APPENDIX A

ARTICLE 39: NIAGARA RIVER GREENWAY COMMISSION

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§ 39.01 Legislative findings and intent.
The Niagara River corridor is of unique ecological, cultural and economic importance to western New York connecting Lake Erie and Lake Ontario communities and ecologies. This corridor has played an important role in the history of the Niagara Frontier and it can and should continue to define the western New York experience into the twenty-first century. Niagara Falls is a National Natural Landmark under state stewardship for more than a century that draws more than fourteen million visitors from throughout the world to the region each year. The cities of Niagara Falls and Buffalo are at the heart of the river corridor where much of their waterfront has in the past been dedicated to industrial uses. During the last few decades those uses have begun to wane and there is now an opportunity to redefine the waterfront in a way that creates a balance of economic interests with a welcoming waterfront environment. For more than a century there have been those who have expressed a vision for the Niagara river corridor of a necklace of open space and conservation areas spread along the river. With many areas no longer being used for heavy industry it is now time to complete that vision. Many areas have established parks along the corridor including eleven state parks and fourteen local parks. New York state's only National Scenic Byway, the Seaway Trail, runs through the entire corridor. It is the intent of the legislature to establish the Niagara river greenway commission as a cooperative regional organization established to work with participating state agencies, municipalities, organizations and residents in order to implement or cause to be implemented a linear system of parks and conservation areas that will, consistent with the purpose of the commission as set forth in this article, redefine the Niagara riverfront by increasing landside access to the river; creating complementary access to the greenway from the river; augmenting economic revitalization efforts, and celebrating the region's industrial heritage.

§ 39.03 Definitions.
Whenever used in this article, unless a different meaning clearly appears from the context, the terms listed below shall have the following meanings:

1. "Niagara river greenway" or "greenway" shall mean a linear system of state and local parks and conservation areas linked by a network of multi use trails within the greenway area established by an approved plan of the commission as provided for in this article.
2. "Niagara river greenway commission" or "commission" shall mean the Niagara river greenway commission created pursuant to this article.
3. "Municipality" means a county, city, town, village or local public benefit corporation located adjacent to the Niagara river.
4. "Chief elected official" shall mean the chief executive officer of a municipality, or if there is none, any other officer possessing similar powers and duties.
5. "Conservation area or areas" shall mean lands which are of ecological or recreational importance but shall not include state or local parks. Such lands may include but are not limited to wetlands,

preserves, trails, riverfront walks and such private lands as may be dedicated by the land owner for the purposes of the greenway.

§ 39.05 Niagara river greenway commission.

1. The Niagara river greenway commission is hereby established to be a body corporate and politic constituting a public benefit corporation. The commission shall consist of up to fourteen voting members. The governor shall appoint eight voting members as follows: four voting members shall be appointed by the governor solely in his discretion; two voting members shall be appointed following the recommendation of the temporary president of the senate; and two voting members shall be appointed following the recommendation of the speaker of the assembly. One appointee recommended by the temporary president of the senate shall be a local elected official of a municipality adjacent to the Niagara river and shall serve as the chairperson of the local government advisory committee created pursuant to this article. One appointee recommended by the speaker of the assembly shall represent local interests and shall serve as the chairperson of the citizens' advisory committee created pursuant to this article. All appointments shall be residents of a municipality adjacent to the Niagara river. In addition, six voting members shall serve ex officio: the secretary of state, the commissioners of parks, recreation and historic preservation, environmental conservation, transportation, and economic development, and the chairperson of the power authority of the state of New York, or their designees. The governor shall designate a chairperson for the commission.
2. The term of office for appointees shall be four years. Members may serve on the commission until they resign or are replaced. In the event of a vacancy occurring other than by the expiration of a member's term, such vacancy shall be filled for the balance of the unexpired term in the same manner as the original appointment.
3. A majority of the members of the commission shall constitute a quorum.
4. The members of the commission shall receive no compensation for their services, but shall be entitled to reimbursement for their expenses actually and necessarily incurred in the performance of their duties.
5. Notwithstanding any inconsistent provisions of law, general, special, or local, no officer or employee of the state or any civil division thereof, shall be deemed to have forfeited or shall forfeit his or her office or employment by reason of his or her acceptance of membership on the commission.
6. At the initial meeting, the commission shall elect officers, who shall serve at the pleasure of the commission.
7. The commission shall meet at least once every two months until approval of the plan by the commissioner as provided pursuant to section 39.07 of this article, and at least once every quarter thereafter.
8. Every state agency and public corporation having jurisdiction of land within municipalities adjacent to the Niagara river shall, to the fullest extent practicable, cooperate and assist the commission in carrying out the provisions of this article.
9. Every local agency with programs relating to the greenway may offer assistance to the commission in carrying out the provisions of this article.

§ 39.07 Commission purpose.

The purpose of the commission is to undertake all necessary actions to facilitate the creation of a Niagara river greenway. The commission shall develop a plan and generic environmental impact statement for the creation of the greenway designed to enhance waterfront access, complement economic revitalization of the communities along the river, and ensure the long-term maintenance of the greenway. The plan shall:

1. Recommend the specific boundaries of the greenway within Erie and Niagara counties;
2. Develop a specific vision for the greenway that focuses on linking parks and conservation areas, creating a multi-use venue for the people of the region, and enhancing the tourism potential of the region;
3. Include an inventory of existing park and other lands under the jurisdiction of state agencies, public corporations and municipalities which may contribute to the purposes of a greenway;

4. Identify such other lands that through acquisition, dedication or redevelopment may contribute to the purposes of a greenway;
5. Identify existing plans and plans under development that can contribute to the purposes of the greenway;
6. Conduct economic analyses of the costs to construct, maintain and market the greenway as part of a strategy for implementation;
7. Consider how the region's industrial heritage can be celebrated and reflected along the greenway;
8. Recommend how the greenway could be linked to upland and interior communities in order to promote linkages to the river;
9. Consider how existing and proposed economic development activities in proximity to the greenway can support and complement the greenway;
10. Recommend cooperative efforts with the province of Ontario and the nation of Canada in furtherance of the objectives of this article;
11. Identify local, state, federal and private sources of funding that could support the purposes of the greenway;
12. Evaluate local, state and federal laws and regulations relating to the purposes of the greenway;
13. Identify ways for the commission to work cooperatively with municipal, state and federal agencies, public and private corporations, not-for-profit organizations, and private property owners and interests to advance and complement the purposes of the greenway;
14. Recommend how portions of the greenway would be managed including a plan for on-going operation and maintenance that would make the greenway self-supporting; and
15. Include any other information, data and recommendations which the commission determines is necessary to support the purposes of the plan. Such draft plan shall be submitted to the commissioner of parks, recreation and historic preservation within two years of the effective date of this article. The commissioner may approve the plan, may return the plan to the commission with recommendations for approval, or may reject such plan. Prior to submission of the draft plan to the commissioner, the commission shall hold at least one public hearing on the draft plan in each county for which the plan is applicable. The local legislative body of each city, town or village within the boundaries designated by the draft plan must approve the plan following the public hearing or hearings and before it is submitted to the commissioner. A copy of the approved plan shall be provided to the governor, the temporary president of the senate and the speaker of the assembly.

§ 39.09 Powers and duties of the commission.

The commission shall have the following powers:

1. To sue and be sued;
2. To have a seal and alter the same at its pleasure;
3. To acquire, hold and dispose of personal property for its corporate purposes;
4. To make by-laws for the management and regulation of its affairs;
5. To appoint an executive officer, officers, agents and employees, to prescribe their qualifications and to fix their compensation and to pay the same out of funds of the commission;
6. To enter into contracts and leases, and to execute all instruments necessary or convenient with any person, firm, partnership or corporation, either public or private;
7. To accept gifts, grants, loans, or contributions from, and enter into contracts or other transactions with, the United States and the state or any commission of either of them, any municipality, any public or private corporation, individual or other legal entity, and to use any such gifts, grants, loans or contributions to advance any of its corporate purposes;
8. To designate the depositories of its money;
9. To establish and re-establish its fiscal year;
10. To prepare an annual report on the conduct of its activities which shall include a financial statement for that year and a work plan for the next year which may include an estimate of the

resources required to complete the commission's activities to be sent to the governor, the temporary president of the senate, the speaker of the assembly and the chief elected official of each municipality adjacent to the Niagara river;

11. To contract with the state as an independent body corporate;
12. To organize and meet with a committee of planners for municipalities adjacent to the Niagara river regarding regional projects and the provision of planning services;
13. To designate districts and routes for planning and project purposes;
14. To create advisory committees to advise on matters of interest; provided, however, there shall be created at a minimum a local government advisory committee consisting of the chief elected official of each municipality adjacent to the Niagara river, or their designee, and a citizens' advisory committee consisting of representatives of local civic, commercial, educational, recreational, and conservation organizations; and
15. To do all things necessary or convenient to carry out its purposes and exercise the powers expressly given in this article; provided, however, that no power is provided to the commission to operate any portion of the greenway, to impose operating standards upon any component of the system, or to take property by eminent domain.

§ 39.11 Designation.
The Niagara river greenway is hereby designated to include those lands of state agencies, public corporations, and municipalities adjacent to the Niagara river as identified in the approved plan of the commission.

§ 39.13 Cooperation with municipalities, state agencies and public corporations.

1. The commission is a cooperative regional organization established to implement a greenway based upon the mutual assent and participation of each municipality, state agency and public corporation holding lands under its jurisdiction adjacent to the Niagara river. The activities of the commission shall be coordinated with the local planning and cultural and park activities of each municipality adjacent to the Niagara river.
2. Each municipality, state agency or public corporation may provide the commission with the services of its agents, employees and facilities without charge to the commission. Persons serving as officers or employees of the commission may be employees of a municipality and the commission, and the commission may pay the municipality an agreed portion of the compensation or costs of such officers or employees.
3. Nothing contained in this article shall be deemed to affect, impair or supersede the provisions of any city charter, local law, rule or other local requirements and procedures heretofore or hereafter adopted, including, but not limited to, any such provisions relating to the zoning and use of land.

§ 39.15 Appropriations by municipalities.
To effectuate the purposes of this article, the local legislative bodies of any municipality may appropriate and transfer to the commission moneys to be expended by the commission to carry out its functions pursuant to this article.

§ 39.17 State purpose.
The development of a Niagara greenway plan is considered a state purpose. Notwithstanding any law to the contrary, any state agency or public corporation within amounts appropriated or available therefore may offer assistance to the commission in support of its corporate purpose through the lending of staff or other resources to accomplish the purposes of this article.

§ 39.19 State actions.
Each state agency shall review its actions within the greenway in relation to the consistency of such actions with the approved Niagara river greenway plan.

APPENDIX B

PUBLIC PARTICIPATION SUMMARY

Outreach Associated with the Niagara River Greenway Plan

- ***Brochure*** (see attached)- Provided general information about the Greenway project, provided publicity for the Planning Workshops.

- ***Planning Workshops***: Interactive sessions, with brief presentation followed by break-out groups for individual input and comment.
  - June 19, 2006- Niagara University, Lewiston, NY
  - June 20, 2006- Sheridan Parkside Community Center, Tonawanda, NY
  - June 21, 2006- Wheatfield Community Center, Wheatfield, NY
  - June 22, 2006- Buffalo and Erie County Historical Society, Buffalo, NY

- ***Leadership Summit:*** Interactive session, targeted at municipal and stakeholder leaders
  - June 22, 2006- Beaver Island State Park Clubhouse, Grand Island, NY

- ***Concept Workshops:*** Presentations with opportunity for comments to present implementation concepts, obtain feedback.
  - September 12, 2006- Stakeholders
  - September 13, 2006- Niagara River Greenway Commission

Niagara River Greenway Commission Meetings: (all meetings open to the public)

- **Niagara River Greenway Commission (full Commission)**
  - October 18, 2005– Beaver Island State Park Clubhouse, Grand Island, NY
  - November 29, 2005 - Beaver Island State Park Clubhouse, Grand Island, NY
  - January 18, 2006 – Niagara Falls, NY
  - February 28, 2006 - Beaver Island State Park Clubhouse, Grand Island, NY
  - April 25, 2006 - Beaver Island State Park Clubhouse, Grand Island, NY
  - June 26, 2006 – City Hall, Buffalo, NY
  - August 22, 2006 – Niagara Falls Convention Center, Niagara Falls, NY
  - October 17, 2006 - Beaver Island State Park Clubhouse, Grand Island, NY
  - November 21, 2006 - Beaver Island State Park Clubhouse, Grand Island, NY

- **Citizens Advisory Committee**
  - February 15, 2006- Niagara University, Lewiston, NY
  - April 12, 2006 – Buffalo and Erie County Historical Society, Buffalo, NY
  - June 5, 2006 – Earl W. Brydges Artpark State Park, Lewiston
  - July 19, 2006 – Beaver Island State Park Clubhouse, Grand Island, NY
  - September 6, 2006 – Beaver Island State Park Clubhouse, Grand Island, NY

- **Local Government Advisory Committee**
  - October 19, 2005 – Sheridan Parkside Community Center, Tonawanda, NY
  - March 23, 2006 – Beaver Island State Park Clubhouse, Grand Island, NY
  - June 22, 2006 – Beaver Island State Park Clubhouse, Grand Island, NY
  - July 17, 2006 – Beaver Island State Park Clubhouse, Grand Island, NY
  - August 31, 2006 – Beaver Island State Park Clubhouse, Grand Island, NY

INFORMATION MEETINGS

We want to get information from you about what is important along The Niagara River, and ideas about what you think should be included in the plan. We are holding a series of four information meetings facilitated by the Project Team. The presentation will be the same at each meeting, so you can choose the location and time that is most convenient. There will be a lot of opportunity to provide ideas, and you are welcome to attend any or all of the meetings and hear what others have to say about the Niagara River Greenway.

INFORMATION MEETING FORMAT

Presentation

- Information about the Niagara River Greenway Plan
- Summary of existing conditions and resources along the River
- Initial ideas about a vision for the Niagara River Greenway

Public Input

- What are important places along the Niagara River?
- What is needed along the Niagara River?
- What is your vision for the future of the Niagara River?
- How can we integrate access, history, conservation and economic development?

Please view the meeting schedule on the back of this brochure.

Please visit www.niagaragreenway.org for meeting updates.

INFORMATION MEETINGS

1. MONDAY, JUNE 19, 2006 - 7 to 9 pm
Niagara University
St. Vincent's Hall (Main Lecture Hall) - Room 405-406
Lewiston, NY

2. TUESDAY, JUNE 20, 2006 - 2 to 4 pm
Sheridan Parkside Community Center - Room 113
169 Sheridan-Parkside Avenue
Tonawanda, NY

3. TUESDAY, JUNE 20, 2006 - 7 to 9 pm
Wheatfield Community Center
2790 Church Road (behind Wheatfield Town Hall)
North Tonawanda, NY

4. WEDNESDAY, JUNE 21, 2006 - 7 to 9 pm
Buffalo & Erie County Historical Society
25 Nottingham Court,
Buffalo, New York

OTHER OPPORTUNITIES FOR INPUT

CITIZENS ADVISORY COMMITTEE MEETING
JUNE 5, 2006 - 7 to 9 pm
Artpark
Lewiston, New York

NIAGARA RIVER GREENWAY COMMISSION MEETING
JUNE 26, 2006 - 7 to 9 pm
Buffalo Common Council Chamber
City Hall
Buffalo, New York

CONTACT US:

Written comments may be sent to:
Rob Belue, Administrative Coordinator
Niagara River Greenway Commission
NYS Office of Parks, Recreation and Historic Preservation
2136 West Oakfield Road
Grand Island, NY 14072

Website:
niagaragreenway.org
Email contact:
niagaragreenway.org/contact.htm

Niagara River Greenway

www.niagaragreenway.org

NIAGARA RIVER GREENWAY

WHAT IS THE NIAGARA RIVER GREENWAY?

The Niagara River is very important to our region's ecology, history, economy, recreation and character. It is also a nationally important scenic and environmental resource. In recognition of these facts, New York State created the Niagara River Greenway Commission to guide planning for a "Niagara River Greenway".

The State legislation defines the Niagara River Greenway as a system of trails, parks, environmental resources and other important assets along the Niagara River. But this definition leaves many questions unanswered. Where are the important environmental resources? Parks? How do they work together? What are the connections between them, and how do we improve them? What are the connections to other regional assets? How can we integrate ecological protection, public access, and sustainable development? Where should there be public access? What should be done in each area of the Greenway? What improvements are needed? What are the priorities? How do we tell the story of the Greenway?

To address these issues, the Niagara River Greenway Commission is mandated to prepare the Niagara River Greenway Plan.

WHAT IS THE NIAGARA RIVER GREENWAY PLAN?

The Niagara River Greenway Plan will provide ideas and guidance on how to protect and promote the Niagara River as an important resource, and how to enhance the health and vitality of the communities along the River. We plan to end up with a framework for open space protection, public access and appropriate, sustainable development. Key concepts guiding the plan will be ecological stewardship, heritage, public access, tourism, recreational opportunities, and a higher quality of life for the region.

We are now at the very beginning of the process. We are asking the residents of the Erie-Niagara Region for help in creating this Niagara River Greenway Plan together.

WHO ARE WE?

This Plan is sponsored by the Niagara River Greenway Commission. The 14 voting members of the Commission, appointed by the State, include representatives from communities along the Niagara River and representatives from various State agencies. The Commission's role is to help guide planning efforts for the Greenway plan, promote public input into the planning process, and be the champions for this effort.

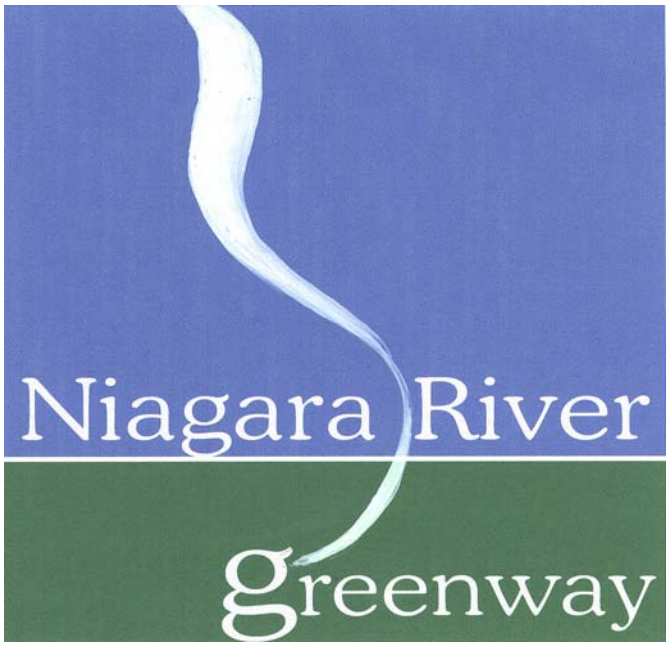
The Commission has hired a team led by Wendel Duchscherer, a local consulting firm to prepare the plan. The Team also includes Ecology & Environment, HOK Planning Group, Advanced Engineering Group, and Synegraphics.

APPENDIX C

Summary of

Niagara Power Project

Relicensing Settlement Agreements



APPENDIX C

As planning meetings of the Niagara River Greenway Commission have moved forward, members of the public have raised questions about the funds offered by the New York Power Authority to advance the relicensing of the Niagara Power Project. The Niagara River Greenway Commission has compiled the following information from public sources in response to their questions. As part of its relicensing agreement for the Niagara Power Project, the New York Power Authority has included in settlement agreements reached with relicensing stakeholders $9 million a year for 50 years for projects consistent with the Niagara River Greenway Plan. In relation to the Greenway, $3 million a year is for Niagara County communities, $3 million annually for State Parks in Niagara and Erie counties, $2 million a year for communities in Erie County and $1 million a year for ecological projects in Niagara and Erie counties. Readers should keep in mind that while the funding offered by the New York Power Authority is significant, other sources of funding are available for Greenway Related Projects. It should also be noted that funding available through the Niagara Project relicensing is not controlled by the Niagara River Greenway Commission. Projects using these funds will be approved by the "Standing Committee" as identified in the relicensing settlement agreements, those sources will be identified in the Niagara River Greenway Plan.

Erie County Greenway Fund

An Erie County Greenway Fund Standing Committee shall administer and oversee projects financed by the Erie County Greenway Fund. Projects may be proposed by Standing Committee members or by individuals and organizations with an interest in Erie County's section of the Niagara River Greenway. Each proposal must provide written documentation of consultation with the Niagara River Greenway Commission and municipal and State agencies. The Standing Committee shall have sole responsibility for selecting projects to be financed by the fund and shall ensure that the project is consistent with the Greenway Act and the Niagara River Greenway Plan. Other factors to be addressed include engineering feasibility, operation and maintenance feasibility and cost effectiveness.

Niagara River Greenway Ecological Fund

A Greenway Ecological Standing Committee shall, on a consensus basis, select projects to be funded from the Greenway Ecological Fund. Projects may be proposed by Standing Committee members or by individuals and organizations within the Buffalo – Niagara Region. Each proposal must provide written documentation of consultation with the Niagara River Greenway Commission and municipal and State agencies. The Standing Committee shall have sole responsibility for authorizing projects to be financed by the fund and shall ensure that the project is consistent with the Niagara River Greenway Plan. Other factors to be addressed include engineering feasibility, operation, biological effectiveness and maintenance feasibility and cost effectiveness.

State Parks Greenway Fund

A State Parks Standing Committee shall, oversee and administer projects to be funded from the Greenway Ecological Fund. Projects may be proposed by Standing Committee members or by individuals and organizations within the Buffalo – Niagara Region. Each proposal must provide written documentation of consultation with the Niagara River Greenway Commission and municipal and State agencies. The Standing Committee shall have sole responsibility for authorizing projects to be financed by the fund and shall ensure that the project is consistent with the Niagara River Greenway Plan. Other factors to be addressed include engineering feasibility, operation and maintenance feasibility and cost effectiveness.

Host Community (Niagara County) Greenway Fund

A Host Community Greenway Fund Standing Committee shall administer and oversee projects financed by the Host Community Greenway Fund. Projects may be proposed by Standing Committee members or by individuals and organizations with an interest in Niagara County's section of the Niagara River

Greenway. Each proposal must provide written documentation of consultation with the Niagara River Greenway Commission and municipal and State agencies. The Standing Committee shall have sole responsibility for selecting projects to be financed by the fund and shall ensure that the project is consistent with the Niagara River Greenway Plan. Other factors to be addressed include engineering feasibility, operation and maintenance feasibility and cost effectiveness.

Niagara Power Project Relicensing
Fund Distribution Summary
July 2006

NIAGARA RIVER GREENWAY RELATED FUNDS
Total: $9 million year / 50 years = $450 million
Net Present Value (NPV): $145,916,802

Nearly one-half billion dollars has been committed by the New York Power Authority to support Niagara River Greenway related projects from Lake Ontario to Lake Erie.

Package	*Terms*	*Standing Committee*	*FERC* Status*
Niagara River Greenway Ecological Fund	$1 million year/50years NPV: $16,179,645	NYPA DEC USFWS Nations (3) NREC/ Riverkeeper NYS DOS	non-FERC
State Parks Greenway Fund	$3 million year/50 years NPV: $48,538,934	NYPA OPRHP	non-FERC
Niagara Power Coalition Greenway/ Recreation/Tourism Fund	$3 million year/50 years NPV: $48,638,934	NYPA/Niagara Power Coalition: City of Niagara Falls; Town of Niagara, Town of Lewiston, Niagara County; School Boards of NF, Lewiston/Porter, Niagara Wheatfield	non-FERC
Erie/Buffalo/Olmsted Greenway Fund	$2 million year/50 years NPV: $32,359,920	NYPA Buffalo Erie Co. Olmsted	non-FERC

Note: Tuscorara and Niagara University settlements not included
*There are two types of NYPA settlement pools: FERC, that is, those required by the Federal Energy Regulatory Commission, and non-FERC, those that do not fall within FERC's jurisdiction.

APPENDIX C

OTHER SETTLEMENT AGREEMENTS

Package	*Terms*	*Standing Committee*	*FERC Status*
Fish / Wildlife Habitat Enhancement and Restoration Fund	$1 million year / 50 years NPV: $16,179,645	NYPA DEC USFWS Nations (3) NREC/Riverkeeper NYRU NYS DOS	FERC
Habitat Improvement Projects (project description below)	8 Projects on Niagara River to be completed by 2015	NYPA NYS DEC USFWS Nations (3) NREC/Riverkeeper NYRU NYS DOS	FERC
Niagara Power Coalition: City of Niagara Falls; Towns of Niagara and Lewiston; Niagara County; School Boards of NF, Lewiston-Porter, Niagara-Wheatfield	$5 million year / 50 years tied to price of power ($8 million onetime / upfront; 25 MW firm power)		non FERC
Erie Canal Harbor Restoration Corporation	$2.5 million year / 50 years ($4 million up front) (Additional $1 million year from ESD)		non FERC
NF Water Board Capital Improvement Fund (Falls Tunnel)	NPV: $19,000,000		FERC
State Parks and Recreation Fund	NPV: $9,260,000 Reservoir Park, Gorge, Art Park, TBD		FERC
Public Access Improvements (in Project Boundaries)	Within two years of license No dollar amount attached		FERC
Land Acquisition Fund (DEC)	$1,000,000 within one year of license		non FERC
River Projects: Cayuga Creek Restoration and Gorge Plant Study	$300,000		non FERC

NOTE: "NREC" shall mean the Niagara Relicensing Environmental Coalition, comprised of Adirondack Mountain Club, Buffalo Niagara Riverkeeper (formerly Friends of the Buffalo Niagara Rivers), Cattaraugus Creek Watershed Task Force, Citizens Campaign for the Environment, Citizens Environmental Coalition, Citizens Regional Transit Corporation, Town of Grand Island, Great Lakes United, League of Women Voters Buffalo/Niagara, Nature Conservancy Central and Western New York Chapter, New York Audubon, New York Rivers United, Niagara Frontier Wildlife Heritage Council, Niagara Musky Association, Niagara Waterfront Revitalization Task Force, Quality Quest, Sierra Club, Western New York Land Conservancy, Presbytery of Western New York.

APPENDIX C

HABITAT IMPROVEMENT PROJECTS

These eight Habitat Improvement Projects (HIPS) were selected as a result of a Niagara re-licensing study of potential HIPS conducted during the FERC Alternative License Process. State and federal fish and wildlife agencies, the Niagara Relicensing Environmental Coalition, Indian Tribes and other stakeholders participated in the scoping of this study and the review of its results. The eight HIPS are included in the water quality certification issued by the New York State Department of Environmental Conservation; as such they will be included in the new federal License for the Niagara Project.

Construction of the eight HIPS will continue through 2015.

Strawberry Island Wetland Restoration

Strawberry Island is a relatively small island located in the upper Niagara River immediately upstream of the southern tip of Grand Island, approximately 15 miles upstream from the project intakes. It is owned by the State of New York and is part of Beaver Island State Park. The island contains upland and emergent marsh habitats not typically found in the upper River. The island was once mined for gravel, dramatically reducing its size. In addition, island size has been further reduced over the years due to erosion caused by severe storms. In 2001, the New York DEC implemented shoreline protection and wetland enhancement measures on the island. The southern tip of the island and both the east and west shorelines were armored with rip-rap, and wetland areas were created behind the rip-rap berms. The wetland areas were planted with appropriate wetland plants and protected from geese with exclusion barriers.

The proposed Strawberry Island HIP would extend protection measures to the remaining downstream shallow-water habitats of the island while at the same time creating complex marsh and high-energy wetland habitats for fish and wildlife. This project would increase the size and long-term stability of Strawberry Island using breakwaters along the newly created shoreline. Functionally valuable wetlands would be created behind the breakwaters through the placement of fill material to build elevations to optimal levels for target habitats. The primary target function created would be enhanced fish and wildlife habitat. However, other wetland functions, including recreational opportunity (*i.e.,* fishing, hunting, bird watching, *etc*.) and water quality (*i.e.,* sediment settling, nutrient retention, *etc*.) would be enhanced as well. The new breakwater structures would be installed just downstream of similar measures recently completed by the New York DEC. Breakwaters would be constructed primarily of riprap. Geotextile tubes would also be investigated as an alternative material for the more protected segments (*i.e.,* interior portions of breakwaters).

Motor Island Shoreline Protection

Motor Island, located near Strawberry Island approximately 15 miles upstream of the project intakes, is owned by the State of New York and managed by the New York DEC for the protection and enhancement of fish and wildlife. Shoreline erosion is currently occurring at the southern tip and along the western shoreline of Motor Island. Additionally, existing shoreline protection structures along the eastern shoreline are in various stages of disrepair. This side of the island is often subject to impacts

from boat wakes due to commercial and recreational boating traffic in the navigation channel.

The Motor Island HIP would be designed to minimize further damage to this important habitat feature of the upper Niagara River by providing shoreline protection measures along the western and eastern shorelines and at the southern tip of the island. Shoreline protection measures would incorporate bioengineering wherever possible to provide vegetation up to the water's edge and help stabilize erosion protection. In addition, anthropogenic structures such as the boat docking facilities along the western shoreline would be removed in an effort to restore the island shoreline to as natural an appearance as possible and to minimize future maintenance activities.

Also included in this HIP is a boat landing area on the northeast portion of the island. The boat landing would be used for landing construction equipment during the initial island improvements and later for monitoring activities that may be associated with this project and enhancements to the Motor Island Heron Rookery. Wooden pilings or similar structures would be incorporated for mooring work vessels.

Frog Island Restoration

Historically, a small group of islands could be found between Motor Island and Strawberry Island. Anecdotal data indicates that these islands were mined for gravel many decades ago leaving only relatively homogenous shallow water habitat that lacks complexity and structure. The Frog Island HIP would be designed to restore habitat complexity and create marsh and submerged coarse substrates for fish and wildlife in the area formerly occupied by the islands.

Beaver Island Wetland Restoration

The quantity and quality of habitat on Beaver Island and in the Beaver Island State Park is limited by a lack of emergent marsh and shallow pond habitat. Historic wetlands were dredged and filled in this area, and the resulting topography and hydrology do not optimize wetland structure and function. A crescent-shaped area of open water and wetlands on the inside of Beaver Island (known as Little Beaver Marsh) historically (before 1960) included hemi-marsh (marsh interspersed with shallow open water with irregular edges and in roughly even proportions) with excellent structural and vegetative diversity (New York OPRHP photograph files). Around 1960, this area was filled and the hemi-marsh was replaced with poor quality habitat such as mowed lawn. This project would restore hemi-marsh and shallow pools to the inside (northeast) shoreline of Beaver Island through removal of fill, site grading, plantings, and invasive species control.

This project would assess the approximate historical extent and structure of Beaver Island wetlands using aerial photographs, historic records, and site plans/engineering drawings (as available). The wetland restoration design would include a grading plan that would specify elevations and associated hydrologic regimes that would result in the development of a complex system of marsh emergent and shallow pond habitat. The grading plan would require some wetland fill removal (cut), but would not involve fill, *i.e.*, the fill would need to be removed from the site for an off-site application. Wetland planting plans would also be developed. These plans would emphasize diverse native species with high wildlife food and cover values and bank stabilization capacity. Lastly, due to the existence of common reed, purple loosestrife, and other exotic/invasive species in the subject area, the control of such species would be incorporated into the design, implementation, and monitoring and maintenance phases of this HIP.

Fish Habitat/Attractions Structures

This HIP would provide large-object cover which would function as fish attraction structures in deep water areas (i.e., >10 ft) where fish can seek shelter, forage, and otherwise maintain activities as expected in a lotic environment. The primary fish species that are intended to benefit from the HIP are muskellunge, northern pike, walleye, largemouth, and smallmouth bass. The proposed locations of these attraction structures include just downstream of the Peace Bridge, upstream of Strawberry Island, near the South Grand Island Bridge, and downstream of Tonawanda Creek. Other locations would be possible if the locations are deep enough to allow a minimum of 8 feet between the low-water surface elevation and the top of the structures.

Control of Invasive Species – Buckhorn and Tifft Marshes

Several exotic and invasive plants of concern occur in, and near, Buckhorn Marsh (Buckhorn) and Tifft Farm Nature Preserve (Tifft). Buckhorn is located at the downstream end of Grand Island and Tifft is located upstream of the Peace Bridge in Buffalo. The species of greatest concern in Buckhorn and Tifft, as well as in the Niagara River area in general, are purple loosestrife and common reed. These two wetland species occur primarily in palustrine emergent marsh habitat with little to no canopy cover (*e.g.*, wet meadows and marshes). This project would control exotic and invasive plant species and promote the growth of a diverse community of native wetland species to enhance and preserve wetland function.

The first task of this project includes surveying the existing extent of purple loosestrife, common reed, and other exotic/invasive species of concern in Buckhorn and Tifft marshes. This information would be used to create cover type maps showing the extent of native emergent communities (with few to no invasives) and the locations of wetlands dominated or co-dominated by various species of concern. Once the extent of the problem is fully known, an area-specific plan for minimizing further spread of these species into wetlands dominated by natives and controlling them in existing strongholds would be developed. Control techniques would include biological, chemical, and mechanical approaches.

Osprey Nesting

Osprey nest in trees along rivers and in wetlands. Osprey are present on the Niagara River during migration (New York DEC and New York OPRHP, 1995), but a local breeding population has not currently been established. This HIP would increase nest site availability for osprey by installing pole-mounted nesting platforms.

Common Tern Nesting

This HIP would provide nesting habitat for common terns and increase the local population of terns by creating or enhancing nesting sites and increasing tern breeding productivity. The locations of these nesting sites are to be identified in consultation with New York DEC staff. Potential locations for this project include current (e.g. Buffalo Harbor breakwalls) and historical (e.g. Buckhorn Island Tern Colony SCFWH) tern nesting sites.

APPENDIX E
NON-LICENSE SETTLEMENT PROVISIONS

SECTION 1
NIAGARA RIVER GREENWAY ECOLOGICAL FUND

1.1 Establishment of Greenway Ecological Fund

Within ninety (90) days of the effective date of the New License or license issuance, whichever is later, the Power Authority shall establish, in an interest bearing account at an accredited bank in the State of New York, a Niagara River Greenway Ecological Fund ("Greenway Ecological Fund") to support the creation, improvement, and maintenance of conservation areas and ecological projects along the Niagara River basin that will promote tourism, enhance the environment, advance the economic revitalization of riverfront communities, and support the creation of a Greenway. The Greenway Ecological Fund, which will have a value of $16,179,645 (NPV 2007), will be funded in the amount of $1 million annually for the term of the New License; *provided, however*, that the Power Authority may elect to adjust the schedule of payments after consultation with the Greenway Ecological Standing Committee ("GESC"), but in no event shall the value of the Power Authority's payments into the fund exceed $16,179,645 (NPV 2007) or be reduced below $16,179,645 (NPV 2007) if the New License term is for 50 years. The initial payment of $1,000,000 shall be made within ninety (90) days of the effective date of the New License or license issuance, whichever is later.

1.2 Timing of the Annual Payment to Greenway Ecological Fund

Unless otherwise agreed to as provided for in Section 1.1 of Appendix E, the Power Authority shall make an annual payment to the Greenway Ecological Fund of $1,000,000 for the term of the New License within sixty (60) days of the anniversary of the Power Authority's establishment of the Greenway Ecological Fund. The annual payment shall be made regardless of whether the Niagara River Greenway Commission or the Niagara River Greenway Plan is terminated.

1.3 Greenway Ecological Standing Committee

The GESC , consisting of a representative from the Power Authority, DEC, the Service, ~~SNI, TN, TSN, and NREC shall, on a consensus basis, select projects to be funded from~~ the Greenway Ecological Fund. Prior to establishing the Greenway Ecological Fund, the Licensee shall convene the GESC to establish: (1) the organization and administration of the Greenway Ecological Fund; (2) a mechanism for identifying cash flow schedules necessary to fund the creation, improvement, and maintenance of conservation areas and ecological projects along the Niagara River that will promote tourism, enhance the environment, advance the economic revitalization of riverfront communities, and support the creation of a Greenway; (3) measures to track and recover administrative costs of the Greenway Ecological Fund; (4) associated auditing and reporting requirements; and (5)

all other necessary and appropriate tasks consistent with the Greenway Ecological Fund, including the development of a schedule for future GESC meetings.

Greenway Ecological Fund projects may be proposed by the GESC or individuals and organizations located within the Buffalo-Niagara region; *provided, however*, that each proposal shall provide written documentation: (1) evidencing consultation with the Greenway Commission and the chief elected official, or a designated representative, of any affected municipal, county, tribal entity and appropriate State and Federal agencies; and (2) setting forth an operations and maintenance plan for each proposed project. Before authorizing any project to be financed by the Greenway Ecological Fund, the GESC shall ensure that the proposed project is consistent with the Niagara River Greenway Plan and any State and Federal law or regulation, including New York State Coastal Zone policies, where applicable. With respect to any proposed project to be located within the FERC Project Boundary, the GESC shall not authorize any financing from the Greenway Ecological Fund until and unless the Power Authority obtains any necessary or appropriate FERC approval of the proposed project.

All determinations by the GESC shall be based on consistency with the Niagara River Greenway Plan, engineering feasibility, operation, biological effectiveness, and maintenance feasibility and cost effectiveness. In no event, however, shall the Greenway Ecological Fund be utilized to: (1) meet the obligations, existing as of August 31, 2007, of any local municipality or State agency; or (2) pay for operation and maintenance of any projects existing as of August 31, 2007. To the extent practicable, the GESC shall attempt to secure matching funds or other resources to offset the funding of Greenway projects.

1.4 Administrative Costs and Refunds

Members of the GESC shall serve without compensation and will not be reimbursed by this fund for their expenses. Any administrative costs associated with the establishment and maintenance of the Greenway Ecological Fund shall be paid from any accrued interest on the Greenway Ecological Fund or, if adequate interest is not accrued, borne by the Greenway Ecological Fund. In no event shall the Greenway Ecological Fund be utilized to pay for personnel costs. If this Relicensing Agreement is terminated as set forth in Section 8 of the Relicensing Settlement Agreement, the balance of unused monies in the Greenway Ecological Fund, plus any accrued interest and minus any administrative costs, shall be completely refunded to the Power Authority; *provided, however*, that any funds already encumbered at the time the Relicensing Agreement is terminated shall not be refunded to the Power Authority.

SECTION 3
STATE PARKS GREENWAY FUND

3.1 Establishment of State Parks Greenway Fund

Within ninety (90) days of the effective date of the New License or license issuance, whichever is later, the Power Authority shall establish a State Parks Greenway Fund to support the construction and/or rehabilitation of parks, recreation and related facilities that will promote tourism, enhance the environment, advance the economic revitalization of riverfront communities, and support the creation of a Greenway. The State Parks Greenway Fund will have a value of $48,538,934 (NPV 2007) and will be funded in the amount of $3,000,000 annually for the term of the New License. The initial payment of $3,000,000 shall occur within ninety (90) days of the effective date of the New License or license issuance, whichever is later; *provided, however*, that the Power Authority may elect to adjust the schedule of payments after consultation with State Parks, but in no event shall the value of the Power Authority's payments into the fund exceed $48,538,934 (NPV 2007) or be reduced below $48,538,934 (NPV 2007) if the New License term is for 50 years.

3.2 Timing of Annual Payment to State Parks Greenway Fund

Unless otherwise agreed to as provided for in Section 3.1 of Appendix E, for the term of the New License, the Power Authority shall make an annual payment to the State Parks Greenway Fund of $3,000,000 within sixty (60) days of the anniversary of the Power Authority's establishment of the State Parks Greenway Fund. The annual payment shall be made regardless of whether the Niagara River Greenway Commission or the Niagara River Greenway Plan is terminated.

3.3 State Parks Standing Committee

The Power Authority shall facilitate the organization of the State Parks Standing Committee ("State Parks Committee") to administer and oversee projects financed by the State Parks Greenway Fund. Prior to establishing the State Parks Greenway Fund, the Licensee shall convene the State Parks Committee to establish: (1) the structure, organization, and administration of the State Parks Greenway Fund; (2) a mechanism for identifying cash flow schedules necessary to support the construction and/or rehabilitation of parks, recreation and related facilities that will promote tourism, enhance the environment, advance the economic revitalization of riverfront communities, and support the creation of a Greenway; (3) measures to track and recover administrative costs of the State Parks Greenway Fund; (4) associated auditing and reporting requirements; and (5) all other necessary and appropriate tasks consistent with the State

Parks Greenway Fund, including the development of a schedule for future State Parks Committee meetings.

The State Parks Committee, which will consist of a representative from the Power Authority and OPRHP, shall be solely responsible for selecting projects to be financed, in whole or in part, by the State Parks Greenway Fund. Projects may be proposed by the State Parks Committee or individuals and organizations located within the Buffalo-Niagara region; *provided, however,* that each proposal shall provide written documentation: (1) evidencing consultation with the Greenway Commission and the chief elected official, or a designated representative, of any affected municipal, county, tribal entity and appropriate State and Federal agencies, including the National Park Service, with respect to National Historic Landmarks and any designated National Heritage Corridor; and (2) an operations and maintenance plan for each proposed project. Prior to authorizing any project to be financed by the State Parks Greenway Fund, the State Parks Committee shall ensure that: (1) the proposed project is consistent with the Niagara River Greenway Plan and State and Federal law or regulation, including New York State Coastal Zone policies, where applicable; and (2) that with respect to any proposed project to be located within the FERC Project Boundary, the State Parks Committee shall not authorize any financing from the State Parks Greenway Fund until and unless the Power Authority obtains any necessary or appropriate FERC approval of the proposed project. All determinations by the State Parks Committee shall be based on consistency with the Niagara River Greenway Plan, engineering feasibility, operation and maintenance feasibility and cost effectiveness. In no event, however, shall the State Parks Greenway Fund be utilized to: (1) meet the obligations, existing as of August 31, 2007, of any local municipality or State agency; or (2) pay for operation and maintenance of any projects or facilities existing as of August 31, 2007. To the extent practicable, the State Parks Committee shall attempt to secure matching funds or other resources to offset the funding of Greenway projects.

3.4 Administrative Costs and Refunds

Members of the State Parks Committee shall serve without compensation and will not be reimbursed for their expenses. Any administrative costs associated with the establishment and maintenance of the State Parks Greenway Fund shall be paid from any accrued interest on the State Parks Greenway Fund or, if adequate interest is not accrued, borne by the State Parks Greenway Fund. In no event shall the State Parks Greenway Fund be utilized to pay for personnel costs. If this Relicensing Agreement is terminated as set forth in Section 8 herein, the balance of unused monies in the State Parks Greenway Fund, plus any accrued interest and minus any administrative costs, shall be completely refunded to the Power Authority; *provided, however*, that any funds already encumbered at the time this Relicensing Agreement is terminated shall not be refunded to the Power Authority.

SECTION 7
GREENWAY RECREATION/TOURISM FUND IN THE HOST COMMUNITIES

7.1 ESTABLISHMENT OF GREENWAY RECREATION/TOURISM FUND

Within sixty (60) days after the Power Authority files its Acceptance of the New License with FERC, the Power Authority and the Host Communities, in a manner approved by the Host Communities in accordance with the by-laws of the NPC, shall establish a Greenway Recreation/Tourism Fund in the Host Communities ("Host Community Greenway Fund") to support the construction and/or rehabilitation of parks, recreation and related facilities, for the purpose of redefining the Niagara riverfront, promoting tourism, enhancing the environment, and advancing the economic revitalization of the Niagara River Greenway within Niagara County. The Host Community Greenway Fund will have a value of $48,538,934 (NPV 2007) and will be funded in the amount of $3,000,000 million annually for the term of the New License. Within sixty (60) days after the Power Authority files its Acceptance of the New License with FERC, the Power Authority shall make its initial payment of $3,000,000 to the Host Communities; *provided, however*, that the Power Authority may elect to adjust the schedule of payments after consultation with, and the consent of, the Host Communities, but in no

event shall the value of the fund exceed $48,538,934 (NPV 2007) or be reduced below $48,538,934 (NPV 2007) if the New License term is for 50 years.

7.2 TIMING OF ANNUAL PAYMENT TO HOST COMMUNITY GREENWAY FUND

For the term of the New License, the Power Authority shall make an annual payment to the Host Community Greenway Fund of $3,000,000 on or before July 1 of each year. The annual payment shall be made regardless of whether the Niagara River Greenway Commission or the Niagara River Greenway Plan is established or terminated.

7.3 HOST COMMUNITY GREENWAY FUND STANDING COMMITTEE

The Power Authority shall facilitate the organization of the Host Community Greenway Fund Standing Committee ("HC Committee") to administer and oversee projects financed by the Host Community Greenway Fund. The HC Committee shall consist of one representative each from the following: the Power Authority; City of Niagara Falls, New York; Town of Lewiston, New York; Town of Niagara, New York; Niagara County, New York; Lewiston Porter School District; Niagara Wheatfield School District; and City of Niagara Falls School District.

Projects may be proposed by HC Committee members or by individuals and organizations with an interest in Niagara County's section of the Niagara River Greenway provided that each proposal provides written documentation: (1) evidencing consultation with the Greenway Commission (but only if the Greenway Commission has been established and only if it remains active in accordance with its purpose for which it was created) and the chief elected official, or a designated representative, of any affected municipal, county, tribal entity and appropriate State and Federal agencies; and (2) setting forth an operations and maintenance plan for each proposed project. The HC Committee, however, shall have sole responsibility for selecting projects to be financed, in whole or in part, by the Host Community Greenway Fund; *provided, however*, that prior to authorizing any project to be financed by the Host Community Greenway Fund, the HC Committee shall ensure that the proposed project is consistent with: (1) the Niagara River Greenway Plan or, if the Niagara Greenway Plan is terminated, the HC Committee shall ensure that the proposed project: (i) entails the construction and/or rehabilitation of parks, recreation, and related facilities; or (ii0 has been proposed for the purpose of redefining the Niagara riverfront, promoting tourism, enhancing the environment, and advancing the economic revitalization of the Niagara River Greenway within Niagara County, and (2) any State and Federal law or regulation, including, but not limited to, New York State Coastal Zone policies, where applicable; *provided further*, that with respect to any proposed project to be located within the FERC Project Boundary, the HC Committee shall not authorize any financing from the Host Community Greenway Fund until and unless the Power Authority obtains any necessary or appropriate FERC approval of the proposed project.

The Parties agree that the HC Committee shall work in a cooperative manner and shall make a concerted effort to achieve consensus in all decisions. All determinations by the HC Committee shall be based on consistency with the Niagara River Greenway Plan, engineering feasibility, operation and maintenance feasibility, and cost effectiveness. In no event, however, shall the Host Community Greenway Fund be utilized to: (1) meet the obligations, existing as of August 31, 2007, of any local municipality, school district or State agency; or (2) pay for operation and maintenance of any projects existing as of August 31, 2007; *provided, however*, the Host Community Greenway Fund can be utilized by the Host Communities to recover costs incurred after this Agreement becomes effective for planning and developing new Greenway projects. To the extent practicable, the HC Committee shall attempt to secure matching funds or other resources to offset the funding of Greenway projects.

3.2 ERIE COUNTY GREENWAY FUND

3.2.1 ESTABLISHMENT OF ERIE COUNTY GREENWAY FUND

In accordance with the provisions of Section 3.2.2 of this Agreement, the Power Authority shall provide funds dedicated to the support of construction and/or rehabilitation of parks, recreation, and related facilities for the purpose of redefining the Niagara riverfront, promoting tourism, enhancing the environment, and advancing the economic revitalization of the Niagara River Greenway within Erie County as set forth in the Niagara River Greenway Act of 2005, as the same may be amended from time to time (the "Erie County Greenway Fund"). Such funds shall be paid into the Erie County Greenway Fund and all interest earned thereon shall accrue and be utilized for the purposes set forth above.

3.2.2 TIMING OF PAYMENTS TO ERIE COUNTY GREENWAY FUND

Within sixty (60) days after the Acceptance of the New License, the Power Authority shall make its initial payment of $2,000,000 to the Erie County Greenway Fund. Thereafter and throughout the term of the New License, payments in the amount of $2,000,000 shall be made by the Power Authority on or before each and every anniversary of such date. Notwithstanding the foregoing, the Power Authority may, in its sole discretion, elect to adjust the schedule of payments to the Erie County Greenway Fund upon the request of the Greenway Fund Trustee, as hereinafter defined; provided, however: (1) the adjusted schedule of payments will not alter the present value of the remaining payments due the Erie Country Greenway Fund (computed at a annual discount rate of 6.25%) as of the date of the commencement of such alternative payment schedule and (2) the adjusted schedule will provide for a refund schedule for all unencumbered funds should this Agreement be terminated in accordance with Section 4 or amended in accordance with Section 6.2.1 of this Agreement.

3.2.3 GREENWAY FUND TRUSTEE

Within thirty (30) days of the Acceptance of the License, duly authorized representatives of the County, the City, the Conservancy, and the Power Authority shall meet to select a party to serve as the Trustee of the Erie County Greenway Fund in accordance with the following procedure: either of the Municipal Communities may be selected by majority vote of the aforementioned representatives but selection of any party other than one of the Municipal Communities shall require a unanimous vote of such representatives. Within sixty (60) days of the Acceptance of the License, the trustee so selected (the "Greenway Fund Trustee") shall assume his, her, or its duties pursuant to a Trust Agreement signed by the Power Authority, the County, the City, and the Conservancy, which agreement shall include terms setting forth the protocols and procedures to be followed in connection with (1) the operations of the ECG Committee, as hereinafter defined, including, without limitation, the making of

determinations regarding projects proposed to be funded through the Erie County Greenway Fund and (2) the administration of the Erie County Greenway Fund, including, without limitation, the provision of appropriate documentation to the Power Authority confirming that the Greenway Fund Trustee has the power and lawful authority to receive and disburse funds in accordance with the terms of this Agreement.

3.2.4 ERIE COUNTY GREENWAY FUND STANDING COMMITTEE

The Power Authority shall facilitate the organization of the Erie County Greenway Fund Standing Committee ("ECG Committee") to administer and oversee projects financed by the Erie County Greenway Fund. The ECG Committee shall consist of one representative each from the following: the Power Authority, the City, the County, and the Conservancy. Projects may be proposed by ECG Committee members or by individuals and organizations with an interest in Erie County's section of the Niagara River Greenway as identified in accordance with the Niagara River Greenway Act of 2005 (the "Greenway Act"), provided that each proposal include written documentation: (1) evidencing consultation with the Greenway Commission (if in existence and operating) and the chief elected official, or a designated representative, of any affected municipal, county, and tribal entity and appropriate State and Federal agencies and (2) setting forth an operations and maintenance plan for each proposed project. The ECG Committee shall have sole responsibility for selecting projects to be financed, in whole or in part, by the Erie County Greenway Fund; *provided, however,* that prior to authorizing any project to be financed by the Erie County Greenway Fund, the ECG Committee shall ensure that the proposed project is: (1) consistent with the Greenway Act and the Niagara River Greenway Plan adopted pursuant to such law, as either or both may be amended from time to time, and (2) any State and Federal law or regulation, including New York State Coastal Zone policies, where applicable. The Parties agree that the ECG Committee shall work in a cooperative manner and shall make a concerted effort to achieve consensus in all decisions. All determinations by the ECG Committee shall be based on consistency with the Greenway Act and the Niagara River Greenway Plan adopted pursuant to such law, as either or both may be amended from time to time, engineering feasibility, operation and maintenance feasibility, and cost effectiveness. In no event shall the Erie County Greenway Fund be utilized to: (1) meet the obligations, existing as of August 31, 2007, of any local municipality, school district, or the Conservancy or (2) pay for operation and maintenance of any projects existing as of August 31, 2007. To the extent practicable, the ECG Committee shall attempt to secure matching funds or other resources to offset the funding of Greenway projects. In the event the Niagara River Greenway Plan is not completed and/or approved by all involved agencies and/or entities prior to September 30, 2007, the Erie County Greenway Fund shall be made available by the Greenway Fund Trustee, as directed by the ECG Committee, for projects within the Erie County Greenway, provided that such projects are in the vicinity of the Niagara River waterfront within Erie County and

are consistent with the spirit and intent of the Niagara River Greenway Act, as the same may be amended from time to time.

3.2.5 ADMINISTRATIVE COSTS AND REFUNDS

Members of the ECG Committee shall serve without compensation and will not be reimbursed for their expenses. Any reasonable third-party administrative costs associated with the establishment and maintenance of the Erie County Greenway Fund shall be paid from any interest accrued on the Erie County Greenway Fund or, if adequate interest is not accrued, borne by the Erie County Greenway Fund. In no event shall the Erie County Greenway Fund be utilized to pay for personnel costs; *provided, however*, that the Erie County Greenway Fund may be utilized to hire a limited number of personnel to manage and oversee Greenway Projects. If this Agreement is terminated as set forth in Sections 4 or 6 of this Agreement, the balance of unused monies in the Erie County Greenway Fund, plus any accrued interest and minus any administrative costs, shall be completely refunded to the Power Authority; *provided, however*, that any funds already encumbered at the time this Agreement is terminated shall not be refunded to the Power Authority.

3.2.6 ANNUAL REPORT

No later than sixty (60) days following the close of each calendar year during the term of the New License for the Project, the ECG Committee shall submit to the Power Authority and the Settlement Parties an annual report for the Erie County Greenway Fund. The annual report, at a minimum, shall include:

(a) A summary of all active projects funded, in whole or in part, by the Erie County Greenway Fund;

(b) A project-by-project listing of all expenditures from the Erie County Greenway Fund during the previous calendar year;

(c) A detailed listing of all planned expenditures during the current calendar year in which the report is issued;

(d) An updated balance sheet for the Erie County Greenway Fund, which includes Erie County Greenway Fund expenditures, administrative expenses, and accrued interest; and

(e) A summary of significant correspondence with the Niagara River Greenway Commission.

3.2.7 NON-LICENSE MEASURE

The Parties agree that the Power Authority's obligation to establish and contribute to the Erie County Greenway Fund is not subject to FERC's jurisdiction and shall not be included within any license article, condition, or other provision of the New License for the Project.

APPENDIX D

FUNDING SOURCES

The following discussion identifies some of the more relevant potential funding sources for Greenway activities.

New York State Office of Parks, Recreation and Historic Preservation (OPRHP)
This agency has several programs to fund potential Greenway projects. OPRHP administers grants funded through the State Environmental Protection Fund (EPF), and also manages grants funded through federal sources, such as the Land and Water Conservation Fund (LWCF) and "Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users" (SAFETEA-LU/Recreation Trails Program), among others. Program priorities and specific requirements vary by fund. Generally, EPF grants are available on an annual basis, and are available to fund up to a maximum of 50% of the project cost, although non-cash matches, such as labor force, materials, technical services or value of property are often eligible as a match. Grants through the EPF program are available for Parks Development, Acquisition, Historic Preservation and Heritage Areas. The Federal Land and Water Conservation Fund (LWCF) also provides funds for the development of parks and recreational facilities or acquisition of open space and parkland. The LWCF only funds outdoor facilities, and the value of municipally-owned land is not eligible for use as matching funds.

The State sets specific priorities for these various funds on an annual basis. All of these programs would be relevant to Greenway purposes, for the improvement of specific parks, acquisition of additional land for conservation or public access, improvement of heritage sites or historic buildings, or other recreational, open space or conservation purposes.

OPRHP also administers the Recreational Trails program, an element of the "Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users" (SAFETEA-LU). The Recreational Trails program funds trail development, maintenance or other trail-related activities (e.g. trailheads, other enhancements). Established through an act of Congress, only the currently appropriated funds are guaranteed: future allocations will depend upon Congressional reauthorization of the program. The program funds both motorized and non-motorized trails, and single-use or "diverse" (multi-use) trails, with certain mandated distribution of funds by trail type. There are clear applications for the Greenway, although the amount of funds allocated per project are generally limited.

Boating Infrastructure Grants are also funded through SAFETEA-LU. This program provides funds for transient facilities targeted to larger recreational vessels (non-trailerable, or vessels that are 26 feet in length or longer). The types of eligible projects include construction, renovation or maintenance of boating infrastructure (including but not limited to mooring facilities, pump-out stations and dockside utilities); installation of navigational aids, and educational materials. Preliminary costs for planning, survey, environmental review and other associated costs are also eligible. Projects funded under program must be open to the public. Although very applicable to the Greenway, this program is likely to be highly competitive, with only $12 million available nationwide. Again, as a SAFETEA-LU program, future funds are dependent upon continued Congressional authorization.

Other funding programs that are administered through OPRHP include the Historic Barns program, which can be used for repairs or improvements to older agricultural buildings; Certified Local Government Program, which provides funds for historic preservation-related activities in communities that have been certified under the program, and a program to fund Zoos, Botanical

APPENDIX D

Gardens and Aquariums. Each of these funding sources may be relevant for specific projects within the Greenway.

The following table summarizes these State Office of Parks, Recreation and Historic Preservation Funding sources, and provides some additional information about the program requirements.

Funding Sources New York State Office of Park, Recreation and Historic Preservation	
Parks Program (EPF or LWCF)	Acquisition or development of parks and recreational facilities for the preservation or rehabilitation of lands, waters or structures for park, recreation or conservation purposes. EPF funds both indoor and outdoor projects; LWCF for outdoor projects only. Priorities set in Statewide Comprehensive Outdoor Recreation Plan (SCORP). Facilities must be open to general public. Minimum 50% local match required.
Historic Preservation Program (EPF)	Rehabilitation, preservation, protection of properties listed on National or State Register of Historic Places. Minimum 50% local match required.
Heritage Areas Program (EPF)	WNY eligible through City of Buffalo Heritage Area and Western Erie Canal Heritage Corridor. Projects to preserve, restore or rehabilitate lands, waters or structures as identified in approved management plan for the Heritage Area. Minimum 50% local match required.
Acquisition (EPF or LWCF)	Acquisition of lands, waters of structures through permanent easement or fee simple title. Must be for public use, for park, conservation or recreational purposes. Minimum 50% local match required.
Zoos, Botanical Gardens, Aquariums	Collections care and special projects for eligible institutions. Funded through Natural Heritage Trust.
Barns Restoration and Preservation Program (EPF)	Restoration and preservation of agricultural buildings (barns, silos, sheds, etc.) at least 50 years old and in need of repair. Minimum 50% local match required.
Recreational Trails (SAFETEA-LU)	Acquisition, rehabilitation or maintenance of trails, trail related projects. Non-motorized and motorized trails eligible (pedestrian; bicyclist; equestrian; snowmobile; motorcycle) Minimum 20% local match required.
Certified Local Government Program (National Park Service)	Must be a Certified Local Government (Cities of Buffalo, Niagara Falls, and Village of Lewiston). OPRHP is pass-through for historic preservation funds for preservation activities (inventory, public education, training, nominations). Local match of at least 40% encouraged (cash or in-kind).
Boating Infrastructure Grants (SAFETEA-LU/ DOI/ USFWS)	Facilities for transient, non-trailerable recreational boats (26-feet and over). $12 million available nationwide. Eligible projects include docking or tie-up facilities (e.g. mooring buoys, transient slips, piers); facilities improvements, (e.g. pump-out stations, fueling stations, dockside utilities). Navigational aids, educational materials also eligible. Facilities must be open to the public, but may be privately owned. Minimum local match is 25%; 50% is recommended.

New York State Department of State (DOS)

The New York State Department of State funds several programs that are relevant to Niagara River Greenway purposes. The Coastal Zone Management program (Local Waterfront Revitalization Program) offers grants through the State Environmental Protection Fund (EPF) on an annual basis as well. A minimum 50% local match is required. Project categories include the following:

- Urban waterfront redevelopment,
- Preparing or implementing a waterbody/watershed management plan
- Coastal education
- Signage programs under NYS Coastal Resource Interpretive Program (NYSCRIP)
- Community visioning
- Development of revitalization strategies
- Completion of a Local Waterfront Revitalization Program (LWRP)
- Implementation of LWRPs
- Creating a Blueway Trail (water-based trail)

The DOS also uses the EPF to fund the Quality Communities (QC) Program. This program funds projects that link environmental protection, economic development and community livability. The program encourages projects that build intermunicipal cooperation, that help preserve significant open space, or that focus growth in appropriate locations, with a preference for revitalization of existing community centers. The QC program also helps fund visioning and planning efforts that implement the quality community planning principles. Funding is available for up to 80% of program costs. If the community has been designated a distressed municipality (based on census tract data), the required local match may be reduced to 10%. The program will not fund capital costs, costs of land acquisition, printing costs for brochures or marketing pieces, or certain overhead costs.

The DOS also cooperates with the New York State Department of Environmental Conservation on funding the Brownfield Opportunity Areas (BOA) program. This program funds the assessment, planning and redevelopment of areas affected by the presence of brownfield sites. The goal of the program is to facilitate the reuse of underutilized sites and help promote the revitalization of communities where brownfield sites have hindered redevelopment. Both the Cities of Buffalo and Niagara Falls are participating in this program, targeting specific areas of their communities for cleanup and redevelopment. The program also provides technical assistance to participants on how to facilitate the clean-up of brownfield sites. A local match of at least 20% is required.

Under the Environmental Protection Fund Local Waterfront Revitalization and Brownfield Opportunity Areas programs, the Department of State's Division of Coastal Resources provides grants to eligible municipalities for planning, design, feasibility studies, and construction projects that advance preparation or implementation of Local Waterfront Revitalization Programs.

Another program administered by the DOS is the Shared Municipal Services Incentive (SMSI) Grant Program. This program will provide assistance to municipalities for shared services, cooperative agreements, mergers, consolidations and dissolutions. State assistance will fund up to $100,000 per project per municipality for eligible expenses. A local match of at least 10% of the grant award is required. Projects must demonstrate that they result in cost savings to the municipalities. Eligible activities include legal and consultant services, feasibility studies, implementation plans and capital improvements. Comparable programs are available for Shared Highway Services, Countywide Shared Services and Local Health Insurance programs. Eligible projects most likely to directly benefit the Niagara River Greenway would be capital projects. For example, a shared wastewater treatment plant may lead to improved water quality. Other Shared Services projects may indirectly benefit the Greenway, through lowered municipal costs or streamlined services.

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New York State Department of Environmental Conservation (DEC)
New York State Department of Environmental Conservation (DEC) has a number of resources that would advance the purposes of the Niagara River Greenway. These resources provide assistance with brownfield remediation, water quality improvement, habitat protection, and tree planting.

The DEC has several brownfield related programs, and provides technical assistance to public sector and private sector owners of contaminated sites. They also monitor conditions, and encourage activities to promote remediation activities. Three programs offer direct funding for brownfields. The Brownfield Opportunity Areas (BOA) program, described above, is intended to be used for the clean-up of specific problem sites in order to spur area-wide redevelopment. The DEC also offers the Environmental Restoration Program (ERP) for brownfield clean-ups. ERP assists with the costs of remediating sites owned by municipalities, providing funding for up to 90% of costs for site remediation for eligible sites. The Technical Assistance Grants (TAG) program provides funds to community groups to help them understand remedial activities taking place at an eligible site and obtain independent technical assistance on the process. Eligibility of the site is determined by the DEC and the site must pose a significant public health threat. While a useful program for increasing public participation and awareness, it would only indirectly help implement specific Greenway projects.

The DEC also provides funding for a number of environmentally-related programs. The Water Quality Improvement Projects program offers funding for a variety of water quality projects. Certain types of stormwater projects, non-agricultural non-point pollution reduction, water quality management and wastewater treatment improvements are eligible. Funding is also available for aquatic habitat restoration projects. The required local match and program requirements vary by specific project type. These grants generally would benefit the Niagara River Greenway because they would support projects that would improve water quality in the Niagara River corridor and establish aquatic habitat. It should be noted that these grants tend to be highly competitive.

The DEC Urban and Community Forestry Program offers grants for tree planting or development of tree management plans. DEC also administers the Great Lakes Protection Fund, in conjunction with the New York State Great Lakes Basin Advisory Council. This fund supports projects with a regional or statewide impact that promote the health of the Great Lakes ecosystem in New York State. Funded projects are generally research oriented, but can also fund development of pollution prevention, remedial action, or environmental education. Under the priorities of the program, projects should foster interaction and cooperation between researchers, academics, industries, governments and private organizations. The small grants program provides seed money of up to $10,000 per grant. The large grant program, which is offered on a periodic basis, funds larger projects that meet current priorities.

The DEC oversees two additional programs that would be relevant to the Niagara River Greenway, but which are not currently available. The Invasive Species Eradication Grant Program was created to provide funds to municipalities and non-profit organizations for projects that eliminate invasive species in the State's water bodies. In 2005, the first year of the program, the State Legislature appropriated a total of $1 million for this fund. Grant amounts ranged from $10,000 to $100,000. The DEC received applications totaling approximately $1.5 million from across the State. The availability of future funding under this program depends upon the State appropriations process. In 2005, the State Legislature also appropriated $100,000 from the

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Habitat Account[1] for the Habitat/ Access Stamp Funding program. The grants that were funded supported fish and wildlife habitat management and public access for hunting, fishing, trapping and other wildlife-related recreational activities. Grants ranged from $1,500 to $14,999, with no local match required. It is not known when these programs will be available again.

New York State Department of Transportation (DOT)

Transportation funding operates on a specific process that is not grant based. Transportation projects include roadways, trails, and transit. Increasingly, roadway projects also include what is known as enhancements, or features designed to strengthen the cultural, aesthetic or environmental benefits of transportation projects.

The most significant grant program relating to transportation is the federal SAFETEA-LU program. There are several categories of grants created by this bill, including the Transportation Enhancements Program (TEP). There are 13 categories of projects that TEP grants will fund, including scenic overlooks, transportation museums, bicycle and pedestrian paths and trailhead facilities. The application for the current round of TEP grants occurred in June 2006. Another round of funds will be available in the future, and subsequent rounds will depend upon Congressional reauthorization of appropriation. Grants are available for up to $2 million, with a 20% local match required.

Other State Programs

There are a number of other state programs that could benefit the Greenway:

- ***Canal Corporation- Canal Grants***
  The Erie Canal extended from the current terminus at Gateway Harbor south through the Town of Tonawanda into the City of Buffalo.

- ***Agriculture & Markets- non-point source abatement***
  The State Department of Agriculture and Markets offers a grant program to address pollutants from agricultural stormwater run-off. This program is similar to the DEC program that addresses non-agricultural non-point source pollution.

- ***New York State Energy Research and Development Authority (NYSERDA)***
  NYSERDA offers assistance and programs to help fund implementation of energy efficient design in facilities to help reduce future operating costs.

- ***Environmental Facilities Corporation (EFC)***
  EFC funds water and wastewater facilities. To the extent that outdated facilities have a negative impact on water quality, these projects benefit the Niagara River.

- ***Department of Housing and Community Renewal (DHCR)***
  NYS Main Streets Programs
  Housing Trust Fund Corporation (HTFC) funds are administered by DHCR to fund grants for the revitalization of urban centers and Main Streets across New York State. Eligible projects include building façade work, streetscapes, building renovations, gap financing, and ancillary enhancements, such as signage, kiosks or trees. Municipalities may not apply for the funds, which must be administered by a local non-profit that is designated a "Local Program Administrator" (LPA).

[1] The Habitat Account is funded through voluntary purchases of a $5 Habitat Stamp, offered with Hunting and Fishing licenses.

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- ***Empire State Development Corporation (ESDC)***
  RestoreNY Grants
  In 2006, the State Legislature appropriated $300 million for the RestoreNY program, with $50 million to be distributed in the first round (Fall 2006). The program is intended to promote urban revitalization and the stabilization of residential areas, by funding demolition of blighting buildings and renovation and reconstruction of residential and/or commercial properties.

Federal Programs

There are several federal sources of funds for Greenway related projects.

- ***United States Environmental Protection Agency (EPA)***
  The EPA offers funding for Brownfield programs and environmental restoration programs. They also administer grants through the Great Lakes National Program Office, an interagency task force that addresses Great Lakes issues. The current round of grant applications prioritizes pollution prevention, biological monitoring, a Remedial Action Plan (RAP) for the Niagara River, and planning for other Great Lakes' areas.

- ***U. S. Community Development Block Grant Program/ NYS Governor's Office of Small Cities***
  The Community Development Block Grant program funds projects that address blight, benefit low- to moderate-income residents, or address an urgent threat to health or welfare. Programs that revitalize neighborhoods, expand affordable housing offerings, create job opportunities and/or improve community facilities and services are eligible activities.

  In Erie County, this federal program is administered by several entities. The City of Buffalo receives funds directly as an entitlement community. The Towns of Amherst, Cheektowaga and Tonawanda have formed a consortium that applies jointly for funds; and the remainder of the County participates in a consortium headed by the Erie County Department of Environment and Planning. In Niagara County, the City of Niagara Falls receives fund directly, and the remainder of the communities in the County, including the County, fall under the jurisdiction of the Governor's Office of Small Cities (GOSC), a statewide consortium. The GOSC also administers Technical Assistance Grants, which are small planning grants, to help communities prepare strategic plans for community development. This planning helps communities position themselves to more effectively compete for funding under the annual competitive round. Strategic plans funded under this program often target downtown revitalization, infrastructure improvements and other programs that could benefit the Niagara River Greenway.

- ***Environmental Development Administration (EDA)***
  This program funds projects that lead to job creation. Various programs fund essential public infrastructure and facilities to support private sector jobs; and provide technical assistance to address unemployment, underemployment, and out-migration in distressed regions. While these programs are tangential to Greenway purposes, there may be scenarios where EDA support could be tapped.

- ***Congestion Mitigation/ Air Quality (CMAQ) grants***
  This program provides funding for projects that reduce traffic congestion and thereby help improve air quality through lowered emissions. Applicants must demonstrate a

positive benefit to air quality through set formulae. In addition to roadway and signal improvements, eligible projects also include trails and bikeways.

- ***US Fish and Wildlife Service***
  The U.S. Fish and Wildlife Service provides grants to conserve fish and wildlife habitat. Grants under the North American Wetlands Conservation Act fund acquisition, restoration or enhancement of wetlands and associated habitats for migratory birds and other wetlands. Targeted habitats include wetlands, riparian corridors and streambanks. The Private Stewardship for Imperiled Species program assists habitat enhancements that benefit threatened and endangered species. USFWS also administers the Fish Enhancement, Mitigation and Research Fund, a fund established as part of the Settlement Agreement with NYPA for the St. Lawrence-Franklin D. Roosevelt Power Project. Projects that benefit fisheries resources in the Lake Ontario basin are eligible for funding under this program.

- ***National Park Service***
  The National Park Service is a potential funding source for heritage-related programs. Projects could qualify under the Erie Canalway National Heritage Corridor or the currently proposed Niagara National Heritage Area.

- ***US Army Corps of Engineers***
  The U.S. Army Corps of Engineers has numerous program authorities available that offer funding assistance for water resources related habitat and ecosystem restoration projects. Here is a list of example authorities that may be applicable for future Niagara Greenway projects:
    - Great Lakes Fisheries and Ecosystem Restoration (GLFER) Program, Section 506
    - Aquatic Ecosystem Restoration, Section 206
    - Watershed Studies, Section 202
    - Planning Assistance to States and Tribes, Section 22
    - Emergency Streambank and Shoreline Protection, Continuing Authorities Program (CAP) Section 14
    - Beach Restoration and Shoreline Protection, Continuing Authorities Program (CAP) Section 103
    - Great Lakes Tributary Modeling, Section 516
    - Great Lakes Remedial Action Plans and Sediment Remediation, Section 401
    - Flood Plain Management

  For more information on these programs and others, please contact the U.S. Army Corps of Engineers Buffalo District Chief of Planning at 716-879-4104. More information is also available at http://www.lrb.usace.army.mil/missions/Missions.html.

- ***Federal Highway Administration- National Scenic Byways Program***
  The Federal Highway Administration (FHWA) offers funding through its National Scenic Byways Program for projects that recognize, support, and preserve roads that have outstanding scenic, historic, cultural, natural, recreational, and archaeological qualities. The Seaway Trail, which runs through the Niagara River Greenway, is a nationally designated Scenic Byway. For the 2007 grant cycle, there were eight eligible program categories:
    - State and Tribal Programs (planning, design, or development)
    - Corridor Management Plans
    - Safety Improvements
    - Byway Facilities

- Access to Recreation
- Resource Protection
- Interpretive Information
- Marketing

While eligible applicants include local governments, states, tribes and non-profits, applications must be made by the State DOT to the FHWA division office. Indian Tribes may apply directly.

Private Foundations

There are also a number of private foundations that have programs that could be used for projects benefiting the Niagara River Greenway. These include the following:

- Buffalo Renaissance Foundation,
- Community Foundation of Greater Buffalo,
- Margaret L. Wendt Foundation,
- Niagara Area Foundation,
- John R. Oshei Foundation,
- Western New York Foundation

Each of these foundations has its own criteria for project selection. Generally, their approach is flexible and targeted toward projects that are beneficial to their service area.

Private companies, such as local banks and other institutions, also fund worthwhile community projects. Private investment will also be required to achieve the full potential of the Niagara River Greenway. Private development is likely to be focused within the activity nodes along the Greenway and would generally consist of ancillary services, such as restaurants, gift shops, marinas, commercial tourism venues and other features that would add character, activity and interest to the Greenway. The challenge is to encourage these activities in appropriate locations and in a manner that complements the functions and values of the Greenway.

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MUNICIPAL & STAKEHOLDER INPUT

MUNICIPALITIES	Contact	Summary of Comments
City of Buffalo	Office of Strategic Planning	Map of proposed boundary for City of Buffalo
City of Buffalo	Office of Strategic Planning	Priority Projects: All projects in the LWRP Implementation section, including funding for easements and land acquisition, remediation, habitat restoration, pathways and infrastructure. Also, LaSalle Park, Times Beach, Cotter Point, Erie Street Relocation, Erie Street Lift Bridge, Habitat Restoration at Hoyt Lake and Scajaquada Creek; Renewable Energy Projects, South Park Lake Aquatic Ecosystem Restoration, Riverside Park, Legion Parkway, Tow Path, Inner Harbor (Naval Museum, Cobblestone Roads, Prime Slip Greenway, Esplanade, Naval Basin, Veterans Park and Hamburg Drain), Underground Freedom Trail (Freedom Trail, Nash House, Michigan Street Urban Renewal Plan, Broderick Park, Mudpies, Michigan Street Church) and Niagara River International Gateway (Front Park, Porter Avenue, Bike Paths, Busti Avenue improvements).
City of Niagara Falls	Mayor Anello	Intro from Mayor with extensive position paper: Major recommendations: Waterfront trail system; reconfigure Robert Moses Parkway; waterfront naturalization program for upper river, park, gorge; plan for "green structure"; "Family Museum" (e.g. NIE). Improve connections from City to River; Endorses City's Strategic Plan. Lists 13 concepts for "Discovery Centers" (e.g. F.L.Olmsted Center; Love Canal Interpretive Center, Griffon Park interpretation, etc.)
City of Niagara Falls	Tom Yots, City Historian	Recognize the High Banks and its industrial heritage
City of Niagara Falls	Tom Yots, City Historian	Second letter- urging Commission uses principles of preservation for guidance.
City of Niagara Falls	Water Board	Powerpoint re. proposed capital improvements
City of North Tonawanda	Waterfront Commission	Specific boundary recommendations (1/2 mile from River and Canal). Uniform signage; shared services; uniform regulations; coordinated marketing; multi-modal. Projects: reconstruct River Road to parkway, lower speed limits, enhance pedestrian access; clean up of waterfront; upgrade natural areas, set aside undeveloped areas; remove hazardous waste sites; identify all historical areas & bdgs; promote new development on land side of River Rd.; recognize importance of fishing industry, improve marketing. Specific ideas for Gratwick Park, Wastewater Treatment Plant, Fisherman's Park, Oliver Street Corridor, Marinas, Little River area, Tonawanda Island; Gateway Point; Gateway Harbor; Webster/Main Street; Payne Avenue; Old Boys & Girls Club/Mayor Park; Youth Camp; Botanical Gardens. River-Canal-Lake- recreational boating.
City of North Tonawanda	Kevin O'Connor (Waterfront Comm.)	Improve NT access; involve local groups

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MUNICIPALITIES	Contact	Summary of Comments
City of Tonawanda	Mayor Pilozzi	Abandon Young St. between Delaware and Main Street and convert to parkland (adjacent to Gateway Harbor); repair breakwall at Niagara River/Erie Canal; convert Spaulding Fibre (SF) water intake to overlook (foot of Wheeler); redevelop City's water/sewer plants on Niagara Shore Dr.; relocate Municipal Building to open up riverfront land; remediate/demolition of SF pump house; recreation improvements Niawanda Park; complete breakwall to stabilize shoreline; replace culvert over 2Mi.Creek; stabilize shorelines at Ellicott Creek; golf/recreation on closed landfill; seating for bandshell in Niawanda Park
Town of Grand Island	list on Town letterhead	Bikepath: Ferry and E. River Rd: connect route Parkway to Park; fishing station at unused wastewater treatment plant on E. River Rd; passive trails parking, footbridge: Spicer Creek woods wetlands and Bicentennial Park; Scenic Woods; shoreline trail: Buckhorn to Baseline; Land acquisition: Big 6 & Little 6 Mile Creeks (ecosystems); Recreational trail: eagle overlook to BISP; fund Riverkeeper educational program; nature center at BISP (River Lea & Sidway Boathouse)
Town of Lewiston		(no submittal)
Town of Niagara	Supervisor Richards	1. Town of Niagara Park (123 ac. site: rec. fields, trails, forest, small lake, community facilities) On Gill Creek. Site is unsuitable for development due to power transmission lines. 2. Cayuga Creek: flood control planning, recreational opportunities; 3. Gill Creek: modified by Reservoir. See #1.
Town of Porter	Supervisor Wiepert	Cross-river ferry, pedestrian/bike paths throughout Town, bike/pedestrian path along R. Moses Parkway, acquisition of waterfront lands. Waterfront has rural character. Both River and Lake fronts important. Need Trail connection- Fort Niagara to campsites at 4-Mile Creek SP. Need area for Town Park (private land).
Town of Tonawanda	booklet	Cherry Farm Park and Riverfront Park
Town of Tonawanda	Supervisor Moline	Re. Riverview Commerce Park- developer has suggested a pedestrian tunnel under River Road to connect to Isle View Park- allows tie to Two Mile Creek path. Attachment: Letter from developer of Riverview Commerce Park.
Town of Wheatfield	Waterfront Association	Proposed route for waterfront trail along CSX rail ROW (map provided)
Town of Wheatfield	L. Helwig, Town Board (email)	Supports proposed trail route; Also- waterfront acquisition, potential park, and reconstruction of Uren Park (park on River Rd removed for Fire Tower)
Village of Lewiston	Mayor Soluri	Enhance 18F (River Rd); extend Lower Gorge Walk between Artpark & L-Q Bridge; Lewiston Landing (docks, trees, green); promenade to Historical Museum; extend Onondaga Trail to river edge; restore Frontier House; Underground RR sculpture; reconstruct original bridge at Artpark (pillars remain both sides of river)
Village of Lewiston	Mayor Soluri	Repeats previous list, plus Artpark Amphitheatre.
Village of Lewiston	Mayor Soluri	Supports Parkway as 2-3 lane local road (maintain linkage to Niagara Falls)

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MUNICIPALITIES	Contact	Summary of Comments
Village of Lewiston	Mayor Soluri	Forwarding letter from Jay Grossmann re. new design for bikeway from NF to Village of Lewiston.
Village of Youngstown	Mayor Riordan	LWRP: renovate all waterfront parks, piers, docks. Village has invested in Constitution Park, now wants to renovate south waterfront park, including potential ferry crossing. Sketches attached.
	Mayor Riordan	Forwarding LWRP. Emphasizes support for increased access to Niagara River. Lists major initiatives/ investments Village has made to advance plan (8 bullets). Future plans: South dock customs processing building (for future ferry crossing); repave Water Street; public restroom facilities; trolley; land acquisition for waterfront vista park; Main Street lot paving; purchase of ferry craft; refurbish/ expand historical site markers. Plus O&M, security, etc.
Niagara County	Legislature and Center for Economic Development	Forwarding resolutions in support of NPC boundary proposal from Niagara County Legislature, City of Niagara Falls, School District of the City of Niagara Falls, Lewiston Town Board, Niagara Town Board, Lewiston-Porter Board of Education, Niagara Wheatfield Central School District Board of Education, Village of Lewiston, Town of Porter, Town of Wilson, Town of Cambria, Village of Youngstown, Town of Lockport, Town of Royalton.
Niagara County	Sam Ferraro, Commissioner	Forwarding resolutions (see above), letter to Bernadette A. Castro, Acting Chair, highlighting endorsed boundary by Niagara Power Coalition; and Niagara Power Coalition statement reflecting "Vision" for the Niagara River Greenway Plan. Proposes Hudson River Valley Greenway model for boundary; promotes connections to parks & trails; schools; commercial districts; tourism; multi-use venues; inland tributaries; and economic development.
Niagara County	Sam Ferraro, Commissioner	Letter indicating opposition to tiered boundary concept. Requests boundary map include trail corridors, identify host communities. Forwards map illustrating the boundary proposal.
Niagara County	Sam Ferraro, Commissioner	Memorandum forwarding comments on draft plan (see FGEIS).
Town of Cambria	Supervisor Ellis	Town Park (wetlands, nature trail, on Cayuga Creek)

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STAKEHOLDER INTEREST GROUPS INPUT (alphabetical)	
Adirondack Mountain Club, Niagara Chapter	Advocates narrow boundary, focused on restoration of shoreline. Every effort should be made to inventory existing conditions of shoreline prior to implementation of proposals. Public access a priority. Focus on water-related/ recreation-related activities.
Aquarium of Niagara	Master Plan in "near future"- to study expansion, etc. Requests inclusion in Greenway planning as anchor to NF cultural district
Artpark & Co. Presentation	"Artpark on the Greenway"- nature trails, fishing access, historical sites, floral gardens, family-oriented activities, performances (Summer home of BPO), over 500,000 visitors/yr, environmentally & ecologically friendly setting, premier tourism destination. Plans for amphitheater expansion. Trails need work; many assets.
Black Rock Riverside Good Neighbor Planning Alliance	Powerpoint and written summary: Black Rock Canal Park (Ontario Street Boat Launch)- expansion to increase parkland, access. Proposes boardwalk along riverfront, playground, dog park, improved bikeway (to water's edge), picnic facilities, docks/pier extension, concrete deck over river, with greenspace, deck over mouth of Cornelius Creek, new parking. Also new mixed use facility, approx. 9,400 sf for concessions, restrooms, offices, observation deck, Homeland Security (Sheriff, Coast Guard, Border Patrol, DEC).
Black Rock Riverside Good Neighbor Planning Alliance	Summary Sheet: Black Rock Canal Village: Proposal to purchase intact remnant of Erie Canal, with water, located just north of mouth of Scajaquada Creek along I-190, and relocate existing original Erie Canal houses to this location. Scajaquada Creek Kayak/Canoe Launch: on Scajaquada Creek/ Black Rock Canal, on brownfield site near West Avenue (Sherwin-Williams Paint Co. site). Potential for small boat-building shop. Historical significance to site (War 1812, shipyard for Perry's fleet). Recommends re-routing Scajaquada Trail to pass site, elevated trail crossing at Niagara Street.
Buffalo Audubon Society, Inc.	Proposal for Niagara Audubon Birds of Prey Center at Joseph Davis State Park (NABOPC)- professional programming about 'Nature of Niagara', significant investment to date in developing concept, choosing site; Aimed at schools, local, tourism markets; range of habitats at park. Facilities: Educational Center Building, outdoor exhibit area, flight demo area, trail system, live animals (non-releasable birds)
Buffalo Niagara Riverkeeper	Principles: increase public access to waterfront; restore clean water/healthy habitats; base economic development on showcasing natural, cultural, & industrial heritage; remove obsolete infrastructure "that impedes the first 3 principles" Clear oversight process for judging consistency with greenway plan & working with committees
Buffalo Niagara Riverkeeper	Project list (September 8, 2006). Lists principles and spreadsheet of specific projects (79 projects: See spreadsheet)
Buffalo Olmsted Parks Conservancy	Advocating incorporating entire Olmsted Parks system into Greenway.
Buffalo Olmsted Parks Conservancy	Vision is to create seamless path/recreational trail system joining Greenway, BOPS. Priorities: 1: Shoreline Trail- 7 projects ($2.5 m); 2: Park Entrances- 7 projects, $1.5m; 3: In-Park Paths- $15 m; 4: Park-to-Park Linkages.

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STAKEHOLDER INTEREST GROUPS INPUT (alphabetical)	
Buffalo State College Maritime Center	BSC Community Maritime Center is an academic program in boat building and design with outreach programs for youth and adults, and a collection of historic boats. Proposes "Maritime Village" at the foot of Porter Avenue to allow greater public access. Master plan of site includes cooperating with West Side Rowing Club, Buff State Research Station, Buffalo Yacht Club, CPO Club, Frank Lloyd Wright Boathouse. "Dick Smith Teaching Pavilion" opened on 9-13. Now working on renovation of National Guard building, dock systems. $400,000 of the $2 million cost secured. Elevations, plan view provided.
Campaign for Greater Buffalo	Eliminate I-190. Create an alternative boulevard along railroad corridor from Scajaquada Creek to I-290. Relocation or rebuilding to current interstate standards is undesirable and too expensive. CGB newspaper with article regarding proposal attached.
Citizens Campaign for the Environment	Use LWRP boundaries as basis; focus on environmental sustainability (restore ecosystem; protect water quality; LEED standards); public participation in process; public access to water
Citizens Regional Transit Corporation (presentation)	Assume alternative energy sources; "transit should be the preferred transportation mode throughout the Greenway" In favor of a commuter line between downtown Buffalo, Niagara Falls, switch to bus/trolley north of Niagara Falls. Suggests potential route.
City of Niagara Falls School District	Resolution re NPC boundary
Disabled American Veterans	Niagara Falls Veterans' Memorial Walkway—DAV proposes walkway along John Daly Boulevard to commemorate all servicemen and servicewomen who die while on active duty.
Ferry Village Area Residents Association (Grand Island) (email from Dave Birt, Consultant Planner to FVARA)	Support bikeway on north side of East Ferry Rd/East River Rd. connecting to trail by River Lea; Cox Rd. Playground. No commercial expansions, no historical designations, no more boat launches, return to pre-2004 zoning.
Freedom Crossing Monument (Lewiston)	Monument to Underground RR. Proposed location- Village of Lewiston Park, North Water St. Proposed sculptor: Youngstown artist Susan Geissler
Grand Island Commission for the Conservation of the Environment presentation	Restore water quality and ecological health to GI tributaries: Woods, Gun, Spicer and Big 6 Mile Creek watersheds. (negative impact of fluctuating water levels) Natural vegetative buffer zones along creeks; education on value of creek buffer zones; incentive funding for residential owners along creeks to plant buffer zones. ("riparian corridors"- ecological-basis)
Grand Island Historical Society at River Lea	Provides history of River Lea historic site, activities of Historical Society. Lists long term plans for River Lea (memorial garden, restoration, outreach, interpretation) Summarizes work completed to date.
Grand Island Quality Quest Coalition James Tomkins, President	6-22-06: supports improved access to River, continuous bike paths, water quality monitoring funding; full-time riverkeepers; Spicer Creek development for fishing, boating, hiking, canoeing, education; East River Marsh Restoration project w. nature center; funding for land acquisition. Attaches proposal for GI Nature Education Center (former East River Marina site). Similar letter on 7-18-06. Presentation: Supports access for all. Ecotourism, continuous bikeway, water quality testing, full time riverkeepers. Conservation easements throughout length of Greenway

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STAKEHOLDER INTEREST GROUPS INPUT (alphabetical)	
Grand Island Quality Quest Coalition James Tomkins, President- follow-up	7-18-06: showcase Niagara as a Great Lakes River and internationally recognized bird area (one of four recognized by UN) and world-class fishery. Urges outreach to non-participants; reiterates points above; adds funding for Buckhorn SP. Urges focus on *River*.
Jeanette Harmon, Aide to County Legislator Michele Ianello; City of Tonawanda resident	Visual improvements to Riverwalk COT (replace cement riprap as was done at Two-Mile Creek); sea lion art project; ferry landing @foot of Gibson St.; lumber heritage; interpretation for transfer lock under HSBC parking lot (at minimum, historical signage); extend public access
Hoyt, Assemblyman Sam	Urging involvement in the Peace Bridge Expansion project-supports Alt.13D (restoration of Front Park, Fort Porter Presidio, lake views/ removes all ramps from Porter Ave.) Rendering attached.
LaSalle Pride presentation	#1. 102nd St. Landfill (Love Canal): trees, elevated shoreline overlook; educational kiosk about Love Canal, gateway improvement. #2: Griffon Park-Little River: restrooms, improve docks, moorings, educational kiosk about LaSalle & Griffon; mini-park at Griffon Rock/amphitheatre; shoreline restoration. #3: Jayne Park- Little River: pedestrian shoreline trail; improved amenities; canoe launch, shoreline restoration; #4. Cayuga/ Bergholtz Creeks: creek maintenance (dredge, clean, stabilize shoreline), remove Point Ave. bridge; canoe launch. #5:Century Club Site: enhanced waterfront park as mid-point on CNF portion of Riverwalk Trail- amenities for bikers, boaters, anglers, pedestrians.
	#6 53rd St. Pier at Riverwalk- improve safety, lighting, at-grade entrance/exit for cars. #7: Riverwalk Extension- improvements along Buffalo Ave/ River Road with sidewalks, bike lanes. Parking lots to reduce on-street pkg. #8: LaSalle Expressway- downgrade to parkway. #9: LaSalle Library Museum- interpretive center. #10. Consider purchase of 80-82 St. @ Buffalo Ave and Niagara Mohawk site at Cayuga Drive/Brandi for open space. #11. Encourage Conservation easements/ setback policy along creeks where feasible.
League of Women Voters of Buffalo/Niagara	In favor of LWRP as basis of boundary; support for "clear & transparent process of oversight" of funds. Attached: Proposed Local Program (policies) 2005-06
Lewiston- Porter Central School District Don Rappold, Interim Supervisor	Forwarding "5-Yr. Capital Facilities Plan" (variety of energy efficiency; water conservation; indoor air quality projects) $3-4 million in recreation projects (football/soccer stadium, cross country track, ties to trails in Lewiston, remediated contaminated soil. List of capital improvements include maintenance building, renovation and addition to team rooms, athletic and playfield projects. HS: entry addition, pool and gym renovations, tennis courts, weight room; MS: entrance road and parking, gym renovations, pool pumps; Intermediate Building: locker room and gym renovations; Primary Building: activity room renovation, bus loop.
Micropark (Jason McCarthy)	Citizen Action Group working to develop an interconnected chain of 25 to 30 micro-parks along the waterfront. Parks themes includes dog parks, skateboarding, fishing, swimming, community gardens, boat tie-ups, "sunset grandstand" (at Front Park), etc.

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STAKEHOLDER INTEREST GROUPS INPUT (alphabetical)	
Niagara Beautification Commission (NBC) Marjorie Gillies, Chair	Commission for the beautification of Niagara Falls. Supports including the City of Niagara Falls, but limiting inland boundary to no greater than 3.5 miles from the shoreline of the Niagara River. For: improved gorge access, maintain natural environment with trails, encourage eco-tourism. Present access is limited; must be regular maintenance; public safety; guides/tours. Supports plans and projects in 'Achieving Niagara's Future' and City's Master Plan.
Niagara County Environmental Management Council	In favor of LWRP as basis of boundary; follow vision of FLO. Return to natural state- Goat Island, RMP, substantial cultural heritage component (Haudenosaunee, American history)
Niagara Frontier Wildlife Habitat Council (grew out of NHP)	Presentation: Supports removal of 6.5 miles of R. Moses Parkway (Niagara Falls to Lewiston), protection of old growth DeVeaux Woods. No mow policy allows succession growth. Favors narrow boundary, Removal of parkway enables natural gorge top landscape. Access to Lewiston remains via I-190. Also: Devil's Hole Access Road; Greenhouse on face of Niagara Power Project; removal of State Parks garage. Greenway: conservation, recreation, non-motorized transportation. Number of attachments (support letters, info on flora of DeVeaux Woods, etc.
Niagara Frontier Wildlife Habitat Council	Re. Lewiston Plateau Wildlife Habitat (letter to Village, not NRGC). Presentation w. UDP
Niagara Heritage Partnership	#1: removal of all lanes of R. Moses Parkway Niagara Falls to Lewiston (6.5mi.). Also: ecology center, preferably at DeVeaux Woods State Park; Joint International Biological Commission; greenhouse over NYPA plant parkway lanes; close parkway lanes over power plant; external elevator to Wrobel Towers for rooftop observation deck; restoration of Devil's Hole SP (bridge access road, remove rock debris, restore CCC railings); possible restoration of "Bloody Run" flow; remove Parks maintenance garage from gorge edge.
Niagara Waterfront Revitalization Task Force	In favor of narrow, "linear" boundary. Need to use Greenway to help City of Niagara Falls.
Niagara Power Coalition	Endorsing by resolutions a municipal boundary with connections to the state-designated trails (see Niagara County for list of resolutions). Cites benefits of increases intermunicipal coordination, open space preservation, connection to inland communities, recreation /tourism promotion and economic development. Focus: Parks & Trails; schools; commercial districts; tourism; multi-use venues; inland tributaries; economic development.
Niagara River Corridor Ecology Center Terry Yonker, (Bflo Ornithological Soc.; Lake Erie Alliance; Great Lakes United; Marine Services Diversified LLC	Natural history, restoration of the ecosystem; research, education of River, Gorge, Falls, shoreline. Elements: Botanical Center (native plants); Bird Observatory; Aquatic Center; Climate Change research center; Natural Science Center.
Niagara Wheatfield Central School District	A planned multi-use trail behind Niagara Wheatfield High School
NYS DEC Region 9 Open Space Ad. Comm.	Requesting time to make presentation re funding for open space
Old Fort Niagara	Outline + Formal submittal: restore Officers Club as museum, (press attachments re. Visitor Center opening)
Old Fort Niagara (email follow-up)	Supports preservation of six buildings erected in early to mid-1700s at OFN. French Castle- oldest structure on Great Lakes basin & one of few French military structures. Important man-made resources.

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STAKEHOLDER INTEREST GROUPS INPUT (alphabetical)	
Polish Arts Club of Buffalo, Inc. (Dr. Peter Gessner)	"Slawinski Trail": powerpoint/ photos, brochure (NOTE: in separate envelope due to size)
Polish Arts Club (second letter) also, presentation	Identify places of interest; creation of mini-interpretive sites (pull-offs); vistas; signage; access; connections (conceptual) to increase cross-visitation. Officers Club at Fort Niagara SP
Presbytery of WNY	Sustainability and solidarity
Primate Sanctuary Inc. (Wilson) Carmen Presti	Proposed primate sanctuary in Wilson with trails along 12Mile Creek-email requests whether it would be eligible under greenway program
Primate Sanctuary Inc. (Wilson) Carmen Presti	Proposal re. proposed sanctuary with project description, concept plan of facility, paths, etc.
Sierra Club	Access is important, but areas of natural preserve vital; consider regulating private property within Greenway (see Adirondacks)
Waterfront Village Advisory Council (represents 9 developments/ 304 homes)	#240-260 Lakefront Bvd as passive recreation space: only public access in Waterfront Village. Owned by BURA
West River (GI) Homeowners' Association Frank Greco, President	HOA supports maintenance of traffic on West River Parkway, with beautification of river view by clearing out obstructive brush and creating random vistas along River and at intersections and overlooks.

NOTE: River Road Homeowners Association (Wheatfield) is endorsed by Town, and included in municipal folder

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NATIONS	Contact	Summary of Comments
Haudenosaunee-Tonawanda Seneca Nation	Chief Roger Hill	Haudenosaunee **Heritage Tourism**: Native heritage trail along River; enhanced signage on cultural significance; Native American programming in State Parks. **Customary Usage**: protection for burials, cultural properties; repatriation of human remains, customary objects; sales of authentic crafts; access to areas for ceremonial purposes; customary hunting, fishing, gathering uses. **Environmental Restoration**: indigenous species, co-management plans with resource agencies, balance economic revival with environmental needs, safe, healthy, edible plants, wildlife. **Interpretation**: increase level of Native oral histories used in local interpretive programs, Haudenosaunee artistry in exhibits, programs, acknowledge Haudenosaunee contributions to region. **Consultation:** Greenway Commission to consult with Haudenosaunee on Native projects or concepts along Greenway.
Haudenosaunee-Tuscarora Nation	Chief Leo Henry	Haudenosaunee **Heritage Tourism**: Native heritage trail along River; enhanced signage on cultural significance; Native American programming in State Parks. **Customary Usage**: protection for burials, cultural properties; repatriation of human remains, customary objects; sales of authentic crafts; access to areas for ceremonial purposes; customary hunting, fishing, gathering uses. **Environmental Restoration**: indigenous species, co-management plans with resource agencies, balance economic revival with environmental needs, safe, healthy, edible plants, wildlife. **Interpretation**: increase level of Native oral histories used in local interpretive programs, Haudenosaunee artistry in exhibits, programs, acknowledge Haudenosaunee contributions to region. **Consultation:** Greenway Commission to consult with Haudenosaunee on Native projects or concepts along Greenway.

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Summary of HIPS Compiled by Buffalo Niagara Riverkeeper

Buffalo River AOC and Outer Harbor, City of Buffalo

LOCATION AND PROJECT	HABITAT/SPECIES	JURISDICTION	OTHER BENEFITS	NOTES
Tifft Nature Preserve: Replace Culvert connecting Lake and Lake Kristy	Aquatic Hydrology	Bflo Science Museum/City	Recreation and public access	Invert currently too high and in low lake levels, Tifft wetlands adversely affected
Tifft Nature Preserve: Nesting Platforms for Raptors	Raptors			
Bell Slip – Land surrounding on South end: Fish (Musky) habitat nursery Keystone SPP	Musky Spawning; submerged & emergent vegetation (wild celery,2-6')		Restoration could include Sandy Beach – Recreation to south	Area could be carved out to create shallows
Shoreline between Bell Slip and Seaway Piers; scalloped edges to create diverse habitats and break wave action	Microenvironment creation for fish and vegetation, arctic rush	NFTA Erie County	Public access to water along proposed bike path	URGENT - project going into design now *200'setback
NYPA Ice Boom Lands	Needs to be investigated for habitat value	NYPA	Public Access to outer harbor	Next to Times Beach; could be a part of that project; NYPA obliged to restore
Outer Harbor Breakwall "Islands" through careful extensions of breakwalls	Avian and Fish	Army Corp	Could include limited public and fishing access	
Times Beach	Wetland/upland	Army Corp; City	Nature Trails	Might be able to support ongoing project
Outer Harbor Sturgeon Spawning Areas Enhancements	Sturgeon			Areas need to be identified specifically
South Park/Lake Erie Connection through wetland restoration	Wetlands Grassland management	DEC City of Buffalo	Possible Golf Course	
Altifft Property Improvements: removal of lime pile	Wetland/Grasslands	City of Buffalo		Needs to be cleaned up before any neighborhood wetland restoration is done
LTV Site: Riverine shoreline restoration	Riverine/riparian (terminology question)		Possible Public Trails	Needs to be planned now as remediation work begins; Oil contamination
Concrete Central Peninsula upland habitat protection and enhancement	Riverine and upland – ecologically connected to Tifft	Railroads	Nature Trails – Connection to Smith Street	This area need to be investigated for potential contamination – vanadium, cadmium, chromium (USGS source)
Katherine Street Peninsula – Habitat Protection	Heron Rookery	City of Buffalo		Small area needs protection

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Niagara River, City of Buffalo

LOCATION AND PROJECT	HABITAT/ SPECIES	JURISDICTION	OTHER BENEFITS	NOTES
Donnolly Wall (breakwall across from LaSalle Park): Protection for C. Terns	C. Terns, breeding habitat	Army Corp		Need some structure so chicks don't fall off (cement lip, pea gravel for drainage) local share by NYPA would expedite
Bird Island Submerged vegetation protection	Wetland, submerged & island			Area is working well as habitat; needs protection; good model for other projects
North End Squaw Island Habitat Enhancements	Wetlands; Small White Ladyslipper, marsh horse tail, yellow flowering loosestrife	City of Buffalo Erie County	Part of Park; fishing access	Habitat restoration is sparse; could be greatly enhances especially at lake on north end
Strawberry Island : East Arm Wetland Cell	Wetland	DEC		Project already planning; needs funding to complete
Motor Island Shoreline Enhancement	Wetland	DEC		Removal of infrastructure; north end shallow enhancement
Shallows between Strawberry and Motor Island (Mink, Frog Islands)	Wetland, Submerged Vegetation	DEC		Could provide ideal fish /avian habitat
North of Riverside Park shallows area	Aquatic			Could be enhanced

Niagara River, Grand Island

LOCATION/PROJECT	HABITAT	JURISDICTION	OTHER BENEFITS	NOTES
Beaver Island State Park: Loop Road Mitagation to soften ease end; rock/vegetation outcroppngs	Aquatic, emergent vegetation	State Parks DEC		Breakwall might help protect aquatic habitat from boat wake
Beaver Island State Park: Coastal Wetland on North End of Little Beaver Island Restoration	Wetland, Marsh	State Parks DEC	Nature Trail	Former Wetland. See bank exists under fill, phragmites has invaded
Beaver Island State Park: Sled Hill Meadow Mitigation	Wet Meadow Habitat	State Parks DEC		
Spicer Creek: Culvert Repair & Upland Area	Aquatic, Fresh Mussels, Forested Wetland – Osprey Habitat	DEC	Recreational Opportunity; education	Culvert too high; needs to be lowered for better hydrology/fish migration Adjacent 280 acres needs trails, historic interpretation

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LOCATION/PROJECT	HABITAT	JURISDICTION	OTHER BENEFITS	NOTES
Ferry Landing just south of Holiday Inn	Grasslands, Stiff-I Gold.spp. habitat (threatened)	DEC/Grand Island	Public Access/fishing	No other public access all the way to south bridge
Gun Creek Protection and Improvements	Diverse, Forested Wetland, Aquatic Grassland	DEC	Education/restoration/recreation/protection	Pockets of fairly intact habitat/current healthy fish migration
West of South Grand Island Bridge (old Sewer treatment Plant)			Public Access/Fishing/recreation	Old sewage treatment plan to be ripped out
Grass Island Protection Zone	Aquatic, Ped Bill Grebe Nesting, other ducks	DEC	Important cover/habitat for waterfowl & Fish	Areas should not be used by boaters - need protection and education
Buckhorn Island State Park Spawning Areas (Studies underway)	Aquatic	DEC		NYPA doing studies
Buckhorn Island State Park: Management and Weir Maintenance	Aquatic	DEC		Needs plan for long term sustainabilty
West River Parkway Improvement and/or Removal (Riparian reclamation)	Riverine		Public Access needed along Parkway	Parkway and Service Roads underutilized; could be made into habitat with more public access
Big Six Mile Creek Invert Lowering	Aquatic	DEC		Culvert too high for fish migration
Big Six Mile Creek Nature Trail, ACQI Diocese Land	Diverse		Nature Trails	Needs bridge/move trail
Eco Island Connection	Diverse		Nature Trails	Connect to Big Six Mile Nature Trail

APPENDIX E

Tonawanda and Ellicott Creek Corridors (some of these may fall outside the Greenway boundary)
Tonawanda, North Tonawanda, Amherst, Pendleton and points East

LOCATION/PROJECT	HABITAT	JURISDICTION	OTHER BENEFITS	NOTES
North of South Grand Island Bridge Access Point in Tonawanda - access point	Riparian	United Refining	Public Access/Fishing	Adjacent to Ashland Site
Klydell Wetland (my notes are incomplete here)	Mature Forested Wetland	North Tonawanda	Nature Trails	Rare, old growth trees present.
Ellicott Creek Park, Ellicott Creek Diversion Channel Habitat Enhancements.	Wetlands	Army Corp/Erie County	Enhancement of Bike Trails	Overflow areas could be transformed into habitat areas and function as wetlands
Ellicott Creek Park Island Enhancements, South Channel	Aquatic Emergent/Submergent	Town of Tonawanda	Habitat Improvements/Fishing	Needs some channel dredging, planting of emergent vegetation for fish habitat
Flood conversion cross-over, Tonawanda to Ellicott Creek, Ellicott Park		Erie COunty		
Ellicott Creek – Convert Cannel to wetland				Mark Kandell
Nine Mile Island, Tonawanda Creek protection	Aquatic; Riverine; Forested			Good habitat; needs protection
Mudd Creek Former Channel Enhancement and Protection (40 acres)	Wetland; riparian (very healthy)		Nature Trails	Areas closed during channelization; good wetlands that need protection
Mudd Creek / Tonawanda Creek Peninsula protection	Wetland; riparian; Walleye spawning	Private	Fishing/Education/Access	Needs protection; Owner can clear right to bank, largely undeveloped
Upper Reaches of Mudd Creek Protection	Aquatic; wetland; riparian; forested			One of few areas left unchannelized; needs protection
Tonawanda Creek Riffles (Transit and others)	Aquatic; mussels; Longeared sunfish			Highly Productive areas; Need Protection; Threatened fish spp. Habitat
Tonawanda and Ellicott Creek Canoe Trail/Launch Site: need areas for car top access. Canoe Launch site on south side of Tonawanda Creek at confluence with canal: State land with curb cuts but needs parking			Canoe Trail	Much of the property along Creeks is private; water is good way to acess
Northern Tip of Tonawanda Island	Forested Wetland		Restoration/Access	Adjacent to Smith Boys property

APPENDIX E

Niagara River, Niagara Falls

LOCATION/PROJECT	HABITAT	JURISDICTION	OTHER BENEFITS	NOTES
NOTE: Ongoing NYPA studies on Cayuga, Gill and Fish Creeks due 11/03.				
102 Street Landfill Shoreline Restoration	Aquatic	City of NF	Public Access	
102 Street Landfill Grassland Management	Grasslands	who owns the dump?		Grasslands on top of containment area should be managed as habitat; bird area
Cuyoga /Berzholt Creek Confluence enhancement (and Black Creek	Aquatic		Habitat Restoration	Areas has been degraded; needs improvement; severe channelization could be restored
Southern Robert Moses Parkway Shoreline Improvements	Riparian	Parks	Recreational Trail	Too much area mowed; could be restored as habitat
Southern Moses Parkway Intakes enhancement		NYPA	Recreational Educational Interpret. Historic Interp/Fort	Possibility of removing bulkheads to restore/preserve edge
Adams Beck Intake "current break" enhancements	Aquatic		Fishing improvement Historic Interpretation	Fish habitat restoration
Gill Creek			Urban Stream, neighborhood improvements	
Hyde Park Shoreline Restoration and Management	Wetland/Aquatic – Unusual Fish Varieties Present	City of NF	Restoration	Manage east end of Park to improve habitat. Replant emergent plants. Address erosion from mowing.
Spoils Pile Habitat Protection	Trees (willows)/shrubs	NYPA	Recreational/bird watching	Manage as a natural area
Aquaduct Linear Habitat Improvements: Forming a linear park from intakes to ? with grasslands and native tree plantings	Grassland	NYPA	Recreations Bike Trail, Nature Trail Env. Interpretation	Replanting needed
Goat Island Habitat Restoration and limitation (elimination) of parking	Diverse/Riparian/Upland Forest/Aquatic	Parks		Tree/shrub plantings; Elimination of invasives; protection from cats
Niagara Gorge Escarpment Protection Project (Along Niagara River and across state)	Unique Habitat	Parks NYPA Various	Public Access Interpretation	Use Bruce Trail as prototype
Niagara Gorge Escarpment Protection: buffer along rim	Unique habitat	Parks NYPA	Public access Neighborhood Access	Remove all four lanes of Robert Moses Parkway

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LOCATION/PROJECT	HABITAT	JURISDICTION	OTHER BENEFITS	NOTES
Niagara Gorge Invasive Species Eradication	Unique Habitat	Parks NYPA		
Niagara Gorge Native Plant enhancement	Unique Habitat	Parks NYPA		Restore native vegetation as much as possible
Niagara Gorge Plant Erosion Tolerant Species Experimentation	Riparian			Finding the appropriate species would assist in protecting the shoreline from erosion with high fluctuation.
Lower Niagara Gorge Trail Improvements			Public access for fishing, hiking	
DeVeaux Campus Old Growth Forest Protection	Old Growth Forest (upland)		Nature trails	Needs buffer, connections along roadways
Fish Creek Channelization	Riparian	Various		
Reservoir-Fish Preservation	Aquatic	NYPA	Fishing	Needs structures to protect fish from water drawdowns and shoreline restoration.
Identification/Preservation of Sturgeon spawning habitat	Aquatic		Education	Need studies/spawning habitat is lacking
NYPA Intakes	Creek, Riparian, Habitat for birds			

Lower Niagara River, Lewiston/Youngstown/Niagara/Porter

LOCATION/PROJECT	HABITAT	JURISDICTION	OTHER BENEFITS	NOTES
Art Park Escarpment Restoration and Enhancement to include elimination of invasive species and planting of native vegetation	Niagara Escarpment	Parks	Public Access; improved signage Interpretation of Geology and Origin of Falls	
Art Park Fishing Access near Lewiston	Riparian	Parks	Public Access	The Area is currently being used but because there is little or no infrastructure, there is erosion. Access needs to be controlled.
HoJack RR Line Protection	Escarpment		Recreation/Historic Interpretation	Erosion Control Important

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LOCATION/PROJECT	HABITAT	JURISDICTION	OTHER BENEFITS	NOTES
Stella Niagara Waterfront Property and Lewiston Pumping Station	Riparian	Town Sisters of Mercy	Recreation	
Joseph Davis State Park River Improvement	Riparian	State	Recreation and fishing access	
Joseph Davis State Park Wetland Connection Project	Wetland/Grassland/Wet Forest/Vernal pools	State Parks		Wetlands would be greatly enhanced by connecting them
Bond's Lake Protection – Shoreline Restoration	Aquatic/Upland Forest	State Parks		Lake deepening/shoreline restoration
Ponds along RMP, Porter	Aquatic, Mud Flats		Habitat Restoration	Rehabilitated
Spotted Turtle Habitat Preservation				NE Niagara County – only area in region
O'Connor Farm	Grassland			

APPENDIX F

SITES ON THE NATIONAL REGISTER OF HISTORIC PLACES[1]

Site	Address	Municipality	Date Listed	Multiple [2]
ERIE COUNTY				
33--61 Emerson Place Row	33--61 Emerson Pl.	Buffalo	1986	Masten Neighborhood Rows TR
Albright-Knox Art Gallery	1285 Elmwood Ave.	Buffalo	1971	
Allentown Historic District	Off NY 384	Buffalo	1980	
Berkeley Apartments	24 Johnson Park	Buffalo	1987	
Birge--Horton House	477 Delaware Ave.	Buffalo	2004	
Blessed Trinity Roman Catholic Church Buildings	317 LeRoy Ave	Buffalo	1979	
Buffalo and Erie County Historical Society	25 Nottingham Ct.	Buffalo	1980	
Buffalo City Hall	65 Niagara Sq.	Buffalo	1999	
Buffalo Electric Vehicle Company Building	1219-1247 Main St.	Buffalo	2005	
Buffalo Gas Light Company Works	249 W. Genesee St.	Buffalo	1976	
Buffalo Main LIght	Buffalo River	Buffalo	1984	U.S. Coast Guard Lighthouses and Light Stations on the Great Lakes
Buffalo North Breakwater South End Light	Buffalo Harbor	Buffalo	1983	U.S. Coast Guard Lighthouses and Light Stations on the Great Lakes
Buffalo State Asylum for the Insane	400 Forest Ave.	Buffalo	1986	
Buffalo State Hospital	400 Forest Ave.	Buffalo	1973	
Cazenovia Park-South Park System	South Park, NW along McKinley Pkwy. to Cazenovia Park, NW along McKinley Pkwy. to Heacock Park	Buffalo	1982	Olmsted Parks and Parkways
Concrete--Central Elevator	175 Buffalo River	Buffalo	2003	Buffalo Grain and Materials Elevator

[1] List includes only sites listed on the National Register of Historic Places within the Niagara River Greenway boundary. Figure 7 includes additional locally significant sites and sites outside the Greenway.
[2] Multiple refers to sites that are on the National Register as part of a group application

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Site	Address	Municipality	Date Listed	Multiple
Connecticut Street Armory	184 Connecticut St.	Buffalo	1995	Army National Guard Armories in New York State
County and City Hall	95 Franklin St.	Buffalo	1976	
Delaware Avenue Historic District	W side of Delaware Ave. between North and Bryant Sts.	Buffalo	1974	
Delaware Avenue Methodist Episcopal Church	339 Delaware Ave.	Buffalo	2003	
Delaware Park-Front Park System	Front Park, Porter Ave. to Symphony Cir., N along Richmond Ave., Bidwell Pkwy., Gates Cir. and Delaware Park	Buffalo	1982	Olmsted Parks and Parkways
Dorsheimer, William, House	434 Delaware Ave.	Buffalo	1980	
Durham Memorial A.M.E. Zion Church	174 E. Eagle St.	Buffalo	1983	
EDWARD M. COTTER (fireboat)	Jct. of Michigan and Ohio Sts. on the Buffalo River	Buffalo	1996	
Engine House No. 28	1170 Lovejoy St.	Buffalo	2001	
Forest Lawn Cemetery	1411 Delaware Ave.	Buffalo	1990	
Fosdick-Masten Park High School	Masten Ave. and E. North St.	Buffalo	1983	
Hellenic Orthodox Church of the Annunciation	1000 Delaware Ave.	Buffalo	2002	
How, James and Fanny, House	41 St. Catherine's Crt.	Buffalo	1997	
Johnston, Edwin M. and Emily S., House	24 Tudor Pl.	Buffalo	1997	
Kelly, Col. William, House	36 Tudor Place	Buffalo	1997	
King, Martin Luther, Jr., Park	Roughly bounded by Northampton St., E. Parade Ave., Best St. and Kensington Expressway	Buffalo	1982	Olmsted Parks and Parkways
Kleinhans Music Hall	Symphony Circle	Buffalo	1989	
Lafayette High School	370 Lafayette Ave.	Buffalo	1980	

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Site	Address	Municipality	Date Listed	Multiple
Laurel and Michigan Avenues Row	1335--1345 Michigan Ave.	Buffalo	1986	Masten Neighborhood Rows
Macedonia Baptist Church	511 Michigan Ave.	Buffalo	1974	
Martin, D. D., House Complex	123 Jewett Pkwy.	Buffalo	1975	Olmsted Parks and Parkways TR
Martin, Darwin D., House	125 Jewett Pkwy.	Buffalo	1986	
NASH (harbor tug)	1776 Niagara St.	Buffalo	1991	
New York Central Terminal	495 Paderewski Dr.	Buffalo	1984	
Parkside East Historic District	Roughly bounded by Parkside Ave., Amherst St., Colvin Ave., NY Central RR tracks, Main St., Humboldt Ave.	Buffalo	1986	Olmsted Parks and Parkways
Parkside West Historic District	Roughly bounded by Amherst St., Nottingham Terr., Middlesex Rd., and Delaware Ave.	Buffalo	1986	Olmsted Parks and Parkways
Pierce Arrow Factory Complex	Elmwood and Great Arrow Aves.	Buffalo	1974	
Prudential Building	Church and Pearl Sts.	Buffalo	1973	
Riverside Park	Roughly bounded by Vulcan, Tonawanda, Crowley, and Niagara St.	Buffalo	1982	Olmsted Parks and Parkways
Roosevelt, Theodore, Inaugural National Historic Site	641 Delaware Ave.	Buffalo	1966	
Saturn Club	977 Delaware Ave.	Buffalo	2005	
School 13	266-268 Oak St.	Buffalo	2005	
Shea's Buffalo Theater	646 Main St.	Buffalo	1975	
South Buffalo North Side Light	Buffalo Harbor	Buffalo	1983	U.S. Coast Guard Lighthouses and Light Stations on the Great Lakes
St. Andrew's Evangelical Lutheran Church Complex	Sherman and Peckham Sts.	Buffalo	1983	
St. Paul's Cathedral	139 Pearl St.	Buffalo	1987	
St. Paul's Episcopal Cathedral	125 Pearl St.	Buffalo	1973	
Stone Farmhouse	60 Hedley Pl.	Buffalo	1999	

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Site	Address	Municipality	Date Listed	Multiple
Trico Plant No. 1	817 Washinton St.	Buffalo	2001	
U.S. Post Office	121 Ellicott St.	Buffalo	1972	
USS THE SULLIVANS (destroyer)	1 Naval Cove Pk.	Buffalo	1986	
West Village Historic District	Roughly bounded by S. Elmwood Ave., Chippewa, Georgia, Prospect, Carolina and Tracy Sts.	Buffalo	1980	
Wile, M., and Company Factory Building	77 Goodell St.	Buffalo	2000	
Wollenberg Grain and Seed Elevator	131 Goodyear Ave.	Buffalo	2003	Buffalo Grain and Materials Elevator
Woodlawn Avenue Row	75--81 Woodlawn Ave.	Buffalo	1986	Masten Neighborhood Rows
Young Men's Christian Association Central Building	45 W. Mohawk St.	Buffalo	1983	
Spaulding--Sidway Boathouse	2296 W. Oakfield Rd.	Grand Island	1998	
Eberhardt Mansion	2746 Delaware Ave.	Kenmore	1983	
Kibler High School	284 Main St.	Tonawanda	1999	
Tonawanda (25th Separate Company) Armory	79 Delaware Ave.	Tonawanda	1994	Army National Guard Armories in New York State
US Post Office--Tonawanda	96 Seymour St.	Tonawanda	1989	US Post Offices in New York State, 1858-1943
NIAGARA COUNTY				
Frontier House	460 Center St.	Lewiston	1974	
Lewiston Mound	Address Restricted	Lewiston	1974	
Lower Landing Archeological District	Address Restricted	Lewiston	1974	
Adams Power Plant Transformer House	Buffalo Ave. near Portage Rd.	Niagara Falls	1975	

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Site	Address	Municipality	Date Listed	Multiple
Deveaux School Historic District	2900 Lewiston Rd.	Niagara Falls	1974	
Former Niagara Falls High School	1201 Pine Ave.	Niagara Falls	2002	
Holley-Rankine House	525 Riverside Dr.	Niagara Falls	1979	
Jefferson Apartment Building	250 Rainbow Blvd.	Niagara Falls	2005	
Marshall, James G., House	740 Park Place	Niagara Falls	2004	
Niagara Falls Armory	901 Main St.	Niagara Falls	1995	Army National Guard Armories in New York State MPS
Niagara Falls City Hall	745 Main St.	Niagara Falls	2001	
Niagara Falls Public Library	1022 Main St.	Niagara Falls	1974	
Niagara Reservation	Niagara Reservation	Niagara Falls	1966	
St. Mary's Nurses' Residence	542 6th St.	Niagara Falls	2004	
Town of Niagara District School No. 2	9670 Lockport Rd.	Niagara Falls	2005	
U.S. Customhouse	2245 Whirlpool St.	Niagara Falls	1973	
United Office Building	220 Rainbow Blvd.	Niagara Falls	2006	
US Post Office--Niagara Falls Main	Main and Walnut Sts.	Niagara Falls	1989	US Post Offices in New York State, 1858-1943, TR

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Site	Address	Municipality	Date Listed	Multiple
Whitney Mansion	335 Buffalo Ave.	Niagara Falls	1974	
Williams, Johann, Farm	10831 Cayuga Dr.	Niagara Falls	1980	
Carnegie Library	249 Goundry St.	North Tonawanda	1995	
Herschell, Allan, Carousel Factory	180 Thompson St.	North Tonawanda	1985	
Riviera Theatre	27 Webster St.	North Tonawanda	1980	
US Post Office--North Tonawanda	141 Goundry St.	North Tonawanda	1989	US Post Offices in New York State, 1858-1943, TR
Fort Niagara Light	Niagara River	Youngstown	1984	U.S. Coast Guard Lighthouses and Light Stations on the Great Lakes TR
Old Fort Niagara--Colonial Niagara Historic District	N of Youngstown on NY 18	Youngstown	1966	
St. John's Episcopal Church	117 Main St.	Youngstown	1990	

Source: National Park Service National Register of Historic Places: http://www.cr.nps.gov/nr/index.htm

APPENDIX G

Technical Memorandum

ECONOMIC AND FISCAL IMPACT ANALYSIS FOR IMPLEMENTATION OF THE NIAGARA RIVER GREENWAY PLAN

PREPARED FOR THE NIAGARA RIVER GREENWAY COMMISSION

SUBMITTED NOVEMBER 2006
REVISED FEBRUARY 2007

Prepared by Ecology and Environment, Inc.

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1.0 Purpose

The Niagara Power Project Relicensing Settlement Agreement is expected to have a significant positive impact on the economy, culture, and environment in all of Erie and Niagara counties, with the most significant impacts occurring in communities located directly along the Niagara River. As a result of the relicensing process, approximately $450 million in funds will be available to host communities and government agencies through the New York Power Authority (NYPA) over the next 50 years for use on various recreational, heritage and environmental restoration projects. A myriad of economic, environmental and cultural benefits can be realized through effective allocation and utilization of these funds. However, the long-term operation and maintenance of the facilities constructed with these funds will have some fiscal implications for the municipalities and organizations responsible for their upkeep.

This Technical Memorandum, using available information, will identify, and to the extent practicable, quantify the economic benefits and the fiscal costs associated with implementing the proposed Niagara River Greenway Plan (Greenway Plan). As part of this analysis, the Technical Memorandum will generally describe the economic and fiscal characteristics of the host counties and municipalities; discuss current funding estimates; analyze the anticipated direct and indirect economic benefits of the project; and provide an estimate of the net fiscal implications of the proposed project.

Due to the conceptual nature of the Greenway Plan, a detailed economic and fiscal analysis for specific projects will not be presented at this time. However, whenever possible, literature studies have been completed to identify level of magnitude estimates for the economic and fiscal impacts expected to occur as a result of implementation of specific demonstration concepts. As individual projects are selected, further analysis should be undertaken.

This Technical Memorandum is not a position paper on what is viewed as the "best" allocation of funds. Instead, it will use information and data gathered from similar established projects to document the types of economic benefits that are expected to occur as a result of these plans and provide level-of-magnitude estimates for these economic benefits.

2.0 Existing Environment

The Niagara Corridor, which follows the Niagara River running south to north from Lake Erie to Lake Ontario, traverses Erie and Niagara counties; the City of Buffalo and the City of Niagara Falls; the Tuscarora Reservation; and nine other municipalities on the American side of the river. Both counties and 11 municipalities are a part of the Buffalo-Niagara Metropolitan Statistical Area.

As noted in the 2000 U.S. Census, Niagara and Erie counties have a combined population of approximately 1,117,000 residents. Niagara County and Erie County have population densities of 420 and 910 people per square mile, respectively. Overall, the total population of the Buffalo-Niagara region and Erie and Niagara Counties has declined over the last ten years.

The two largest municipalities within the Greenway in Erie County are the City of Buffalo and the Town of Tonawanda. The largest municipality in Niagara County located within the Greenway is the City of Niagara Falls.

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The regional median household income was $38,400 and per capita income was just over $20,000. Approximately 12% of the population was identified as living below the poverty line. Demographics of the Greenway municipalities are shown in Table 1 below. The table includes data for the Tuscarora Reservation, which is located in the Town of Lewiston. As shown in the table, most of the municipalities have higher median household incomes than the regional average.

Table 1 Area Demographics

Municipality	Population	Persons per Square Mile	Median Household Income	Persons Below Poverty
Erie County				
City of Buffalo	292,648	7,205.8	$24,536	14%
Town of Tonawanda	78,155	4,156	$41,453	6.9%
City of Tonawanda	16,136	4252.9	$37,523	7.1%
Town of Grand Island	18,621	653	$60,432	3.0%
Village of Kenmore	16,426	11,733	$42,252	5.2%
Niagara County				
City of Niagara Falls	55,593	3,955	$26,800	19.5%
City of North Tonawanda	33,262	3,293	$39,154	7.2%
Town of Lewiston	16,257	436	$50,819	5.8%
Town of Wheatfield	14,086	504	$51,700	4.2%
Town of Porter	6,920	85.7	$50,425	4.1%
Village of Lewiston	2,781	2,610	$37,598	8.6%
Village of Youngstown	1,957	1,687	$48,333	3.9%
Tuscarora Reservation	1,138	122.8	$32,500	13.0%

2.1 Regional and Local Economic Characteristics

Historically, the Buffalo-Niagara regional economy was characterized by a combination of heavy industry, manufacturing, and shipping that was originally established due to its geographic location within the Great Lakes basin and the Niagara River. The ease of transporting goods by ship via Lake Erie and the Erie Canal established the Buffalo-Niagara region as a premier industrial shipping port for the movement of the raw materials, crops and supplies from the Midwest to East Coast markets. In addition, later in the nineteenth century, the abundance of low cost hydroelectric power from power plants using the Niagara River gave energy-intensive manufacturing a competitive advantage to locate in the area.

The historical importance of shipping, heavy industry, and manufacturing to the regional economy has declined since end of the Second World War. Great Lakes transport through the Erie Canal experienced a marked decline with the construction of the St. Lawrence Seaway and the Welland Canal. Manufacturing and other heavy industries experienced a sharp decline in the Buffalo-Niagara region in the 1970's when there were industry-wide changes in the steel and petrochemical manufacturing sectors due to increased input costs and foreign competition.

For example, total manufacturing employment in the Buffalo-Niagara Metropolitan Statistical Area (MSA) declined from a high in 1970 of approximately 170,200 workers to a just under 88,140 workers in 2000 (U.S. Bureau of Economic Statistics 2006). While more recent data are

not yet published, manufacturing employment in the MSA has continued to decline through the decade as a result of reorganization of the U.S. automobile industry and its suppliers.

Manufacturing activity has continued to decline in favor of service and retail trade industries. In 1970, services and retail trade industries employed approximately 92,000 and 93,000 workers, respectively. In contrast, by 2000, service industries employed 211,000 workers and the retail trade sector had 115,000 employees.

Total employment and total personal income in the Buffalo-Niagara MSA has fluctuated over the past several years, and is presented in the table below. From 2001 to 2004 total employment has remained essentially constant. At the same time total personal income, when expressed in current dollars, has increased. However, when the effects of inflation are taken into account total personal income has also remained relatively constant.

Table 2 Total Industry Employment and Income for Buffalo-Niagara Falls, NY MSA, 2001-2004

	2001	2002	2003	2004	% Change 2001 - 2004
Personal Income	32,306,291	32,951,233	34,135,135	35,773,370	10.7%
Total Employment	639,539	636,221	638,575	644,089	0.7%

Source: Bureau of Economic Analysis 2006
Note: Personal income levels are expressed in current dollars (i.e. not adjusted for inflation).

According to U.S. Department of Commerce statistics on personal income by industry, the top five industry sectors where most individuals derive their income in the Buffalo-Niagara Falls, NY MSA are manufacturing, government jobs, health care and social assistance, professional services and retail trade (Bureau of Economic Analysis 2006).

Similarly, the number of full-time employees by industry parallels the personal income industries mentioned above. The top five industries by number of employees in the Buffalo-Niagara Falls, NY MSA area are government, manufacturing, health care and social services, retail trade, and accommodation and food services (Bureau of Economic Analysis 2006).

Tourism is a significant economic factor within the Niagara River Greenway. Niagara Falls is one of the premier tourist attractions in the State of New York and was ranked as the 30th most popular destination for foreign tourists visiting the United States by the U.S. Department of Commerce, Office of Travel and Tourism's Annual Survey of International Air Travelers. As stated in Section 2.A of the Plan, approximately 8 million visitors visit the Niagara Falls State Park per year. The economic impact of tourism in the Buffalo-Niagara MSA, particularly in Niagara Falls, accounts for more than $2.82 billion in annual spending, and wages of $1.5 billion.

In a study commissioned by the USA Niagara Development Corporation, it was estimated that approximately 9.3 million person trips were made in 2003 to tourist attractions in Niagara Falls, NY. An additional 14.2 million person trips were made to Canadian attractions during the same time period. This influx of tourists injects a large amount of funds into the regional economy. In 2002, an average person visiting the Greater Niagara region spent approximately $83.50 per

person per day. Assuming 9.3 million person trips per year, this equates to an injection of almost $780 million a year into the city's economy (Economics Research Associates 2004).

In addition to the obvious economic benefits from Niagara Falls tourism, the local economy benefits from other tourism and recreational activities that are directly associated with the river, such as fishing, recreational boating, and wildlife observation. Throughout the Greenway, commercial uses such as restaurants, marinas, boat sales/services, and active/passive recreational opportunities such as fishing and hunting contribute to local employment and consumer spending.

The region's key location and large endowment of natural resource assets benefits tourism, in particular eco-tourism and visitation based on historic cultural amenities. In addition to Niagara Falls, tourism in the region is also impacted favorably by:

- The natural resources of the Great Lakes,Niagara Falls and the Niagara River,
- Proximity to Canada,
- Historic, world-renowned architecture and cultural amenities
- Historic forts and battlefields from the French and Indian War, and the War of 1812; and
- Agriculture and related eco-tourism in Niagara and Erie and farming

Tourism and recreational activities such as fishing, recreational boating, and wildlife observation are also very important in the region and are specifically related to the natural resources of the Great Lakes/Niagara River. The September 2006 issue of Outdoor Life magazine touted the Buffalo, NY area as the number one destination for fall fishing in the country.

> *"Few places in America measure up to the waters around Buffalo, N.Y., for variety and quality of fishing. Within a few minutes' drive of the bustling downtown, fishermen can work the sprawling Lake Erie waterfront for smallmouth bass and walleyes; fish in the picturesque Niagara River for smallies, walleyes, trout and salmon; or tap nearby Lake Ontario for the same species. The proximity of these three diverse waterways affords Buffalo-area anglers the opportunity to catch fish in virtually any weather 12 months of the year." (Outdoor Life, September 2006)*

The local economic benefits from these industries are significant. In 2001, a total of 108,264 fishing licenses were sold in Erie and Niagara counties. This figure represented approximately 10.4% of the total fishing license sales for the entire state (while Erie and Niagara only represented about 6% of the total State population in the year 2000). For the same year, according to a report published by the U.S. Department of the Interior, among other agencies, it was estimated that the average angler in New York State spent about $685 per year. Combining these two figures, there was an estimated $74.2 million expended on activities related to fishing in Erie and Niagara counties during the 2001 season.

In addition fishing, recreational boating and wildlife observation activities are important and directly benefit from natural resource values of Lake Erie, Lake Ontario, and the Niagara River. According to a 2003 report, "Recreational Boating Expenditures in 2003 in New York State and Their Economic Impacts," the Western New York area, which includes Niagara, Erie, Chautauqua, Cattaraugus, and Allegeny Counties, had an overall economic impact from recreational boating of $159.5 million. This figure includes trip and non-trip related expenditures, boat purchases, as well as direct, indirect, and induced economic impacts. While this figure accounts for boating activities on more bodies of water than just those related to the Niagara River corridor, it shows the significance of these boating activities to the overall economy.

2.2 Fiscal Characteristics

There are large variations in the size and make up of municipalities located within the Greenway. Some municipalities such as the City of Buffalo are large urban communities that have corresponding large municipal budgets. Others such as the Town of Porter are relatively small rural communities.

As shown on Table 3, municipalities within the Greenway have annual expenditures ranging from $1.1 billion (City of Buffalo) in 2004 to just over one million dollars for many of the smaller municipalities.

Spending for recreational/cultural purposes in all cases is a relatively small portion of the municipalities' total expenditures. As with the overall expenditures, total cultural and recreational expenditures also vary greatly. In 2004, the municipalities that spent the smallest percentage of total budget on cultural/recreational expenditures were the cities of Buffalo, Niagara Falls, and Tonawanda, and the Village of Kenmore (3.1% to 5.7% of total budget). The towns of Wheatfield, Tonawanda, and Lewiston, and the Village of Youngstown, spent the highest percentages of total budget on this same expenditure (10.6% to 33.9% of total budget).

How each of these municipalities chose to spend their cultural and recreational funds also varied greatly. Some municipalities chose to spend the majority of their total recreational expenditures on equipment and capital outlays while others chose to focus their spending on contractual services or personnel costs. See Table 4 for a detailed breakdown on cultural and recreational expenditures by municipality for 2004.

Table 5 provides a breakdown of 2004 revenues by municipality. As shown on the table, the majority of revenue is derived from state, federal and other governmental and real property taxes. Real property taxes provide the majority of local portion of revenues. Sales tax revenue is the next largest local revenue source for most municipalities.

3.0 Sources of Funding

The four relicensing Greenway Funds are part of a settlement agreement in support of NYPA's application to relicense the Niagara Power Project. NYPA negotiated a total of $9 million per year over a 50 year time frame with its settlement partners for projects located along the Niagara River. This equates to total outlay of $450 million over 50 years, with a Net Present Value (NPV) of $145,916,802. The following table breaks down the specific allocation of money into appropriate funds.

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These funds, specifically negotiated by NYPA to support the Greenway, are not the only funds from NYPA available for local projects. Other relicensing funds (e.g., Tuscarora Settlement and others) could also be used for local economic, environmental and recreational projects. The relicensing Greenway funds were specifically negotiated to support projects consistent with the Greenway Plan and could be utilized for projects that are unable to be funded through other negotiated settlements.

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Table 3 Total Expenditures by Municipality by Major Expenditure Recipient - 2004

Municipality	Total Expenditures										
	General Gov't	Education	Police	Fire	Other Public Safety	Health	Transportation	Economic Assistance	Cultural/ Recreational	Home and Comm. Services	Total
Erie County	125,216,934	55,966,953	120,213,704	1,854,971	13,928,120	70,308,866	80,338,192	610,694,577	38,762,613	121,884,509	1,239,169,439
City of Buffalo	67,194,850	0	97,312,135	78,844,671	17,421,013	1,397,761	35,131,929	2,181,896	10,754,954	36,533,473	346,772,682
Town of Tonawanda	7,868,716	0	11,726,359	580,558	3,081,578	1,379,949	8,458,920	270,824	11,374,950	28,502,914	73,244,768
Town of Grand Island	2,402,662	0	184,003	709,074	309,980	71,233	2,288,162	296,590	1,158,810	5,962,858	13,383,372
Village of Kenmore	1,231,258	0	2,742,459	586,768	1,095,043	0	1,304,921	20,953	221,280	4,134,669	11,337,351
City of Tonawanda	2,343,088	0	3,411,857	2,907,175	423,999	0	3,152,205	47,108	682,231	4,138,189	17,105,852
Niagara County	46,132,976	18,135,107	33,779,323	178,223	2,344,147	36,599,054	12,670,622	119,809,848	3,466,500	12,125,476	285,241,276
City of North Tonawanda	5,653,737	0	5,433,556	4,228,663	1,161,923	0	4,121,652	214,371	2,393,769	13,217,134	36,424,805
Town of Wheatfield	1,169,532	0	15,428	664,478	338,404	9,886	1,453,060	23,315	713,208	2,350,844	6,738,155
City of Niagara Falls	15,545,455	0	17,498,200	14,691,820	3,569,381	0	6,229,957	1,285,702	4,722,681	19,560,719	83,103,915
Town of Lewiston	1,489,056	0	727,418	738,337	173,723	29,723	2,073,140	186,152	4,414,207	3,199,167	13,030,923
Village of Lewiston	607,603	0	183,032	276,773	17,827	2,137	380,957	96,430	188,407	741,936	2,495,102
Village of Youngstown	375,937	0	86,779	71,787	8,832	0	201,351	5,000	170,348	461,076	1,381,110
Town of Porter	650,416	0	10,441	112,034	46,510	11,917	1,110,453	11,500	255,762	1,242,956	3,451,989

Source: New York State Comptroller Office - http://www.osc.state.ny.us/localgov/datanstat/findata/index_choice.htm

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Table 4 Cultural and Recreational Expenditures by Municipality for FY 2004

Municipality	Population	Total Cultural and Recreational Expenditures			
		Personal Services and Allocated Fringes	Contractual Services	Equipment and Capital Outlay	Total
Erie County	**950,265**	**6,592,218**	**18,684,184**	**13,486,211**	**38,762,613**
City of Buffalo	292,648	5,699,042	448,491	4,607,421	10,754,954
Town of Tonawanda	78,155	8,249,637	2,637,573	487,740	11,374,950
Town of Grand Island	18,621	560,282	164,166	434,362	1,158,810
Village of Kenmore	16,426	187,045	34,106	129	221,280
City of Tonawanda	16,136	483,170	162,180	36,881	682,231
Niagara County	**219,846**	**1,445,428**	**1,846,578**	**174,494**	**3,466,500**
City of Niagara Falls	55,593	3,298,509	1,396,138	28,034	4,722,681
City of North Tonawanda	33,262	1,577,501	477,303	338,965	2,393,769
Town of Lewiston	16,257	157,997	539,607	3,716,603	4,414,207
Town of Wheatfield	14,086	418,313	256,842	38,053	713,208
Town of Porter	6,920	82,897	172,865	0	255,762
Village of Lewiston	2,781	118,604	65,785	4,018	188,407
Village of Youngstown	1,957	81,674	64,428	24,246	170,348

Source: New York State Comptroller Office - http://www.osc.state.ny.us/localgov/datanstat/findata/index_choice.htm

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Table 5 Total Revenues by Municipality by Major Revenue Sources - 2004

Municipality	Total Revenues						
	Real Property Taxes	Non-Property Taxes	State Aid	Federal Aid	Other Gov't Aid	Other Revenue Sources	Total
Erie County	**157,898,659**	**270,857,748**	**202,739,656**	**185,762,573**	**17,785,918**	**142,008,500**	**977,053,054**
City of Buffalo	85,448,734	76,695,740	114,826,006	15,242,519	5,308,373	84,213,953	381,735,325
Town of Tonawanda	31,894,340	6,301,856	2,427,042	3,047,555	1,927,089	18,368,142	63,966,024
Town of Grand Island	6,009,636	2,169,587	1,050,933	0	161,016	4,196,786	13,587,958
Village of Kenmore	5,864,660	1,454,991	730,195	197,079	254,897	2,781,735	11,028,660
City of Tonawanda	7,613,442	3,748,032	2,692,739	145,764	366,111	3,264,713	17,830,801
Niagara County	**74,048,345**	**50,538,932**	**39,882,066**	**40,073,565**	**26,035,528**	**50,073,489**	**280,651,925**
City of Niagara Falls	27,384,968	15,188,583	12,440,169	8,668,247	2,223,642	11,092,086	76,997,695
City of North Tonawanda	11,815,269	7,558,081	5,391,438	3,964,183	62,783	9,364,199	38,155,953
Town of Lewiston	1,843,135	4,475,024	511,095	0	170,558	3,436,215	10,436,027
Town of Wheatfield	2,681,308	2,740,074	548,851	0	54,025	2,021,825	8,046,083
Town of Porter	443,878	968,946	353,918	0	69,419	1,678,767	3,514,928
Village of Lewiston	598,476	646,807	102,977	0	184,500	804,909	2,337,669
Village of Youngstown	477,478	371,046	59,663	0	51,655	431,286	1,391,128

Source: New York State Comptroller Office - http://www.osc.state.ny.us/localgov/datanstat/findata/index_choice.htm

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Table 6 Niagara River Greenway Related Funds – July 2006

Package	Terms	Standing Committee	Primary Use
Niagara River Greenway Ecological Fund	$1 million per year for 50 years NPV: $16,179,645	NYPA DEC USFWS Nations (3) NREC/Riverkeeper NYS DOS	Ecological restoration
State Parks Greenway Fund	$3 million per year for 50 years NPV: $48,638,934	NYPA OPRHP	Recreational improvements and ecological restoration at state parks
Niagara County Greenway Fund	$3 million per year for 50 years NPV: $48,638,934	NYPA Power Coalition	Greenway development
Erie / Buffalo Greenway Fund	$2 million per year for 50 years NPV: $32,359,920	NYPA Buffalo Erie County Olmstead	Greenway development

Source: Summary of Greenway & Non-Greenway Settlement Agreements As Compiled by The Niagara River Greenway Commission

For the purpose of this Technical Memorandum, only expenditures from the funds identified in the table above have been used in the analysis of economic and fiscal impacts. However, it should be noted that to be most effective, local communities and groups should use the Greenway funds as seed money to a tap many of the other federal, state, local, corporate, and charitable funding sources available for their specific projects. A more detailed discussion of these alternative sources is included in the Niagara River Greenway Plan.

4.0 Economic Benefit of Greenway "Implementation Concepts"

The New York Power Authority negotiated Settlement Agreements with stakeholders in support of its application to relicense the Niagara Power Project. The Relicensing Greenway Funds were a part of those negotiated settlements. The proposed Greenway projects, funded by the NYPA relicensing settlement agreement, are intended to address this array of environmental concerns. Through the proper planning and implementation of these funded projects, the Niagara River corridor will continue to be a valuable asset to the community and environment.

4.1 Description of Implementation Concepts

In an effort to better identify the economic and fiscal impacts of projects implemented through the Greenway Plan, five implementation concepts have been evaluated. Section 4.G of the Greenway Plan discusses these Implementation Concepts in greater detail. These concepts describe the types of projects that could be implemented with the funds allocated through the NYPA Relicensing. All are conceptual in nature and the information associated with each is only theoretical. The merits of actual concepts will have to be determined on a case by case basis at some point in the future. In addition, these concepts could be advanced through NYPA funding in combination with other sources of funding, as identified in Section 3.0 above.

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1. Gateway Identification

This concept would focus on border crossings and municipality connections to the greenway corridor. Gateways will be developed as entrances into the Greenway and as transitions through the Greenway. The gateways will communicate various themes through distinctive graphics, landscapes, plantings, architectural treatment, signage, lighting, color schemes or other methods. The implementation of a full gateway network would be coordinated with other system-wide programs including signage and graphics, interpretation and the development of multi-modal access to the Greenway, including trails, bridges, bikeways and roads.

2. Accessing, Experiencing and Connecting to the River

This concept would involve such actions as clearing obstructions to the River, establishing vehicle, pedestrian, and boat access points to the River, and generally providing means for more people to enjoy the River. Currently there are several gaps in the current trail system as identified on the multi-use trail map. As this map demonstrates, there is a need to further develop and take advantage of the many opportunities to access, experience and connect to the river whether by multi-use trail, canoe and kayak or merely offering an opportunity to experience the countless view sheds along the Niagara River corridor from Lake Erie to Lake Ontario.

3. Protecting, Preserving and Restoring Important Ecological Resources

This concept would involve such items as restoration of Motor Island, Strawberry Island, and Frog Island, and other environmental related restoration projects. These projects would serve to improve the overall environmental quality of the Niagara River and the resources associated with this waterway.

4. Linking Special Places and Destinations- "Telling the Story"

This concept would involve such items as signage and way-finding in the form of public relations and establishing a source of knowledge and information on the area. Methods utilized may include websites, advertisements, spoken word, bulletins and handouts, and landscape design such as paving surfaces, lighting fixtures, street furniture, and planting materials.

5. Heritage Tourism and Economic Revitalization

This concept would involve such items as establishing "centers" (e.g., urban hubs, ecological hubs, cultural and heritage centers, fish hatchery, Great Lakes Center, Birds of Prey Center, etc.), which would help attract, educate and inform visitors on the values of the corridor and how to respect and enjoy this resource.

4.2 Economic Valuation

Implementation of the Greenway Plan will positively impact the local and regional economy in numerous ways. These impacts will be both tangible and intangible and include the impact of construction expenditures on the local economy; the increase in tourism related to the completed Greenway; the improved recreational opportunities along the Niagara River; the expected increased housing values along the corridor; and improvements in quality of life and environmental quality in the region. Some of these impacts are easily identified and quantified. Others particularly at this stage of the planning process are much more nebulous and difficult to define, but no less important.

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4.2.1 Macroeconomic Analysis

Construction Expenditures

The first, most easily-quantified economic impact will result from the direct expenditure of Greenway funds in the regional economy. An increase in the regional economic output will occur as materials and services are purchased to complete NYPA-funded projects approved by the Greenway Commission. Given the relatively common type of projects being proposed, it is assumed that the majority of the materials and labor needed to construct these projects are not highly specialized and will be purchased or hired from the regional economy.

For analysis purposes it is assumed that the entire funding allocation of $9 million per year for 50 years from the NYPA (see section 3.1) will be spent in the regional economy. Therefore, implementation of the proposed plan would have a direct impact of increasing regional output by at least $450 million over 50 years. This direct spending could be any activity from planting trees, to efforts to restore the environment, or the hiring of consultants to complete the design of a bike trail. These projects will all encompass some level of spending in the local economy, pay wages to local workers, and purchase goods from local retailers and suppliers

In addition to the direct regional economic benefits, the increase in construction and design expenditures will have a multiplicative impact on jobs, wages, and regional industrial output. As local construction firms and local suppliers are hired to complete these projects, they will need to hire more workers and purchase more materials. This increase in demand for additional workers and more materials would then, in turn, have a positive impact on demand for a second level of suppliers. Eventually the initial injection of funds from the construction expenditures would cycle through the economy and create a "multiplier effect" on the economy.

The initial economic impact of expenditures for projects within the Greenway can be summarized into the basic formula depicted in the figure below (*Direct Effects + Indirect Effects + Induced Effects = Total Economic Effects of Greenway Expenditures*). In this formula, construction expenditures would be considered the direct effects. Impacts on the secondary suppliers would be the indirect effects, and impacts from affected wage earners would be the induced effects. The total of these three categories would equate to the total economic effect on the regional economy from Niagara River Greenway fund expenditures.

Using structural multipliers from a regional input-output model developed by Rutgers University for the Buffalo-Niagara MSA, the minimum total economic impact including the direct, indirect, and induced economic impact of the initial Niagara Greenway spending would roughly equate to $712 million over 50 years, or $15 million per year. The annual expenditure of $9 million dollars would support approximately 162 jobs in the region and increase regional income by approximately $13 million per year.

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Figure 1 Economic Effects of Greenway Construction Expenditures

DIRECT EFFECTS
Construction expenditures from Greenway Projects
+
INDIRECT EFFECTS
Purchases of supplies and materials made by the producers of the supplies and materials
+
INDUCED EFFECTS
Spending by wages earned by impacted households associated with industries stimulated by direct and indirect expenditures
=
TOTAL ECONOMIC EFFECTS OF GREENWAY CONSTRUCTION EXPENDITURES

Tourism Expenditures

In addition to the direct economic benefits associated with construction discussed above, planned environmental, recreational, and aesthetic improvements will also have the positive economic impact of increasing tourism expenditures in the area. As the Niagara River is made more attractive, tourists visiting the region's other attractions may extend their stays and additional tourists may visit the area.

The tourism potential alone that would result from the proposed greenway development is significant. For example, a major National Park Service study of three rails to trails projects found that greenway/trail use pumps between $1.2 million and $1.9 million (as expressed in 1992 dollars) into the economies of nearby communities per year (New York Parks & Conservation Association, N.D.). The results of additional economic studies on seven other trails and greenways are shown on Table 7.

Table 7 Annual User Expenditures for Seven Representative Trails/Greenways

Trail Name & Location	Length (miles)	Total Annual Visitors	Expenditures by Visitor Per Trip	Annual Expenditures by Users
Heritage Trail Dubuque, IA	26	135,000	$11.64	$1,571,400
St. Mark's Trail Tallahassee, FL	16	170,000	$13.93	$2,368,100
Lafayette/Moraga Trail Berkeley Hills, CA	8	400,000	$5.02	$2,008,000
Little Miami Trail Warren Co., OH	27	162,000	$14.00	$2,268,000

Table 7 Annual User Expenditures for Seven Representative Trails/Greenways

Trail Name & Location	Length (miles)	Total Annual Visitors	Expenditures by Visitor Per Trip	Annual Expenditures by Users
Northern Central Rail Trail Baltimore Co., MD	20	450,000	$8.95	$4,027,930
Elroy-Sparta Trail Western Wisconsin	32	60,000	$36.39	$2,183,432
Katy Trail Missouri	225	250,000	$14.30	$3,575,087

Source: The Canalway Trail Partnership 2002.

Assuming that the Niagara River Greenway will create a similar tourism draw, implementation of the proposed plan is expected to increase spending in the tourism sector between $1 million and $4 million annually.

As with the construction expenditures, the expenditures made by the increase in tourism will cycle through the regional economy, resulting in even greater increases in the overall income and job creation. The direct increases in expenditure will be multiplied as the Greenway users' expenditures are cycled through the economy generating indirect and induced effects similar to those described in construction expenditure section.

4.2.2 Microeconomic Analysis

Implementation of the Greenway Plan will also have an economic impact on the region in ways that cannot be valued by changes in earnings, output or employment. These economic benefits are on less of a macroeconomic level and must be valued on a more microeconomic basis. In other words, to evaluate and quantify these benefits, one must look at individuals to assess the improvement in their quality of life that will result from implementing the Greenway Plan and then aggregate these findings for the entire affected population.

One of the methods economists use to value an ecosystem or an environmental improvement is through the Total Economic Value (TEV) Framework. This framework is a useful tool in quantifying or enumerating the value of a natural resource. The TEV framework considers the role of the environment, particularly the role of the host ecosystem structure and functions in creating goods and services that are valued by humans. The environment (ecosystem structure or asset base) represents the natural resource endowment that is vital to sustaining the eco-tourism and quality of life in the Buffalo-Niagara region.

Figure 2 shows that the environment is intertwined with human actions. While the ecosystem structure provides recurring service flows (e.g. such as spawning grounds for fisheries), these same assets can be compromised by inferior water quality/pollution, over fishing (consumptive uses) and improper stewardship (i.e. breaking up a green corridor with impervious surface).

Under TEV framework, each of the values of the ecosystems can be quantified and included in more traditional economic and financial decision-making processes. Use of the TEV framework ensures the true values of an ecosystem are explicitly considered in natural resource management decisions and the eco-systems' importance to long-term sustainability is addressed.

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Economists define the total value of a natural resource area as the sum across individuals of the "use value" and "non-use values" that they attach to it. 'Use value' is the value that individuals derive from the use of an area for hiking, boating, hunting, bird watching, hiking, etc. 'Non-use values' are not associated with the actual use, or even the opportunity to use, a natural resource area. Instead non-use values are the values that individuals derive from knowing that a natural resource area exists and that it will be available for future generations to enjoy.

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Figure 2* Total Economic Value Framework Including Ecological Services

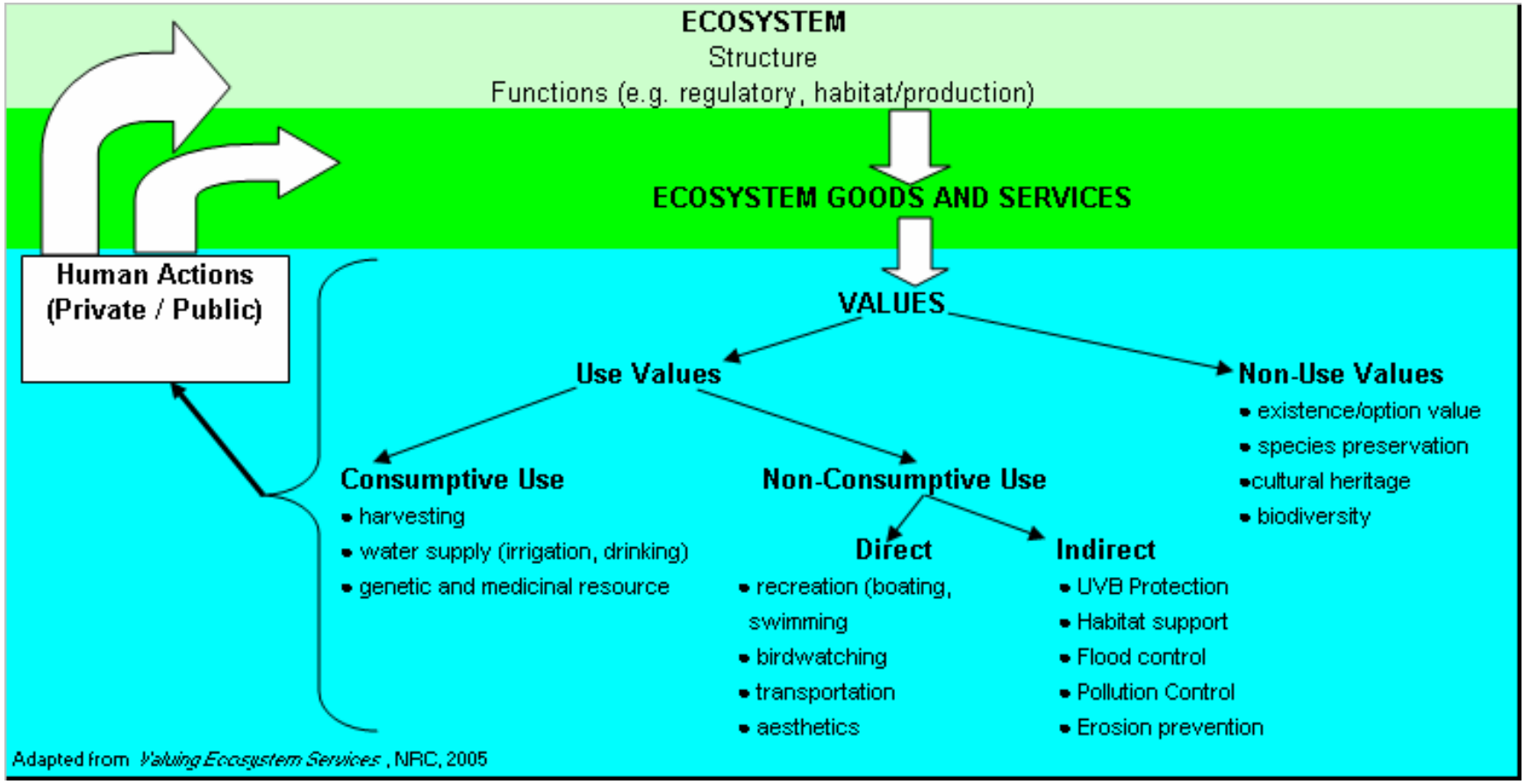

*****Figure is adapted from the National Research Council's report on Valuing Ecosystem Services (NRC 2005).

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An entire discipline in economics is dedicated to identifying and quantifying these use and non-use values. Numerous methodologies and techniques have been developed for various situations and scenarios. Some of the most common techniques are travel cost methods which determine the value people place on a recreational resource; hedonic pricing which typically determines the value of an aesthetic improvement through analyzing changes in the housing market; and contingent valuation which is used to quantify non-use values.

While it is not necessary to quantify and value all of the use and non-use values shown in Figure 2, often just identifying the most valuable benefit stream is revealing and shows that the public return from maintaining the corridor's open space resources can be a large multiple of any future funding obligation to sustain these resources.

Figure 2 aids in identifying potential benefits that would be generated by the implementation concepts. Quantifying and monetizing these values at this stage of the planning process is a challenge. However, by merely outlining the potential use and non-use values, it is clear that the Greenway Plan represents a long-term investment in the environmental and economic sustainability of the region.

A distinguishing feature of the TEV approach to economic impact analysis relates to the appreciation of how green space can impact both quality of life issues and the fiscal performance of host municipalities and agencies charged with developing and maintaining these spaces. While there are straightforward budget implications from developing green infrastructure, the analysis also considers some of the intangible benefits from providing these amenities to resident taxpayers and visitors.

The investments within the Greenway can be expected to benefit the region by providing:

- Greater amount of open, contiguous linked space and quality of life amenities;

- Ecological improvements and greater values in ecological service flows that make the environment more productive, such as. improved water quality, habitat restoration and enhancement and wetlands restoration;

- Improvements in environmental quality and natural resources that attract visitors from outside the region and improve the quality of life. Examples of projects include improvements to nature preserves, fish species spawning areas, and habitat protection/restoration for resident and migratory birds, wetland restoration, and park enhancement that will protect the local environment and bring additional tourists to the area to experience the natural resources protected through these actions;

- Enhancements to the natural resource-based recreational aspect of the western New York economy. For example, improvements to the Niagara River corridor and its associated natural and cultural features and waterways around the Niagara River region would attract additional tourists, boaters and anglers that would infuse additional monies into the local economy These individuals would enjoy and patronize local eating and drinking establishments that are located near the Greenway; and

- Improvements in both commercial and resident property values for adjacent areas.

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Recreational Improvements

Although access to natural resource areas, such as a park or a trail, obviously has value to individuals using the recreational area, typically those individuals incur only a nominal cost or the experience is free. Hence the amount that individuals actually pay to visit such areas does not capture the full value that they place upon these areas. This additional value beyond what individuals actually pay is known as consumer surplus. When consumer surplus is combined with any entrance fees necessary to access the resource, the true value people place on the resource for recreational use can be found. Economists have most often used the survey methods such as the travel cost and contingent value methods to estimate this consumer surplus.

The U.S. Forestry Service compiled estimates on visitors use values from various published travel cost and contingent valuation studies. The publication focused on the value per person, per day for various activities at natural resource areas. Table 8 shows the results of this study for properties in the Northeastern United States.

Table 8 Statistics on Values per Person per Day by Activity for the Northeast Region

Activity	Number of Estimates	2004 Dollars			
		Mean	Standard Error	Minimum	Maximum
Bird-watching	3	34.86	22.20	5.80	78.46
Camping	10	33.11	6.32	6.73	66.44
Cross-country skiing	3	34.60	2.82	29.70	39.49
Fishing	69	32.60	5.46	2.08	253.13
Float-boating/rafting/canoeing	6	88.32	22.93	20.08	143.50
General recreation	5	16.87	8.08	1.97	46.69
Going to the beach	22	42.60	7.03	3.78	117.82
Hiking	3	75.18	12.83	49.80	91.10
Hunting	87	47.45	4.03	4.16	250.90
Motor-boating	3	29.68	25.21	3.78	80.10
Mountain biking	1	40.93		40.93	40.93
Picnicking	2	56.45	47.51	8.94	103.96
Pleasure driving	1	21.35		21.35	21.35
Rock climbing	1	102.89		102.89	102.89
Scuba diving	14	17.92	3.43	2.81	45.00
Sightseeing	2	121.43	88.36	33.07	209.77
Swimming	7	22.21	6.14	2.20	50.10
Visiting education centers	1	6.01		6.01	3.01
Waterskiing	1	15.13		15.13	15.13
Wildlife viewing	65	31.30	2.18	2.40	96.30
Total	**306**	-	-	-	-

Source: Table 3, *updated Outdoor Recreation Use Values on National Forests and Other Public Lands*, US Forest Service, General Technical Report PNW-GTR-658, October 2005

As evidenced in the table, there is more value associated with many of these activities than the actual cost of participating in the activity. For example, a bird-watcher values their day watching

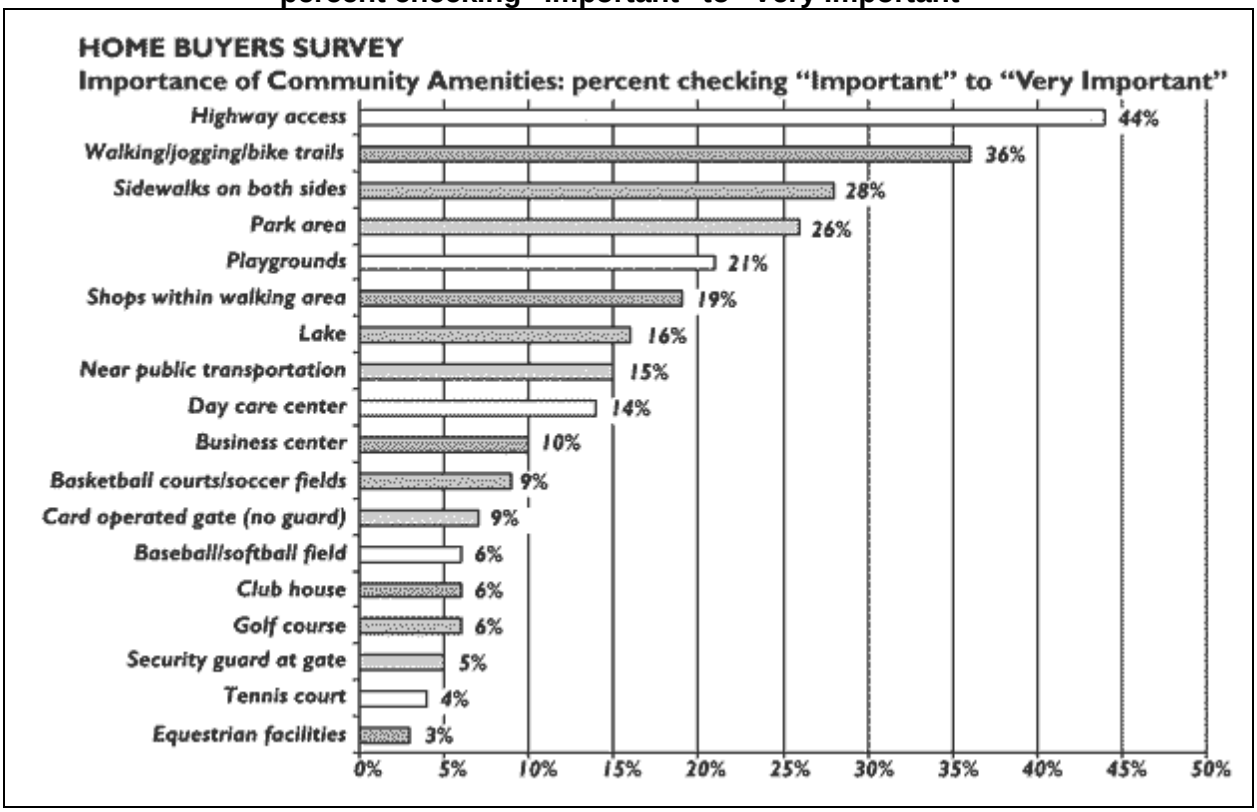
birds at an average of $34.86 (in 2004 dollars), even though that value is higher that what they would actually need to pay in order to participate in the activity. This example can be applied to the Greenway, which is located in a globally significant Important Bird Area. As such, habitat improvements in the Greenway may not require users to spend significant dollars, but the improved recreational opportunities will greatly enhance their quality-of-life.

Property Values

A diverse mix of land uses exist along the Niagara River, including commercial, industrial, residential and recreational parcels. Most of these properties will benefit in some way from implementation of the Greenway Plan. Improvements in aesthetics, recreational resources, water quality, and flooding and erosion control will have a positive impact on the property values.

Although it is impossible to estimate the magnitude of change in value at this time, the effect is expected to be significant, particularly for residential and commercial lands. According to a 2002 survey by the National Association of Home Builders and the National Association of Realtors, the presence of walking/jogging/bike trails was one of the most significant items of a list of "importance of community amenities." The bar chart below depicts the top rated amenities chosen during this survey

Figure 3 Home Buyers Survey – Importance of Community Amenities: percent checking "Important" to "Very Important"



Source: (http://www.americantrails.org/resources/benefits/homebuyers02.html).

The greater the number of these amenities is developed, the greater the increase in property value is expected. The above survey results support the assertion that recreational and aesthetic

improvements such as development of biking trails could lead to an increase in residential property values within the Greenway.

Quality of Life and Environmental Improvements

Environmental improvement projects within the Greenway will also have an associated non-use or intrinsic value. Even if local residents do not do anything to experience the improved environmental quality of the river, their quality of life will be improved knowing that river habitat is more pristine.

Economists divide up these non-use or intrinsic values into three main headings: option values, existence values, and bequest values. These components of non-use values are defined as the value an individual places on a natural resource that they do not directly use.

- Option value – the value of knowing that future access to the resource is guaranteed;
- Existence value – the value of knowing that a resource has been preserved, even if no use is contemplated; and
- Bequest value – the value of knowing that the resource is preserved for future generations.

While by definition these intrinsic or non-use values are difficult to quantify, some attempts have been made to place a dollar figure on these values. A study by Walsh, Sanders, and Loomis that evaluated the number of rivers in Colorado that should be protected under the Federal Wild and Scenic designation found that the use values such as recreational enjoyment accounted for only 20% of the total value place on river preservation, while 80% of the value of the river system was as a result of the non-use values. If this study holds true in other cases, then the preservation values of an environmental improvement project can be expected to be nearly four times the values derived for its recreational value.

5.0 Implementation, Operation, and Maintenance

Cost of O&M

Implementing and sustaining Greenway-related projects will entail one-time construction and implementation costs as well as annually recurring operational and maintenance (O&M) costs. The term O&M refers to the day-to-day upkeep as well as the smooth and safe functioning of the Greenway. These tangible O & M costs will be offset by economic benefits derived from the Greenway and associated development and by increased the quality of life for residents and visitors to the region. Since the proposed Greenway-related projects are only conceptual in nature at this point, it is difficult to perform a detailed analysis of the annualized O&M costs.

In place of an analysis using actual O&M costs, a “level-of-magnitude” analysis is provided to measure typical recurring costs that would be expected to occur as a result of implementation of the demonstration concepts. When actual projects are identified and reviewed, a more detailed analysis on the O & M costs should be required.

The following discussion of O &M costs is organized around the implementation concepts as identified and discussed separately in this Plan. Given the wide range of potential projects that

could be funded under the Greenway Plan even under each implementation concept, basic examples will be discussed.

Implementation Concept #1 – Gateway Identification. The overall O&M costs associated with the gateway identification concept will be relatively small. This concept primarily ensures that a unifying theme is used throughout the Greenway. Once the initial design phase is completed, relatively little costs will be required to continue the use of the planned color schemes, graphics, and signage. Similarly, the design and use of a unifying architectural treatment, landscapes and plantings will also have limited long-term costs.

If, however, landscape and horticultural projects are included under this implementation concept, additional O & M costs will be required to maintain these areas. While these costs are not anticipated to significant, they would need to be evaluated on a project-specific basis.

According to the 2006 budgets for Erie and Niagara Counties, the following table presents the total amount budgeted towards operations and maintenance of public parks and green space. In both counties, the total amount spend on park O&M costs represented less than 0.5% of the total county operating budget.

Table 9 Per Capita Park Expenditures by County (Erie and Niagara Counties for 2006 Budget)

	2006 Budget for Park O&M	Total Population (2005)	Per capita spending on parks in 2006
Erie County			
Parks	2,652,303	-	-
Parks – City of Buffalo	2,670,671	-	-
Total Erie County	5,322,974	898,981	$5.92
Niagara County	753,975	212,573	$3.55

Source: Erie and Niagara County CAFR 2005

For Erie and Niagara Counties, $5.92 and $3.55 were collected and spent for operations and maintenance of the parks in each respective county per person. With the addition of the Greenway funded projects in each county, the incremental increase per person for O&M costs related to these projects will be minimal. If residents are only required to pay $5.92 per person to currently run all the parks in Erie County, any additional resulting from the funded Greenway projects would be minimal.

It should also be noted that this per capita spending is at the very low end of spending for O&M on parks when compared with other "benchmark" cities. See the table below for other cities and their spending on park related maintenance.

Implementation Concept #2 – Assessing, Experiencing and Connecting to the River. The implementation of projects under this concept is expected to result in potentially substantial O & M costs to local, county, and state agencies. The majority of the projects expected to be completed under this concept are related to providing and maintaining river access and recreational trail development. Given the lack of details about the exact location and length of these trails or connections, precise O & M estimates are not possible to project at this time. However, estimates developed by the American Trails Association show that annual operation

and maintenance costs per mile for an urban trail system run between $2,500 and $10,000 per year (American Trails 2005). A variety of factors such as climate, facilities, and complexity of the system all impact the annual costs.

Table 10 Benchmark Cities Comparison

City	Total Parks	Total Acres	Operating Budget	Capital Budget	Total Budge	Per Capit Income	Populatior	Per Capit spending on Parks
Chattanooga, TN	57	1,495	$10,445,220	$3,753,000	$14,198,220	$12,332	159,000	$89
Jackson, MS	52	1,250	$5,600,000	$1,725,000	$7,325,000	$12,216	180,600	$41
Louisville, KY	276	10,274	$22,633,000	$11,967,500	$34,600,500	$11,527	269,000	$129
Minneapolis, MN	133	5,694	$44,200,000	$10,000,000	$54,200,000	$14,830	353,000	$154
Norfolk, VA	42	NA	$10,500,000	$0	$10,500,000	$11,643	225,000	$47
Salt Lake City, UT	126	1,914	$5,700,000	$1,500,000	$7,200,000	$13,482	171,000	$42

Source: Little Rock, Parks Master Plan - http://www.littlerock.org/ParksRecreation/masterplanmap.aspx

Note:
* Per capita incomes taken from the 1990 census; 2000 numbers were not available at the time of comparison

To further breakdown the expected O & M costs associated with trail management the following table has been included. This table shows the total maintenance hours per mile of trail required to maintain the Schuylkill River Trail in Pennsylvania during 2000. The trail is a macadam trail that is 11.5 miles long with widths that range from 12 to 16 feet. As shown on the table trimming/pruning and safety/security were the two most labor intensive categories.

Table 11 Total Maintenance Hours per Mile by Category and Month Required the Schuylkill River Trail, PA in 2000

Maintenance Categories	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Mowing	0.0	0.0	0.0	3.1	6.8	3.6	3.9	5.6	3.3	2.5	0.0	0.0	28.8
Trimming/Pruning	1.8	0.0	8.2	5.6	17.0	8.3	7.1	14.2	8.0	7.1	2.6	0.3	80.0
Safety/Security	0.6	0.5	0.6	5.4	3.4	3.0	4.2	6.7	1.4	2.4	5.3	0.2	33.6
Trash Removal	0.6	0.7	1.6	3.7	1.3	1.7	1.8	1.3	2.0	1.8	1.6	0.8	18.8
Erosion/Stabilization	0.7	0.6	1.8	2.0	1.0	0.0	1.0	1.5	5.6	6.4	2.3	1.2	24.1
Storm Damage	1.5	7.4	3.0	2.4	0.9	2.4	0.8	0.7	1.4	0.5	0.5	0.3	21.9
Miscellaneous	1.8	1.3	3.0	2.7	2.1	2.1	1.8	2.5	1.7	4.3	1.5	0.5	25.2
Total	**6.9**	**10.5**	**18.2**	**24.9**	**32.5**	**21.0**	**20.6**	**32.5**	**23.4**	**24.9**	**13.9**	**3.3**	**232.4**

Source: American Trails 2006.
Note: Totals may not add due to rounding errors.

It should be noted that while the costs of trail maintenance identified above are significant, they do not all need to be borne solely by a single community. Many of the successful greenways and trails developed throughout the region have community groups that provide at least a portion of the required manpower to properly maintain their trails. Also these trails will have a region-wide impact on the economy and quality of life, therefore some of these costs could be borne by the community at large.

Implementation Concept #3 – Protecting, Preserving, and Restoring Important Ecological Resources. The majority of the total costs associated with projects under this concept would tend to be the initial up-front capital and construction costs. However, some on-going

monitoring and O&M costs may be required. For projects such as wetlands restoration, on-going costs would include monitoring to ensure the effectiveness of the restoration; and maintenance to remove any invasive species that may grow in the newly restored wetland. For projects that improve and create terrestrial or aquatic habitat areas, seasonal monitoring would be required to ensure that the project is effective and to ensure that it is not damaged by storms or other causes (e.g. terrestrial areas or by driftwood and debris flowing down the river in the case of aquatic areas).

Acquisition of conservation easements and land banking projects would have virtually no direct long term operation and maintenance costs associated with them. All maintenance costs occurring on these properties would remain the responsibility of the landowner or operator. Since it is not anticipated that large tracts of lands would be transferred to non-taxable entities, the local fiscal impacts of these projects would be negligible.

The O & M costs associated with various brownfield remediation programs and the restoration of former landfills could be significant. Routine on-going monitoring and ongoing sampling may be required to ensure that there is no migration of contamination from the proposed project areas. These monitoring costs, however, should not be additional costs since contaminant monitoring should already be occurring regardless of the greenway implications.

Finally, projects such as the correction of combined sewer overflows, repair of malfunctioning culverts to restore natural drainage and the removal of vacant commercial or industrial uses should have little or no long term O&M costs assuming the initial work was designed and constructed effectively.

Implementation Concept #4 – Linking Special Places and Destinations – "Telling the Story." Similar to the Gateway Identification concept, many of the project costs related to this concept will be one-time in nature and involve initial design and construction. For example, landscape design, as well as the design of lighting fixtures, street furniture, and planting materials would all be upfront capital expenditures.

However, other aspects of projects that would fall under this concept would tend to be ongoing in nature. For example, implementation of outreach/education activities, such as websites, would involve ongoing costs associated with ensuring that the information on the site was still accurate and up-to-date. Advertisements, handouts, and bulletins would have to be paid for on a continuous basis. It should be noted that these costs are not typically considered maintenance costs, which are associated with built facilities or structures.

Implementation Concept #5 – Heritage Tourism and Economic Revitalization. Projects such as the development of cultural and heritage centers and interpretive centers would all fall under this concept. Operation and maintenance costs associated with these facilities could be significant as driven by a project-specific basis. However, most of these proposed facilities would have to develop a separate revenue stream to cover the large O & M costs. Entrance fees and other sources would have to be identified during the planning and design stages. Given the large nature of these projects, any future government support would be analyzed before the funding was supplied so that local representatives could make an informed decision as to the overall fiscal impact of the projects.

APPENDIX G

O&M Recommendations

The Legislation that created the Greenway Commission requires that the Plan include recommendations for ongoing operations and maintenance (O&M) of the Greenway. While O&M costs for specific projects cannot be accurately quantified until such time as a project(s) are proposed for funding, this Plan recommends and requires that ongoing and annual O&M costs for each project be quantified and estimated in each project proposal. Non-Greenway sources of funding to cover O&M costs must be detailed. These O&M estimates must be factually-based and presented prior to project funding

If Greenway funding is ear-marked for capital cost improvements an implementation plan for the O&M costs associated with each project will be required For example, some projects will have associated user fees that will fund or offset the annual O&M costs associated with that particular project. These include such items as a visitor's center, nature/heritage centers, museums, youth camps, educational programs or similar activities. Proposed projects such as these should be sustainable once the capital costs are spent for construction out of the Greenway funds. Projects that do not have user fees will be expected to meet the criteria set forth in the Greenway Plan and to be as sustainable as practical. For example, preference will be given to projects that have a local sponsor or partner such as a municipality, non-profit or volunteer group(s); that leverage/identify matching funds through local, state, federal and private funding sources; and that demonstrate economic feasibility, i.e., identify potential revenue streams or dedicated funding sources to cover costs.

In developing a framework for measuring and evaluating the potential, long-term O&M costs from the proposed projects, several limitations were encountered. These limitations primarily included the difficulty in applying typical 'rules of thumb' to the annual cost of these projects, because the specific details of the project, such as area of development, the combination of projects, overall size and construction costs, are unknown at this time.

To address this uncertainty, a conceptual framework of O&M costs are presented herein for evaluating typical projects proposed for the Greenway funding. Project applicants should prepare an O&M budget that considers the following costs:

- Maintenance: Routine and Remedial
- User Safety and Risk Management
- Programming and Events
- Resource Stewardship and Enhancement
- Marketing and Promotion
- Oversight and Coordination

Maintenance. For developed parkland, the sponsor or partnering organization should project an average of $3,000 per year for a maintenance budget per acre

(http://www.littlerock.org/ParksRecreation/masterplanmap.aspx). If a park is 10 acres and is 60% developed, this assumes that 6 acres would require maintenance at a price of $18,000 annually. Utilizing the funding mechanisms described above, the sponsoring agency or partnering organization will administer the proper funds to maintain the long-term sustainability of the park.

Similarly, according to an article on the American Trails website *Trail Maintenance and Management*, an urban trail system can experience O&M costs of between $2,500 and $10,000 per mile, but can vary greatly due to conditions, climate and complexity (there are some quotes of only $300-500 per mile for more primitive trails). If a 20-mile trail system is established through the Greenway funds, this would result in an estimated $50,000 and $200,000 annually for O&M. This is an example where it would be prudent for municipalities and organizations to develop partnerships and cooperative public-private ventures that would ease the financial burden of funding these O&M costs. Since a 20-mile trail system would most likely cross multiple municipal borders, there should be a coordinated effort in maintaining the trail by local governments within all of the host municipalities.

Again, there are multiple local, state, and federal funding agencies that would aid in covering O&M costs associated with these projects. The sustainability of any particular project will be dependent on no single municipality being burdened with excessive annual O&M costs.

User Safety and Risk Management. For projects requiring safety precautions and basic patrolling and risk management, the sponsoring agency (in most cases the municipality) should consider adopting and outlining a safety program to this new feature of their community. This could include patrolling a new stretch of a bike trail or a park, or the enforcement of fishing regulations in certain areas along the Niagara River. Some agreement should be in place to ensure that public safety services will be provided, by whom and how these costs will be covered.

Programming and Events. Projects that involve ongoing programming and multiple events are in most cases those that would charge a user or entry fee to experience the event. The cost of O&M related to programming and events should be absorbed by these associated fees and should not impact the local municipality. Examples of programming and events include special presentations at visitor or nature centers.

Resource Stewardship and Enhancement. Resource stewardship is the long-term care and oversight of the natural or ecological resource. This, along with enhancement of the resource, would be under the management of a local sponsor or partner. Ensuring the ongoing stewardship of a natural resource would become the responsibility of the applicant (or their designee) to monitor, to ensure the longevity of the resource, and to monitor the resource following the project construction. Additional O&M funding for these projects would be available through local, state, federal, and other grant programs.

Marketing and Promotion. Marketing and promotion are essential components of the success of a project and are a part of the O&M associated with a resource. Agencies such as local, county, or state Parks Departments, Convention and Visitors Bureaus, local Chamber of Commerce organizations, and economic development entities generally provide funding for the purpose of informing and attracting people to an area or project to experience the amenities an

attraction(s) has to offer. Partnership or sponsorship programs with these types of organizations in applying for Greenway fund should be strongly encouraged.

Oversight and Coordination. Similar to maintenance and stewardship, oversight and coordination will be important to the effective ongoing management of Greenway-funded projects such as trails, parks, or other waterfront facility or attractions. Achieving long-term project-specific goals and partnerships with other organizations and agencies can provide the framework for the ongoing effectiveness of Greenway implementation that will be valued by the community.

6.0 Conclusions

Greenway-funded projects will result in tangible and intangible impacts on the local economy, including increased construction expenditures; increased in tourism related to the Greenway; improved recreational opportunities along the Niagara River; expected increased housing values along the corridor; and improved quality of life and environmental quality in the region. The long-term operation and maintenance of Greenway-funded projects will have some fiscal implications for the municipalities and organizations responsible for their upkeep. These fiscal impacts can be offset by development of sustainable projects and proper planning/analysis of individual projects. Local communities and groups should use the Greenway funds as seed money to a tap many of the other federal, state, local, corporate, and charitable funding sources available for their specific projects. Overall, implementation of Greenway-funded projects is expected to have a significant positive impact on the economy, culture, and environment within the Greenway and Buffalo and Niagara Counties.

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