

FACT SHEET December 8, 2008

The Erie Canal Harbor Development Corporation By Michael Mettille University at Buffalo Law Student



What is the agency's website and contact information?

- www.eriecanalharbor.com
- See also: http://buffalowaterfront.com/index.php http://www.buffalonavalpark.org/

How was the ECHDC Created?i

The Erie Canal Harbor Development Corporation (ECHDC) is a subsidiary of the ESDC and has all the powers of the parent corporation.

What geographic area does it serve?

The ECHDC is currently developing the Inner and Outer Buffalo Harbor, most notably where the historic terminus of the Erie Canal is. The ECHDC is also developing some of the surrounding area including the old Memorial Auditorium and the Donovan State Building.

Who runs the agency?

The Agency's oversight is provided by a seven member board of directors consisting of:

- O Chairman: Jordan Levy (Lawyer)ⁱⁱⁱ
- o Vice Chairman: Larry Quinn (Buffalo Sabers Managing Partner)

- Melinda Rich (Rich Entertainment Group President)
- David Colligan (Lawyer)
- William Collins (Travers Collins & Company)
- o Maureen Hurley (Rich Products Corp. Executive Vice President)
- o Byron Brown (Mayor of Buffalo) Non-Voting Member
- Chris Collins (County Executive) Non-Voting Member



How are the directors appointed?

The board of directors is appointed by the Chairman of the Empire State Development Corporation (ESDC). The Board of Directors of the ESDC recommends the members and the Governor approves them. In practice the Governor has a great deal of influence over who is appointed.^{iv}

How is the agency staffed?

- The ECHDC is staffed and funded through the ESDC. Charles Rosenow is the President of the ECHDC. He runs the day to day operations of the ECHDC.
- The Empire State Development Corporation provides support staff and office space in the Liberty Building.
- Matt Davison is the Director of Communication's for the ECHDC

What is the budget?

- There is a great deal of conflicting information over about this.
- The most generous estimates come from the Buffalo News and Business First articles that suggest a "\$500 Million Canal Side Development Project."
- According to the Buffalo Urban Development Corporation Slide Show there is approximately \$160 million currently committed to the project. vi
- The ECHDC has committed revenue of \$3.5 million annually from NYPA. vii

How is the budget funded?

- The budget is funded through various grants from:
- Federal government
- New York State
- Erie County
- City of Buffalo
- Power Authority and National Grid. viii
- Additional funding will be provided through private development such as Bass Pro and Benderson Development Company.
- The Power Authority is required to give \$3.5 million annually to the ECHDC until 2055 through the Power Authority's Relicensing Agreement. ix

Erie Canal Harbor Redevelopment Project Budget / Cost: X

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Federal Authorizations	\$ 14,323,832
NYS Thruway	\$ 11,700,000
NY State	\$ 10,000,000
County of Erie	\$ 6,000,000
U.S. Army Corps	\$ 2,100,000
Buffalo Sewer Authority	\$ 2,000,000
FHWA (TIP/City of Buff	(alo) \$ 3,500,000
City of Buffalo	\$ 300,000
TOTAL	\$ 49,923,832

Bass Pro

ESDC	\$35,000,000 ^{xi}
Bass Pro	\$26,000,000 ^{xii}
Erie County	\$14,000,000

Asbestos Removal

NYS Remediation Grant \$4,100,000^{xiii} NYPA Agreement \$3,000,000^{xiv}

Erie Canal and Great Lakes Museumxv

Federal Authorizations	\$11,841,000
State Matching	\$1,480,249
Local Matching	\$1,480,249

Inner Harbor Parking Facility^{xvi}

•	Federal (FHWA)	\$13,300,000
•	City of Buffalo	\$3,000,000

How is the budget spent?

- \$53,000,000 Erie Canal Harbor Redevelopment Project^{xvii}
- \$607, 000 for urban design and strategic planning

- \$299,676 for a one-year contract with Buffalo Place, Inc., for operation, maintenance and special event coordination at the Erie Canal Harbor project site.
- \$214,008 consulting contract with C&S Engineers, covering expert engineering design services in preparation for the eventual demolition of the Memorial Auditorium (Aud) and Donovan State Office Building (Donovan)
- \$49,131 agreement with the Herbert F. Darling Company, for the construction of a temporary public access fishing platform on Buffalo's outer harbor
- \$423,500 purchase agreement with Cargill, Inc. for 7.066 acres of outer harbor property
- \$7,104,900 for Donovan Building remediation work

What type of subsidies does the agency give?

• \$35,000,000 Memorial Auditorium Prep for Bass Pro^{xviii}

What are some examples of the agency's projects?

- Erie Canal & Great Lakes Museum xix
- Bass Pro at the Aud^{xx}
- Inner Harbor Parking Facility^{xxi}
- Erie Canal Harbor Project^{xxii}
- Naval Basin/ Veterans Park xxiii

How does the agency measure its success?

• Received the 'Planning Honor Award' during the Waterfront Center's 19th Annual 'Excellence on the Waterfront' program competition xxiv

How does the agency report to the public?

- Primarily through Press Releases
- The Board of Directors of the ECHDC is appointed by the Governor therefore the way they answer to the public is through the Governor's office.

Who benefits from this agency's work?

- The local economy
- Bass Pro
- Historical Tourist
- Local business that cater to tourist
- The Buffalo and Erie County Military and Naval Park

Who is harmed or left out by this agency's work?

- Preservationist who wanted the Memorial Auditorium reused for something new including an intermodal transportation hub.
- Local fish/game/sports stores

What controversial issues has the agency faced?

• Would Bass Pro really build a store there? Apparently it will. xxv

- Would Bass Pro really make the Erie Canal a part of the store going from the outside to the inside of the store? Apparently it will. xxvi
- Would Bass Pro build its' store over the excavated remains of the Erie Canal Terminus? It did not. xxvii
 - "My Irish grandmother from the Southside of Chicago used to say: the Irish don't know what they want but their willing to fight for it!" xxviii
- Would the stones of the Terminus of the Erie Canal instantaneously explode if exposed to air? They will not. xxix
- Would NYSPA contribute to the ECHDC budget? It will, \$3.5 million every year until 2055. xxx

James Ostrowski/ Free Buffalo/ Free New York

- Memorandum of Understanding January 31, 2205 xxxi
 - Did Bass Pro originally commit to spending \$57,000,000 or \$22,000,000 towards development of the Bass Pro Outlet?
 - Is the Intermodal Transportation Center \$50,000,000 of public money a device to provide Bass Pro with a source of free parking for fifty years?
 - \$66,000,000 of public money x 400 jobs created = \$165,000/ per job: is this worth the public investment?
 - What are Bass Pro's unspecified tax exemptions?
- Erie Canal Harbor Development Project involves sixteen government bureaucracies, has this hurt the project and the over-all speed of development?**
- Are there too many conflicts of interest on the ECHDC Board with a few people that have connections to Bass Pro?**xxxiii*
- Do the ECHDC Board members have the expertise to over-see this project? xxxiv

What policy issues does the agency's work raise?

Would NYSPA move the location of the ice boom to provide ECHDC with 13 acres of prime outer harbor real estate? Apparently it will. xxxv

- Will the 193 year old George Coit House be brought back to the Erie Canal from its' current location on Virginia Street?**xxvi
- Raw Sewage draining into the Erie Canal Harbor after a severe storm. xxxvii
- Transferring 130 Acres of Outer Harbor land to the ECHDC. xxxviii
- Would waterfront development ever happen in Buffalo?

What efforts have been made to change this agency or its programs?

- The determined efforts of SUNY Buffalo Geologist who stated the case that the stones of the original Erie Canal would not explode upon contact with air. *xxxix*
- The determined efforts of Tim Tielman and the Preservation Coalition of Erie County to ensure Bass Pro would not build over the historic remains of the Erie Canal. xl
- Changing the information architecture of the signage at the Commercial Slip from scattered and disorganized to something that is organized and flows. xli

- Taking the Skyway down to improve access to the waterfront. xliii
- Turning the elevated section of Route 5 into a Boulevard. xliii
- Expanding Fuhrman Boulevard and making the outer harbor more accessible. xliv
- A \$10 million "floatable control facility" about a quarter-mile above the Hamburg Drain outlet. Vertical trash rack to screen the solid debris that comes through the drain before it gets to the slip. Would capture 99 percent of debris. xiv

How can I contribute input to the agency's decisions?

- Contact the ECHDC Board and ask to have an issue discussed at their next meeting. 716-856-8111.
- Contact the ECHDC to attend their next Board Meeting open to the public.
- Become a member of the Preservation Coalition of Erie County and try to influence ECHDC that way. 716-362-0266.
- Join any organization in the Waterfront Coalition and try to influence ECHDC that way. (Buffalo Niagara Riverkeeper 716-852-7483).
- Buy the Bass Pro Corporation

Can I attend the agency's meetings?

- A Press Release went out August 11, 2008 to announce a Board Meeting for the ECHDC on August 12, 2008 at 10:30AM. XIVI
- The Press Release did welcome the public however to put this in your schedule in a realistic way you should try calling Matt Davison at the ECHDC to get more advance notice of Board Meetings that welcome the public.

How do I learn more about this agency?

- ECHDC Press Office, Matt Davison, (716) 856-8123 ext. 258
- Buffalonews.com
- Google
- Empire State Development Corporation, www.empire.state.ny.us

What community groups are interested or involved in this agency's work?

- Preservation Coalition of Erie County
- Armed Forces Week Committee
- Free Buffalo/ Free New York
- Buffalo Niagara Riverkeeper
- Campaign for Buffalo History, Architecture and Culture

What is taking so long to tear down the Memorial Auditorium and Donovan Building? Asbestos!xlvii

Memorial Auditorium

- 24 thousand linear feet of asbestos pipe insulation
- asbestos drywall tape
- asbestos buried within the thick concrete floor slab

- patches high up near its roof
- 800-amp power service had to be restored General Donovan State Building
- 400,000 square feet of sprayed-on asbestos fireproofing sandwiched between its eight floors
- asbestos drywall tape Both Buildings
- buildings had to be completely sealed with an extensive filtering and containment system
- 100 specially trained workers from two companies performing grueling manual labor methodically scraping away the asbestos
- combined price tag of more than \$10 million

Why wasn't the Memorial Auditorium saved and reused?xlviii

- The Aud would've required \$1 million dollars of investment for annual upkeep during its vacant years.
- The City did not have that kind of money so the building deteriorated.
- There was 100,000 square feet of mold in the Auditorium
- \$10 million to remove mold
- No one would Ensure the mold would not come back therefore no one would Insure the mold would not come back.
- Would cost \$120 million to renovate with \$60 million coming from Bass Pro.
- Bass Pro would not agree to that level of investment.

Why wasn't it reused for as an intermodal transportation hub?

- Amtrak train that stops at Exchange street cannot stop at the basement of the Auditorium without renovation costs around \$500 million to ventilate the would-be terminal.
- Original plan to turn Aud into a Transport Hub only accounted for renovations to %10 of the Aud.

ⁱ Charles Rosenow, Telephone Conversation with Fact Sheet Author on September 26, 2008.

ii Matt Davison, http://www.eriecanalharbor.com/boarddirectors.asp, October 3, 2008.

iii Matt Davison, Erie Canal Harbor Soft Opening Announced; ECHDC Press Release, May 22, 2008.

iv Charles Rosenow, Telephone Conversation with Fact Sheet Author on September 26, 2008.

^v Sharon Lindstedt, <u>Bass Pro Site Will Include a Canal</u>; <u>http://www.buffalonews.com/</u> 145/story/ 413434.html, August 13, 2008. James Fink, <u>Design Contract Increased for Canal Side</u>; Buffalo Business First, August 12, 2008.

vi BUDC, <u>Buffalo Waterfront Projects: Summary and Update Reports</u>; slide #11, Slide Show prepare by: Buffalo Urban Development Corporation, Erie County Industrial Development Agency & Buffalo Niagara Partnership, <u>www.ecidany.com/OPTwaterfrontupdatemay06.ppt</u>, Revised May 1, 2006.

vii Charles Rosenow, Telephone Conversation with Fact Sheet Author on September 26, 2008.

viii Matt Davison, Erie Canal Harbor Officially Opens to Public; ECHDC Press Release, July 2, 2008.

ix Charles Rosenow, Telephone Conversation with Fact Sheet Author on September 26, 2008.

- ^x BUDC, <u>Buffalo Waterfront Projects: Summary and Update Reports</u>; slide #11, Slide Show prepare by: Buffalo Urban Development Corporation, Erie County Industrial Development Agency & Buffalo Niagara Partnership, <u>www.ecidany.com/OPTwaterfrontupdatemay06.ppt</u>, Revised May 1, 2006.
- xi BUDC, Buffalo Waterfront Projects: Summary and Update Reports; slide #17
- xii BUDC, Buffalo Waterfront Projects: Summary and Update Reports; slide #17
- xiii Matt Davison, ECHDC Announces Additional Waterfront Progress; ECHDC Press Release, March 21, 2008.
- xiv Matt Davison, ECHDC Announces Additional Waterfront Progress
- xv BUDC, <u>Buffalo Waterfront Projects: Summary and Update Reports</u>; slide #15
- xvi BUDC, Buffalo Waterfront Projects: Summary and Update Reports; slide #13
- xvii Matt Davison, Erie Canal Harbor Officially Opens to the Public; ECHDC Press Release, July 2, 2008.
- xviii BUDC, Buffalo Waterfront Projects: Summary and Update Reports; slide #17
- xix BUDC, Buffalo Waterfront Projects: Summary and Update Reports; slide #15
- xx BUDC, Buffalo Waterfront Projects: Summary and Update Reports; slide #18
- xxi BUDC, Buffalo Waterfront Projects: Summary and Update Reports; slide #13
- xxii BUDC, Buffalo Waterfront Projects: Summary and Update Reports; slide #11
- xxiii BUDC, Buffalo Waterfront Projects: Summary and Update Reports; slide #12
- xxiv Dexigner, Erie Canal Harbor Project Wins Prestigious Award;

www.dexigner.com/architecture/news-g6424.html, January 1, 2005.

- xxv Sharon Lindstedt, Bass Pro Site Will Include a Canal
- xxvi Sharon Lindstedt, Bass Pro Site Will Include a Canal
- xxvii Governor Pataki's Press Release, <u>Governor: Rehabilitate Historic Inner Harbor Commercial Slip State</u>, <u>County, State Announce Agreement at 175th Anniversary of Erie Canal Opening</u>; http://preserve.bfn.org/canal/pataki.html, October 26, 2000.
- xxviii Larry Quinn, Speech During the Official Opening of the Erie Canal Harbor; (commenting on the Preservation Coalition of Erie County's Effort to Stop ECHDC from building over the historic remains of the Erie Canal.) July 2, 2008.
- xxix Dr. Patricia Costanzo, Esq. and Dr. Rossman F. Giese, Jr., <u>Rock of Ages</u>; http://preserve.bfn.org/canal/rock.html,
- Charles Rosenow, Telephone Conversation with Fact Sheet Author on September 26, 2008.
- xxxi James Ostrowski, <u>The Bass Pro MOU Raises More Questions than it Answers</u>; Free Buffalo News Alert #1, May 11, 2005.
- xxxii James Ostrowski, <u>Bass Pro and Buffalo: How Not to do Economic Development</u>; Free New York Policy Report #4, May 30, 2006, p.3.
- xxxiii James Ostrowski, Bass Pro and Buffalo: How Not to do Economic Development;, p.4.
- xxxiv James Ostrowski, Bass Pro and Buffalo: How Not to do Economic Development; p.4.
- xxxv Sharon Lindstedt, Power Authority Seeks for Niagara River Ice Boom;

http://www.buffalonews.com/145/story/382453.html, July 1, 2008.

- xxxvi Sharon Lindstedt, Last Erie Canal-era House is touted for Move to Harbor Site; http://www.buffalonews.com/cityregion/ buffaloerie/story/386730.html, July 7, 2008.
- xxxvii Sharon Lindstedt, New Erie Canal Harbor Fowled by Sewage Overflow;

http://www.buffalonews.com/cityregion/buffaloerie/story/373616.html, June 19, 2008.

- xxxviii Douglas Turner, NFTA Willing to Transfer Waterfront Land: Development Corporation Would Take Control; Buffalo News, September 17, 2006.
- xxxix Dr. Patricia Costanzo, Esq. and Dr. Rossman F. Giese, Jr., Rock of Ages; http://preserve.bfn.org/canal/rock.html,
- xl Donna Ashby, <u>Preservation Coalition Calls on Court to Stop Excavation of Canal District</u>; Reprinted From Artvoice, http://preserve.bfn.org/canal/ash/ash2.html.
- xli Jacquie Walker Blog, <u>Information Architecture Erie Canal Harbor</u>;
- http://www.news4forum.com/jwalkerblog/2008/07/information-architecture-erie-canal.html, Tuesday July 8, 2008.
- xlii Harold McNeil, Southtowns Connector Get's Chilly Reception: But DOT is Ready to Move Ahead: Buffalo News, November 14, 2007.

xliii Harold McNeil, Southtowns Connector Get's Chilly Reception: But DOT is Ready to Move Ahead: Buffalo News, November 14, 2007.

xlv Sharon Lindstedt, New Erie Canal Harbor Fowled by Sewage Overflow; http://www.buffalonews.com/cityregion/buffaloerie/story/373616.html, June 19, 2008.

Partnership for the Public Good 237 Main St., Suite 1200, Buffalo NY 14203 www.ppgbuffalo.org

xliv Harold McNeil, Southtowns Connector Get's Chilly Reception: But DOT is Ready to Move Ahead: Buffalo News, November 14, 2007.

Matt Davison, Media Advisory and Public Notice; ECHDC Press Release, August 11, 2008.

**Ivii Mark Webster, Count Down to Demolition at Bass Pro Shop; Business First of Buffalo, Friday July 18,

xlviii Charles Rosenow, Telephone Conversation with Fact Sheet Author on September 26, 2008.