



Citizens *for* Regional Transit

CRT News

A Quarterly Publication of Citizens for Regional Transit

Vol. 26, Issue 5

October 8, 2023.



Fall 2023 - Public Meeting

Topic

Transit and Regional Tourism

18 October 2023

5:30 – 7:00pm

Niagara Falls International / AMTRAK Station

825 Depot Avenue West, Niagara Falls, NY

Hosted by the Niagara Falls National Heritage Area

Zoom link to be provided

Keynote Speaker

Sara Capen, Executive Director, Niagara Falls National Heritage Area

Additional Speakers / Panelists

Patrick Kaler, President and CEO, Visit Buffalo Niagara

Andrea, Czopp Chief Operations Officer, Destination Niagara USA

Thomas George, P.E., Vice President, Operations, NFTA

Summary:

Transit connectivity between Buffalo and Niagara Falls was once a pre-eminent feature of our region made famous by the 1933 Musical 42nd Street's theme song Shuffle off to Buffalo "*... to Niagara in a Sleeper... Shuffle off to Buffalo...*"

Today transit connectivity between our cities is infrequent and uncoordinated. Yet these two cities offer great potential tourism synergy – Niagara Falls the world-famous tourist mecca with millions of visitors during summer months and Buffalo with year-round attractions and a larger business-base.

This program hopes to explore the potential of improved public transit for enhancing tourism economics and business development in both cities. Please join us as our area tourism leaders provide intel and insight into this important topic.



President's Column

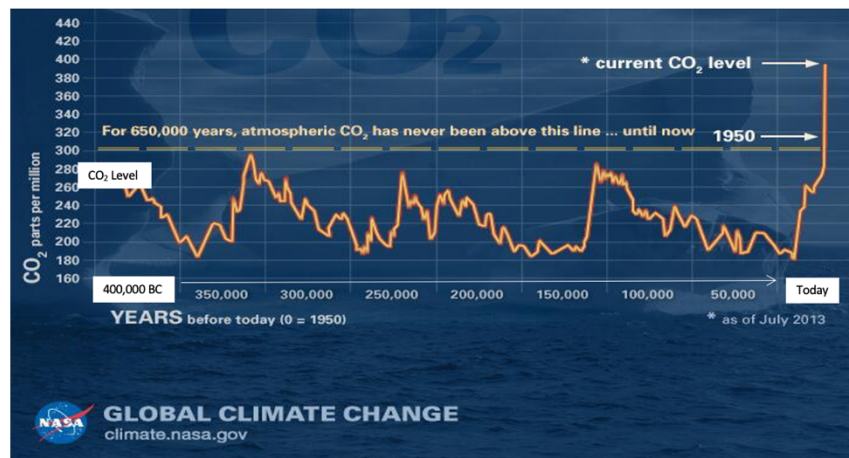
Can't We Do Better?

By CRT President Douglas Funke

CRT is opposing NYS Department of Transportation's (NYSDOT) plan to spend over \$1 billion to turn a 0.8 mile section of the Kensington Expressway into a tunnel when we should be transitioning from car-centered transportation to multi-modal solutions with high-capacity, high-speed transit (i.e., Buffalo's light rail rapid transit (LRRT) as the spine). In addition to encouraging more cars, NYSDOT's Kensington plan violates NYS's new law for fighting climate change described below.

The Situation:

- We now recognize the problem – it's climate change. And it's serious.
- We now recognize the cause – it's us. People burning fossil fuel!
- NYS has now passed a climate law to address the problem: it's the NYS Climate Leadership and Community Protection Act (CLCPA).
- NYS Department of Transportation (NYSDOT) is dismissing the CLCPA law requirements and rebuilding the Kensington as a 6-lane expressway in a tunnel maintaining the same levels of pollution to the East Side community.



Today's GHG pollution exceeds all eras going back 400,000 years and is increasing at rates never experienced before.

The NYS CLCPA law (July 2019). The CLCPA directs all state agencies to evaluate whether its decisions are inconsistent with or will interfere with the attainment of statewide greenhouse gas (GHG) emissions limits established in article 75 the environmental conservation law: CLCPA 7(2), S.B. 6599, 242d Sess. (NY 2019). These goals require overall reduction of GHG pollution and vehicle miles travelled (VMT). By pre-determining that a Project objective is ***“maintaining vehicular capacity of the existing transportation***



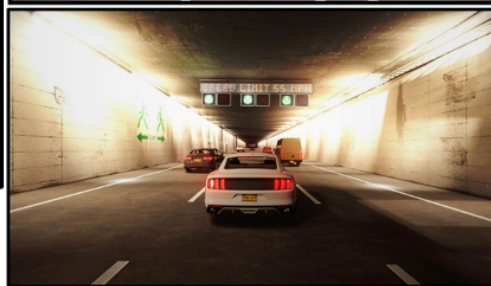
corridor”, prior to completing GHG and VMT analyses for all alternatives violates the CLCPA.

The NYSDOT Draft Environmental Report (September 2023). The Environmental Report cites the CLCPA law 17 times but projects an increase in VMT. On Page 148 it says, ***“the Project has been designed and assessed in consideration of the requirements of New York’s CLCPA law.”*** But on Page 275 it says the Build Alternative will reduce CO₂ by 0.04% by 2047 and ***“therefore the Project would be consistent with CLCPA.”***

But the CLCPA calls for GHG reductions of 40% by 2030 and 85% by 2050. We believe the NYSDOT Build Alternative violates both the spirit and letter of the CLCPA law. The above statement by NYSDOT doesn’t even pass the laugh test. And it isn’t funny!

The result of NYSDOT’s intransigence is that a short segment of the 6-lane Kensington Expressway will be rebuilt as a tunnel at great taxpayer expense and the road will continue to poison residents on the Buffalo’s East side for decades to come. This is the Kensington’s original core injustice, which is not being addressed.

Public Involvement. The Buffalo News 25 September 2023 op-ed calls for “intense community involvement” for a project of this scope and importance. We agree. The NYSDOT Public Hearing (28 September 2023) was an eye-opener. Speaker after speaker opposed this plan (by my count, well over 75% against), most calling for restoring Olmsted’s Humboldt Parkway on the surface. Our discussions with Stephanie Barber-Geter, President of Restore Our Community Coalition (ROCC) indicate that she would also prefer restoration of Olmsted’s parkway but that the tunnel is all that is being offered so we should take it.



NYSDOT Is only offering two Choices: (1) Do nothing except normal road maintenance (left); or (2) the 0.8-mile tunnel plan with 6- lanes of traffic and a park on top (right). Take it or leave it.

NYSDOT met with selected community stakeholder groups and legislators in private meetings to guide the project. Just two Public Meetings were held, one in June 2022 and

one in June 2023. At these meetings the public was restricted to written or stenographer transcribed comments. Public microphones not provided until the recent Public Hearing.

Alternatives Eliminated.

In 2012 and 2022, NYSDOT laid out several alternatives for this project. The options presented in 2022 ranged from no build to several bridge, tunnel, surface road and boulevard options, to full removal of the Kensington, reestablishing the former parkway setting. Here's a link to NYSDOT's 2022 list of options.

<https://kensingtonexpressway.dot.ny.gov/Content/files/ProjectDocuments/Kensington%20project%20Poster%20List%20of%20Concepts.pdf>

There was little consideration of multi-modal solutions and no mention of future plans for extending Buffalo's light rail rapid transit (LRRT). We believe transportation decisions of this cost and importance should be made in a multi-modal planning context with current and future high-capacity, high speed transit in the mix.

Problems with the NYSDOT Plan.

- It does nothing to address the core problem of pollution. It will carry more vehicles and generate the same amount of pollution now poisoning the East Side residents.
- It perpetuates the problem. The expressway's public investment will make sure that car-generated congestion and pollution will persist for another 60 years.
- It does not consider or evaluate multi-modal alternatives, especially future Buffalo Metro LRRT extensions.
- It misses a generational opportunity to restore Olmsted's Humboldt Parkway system connecting Delaware and MLK Parks.
- It only benefits residents living along the 0.8-mile tunnel area. Fruit Belt residents south of Dodge and those living north of Sidney get no relief at all.

Conclusion.

The NYSDOT environmental report states that 39% of East Side residents living in the area don't even have access to cars. But they will continue to have access to the 100% of the pollution and noise that all the cars from elsewhere (especially the suburbs) leave in their neighborhoods.

We call on NYSDOT to modify the project objectives to include the CLCPA mandates and rework the plan based on guidance from the CLCPA Scoping Plan and inputs from the community, as was done in the neighboring Central Region Project. We enthusiastically support this project and want to see it move forward – but want it done in a way that reduces pollution and respects the health of Buffalo's East Side Residents.

If you agree, take a minute, and let NYSDOT not to waste \$B on the cap that does nothing to reduce pollution to Buffalo's East Side.

<https://kensingtonexpressway.dot.ny.gov/Contact.aspx>



Links for More articles on this topic.

For those interested, here are some links to additional documents on the Kensington Project:

- **CRT letter to NYSDOT:**
<http://citizenstransit.org/sites/default/files/070723%20CRT%2033%20Comments%20combo.pdf>
- **CRT Video on the Kensington Alternatives:**
<http://citizenstransit.org/node/210>
- **Doug's interview on WBEN on the Kensington:**
<https://www.audacy.com/podcast/hardline-73616/episodes/doug-funke-10-1-9639c>
- **CRT's article in Buffalo Rising.**
<https://www.buffalorising.com/2023/03/replace-nysdot-as-the-lead-agency-on-the-kensington-expressway-project/>
- **Edward Marriot's article in Buffalo Rising.**
<https://www.buffalorising.com/author/edward-marriott/>
- **Brad Bethel's (ROCC and CRT Board Member) editorial:**
<https://risecollaborative.com/rise/kensington-expressway-cap-fill>

Amherst Extension

By CRT Treasurer James Gordon

NEPA Progress

The Amherst Extension is in the NEPA phase (National Environmental Protection Act).

Due to new questions from the FTA regarding engineering, the NEPA phase has been extended to Spring 2024. CRT awaits the NEPA report and will provide comments option for the Amherst UB corridor.

Bus Rapid Transit (BRT)

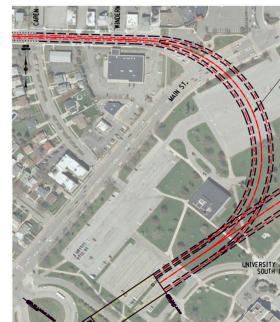
Incredibly, some people still think BRT is a viable option.

BRT fails on every metric imaginable. [Watch our video](#).¹ (Click image below:)



Less Blasting

[NFTA's alternative refinement technical report](#)² shows less blasting than CRT expected, ending between Capen Blvd and Allenhurst Rd.



(Click image above)

¹ <http://citizenstransit.org/node/216> Watch you YouTube

² https://nftametrotransitexpansion.com/pdfs/LPA_refinement_technical_report_012019.pdf See figure 5 on page 10.



Get your yard sign!



Donate and get a free yard sign!

<http://www.citizenstransit.org/YES.Extend>

If you're near the Amherst corridor, we'll drop your sign(s) off.

We can supply any quantity.

CRT Work Highlights (July – October, 2023)

Tabled at area events:

- **Larkinville** Tabled and petitioned at Larkinville on August 22nd..
- **UU Green Festival.** Tabled, presented, and distributed lawn signs at the Unitarian Universalist Church of Amherst Living Green Festival on September 23rd.



CRT's PPG 2023 Plank. Continued our support for the Partnership for the Public Good's (PPG) 2023 plank advocating for the City of Buffalo to clear snow on city sidewalks and at bus stops. We are partnered with Buffalo Transit Rider's Union (BTRU) and GObike. BTRU is the lead.

Continued Our Opposition to NYSDOT's Kensington Tunnel Project.

- Attended the NYSDOT Public Meeting on June 20th. Provided verbal comments at NYSDOT individual stations. There was no microphone for public comments.
- Attended the NYSDOT Public Hearing on September 27th. Doug read CRT's comments (see appendix below). Jim and Carl both spoke as individuals in opposition.
- Joined East Side Parkways Coalition to explore oppositional coordination.

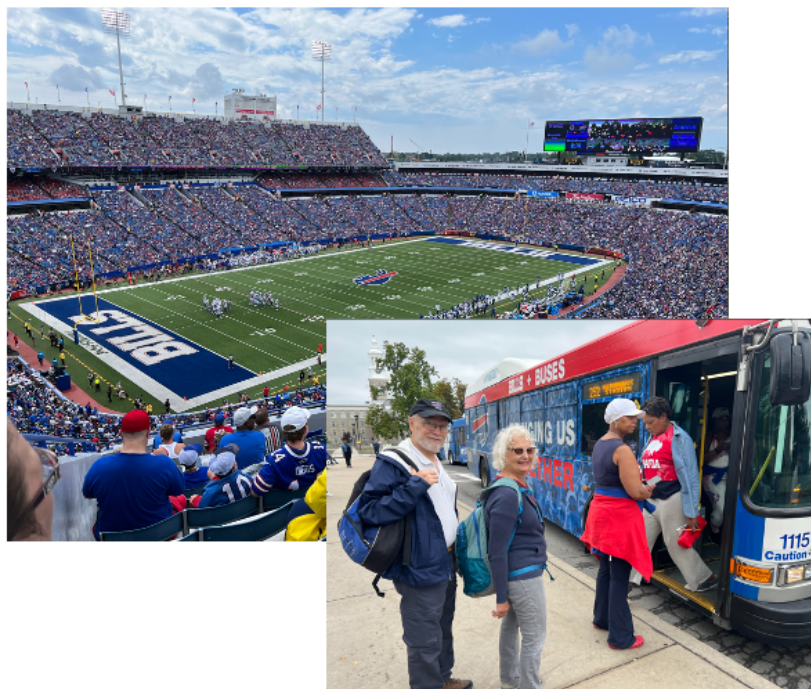
Served on Niagara Branch Rail Working Group. This group is led by GBNRTC and includes representatives from CRT, the Empire State Passenger's Association, and several regional rail experts. Attended meeting with Erie County senior staff on July 24th to discuss the State Service Development Plan and solicited support for promoting WNY high speed rail (HSR) priority at NYSDOT.

Met with area leaders:

- NFT Chairman, Mike Hughes, on August 31st. Discussed a wide range of transit issues.
Town of Tonawanda Supervisor, on September 18th. Met by phone and discussed the Amherst Extension and Niagara Falls Boulevard pedestrian safety.
- Town of Amherst Planner, Dan Howard. Discussed the Amherst Extension.

Attended Workshops and Public Meetings: These included: (A) Downtown Waterfront Development Workshop on August 9th (B) the stop Amherst Metro Extension public meeting.

Took NFTA Bus to Bills Game: Jim, Doug, and Dolores took advantage of promotional NFTA bus and Bills tickets for the first Bills preseason game. The bus picked us up at UB South and dropped off right at Highmark Stadium's entrance. The bus usually cost's \$5 each way (\$10 round trip). We don't understand why anyone would want to drive in all the congestion and pay \$40 to park unless tailgating. I'll never drive to a Bills game again.



Board Retreat. Held CRT Board retreat at Doug's house on August 26th.

Ongoing Activities and Meetings. Continued to attend meetings of local public organizations, including the NFTA, GBNRTC and Buffalo Place. Also served on the Erie County Climate Change Task Force (ECCTF) representing transit issues and on NFTA's Citizens Advisory Committee (CAC). Attended the final ECCTF celebration event at Chestnut Ridge on August 8th.

Media Interviews.

- Jim was interviewed on Joe Beamer's show (WBEN) on July 24th about our thoughts on the Amherst extension <insert link>.
- Jim was interviewed on WBFO on July 31st.
- Doug was interviewed on Joe Beamer's show (WBEN) on October 1st about the Kensington Project. <https://www.audacy.com/podcast/hardline-73616/episodes/doug-funke-10-1-9639c>

Keep CRT On Track

To join as a new member, renew your membership, or make a donation please click here. Thanks.

Can You Help Us?

We are looking for volunteers to help us be more effective. Can you help us plan and staff tabling events? Can you help us update outreach material? Are there other skills you can help us with such as data entry tasks (e.g., maintaining our email lists? writing grant applications?) Please use this link if you are willing to help:

<https://forms.office.com/pages/responsepage.aspx?id=CnS5DfwPA0CIDBbWG6yI3JZGKz70PIpCoSv86E81dwtUMDVGUjIYQ0xKVDY1RDc5MFhGVkIDM1NDUi4u>

Calendar

Our next CRT public meeting October 18th. The topic will be transit and regional tourism. See top of this newsletter for details.



Appendix A

CRT Comments Read at the NYSDOT Public Hearing (Note: bracketed paragraph not read due to the 3-minute time limit)

Citizens for Regional Transit NYSDOT Kensington Project Environmental Report Comments of the Draft Design Report / Environmental Assessment

27 September 2023

Douglas Funke, President, Citizens for Regional Transit

Citizens for Regional Transit's (CRT's) offers the following comments on the NYSDOT Draft Design / Environmental Assessment.

First, we offer our highest kudos and thanks to Restore Our Community Coalition's (ROCC's) Stephanie Barber-Geter for her vision and dogged determination in highlighting the 1960s Kensington Expressway injustice imposed on Buffalo's minority populations. We strongly support the project's goals of restoring Humboldt Parkway as part of Olmsted's larger vision.

We agree, however, with the Buffalo News that the plan's achievement of this goal is "very partial" at best. The tunnel only extends between Sidney and Dodge Streets and offers no relief outside these limits. And by rebuilding the expressway in the tunneled section ensures there will continue to be 75,000 cars each day polluting the whole area for decades to come.

The project's Build Alternative does nothing to reduce the pollution generated by the expressway, thus ignores the core injustice. The toxic pollution from all the cars that has been poisoning Buffalo's East Side Residents for decades and will continue, along with unbearable noise levels outside the tunnel section.

This is not surprising, since the Kensington Project objectives say nothing about reducing pollution. Perhaps they were written before the NYS Climate Leadership and Community Protection Act (CLCPA) became law. The project objectives should be updated to incorporate the CLCPA requirements and associated actions in the CLCPA Scoping Plan and Erie County Climate Action Plan, which all call for reducing vehicle miles travelled (VMT) and investments in public transit, which are especially important here where NYSDOT notes car access is only 39%.

The NYSDOT Draft Environmental Report cites the CLCPA 17 times. On Page 148 it says "the Project has been designed and assessed in consideration of the requirements of New York's CLCPA law." But on Page 275 it says the Build Alternative will reduce CO₂ by 0.04% by 2047 and "therefore the Project would be consistent with CLCPA." But the CLCPA calls



for CO₂ reductions of 30% by 2030 and 85% by 2050. We believe the Build Alternative violates both the spirit and letter of the CLCPA law.

[We are also disappointed that the project will cost \$1.2B when it falls so far short of the mark. By comparison, \$1 Billion would be enough to extend Buffalo Metro through the East Side to the airport and the Kensington could be infilled to restore the Humboldt Parkway on the surface using just the \$56M from the Federal Reconnecting Communities Program. Rochester's very similar Inner Loop infill cost just \$30 million.]

We call on NYSDOT to modify the project objectives to include the CLCPA mandates and rework the plan based on guidance from the Scoping Plan and inputs from the community, as was done in the neighboring Central Region Project. We enthusiastically support this project and want to see it move forward – but want it done in a way that reduces pollution and respects the health of Buffalo's East Side Residents.

