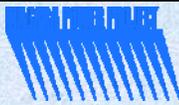


Niagara Power Project Relicensing: Relationship to the Niagara Greenway

Presented to the Ecological Standing Committee

February 13, 2007



Niagara Project Relicensing GREENWAY

- Issue first raised – 2003
- Riverfront tour – 2003
- NYPA hires CUI -2004
 - ◆ Identify existing infrastructure
 - ◆ Begin discussion on a vision
 - ◆ Identify elements that could be integrated with other elements of relicensing settlements
 - ◆ **Conclusion:** Considerable support for the concept
- Greenway legislation – September 2004
- Relicensing Settlement Agreements – 2004-2006






Niagara Project Relicensing

- NYPA negotiated settlement agreements with various stakeholders to achieve widespread support for its license application.
- Settlement agreements included a number of environmental, economic, and recreation measures, including funds to support projects consistent with greenway plan.
- The greenway funds are relicensing commitments, not general funds available to the Greenway Commission to implement the Greenway Plan.




Niagara Project Relicensing

- Negotiated four funds through relicensing settlements for projects consistent with the Greenway Plan.

State Parks Greenway Fund	\$3 million/year
Host Community Greenway Fund	\$3 million/year
Erie County Greenway Fund	\$2 million/year
Ecological Greenway fund	<u>\$1 million/year</u>
	\$9 million/year
- For the term of the new license.



Niagara Project Relicensing Greenway Funds

“...support the **construction and/or rehabilitation of parks, recreation and related facilities**, for the purpose of redefining the Niagara riverfront, promoting tourism, enhancing the environment, and advancing the economic revitalization of the Niagara River Greenway...”

Relicensing Settlement Agreements
(State Parks, Host Community, Erie County)

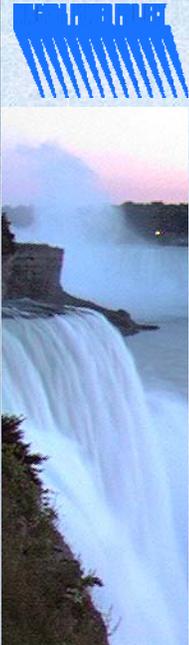


Niagara Project Relicensing Greenway Funds

“...support the **creation, improvement, and maintenance of conservation areas and ecological projects** along the Niagara River basin that will promote tourism, enhance the environment, advance the economic revitalization of riverfront communities, and support the creation of a Greenway.”

Relicensing Settlement Agreements
(Ecological)





**Niagara Project Relicensing Greenway Funds
Guiding Principles**

MAY BE USED:

- To defray the costs of qualifying projects as selected by the standing committees.
- For administrative costs associated with the establishment and maintenance of the funds.
- For Qualifying Personnel Costs.



**Niagara Project Relicensing Greenway Funds
Guiding Principles**

MAY NOT BE USED:

- To meet obligations existing as of August 31, 2007.
- For operations and maintenance of any project existing as of August 31, 2007.
- For personnel costs other than Qualifying Personnel Costs.





Niagara Project Relicensing Greenway Fund Guiding Principles

- Funding support for projects may be sought/proposed by members of the standing committees or by individuals and organizations with an interest in the Niagara River Greenway.



Niagara Project Relicensing Greenway Funds Guiding Principles

Project proponents shall provide written documentation:

- Evidencing consultation with the Greenway Commission and any affected municipality, county and tribal entity and the appropriate State and Federal agencies.
- Setting forth an O & M plan for each project.
- Describing consistency with the Greenway Plan.
- Describing consistency with other State and Federal laws or regulations.
- Describing efforts and/or opportunities to obtain matching funds.



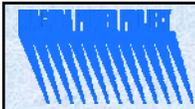

Niagara Project Relicensing Greenway Funds Guiding Principles

- Standing committees will have sole discretion for selecting projects for funding support from the Niagara Relicensing Greenway Funds.
- Decisions based on consistency with the Greenway Plan, engineering feasibility, O&M costs and cost effectiveness.
- Committees will work on a consensus basis.
- Annual report.




Niagara Project Relicensing Greenway Fund Standing Committees

<p><u>STATE PARKS</u> OPRHP NYPA</p>	<p><u>HOST COMMUNITIES</u> Niagara County City of Niagara Falls Town of Lewiston Town of Niagara Niagara Falls CSD Lewiston Porter CSD Niagara Wheatfield CSD NYPA</p>
<p><u>ERIE COUNTY</u> Erie County City of Buffalo BOPC NYPA</p>	<p><u>ECOLOGICAL</u> US F&WS DEC NREC Tuscarora Nation Seneca Nation of Indians Tonawanda-Seneca Nation NYPA</p>



Niagara Project Relicensing Greenway Funds



“For more than a century there have been those who have expressed a vision for the Niagara river corridor.... With many areas no longer being used for heavy industry it is now time to complete that vision.”

Niagara River Greenway Act



New York Power
Authority