like to see that more robust and expect that
2 will come. Thank you.

3 MR. ROACH: Mark Carey to be followed by Lori Mascia.

4 MR. CAREY: Hi. I'm Mark Carey designer by
5 profession. I've spent 30 years out on Grand Island, 12
6 years in Chesapeake, Virginia and I moved back up to East
7 Aurora, New York within the last five years. I'm nobody.
8 And I disagree with Sam's statement that we need to redo
9 things and everything. We've looked at things ten different
10 ways and it's time we get going forward. We don't need
11 anymore input. You guys have done a wonderful job. You've
12 taken Buffalo from a mistake on the lake to the masterpiece
13 on the lake. And it's time that we get in the boat, rowing
14 all one way. I'm impressed with your homework and what you
15 have presented. It's going to be great when it gets done.

16 MS. MASCIA: Good evening. My name is Lori Mascia.
17 I'm one of the representatives from the Marine Drive
18 Residents Council. We're very happy about the waterfront
19 development. Let me make that clear and now I'll go on to my
20 statement. In the community section of DGEIS section 6.4 the
21 report states that the Marine Drive Apartments and it has
22 roughly 1200 residents generally have consistent activity
23 throughout the year. Yet the conflicts which are surrounded

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1 by this which is generally internalized is not well
2 integrated with the project area. We do take issue of this
3 and challenge these statements. The Marine Drive Apartments
4 have been in existence for over 50 years. Marine Drive,
5 believe it or not is our neighborhood. We raise our families
6 there. We care for aging parents there. We are now passing
7 through or visiting a destination tourist attraction. We live
8 there. We are a community of 1000 Buffalo residents who are
9 not a structural impediment to the project area. The project
10 area needs to integrate into Marine Drive's community not the
11 other way around. Thank you for your time.

12 MR. ROACH: Elizabeth Harris to be followed by Anthony
13 Billoni.

14 MS. HARRIS: Good evening. My name is Elizabeth
15 Harris. I'm a resident of Marine Drive and President of the
16 Council. On behalf of the Marine Drive Resident Council and
17 Resident Association I'm here to present you with a petition
18 signed by 400 Marine Drive residents who oppose the
19 construction of the Commercial Slip parking garage due to the
20 adverse affect which the project will have upon the property
21 for 1000 Marine Drive residents due to increased traffic
22 congestion, air pollution and noise. Signed public safety
23 concerns. Thank you.

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1 MR. ROACH: Let the record reflect that Exhibit Number
2 4 is a petition signed by 400 residents of Marine Drive
3 Apartments offered by Elizabeth Harris. It will be Exhibit
4 Number 4.

5
6 The following was marked for identification:

7 Exhibit 4 Petition
8

9 MR. ROACH: The next speaker is Anthony Billoni and he
10 will be followed by Andrew Kucserik.

11 MR. BILLONI: My name is Anthony Billoni. I represent
12 the Erie Niagara Tobacco Free Coalition of Roswell Park
13 Cancer Institute which is part of New York State's Medical
14 Program. I wish to congratulate the Erie Canal Harbor
15 Development Corporation. With Canal Side you have given us
16 inspired access to the spiritual center of our community.
17 The beautiful waterfront looking over the great Lake Erie and
18 the Niagara River. Your achievements have been spectacular
19 and the best is yet to come. With my family I'm proud to
20 make use of parts of the canal side that are now completed
21 and I look forward to each new phase as it goes on down the
22 line. On behalf of the Erie and Niagara Tobacco I would like
23 to thank you in adopting your current policy of making your

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1 children's events smoke free. For my own view and from the
2 comments of a number of other visitors overheard they were
3 pleased not to be bothered by secondhand smoke. They were
4 grateful that they were not exposing their children to
5 smoking and appreciative that they didn't have to deal with
6 countless toxic tobacco left by smokers. Today we're here to
7 ask with the creative and careful plans unveiled today that
8 expand the Canal Side towards its greatest vision to give
9 serious consideration to make the entire development a smoke
10 free zone.

11 Currently the smoking in New York State is below 17
12 percent and even lower among our youth. So, by allowing
13 smoking at Canal Side you're ignoring the needs and wishes of
14 more than 80 percent of your visitors. I just want to tell
15 you that many vicinities are or are in the process of
16 creating a smoke free outdoor space. Another world leader in
17 family entertainment destinations Disney has been a smoke
18 free facility since 2007. Specifically we ask that you
19 consider making all of Canal Side a smoke free zone and ban
20 the sale of all tobacco products within the commercial sites
21 at Canal Side. The Erie Niagara Tobacco Free Coalition and
22 New York State Tobacco Control Program stands ready to
23 continue to assist you in this effort with signage and

1 handouts of education for your staff and for all of the
2 guests of Canal Side. It is inevitable that Canal Side will
3 be recognized as among the destinations and recreation
4 destinations in Western New York. I encourage you to make it
5 a leading health destination as well. Thank you very much.

6 MR. ROACH: Andy Kucserik to be followed by Legislator
7 Daniel Kozub.

8 MR. KUCSERIK: Good evening. Thanks for the
9 opportunity. As a young professional living and working in
10 Buffalo I feel a great sense of pride for my community. I
11 feel an even greater sense of pride to the development that
12 the community is taking to accomplish what will likely become
13 the next chapter in Buffalo's history. All generations have
14 pioneers. We're witnessing pioneers taking on this task that
15 has long been demanded or unfulfilled. Buffalo needs new
16 life, new life as a result of progress and change. We can't
17 sit back and expect change if we haven't done anything about
18 it. The progress we see is as a result of those who have
19 worked so hard to get us here and we have so much more to
20 achieve. I just want to thank everyone involved in this
21 project. It's a great project. Thank you.

22 MR. ROACH: Legislator Kozub to be followed by Yuri
23 Hreshchyshyn.

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1 MR. KOZUB: First off thank you for taking time out of
2 your busy schedule to come out here and speak. Along with
3 the downtown and the inner harbor ECC also is growing.
4 Pretty soon there will be dorms up in the next few months.
5 Fixing one of the estates that politicians had done a long
6 time ago by moving UB out to Amherst, which was supposed to
7 be originally done in the City of Buffalo. Also I'd like to
8 just mention that it's actually a breath of fresh air that
9 the corporation is doing this instead of politicians. Some
10 of my concerns are basically I notice that you had covered
11 some of the pollution aspects that's been involved but public
12 safety. I'd like to see maybe a police station down there.
13 Maybe sheriffs and the Buffalo Police combined with water
14 rescue. Mr. Sam Hoyt also mentioned about the speed limit.
15 I believe that's up to the state to maybe lower the state
16 speed limit from 30 and reduce it a little lower in not only
17 places like this but maybe trailer parks or other places that
18 communities want to lower their speed limit to below 30 for
19 child protection and others.

20 I'd like to see some wheelchair and bike paths for
21 our children that are growing for those residents who have
22 lower income, so people have an opportunity to maybe rent,
23 bicycle out, so people have a chance to go out and enjoy the

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1 waterfront. And also I'd like to know how it's going to be
2 connected with the outer harbor. You had mentioned about the
3 under water walkway that would be a great idea if they could
4 connect that to the outer harbor and the inner harbor with a
5 walkway and also tying it in with soon to be coming,
6 hopefully a weather museum. I'd just like to thank you all
7 for being here. Thank you for doing a great job on this and
8 it's all about jobs jobs jobs and bringing economic
9 development back into the City of Buffalo. Thank you.

10 MR. ROACH: Yuri Hreshchyshyn to be followed by Bill
11 Hanchar. Could you please spell your last name for the
12 record.

13 MR. HRESHCHYSHYN: H-R-E-S-H-C-H-Y-S-H-Y-N.

14 MR. ROACH: Thank you.

15 MR. HRESHCHYSHYN: First name Y-U-R-I. I speak only
16 for myself as a resident of the City of Buffalo and a
17 resident of the Buffalo River. You've done a remarkable
18 job. I've seen lots of drawings. I've seen the plans of you
19 guys continuing to go back and put together the results for
20 us to look at. A couple of specifications. It's good to see
21 the canal and you've come up with a good solution using
22 elevation to control the environment there. Water quality
23 and lake levels affecting it. It doesn't solve for the

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1 problem of flow of suspended soils coming through the Hamburg
2 drain and I hope that you'll continue to work with the
3 Buffalo Sewer Authority and others to try to contain that
4 problem. It's going to affect tourists as they come in.
5 It's affecting us now. It's good to see the prime slip and
6 again that's also landlocked but that's fine. The foot of it
7 I hope that you would make sure it's safe and convenient for
8 those who come in on paddles. As a small community they
9 certainly could use that prime slip as a safety harbor. It
10 adds to the events at the site. For those coming up, I'm
11 concerned there as well. There's very little space. You
12 can't stack boats but you can stack cars.

13 I would suggest if you can take a look at the draft
14 DGEIS as a temporary structure because it's truly a
15 navigation for travel. One last point, on Main Street leave
16 yourself enough room on the eastside for two lanes, whether
17 you go with the high density or preferred alternatives
18 because at some level that traffic is going to move forward.
19 Thank you very much for a wonderful job. I thank the leaders
20 that are helping you as well bringing the money in and
21 getting this done.

22 MR. ROACH: Bill Hanchar to be followed by John
23 Finster.

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1 MR. HANCHAR: My name is Bill Hanchar, H-A-N-C-H-A-R.
2 I doubt if there's another area the size of Buffalo that sits
3 on a body of water the size of Lake Erie that doesn't have a
4 decent beach for swimming purposes. I was wondering if it's
5 too late to put a beach in those plans. They can afford to
6 spend money fixing up the richest insane asylum surely they
7 can find somebody to hire to put a beach in. That's all.

8 MR. ROACH: John Finster to be followed by John
9 Stanfill.

10 MR. FINSTER: I'm John Finster. I'm a resident of
11 Orchard Park now but I still live on the Riverside in the
12 eastside of Buffalo. My roots are in Buffalo. There are two
13 components of the plan that I'm interested in. One is when
14 you were going through remnants. I have to admit I haven't
15 had time to read the DGEIS. I'm very concerned about the
16 historic perspective and the historic look of the area
17 especially the market site commons area and one of the things
18 that we have lost in Buffalo and I'm old enough to remember a
19 lot of the things that we have lost is our farmers market.
20 There is a Broadway Market now but there was a Washington
21 Street Market which goes back into the 1850's and even before
22 that. There was the Red Brick Market that I can remember.
23 Many people refer to it as the Black Rock Market, which was

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1 probably a little later here in the early 1900's and an iron
2 building at least in terms of its structural components. I'm
3 very concerned that these things are carried through in these
4 areas especially where you might consider a farmers market
5 and again associated with remarks from the other person, one
6 other person the ethnic cultures within this community and
7 their representation there. I have been to Boston. I've
8 seen Chelsea. It's a wonderful center piece. I would hope
9 that this would be something that we can look back at, these
10 historic structures and carry their theme within your
11 design.

12 The other thing now and this is totally removed from
13 that that I'm concerned with, that came up with the Hamburg
14 Drain. The sewers in the city right now are combined
15 sewers. Meaning that the storm water and sanitary sewage at
16 times combined causes an overflow normally in cases. I hope
17 the sewers are being designed as a separate sewer system and
18 I hope you are also looking at the peripheral drainage that
19 is coming down towards you and ending up in the Hamburg Drain
20 and possibly other areas of drainage in the surrounding water
21 woods. This should be taken care of. It should be removed,
22 taken and probably dumped off to the sewer authority in
23 whatever way is feasible, that's an insight. But don't let

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1 the mistakes of the past continue. You've done a wonderful
2 job. It's a job that should have been done years ago and it
3 wasn't. And I congratulate you on it.

4 MR. ROACH: John Stanfill will be followed by Joseph
5 Makowski.

6 MR. STANFILL: Good evening. My name is John
7 stanfill. I have come before you this evening to speak in
8 favor of the Canal Side Project as president of the Amherst
9 Subsidiary Northern Corporation. I believe canal side can be
10 a chief filler to the economic development of Western New
11 York. My company employs 160 high-tech workers and has an
12 annual revenue of 400 million dollars. Over the past three
13 years we have increased our employment by more than 200
14 employees. Our plan over the next five years calls for us to
15 add another 250 workers. All of these jobs are high skill,
16 clean high-tech jobs. Exactly the type of jobs this
17 community speaks of wanting to attract to the region. The
18 key issues in recruiting and obtaining this kind of vibrant
19 work force is quality of life and regional culture. Our
20 surveys and interviews with respect to that are stating that
21 these issues are very critical situations for any evaluating
22 job offers and in keeping them here in the crucial period
23 here after recruitment.

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1 It is my opinion that the Canal Side Project is
2 exactly the type of project that will add to our region's
3 quality of life needed to attract and retain today's
4 high-tech workers. This project will greatly assist
5 businesses such as ours to grow and develop our workers.
6 Thank you for your time and your consideration.

7 MR. ROACH: Joseph Makowski to be followed by Adam
8 Orsini.

9 MR. MAKOWSKI: Good evening. My name is Joseph
10 Makowski. It's my privilege to serve as legal representative
11 of the Marine Drive Council and the Marine Drive Residents
12 Association and the 1000 individuals who live in the Marine
13 Drive Apartment Complex. The Marine Drive Apartment Complex
14 is an urban village. It is a neighborhood. It is a
15 community and it is a community that needs to be heard and
16 listened to very closely in this process. With respect to
17 this process I'm inserting into the record the supplemental
18 comments of Ms. Harris, my letter to the Honorable David
19 Franczyk president of the Buffalo Common Council, dated
20 October 7, 2009 requesting the common council to conduct an
21 oversight hearing of this project and more specifically of
22 the commercial slip parking garage as it impacts the
23 residents of the Marine Drive Apartments. I would also note

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1 for the record that on September 23, 2009 the Marine Drive
2 Resident Council unanimously passed a resolution and the
3 Marine Drive Resident Council is effectively one of the
4 governing bodies for the tenants who resolved that the Marine
5 Drive Resident Council opposes the construction by the Erie
6 Canal Harbor Development Corporation of the commercial slip
7 parking garage that's being adverse to the quality of life of
8 all Marine Drive residents in light of increased traffic,
9 congestion, air pollution, noise, crime and public safety
10 concerns.

11 You heard from Ms. Harris with respect to the
12 petition, so I won't reiterate that. I inserted in my letter
13 of October 7, 2009 because I think there are significant
14 public policy issues that need to be addressed by the Common
15 Council and also thought about by Erie Canal Harbor
16 Development Corporation and the lead agency Empire State
17 Development Corporation as we close down on this DGEIS
18 process as we go through the comment period and as final
19 decisions are made with respect to the final environmental
20 impact statement and I'll have this here. With respect--
21 since this does concern the Draft Generic Environmental
22 Impact Statement I will keep my comments brief. I will say
23 for the record I have read the April -- I had read the

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1 February 2009 full environmental assessment form. I would
2 note that the project may result in one or more large and
3 important impacts that may have a significant impact on the
4 environment. Therefore, a positive declaration will be
5 prepared. That is an extremely significant statement from an
6 environmental point of view. And Mr. Adam Walter is here,
7 your counsel and I'm sure he helped prepare this but this
8 sets the plan from an environmental point of view.

9 I would also note that I did read the scoping
10 documents prepared in April of 2009 and I too slugged it out
11 with the draft DGEIS including the famous Appendix G which I
12 think is 1400 pages, give or take. With all of that being
13 said you are what you measure and my difficulty, my technical
14 difficulty, my public policy difficulty, is the screen on the
15 environmental review, that has been drawn too tightly. It
16 technically ends at least as far as my people are concerned
17 at the Marine Drive parking lot. It does not in a cumulative
18 way assess the environmental impact of this proposed six
19 story 1200 car ramp on the quality of life of my clients of
20 the traffic congestion both construction and
21 preconstruction. And if you want to know what I mean you go
22 to that parking lot right now and it looks like a crater on
23 the moon in terms of everything that's being done there right

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1 now. There aren't 400 spots anymore in terms of the air
2 pollution specifically on those 1000 residents. In terms of
3 the noise during the construction period and then the noise
4 from the increased traffic that will be generated by those
5 1200 cars that come to this destination, location. In terms
6 of increased crime and we have studies on this that we will
7 share at this appropriate time and generic public safety
8 concerns about a ramp. We have a lot of elderly residents at
9 Marine Drive. We have people who are transportation
10 constrained. We have people who use walkers. We have people
11 in wheelchairs. We have people in scooters. We have children
12 and none of this has made the mix because the screen is too
13 tight. It stopped at the parking lot. So, I would strongly
14 suggest that you take a requisite hard look at this and those
15 are magic words too with respect to the cumulative impact
16 which this project will have upon the 1000 residents of
17 Marine Drive. We will formally address during the comment
18 period what are concerns with respect to this and I won't
19 belabor it in light of the hour but we're not done because
20 we've got the black box of the National Environmental Policy
21 Act the federal government has to take a pass at this under I
22 think it's the Federal Highway Administration if memory
23 serves me. Yes. Because 15.3 million dollars of federal

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1 money is being earmarked to build this six story 1200 car
2 ramp and so that has to be blended into any analysis that we
3 have.

4 So, I would strongly suggest an extension of this
5 comment period beyond this November date to make sure not
6 only myself but other people who are interested in this issue
7 can have sufficient time to understand what the Federal
8 Highway Administration thinks about this once they weigh it.
9 I would also suggest that if there was ever a project that
10 required a Supplemental Environmental Impact Statement this
11 is that project because there has been no meaningful look, a
12 cumulative look at the impact which this project will have
13 upon my clients. Thank you.

14 MR. ROACH: Mr. Makowski, are you offering your letter
15 of October 7, 2009 to Councilman Franczyk as Exhibit 5?

16 MR. MAKOWSKI: Yes.

17 MR. ROACH: And are you offering the resolution that
18 you have cited?

19 MR. MAKOWSKI: It's in the letter. It's part of the
20 file

21
22 The following was marked for identification:

23 Exhibit 5 Letter of October 7, 2009

V-22.1

1 MR. ROACH: Thank you. Adam Orsini to be followed by
2 Darnell Jackson, Sr.

3 MR. ORSINI: I'm just curious about the surface,
4 streets, trails, are they going to be available to bikers?
5 I'm a bicyclist. I enjoy going downtown and riding around.
6 I'm just curious about more of that activity being allowed.
7 This is the question that I have. That's it.

8 MR. ROACH: Thank you. Darnell Jackson, Sr. to be
9 followed by John Glose.

10 MR. JACKSON: Thank you. My name is Darnell Jackson.
11 I'm a community leader from the eastside of Buffalo. I'm
12 also president of the Eastside Buffalo Task Force. In that
13 task force we are rebuilding neighborhoods over on the
14 eastside of Buffalo. Paul Brown left but he was saying about
15 how people call him everyday about training programs. We have
16 not had one training program in the City of Buffalo that
17 addresses the issue of minority hiring in our community. We
18 have a lot of violence in our community. We have a lot of
19 fighting in our community. We need to put these kids to work
20 and men and women to work. The violence in our community is
21 like a cancer it's starting to spread and it's not going to
22 stop when it gets to the waterfront. If you think that's
23 going to be a safe area, people need to know that the

V-23.1

1 violence is growing. We need to find alternatives. You all
2 need to help rebuild our area too. We're in the city. We
3 don't live in Orchard Park. We don't live in Hamburg. We're
4 five minutes away from the waterfront. The violence is
5 spreading. We have a 180,000 square foot building that we
6 have various programs in there and we try to curb this
7 violence and rebuild the city on the eastside of Buffalo. We
8 need you guys to put us to the table. When you look at all
9 of these corporations and all of these big businesses, all of
10 these construction companies doing all of this work in the
11 City of Buffalo and all of these billions of dollars being
12 spent, I can't add up five million dollars over the last ten
13 years that has been spent on the eastside on any project.

14 I don't see one organization in this memo here that
15 has anybody over here doing that, other than Senator Charles
16 Schumer that's working with us along with Lee Sanders and
17 Antoine Thompson to make this project a go. We need all of
18 your input. We need all of your support. We need some of
19 your resources, some of that 800 million dollars that's being
20 put towards the waterfront to be put on the eastside. We
21 live in the city. We pay taxes. We have integrity and we
22 want our kids to live. We lost over 2000 kids since 1994.
23 That's not tragedy, that's modern day living and we need to

V-23.4

V-23.5

1 find a way to stop it and it's not going to stop when you get
2 to the waterfront. Like right now they're trying to put a
3 wall up in Harlem, it's not going to work. You can't put up
4 a concrete wall and think that's going to stop bullets.
5 Until we find a way to stop it it's going to continue to
6 grow. Just like in Chicago with the violence we're going to
7 have the same issues right here. All these people coming
8 here they're going to be scared to go to that waterfront and
9 it might be a flop, if you go by and there's drive by
10 shootings on the waterfront. We need a way to stop the
11 violence. Thank you very much.

12 MR. ROACH: John Glose to be followed by I believe
13 it's Peg Overdorf.

14 MR. GLOSE: Hi. My name is John Glose, G-L-O-S-E.
15 I'm representing all of the boaters of Western New York. I'm
16 a boater enthusiast. I've enjoyed the inner harbor
17 development project as a boater but I want to compliment the
18 leadership. As a boater I'm very excited about what's going
19 on in the inner harbor area. Here's some concerns that I
20 have though. If you want to be a first class boating
21 destination we need bathrooms and showers for boaters. We
22 need pump outstations. We're going to need more docks. You
23 saw the pictures showing us some of the celebrations of

V-24.1

1 probably 150, 200 boats. Once this comes to a conclusion
2 you're going to have thousands of boaters that are going to
3 want to come to our harbor from all over the great lakes. I
4 met some of them this year. They're enthusiastic about what
5 they see but we need a lot more facilities for destinations
6 for boaters. Those are my comments. Thank you very much.

7 MR. ROACH: Peg Overdorf to be followed by Tim
8 Tielman.

9 MS. OVERDORF: Hi. My name is Peg Overdorf. I'm the
10 executive director of the Valley Community Association. I
11 too would like to extend my thanks to the congressman, to
12 Jordan and his board for volunteer reference and to Tom Dee
13 for stepping up to the challenge. It's no easy task. The
14 Valley Community Association has a project just up the river
15 known as the Buffalo Riverfest Park. So, we see this as a
16 connection with the lake. It goes all the way from the Erie
17 Basin Arena, the Observation Tower that you can walk through
18 there. You can walk through the Buffalo Navel Park onto
19 Canal Side. Continue on behind the DL&W. There is a river
20 walk, public access river walk to our new proposed park,
21 Buffalo Riverfest Park. Enjoy the Industrial Heritage Trail
22 up Ohio Street down to a second park that's currently under
23 construction being built by Mr. Curley's New York State Power

1 Authority International Ice Bloom Park there is no other like
2 it in the world.

3 It's certainly a river walk that people can enjoy.
4 It's public access. Everybody has been yelling about it and
5 there's a way to do it and I say to Mr. Jackson we had
6 problems. We have an agenda. We sought out the funds.
7 We're able to do it. You've got to just put the metal to the
8 pedal and do hard work and stay late nights and when you get
9 the grants and you get the money the projects will come
10 around. But this is a string of perils in the Canal Side
11 Project that has been a catalyst so people can enjoy the
12 waterfront and get to its edge which was unheard of for
13 years. So thanks for this opportunity.

14 MR. ROACH: Tim Tielman to be followed by Victor
15 Orozco.

16 MR. TIELMAN: Hi. My name is Tim Tielman. I'm the
17 executive director of the Campaign for Greater Buffalo
18 History, Architecture and Culture. We're an organization of
19 about 500 people who love, adore Buffalo and who want to see
20 it be the greatest city on the planet. We all know it is but
21 we want the rest of the world to know it. Before I start I
22 want everyone to know that the Campaign is going to be doing
23 a workshop on this plan on Sunday, November 1st, 10:00 a.m.

1 at 561 Forest Avenue, Suite Number 3. I want to open by
 2 saying this is obviously the most historic site in Western
 3 New York. There is literally no other place like it in the
 4 world yet alone in the country. It was going to be utterly
 5 destroyed by the Empire State Development Corporation. The
 6 public rose up to protect, preserve and rebuild this fabulous
 7 resource. In a federal EIS process that produced a final
 8 plan in 2004 that was the result of hundreds of people
 9 attending public sessions that were mandated because of a
 10 lawsuit, okay. To stop a misguided project that would have
 11 wiped out this canal district. Now we have a valuable
 12 resource. We have a reconstructed commercial strip. Because
 13 of this historic preservation project last year for the first
 14 time in 125 years with the reconstruction we have public
 15 access to the Buffalo River. That is a huge accomplishment.
 16 Okay. But unfortunately if we accept this Generic
 17 Environmental Impact Statement we are going to end up with a
 18 generic project that could be in Malibu, it could be in
 19 suburban Toronto. It could be in central New Jersey.

20 This plan, the idea behind the plan is to basically
 21 make it the successor to the only plan that has legal force,
 22 the 2004 Erie Canal Harbor Project. We're very concerned
 23 about this and one of our chief concerns is this on page 7-10



V-26.1
 V-26.2

1 of land use in the area and I "in order to facilitate the
2 successful and timely implementation of the project ESDC
3 intends to exercise its statutory authority to override local
4 land use regulations including the zoning provisions in the
5 city charter and code, specifically this statutory override
6 eliminates the need for one, the Common Council to rezone the
7 project area, two the need for the Common Council and the
8 Buffalo Urban Renewal Agency to adopt a revised urban renewal
9 plan for the project area, three site plan review by the
10 Planning Board for rezoning associated with the project and
11 four any area variances from the Zoning Board of Appeals for
12 structures associated with the project". And then there is
13 some language about oh geees the intent of this override is
14 not to bypass regulations but to expedite the project. Well,
15 for whose benefit? Well, I'll tell you whose benefit it's
16 not the public that participated in the 2004 plan. On page
17 2-5 in the 2006 reevaluation report "early on in Erie Canal
18 Harbor Development Corporation discussions with Bass Pro and
19 Benderson representatives it became apparent that certain
20 planned phase two infrastructure components of the Erie Canal
21 Harbor Project needs to be refined in response to lack of
22 funding and/or to provide flexibility and build out". It
23 wasn't the public. It was two entities, Bass Pro and the

1 hand picked Benderson Development Corporation. Nobody in
2 this room that's a regular citizen had any opportunity to
3 comment on this. There was no RFP process. These are hand
4 picked people. We are going -- we're sitting here talking
5 about spending 300 million dollars and forfeiting our right
6 when we give this property to the Empire State Development
7 Corporation to even comment on this.

8 We're asked to accept their promises that oh don't
9 worry we'll follow the design guidelines. We'll follow the
10 historic sense of the place. I'm here to tell you as a
11 corporation who has worked in the community for over 20 years
12 this Draft Generic Impact Statement if it is adopted to
13 supercede that 2004 plan will destroy the greatest historic
14 resource we have here in Western New York. We want
15 development to happen. I think that you can see by the
16 crowds that have been out there people love the site.
17 Development can happen. Jobs can be had but we have to
18 protect the resources. That is our ticket to the future. We
19 can punch that ticket or we can throw it in the trash as the
20 intent is that this document is to throw that 2004 document
21 in the trash. It cannot happen. Thank you.

22 MR. ROACH: Victor Orozco to be followed by Gladys
23 Gifford.

V-27.1

1 MR. OROZCO: I'd like to thank Tim Tielman for having
2 that passionate speech. A round of applause from everybody.
3 Personally I'm actually one of the few, actually many now
4 young professionals who have come back to the City of
5 Buffalo. I recently moved from Houston, Texas. I lived
6 there for about five years. I had a very good job, career. I
7 heard a lot of exciting news about Buffalo and decided to
8 move back. I think for the most of us in this room a lot of
9 us are actually missing and not pointing out the big elephant
10 in the room and that is the actual Skyway. I think I speak
11 for most of us sitting here and actually listening to my
12 voice is that the Skyway is basically something that is
13 drastically in the way. A lot of us want to see it tore down
14 but as I stand here obviously that is not going to happen.

15 A lot of politicians have already claimed that it's
16 not going to happen. It will stand up and for the most part
17 people just want to light it up like the Peace Bridge, which
18 is cool and dandy, that's fine but two years ago, actually I
19 came across a very interesting vision by a man by the name of
20 Mr. Ran Webber. He actually has a very viable alternative
21 for the Buffalo Skyway and it may sound crazy, it may sound
22 like he's an old lunatic but he actually has a vision to
23 actually make the Skyway into a building. So, a lot of

V-27.2

1 people want to tear down the Skyway for development and open
2 land. But it is untapped and there is potential there of
3 actually making the Skyway into more of a development and
4 actually making it a development itself.

5 If you are interested in this project there is a
6 great group of talented young professional individuals like
7 myself that have voluntarily devoted our time specifically
8 for this project. We definitely want to be in touch with
9 Jordan Levy, the agency and all of their efforts for the
10 wonderful job that they're doing with Canal Side. I'd like
11 to personally say that I'm for that parking ramp but outside
12 of that we have a group of talented individuals who are
13 working very hard-- or probably the second hardest working
14 group of individuals working on this particular site. We
15 plan on doing an unveiling next year at spring. So, be on
16 the lookout for that for those of us who have a pen please
17 raise your hand if you do. Do you have a piece of paper with
18 you? Mark this down it is www.ranwebber.com. Thank you.

19 MR. ROACH: Gladys Gifford to be followed by Marty
20 Walters.

21 MS. GIFFORD: Hello my name is Gladys Gifford. I'm
22 the president of Citizens Regional Transit Corp. We advocate
23 for expanding the Metro Rail and we have a few comments to

V-28.1

V-28.2

V-28.3

1 make about this project. This is a good project but we need
 2 to see it being more oriented to public transit. For
 3 instance in section 3.3.2 will the project include a possible
 4 modal transportation center at the Donovan Site in this
 5 section. Those of you that have a long term memory may
 6 remember that the Donavon Site was originally considered for
 7 a multi modal transportation center. Section 3.4, how does
 8 the project promote public transit as a reliable mode to
 9 access the site? This design philosophy fails to recognize
 10 that the pedestrian experience does not require parking
 11 garages in close proximity to the destination, especially
 12 when an excellent light rail transit line serves the area.

13 Section 6.3.2 where does the project allow for the
 14 development again of a multi modal transportation center at
 15 the Donovan site? Could this project provide a suitable site
 16 for a solar powered carousel? It is a project that has been
 17 promoted by our good friend John Bozer. Section 6.8, why
 18 does the description there omit Metro Rail as provided in
 19 connections with all of the city? And then section 6.8.1
 20 this EIS identifies comfortable walking distance from
 21 parking, will the project include data on comfortable walking
 22 distances from Metro Rail Stations? Section 6.8.2, will the
 23 project examine pedestrian counts in relation to the level of

V-28.4

V-28.5

V-28.6

V-28.7

V-28.8

V-28.9

1 Metro Rail Service? This DGEIS assumes only auto access when
2 only roadways are examined and I could go on but the project
3 intends to ignore entirely the concept of mass transit
4 providing access by folks to this project. So, the CRTC
5 concurs with the conclusions offered by the Partnership for
6 the Public Good and their paper on this project. As they say
7 this project should deliver benefits to the whole community
8 in the manner that encourages local investment and local
9 participation by local businesses.

10 The project has great possibilities of implementing
11 over a long period of time if oriented to pedestrians. It
12 has a great potential for opening up the waterfront for
13 public enjoyment but the Erie Canal Harbor Corporation need
14 not feel responsible for bringing people to the waterfront as
15 it was implied by the article in today's paper. All the
16 project needs to do is to enhance the existing transportation
17 infrastructure, prepare a destination and the people will
18 come to the waterfront especially by using Metro Rail. Thank
19 you.

20 MR. ROACH: Marty Walters to be followed by Dan
21 Leonard.

22 MR. WALTERS: Hi. My name is Marty Walters,
23 W-A-L-T-E-R-S. I just have a couple of comments on the Canal

V-28.10

V-29.1

1 Side Project. Can everybody hear me? One is about the
2 structure and the second is about the content. I think any
3 taxpayer-subsidized project like this should strive for
4 maximum energy efficiency so the taxpayers dollars go a lot
5 further and then it goes back to when we had talked about
6 sustainability in the Green Building Design. As a member of
7 the Buffalo Business Green Group I can attest to the fact
8 that there are many local companies who can contribute energy
9 savings to this project. I represent just one of the many
10 companies. Our block is called NRG Insulated Block and it
11 produces HVAC energy savings of over 60 percent. So, on a
12 project like this NRG Block can save about .50 per square
13 foot each year which would be about over half a million
14 dollars a year based on a one million square foot project.
15 So, this is a block, it looks like brick but it's got 21st
16 century technology in a 19th century look.

17 This is a half pipe block. It will look like brick
18 from the outside. It's going to deliver LEED credits. It's
19 LEED compatible. It's a sustainable design and I think that
20 block like ours would be good for this project. And many
21 other local companies should have a hand in producing the
22 materials for this LEED certified project. The other thing
23 that I want to add is the creation of all ages of an energy

V-29.2

V-29.3

1 museum. I'd like to suggest that would attract hundreds of
2 school children during the school year, families, activists
3 and people from all walks of life if we can incorporate
4 gravity rides that demonstrate energy appearance. It can be
5 a very participatory and fun event. We can demonstrate bio
6 fuel, solar, hydro wind, insulated thermo mass, geothermal
7 nuclear mass and have a really dynamic place that appeals to
8 all ages and educational levels and changes in development in
9 the field of energy, its use, its conservation is a field
10 that is enormously intensely interesting and forever evolving
11 and it is an area where one person, one idea can shake the
12 world and we can construct the facility that will be a
13 regional national and international attraction.

14 Now, there's been a lot of talk about people wanting
15 to put a weather museum down on the waterfront and I couldn't
16 disagree more because all you can do is talk about the
17 weather. With energy it takes one person with an idea where
18 you could really have the impact. I think that would make a
19 difference. We think we can incorporate an energy museum and
20 we can incorporate a weather aspect into the energy museum.
21 We can incorporate a children's museum into an energy museum
22 down on that waterfront that would be a spectacular
23 destination point for the school children everyday of the

V-29.4

1 year, families everyday of the year. International, regional
2 and national conferences and solars can take advantage of the
3 resources there. I think we're overlooking a major potential
4 growth.

5 MR. ROACH: Dan Leonard to be followed by Michael
6 Secdor.

7 MR. LEONARD: Hi. My name is Dan Leonard. I wanted
8 to reiterate what the lady who had spoke three people before
9 me had said. I'm sorry I didn't catch her name but she had
10 said that infrastructure is the most important part of this
11 project. I really think that is true, especially with the
12 role of the Erie Canal Harbor Development Corporation. The
13 focus really should be to create an infrastructure that
14 creates an environment in which development will happen, that
15 creates a place where developers want to come and someplace
16 where they feel that they can thrive. I think we've taken
17 some great steps towards doing that. The main pieces of
18 infrastructure that we are talking about here is the Historic
19 Canal Street Grid which we've had a big win recently as the
20 city is committed to start rebuilding those original cobble
21 stone streets on the historic canal side and then the other
22 is the recreated historic canal.

23 We've had another big win with that with the

V-30.1

V-30.2

V-30.3

1 consultants choosing to lower the levels of the canal down to
2 the pedestrian level and we now will have an extended canal
3 which people can walk along. Restaurants can locate along
4 that and it will just become much more vibrant. Now
5 something that is also very important with the infrastructure
6 is open space. Your most important open space in these sites
7 is the infrastructure, it's on the street where you're going
8 to see people walking. The view sheds that you have from
9 Main Street down to the Buffalo River, to be able to look
10 down the street or down the canal and be able to see activity
11 all along the canal is great and I want to make sure that the
12 infrastructure continues to be of the highest quality and not
13 impacted by individual private developments. We want to keep
14 the infrastructure in the open space free from obstruction.

15 I noticed in the most recent model of Canal Side
16 there is a few elements within it including the aquarium.
17 There is a small pavilion kind of near where the Skyway is
18 that are literally in the middle of the canal area. I
19 understand these are part of some creative solutions with
20 connecting Bass Pro on one side of the canal to retail and
21 the other side traveling through the aquarium but we really
22 want to make sure that it doesn't obstruct that open space,
23 obstruct those really important view sheds. If you're

V-30.4

1 standing at Main Street you want to be able to see down the
2 canal, see all the retail on each side and the people walking
3 on the canals as well as the activity upon the canals. You
4 don't want to be looking at a wall and having something like
5 an aquarium may create a wall where this stuff is really
6 impacted. You want to be able to preserve those views and be
7 able to see the activity.

8 This area isn't going to be become vibrant if you
9 can't go down there and have it feel vibrant. So, you want
10 to keep those spaces open and the infrastructure intact and
11 the development around the infrastructure should be formed to
12 the infrastructure not the other way around. Thanks.

13 MR. ROACH: Michael Secdor to be followed by Ann
14 Paris.

15 MR. SECDOR: Good evening. My name is Mike Secdor,
16 S-E-C-D-O-R. I'm here representing the consulting engineers
17 it's a locally owned 55 person firm. I'm here to support the
18 plan and to encourage the development of this project. The
19 development of the waterfront is critical to Buffalo's future
20 for many reasons. Bringing in tax rolls, creating
21 appropriate public gathering spaces for year-round
22 activities, as well as allowing people to simply experience
23 the waterfront. This process has been going on for too

V-31.1

V-31.2

1 long. It's time to bring it to a conclusion. We need to
2 adopt this generic EIS. This sort of development allows the
3 community to be excited and enjoy a finished project. On a
4 personal note I'm a sailor. I belong to the Buffalo Yacht
5 Club which helps raise money on Wednesday nights. People
6 might not know that we're one of the waterfront's foremost
7 sailing communities in the country. I can tell you this of
8 all of my boating members and friends around the country we
9 have a very poor place for boaters to come. If they want to
10 spend some time.

11 This project will totally change that and enhance
12 that. Right up across the lake there's no activity there for
13 boaters here in Buffalo. You're offering us to see some of
14 the guidelines that are being done. I sit on the board of
15 education. Education is a component in the Spirit of
16 Buffalo. People may not know this but we offer inner city
17 youth the opportunity to get on the boat to actually examine
18 them under a true microscope. These sorts of activities are
19 going to enhance life here in Western New York. Thank you.

20 MR. ROACH: Ann Paris to be followed by Richard
21 Berger.

22 MS. PARIS: Good evening. My name is Ann Paris. I'm
23 here representing the Erie Canal Drama Theater. Has anyone

V-31.3

1 here heard of it? How many people here were down at the
2 waterfront, down at the canal? How many people here were
3 actually down there? Oh wonderful because it has been an
4 exciting summer for many activities that took place down
5 there. Every time I went down I saw people walking around
6 enjoying the atmosphere, the boating, the view of the lake.
7 I have a picture here taken of our play, the building of--
8 about the building of the Erie Canal, showing the Erie Canal
9 from 1817 to 1825. Although we covered the period earlier
10 when there was a lot of argument and disagreeing over whether
11 this canal would be practical or not. We ended up making a
12 story of the historic event and making that again into a play
13 and the play became I think an enjoyable occasion for people
14 to learn about the Erie Canal.

15 I want to thank any person that gave a comment that
16 they thought that this should become a permanent part of the
17 summers down there and I hope that it will be. We didn't get
18 enough money to cover all of the expenses but we didn't make
19 any money ourselves of course but this labor of love brought
20 a lot of satisfaction to us and to others and we have
21 pictures here of the actual canal if you're interested in
22 looking at them or you can see them on my website Erie Canal
23 Drama Theater. My husband and I both worked very hard on

V-32.1

1 this. I want to give most of the credit to my husband who
2 has contacted people like Red Jackets Descendant and I thank
3 you for thinking about what you have done there and allowing
4 people to give their input. I think it's very important that
5 you make room for an amphitheater, a solar powered
6 amphitheater in the area of the canal. We want to be like
7 San Francisco, London, Copenhagen, places that have a
8 beautiful theater on their waterfront and, of course, attract
9 world attention for the architecture of it. Thank you.

10 MR. ROACH: Ms. Paris, do you want to offer those
11 pictures as an exhibit for the record?

12 MS. PARIS: For the record I do but I want to keep
13 them.

14 MR. ROACH: Exhibit 6 will be photos submitted by Ann
15 Paris. Ms. Paris opted not to submit photos for the record.
16 Richard Berger to be followed by Chuck Banas.

17 MR. BERGES: Good evening. Richard Berges. I'm
18 speaking on behalf of the Campaign for Greater Buffalo which
19 I am a past president of and still a board member. The
20 Campaign for Buffalo is a strong supporter of the historic
21 redevelopment of the Erie Canal Harbor. In fact, I think Tim
22 Tielman who had spoke before is much too modest but I'll blow
23 his horn. This project was originally ten years ago to be a

1 concrete park that was proposed by the State of New York, the
2 Empire State Development Corporation and because of Tim's
3 vision and Tim's energy we fought for this project and we now
4 have his vision of a historic district on the waterfront that
5 is the Erie Canal Harbor. He deserves a tremendous amount of
6 credit and he's been working for ten years on this. With
7 that being said I want to offer my concerns, ideas and
8 comments but please don't take them as being anything but
9 constructive criticism. But we must-- and we're here tonight
10 to comment on the Draft Generic Environmental Impact
11 Statement and there are several weaknesses in this document.
12 There are some important weaknesses. We would be commenting
13 only on the Draft Generic Environmental Impact Statement and
14 the comments of the Campaign for Greater Buffalo will be
15 available on its web site.

16 Just two important issues that haven't been addressed
17 tonight at least not to the extent that I feel is necessary.
18 This project in part was funded by 45 million dollars from
19 the federal government originally to create what we have
20 today from the Federal Transit Administration. Why from the
21 Federal Transit Administration you might ask. Why is this
22 not considered to be a transportation project, well, it is.
23 It is an inter-modal transportation project and if you look



V-33.1

V-33.2

1 at the original Environmental Impact Statement which was done
2 for the Erie Canal Harbor and the commercial slip it was
3 defined as an Inter-Modal Transportation Project. With that
4 being said there is a strong concern here about the
5 transportation in many ways. First, this project is a
6 project to show a history of Buffalo in its 19th Century
7 Development in that-- during that period of time the nation's
8 transportation history is extraordinarily important.
9 Obviously the water borne transportation went from-- I'm
10 going to need a few more minutes please. The water borne
11 transportation of the Erie Canal connected to the Atlantic
12 Ocean with the interior of the United States.

13 This project is not expressing the transportation
14 history that is present there. Originally it was supposed to
15 show a railroad pass along, five streets perhaps of some
16 train cars to show how water transportation gradually was
17 overtaken by rail transportation. That is not expressed in
18 this project as of yet. Although there is a 1400 page
19 appendix for transportation all of that is just studies of
20 intersections and traffic flows. There is an over dependence
21 of the automobile for this project and there is absolutely no
22 written transportation plan. There has to be a
23 transportation plan. We have to account for mass

V-33.3

1 transportation, being able to transport millions of visitors
2 who will hopefully be coming to this project every year.
3 It's not present anywhere in this document.

4 Another important omission from the document is the
5 African-American heritage of the City of Buffalo. We
6 commented about this on the comments of the scoping document
7 and we were dismissed by the response to the comments.
8 Buffalo has an extraordinary history of the African-American
9 community and the Erie Canal is a part of that history
10 because in the pre Civil War era Buffalo was the end of the
11 underground railroad. Michigan Street Baptist Church was a
12 sanctuary and slaves came to Buffalo through the Erie Canal
13 Harbor and were able to go to Canada and get to freedom.
14 There was a black hotel and residence and restaurant that was
15 present on the commercial slip and the responses to our
16 comments on the scoping document, the final scoping report
17 said that's not our concern, it's outside of area.

18 The American Civil Rights movement started in Buffalo
19 with the Niagara movement. It came out of Michigan Street
20 Baptist Church. It developed the NAACP. What was the
21 response of your agency to our comments on the scoping
22 documents, oh the African-American Historic District is not
23 configured into this. We're not going to take that into

V-33.4