

**ERIE CANAL HARBOR DEVELOPMENT CORPORATION**  
**A SUBSIDIARY OF THE**  
**NEW YORK STATE URBAN DEVELOPMENT CORPORATION**  
**D/B/A EMPIRE STATE DEVELOPMENT CORPORATION**  
**BUFFALO OUTER HARBOR CIVIC AND LAND USE IMPROVEMENT PROJECT**  
**GENERAL PROJECT PLAN**

Adopted November 9, 2020

Affirmed February 8, 2021

**A. INTRODUCTION**

The Erie Canal Harbor Development Corporation (“ECHDC”), a subsidiary of the New York State Urban Development Corporation (“UDC”) d/b/a Empire State Development (“ESD”) adopts this General Project Plan (“GPP”) for the Buffalo Outer Harbor Civic and Land Use Improvement Project (the “Project”) in accordance with the New York State Urban Development Corporation Act (the “UDC Act”). The ECHDC is empowered to undertake the Project as a civic and land use improvement project because it will provide facilities for educational, cultural, recreational, community, municipal, public and other civic purposes; the Project is located in a substandard or blighted area; and the Project consists of a plan for the reconstruction and rehabilitation of the area for open space and other civic facilities.

The ECHDC co-sponsored and/or prepared several plans which embody the goals and objectives for the Project, including the September 2015 *Buffalo Outer Harbor Blueprint* (the “Blueprint”), the September 2016 *Buffalo Harbor Brownfield Opportunity Area Nomination Document* (the “BOA”), and the June 2019 *Buffalo Outer Harbor Preferred Plan* (the “Preferred Plan”). These planning documents were the subject of an extensive community participation process that began in early 2012 and resulted in updating the Outer Harbor zoning as part of the City of Buffalo’s larger Unified Zoning Ordinance (i.e. “Green Code”) in 2016 and in the development of this GPP.

The Project involves the development of a major open space and civic investment on approximately 208 acres of waterfront property, bisected by Fuhrmann Boulevard, and generally bounded on the north by the United States Coast Guard Base and Times Beach Diked Disposal Area, on the east by the Buffalo River and Fuhrmann Boulevard, on the south by the former Freezer Queen site, and on the west by Lake Erie (the “Project Site”) in the City of Buffalo (the “City”) in Erie County (the “County”). The Project Site is owned by ECHDC and consists of seven (7) subareas, described from north to south as: the nearly 15-acre First Buffalo River Marina, the 22.3-acre Wilkeson Pointe, the 29.2-acre Michigan Pier, the 60.7-acre Meadows, the 28.2-acre Bell Slip, the 41.0-acre Lakeside Complex, and the 12.0-acre Terminal B (collectively referred to as the “Subareas”).

## B. LOCATION

The Project Site consists of approximately 208 acres of mainly vacant, substandard or underutilized property consisting of piers, upland and under-water areas stretching along nearly one-and-a-half miles of Lake Erie waterfront in the City. The Project Site is bisected by Fuhrmann Boulevard and is generally bounded on the north by the United States Coast Guard Base and Times Beach Diked Disposal Area, on the east by the Buffalo River and Fuhrmann Boulevard, on the south by the former Freezer Queen site, and on the west by Lake Erie.

The Project Site includes the following County tax parcels and their relationship to the Subareas, street addresses and current City zoning:

### Buffalo Outer Harbor Subareas

Table 1

Subarea	Street Address	SBL	Acreage	Zoning Code
First Buffalo River Marina <sup>(1)</sup>	10 Fuhrmann Blvd	110.20-3-1.2	2.32	N-3E <sup>(2)</sup>
	32 Fuhrmann Blvd	122.05-13-1.1	12.67	N-3E
Wilkeson Pointe	175 Fuhrmann Blvd	121.08-1-3.1	14.94	D-OG <sup>(3)</sup>
	225 Fuhrmann Blvd	121.12-1-1	7.37	D-OG
Michigan Pier	275 Fuhrmann Blvd	121.12-1-3	29.18	D-OG
The Meadows	461 Fuhrmann Blvd <sup>(4)</sup>	122.09-1-1	31.79	D-OG
	525 Fuhrmann Blvd <sup>(4)</sup>	122.13-1-1	28.88	D-OG
Bell Slip	575 Fuhrmann Blvd <sup>(4)</sup>	122.13-1-2	13.61	D-OG
	825 Fuhrmann Blvd <sup>(4)</sup>	122.17-1-1.2	14.62 <sup>(5)</sup>	D-OG
Lakeside Complex	825 Fuhrmann Blvd <sup>(4)</sup>	122.17-1-1.2	41.0 <sup>(5)</sup>	D-OG
Terminal B	901 Fuhrmann Blvd	122.17-1-1.1	12.0 <sup>(6)</sup>	N-1S <sup>(7)</sup>

Notes:

<sup>1</sup>Includes the Queen City Bike Ferry landing

<sup>2</sup>Urban Neighborhood (Mixed-Use Edge)

<sup>3</sup>Open Space (Green)

<sup>4</sup>A NYSDEC Environmental Easement and NYSDOT Sewer Easement are located on these Parcels

<sup>5</sup>825 Fuhrmann Blvd has been divided between two subareas based on extent of work

<sup>6</sup>An additional 38.6 acres of 901 Fuhrmann Blvd remain associated with Terminal A

<sup>7</sup>Urban Core (Secondary Employment Center)

Outer Harbor Site Maps delineating the Project Site, Subareas, and zoning are attached in **Exhibit A**. The Project Site excludes the Terminal A Subarea as further described below.

## C. BACKGROUND

The ECHDC was created in 2005 to revitalize Western New York's waterfront and restore economic growth to the City based on the region's legacy of pride, urban significance and natural beauty.

In 2008 and 2011, the ECHDC acquired former industrial property from a private owner and the former Ice Boom storage parcel from the New York Power Authority ("NYPA") and undertook environmental remediation and transformed it into Wilkeson Pointe. A \$5 million capital investment placed a soil cap on areas of the site to open the property to public use for the first time in the parcels' history, with a network of bicycle and pedestrian pathways, a kayak launch and fishing pier, playground, comfort station, event lawn, parking facilities, and regenerative landscaping using native plants and green infrastructure such as bioswales. The property's edge was also reinforced with heavy stone to repair earlier seiche damage, while wind sculptures were placed on the "pointe" to celebrate the site's year-round breezes.

In September 2013, Governor Andrew Cuomo presented his vision for a dramatic transformation of the City's largely vacant Outer Harbor waterfront. This included the transfer of approximately 430 acres of waterfront land once designated as the "Port of Buffalo" from the Niagara Frontier Transportation Authority ("NFTA") to ECHDC, whose mission and resources are better able to support and expedite the land's redevelopment.

Created through land filling along the Lake Erie shoreline, the NFTA (then the Niagara Frontier Port Authority) had used the northern portion of this property since the late 1950s for outdoor storage of sand, salt, gravel, and other bulk materials, as well as similar industrial port-related activities; these all ceased in the late 1990s. The southern portion of the land had operated as the "NFTA Boat Harbor", a marina for small private boats, and the northern portion included the "Shooters" and "Pier" restaurant. In addition, during the 2000s, an NFTA-owned inlet south of the marina was progressively improved by NFTA and became known as "Gallagher Beach", which largely facilitated wind surfing and personal watercraft use, and the former "Pier" restaurant site hosted several large-scale concerts.

Approximately 182 acres of the transferred Outer Harbor lands, including the NFTA Boat Harbor and Gallagher Beach, is now operated by the NYS Office of Parks, Recreation and Historic Preservation (the "NYSOPRHP") as "Buffalo Harbor State Park". The NYSOPRHP advanced a series of capital improvement efforts that have enhanced services and activities in this the first state park ever established within the City.

The remaining approximately 247 acres of land north of Buffalo Harbor State Park is now operated by the ECHDC, which completed several capital improvements to increase public access to and use of this property, as well as conducted several community-driven planning studies that have informed the current and future disposition of the Project Site. The current Project will build on and enhance these earlier approved ECHDC projects, which include:

- 1) The Queen City Bike Ferry Civic Project – Adopted by the ECHDC Board in October 2015, this \$492,000 project was completed in 2016 and involved the construction of a ferry landing along the Buffalo River across from Canalside. This seasonal public transportation route drew over 55,000 passengers in its inaugural season and further enhanced the regional bicycle trail network, while directly connecting Canalside and the Outer Harbor with a short, five-minute ride across the Buffalo River.
  
- 2) The Buffalo Outer Harbor Access & Activation Civic Project – Adopted by the ECHDC Board in November 2015, this \$5.4 million project was completed in 2019 at the southern end of the Project Site, now known as the Lakeside Complex Subarea. This project included a bicycle park with off-road and paved pathways, a multi-use trail network, nearly 4-acre event lawn for concerts and other large-scale events and festivals, and the establishment of habitat restoration areas on nearly 20 acres. The site was divided by an earthen berm that keeps the active recreation and parking access close to the street while the passive recreation and multi-use trails are closer to the water’s edge. The project also included the short-term relocation of Larry Griffis’ *Flatman* sculpture from Ashford Hollow to the site, overlooking the Bell Slip.

In addition to these capital improvements, the ECHDC and ESD led its first community-driven planning process to determine the future land uses for the 247 acres of ECHDC’s Outer Harbor property – known as the Buffalo Outer Harbor “Blueprint”. The Blueprint was accepted by the ECHDC Board of Directors in 2015 and in 2016, its findings were incorporated into the City’s Unified Development Ordinance - Chapter 496 of Buffalo’s City Code, commonly known as the “Green Code”. The Blueprint also recommended short-term capital improvements, many of which were incorporated into the Access & Activation Civic Project, now referred to as the Lakeside Complex.

In June 2019, the ECHDC’s second community-driven planning process to develop a long-term capital plan for the 208 acres of ECHDC’s Outer Harbor property (i.e., not including the former NFTA Port Terminal A and it’s 39 acres of adjacent land), was completed. This Preferred Plan includes sitewide elements, features and amenities deemed important by the public and that were lacking in the earlier Blueprint.

#### **D. PURPOSE AND NEED**

The purpose and needs of the Project include:

- Transforming the nearly vacant and underutilized Project Site into a vibrant, three-season setting for family-oriented uses, including health and wellness, cultural, recreational, entertainment, and commercial uses.
  
- Building upon the community input (i.e., Blueprint, BOA, and Preferred Plan), as well as recent public infrastructure investments such as the Queen City Bike Ferry, Wilkeson Pointe, and the Lakeside Complex.
  
- Improving seasonal recreation, entertainment and tourism access, use and enjoyment;

- Enhancing pedestrian and bicycle access throughout the Project Area, as well as connecting segments of the existing regional trails network along the Lake Erie waterfront;
- Promoting cultural heritage and architectural elements that interpret the history of the Outer Harbor;
- Providing open space with a variety of maintainable aquatic and upland landscapes that promote a more diverse, useful and enjoyable environment for humans and wildlife.
- Providing comfort stations and site amenities, including but not limited to safety, protection from the elements, food and beverage, and restrooms.
- Minimizing adverse impacts on communities and the environment by avoiding an inequitable distribution of impacts and maintaining neighborhood and community cohesion.
- Meaningful participation of Minority-Owned Business Enterprises, Women-Owned Business Enterprises and Service-Disabled Veteran-Owned Businesses.

## **E. PROJECT DESCRIPTION**

Generally, the Project would involve necessary environmental remediation and development of recreational facilities to improve vacant, substandard or underutilized property stretching along a nearly one-and-a-half-mile stretch Lake Erie waterfront with sitewide elements, features, and amenities, along with specific improvements in all Project Subareas. Full descriptions of the principal sitewide elements, features and amenities (collectively referred to as the “Sitewide Elements”) and Project Subareas are provided below. For illustrative purposes, the Project Site and Subarea Plans are attached in **Exhibit A**.

### **1) Sitewide Elements**

- a) Environmental remediation – The lands comprising the Lake Erie shoreline in the Project area were created progressively over the course of three quarters of a century, through a succession of filling events to create the subject land area that exists today. These filling events over the history of the Project area were predominately undertaken to facilitate heavy industrial. Given this legacy, various areas of the Buffalo Outer Harbor have been the subject of past investigations and analyses of environmental contamination directly and indirectly created by these uses and filling events. NFTA conducted a series investigations leading to two Records of Decision (RODs), in 1999 on a remediation of the “Radio Tower Site” (which ECHDC continues to monitor and maintain) and in 2002 for the “Buffalo Outer Harbor Brownfield”, which involved a “use-based” strategy for the majority of the land area, citing necessary future remedial actions coinciding with various types of future land development. Upon acquiring the property, ECHDC undertook updates of these prior investigation, most recently through a Human Health Risk Assessment

completed in 2020. The information derived from this work informed necessary remedial activities, such as soil capping and/or restriction of access, in various portions of the Project site to ensure that planned open space/recreational improvements could be used by the public within acceptable safety thresholds for exposure to contamination. Primary areas of soil capping would occur at portions of each Subarea, while access restrictions (e.g., wildlife/human access fencing) would be implemented in more wooded areas targeted for natural regeneration.

- b) Cultural/Heritage - The Buffalo Outer Harbor contains cultural resources that embody the City's waterfront industrial and maritime heritage. The artificial shoreline of the current Outer Harbor includes sea walls and piers that were constructed to accommodate rail lines, factories and industry, and areas that were used as dumps by the City and private entities to reclaim land for future port facilities. As industry declined and activity at the Port of Buffalo decreased in the mid-20th century, these industrial piers, factory buildings and grain elevators were either abandoned or changed from their use as transshipment and manufacturing facilities. Several cultural resources either located within or near the Project Site remain, including the Outer Harbor Breakwater System, Buffalo Lighthouse (*NRHP-listed*), Seawall/Fuhrmann Boulevard/Hamburg Turnpike, Connecting Terminal Grain Elevator (*Eligible for listing on the State and National Register of Historic Places [S/NRHP]*), Great Northern Grain Elevator (*NRHP-listed*), Michigan/Municipal Piers, former Bell Aerospace *Hydroskimmer* test center, former Ford Pier and Terminal A complex (*S/NRHP-eligible and listed by City as a Local Landmark*).

Under this GPP, the cultural elements located within the Project Site would remain and be sensitively highlighted through signage, lighting, or other interpretive gestures. Those elements nearby would, if possible, be included in viewsheds and highlighted through interpretive means as well.

- c) Water Access - The improvements made at the Queen City Bike Ferry and Wilkeson Pointe have increased public water access, while dock improvements and equipment upgrades at the First Buffalo River Marina have enhanced private water access to the northern end of the Project Site. The NYSOHPRP and the private operator of the 1,000-slip Safe Harbor Marina at the Buffalo Harbor State Park (aka the former NFTA Boat Harbor) have also invested over \$15 million, much of which improves water access for slipholders, transient and trailered boaters, as well as access and services for fishermen.

Under this GPP, additional water access elements would be installed throughout the Project Site, including but not limited to transient docks, kayak launches, fishing piers, overlooks and stepdowns, and continued upgrades to the Ferry landing and boat launches at the Marina location will further increase access to the water's edge. Many of these features will allow for a diversification of waterside activities.

- d) Land Access and Circulation - Prior to the 2014 land transfer, two multi-use pathways (one along Fuhrmann Boulevard (the "Fuhrmann Greenway") and one along the water's edge (the

“Greenbelt”) were built to increase access to and through the Project Site. ECHDC’s Wilkeson Pointe improvements at the northern end, and the Lakeside Complex at the southern end, completed the Greenbelt Trail and connected it to the Fuhrmann Greenway so that over two miles of continuous, paved shoreline trail now exist in the Project Site for use by pedestrians and bicyclists. The introduction of ECHDC’s seasonal Queen City Bike Ferry and the year-round, multi-use trail along Ohio Street connects the Outer Harbor trail network with Canalside and the City trail network, with additional connections already existing to Tifft Nature Preserve, Tifft Street, and the Buffalo Lakeside Commerce Park.

Paved vehicular parking exists at Wilkeson Pointe (23 spaces), Bell Slip (28 spaces) the Lakeside Complex (53 spaces), and Terminal B (400 spaces), while approximately 250 unpaved vehicular parking spaces exist at the First Buffalo River Marina serving slipholders as well as trailered boaters. In addition, a seasonal gravel road (i.e., “Outer Harbor Drive”) extends north from the Fuhrmann Boulevard roundabout allowing for events and event parking on the paved parking area remaining from the former “Shooters” or “Pier” restaurant [which operated from 1989-2000 on leased NFTA land), as well as lawn area at 461 and 525 Fuhrmann Boulevard. This area holds approximately 350 parked cars on the paved/gravel surface and another 750 cars on the lawn for large scale events.

Outside the Project Area, there are nearly 500 on-street parking spaces along the length of Fuhrmann Boulevard that support the various Subareas.

Under this GPP, the Project Area will see an enhanced network of new and improved trails that would connect the Ferry at the northern end of the site with Terminal B at the southern end. This enhanced network would provide a paved, multi-use “spine” that connects each Subarea of the Outer Harbor. Each Subarea would also have its own series of trails, both paved and unpaved, that will allow for further exploration of the various waterfront settings and offerings.

Paved parking lots would be limited to only those necessary to service parking accommodations for the disabled and elderly and to support staging for waterside activities and public amenities (e.g., personal watercraft put-in points and trailheads). It is expected that overall parking spaces within the Project Area would be reduced once the entire Plan is completed.

- e) Open Space and Landscape - Outside of the First Buffalo River Marina and Terminal B Subareas, the City recently zoned the Project Area as Open Space. In addition, the nearly 200 acres has been stripped of most former buildings and industrial equipment and after sitting vacant for decades, is now slowly regenerating as a waterfront landscape. However, without much soil and burdened by severe weather and a large deer population, the landscape consists mainly of invasive and/or non-native species and a limited number of tree and shrub species. Earlier capital projects at Wilkeson Pointe and the Lakeside Complex were completed to increase the variety of tree and shrub species, focused on the needs of migrating birds and butterflies. These interventions have also included various deer fence protections methods to ensure the longevity of these plantings.

Under this GPP, the Project Area will employ a comprehensive, regenerative strategy that would strengthen the existing landscape while diversifying the plant materials based on past experiences, the weather and area micro-climate, and animal populations. The strategy would include the removal and management of invasive species while enhancements are made to the soil. A variety of plant typologies would be installed within and between Subareas to ensure the long-term sustainability of the landscape improvements, including a pollinator corridor along Fuhrmann Boulevard.

- f) Comfort Stations, Signage and Wayfinding - The Project Site currently includes a limited amount of comfort station amenities (i.e., restrooms, water fountains, shade structures) at Wilkeson Pointe and the Lakeside Complex, but most of the site is underserved. The First Buffalo River Marina includes amenities for the slipholders but not for the general public. Signage and wayfinding are currently limited to the Lakeside bike park trails network and the paved shoreline trail.

Under this GPP, the placement of additional comfort stations throughout the new landscape will provide for a more even distribution of amenities while enhancing the various subareas. It is likely that one or more of these stations be used by police or other emergency service providers.

An overall signage and wayfinding program will allow visitors to better understand where they are within the vast site, where the various subareas are located and how long it will take to get there. The signage will also be used to brand the Outer Harbor within the larger context of the emerging Buffalo Waterfront.

- g) Passive and Active Recreational Amenities - The open space within the Project Site already provides for several passive and active recreational opportunities and spaces for various activities, programs and events. From walking to biking, yoga to kickball, festivals, movies, concerts, 5k/8k runs, and travelling programs, the vast acreage allows for multiple types of programming to occur.

Under this GPP, the combination of water and land access, circulation and landscape improvements will create additional spaces to continue, as well as grow passive and active recreational activities. The Subareas will be developed to encourage certain types of programs, activities, and cultural arts that best suit the site and/or adjacent uses. Small and medium-sized lawns could be used for a variety of seasonal physical activities, public and private events and festivals, movies, while larger lawn areas can be used to host concerts, 5k/8k run after-parties, large festivals, and miscellaneous travelling programs. The restored, natural areas could be used for forest bathing, birding, fishing, educational walks, sunset viewing, as well as low impact recreational sports and/or meditative activities. While these activities are only suggestive of a range of options, a full schedule of events and programs would be developed to activate the Project Site as the Subareas are completed.

## 2) Subareas

The Buffalo Outer Harbor is generally described by eight (8) Subareas, seven (7) of which are included in this GPP. While the Terminal A Subarea is not included in this Project, it is discussed in **Section F** below.

- a) First Buffalo River Marina - This 15-acre Subarea is used for docking and storage of pleasure boats, launch services, and services for boaters, including minor repair of boats while in the water and on land, sale of supplies and/or provision of food and beverages. The Marina also includes the landing for the Queen City Bike Ferry at the northern-most end of the site. The abandoned concrete silos of the 1915 Connecting Terminal Grain Elevator and 1955 Annex are located near the southern end of the property, with a nightly light show in operation since November 2015.

Large portions of the overall site would be opened to the public while the recreational Marina and ancillary services will continue to be operated by a private operator. The current number of slips would be maintained with improvements to the slipholders site access, parking, movement through the site, and security on land as well as on the docks. Boater and marina services, including but not limited to launch, repairs, winter storage, food, beverage and restrooms, would be continued and/or enhanced.

A relocation of the Queen City Bike Ferry landing to the center of the site would allow for a redistributed network of boardwalk, paved and unpaved trails through the site, while creating the first segment of the multi-use “spine” connection between the landing and Wilkeson Pointe. The area near the landing would include an upland beach, decks, comfort station with food, beverage, and restrooms, as well as connections to the Connecting Terminal Grain Elevator experiences. Large areas of the site would become naturalized with maintainable landscaping with overlooks and trail signage. Minimal programming is expected at the Marina outside of the beach zone and grain elevators.

The Connecting Terminal Grain Elevator would see two enhancements, with the 1915 main house ground level improved and sections made accessible to the public, while an interpretive trail experience built at the ground level inside the 1955 annex bins would inform the public of Buffalo’s grain elevator history. The existing lighting project would remain in place through 2025, completing its anticipated 10-year run.

- b) Wilkeson Pointe - The 22.3-acre Subarea currently consists of edge improvements, a path network, restrooms near Fuhrmann Boulevard, temporary food and beverage facilities, a 23-space paved parking lot, and the iconic wind sculptures atop the *Pointe*. A large portion of the subarea was not improved as it was expected to be sold for private development. While the edge improvements, restrooms and iconic wind sculptures will remain, much of the site will be reconstructed to provide permanent amenities and refined spaces for programming and events that the public has enjoyed for the past four years.

The existing path network would be modified to create a single entrance to Wilkeson Pointe, and in line with the planned multi-use “spine” connection from the First Buffalo River Marina. The revised path network removes confusion with the Times Beach Diked Disposal Area entrance at the north end of the site, as well as the “bottleneck” near the restrooms at the south end of the site. The vehicular entrance and parking spaces will also be relocated to allow for a more naturalized water’s edge of Slip No. 3.

A permanent, seasonal comfort station including food, beverage, and restrooms would be constructed with ancillary seating areas consisting of decks, lawns, and sand areas. This area will become the center of activity at the site and will support programming, events and seasonal recreational activities at the facility or at adjacent lawns and open spaces. In addition, the site is expected to continue to provide rental opportunity stations for kayaks, stand up paddle boards, and bicycles.

A large portion of the site would include soil amendments and maintainable landscaping improvements, with meadows, grasslands and pollinator fields. An enhanced vegetated buffer along the northern edge would keep Times Beach Diked Disposal Area separated from this site.

- c) Michigan Pier - This 29.2-acre Subarea consists of the Michigan Pier, Slip No. 2, Slip No. 3, and a wedge of land between these man-made features and Fuhrmann Boulevard. The three industrial structures were built and filled in by the City of Buffalo circa 1927, with the former “Municipal Pier” constructed at approximately 1,100 ft long by 220 ft. wide and surrounded by Slip No. 2 to the south and Slip No. 3 to the north. Sheet pile walls with above-grade concrete caps define these features while below-grade tie rods continue to support the Pier structure. Approximately one-third of this subarea is upland, with the rest of the space consisting of the two watered Slips.

The Michigan Pier would be rehabilitated to ensure its structural integrity, with perimeter walkways and railing along the Slip No. 2 edge and western end. The upland area would include soil amendments and maintainable landscaping improvements, with a mix of meadow, forest, lawn and pollinator fields. Enhanced vegetation along the northern edge would create a naturalized transition from the land improvements to the water improvements under Slip No. 3 (see below). Permanent, seasonal comfort stations including food, beverage, and restrooms, as well as rental opportunity stations would be constructed. A series of additional pathways, overlooks, and small lawn areas provide for programming and events throughout the space while a pedestrian bridge connecting Michigan Pier to Wilkeson Pointe increases access and overall connectivity. Finally, a wide multi-use walkway along the eastern edge, and running parallel with the Fuhrmann Boulevard Greenway, extends the “spine” from Wilkeson Pointe toward the Meadows.

Slip No. 2 would remain largely untouched, except for required structural and safety measures and transient docks along the southern edge. This Slip would be used for recreational and commercial watercraft, and possibly water-dependent events such as the tri-annual Tall Ships

festival that tours the Great Lakes. This Slip is approximately 1,100-ft. long by 400-ft. wide and nearly 25 feet deep.

The ECHDC has been coordinating with the US Army Corps of Engineer (“USACE”), Buffalo District’s proposal to make Section 204 Beneficial Use of Dredged Material for Ecosystem Restoration, along the Buffalo Outer Harbor – Slip No. 3 project. In July 2020, the USACE assessed the environmental impacts of the Project in accordance with the National Environmental Policy Act (“NEPA”) of 1969 and has issued a Finding of No Significant Impact (“FONSI”). The Detailed Project Report and Environmental Assessment (“DPR/EA”) and FONSI have been prepared in accordance with the Council on Environmental Quality’s “Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act,” 40 CFR 1500-1506; and Corps of Engineers Regulation 200-2-2, “Environmental Quality: Policy and Procedures for Implementing NEPA.”

Slip No. 3 would be rehabilitated with the use of dredged materials from the Buffalo River to create approximately 6.7 acres of coastal wetland habitat along the Lake Erie shoreline. The proposed Slip No. 3 project, designed and constructed by the U.S. Army Corps of Engineers and jointly funded by the federal agency and ECHDC, would contribute to the restoration of the aquatic ecosystem functions that have been lost or degraded in the eastern Lake Erie/Upper Niagara River basin. The habitat would be created by constructing an angled rubblemound breakwater structure with a weir opening at the mouth of Slip No. 3, placing approximately 285,000 cubic yards of dredged material within the Slip to raise the existing bottom by nearly 15 feet, installing habitat features (i.e., gravel beds, rock piles, rootwads, logs), and planting native species of submerged and emergent aquatic vegetation.

- d) The Meadows - The 60.7-acre Subarea currently includes a paved pathway along the water’s edge, asphalt and gravel parking areas (i.e., once serving the former “Pier” restaurant), and large areas of invasive species, brush, and emerging cottonwood trees divided by a paved/gravel “Outer Harbor Drive” originating from the Bell Slip subarea. The water’s edge pathway is part of the Greenway Nature Trail or “Greenbelt” constructed in 2008 that stretches 6,400 feet along the Lake Erie shoreline. ECHDC extended the northern end in 2016 and the southern end in 2019, connecting the Greenbelt to the multi-use Fuhrmann Boulevard Greenway.

With the Greenbelt to remain, the site would include soil amendments and significant areas of landscaping improvements, with meadows, grasslands, forest and pollinator fields comprising the bulk of the subarea. The shoreline would be strengthened with larger stones while providing locations for the public to fish, sunset watch, and direct physical access to the water.

The parking area would be reduced and replaced with a signature naturalized play area, overlooks, and comfort stations including restrooms, would be included to enhance the visitor’s experience.

A series of paved, gravel, boardwalk, and cut-grass pathways would significantly enhance the connectivity through this subarea, while extending the “spine” from the Michigan Pier to the shoreline, where it would combine with the Greenbelt. Additional comfort stations would be included along some of these pathways.

- e) Bell Slip - This nearly 28.2-acre Subarea is defined by the watered Bell Slip and shoreline Greenbelt trail. The area also includes a 28-space paved parking lot and remnants of the former Bell Aerospace *Hydroskimmer* facility. The remainder of the site includes the Fuhrmann Boulevard roundabout entrance to “Outer Harbor Drive” and a large stand trees, predominantly cottonwoods, that overlap the Meadows Subarea.

The Greenbelt trail would be modified to connect to the Fuhrmann Greenway at the roundabout entrance. The area would be reorganized with parking, a comfort station including restrooms, and enhanced landscaping which together provide a sense of place to the Bell Slip. The original parking lot would be removed while the building remnants would remain. A series of boardwalk trails would be constructed through the cottonwood stand while invasive species would be removed.

A large portion of the site would include soil amendments and landscaping improvements, with composting center, forest, meadows, grasslands and pollinator fields.

- f) Lakeside Complex - In 2019, a 41.0-acre Subarea of the Outer Harbor was dedicated as the Lakeside Complex, including an extension of the multi-use trail system, as well as a new bike park and off-road trails, 53-space paved parking lot, 3.5-acre event lawn and large areas of regenerative landscapes. The reconstructed areas provided for active recreational opportunities at the southern end of the site, which is zoned for more intensive development.

The bike park area, including three tracks for various skilled riders and three off-road trails, is serviced by a paved entrance/parking and a plaza area at the south end. At the end of the parking, a cul-de-sac end has been designed for food trucks and site related events. A “ticket” kiosk near the entrance to the event lawn also provides food and beverage options during peak usage times. Approximately 33-acres of upland was treated for invasive species or redeveloped as regenerative landscape, meadow, pollinator field and lawn. Over 750 trees, 1,000 shrubs and ornamental grasses were introduced to diversify the plant species and provide for a future seedbed.

Further enhancements to the Lakeside Complex would include the redevelopment of approximately 6-acres of upland area to support the Terminal B Subarea rehabilitation. This area, on the eastern side of the Terminal building would be improved with soil amendments, landscaping, and hardscaping to allow for a space that is integrated with the proposed facility improvements. The enlargement of the bike park plaza includes a comfort station, improved hardscaping, and the option for a seasonal food and beverage kiosk. Finally, extensions of the

off-road trail system and other active recreational amenities (such as a skate park, ropes course, ziplines, drone course, etc.) are planned in this Subarea.

- g) Terminal B - The nearly 100,000 square foot steel-frame and concrete block building has sat vacant for over a decade. Surrounded by approximately 12-acres of asphalt parking, the Lakeside Complex on three sides and Lake Erie on the fourth, the building has been primarily used for off-season equipment storage since ECHDC took ownership.

Terminal B would be completely rehabilitated and adaptively re-defined to create secure storage, operations and maintenance offices, public restrooms, and back-of-house operations while providing the infrastructure, space and utilities to support large-scale events and programming opportunities. The existing building façade and roof would be removed with the steel frame and foundation remaining. An approximately 30,000-square-foot facility would be created to support outdoor events, largely on the southern end of the existing building slab, with ancillary mezzanine and roof areas. This building component would be designed to allow for a transition to food, beverage and retail vendor opportunities if future market demand warrants. A 9,000-square-foot permanent stage/storage/greenroom facility would be created on the eastern edge of the building slab, while a public elevated walkway would be built along its western edge. The stage location would allow for improved support for outdoor concert event operations (e.g., negating the use of transient electrical generator or stage apparatuses), while the elevated walkway would extend the trails network with unparalleled views of Lake Erie, sunsets and impending storms.

The outdoor space on the eastern side of the site (part of the Lakeside Complex Subarea) would be improved with soil amendments to cap limited surface contamination, landscaping, and hardscaping to allow for a space that is integrated with the building improvements.

## **F. TERMINAL A SUBAREA**

The Terminal A Subarea consists of approximately 39 acres, the 560,000-SF former Port Terminal A, “Oil House”, Boiler/Fire Pump House, and “Blue Building” and is specifically excluded from this GPP. The Subarea is nearly all paved, with access roadways and parking for over 1,500 vehicles, but also contains the 1,000 ft. long by 250 ft. wide Slip No. 1 at the southern edge. Terminal A, the “Oil House”, and Slip No. 1 were built in 1930-31 as part of a Ford Motor Company assembly plant, which ceased operations in 1958. The other ancillary buildings were built in the 1970s and 1980s as part of NFTA port operations. The Subarea facilities were used by various tenants through 2009, at which point the buildings have been used for cold storage and back-of-house operations by the NFTA, ECHDC and NYSHOPRP.

Terminal A is approximately 1,000 ft by 300-400 ft and consists of high-bay, low-bay, open area, maintenance shop, and office spaces. The one and two-story steel frame and masonry block and brick veneer building was constructed on steel and concrete piers, partly connected to the sheet piling walls of Slip No. 1. The building is serviced by electric, gas, water and sewer. Terminal A, designed by Albert Kahn,

is considered a prime example of 20<sup>th</sup> Century industrial architecture and was designated as a local historic landmark by the City of Buffalo Historic Preservation Board in 2019.

Terminal A has been vacant for nearly 10 years and a 2017 inspection outlined environmental remediation, utility and fire suppression upgrades, roof and exterior envelope rehabilitation, as well as interior space renovations necessary for the building to be reused again.

In 2019, the ECHDC established a volunteer, advisory panel of local citizens to study options and make non-binding recommendations to ECDCH concerning the future of Terminal A. The advisory panel is reviewing local market studies and best practices for similar facilities around the country, evaluating redevelopment scenarios, cost estimates, and schedules in order to assess a range of potential outcomes from demolition to full restoration. Recommendations from the advisory panel are expected in 2021.

Due to the complex issues regarding Terminal A, redevelopment of this Subarea is not included as part of this Project.

## **G. ADJACENT PROJECTS**

Several adjacent projects, being undertaken by other federal, State and local agencies and/or municipalities, are at various stages of design and evaluation. While these projects are not actions that are considered a part of this GPP (i.e., the GPPs proposed components could be implemented whether or not these other projects are completed); nevertheless, the Buffalo Outer Harbor plan includes ECHDC's latest understanding of these adjacent projects for planning and coordination purposes.

- 1) The Buffalo Skyway (NYS Route 5) Project - The New York State Department of Transportation ("NYSDOT"), in cooperation with the Federal Highway Administration ("FHWA"), is currently preparing an Environmental Impact Statement ("EIS") for the Buffalo Skyway Project.

The purpose of the Project is to remove the Buffalo Skyway, a high-level bridge and expressway system connecting I-190 and downtown Buffalo to the Outer Harbor and the City's southern suburbs, to support existing and planned recreational, mixed-use, and waterfront development in the Buffalo Outer Harbor area. The project will also address the safety, operational, and capacity deficiencies of the highway connections that serve economic development areas and local communities within South Buffalo.

The EIS process began with the publication of a Notice of Intent in the Federal Register on December 20, 2019. The NYSDOT held three public scoping meeting sessions on January 28<sup>th</sup> and 29<sup>th</sup>, 2020. The 30-day public scoping comment period began on January 28, 2020 and ended on February 28, 2020.

A full economic impact analysis will be conducted as part of the State's Draft Environmental Impact Statement that will assess the implications of the removal of the Skyway's high-level bridge and its

elevated approaches in downtown Buffalo in providing/opening up land for new infill development that could better knit downtown Buffalo with the Buffalo River waterfront. In turn, this assessment will consider the economic benefits of near-term environmental enhancement of removing a large swath of impervious pavement on the Outer Harbor and ultimately changing the long-term trajectory of land use patterns there. The assessment will also examine the benefits of providing improved goods movement access between Interstate 190 and the RiverBend (Tesla) site and other brownfield redevelopment sites in its vicinity. Thus, it is anticipated that the economic impact analysis will fully document how the project will have a positive effect on local and regional economies.

- 2) U.S. Coast Guard Base - In 2010, the Coast Guard Base began a series of phased improvements including the relocation of utilities and reconstruction of concrete docks and fueling area to accommodate for a restructured Coast Guard sector site. Additional funding is required for the Coast Guard to reconfigure buildings on the site, while allowing for a larger public footprint along the mouth of the Buffalo River.
- 3) Times Beach Diked Disposal Area - At approximately 55-acres, this Contaminated Disposal Facility owned by the City and managed by both the City and the County, was created in the 1950s and completed by the late 1970s. The site, included in the 2018 City of Buffalo *Local Waterfront Revitalization Plan* and the 2018 Erie County *Parks Master Plan update, Waterfront Access and Trailways (Volume 3)*, is currently fenced with gravel and boardwalk trails, bird blinds and educational and interpretive features.

In 2017, as part of the Great Lakes Restoration Initiative (“GLRI”), the Aquatic Plant Control Demonstration project team planned, designed, and implementing a full-scale project to demonstrate means of removing and controlling aquatic invasive plants in concert with restoration of valuable native species through mechanical removal, chemical treatment, and habitat modification (restoration).

The County, with New York State funding, is planning for entrance-way improvements along Fuhrmann Boulevard, adjacent to Wilkeson Pointe. These improvements are expected to be completed in 2021.

## **H. PROJECT SITE OWNERSHIP**

The Project Site is currently owned by ECHDC, with the NYS Department of Environmental Conservation holding an environmental easement on the original section of the Greenbelt trail (from the Meadows to the Terminal Complex) and the NYSDOT holding a sewer easement through the Bell Slip subarea.

The City of Buffalo will continue to own the Fuhrmann Boulevard public right-of-way.

## I. PROJECT SCHEDULE

Subject to necessary approvals, it is expected that Phase 1 of the Project would begin in 2021 with completion of the upland work in 2026 and the in-water work by 2030. A Phase 1 Investment Map is attached in **Exhibit B**. The entire Project is expected to be completed over a 20-year span or as funding becomes available.

- 1) Phase 1 - Creation of new and enhanced open spaces, increased land and water access, the addition of comfort stations, and passive and active recreational amenities would constitute Phase 1 of the Project. Improvements on over 50 acres of upland and watered property, including the rehabilitation of Terminal B would occur during this first phase.

Wilkeson Pointe: The work described as described in Section E.2.b would be completed in its entirety.

Michigan Pier: The Slip No. 3 work as described in Section E.2.c would be completed in its entirety. Upland and Slip No. 2 work would be completed in future phases.

Bell Slip: A portion of the work as described in Section E.2.e, including the reorganized entrance, comfort station, targeted landscaping and trail improvements would be completed. Boardwalk trails and large areas of landscaping improvements would be completed in future phases.

Lakeside Complex: The work as described in Section E.2.f would be completed in its entirety.

Terminal B: The work as described in Section E.2.g, except for the 30,000 SF facility, would be completed in its entirety.

- 2) Future Phase(s)

First Buffalo River Marina: The work as described in Section E.2.a would be completed in its entirety.

Michigan Pier: Upland and Slip No. 2 work as described in Section E.2.c would be completed in its entirety.

The Meadows: The work as described in Section E.2.d would be completed in its entirety.

Bell Slip: The boardwalk trails and large areas of landscaping improvements described in Section E.2.e would be completed in its entirety.

Terminal B: The 30,000 SF facility as described in Section E.2.g would be completed in its entirety.

**Summary of Phased Investment**

**Table 2**

<b>Category</b>	<b>Unit</b>	<b>Existing</b>	<b>Phase 1</b>	<b>Future Phase(s)</b>	<b>At Project Completion</b>	<b>Change</b>
Surface Water Features	Acres	33.93	33.93 <sup>(1)</sup>	33.93	33.93	0.00
Upland Covertypes	Acres	174.45	70.26 <sup>(2)</sup>	104.19	174.45	0.00
<i>Impervious</i>	<i>Acres</i>	<i>25.02</i>	<i>12.39</i>	<i>14.66</i>	<i>27.06</i>	<i>+2.04 <sup>(3)</sup></i>
<i>Pervious (vegetated)</i>	<i>Acres</i>	<i>116.95</i>	<i>51.35</i>	<i>81.55</i>	<i>132.91</i>	<i>+15.96 <sup>(4)</sup></i>
<i>Pervious (non-vegetated)</i>	<i>Acres</i>	<i>32.48</i>	<i>6.52</i>	<i>7.97</i>	<i>14.49</i>	<i>-18.00 <sup>(4)</sup></i>
Structures <sup>(5)</sup>	EA	8	4	9	21	+13
Trails <sup>(6)</sup>	Miles	5.31	4.71	6.43	11.14	+5.83
Parking Spaces <sup>(7)</sup>	EA	960	449	224	558	-402
<i>Public</i>	<i>EA</i>	<i>845</i>	<i>334</i>	<i>109</i>	<i>443</i>	<i>-402</i>
<i>Marina Slipholder</i>	<i>EA</i>	<i>115</i>	<i>115</i>	<i>115</i>	<i>115</i>	<i>0</i>
Marina Slips	EA	115	115	115	115	0

Notes:

<sup>1</sup>Although approximately 6.7 acres of in-water work would be included in Phase 1 (i.e., Slip No. 3), the total area of surface water will not change after all phases of the Project are complete.

<sup>2</sup>Phase 1 disturbance would only affect 50 acres because large area of Wilkeson Pointe (3 acres) and Lakeside (17 acres) will remain as existing.

<sup>3</sup>The slight increase in impervious area (1% of overall site) would mainly be the result of nearly 6 miles of new trails, boardwalk and sidewalk.

<sup>4</sup>Environmental remediation would be undertaken as described in Section E.1.a of this GPP.

<sup>5</sup>Structures would range in size from ~1,200 SF (for new Comfort Station) to ~39,000 SF (for rehabilitated Terminal B).

<sup>6</sup>Trails, including boardwalk and sidewalk, are currently assumed to be impervious. Pervious options would be explored during final design.

<sup>7</sup>The 484 on-street parking spaces along Fuhrmann Boulevard are not included in this calculation and would remain available for use.

<sup>8</sup>The number of First Buffalo River Marina slips and slipholder parking spaces would remain at same levels as existing.

**J. PROJECT FUNDING**

The GPP budget is currently projected at \$150,000,000 with Phase 1 estimated at nearly \$45,000,000 in capital construction. Funding for Phase 1 has been secured with future phases expected to be funded with a mix of ECHDC, federal, State and other fund sources. These later phases be implemented when funding is secured.

1) Capital Construction - Phase 1 Funding Uses and Sources are set forth below:

**Phase 1 Funding Uses  
Table 3**

<b>Funding Uses</b>	<b>Subarea</b>	<b>Cost</b>
Construction	First Buffalo River Marina	\$38,500,000
	Wilkeson Pointe	
	Michigan Pier	
	The Meadows	
	Bell Slip	
	Lakeside Complex	
	Terminal B	
Planning, Design, Construction Administration		\$2,200,000
Construction Management		\$3,600,000
<b>Total Project Cost</b>		<b>\$44,300,000</b>

**Phase 1 Funding Sources  
Table 4**

<b>Funding Sources</b>	<b>Amount</b>
Erie Canal Harbor Development Corporation via NYPA Relicensing Agreement	\$19,492,000
Empire State Development Regional Innovation Cluster Grant ("Buffalo Billion")	\$15,000,000
Federal	\$9,808,000
<b>Total</b>	<b>\$44,300,000</b>

- 2) Operations and Maintenance - The Operations and Maintenance budget for the Buffalo Outer Harbor Phase 1 investments is currently estimated to be a **\$788,000** annual expenditure for administration, security, maintenance and repairs, utilities, and insurance. This budget also assumes vendor contracts for environmental services, planning and design for repairs, and on-going permitting. The Operations and Maintenance budget is based on actual cost data and future estimates.

The funding for Operations and Maintenance would come from *First Buffalo River Marina* revenue, *Events and Concessions* revenue, and miscellaneous rents and/or site charges generated by the Project Site, the ECHDC's NYPA Relicensing Settlement and other State funds. Grants, sponsorships, private donations, and philanthropic support could be solicited as applicable. ECHDC anticipates an *Events and Concessions* contract will comprise of administration, security, operations and maintenance, events and programming, food and beverage and marketing personnel, in addition to seasonal staff, third-party contractors and/or vendors for certain services.

It is expected that ECHDC would continue to collaborate with the NYSOPRHP to provide some of the maintenance and repairs while contracting with other vendors to provide the remaining services. As NYSOPRHP has maintenance responsibilities for the nearby Buffalo Harbor State Park and as such, staff present on-site, ECHDC and NYSOPRHP developed a cost-effective maintenance plan of shared services that began in 2015 and was successfully renewed in 2018.

#### **K. ECONOMIC IMPACT**

As part of the adoption of this GPP, ESD has performed an independent economic analysis of the Project. Based on the information herein, it is projected that the Project would have the following beneficial economic impacts over a ten-year period:

- 1) Construction of the Project (based on a construction cost of \$151 million) will generate 127 total jobs (direct, indirect and induced);
- 2) Total personal income related to construction activities will be \$70.9 million (direct, indirect and induced); and
- 3) Total construction employment will generate \$5.1 million in state revenues.

#### **L. LAND USE IMPROVEMENT PROJECT, CIVIC PROJECT AND OTHER FINDINGS**

Based on the information set forth in this GPP and other due investigation conducted by ECHDC, ECDHC hereby makes the following UDC Act Findings:

1) Civic Project Findings

- a) *There exists in the area in which the Project is to be located, a need for the educational, cultural, recreational, community, municipal, public service or other civic facility to be included in the Project.*

Except for recent improvements at select locations, this portion of the Lake Erie waterfront has been largely inaccessible to the public for decades. With the 2014 transfer of this property from the NFTA to the ECHDC, this Project would increase the public's awareness of the space and enhance access to the water's edge, while providing opportunities for educational, cultural and recreational experiences.

The Project also enhances the overall downtown setting for residents and visitors, and therefore provides public benefits to the local community, the City, Erie County and the State.

- b) *The Project consists of a building or buildings or other facilities which are suitable for educational, cultural, recreational, community, municipal, public service or other civic purpose.*

The Project site is owned by ECHDC and consists largely of vacant land along the shore of Lake Erie and is suitable to accommodate the various improvement projects which will provide public access, connectivity and programming.

- c) *The Project will be leased to or owned by the state or an agency or instrumentality thereof, a municipality or an agency or instrumentality thereof, a public corporation, or any other entity which is carrying out a community, municipal, public service or other civic purpose, and adequate provision has been, or will be, made for the payment of the cost of the acquisition, construction, operation, maintenance and upkeep of the Project.*

It is expected that upon the completion of the Project, ECHDC would retain ownership/title to the improvements, and ECHDC would maintain the Project as part of its overall capital facilities management program.

- d) *The plans and specifications assure or will assure adequate light, air, sanitation and fire protection.*

The plans and specifications will assure that adequate light, air, sanitation and fire protection are provided in the Project. The construction of the Project will conform to all applicable laws, codes, and standards.

## 2) Land Use Improvement Findings

- a) *That the area in which the project is to be located is a substandard or unsanitary area, or is in danger of becoming a substandard or unsanitary area and tends to impair or arrest the sound growth and development of the municipality.*

The Project Area consists of remaining former Port of Buffalo lands along Buffalo's Outer Harbor that have not already been remediated/improved by ECHDC and considered as a whole, are largely substandard, underutilized and economically stagnant. This is the legacy of decades of landfilling activities and heavy industrial use through the late 1980s, which then abruptly ended in the context of regional economic restructuring away from basic steel manufacturing and its associated support uses. Since this time, these waterfront lands have been mostly vacant and underused and have made a very slow transition to primarily support overall regional quality of life through recreational use, however, this continues to be impeded by the environmental contamination left by these past uses.

Therefore, the current environmental setting of the Project Area hinders growth and development of the City and is detrimental to the City's goals of fully creating a setting to fully support public enjoyment and access to the waterfront.

- b) *That the project consists of a plan or undertaking for the clearance, replanning, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto.*

This GPP involves a comprehensive plan development with extensive stakeholder and public involvement, to undertake proper environmental remediation activities to redevelop this substandard, underutilized site with additional public access, gathering, and comfort facilities to support greater public use/enjoyment.

- c) *That the plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole.*

The Project includes substantial public improvements and the creation of numerous open spaces and public amenities that would serve as quality of life improvements to increase demand for private development, both in adjoining parcels/neighborhoods and at the regional level to help attract and retain workforce/talent for the region's emerging economic sectors in tech, advanced manufacturing, and health/life sciences.

## 3) Findings for all Projects

*That there is a feasible method for the relocation of families and individuals displaced from the Project Area into decent, safe and sanitary dwellings, which are or will be provided in the Project*

area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonable accessible to their places of employment.

There are no families or individuals living or located on the Project Site and no families or individuals are being displaced as a result of the Project.

#### **M. NON-DISCRIMINATION & CONTRACTOR AND SUPPLIER DIVERSITY**

ESD's Non-Discrimination & Contractor and Supplier Diversity policies will apply to this Project. The selected Consultant(s) and/or Contractor(s) shall be required to include minorities and women in any job opportunities created, to solicit and utilize certified Minority and Women Business Enterprises ("MWBEs") and Service-Disabled Veteran-Owned Businesses ("SDVOBs") for any contractual opportunities generated in connection with the Project. The overall goal of the Project is to achieve an overall MWBE Participation Goal of 30% and an overall SDVOB goal of 6% related to the total value of the Project. The overall MWBE goal shall include an MBE Participation Goal of 15% and a WBE Participation Goal of 15%.

#### **N. LOCAL REQUIREMENTS**

ECHDC may elect to undergo courtesy reviews from local planning boards or engage with local building departments on inspection/compliance with NYS Building Code or engage appropriate New York State entities to undertake inspection/compliance.

#### **O. ENVIRONMENTAL REVIEW PROCESS**

ECHDC, as lead agency, has completed an environmental review of the Buffalo Outer Harbor Civic and Land Use Improvement Project pursuant to the State Environmental Quality Review Act ("SEQRA") and its implementing regulations (6 NYCRR Part 617). This review, which was coordinated with involved agencies due to the Project's Type I classification, found that the proposed project would not result in significant adverse impacts on the environment. Among the considerations going into this determination were analyses conducted for the USACE's proposed Beneficial Use of Dredged Material for Ecosystem Restoration at Slip No. 3, documented in a Detailed Project Report and Environmental Assessment and a federal Finding of No Significant Impact ("FONSI"), both issued by the USACE in July 2020. Therefore, staff recommends that the Directors make a Determination of No Significant Effect on the Environment.

Also, to the extent the requested authorization may be considered to be "segmented" from any future development, rehabilitation, redevelopment of the former Port Terminal A or activities by other agencies at other nearby Outer Harbor locations, that such "segmentation" is permissible pursuant to 6 NYCRR Part 617.3(g) due to the relevant circumstances of the Proposed Action, specifically: (i) that it is not possible

to consider the environmental implications of such future activities in the absence of specific proposal(s) for new development; (ii) that any such future development will be subject to review under SEQRA as well as any/all other applicable reviews/approvals; and (iii) that the review of the Proposed Action as described is no less protective of the environment than review together with any speculation of potential future development at these other locations.

Finally, because the Project Site contains properties both on and eligible for inclusion on the S/NRHP, ECHDC will continue to ensure, prior to implementation of any Project component that could affect such resources, that consultation is conducted with the State Historic Preservation Office (“SHPO”) of the NYS Office of Parks, Recreation and Historic Preservation, pursuant to the requirements of Section 14.09 of the State Historic Preservation Act.

## **P. STAKEHOLDER/PUBLIC INVOLVEMENT ACTIVITIES**

Formulation of this GPP was developed in the context of a robust process of stakeholder and public involvement that included a series of individual meetings, work sessions, and public workshops/information meetings. This is all culminated by the official public comment period that will be authorized upon the adoption of this GPP. **Exhibit C** outlines the various stakeholder and public involvement sessions conducted in this effort.

## **ATTACHMENTS**

### **EXHIBIT A – SITE MAPS**

- A1 Project Site Map
- A2 Subarea Map
  - A2.1 First Buffalo River Marina
  - A2.2 Wilkeson Pointe
  - A2.3 Michigan Pier
  - A2.4 The Meadows
  - A2.5 Bell Slip
  - A2.6 Lakeside Complex
  - A2.7 Terminal B
- A3 Zoning Map

### **EXHIBIT B – PHASE 1 INVESTMENT MAP**

### **EXHIBIT C – SUMMARY OF STAKEHOLDER/PUBLIC INVOLVEMENT**

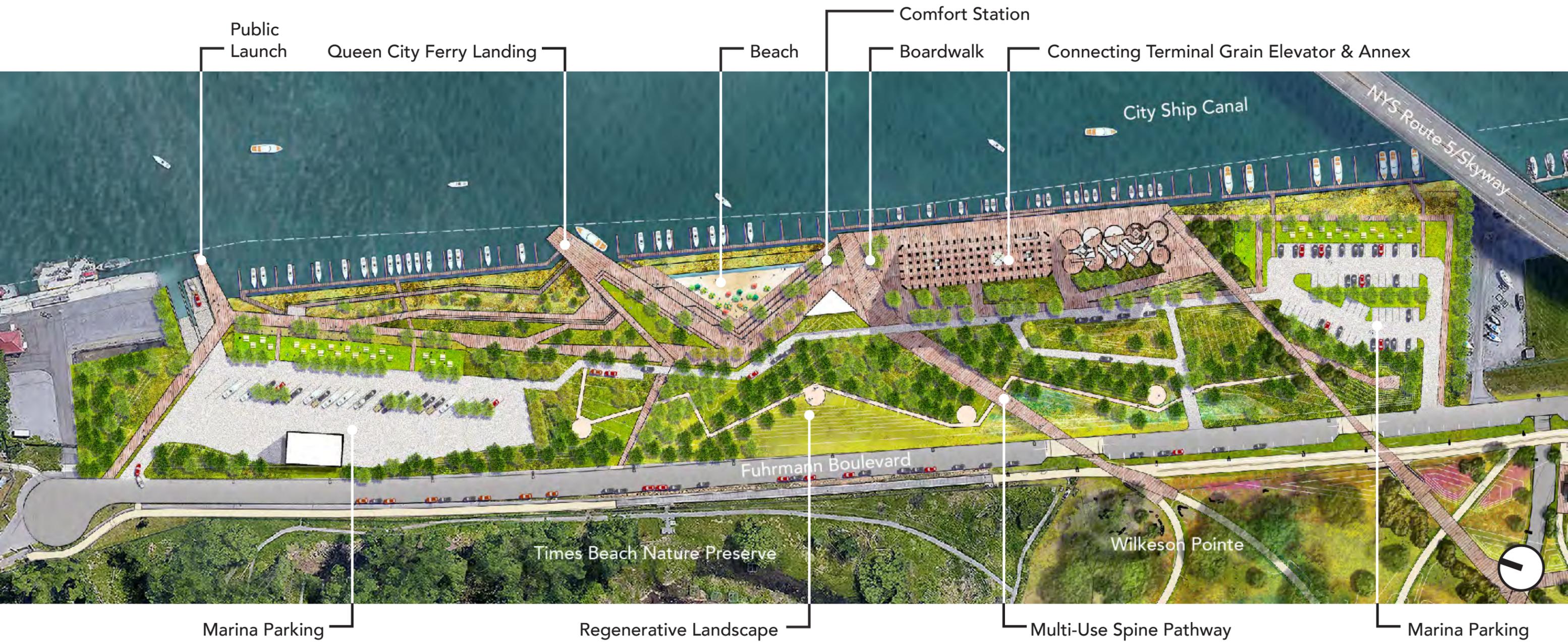
**EXHIBIT A – SITE MAPS**



**Exhibit A.1**  
**Project Site Map**  
November 9, 2020



**Exhibit A.2**  
**Subareas Map**  
November 9, 2020



**Exhibit A.2.1**  
**First Buffalo River Marina**  
November 9, 2020



Fuhrmann Boulevard

Times Beach  
Nature  
Preserve

Cultural Transect & Multi-Use Spine

Regenerative Landscape

Times Beach Buffer

Kayak Launch

Comfort Station

**Exhibit A.2.2**  
**Wilkeson Pointe**  
November 9, 2020

Fuhrmann Boulevard

Rental Space & Comfort Station

Boardwalk & Multi-Use Spine

Buffalo Regional Sediment Management Project

Transient Docking & Promenade

Regenerative Landscape

Tall Ships Docking & Promenade

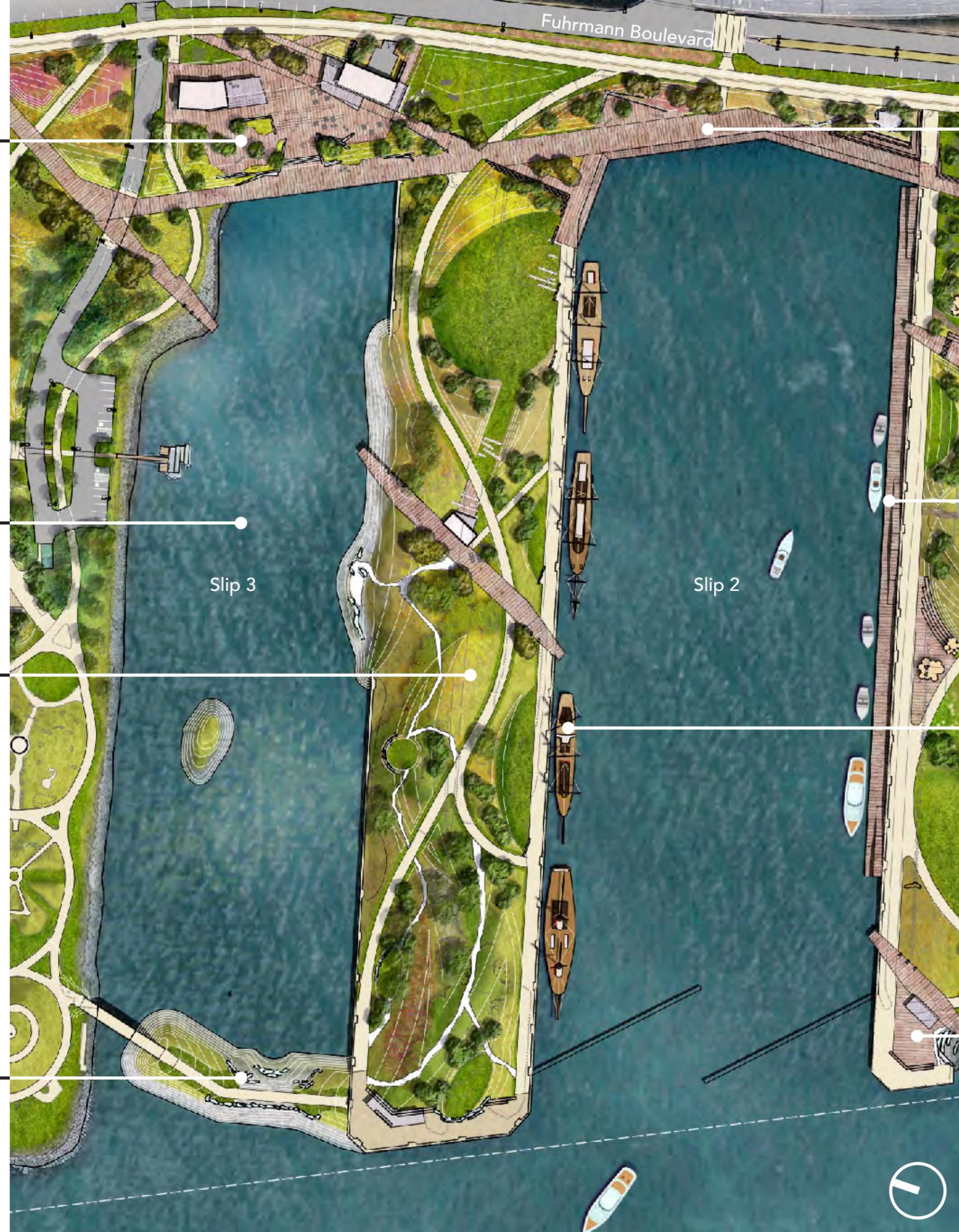
Pedestrian Bridge & Breakwater

Overlook

Slip 3

Slip 2

Exhibit A.2.3  
Michigan Pier  
November 9, 2020



Great Lakes  
Interpretive  
Playground with  
Comfort Station

Multi-Use Spine

Overlook

Comfort Station

Regenerative Landscape

Fuhrmann Boulevard

Outer Harbor

Regenerative Landscape

Overlook

Expanded Trail Network



**Exhibit A.2.4**  
**The Meadows**  
November 9, 2020



Regenerative Landscape

Comfort Station

Expanded Trail Network

Bell Slip

Accessible Fishing Dock

'Flat Man' Sculpture

Overlook

Multi-Use Spine

**Exhibit A.2.5**  
**Bell Slip**  
November 9, 2020



Fuhrmann Boulevard

Event Lawn

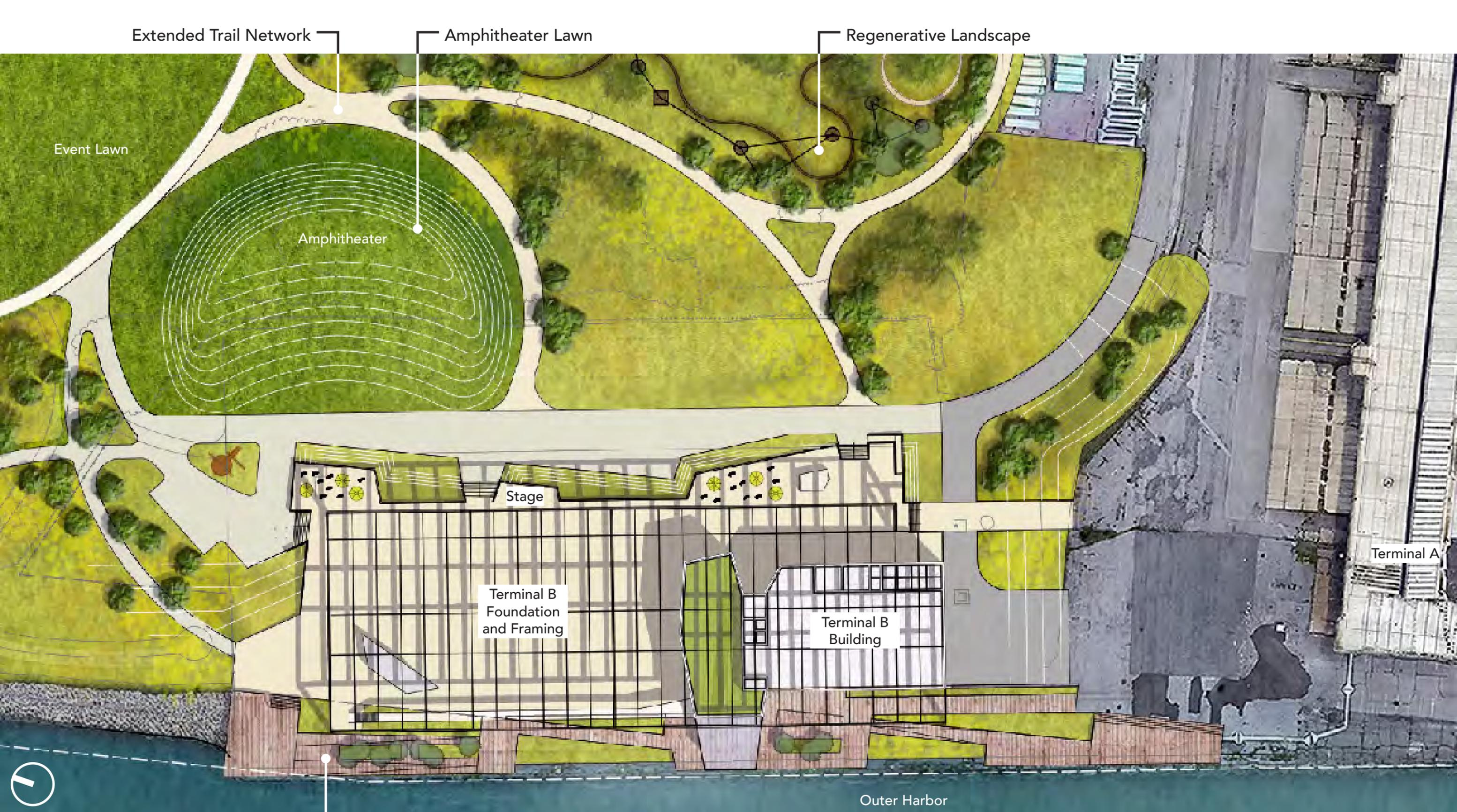
Amphitheater

Entrance Plaza with Comfort Station

Aerial Adventure Course

Mountain Bike Course Extension

**Exhibit A.2.6**  
**Lakeside Complex**  
November 9, 2020



Extended Trail Network

Amphitheater Lawn

Regenerative Landscape

Event Lawn

Amphitheater

Stage

Terminal B  
Foundation  
and Framing

Terminal B  
Building

Terminal A

Outer Harbor

Waterfront Boardwalk

**Exhibit A.2.7**  
**Terminal B**  
November 9, 2020



**Exhibit A.3**  
**Zoning Map**  
November 9, 2020

**EXHIBIT B – PHASE 1 INVESTMENT MAP**



**Exhibit B**  
**Phase 1 Investment Map**  
November 9, 2020

**EXHIBIT C – SUMMARY OF STAKEHOLDER/PUBLIC INVOLVEMENT**

Formulation of the General Project Plan for the Buffalo Outer Harbor Civic and Land Use Improvement Project was developed in the context of a robust process of stakeholder and public involvement that included a series of individual meetings, work sessions, and public workshops/information meetings. This involvement is described below, from most recent to earliest:

- January 8, 2021\* Buffalo Outer Harbor Civic and Land Use Improvement Project Public Comment Period. *\*A Public Comment Period, initially held for thirty (30) days through December 9<sup>th</sup>, pursuant to Governor Cuomo’s Executive Order 202.11 and 202.80, was extended for an additional thirty (30) days, for a total of sixty (60) days, through January 8, 2021.*
- July 12, 2020 USACE provides Draft Detailed Project Report and Environmental Assessment for the *Section 204 Beneficial Use of Dredged Materials for Ecosystem Restoration, Buffalo Outer Harbor – Slip 3*, City of Buffalo, Erie County, New York for public comment period  
<https://www.lrb.usace.army.mil/Missions/Civil-Works/Public-Review-Documents/>
- June 10, 2019 The final Buffalo Outer Harbor Preferred Plan is filed with the ECHDC Board of Directors in an open Board Meeting  
<https://buffalowaterfront.com/u/pdf/Buffalo-Outer-Harbor-Presentation-June2019.pdf>
- May 2, 2019 Preferred Plan Open House #3  
ECHDC and their consultants presented the preferred Outer Harbor plan and implementation projects for the First Buffalo River Marina, Wilkeson Pointe to Bell Slip, and Terminal B. This preferred plan was developed as a result of public input from two previous public meetings and online public surveys. An online public survey was also conducted, receiving 124 responses.
- March 20, 2019 Preferred Plan Stakeholder Meetings  
ECHDC reviewed latest plans for the project area with representatives invited from First Buffalo River Marina Stakeholders, Buffalo Niagara Waterkeeper, WNY Environmental Alliance, Our Outer Harbor, WNY League of Women Voters, 21st Century Park, WNYMBA, Preservation Coalition of WNY, Industrial Heritage Committee, and the Campaign for a Greater Buffalo
- January 9, 2019 Preferred Plan Stakeholder Meetings  
ECHDC reviewed latest plans for the project area with representatives invited from First Buffalo River Marina Stakeholders, Buffalo Niagara Waterkeeper, WNY Environmental Alliance, Our Outer Harbor, WNY League of Women Voters, 21st

Century Park, WNYMBA, Preservation Coalition of WNY, Industrial Heritage Committee, and the Campaign for a Greater Buffalo

November 19, 2018

Preferred Plan Open House #2

ECHDC presented three options each for First Buffalo River Marina, Wilkeson Pointe to the Bell Slip, and Terminal B. Over 80 attendees had an opportunity to comment on the options, provide feedback and respond to a survey. An online public survey was also conducted, receiving 221 responses.

October 25, 2018

Preferred Plan Stakeholder Meetings

ECHDC reviewed latest plans for the project area with representatives invited from First Buffalo River Marina Stakeholders, Buffalo Niagara Waterkeeper, WNY Environmental Alliance, Our Outer Harbor, WNY League of Women Voters, 21st Century Park, WNYMBA, Preservation Coalition of WNY, Industrial Heritage Committee, and the Campaign for a Greater Buffalo

September 25, 2018

Preferred Plan Stakeholder Meetings

ECHDC reviewed latest plans for the project area with representatives invited from First Buffalo River Marina Stakeholders, Buffalo Niagara Waterkeeper, WNY Environmental Alliance, Our Outer Harbor, WNY League of Women Voters, 21st Century Park, WNYMBA, Preservation Coalition of WNY, Industrial Heritage Committee, and the Campaign for a Greater Buffalo

August 15, 2018

Preferred Plan Stakeholder Meetings

ECHDC reviewed latest plans for the project area with representatives invited from First Buffalo River Marina Stakeholders, Buffalo Niagara Waterkeeper, WNY Environmental Alliance, Our Outer Harbor, WNY League of Women Voters, 21st Century Park, WNYMBA, Preservation Coalition of WNY, Industrial Heritage Committee, and the Campaign for a Greater Buffalo

July 24, 2018

City of Buffalo adopts the [Local Waterfront Revitalization Plan](#)

The City of Buffalo has been working on the development of a Local Waterfront Revitalization Program for over 20 years. During that time, a wide variety of stakeholders, including government, not-for-profit agencies, waterfront property owners and business and residents have participated in LWRP specific steering committee meetings, focus groups, public meetings and hearings, waterfront conferences and forums.

[https://docs.dos.ny.gov/opd-lwrp/LWRP/Buffalo\\_C/BuffaloLWRP.pdf](https://docs.dos.ny.gov/opd-lwrp/LWRP/Buffalo_C/BuffaloLWRP.pdf)

July 11, 2018

Preferred Plan Open House #1

The public was invited to review existing conditions, recreational and open space ideas for the area, respond to a survey and provide feedback that informed the

initial direction and development of alternatives. An online public survey was also conducted, receiving 237 responses.

June 20 & 21, 2018	Preferred Plan Stakeholder (Kickoff) Meetings  ECHDC reviewed latest plans for the project area with representatives invited from First Buffalo River Marina Stakeholders, Buffalo Niagara Waterkeeper, WNY Environmental Alliance, Our Outer Harbor, WNY League of Women Voters, 21st Century Park, WNYMBA, Preservation Coalition of WNY, Industrial Heritage Committee, and the Campaign for a Greater Buffalo
November 6, 2017	Buffalo Harbor Sediment Management Partnership Meeting  USACE hosted meeting to discuss the potential for a beneficial use/habitat restoration project in Slip No. 3 along the Buffalo Outer Harbor.
March 1, 2017	Buffalo Harbor Sediment Management Partnership Meeting  USACE hosted meeting to discuss the potential for a beneficial use/habitat restoration project in Slip No. 3 along the Buffalo Outer Harbor. ECHDC presented the 2015 Blueprint and plans for improvements at Lakeside.
February 10, 2017	Niagara River Loss of Habitat Working Group Meeting  NYSDEC hosted meeting to discuss the potential for a beneficial use/habitat restoration project in Slip No. 2 or Slip No. 3 along the Buffalo Outer Harbor. ECHDC presented the 2015 Blueprint and plans for improvements at Lakeside.
December 27, 2016	City of Buffalo adopts the <u>Unified Development Ordinance</u> (i.e., “Green Code”)  After six years and 242 public meetings, the Buffalo Common Council unanimously approved the Unified Development Ordinance, including the new Waterfront Overlay and Zoning for the Buffalo Outer Harbor parcels.
September 2016	City of Buffalo adopts the <u>Outer Harbor Brownfield Opportunity Assessment</u>  A series of Steering Committee meetings, stakeholder sessions and Open Houses were held between November 2011 and April 2014, to assist the consultant team in understanding the dynamics of the study area. These sessions included developers and investors, businesses and large landholders, non-profits and community-based organizations, regulatory agencies, and city departments that serve the community.  <a href="https://docs.dos.ny.gov/opd/boa/BuffaloHarborBOA.pdf">https://docs.dos.ny.gov/opd/boa/BuffaloHarborBOA.pdf</a>
September 16, 2015	The final <u>Blueprint, An Update on Planning for the Future of Buffalo’s Outer Harbor</u> is filed with the ECHDC Board of Directors in an open Board Meeting
September 9, 2014	Blueprint Public Meeting #3

Draft concept plan was presented to the community, which was attended by over 300 persons. After a presentation of the overarching themes and an explanation of how these were derived from community input at the previous open houses, participants were encouraged to visit information stations and then assemble in groups to discuss and comment on the plan.

August 6, 2014

Blueprint Public Meeting #2

More than 400 participants were given a scorecard and asked to rate their preferred elements within the three alternatives presented at two sessions.

July 12, 10 & 9 2014

Blueprint Public Meeting #1

Following the release of the Existing Conditions Report, three sessions were held to present findings and allow the community to share their ideas. These meetings were attended by approximately 600 persons, drew a significant amount of publicity, and provided an engaging, hands-on experience for participants.

July 2014

Outer Harbor Existing Conditions Report is released to the public

###