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November 17, 2005

Lawrence Meckler, Executive Director
Niagara Frontier Transportation Authority
181 Ellicott Street, Buffalo, New York 14203

Dear Mr. Meckler:

We are writing to request confirmation and further information regarding Niagara Frontier Transportation Authority (NFTA) intentions to sell the Outer Harbor property to the private company comprised of Uniland and Opus representatives.

On September 27, 2005, Buffalo Niagara RIVERKEEPER representatives attended a tour of the Buffalo and Niagara waterfront with members of the Niagara Greenway Commission. While touring the Buffalo Outer Harbor, Peter Burke of the NFTA publicly explained that the NFTA was negotiating the sale of the Outer Harbor to the Buffalo Lakefront Development Corporation. He cited figures of \$3 million for the northern portion of the property and \$1.8 million for the southern portion of the property. He explained that the sale was planned to be complete by the end of 2005.

Please provide confirmation or correction of the above land-transfer arrangement. In particular, we are requesting clarification regarding

- Details regarding the acreage and location of the proposed sale parcels
- Whether the sale would be completed in a single or multiple transactions
- The proposed sale price and any additional compensation due to the NFTA or other entities contingent upon further development of the site
- Any proposed reversionary provisions
- The proposed timing of the sale

Buffalo Niagara RIVERKEEPER has been working for nearly 20 years to improve the accessibility and health of Buffalo Niagara's waterfront. Buffalo Niagara RIVERKEEPER strongly supports the revitalization of the Outer Harbor through the development of mixed-use areas at both the Seaway Piers and southern terminal area. We also strongly advocate the creation of substantial parkland on the majority of the site. This vision is consistent with public demand for greatly increased waterfront parkland – not just trail areas - expressed repeatedly in over 40 years of planning documents for the site.

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As expressed in our comments at the NFTA's December 2004 Outer Harbor meeting, Buffalo Niagara RIVERKEEPER (formerly Friends of the Buffalo Niagara Rivers, Inc.) strongly opposes the sale of public waterfront land to private interests. The Outer Harbor is public trust property and must remain in public ownership. New development and waterfront vibrancy can be accommodated through the use of long-term (50 year) leases.

If the NFTA no longer wishes to serve as the steward of the Outer Harbor parcel, another suitable public or not for profit entity should be identified to manage the revitalization of the site. Driven first and foremost by the desire to amass private financial gain, a private real estate developer is not an appropriate steward of the public's right to access the region's rich waterfront recreation resources. The waterfront belongs to the entire community and must remain in public ownership.

We look forward to your prompt reply regarding the NFTA's regarding this matter. Please provide your response in writing to Buffalo Niagara RIVERKEEPER, 617 Main Street, M108, Buffalo, NY 14203.

Sincerely,

Julie Barrett O'Neill
Buffalo Niagara RIVERKEEPER

Cc: Clinton, Schumer, Higgins, Pataki, Brown, Schroeder, Hoyt, Giambra, Masiello
