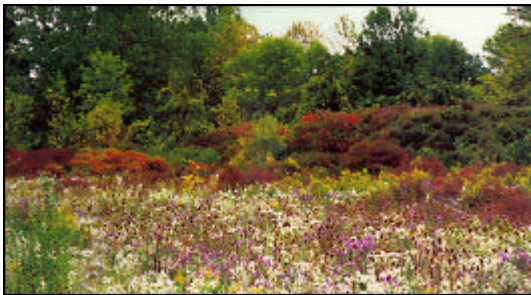


Niagara Heritage Partnership



Response to the
**Robert Moses Parkway
Pilot Project Evaluation Report**
Conducted by the NYS Office of Parks, Recreation & Historic Preservation
and the NYS Department of Transportation



THIS



NOT THIS

February 12, 2004

The Niagara Heritage Partnership Response to the NYOPRHP and DOT Robert Moses Parkway Pilot Project Evaluation Report

Niagara Heritage Partnership is a group of concerned citizens who advocate the preservation and restoration of the region's natural environment and encourage socially responsible development.

**On 28 March 2001, we wrote that the intended pilot project was “a first step toward mediocrity and worse.”
Now, nearly three years later, we see that the OPRHP has dedicated itself to achieving this goal.**

12 February 2004

**The Niagara Heritage Partnership Response
To the NYOPRHP and DOT Robert Moses Parkway
Pilot Project Evaluation Report**

On the evening of 12 March 2001, without public input, the OPRHP announced a pilot program to study the Niagara gorge parkway involving about half of the total 6.5 miles. Two lanes would be closed to vehicles; the other parallel lanes would be used for two-way traffic. Hikers and bicyclists were to use the closed portion of the highway; commuters, buses, tour coaches, etc. would continue to drive on the other lanes. NHP strongly objected to this at the time in a letter with over 200 cosigners and a Benefits Assessment comparing the alteration to our proposal for all four-lane removal over the entire 6.5 miles. There was no response. The letter itself was included in the OPRHP's final pilot report, but without the cosigners, and without the Benefits Assessment. We believe this omission indicates OPRHP's reluctance to consider ideas other than those originating from within their own agency, or to acknowledge ideas in conflict with their own. The letter and omitted documents are attached as Exhibit 1.

Those of us who objected to the pilot on the evening of 12 March were assured that all options were open, including the removal of all four lanes.

In September 2001, alterations made to the parkway started the "pilot." In December of 2003, the OPRHP and the NYSDOT released the evaluation report of this study. It's about 130 pages, 8 ½ x 11, plastic-spiral bound, with about 25 pages of glossy color photos and fold-out maps, 39 pages of "Correspondence Received" on the issue from community members, the remainder assorted compliance documents, traffic flow records, stipulations of no environmental impacts, public survey copies, etc., and the Executive Summary.

THE EVALUATION REPORT IS AN ATTEMPT TO JUSTIFY THE OPRHP'S UNSATISFACTORY DECISION TO MAKE THE PILOT ALTERATION PERMANENT. It is characterized by undefined terms, outrageous assertions, the omission of contrary information and arguments, and convoluted reasoning that defies reality.

The report cites the "need" for an automobile route along the gorge rim from Niagara Falls to Lewiston, NY, "in fact" because of the 1926 plan for such a road submitted to Niagara Reservation Commissioners by Frederick Law Olmsted, Jr. Does any reasonable person think that Olmsted Jr. submitted this plan on his own, without being so directed by the Commissioners? This is a disingenuous, but transparent attempt to justify a 21st Century highway by evoking the name of Olmsted. There's little doubt that Jr. wasn't the visionary his father was—and even he couldn't have foreseen the over 235 million vehicles on America's roads today. In 1926 there were 17 million vehicles in the entire nation.

Every plan and study thereafter followed Jr's lead, even beyond the reality of the Robert Moses Parkway, to the 1992 Niagara Waterfront Plan prepared by Sasaki Associates, a plan the OPRHP cites as influencing their "direction." Yet each planner or designer not only relied on the accumulated shelf of previous design plans, but was paid and directed by government agencies whose starting point was the continued existence of a gorge rim road. It is extremely unlikely that a planner would be paid hundreds of thousands and given the option to envision a gorge rim free of highway.

Thus Sasaki and Associates, innovative abilities restricted, brought their cookie-cutter waterfront notions to the Niagara Frontier. Unaware of the environmental, historical, and cultural significance of Devil's Hole, and of the old growth forest at DeVeaux, for examples, they continued to ink in some variation of the highway that continues to degrade these unique features of our landscape. And the OPRHP, from its Albany offices, uses this plan and others to legitimize, to validate, their decision.

The Executive Summary further said that this "automobile route along the brink of the gorge... would also ensure a protective border along the gorge..." How is this highway a "protective border"? Does it protect the gorge rim from pedestrians? Does it keep trees from climbing out of the gorge and taking over the city?

IN ADDITION, THE SUMMARY CALLS THE CURRENT PARKWAY RECONFIGURATION "SAFE AND EFFECTIVE." THIS IS AN INADEQUATE BOTTOM LINE, MORE A TESTIMONY FOR A PATENT MEDICINE THAN A GENUINE EVALUATION OF INFRASTRUCTURE CHANGE THAT WILL CONTINUE TO NEGATIVELY IMPACT OUR NATURAL ENVIRONMENT.

It announces vehicle accidents have been "reduced by a remarkable fifty percent" and that vehicle emissions near the environmentally sensitive gorge have been decreased by 37,083 tons of carbon per year, a 16% reduction.

There is no mention of "T-Bone" Steven C. Porter's death on the parkway in June 2003. Is his death statistically insignificant?

It seems obvious that with no parkway lanes, there would have been zero accidents, a "remarkable" 100% reduction, a total elimination of vehicle carbon emissions equaling 231,768.75 tons, and Steven C. Porter would not have been killed trying to cross the parkway.

The Report also repeatedly cites the "improved access" to the gorge for pedestrians. This grand phrase is technically accurate: the "improved access" is, however, the opportunity to reach closed parkway lanes by walking up the now unused exit lane at Whirlpool Street (just north of the Whirlpool Bridge), under the parkway overpass—and a painted crosswalk over the parkway lanes at DeVeaux Woods. The other three "access points" existed before the pilot, two of them walkover bridges, near the Aquarium of Niagara and the other at Devil's Hole. But there are color photos of all five in the Report. This is like smashing the back window out of a car and painting

an arrow on the trunk and calling it “improved access.” Color photographs could label the driver’s and passenger door “Access Point #1” and “Access Point #2.”

The phrase itself, “access points,” reveals the corrupted vision of the gorge rim. Highway lanes are accepted as an immutable presence, an eternal barrier through which people, at certain “points,” can pass.

Without parkway lanes, “access points” would become an alien concept, an obsolete term, as it should be. Each Niagara Falls street leading toward the gorge parkland, along Whirlpool, through DeVeaux, and into Lewiston’s Fort Gray area, should lead to stairways, ramps for handicapped and wheelchair users, and paths or lanes, or people walking across an expanse of lawns into the natural landscape along the river. Instead we get the OPRHP “considering...a minimum of two” additional “points” as part of their “Long-term Vision.”

Access to the gorge for most residents remains unchanged: driving to a walkover, paying a ten dollar parking fee at Prospect Park, or continuing to clamber over walls, to climb fences, or to squirm through holes in the fences before crossing two lanes of the parkway commuter road. Is this the safe part, or the effective part?

The Summary mentions “the potential of ecotourism” in a vague but seemingly positive context related to the pilot’s existing configuration. The Report itself (at 2.2) grows more assertive: “These investments are part of an ecotourist...development strategy...” The investments referred to include about 20 million for observation tower/elevator/gift shop renovation, about 4 million for the rehab of the Schoellkopf Museum into the Niagara Gorge Discovery Center, upgrading the Top-of-The-Falls restaurant on Goat Island, the American Rapids Bridge at 7 million, and the Pilot itself at over a million, thus far. BELIEVING THESE EXPENDITURES AND THE EXISTING PARKWAY CONFIGURATION WILL ATTRACT A SIGNIFICANT ECOTOURISM POPULATION IS SIMPLY DELUSIONAL. It tosses “ecotourism” into the mix as a buzzword, and is not deserving of serious discussion.

Creating a high potential for an ecotourism market has been a major component of the NHP proposal for all lane removal of the gorge parkway. In addition to our Benefits Assessment being omitted from the Report, its Evaluation Matrix (7.4) makes it evident that all lane removal was never an option for the OPRHP. The Matrix is a self-serving tallying of “goals” that support the decision to retain the current parkway configuration. Examples are: improve parkway safety—reduce accidents; provide for additional access points; consistency with previous parkway plans; improve safety and aesthetics of pilot; provide adequate road for traffic, etc. Their plan achieves a perfect score, but why wouldn’t it? All but three of the goals are bogus; the NHP plan would also meet these worthwhile exceptions.

The biased posture of the OPRHP toward a large constituency of park users is best illustrated by the following from the Evaluation Report:

To summarize public reaction to the Pilot Project and the Robert Moses Parkway, there are generally two basic groups/views which can generically be summarized as outlined below.

RETENTION OF PARKWAY. Representatives of northern Niagara County communities, area attraction representatives, business associations [Lewiston, Porter, Wilson, Olcott] local residents and others. These individuals/groups support retention of the four-lane parkway, but are generally willing to compromise if at least a two-lane roadway, which provides a continuous direct link along the general alignment of the current parkway, is maintained.

TOTAL REMOVAL OF PARKWAY. (Niagara Heritage Partnership.) This position was summarized in a 09/28/03 Niagara Gazette article as follows: "The Niagara Heritage Partnership seeks total removal of the parkway from the aquarium to Route 104 in Lewiston without compromise."

It is clear that the few words characterizing the NHP position imply rigidity impervious to reason. The OPRHP's willingness to accept a newspaper reporter's summary of the NHP indicates their unwillingness to do their own evaluation. Undoubtedly the newspaper description suited their purpose. Our advocacy for a gorge rim free of parkway has been, however, supported by facts, an evolving rationale, and a perspective aligned with that Olmsted (Sr.) vision that restored the natural environment of the Niagara Reservation over a century ago. The NHP proposal for parkway removal is supported by a varied coalition of 65 groups, listed here as Exhibit 2, and thousands of individuals on both paper and online petitions.

We maintain that it's reasonable to believe that not all compromise is desirable, that issues need to be examined on their merit to determine whether or not compromise would bring about satisfactory resolutions. Compromising on total lane removal destroys the benefits we believe would result from total removal. Commentary with additional details is included here as Exhibit 3.

Generally, we believe the OPRHP has been irresponsible in 1) unfairly characterizing the Partnership's advocacy and 2) in its failure to give total lane removal serious consideration.

Of the 39 pages of the Report's "Correspondence Received" section, 33 are opposed to parkway removal. While these numbers alone indicate that most who sent letters, etc. favor keeping the parkway for various reasons, it is also clear evidence of at least a general awareness of the NHP advocacy. This awareness seems to have escaped the OPRHP which, in any case, should possess a far more complete knowledge.

The NHP failed to send letters or information directly to the OPRHP offices in Albany. We also failed to encourage supporting groups and individuals to do this.

We did not “correspond,” so to speak and, therefore can’t complain too loudly about the small number of pages in the “Correspondence Received” section, or anywhere else, of the Report. We neglected to do so out of ignorance, believing that our publicly stated views in newspaper articles, letters-to-the-editor, and guest views would be forwarded to Albany by our regional OPRHP office. We won’t make this mistake again.

Since the Niagara Gazette newspaper article seemed to have been so readily available for the OPRHP to characterize NHP’s attitude, there may be a folder of clippings somewhere, but Park’s personnel have been less than enthusiastic about accepting information from us or about forwarding our concerns to the appropriate individuals in Albany: the appointed group of Niagara Falls Parks Commissioners, chaired by Jean Knox, did not respond to our repeated requests for a meeting to express our concerns (those letters included here as Exhibits 4 & 5); information emailed to Rolfe Steck of the local OPRHP office didn’t make it into the Report; Deputy Commissioner Jacangelo in Albany, when informed by telephone of pertinent information on our website, said he “didn’t have time for web surfing.”

The content quality of the letters in the Report in favor of parkway retention is very poor. They must have been counted as a politician counts votes, but not evaluated for content. Otherwise, the arguments which the NHP had successfully dismissed over the past seven years would have been weeded out by the OPRHP. Here are examples:

- 1) For the many letters, resolutions, etc. in favor of retaining the parkway, “but generally willing to compromise if at least a two-lane roadway, which provides a continuous direct link along the general alignment of the current parkway is maintained,” WE SUGGEST THE FOLLOWING GENERALLY ALIGNED ALTERNATE ROUTES: LEWISTON ROAD, HIGHLAND AVENUE, HYDE PARK BOULEVARD. DOT NUMBERS DOCUMENT THESE ROUTES COULD EASILY ABSORB CURRENT PARKWAY TRAFFIC.
- 2) Re the letter from the Niagara County Supervisor’s Association—one SUPERVISOR ADMITTED SIGNING THE OPPOSING RESOLUTION UNDER THE IMPRESSION THE PARKWAY FROM LEWISTON TO YOUNGSTOWN WOULD BE CLOSED.
- 3) Letter from KOA campgrounds, whose campers, it is claimed, make 10,000 trips to or from the Falls each year and “Those motor homes are very tall” and can’t fit under the railroad bridge overpass on Main Street near Ontario Avenue. THIS OLD RAIL BRIDGE WILL BE TORN DOWN AND RECONSTRUCTED WITHIN A YEAR, ELIMINATING THIS PROBLEM.
- 4) For the letter that implies the parkway is necessary for ambulances to transport injured soccer players from Youngstown to Mt. St. Mary’s Hospital: THERE IS NO PARKWAY EXIT TO MT ST MARY’S FOR SOUTHBOUND TRAFFIC.

- 5) The self-promoting letter from Whirlpool Jet Boat Tours, a business continually degrading the lower Niagara River, both aesthetically and physically, with shoreline erosion in Youngstown requiring a \$100,000 matching grant from the OPRHP under the Clean Water, Clean Air Bond Act to remediate, has the gall to say parkway removal would “hinder the area...environmentally.” This letter should have been filed under “HM” for “Hypocrisy, Monumental.” Has an Environmental Impact Study been done to assess potential damage from the Jet Boats? JET BOAT TOURS SHOULD BE ASSESSED THE MONEY TO REPAY FUNDS SPENT FOR SHORELINE REPAIR.

The OPRHP should be aware that the insistence of some locals on retaining parkway lanes perpetuates an “up and back” river-corridor tourist manipulation, encouraged by the adjacent business, to the detriment of Niagara Falls business districts—Main Street, Niagara Street, and Pine Avenue—and to the region’s other attractions and locales of interest, such as: the Lockport Cave Tours, The Herschell Carrousel Factory Museum, Lockport Locks and Canal Cruise, Murphy’s Orchards, Niagara Landing Wine Cellars, Warm Lake Estates and other wineries, the future Sanborn Historical Farm Museum, the Iroquois National Wildlife Refuge, and others. It is, for example, deplorable, on the tourist-rich Niagara Frontier, that the Carrousel Factory Museum, just a few miles from the Falls, must go to the County Legislature for repair funding to continue operation. An altered infrastructure and good tourist maps would help to remedy this inequitable distribution of visitors.

At “Hazardous Materials Screening” (8.6), the OPRHP Report says, “No known active or inactive hazardous waste sites are located within the project area,” and offers the documentation of a NYSDEC Hazardous Waste Site Map. Six such sites, however, are shown on the map, though none may be “within the project area,” strictly defined, since no significant excavation or disturbance of the parkway will take place under the OPRHP decision.

It is precisely because the parkway will remain intact that it will continue to function as a concrete shield that permits the severely contaminated runoff from just one of these sites to continue unabated down the gorge wall into the Niagara River near Devil’s Hole, upstream from the public fishing dock. This is the Hyde Park Landfill (Site Code 932021). We provide DEC documentation here at Exhibit 6. The “minimal remedial maintenance period” required by law will expire in 2012. Though acknowledging this contamination does not seem to be required of the OPRHP related to this project, it is shortsighted to maintain the status quo of parkway lanes as if there’s no contamination flowing under them.

WHILE THE PILOT PROJECT EVALUATION REPORT IS FLAWED BEYOND REMEDIATION, ITS MOST EGREGIOUS OFFENSE IS THAT IT WAS ISSUED AT ALL AT THIS TIME. We acknowledge that it was “due” at the end of the trial period but, as we pointed out in a letter to the Parks’ Commissioner dated 6 October 2003 (included here as Exhibit 7), a final decision about the gorge parkway would be in conflict with ongoing relicensing discussions with the NYS Power Authority, where

the parkway is an issue for the environmental stakeholders coalition. The comment was ignored.

The decision by the OPRHP compromises the Power Authority's ability to engage in good faith discussion in consideration of alternate visions for the gorge rim and the protection of the watershed, which are being put forward by a sizable constituency. THIS DISREGARD FOR THE RELICENSING PROCESS IS UNACCEPTABLE.

CONCLUSION

THE OPRHP HAS BEHAVED IN A MANNER INCONSISTENT WITH GOOD STEWARDSHIP ON THE NIAGARA FRONTIER. Its decision to permanently alter the Robert Moses gorge parkway to the pilot configuration will support and further establish a destructive condition for the gorge rim. It reduces the possibility for an extension of Olmsted's vision of a natural landscape; maintaining the commuter highway will guarantee a continued aesthetic affront and contribution to watershed pollution; any tree plantings and grass on the medians will likely be the groomed strips of most parks. Such a setting will be inviting to the continued sprawl of commercial exploitation characteristic of the park at the Falls. Wildlife habitat will not be increased.

THE DECISION IGNORES ALTERNATE ROUTES TO KEEP A DETERIORATING MULTI-MILLION DOLLAR HIGHWAY, ENSURING THE EXPENDITURE OF MILLIONS IN FUTURE MAINTENANCE COSTS, FOR THE CONVENIENCE OF A SMALL NUMBER OF COMMUTERS. The rest of the taxpayers will continue to pay the bill. It's already cost well over a million dollars over the last 24 months and the end isn't in sight. No additional money should be spent on this pilot study.

* * *

Since those who want to retain all or part of the parkway and those who want it entirely gone have grown resolute in their positions, we suggest the following:

- 1) THE ESTABLISHMENT OF A TWELVE-MEMBER INDEPENDENT COUNCIL TO INVESTIGATE AND EVALUATE THE FACTS AND ARGUMENTS OF THE PARKWAY ISSUE. The members of this council should be selected from outside the region in an attempt to attain the highest level of objectivity possible. While the final makeup of the council should be open to discussion, its members should have demonstrable expertise in subject areas related to the issue, and one or more from the National Park Service should be invited to serve.
- 2) CONDUCT A REAL PILOT PROJECT WITH ALL FOUR LANES CLOSED ALL THE WAY BETWEEN NIAGARA FALLS AND LEWISTON, NEW YORK.

Bob Baxter, Conservation Chair
Niagara Heritage Partnership

NIAGARA HERITAGE PARTNERSHIP

Niagara Heritage Partnership is a group of concerned citizens who advocate the preservation and restoration of the region's natural environment and encourage socially responsible development.

TO: Tom Lyons, Director, Environmental Management NYSOPRHP
FROM: Niagara Heritage Partnership
DATE: March 28, 2001
SUBJECT: NYSOPRHP Robert Moses Parkway Pilot Project, Niagara Gorgetop

The pilot project announced by Lt. Gov. Mary O. Donohue on March 12, 2001, is seriously flawed, especially because it proposes to test for a final condition with highly questionable benefits, and because of its potential to encourage damage to the natural environment in the years ahead. The Niagara Heritage Partnership admits to a bias in arriving at this conclusion since, among other reasons, it cannot help but contrast its own proposal with the possible results of the pilot.

NYSOPRHP has not presented to the public a written rationale for the pilot, complete with what types of specific information the pilot has been designed to reveal, and what benefits, should they become permanent, the changes might reasonably be expected to produce. We are left, therefore, to comment on the broad outlines of the pilot as they have been presented in public forum, where many of the details were vague, sketchy, or speculative. Generally, the pilot project appears to be a response to increased municipal interest in a more easily accessed waterfront for residents and tourists, especially ecotourists, unhappily linked to an attempt to accommodate commuter traffic. The two are clearly incompatible if we seek maximum positive results.

The changes to be initiated by the pilot are that two lanes nearest the gorge will be closed to vehicular traffic and the remaining lanes converted to two-way traffic, including RVs and tour buses. The speed limit will be reduced to 45 mph or lower; this has yet to be decided. In any event, the time difference between driving 45 mph and 55mph over the short drive is 90 seconds—which can scarcely be viewed as an inconvenience. The adjacent vehicle-free concrete lanes are expected to be attractive to walkers, hikers, bicyclists, rollerbladers, and people pushing “baby carriages.” These abandoned miles of concrete slab are being discussed as a feature that will encourage ecotourists to spend more time at Niagara. “Maybe,” one of the presenters at the public forum said, “we’ll put a thin layer of blacktop over it to make [the surface] smoother.” The perception of what constitutes an ecotourist, however, is sufficiently confused that one community leader in the tourism industry spoke in favor of the pilot, saying that when ecotourists from Germany visit Niagara, they always enjoy riding the jet boat in the lower river and flying in a sightseeing helicopter. Our contrasting view was best expressed by the woman at the

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public forum who identified herself as a hiker and said she would “have no interest whatsoever” in hiking on such a road; we also believe that no serious hiker or bicyclist would see the closed highway as inviting, especially with the sight, sound and odor of traffic driving past them on a parallel road. Indeed, the stated final goal of this pilot becoming permanent is so incomprehensible that a 15 March Buffalo News editorial entitled “Correcting a planning mistake,” made a leap of imaginative logic to erroneously report that the “state plans to remove the pavement on that [closed] section of highway.” We’d like to believe that also. If that is the case, and we haven’t yet learned about it, we strongly support that decision. The job of concrete parkway removal would then be half completed.

Far from being designed to result in a naturally landscaped extension of gorgetop parks, the pilot will leave the concrete and retain the traffic, contrary to fostering an Olmsted park system, a concept promoted by Commissioner Bernadette Castro as a guiding philosophy.

The pilot appears poorly designed to yield meaningful information about traffic movement. Current parkway commuters and others will still be permitted to drive on it at a reduced speed. Some percentage may find this bothersome and elect to drive other routes. How this information will be useful is questionable. The driver surveys that will be taken as part of the pilot seem destined to provide predictable responses. How these responses could affect the final outcome is unclear.

The pilot’s faulty design is not limited to its weak potential for meaningful information gathering. We understand, for example, that an entrance is to be added to the southbound lanes at Findlay Drive. This will permit a handful of drivers to travel the 1.7 miles to parkway end, paralleled by a perfectly serviceable Whirlpool Street that had to be crossed to reach the entrance. It is possible that the construction of this entrance may cause the destruction of specimen trees presently on the median at Findlay. The largest of these is an oak about 3 feet in diameter.

Furthermore, if two lanes of concrete nearest the gorge remain permanently free of traffic as an end result, this will create the ongoing temptation for commercial exploitation of the gorgetop. Evidence of this is seen in the most recent Niagara waterfront assessment (completed this month by The Urban Design Project, The Waterfront Regeneration Trust, and Foit-Albert Associates), which recommends an elevator into the gorge at Whirlpool State Park, in addition to a “visitor ‘amenity’ center with restrooms, concessions, tourist information and interactive destination planning.” This assessment also recommends four additional new buildings at gorgetop in direct conflict with Commissioner Castro’s declaration of “no new buildings” and speaks favorably of three mechanical lifts into the gorge, and the Robert Moses Parkway as a “people mover” route.

The choice that needs to be made regarding this pilot project is whether, in a century or two, we’d like to have created a natural, nearly self-sustaining gorgetop environment with hiking and bicycling trails through wildflower meadows and reforested landscapes, or something resembling an entertainment venue, a gorgetop strip of amusements and “amenities,” visitor centers, restaurants, and virtual reality game rooms. The pilot project in its present form facilitates the latter.

We believe, even if we find it impossible to accomplish in a larger context, that this is the time and place to follow the model of a culture that preceded us here on the Niagara Frontier, the Haudenosaunee, who sought guidance for their actions by asking themselves about the affects their decisions would have on the following seven generations. Generations from now the shame will be all ours if we fail to take advantage of this wisdom.

Some have called this pilot project “a good first step.” We believe it is a first step toward mediocrity and worse. But we also believe it can be remedied.

The Niagara Heritage Partnership recommends that the final goal of the pilot project, retaining the parkway lanes nearest the gorge, be set aside in favor of removing those lanes and restoring the natural environment. We further recommend that this removal be generally accepted as a prelude, a first step toward removing all four lanes and restoring, with genuine hiking and bicycling trails, the natural landscapes of the entire gorgetop. A rationale for our proposal can be found at www.niagaraheritage.org. Included with this letter is a summary, a Benefits Assessment contrasting the Niagara Heritage Partnership position and the pilot project, together with a list of cosigners supporting this recommendation.

Sincerely,

Bob Baxter,
Conservation Chair

cc: Governor George Pataki
Bernadette Castro, Commissioner NYSOPRHP
Edward J. Rutkowski, Assistant Deputy Commissioner NYSOPRHP

Cosigned by:

John Agnello	Niagara Falls, NY	Ron Burns	Niagara Falls, NY
Beverly Barthel	Niagara Falls, NY	Barbara Brett Burns	Niagara Falls, NY
Robert Barthel	Niagara Falls, NY	George C. Carveth	Lewiston, NY
Patricia Barthel	Niagara Falls, NY	Nancy Chapin	Niagara Falls, NY
Loraine Baxter	Ransomville, NY	Elizabeth Ciesielski	Lewiston, NY
Glenna Bazinet	Niagara Falls, NY	John Ciesielski	Lewiston, NY
Leonard Bazinet	Niagara Falls, NY	John Coffman	Niagara Falls, NY
Larry Beahan	Snyder, NY	Robert J. Collins	Snyder, NY
Carie Berzinski	Niagara Falls, NY	Thomas Connolly	Niagara Falls, NY
Kevin Berzinski	Niagara Falls, NY	Dr. David Cooper	Lewiston, NY
Joanne Biggins	Niagara Falls, NY	Dr. Susan D. Crafts	Middleport, NY
Billy Biggins	Niagara Falls, NY	Richard V. Crafts	Middleport, NY
April Biggins	Niagara Falls, NY,	William D'Anna	Niagara Falls, NY
Dana Bobincheck	Buffalo, NY	Susan DeLong	Niagara Falls, NY
Erie Chapter New York League of Conservation Voters		George Dillmann	Buffalo, NY
David Bomberry	Fayetteville, NC	Robbyn Drake	North Tonawanda, NY
Amanda Bomberry	Lewiston, NY	Niagara Group Sierra Club	
Evelyn Borgatti	Lewiston, NY	Savella Eiluk	Niagara Falls, NY
Robert Borgatti	Lewiston, NY	Dallas Eiluk	Niagara Falls, NY
Christopher Borgatti	Lewiston, NY	Jay Elliot	North Tonawanda, NY
Toni Bounds	Niagara Falls, NY	Peggy Elliot	North Tonawanda, NY
Janet Bridges	Niagara Falls, NY	Livio Farallo	Niagara Falls, NY
Mary Beth Bridges	Niagara Falls, NY	Lori Farallo	Niagara Falls, NY
Albert Briggs	Niagara Falls, NY	Helen Farallo	Niagara Falls, NY
Jay Burney	Buffalo, NY	Dario Farallo	Niagara Falls, NY
Buffalo Institute of Urban Ecology, Inc.		John Faso	Niagara Falls, NY

Nancy Faso	Niagara Falls	NY	Cindy Meal	Lockport	NY
Denise Finelli	Niagara Falls	NY	John Merino	Lewiston	NY
John Finelli	Niagara Falls	NY	Ken Mitchell	Lockport	NY
Lawrence Fortin	Niagara Falls	NY	Joe Monaco	Niagara Falls	NY
Kevin Furlong	West Seneca	NY	Cheryl Monaco	Niagara Falls	NY
J. Gabriel	Buffalo	NY	Mike Niman	Buffalo	NY
Christine Gebera	North Tonawanda	NY	Andrea Nossavage	Niagara Falls	NY
Gladys Gifford	Buffalo	NY	Ken Nossavage	Niagara Falls	NY
Janet Gillis	Youngstown	NY	Gregory Obusek	Niagara Falls	NY
Mike Gillis	Youngstown	NY	Emily Obusek	Niagara Falls	NY
Jill Gonzalez	Niagara Falls	NY	Diane Obusek	Niagara Falls	NY
Debbie Goodwin	Niagara Falls	NY	Robert M. Onesi	Niagara Falls	NY
Wayne Goodwin	Niagara Falls	NY	Tom Osypian	Ransomville	NY
Kathy Grandinetti	Youngstown	NY	Christine Osypian	Ransomville	NY
Paul Gromosiak	Niagara Falls	NY	Cheryl Owens	Wilson	NY
Tim Henderson	Lewiston	NY	Jacalyn L. Perry	Lockport	NY
Peter F. Herrman	Buffalo	NY	John Pileggi	Niagara Falls	NY
Nettie Horowitz	Town of Niagara	NY	Brenda Piza	Niagara Falls	NY
Jerry Horowitz	Town of Niagara	NY	Tiffany Piza	Niagara Falls	NY
Aviva Horowitz	Town of Niagara	NY	Richard Piza	Niagara Falls	NY
Talya Horowitz	Town of Niagara	NY	Betsy Potter	Niagara Falls	NY
James C. Hufnagel	Wilson	NY	Marilyn Reeves	Amherst	NY
Carol Hull	Youngstown	NY	Lisa Renee	Forestville	NY
Marian G. Johnson	Niagara Falls	NY	Former Niagara Falls resident		
Main Street, Niagara Falls business owner			Jerry Renee	Forestville	NY
Joan E. Johnson	Niagara Falls	NY	Former Niagara Falls resident		
Main Street, Niagara Falls business owner			Louis Ricciuti	Niagara Falls	NY
Dan Kaszubski	North Tonawanda	NY	Dan Rogala	Grand Island	NY
Liz Kaszubski	North Tonawanda	NY	Martha Rogala	Grand Island	NY
Bruce Kershner	Williamsville	NY	Charles W. Rosenberg	North Tonawanda	NY
Conservation Chair, Buffalo Audubon Society			Gail Rosenberg	North Tonawanda	NY
Dennis Kessinger	North Tonawanda	NY	Charles P. Rosenberg	Lockport	NY
Dan Kiely	Wilson	NY	Brian Rosenberg	Lockport	NY
Lynda King	Lewiston	NY	Duncan Ross	Niagara Falls	NY
Fred King	Lewiston	NY	David Saj	Tonawanda	NY
Nancy Knechtel	Tonawanda	NY	Bob Scheuermann	Lockport	NY
Michelle Kratts	Niagara Falls	NY	Christine Scheuermann	Lockport	NY
Mike Kratts	Niagara Falls	NY	Linda Schmieder	Sanborn	NY
Elaine Kratts	Niagara Falls	NY	H. Eric Scremin	Niagara Falls	NY
Richard Kratts	Niagara Falls	NY	Patricia Scremin	Niagara Falls	NY
Frank Kress	Niagara Falls	NY	Lori Sicoli	Niagara Falls	NY
Savilla Kress	Niagara Falls	NY	Norma Sicoli	Niagara Falls	NY
Frank Kress, Jr.	Niagara Falls	NY	John Sicoli	Niagara Falls	NY
Mark Kubinek	Buffalo	NY	Daniel Sicoli	Niagara Falls	NY
Mike Kukla	Buffalo	NY	Steve Slivan	North Tonawanda	NY
Mike Kukla	Buffalo	NY	Lisa J. Smith	Niagara Falls	NY
Paul Lamont	Lockport	NY	James Soliday	Niagara Falls	NY
Santina Lamont	Lockport	NY	Roger Spurbach	Niagara Falls	NY
Lindsay Lamont	Lockport	NY	President Niagara Street Area Business & Professionals Assoc.		
Alex Lamont	Lockport	NY	Robert Steinman	Niagara Falls	NY
Christopher Lasher	Niagara Falls	NY	Fred Stemtien	Niagara Falls	NY
Kelly Lasher	Niagara Falls	NY	Debra Stemtien	Niagara Falls	NY
Becky Lasher	Niagara Falls	NY	Paul Stephens	Lewiston	NY
Thomas Lasher	Niagara Falls	NY	Katie Stewart	Lewiston	NY
Kathleen Lasher	Niagara Falls	NY	Nancy Stewart	Lewiston	NY
Carrie Lasher	Niagara Falls	NY	Rachel Stewart	Lewiston	NY
John F. Lasher	Niagara Falls	NY	Charles W. Stewart	Lewiston	NY
John G. Lasher	Niagara Falls	NY	Will Stoner	Buffalo, NY	
Terri E. Lasher	Niagara Falls	NY	WNY Program Coordinator Citizens Campaign for the		
Scott Laughlin	Niagara Falls	NY	Environment		
Frederick Laughlin	Niagara Falls	NY	Steve Stumpf	Niagara Falls	NY
K.C. Lee	Buffalo	NY	Lori Stumpf	Niagara Falls	NY
Dr. Judith A. Luce	Geneva	NY	Tom Suchyna	Amherst	NY
Main Street, Niagara Falls business owner			Ann Suchyna	Amherst	NY
Richard Luce	Geneva	NY	Mary Sullivan	Lockport	NY
Noreen MacDonald	Niagara Falls	NY	Edmund Sullivan	Lockport	NY
Maria Maybee	Buffalo	NY	Patrick Sullivan	Lockport	NY
James McLellan	Lewiston	NY	Jacqueline Swanson	Niagara Falls	NY
John McLellan	Lewiston	NY	Phillip Sweet	Buffalo	NY
Brendan P. McMahan	Town of Tonawanda	NY	Brian Szatkowski	Getzville	NY

Phyllis Tecchio	Niagara Falls	NY
Eileen Thorman	Niagara Falls	NY
Janet Thorman	Niagara Falls	NY
Aaron Thorman	Niagara Falls	NY
Craig Touma	Niagara Falls	NY
Marcia L. Urbaniak	Niagara Falls	NY
Stephen J. Urbaniak	Niagara Falls	NY
Evangelina Villegas	Niagara Falls	NY
Diane Vitello	Niagara Falls	NY
Lisa Vitello	Niagara Falls	NY
Mary Vitello	Niagara Falls	NY
Tim Waldvogel	Buffalo	NY
Brandon Warden	North Tonawanda	NY
Judith Weiland	North Tonawanda	NY
Kenneth Weiland	North Tonawanda	NY
Marna G. Whitworth	Lewiston	NY
Main Street, Niagara Falls business owner		
Robert Wicklund	West Palm	FL
Sandra Wiech	North Tonawanda	NY
Josh Wolcott	Lewiston	NY
Sheila Wolcott	Lewiston	NY
Grant Wolcott	Lewiston	NY
Mindy Wolcott	Lewiston	NY
Glenn Wolf	Niagara Falls	NY
Lori Wolf	Niagara Falls	NY
Bill Wolfe	Appleton	NY
Viola Wolfe	Appleton	NY
Christopher Young	Niagara Falls	NY
Sigmund F. Zakrzewski	Amherst	NY

	BENEFITS ASSESSMENT	NHP PROPOSAL	PILOT PROJECT
1	ACRES ADDED TO THE NATURAL ENVIRONMENT	300	0
2	CREATES OPPORTUNITY FOR HELPING TO REVIVE BUSINESS DISTRICTS OF NIAGARA FALLS	YES	NO
3	CREATES HIGH POTENTIAL FOR ATTRACTING ECOTOURISTS, HIKERS, BICYCLISTS	YES	NO
4	TREATS GORGE AND GORGETOP AS ORGANIC UNITY	YES	NO
5	PROTECTS NATIVE PLANTS, OLD GROWTH FOREST, AND ANCIENT CLIFF-FACE CEDARS	YES	NO
6	EXTENDS NATURAL PARK ENVIRONMENT OF NIAGARA FOR RESIDENTS AND VISITORS	YES	NO
7	ELIMINATES ROAD SALT FROM WATERFRONT	YES	NO
8	REDUCES THE THREAT OF INAPPROPRIATE COMMERCIAL EXPLOITATION	YES	NO
9	PERMITS DEVIL'S HOLE STATE PARK TO BE ENLARGED AND TREATED WITH RESPECT	YES	NO
10	EXTENDS THE OLMSTED VISION OF THE NIAGARA RESERVATION	YES	NO
11	CREATES AN INVITING ALTERNATIVE TO THE OVERDEVELOPED CANADIAN GORGETOP	YES	NO
12	PROVIDES WILDLIFE HABITAT FOR NATIVE BIRDS AND BUTTERFLIES	YES	NO
13	ESTABLISHES NATURAL GORGETOP FOR FUTURE GENERATIONS	YES	NO
14	ENHANCES THE POSSIBILITY FOR A UNESCO WORLD BIOSPHERE DESIGNATION FOR THE NIAGARA GORGE	YES	NO
15	IS A RESTORATION PROJECT THAT WOULD ATTRACT WORLDWIDE MEDIA ATTENTION	YES	NO
16	WOULD ACCOMPLISH SOMETHING OF WHICH THE ENTIRE REGION COULD BE PROUD	YES	NO

The following groups have stated their support of the NHP proposal.

19th Street Block Club, Niagara Falls, NY
Adirondack Mountain Club, Niagara Frontier Chapter
Allegheny Defense Project
Bert Miller Nature Club of Fort Erie, Canada
Block Power Block Club, Niagara Falls, NY
Bridge Station Block Club, Niagara Falls, NY
Buffalo Audubon Society
Buffalo Institute of Urban Ecology, Inc.
Buffalo-Niagara Land Use Coalition
Buffalo Olmsted Parks Conservancy
Cheektowaga Citizens Coalition, Inc.
Citizens Campaign for the Environment
Citizens' Environmental Coalition
Citizens for a Green North Tonawanda
City Market Block Club, Niagara Falls, NY
Depew/Cheektowaga Taxpayers Association, Inc.
DeVeaux Beautification Block Club, Niagara Falls, NY
East Side Block Club, Niagara Falls, NY
Environmental Advocates of New York State
Environmental Task Force (NCCC)
Erie County Environmental Mgt. Council
Finger Lakes Trail Conference
Foothills Trail Club
Friends of the Buffalo Niagara Rivers
Good Watch Neighborhood Block Club, Niagara Falls, NY
Great Lakes United and voting members
GREENIAGARA
Green Party of Erie County
Home Neighborhood (Block Club, Niagara Falls)
Home Neighborhood Block Club, Niagara Falls, NY
Hyde Park Area Block Club, Niagara Falls, NY
Hyde Park to 39th St. Block Club, Niagara Falls, NY
Injured Workers of New York, Inc.
Institute for Environmental Learning
Linwood Avenue Block Club, Niagara Falls, NY
Memorial Park Block Club, Niagara Falls, NY
Middle Niagara Street North Block Club, Niagara Falls, NY
Michigan Avenue Block Club, Niagara Falls, NY
New York Bicycling Coalition
New York League of Conservation Voters, Erie Chapter
Niagara Avenue Block Club, Niagara Falls, NY
Niagara County Environmental Mgt. Council
Niagara Falls Nature Club, Niagara Falls, Ontario, Canada
Niagara Frontier Bicycle Club
Niagara Frontier Botanical Society, Inc.
Niagara Frontier Entomological Society
Niagara Frontier Wildlife Habitat Council
Niagara Street Business & Professionals Association
Packard Court Block Club, Niagara Falls, NY
Partners for a Livable Western New York
Quality Quest Coalition of Grand Island
The Recumbenteers, WNY's Recumbent Riders Group
Residents Organized for Lewport Environment
Second Chance Wildlife Rehabilitation Center
Sierra Club Niagara Group
South & Cleveland Avenue Block Club, Niagara Falls, NY
Suffolk Bicycle Riders Association
Tennessee Avenue Block Club, Niagara Falls, NY
Transportation Alternatives
Upper Niagara Street Block Club, Niagara Falls, NY
Virginia Avenue Block Club, Niagara Falls, NY
Western New York Old Growth (Forest) Survey
Weston Avenue Block Club, Niagara Falls, NY
Whirlpool Area Block Club, Niagara Falls, NY
Wild Spirit Rehab & Release Center
Woodlawn Avenue Block Club, Niagara Falls, NY

Dear Editor:

It's been suggested that keeping two commuter lanes of the Robert Moses Parkway open from Lewiston to Findley Drive in Niagara Falls would be a reasonable compromise to the Niagara Heritage Partnership proposal for total removal of all four lanes and the restoration of natural landscapes along the gorge rim. Those making such a suggestion seem to do so from the lofty perch of being rational, of offering a solution to an issue that has created opposing camps. But while we recognize that compromise is often the best path, we should also be willing to admit that sometimes it isn't. The results of the suggested compromise need to be examined. In this case, the results would be: 1) traffic would continue to detour the city of Niagara Falls by using the parkway lanes-Findley Drive-Whirlpool route, thus failing to contribute to the city's economic revitalization, 2) the wildlife habitat (Globally Significant Important Bird Area), the potential enlargement of green space near the gorge, would not be significantly realized, 3) a major component of the NHP proposal, the development of an ecotourism destination for a new population of visitors would no longer be viable, since cycling or hiking alongside a commuter route is not highly valued by those organizations and families who seek green vacations, 4) the integrity of the gorge ecosystem would continue to be degraded by the application of road salt, herbicide, etc., 5) it would result in only 1.6 miles of the 6.5 miles of gorge rim being free of parkway, 6) the neighborhoods of DeVeaux and Fort Gray would continue to be cut off from the gorge by lanes of traffic, 7) the old growth forest known as DeVeaux Woods would continue to be an isolated and restricted woodlot bordered by parkway lanes, 8) the gorge top area at Devil's Hole State Park would continue to be a sliver of land reduced by as much as 60% by highway lanes, curbs, medians, etc., 9) the construction of a greenhouse, a glassed-in space over what are now parkway lanes across the Power Plant, with nursery and a restaurant, would be a discarded idea, 10) the idea of creating a pocket park/rest area for hikers and cyclists under the Lewiston Queenston Bridge would be useless, 11) the National Heritage Area and the International Niagara Peace Park designations, should such distinctions be earned for our region, would be less impressive without a highway-free and restored gorge rim, an emblem of our respect for the natural environment, 12) the continuing national media coverage that would be generated by such a large restoration project in a world-famous natural locale would be lost .

The reasons that gave rise to the idea of "compromise" are 1) The unsubstantiated claim that gorge parkway lanes are necessary for the business interests of Lewiston and Porter (further detailed information at www.niagaraheritage.org under "Olmsted, Thoreau, and the Parkway Issue"), and 2) The parkway saves time (about five or six minutes, actually) for commuters in an area where the average commute is among the shortest in the nation. Weighed against the many positive benefits to the region that would result from complete parkway removal and gorge rim restoration, we believe these reasons for the retention of two lanes to be insufficient. That is why the Partnership strongly rejects this so-called compromise.

Sincerely,

Bob Baxter, Conservation Chair

NIAGARA HERITAGE PARTNERSHIP

Niagara Heritage Partnership is a group of concerned citizens who advocate the preservation and restoration of the region's natural environment and encourage socially responsible development.

August 15, 2001

Jean R. Knox
437 Buffalo Road
East Aurora, NY 14052

Dear Commissioner Knox:

Over a century ago Niagara Frontier Parks Commissioners took an active role in helping to reclaim a natural Niagara from inappropriate commercial exploitation. Since that time the Olmsted vision on which that restoration was based has been systematically set aside in favor of whatever "development" or economic benefit seemed a good idea at the moment. Currently, the Niagara Reservation appears to be at a crossroads: the Office of State Parks, Recreation, and Historic Preservation has announced its intentions to restore and manage the Reservation in ways more compatible with the Olmsted philosophy; the National Parks Service is offering help in recreational improvement and the possibility of establishing a Historic Heritage Area in the Niagara region; public/private agreements threaten the integrity of the Reservation while questionable entertainments, such as fireworks, car shows, and bands are routinely seen as acceptable park activities.

While the Niagara Heritage Partnership sees its proposal for gorgetop parkway removal and landscape restoration as a perfectly reasonable extension of the Olmsted vision, others see it as an insulting threat to their right to commute in the most rapid way possible.

We encourage the Commission to become more actively involved in these and other issues that have the potential to compromise the direction set by NYSOPRHP. The Commission has a significant role to play in public education and in helping public officials and others to establish a park system here unequalled in the urban parks of the world.

M.P.O. 489, NIAGARA FALLS, NEW YORK USA 14302-9999

www.niagaraheritage.org
niagaraheritage@aol.com

Please consider, either as a group or individually, meeting with representatives of the Niagara Heritage Partnership and others in the community to discuss ways in which we might cooperate to achieve common goals. We are looking forward to hearing from you.

Sincerely,

Bob Baxter
Conservation Chair

c: Harvey Albond
David Broderick
Heather DeCastro
Minot Ortolani

NIAGARA HERITAGE PARTNERSHIP

M.P.O. 489, NIAGARA FALLS, NEW YORK USA 14302-9999

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December 12, 2001

Jean R. Knox
437 Buffalo Road
East Aurora, NY 14052

Dear Commissioner Knox:

A recent announcement by William Murray, deputy general manager of the state parks commission, revealed that the Office of State Parks, Recreation, and Historic Preservation is considering extending people-mover routes along the gorge rim. We oppose this extended route.

Commissioner David Broderick's question about linking an extended route to the relocated train station was answered by Murray's response of "not aware of any plan for such a link at this time." The idea of people-mover routes into the business districts of Niagara Falls, although this was suggested by former state parks director Mario Pirastru over 20 years ago, and more recently advocated by the Niagara Heritage Partnership, was similarly dismissed with "no plans at present."

Four months ago (15 August) we wrote to you encouraging the Commission to become more actively involved in matters involving the Niagara Reservation. At this time we also asked that you consider meeting with representatives of the Niagara Heritage Partnership and others in the community to discuss ways in which we might cooperate to achieve common goals.

We are writing again to remind the Commission of those requests—and of your obligation as Niagara Frontier Parks Commissioners to learn about and to convey the concerns of community members to appropriate levels of State Parks administration. May we have the courtesy of a reply?

Sincerely,

Bob Baxter
Conservation Chair

c: Harvey Albond
David Broderick
Heather DeCastro
Minot Ortolani

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 Division of Hazardous Waste Remediation
Inactive Hazardous Waste Disposal Report

4 / 1 / 98

Site Name: Hooker-Hyde Park Landfill		Site Code: 932021	
Class Code: 2	Region: 9	County: Niagara	EPA Id: NYD000831644
Address: Hyde Park Boulevard		City: Niagara	Zip: 14303
Latitude: 43 7' 52"	Longitude: 79 2' 2"		
Site Type: Landfill	Estimated Size: 15 Acres		

Site Owner / Operator Information:			
Current Owner(s) Name:	Occidental Chemical Corp.		
Current Owner(s) Address:	360 Rainbow Blvd.	Niagara Falls	NY 14302
Owner(s) during disposal:	Hooker Chemicals and Plastics Corp.		
Operator(s) during disposal:	Hooker Chemicals and Plastics Corp.		
Stated Operator(s) Address:	Buffalo Ave.	Niagara Falls	NY 14302
Hazardous Waste Disposal Period:	From 1953	To 1975	

Site Description:

An overburden collection system was installed and a two foot clay cap was placed over this landfill in 1979. Since then, substantial additional work has been completed, including installation of a deeper more effective collection system. Aqueous phase leachate (APL) is being collected and treated at the Hyde Park treatment facility. Non-Aqueous phase leachate (NAPL) is stored on site and then incinerated at the OCC Buffalo Ave. facility.

A stipulation and judgment was executed in January 1981. In November 1985 a stipulation on Requisite Remedial Technology (RRT) was executed. Remedial work completed to date: Community Monitoring Wells; Gorge Face Seep Diversion; Industrial Protection Program; APL/NAPL Plume Refinement; Intermediate Formation Wells; Construction of the Treatment Facility; A new Over-burden Barrier Collection System (OBCS); Installation of six source control wells; Installation of bedrock pumping wells and associated monitoring wells; The on-site lagoons were closed and filled in the fall of 1991. Bloody Run excavation was completed in early 1993. Sewer replacement north of Bloody Run, additional bedrock purge wells, and associated monitoring wells were completed in 1993. Landfill capping and closure was completed in summer 1994. Additional purge and monitoring well installations were installed in 1996. Glen Springs Holdings, Inc., a subsidiary to OCC now manages all operation and maintenance. The stipulation and judgment requires a minimum remedial maintenance period of 35 years from the date of the judgment. Refinement of the groundwater containment system is ongoing.

Confirmed Hazardous Waste Disposal:	Quantity:
GeF2, C56-derivatives, brine sludge,	80,000 tons
organic phosphates, dachlorane,	
BTC, chlorotoluanes, DDM, TCP, BTF	
derivatives, benzoyl chloride, LOS/MCT	
and inorganic phosphites, chlorobenzenes,	
benzyl-chloride, thiodan, misc. chlorination	
products and acid-chlorides	

Analytical Data Available for:	Air	Groundwater	Surface Water	Soil	Sediment
Applicable Standards Exceeded in:	Groundwater	Surface Water			
Geotechnical Information:		Depth to			
Soil/Rock Type: Lacustrine (silty clays) over glacial till		Groundwater: > 5 ft.			
Legal Action: Type:	State	Settlement	Federal	Settlement	Status: Order Signed
Remedial Action:	Complete	Nature of action: containment, groundwater-DNAPL Extract-Treat Sys			

Assessment of Environmental Problems:

Surveys completed to date reveal that contaminants have migrated considerable distances in the overburden and bedrock aquifers. Both aqueous and non-aqueous phase contamination have been detected during the surveys. Remedial programs were implemented and a final site cap was installed.

Assessment of Health Problems:

The landfill is capped and fenced with entry monitored by site personnel. Contaminated soil has been removed from Bloody Run Creek, thereby eliminating public exposures by direct contact with contaminants. Niagara River gorge face seeps have been fenced off and/or channeled and covered to prevent public exposure to contamination. Contaminated bedrock groundwater flows into the Niagara River resulting in potential bioaccumulation of Hyde Park chemicals in the fish of the Niagara River and Lake Ontario system. A NYSDOH Fish Advisory is in effect for the lower Niagara River and Lake Ontario. The community monitoring well program which monitors overburden and bedrock groundwater conditions and the soil gas in dry overburden wells have shown that the local residents are not exposed to Hyde Park chemicals from the overburden or bedrock groundwater. Public water is supplied to area residents so exposures via drinking water are not expected.

NIAGARA HERITAGE PARTNERSHIP

Niagara Heritage Partnership is a group of concerned citizens who advocate the preservation and restoration of the region's natural environment and encourage socially responsible development.

October 6, 2003

Commissioner Bernadette Castro
NYSOPRHP
Empire State Plaza, Agency Bldg. 1
Albany, New York 12238

Dear Commissioner Castro:

We are writing to suggest that the closure of part of the Robert Moses Parkway along the gorge rim, currently interrupted since June of this year by the City of Niagara Falls maintenance work involving an interceptor drain, has compromised the information-gathering phase of the pilot program. This work required blocking off a significant length of the closed lanes, making them inaccessible to hikers, cyclists, and others wishing to use them.

While we have been critics of the pilot since its inception, this situation makes information the pilot may have produced even more questionable. It is our hope, although information compiled as a result of the pilot may be released at the end of the year, that final decisions regarding this section of the parkway will be postponed.

The potential of parkway removal and the natural restoration of the gorge rim is an issue being studied as part of the New York Power Authority relicensing process, in which we are stakeholders. We hope that the OPRHP will be active participants in these discussions, with special interest, as one example, in that portion of the highway that has severely degraded Devil's Hole State Park.

Communities in the region continue to struggle with the final vision for the gorge rim. Of the options available 1) put back four lanes 2) retain two lanes for commuters 3) remove all four lanes from Niagara Falls to Lewiston, New York and restore natural landscapes on the gorge rim, it is our hope that the third option will prevail, and we request that it be given full consideration.

Sincerely,

Bob Baxter, Conservation Chair

cc Hon. Byron W. Brown
Hon. Francine DelMonte
Hon. George Maziarz
Hon. George E. Pataki
Edward Rutkowski, Asst. Deputy Commissioner NYSOPRHP
Hon. Louise M. Slaughter

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