

Powers & Authorities Report

Erie-Niagara Framework for Regional Growth



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INTRODUCTION

This paper, one in a series of papers prepared in support of the Erie-Niagara Framework for Regional Growth, reviews the powers and authorities of Erie and Niagara Counties and several regional agencies as they affect regional patterns of growth, development and public investment. The first part of the paper provides a brief overview of county roles in local and regional planning processes as defined under State law. The second part includes a detailed review of powers and authorities by County departments and regional authorities.

COUNTY PLANNING IN THE HOME RULE CONTEXT

In New York State, traditional planning authority resides with municipal government. While counties influence regional patterns of growth and development in several important ways, their power to directly affect land use and development decisions is limited. The state's Municipal Home Rule, City, Town, and



Cities, Towns, and Villages in Erie Niagara Counties

Village Laws delegate the power to regulate land use and authorize land subdivision to municipal government. In the Erie-Niagara Region, such powers are exercised by 64 independent municipal governments—the 3 cities, 25 towns, and 16 villages in Erie County and the 3 cities, 12 towns, and 5 villages in Niagara County. Counties have the ability to review and comment on local land use decisions but not the authority to approve or disapprove proposals.

Though counties are not delegated authority to directly regulate land use, their exercise of other powers has an important

influence of regional patterns of growth and development. These powers, granted under state law, grant Counties the authority to undertake the following planning-related activities:

- the creation of county planning boards;
- the creation of environmental management commissions;
- the establishment of Industrial Development Authorities;
- the establishment of county water and sewer districts;
- the adoption of county soil and water conservation districts;
- the oversight of county health departments over subdivision development,
- the participation in affordable housing development; and
- the authority to enter into intermunicipal agreements with other counties and local governments for the performance of their respective functions, powers and duties.

A good source for information concerning the ways New York state counties influence growth is the book *Well Grounded: Using Local Land Use Authority to Achieve Smart Growth* by Pace University Law Professor John Nolan. In the book, Nolan offers the following review of county planning-related authorities:

- General Municipal Law Section 239-c empowers counties to create and fund county planning boards or, in conjunction with other counties or municipalities, regional planning councils. Section 239-c(3) authorizes county planning boards to conduct planning and research activity and to adopt a comprehensive plan.
- General Municipal Law Section 239-c(3) authorizes the county planning board to recommend to local governments how those municipalities should zone certain lands.
- General Municipal Law Section 239-c(3) also authorizes county planning boards to provide technical services, including the drafting of comprehensive plans and land use regulations, to local governments. Additionally, this section provides counties with the authority to enter into intermunicipal agreements with local governments to perform on behalf of a city, town or village ministerial functions related to land use planning and regulation.
- General Municipal Law Section 239-e delegates to counties the authority to adopt official maps to provide for orderly growth, development and to afford adequate facilities for transportation, flood protection and other purposes.
- General Municipal Law Sections 239-m and 239-n require local governments to refer certain land use matters to county or regional planning board in their area before taking final action on them.
- County Law Sections 250 et seq. authorizes counties to create water and sewer districts, condemn land for their projects, and create taxing districts to pay the capital and operating costs of the facilities.
- Public Health Law Section 1116(1) provides county health departments with binding authority to approve water facilities of proposed subdivisions within the county. The law prohibits the sale of any unsubdivided lots until such approval is obtained.
- Soil and Water Conservation District Law Section 5 enables counties to create and assist soil and water conservation districts for the purpose of conserving soil and water resources, improving water quality, and preventing soil erosion and land inundation by floodwaters.
- A 1992 Informal Opinion of the Attorney General describes the authority counties have to assist in the planning, development and construction of affordable housing for low- and moderate-income persons.
- Environmental Conservation Law Section 24-0501(4) and Section 34-0106 give counties authority to adopt, respectively, wetlands and coastal erosion regulations enforceable in municipalities that fail to adopt their own regulations in these areas.

- General Municipal Law Section 119-o(1) provides municipal corporations, including counties, with express statutory authority to enter into, amend, cancel, or terminate intermunicipal agreements for the performance of their respective functions, powers, and duties.
- General Municipal Law Section 119-u(2)(b), General City Law Section 20-g(2)(b), Town Law Section 284(2)(b), Village Law Section 7-741(2)(b), and County Law Section 239-d authorize municipalities to enter into intermunicipal agreements with counties to receive professional planning services and administrative assistance from county planning agencies.
- NYCRR, Title 6, Part 617, Sections 1, 11, and 12 defines the environmental authority of involved and interested agencies, including county governments.
- Article 47 of the Environmental Conservation Law authorizes counties to establish environmental management councils that are empowered, among other functions to maintain and inventory open space and natural resources, to recommend ecologically sound methods of planning to use the county's resources, and to assist in the review of proposals.
- General Municipal Law Section 239-e authorizes counties to adopt official maps showing present and proposed county roads, rights of way, and facilities, and to restrict private construction on lands proposed for public facilities. The county official map can serve as the official map of a municipality that has failed to adopt one.

State law also provides counties with the option to operate as charter counties under the County Charter Law. Under this law, section 33 of the Municipal Home Rule Law, counties may adopt charters to create unique administrative structures and programs and to adopt laws to meet their particular circumstances. (Erie County's adoption of a charter resulted in the creation of the county executive form of government. Niagara County is a non-charter county and, as such, operates under a county legislature.) Unlike a non-charter county whose laws must be consistent with general state laws, a charter county has the authority to enact laws inconsistent with the general laws of the state but consistent with the state constitution. For example, as a charter county, Suffolk County authorized its Planning Commission with veto power over town zoning changes, even though this directly conflicted with the provisions of General Municipal Law section 239-m. In Westchester County, the County passed a home rule law eliminating the requirement that local governments approve by a majority plus one vote actions that had been disapproved by the county planning board.

ERIE AND NIAGARA COUNTY POWERS AND AUTHORITIES

Background

The next section of this technical memorandum is provided as a factual description of the powers and authorities that Erie and Niagara Counties have in influencing the pace, scale and character of development in the region. As a component of the data review and preliminary analysis task, it is a summary of "existing conditions." The research was based on a strategic approach, focusing on those departments and agencies that have the most direct or influential roles on growth and development. It is not comprehensive in scope, and it is acknowledged that other agencies and organizations may have some degree of influence on land use and growth.

In order to generate the listing of agencies to research, the project team created a complete and comprehensive inventory of all County line departments, agencies and commissions for each county. The

inventory also included a listing of other key agencies and authorities not under direct county control that have an influence on development issues. The complete inventory is included at the end of this document. From this complete inventory, a targeted list was created of those entities with the greatest impact on land use, as determined by the project team and representatives from each of the two counties. This list was provided to the Steering Committee for their review.

County Departments (under direct administration of the County)

- Erie County Department of Environment and Planning (including Division of Sewerage Management)
- Niagara County Department of Planning, Development and Tourism
- Erie County Department of Public Works
- Niagara County Department of Public Works
- Erie County Department of Health
- Niagara County Department of Health
- Erie County Department of Parks, Recreation and Forestry
- Niagara County Parks Department

Other Agencies (independent public authorities or special districts)

- Erie County Water Authority
- Niagara County Water District
- Niagara County Sewer District No. 1
- Erie County Industrial Development Agency (ECIDA)
- Niagara County Industrial Development Agency (NCIDA)
- Erie County Soil and Water Conservation District
- Niagara County Soil and Water Conservation District
- Niagara County Refuse Disposal District (Niagara County Landfill)

Regional Entities

- Erie and Niagara Counties Regional Planning Board (ENCRPB)
- Greater Buffalo-Niagara Regional Transportation Council (GBNRTC)
- Niagara Frontier Transportation Authority (NFTA)

The project team conducted basis research into each of the departments and agencies on the targeted list in order to determine what their powers and authorities are, and how they are being exercised. Resources for this research included published information; State, County and departmental websites; and knowledge obtained from past projects involving the various entities. From this initial research, a brief bulleted description of each department or agency was created and provided to the Counties' representatives for comment. Upon their approval, each agency was sent the description of their department, with a cover letter explaining the project and its intent. Follow-up phone calls were made to each of the agencies to discuss their activities and responsibilities in more detail. The draft descriptions were then prepared, summarizing the primary role/mission, and the activities and functions of each organization. These descriptions were then provided by either fax or e-mail to the agencies for a final review. The following descriptions represent the result of this process.

Erie County Department of Environment and Planning (DEP)

Authority/Jurisdiction:

The Erie County DEP is a county department authorized under Article 9 of the Erie County Charter.

The DEP is divided into three divisions: Planning, Sewerage Management and Environmental Compliance. Each division has distinct roles and responsibilities, which are detailed below.

A. The Division of Planning

Primary Role/Mission:

The Division of Planning is very involved in a range of land use issues. As noted on their website, the department's principal goal "is to insure that planning and implementation of physical development projects are consistent with County-wide goals and objectives, relating to interests ranging from environmental protection and energy conservation to economic development."

Activities/Functions:

- 239-l, -m and -n referrals (review of local planning and zoning actions and site plans): Erie County does not currently conduct 239 reviews on a consistent basis, due to workload issues. (NOTE: according to Erie County Charter, Division of Planning may provide development and zoning reviews "with the exception of the review of subdivisions pursuant to section 239-n. . .")
- SEQR coordination for County projects: the Division of Planning is responsible for taking County projects through the SEQR process (review, technical assistance)
- Community Development Block Grant program: the Division of Planning coordinates the CDBG program for all Erie County towns that are part of the Consortium. This includes all municipalities except the City of Buffalo, the Towns of Amherst, Cheektowaga, Hamburg and Tonawanda and the Villages located within these Towns. (The excluded jurisdictions administer their own Community Development Block Grant programs). The CDBG program is an important source of funds for infrastructure, public facilities, housing rehabilitation, economic development and community renewal activities, which can have an important impact on land development patterns. (funding, technical assistance, outreach/education, economic development)
- Economic Development Assistance: the Division of Planning coordinates with ECIDA and other agencies to promote economic development efforts in the County. They work on special projects, such as the Union Ship Canal, and directly fund some projects through community development funds that are set aside for economic development purposes. Funding is generally for basic infrastructure support required to promote economic development purposes (e.g. roadway access to an industrial park) and Main Street issues (e.g. Village Center Reinvestment (VCR) initiative in Villages of Springville, Angola and Gowanda and hamlet of Holland). (economic development)
- NYS Agricultural District certification: the Division of Planning, in conjunction with Cornell Cooperative Extension, helps to coordinate NYS Agricultural District review to determine the boundaries of State Agricultural Districts in Erie County. (support)

- Training/educational workshops: the Division of Planning sponsors training and educational workshops for town and Planning Board officials. This service is usually provided in conjunction with NYS Department of State. (education/outreach, technical assistance)
- County map resources: the Department maintains an extensive GIS database, and also maintains a Map room as a library resource for communities. (research, education/outreach, technical assistance, data services)
- Affiliate data center: the Department serves as a local repository for the US Census, Department of Labor and other data sources. The Department also maintains a library of resources, such as local comprehensive plans, strategic plans, etc. (data services)
- Capital Improvement Plan: the Division provides staff support to the Capital Projects Committee, and assists in coordination of the County's capital budget. (funding)
- Cultural review: the Division reviews and coordinates funding to cultural agencies. (funding)
- Special studies and projects: the Division is responsible for participation and/or coordination of a number of special studies and projects, including the following:
 - County Parks Master Plan (with County Department of Parks, Recreation and Forestry)
 - Erie-Niagara Framework for Regional Growth
- County liaison: the Division serves as a liaison between Erie County and several related entities that are not County Departments. These include:
 - ECIDA
 - Buffalo Niagara Partnership
 - GBNRTC Bicycle subcommittee (but not other transportation issues)
 - Agricultural and Farmland Protection Board of Erie County (also provides staff support)
 - Erie County Development Coordination Board
 - Erie County Cultural Advisory Board
 - Erie County Fisheries Advisory Board

B. Division of Sewerage Management

Primary Role/Mission:

The primary mandate of the Division of Sewerage Management is the efficient operation and management of the County sewer districts. Its impact on land use planning and development is indirect; the provision of sewerage facilities enables a denser pattern of development than is possible in unsewered areas.

Activities/Functions:

- Management: the Division of Sewerage Management is responsible for planning, administration, financing, operation and maintenance of the six County sewer districts, the Erie County/ Southtowns Sewage Treatment Agency, and all County-owned facilities. Facilities include approximately 846 miles of sewer, six wastewater treatment facilities, and numerous other facilities necessary for the proper operation of the sewerage system.
- Infrastructure provision: the Sewer Districts managed by the Division of Sewerage Management provide all required sanitary sewer services within their boundaries, including construction and maintenance of collector and interceptor sanitary sewer systems. Sewer District Number 6 also maintains a storm sewer system.

- Sewer Districts: the sewer districts are special districts, self-supporting on the basis of service fees. Each is governed by a Board of Managers appointed by the County Executive and confirmed by the Erie County Legislature.
- Erie County/ Southtowns Sewage Treatment Agency: the Agency is an independent agency formed under General Municipal Law (Article G), managed under its own Board of Directors. Erie County, by agreement, is the fiscal and operating agent of the Agency. The Agency provides transmission and treatment of sewage for Towns and sewer districts within its service area. (Erie County Sewer District No. 3, Towns of Hamburg, Boston, Orchard Park, Eden, and Sewer Districts for Mt. Vernon, Wanakah and Woodlawn).
- Infrastructure Extensions: the Division reviews sewer extension requests within its service areas to ensure conformance with Sewer District standards.

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C. Division of Environmental Compliance

Primary Role/Mission:

The Division of Environmental Compliance's mission is to help the Western New York community "understand and comply with environmental standards and regulations, as well as to increase awareness of environmental issues to enhance the quality, use or enjoyment of air, land and water resources."

Activities/Functions:

- Technical Assistance: the Division provides information and technical assistance regarding pollution issues, regulations and environmental standards. Services include assistance in preparing applications for air, water and solid waste permits; on-site consultation regarding waste reduction and pollution prevention; assist with wastewater pre-treatment and environmental assessment requirements.
- Education: the Division provides a "one-stop" source of information on requirements, laws and regulations pertaining to environmental issues. They also conduct seminars on pollution issues. (education/outreach)
- Household Hazardous Waste collections: the Division coordinates household hazardous waste clean-up days for Erie County.
- Solid waste management: assistance with waste reduction, recycling, related issues, including construction and demolition debris recycling, materials exchange program, computer recycling, and Household Hazardous Waste (noted above).
- Pollution prevention programs: assistance to governments and small businesses to help reduce use of hazardous substances, and use resources more efficiently in order to reduce amount of waste generated.
- Indoor air quality program: provides information about radon and carbon dioxide, as well as other indoor pollutants.
- Buffalo River Habitat Restoration Demonstration project: a collaborative effort with the City of Buffalo and the US Environmental Protection Agency, the project focuses on restoring natural habitats and increasing public access to the River. Three sites along the Buffalo River have been restored to natural habitat parks, providing a more natural environment and public access (walking paths, fishing access, overlooks).
- Solid Waste Management Planning and staff liaison to the Northeast/Southtowns Solid Waste Board
- Staff support for Erie County Environmental Management Council

- Environmental Management Council (EMC): created under NYS Environmental Conservation Law, the EMC consists of at-large and municipal representatives from throughout Erie County. Its purpose is to provide advice to the county legislature on environmental issues, and serve as a liaison between the community and county government. It conducts research and outreach programs. It is staffed by the Division of Environmental Compliance.

Niagara County Department of Planning, Development & Tourism

Authority/Jurisdiction:

The Niagara County Department of Planning, Development and Tourism is a county department.

Primary Role/Mission:

The Niagara County Department of Planning, Development and Tourism (DPDT) is very involved in land use and development issues. Powers and roles include review powers, research, outreach and education, funding (grants assistance), technical assistance, and participation in special studies (e.g. Niagara Power Authority relicensing). The Department is also very involved in economic development efforts.

The Niagara County Department of Planning, Development and Tourism Mission Statement is as follows:

“The mission of the Niagara County Department of Planning, Development and Tourism is to provide high quality professional planning services to the municipalities, citizens and organizations of Niagara County; to promote orderly growth and development through the dissemination of information, preparation of plans, projects and programs and provision of technical services. The Department will promote sustainable economic development in harmony with the natural environment, creating and retaining jobs, expanding the tax base, and improving the quality of life for Niagara County residents under the policy and direction of the Niagara County Legislature.”

Activities and Functions:

- 239 l, m & n referral (review of local planning and zoning actions, subdivisions and site plans): the County Department of Planning, Development and Tourism reviews local subdivision and site plans for Niagara County municipalities for a small fee. (review, technical assistance)
- SEQR Coordination for County projects: the Department is responsible for taking County projects through the SEQR process (technical assistance)
- Grants assistance for localities: the County DPDT will assist local governments or other entities with applying for grants. This includes state programs (e.g. Small Cities funding- state administered CDBG funding), federal grants (e.g. Rural Development) and foundations. The Department charges a fee for this service, based on the value of the grant request. (technical assistance)
- Training/educational workshops: the Department sponsors training sessions for city, town and village planning board officials. This service is usually provided in conjunction with the NYS Department of State. (education/outreach, technical assistance)

- Capital Improvement Plan: the Department coordinates 5-year County Capital Improvement Plan, obtaining and organizing capital requests from other county departments and providing the information to the County Legislature. (technical assistance)
- Brownfields research, mitigation efforts: the County DPDT is very involved in brownfields research, sponsoring studies and requesting funding from the EPA. (funding, special studies)
- Comprehensive Economic Development Strategy (CEDS): the Department takes the lead on researching and writing an annual economic development status report to US EDA. This report, which is required in order to receive funding through the EDA, provides a good "snapshot" of economic development efforts in the County on an annual basis. (research, economic development)
- Economic development assistance: economic development assistance is a primary function of the Department, as noted by its name. The Department works closely with the Niagara County IDA to spur economic development efforts, and also is very involved in tourism development issues. The Department's website offers a direct link to the Niagara-USA site that provides tourism information for visitors to the Niagara County region. (economic development, tourism, outreach/education)
- Administration of the Niagara County Industrial Development Agency (NCIDA): the Department is currently responsible for the management of the NCIDA. (economic development)
- NYS Agricultural District certification: the Department, in conjunction with Cornell Cooperative Extension, helps to coordinate NYS Agricultural District review to determine the boundaries of State Agricultural Districts in Niagara County. (support)
- County map resources: the County DPDT has a GIS system, and also produces special topic maps, particularly as related to economic development and tourism. For example, they have produced a sport-fishing map, and industrial location maps. (research, education, technical assistance, data services)
- Designated Affiliate Data Center: the Department serves as a local repository for various data sources from the US Census, the Department of Labor, and other data services. (data services)
- Coordination with the Environmental Management Council (EMC): funding for the EMC had been provided through the DPDT, but funds were cut by the legislature for budgetary reasons. The Department continues to support the EMC's activities on an informal basis by providing some support services. (support)
- Special studies and projects: the Department is responsible for participation and/or coordination of a number of special studies and projects, including the following:
 - Relicensing: represents the County during the FERC review of NYPA's relicensing application for the Niagara Power Project (NPP)
 - Staff support to the Western New York Relicensing Consensus Committee.
 - Erie-Niagara Framework for Regional Growth project (regional planning)
 - "One-Stop Shop" initiative (economic development)
 - e-permitting initiative
 - Niagara Falls Airbase - efforts to keep air base open and operational

Erie and Niagara Counties Regional Planning Board

Authority/Jurisdiction

The Erie and Niagara Counties Regional Planning Board (ENCRPB) was established by Erie and Niagara counties by joint resolution in 1966. It has not convened or been staffed since the early 1990s, but it never was officially discontinued.

Primary Role/ Mission

The intended role of the ENCRPB was to coordinate planning efforts from a regional perspective. Its current role is to serve the purpose of regional clearinghouse as required under state and federal funding programs that require Intergovernmental Review.

Activities/Functions:

The DEP nominally acts in the role of regional clearinghouse for the purposes of State and Federal programs that require Intergovernmental Review. However, the DEP does not actually conduct any reviews. To satisfy the requirements of funding sources, the DEP provides a letter stating that pending the reorganization of the Erie and Niagara Counties Regional Planning Board, the Department does not currently conduct any reviews, and no comments will be offered at this time.

Erie County Department of Public Works

Authority/Jurisdiction

The Erie County Department of Public Work (DPW) is a county department authorized under the Erie County Charter. Day-to-day administration is the responsibility of the Commissioner of Public Works.

Primary Role/Mission

The Department of Public Works is responsible for County-owned facilities. Two divisions in the Department have functions with an influence on the built environment. The Highway Division maintains all county-owned roads, bridges and associated structures (culverts, etc.). The Buildings and Grounds Division is responsible for design, construction, maintenance and operation of county-owned buildings and associated grounds (including parking). The Department also staffs the Traffic Safety Advisory Board, an independent Board that addresses traffic safety concerns.

The DPW does has review powers over proposed development as proposed projects affect the County highway system. In general, the DPW provides and maintains infrastructure in response to growth, but does not direct it.

Activities/Functions

▪ Division of Highways

The Division of Highways is responsible for the construction, maintenance, and plowing of approximately 1,169 centerline miles of road in the county.

- construction, maintenance and plowing
- capital improvements planning
- roadway improvements planning and construction
- Traffic Safety Advisory Board- fifteen members, appointed by County Executive

- Division of Buildings and Grounds

The Division of Buildings and Grounds is responsible for County-owned buildings and associated lands including:

- Operation and maintenance of ECC, holding center, Erie County Home, Erie County Medical Center (ECMC) and other county buildings
 - energy efficiency
 - fire safety/building code enforcement- county buildings
 - facilities planning (consolidation, new buildings, etc.)
- Other Roles and Responsibilities:
 - Advertisement and call for bids for public works projects sponsored by County
 - County liaison to Greater Buffalo Niagara Regional Transportation Council
 - County liaison to Erie County Soil and Water Conservation District

Niagara County Department of Public Works

Authority/Jurisdiction:

The Niagara County Department of Public Works is a county department. Day to Day administration is the responsibility of the Commissioner of Public Works.

Primary Role/Mission:

The Department of Public Works (NCDPW) is responsible for County-owned infrastructure and facilities. Three divisions in the Department have functions with an influence on the built environment. However, the NCDPW does not have land use policy or decision making responsibilities. In general, the DPW provides and maintains infrastructure more in response to growth than in order to direct it.

Activities/Functions:

- The Highway, Bridges and Structures Division maintains all county-owned roads, bridges and associated structures (culverts, etc.):
 - construction, maintenance and plowing
 - capital improvements planning
 - roadway improvements planning and construction
- Division of Buildings and Grounds is responsible for design, construction, maintenance and operation of county-owned buildings and associated grounds. The Division of Buildings and Grounds is also responsible for facilities planning for new buildings, re-use or consolidation.
- The Engineering Division is responsible for design, advertisement and bidding, and construction of public works projects sponsored by County.

Erie County Department of Health (powers relating to land use issues)

Authority/Jurisdiction

The Erie County Department of Health (ECDOH) is a county department authorized under Article 5 of the Erie County Charter.

Primary Role/Mission

The primary focus of the Department of Health is maintenance of the public health. While some of the Department's activities relate to land development, their decision-making is based on what is needed to protect the public from disease, pollution or other threats to public health. Decision-making is premised on meeting technical standards, not policy issues.

Activities/Functions:

- Review of public water supplies: the Department conducts regular testing of public water supplies, ranging from municipalities and agencies to mobile home parks and restaurants where wells are providing the public water supply. Regulatory control is based on whether water quality meets standards required for public health purposes.
- Permitting of private sewage disposal systems (septic): ECDOH is directly responsible for permitting of systems that handle less than 1,000 gallons per day. They also operate under a contract with the NYS Department of Conservation (DEC) to review systems of 1,000 to 10,000 gallons per day.
- Approval of water line extensions and sanitary sewer line extensions: this function is provided under contract with NYS DEC.
- Testing and approval of private water and septic systems: the ECDOH has approval power over changes to sewage disposal or treatment systems, and assesses adequacy of private water and septic systems when there is a transfer of ownership. As opposed to public systems, testing of privately owned systems is only conducted at these times. The intent of the review is to protect the public health, and ensure that the systems pose no threat due to technical deficiencies (e.g. sewage is properly treated, and water supply is not contaminated).
- Realty subdivision approval: ECDOH review of realty subdivisions is provided as a means to ensure that proposed water and sanitary systems for the subdivision are adequate to protect the public health. This review authority is provided under New York State Law regarding the provision of adequate and safe water supply for subdivisions (Public Health Law and Environmental Conservation Law)
- Beach water testing: ECDOH tests water quality at public swimming beaches to ensure the public is not exposed to pollutants or toxins that could endanger their health. (water quality testing of other water bodies, such as streams, ponds or lakes outside the beach area is the responsibility of the DEC.)
- Special projects: the NYS DOH will conduct special investigations into public health concerns relating to toxins, hazardous wastes, air, water or groundwater pollution (e.g. increased incidents of asthma relating to diesel fumes or industry emissions). ECDOH provides local support to the NYS DOH in these cases, collecting data and/or conducting research as required.
- Erie County Public Health Laboratory: the lab is a support facility that conducts all necessary testing relating to public health issues in the County, including water quality, pathogens, etc.

Miscellaneous other public health functions: the ECDOH conducts a range of other activities in order to protect the public health. These include monitoring of public pools, mobile homes, campgrounds, motels and food service facilities to ensure their compliance with public health standards. The ECDOH also monitors diseases that are potentially spread through pets or pests (rabies, West Nile Virus, fly-borne diseases, etc.).

Niagara County Health Department (powers relating to land use issues)

Authority/Jurisdiction

The Niagara County Health Department is a County department. Activities related to land use and development are generally located in the Environmental Health Division of the Department. Activities include education, training and enforcement.

Primary Role/Mission

The basic focus of the Niagara County Health Department (NCDOH) is on public health, and not control of growth. However, the Department has regulatory powers in regard to water and wastewater systems needed to serve developments. Decision-making is premised on the need to protect the public from disease, pollution or other threats to public health, and pertains to meeting technical standards, not policy issues.

Activities/Functions

Engineering Section:

- Regulation of drinking water supplies: the NCDOH monitors and approves public and private drinking water supplies.
- Regulation of operators: the Department reviews, approves and certifies operators who provide public drinking water.
- Regulation of sewage disposal systems: the NCDOH is responsible for testing and approving public and private sewage disposal systems in Niagara County.
- Technical Assistance: as part of their regulatory review, NCDOH will design appropriate private sewage disposal systems. The Department also provides technical assistance and advice regarding appropriate design to the general public, engineers, contractors and municipalities.
- Realty Subdivision Approval: NCDOH reviews and approves all new housing developments to ensure that sewage disposal, water and drainage issues for the subdivision protect the public health. The Department's reviews of subdivision plans also assess wetlands and floodplains.
- Emergency response to "pollution incidents" for public health purposes.
- Monitoring of hazardous and solid waste: NCDOH monitors active and inactive hazardous and solid waste disposal sites to ensure that they present no threat to the public health.
- Miscellaneous other duties, such as response to complaints

Environmental Assessment Section

- Inspection and monitoring of public health issues: group housing, occupational health, lead poisoning, indoor air, etc.
- Miscellaneous other duties relating to assessment of public health
- Environmental Radiation Protection: NCDOH conducts various inspection responsibilities relating to environmental radiation in order to control impact on residents. They also respond to complaints, to assess risks and take corrective measures as needed.
- Smoking/Adolescent Tobacco: NCDOH is responsible for enforcement of the Clean Indoor Air Act and the Adolescent Tobacco Use Prevention Act (ATUPA).

Community Sanitation and Food Protection Section

- Sewage Disposal System Testing: the community sanitation and food protection section is responsible for testing septic systems when a property is transferred (sale) to ensure the systems pose no threat to public health and safety. The section will also test systems in response to complaints.
- Certifications: this section is responsible to issue required certifications regarding the adequacy of the drinking water and septic system's operations.
- Inspections: the section undertakes inspections of facilities where the public is served to ensure adequate sanitation standards. Sites that are inspected on a regular basis include food service establishments, campgrounds, children camps, migrant labor camps, rooming houses, bed & breakfast, hotels, motels, public pools/spas and bathing beaches.
- Mobile Home Parks: the section is responsible for inspection, monitoring and permitting of mobile home parks in Niagara County. Reviews address sewage disposal, water supply, drainage, foundations, utilities, and solid waste handling for mobile home parks.
- Public health nuisances: the NCDOH monitors diseases that are potentially spread through pets or pests (rabies, West Nile Virus, fly-borne diseases, etc.) through programs addressing rodent control, control of mosquitoes, etc.

Healthy Neighborhoods Section

- Public health issues in target city neighborhoods

Erie County Department of Parks, Recreation and Forestry

Authority/Jurisdiction

The Erie County Department of Parks, Recreation and Forestry is a county department authorized under Article 7 of the Erie County Charter.

The Department is organized into three areas: a division of parks, a division of recreation, and a bureau of forestry. The Department is responsible for over 11,000 acres of land in Erie County.

The impact of the Department of Parks, Recreation and Forestry on land use and development is indirect. First, it is responsible for major open space and recreational features, with the effect of resource

conservation. Second, its efforts have an impact on quality of life, and may indirectly affect location decisions. The County's parks are also a resource that attracts visitors to the area, helping to support tourism-related economic development efforts.

Primary Role/Mission

The Division of Parks' primary responsibility is the management, design, construction, operation and maintenance of all county owned and operated parks and their facilities. The Division of Recreation plans, organizes and manages recreational programming provided by Erie County; and the Bureau of Forestry is responsible for the stewardship of County forest lands and trees.

The recently completed Erie County Parks Master Plan explicitly states that parks planning will be underpinned by four basic principles: economic renewal (tourism); environmental conservation; public accessibility; and recreation enhancement. The focus is on upgrading and management of the existing facilities, with only a light emphasis on new acquisition or new parks development.

A. The Division of Parks

Activities/Functions

- Operation and management of County Parks system: Erie County maintains a system of 38 sites which include Heritage Parks, Waterfront Parks, Special Purpose Parks and Conservation Parks.
- Capital planning: for parks and related facilities.
- Investment: in recreational facilities and parklands.

B. Division of Recreation

Activities/Functions

- Recreational programming and events

C. Bureau of Forestry

Activities/Functions

- Plan, develop, operate and manage county forest lands
- Forester also may consult with Division of Parks or other County departments regarding trees on county-owned land

Niagara County Parks Department

Authority/Jurisdiction

The Niagara County Parks Department is a county department.

The impact of the Parks Department on land use and development is indirect. First, it is responsible for major open space and recreational features, with the effect of resource conservation. Second, its efforts have an impact on quality of life, and may indirectly affect location decisions. The County's parks are a

resource that complements the tourism offerings in the County, and helps to promote economic development efforts.

Primary Role/Mission

The primary role of the Parks Department is maintenance and operation of the county's parks.

Activities/Functions

- Operation and management of county parks facilities, including four parks, Niagara County Golf Course, and West Canal Park and Marina.
- Capital planning: for the parks and related facilities.
- Investment: in recreational lands and facilities.
- Recreational events and programming.

Erie County Water Authority

Authority/Jurisdiction:

Erie County Water Authority (ECWA) is an independent public benefit corporation formed in 1953 by the New York State Legislature to provide potable water supplies to the residents of WNY. A Board of Commissioners governs the ECWA.

The ECWA is an independent, public benefit corporation. The ECWA operates as a financially self-sustaining business enterprise. The ECWA has no direct taxing authority; its revenues are all fee-based. The ECWA is not supported by the County budget. The County Legislature has indirect influence over the ECWA through appointments to the Board.

Primary Role/Mission:

The ECWA was created to finance, construct, operate and maintain a water supply and distribution system to provide water to approximately 146,000 residential, commercial and industrial customers (representing a population of approximately 540,000 people).

The Production Department operates and maintains the Authority's two water treatment plants. Last year, the Authority produced and delivered a record 25.5 billion gallons of water.

Activities/Functions:

- The ECWA owns and maintains two water treatment plants, 24 pumping stations and 34 water storage tanks as well as transmission mains and equipment. The ECWA staff operates and maintains a customer meter, SCADA and maintenance GIS data base systems. The ECWA is responsible for preparing and mailing bills and postcards for meter readings.
- ECWA customers can be categorized into three groups:

- Bulk purchase: Municipalities own and operate local distribution systems, and provides maintenance and operational control of infrastructure. Minimal ECWA control, which provides water supply only.
 - Lease-Manage: ECWA operates the local distribution system under agreement with the owner municipality. Some ECWA control.
 - Direct Service Areas: ECWA owns and operates the local distribution system. Highest level of ECWA control.
- ECWA provides water to customers within its service areas, but does not determine where residential development occurs. Determinations whether or not to provide service to new areas is based upon ECWA costs and ability to provide supply and not on broader land use policy.
 - County influence is limited to appointments to board of directors

Niagara County Water District

Authority/Jurisdiction:

The Niagara County Water District (NCWD) is a county-based district created by state legislation in 1959 and is unique in New York State. A Board of Directors made up of the Supervisors of the twelve member towns governs the NCWD. Day-to-day management is the responsibility of the Administrative Director.

In 2002, an average of approximately 17 million gallons of water per day were treated and delivered into the distribution system for use by approximately 150,000 people. The NCWD raises revenue through user charges and special district taxes. In 2002, water customers were charged \$0.70 per 1,000 gallons of water.

Primary Role/Mission:

The Niagara County Water District provides potable water to customers located in Niagara, Orleans and Erie Counties through an extensive distribution system.

The District does not directly set land use policy, but can indirectly affect growth through its ability or inability to provide service.

Activities/Functions:

- The NCWD produces treated water for distribution. The NCWD owns and operates a treatment facility located at 7227 Williams Road in the Town of Wheatfield. The source of water for the district water treatment plant is the Chippawa Channel of the Niagara River west of Grand Island. The water is pumped from facilities located in Buckhorn State Park, in the Town of Grand Island to the Williams Road Treatment Facility. After the water is treated, the water is distributed throughout the district and into the various municipal water systems.
- The NCWD provides transmission mains and wholesales water to the 12member towns and other member municipalities. Distribution to individual customers is the responsibility of the local municipalities.
- The NCWD prepares and follows a capital improvements plan as it undertakes facility replacement and improvement projects.

- Although the NCWD has approval authority over whether to service water extensions to out-of-district customers (water mains /wholesale water) as well as the authority to approve new taps into the system (for distribution lines), it does not engage in land use planning, zoning or the development approval decision making process. The NCWD takes the stance that they are not responsible for land use planning.

Niagara County Sewer District No. 1

Authority/Jurisdiction

The Niagara County Sewer District No. 1 (District) was established by the New York State Legislature to provide wastewater treatment services in all or parts of the Towns of Cambria, Lewiston, Lockport, Niagara, Pendleton, and Wheatfield.

A Board of Commissioners comprised of the Supervisors of the six member towns governs the District. Day to day operations and administration is the responsibility of the Chief Operator. Revenues are generated through assessment-based taxes and usage fees.

Primary Role/Mission:

The Niagara County Sewer District No. 1 is responsible for providing wastewater transmission and treatment services to its six member communities.

The District is not directly involved in making land use policy decisions but can indirectly limit growth through its ability or inability to provide service or expand service areas. The District determines whether to undertake new projects based upon financial feasibility.

Activities/Functions:

The primary functions of the Niagara County Sewer District include:

- Planning, administration and financing of single sewer district serving all or parts of six Towns.
- Responsible for operation and maintenance of interceptors and the wastewater treatment facility. The wastewater treatment facility operates under a wastewater discharge permit issued by the NYSDEC.
- The District is responsible to establish and uphold District design standards.
- The District reviews and has the authority to approve requests for new sewer connections to interceptors. However, the District is not responsible for local land use and development approval decisions.

Erie County Industrial Development Agency (ECIDA)

Authority/Jurisdiction:

The Erie County Industrial Development Agency (ECIDA) is a public benefit corporation created in 1970 by the New York State Legislature. The ECIDA has the broad charge of retaining and expanding business in Western New York.

Although its programs are unique, the ECIDA's jurisdiction overlaps with a number of other city, regional and local IDA's and economic development organizations. Its powers and incentives that relate to development and growth have both indirect and secondary impacts. While the ECIDA does not sponsor or directly approve development of a new facility, its inducements can 'make or break' a decision to locate, re-locate or expand private facilities.

Erie County has indirect influence on the ECIDA. By law, the County Executive and Chair of the County Legislature's Economic Development Committee each have one of the twenty seats on the Board of Directors. Also, five of the twenty Board members are appointed jointly by the County Executive and Chair of the County Legislature. Note that the Mayor of the City of Buffalo, the Chair of the City of Buffalo Common Council and the supervisors of the three largest towns in Erie County (Amherst, Cheektowaga and Tonawanda) also have permanent, ex officio seats on the Board of Directors. The ECIDA is self-funded having 90% of its budget supported from fees.

Primary Role/Mission

The ECIDA is the economic Development Corporation for Erie County. The ECIDA's primary mission is to promote and assist private sector industrial / business thereby, advancing job opportunities and economic welfare to the people of Erie County.

Activities/Functions:

ECIDA offers many diversified products for Western New York businesses ranging from financing and development to training and not-for-profit assistance. ECIDA products include the following activities:

- The ECIDA has incentive programs that reduce taxes (reducing expansion costs up to 15% for eligible targeted companies). Possible Tax Exemptions and Bonds include:
 - Industrial revenue bonds and leases
 - Federal tax exempt revenue bonds
 - State and local property tax exemptions
 - Construction materials sales tax exemptions
 - Non-production equipment sales tax exemptions
 - Mortgage recording tax exemptions
- The ECIDA offers many loan programs through ECIDA Group Corporations aimed at stimulating local business growth:
 - Micro Loan
 - Business Development Fund
 - 50/50 Minority, Women and Start-Up

- Regional Development Corporation (loans up to \$500,000)
- SBA 504 Fixed Asset Loans
- ECIDA provides financial and technical expertise in site and infrastructure development and transportation logistics:
 - Power to condemn and assemble development parcels
 - Incubators with low cost space
 - Brownfields remediation and development expertise
 - Industrial Park development
 - Project management for municipal construction projects
 - Management of large industrial sites, 1 million square feet and more
 - Project financing and management of infrastructure rail and transportation logistics projects
- ECIDA Export Assistance programs and expertise help reduce risk for companies doing business overseas. The ECIDA is the only agency in Erie County that is an approved Ex-Im Bank broker and Delegated Authority Lender.
 - Export working capital financing
 - Export credit insurance
 - Technical assistance including trade missions, preliminary analysis and documentation
 - Foreign Trade Zone operation
 - Custom packages through private underwriters and/or Ex-Im Bank

Niagara County Industrial Development Agency (NCIDA)

Authority/Jurisdiction:

The Niagara County Industrial Development Agency (NCIDA) was created in 1972 by the Niagara County Legislature, as authorized under the provisions of the New York State Industrial Development Agency Act. NCIDA is an independent not-for-profit public benefit corporation, but the County has indirect control over its actions through nominations to the Board of Directors. The County also maintains informal ties with the IDA through its tradition of cooperation and coordination with the agency, to the extent where the County Head of Planning, Development and Tourism is currently the interim head of the agency while a search for a new executive director is underway.

Primary Role/Mission

As an IDA, the NCIDA is designed to attract business development to create job opportunities and general economic prosperity for the County. The Mission Statement for the NCIDA states:

"The Agency's primary goal is to encourage economic growth and expansion through financial incentives and other support services, thus stimulating the investment climate for existing industrial expansion, as well as encouraging new industry to locate in Niagara County. This will, in turn, result in diversified employment opportunities in industrial and commercial sectors."

Activities/Functions:

- Incentives and Financing Programs: NCIDA offers a number of financing and other incentives to businesses to encourage investment and job growth or retention. These incentives are based on the assurance of a certain level of job retention or creation. (economic development, financing)
 - Industrial Revenue Bonds (IRB's): long-term fixed asset financing for capital expansions of industries.
 - Sale/Leaseback and Lease/Leaseback Transactions.
 - Real Property Tax Abatements (authorized by the IDA act): available on municipal, school district and county real estate taxes, but not special district taxes. At the end of the abatement period, properties return to full assessment for all real estate taxes.
 - Payment-in-Lieu of Tax (PILOT) Agreements: required during the abatement period to offset lost tax revenue. Details of PILOT agreements subject to negotiation.
 - Sales tax (on construction materials) and mortgage recording tax exemptions.
 - Revolving Loan Funds:
 - Brownfield Revolving Loan Fund is designed to assist in paying for the cost of Phase I Environmental Audits.
 - The Growth Capital Incentive Fund provides capital for start-ups for technology-based companies.
 - Micro-enterprise Assistance Program: assistance to small (less than five employees) businesses. Available to manufacturing, processing, retail, service and agri-business companies. Services include entrepreneurial training and small business loans.
- Incubator Space: The NCIDA owns an incubator where new and start-up businesses can lease space at below market rates. (economic development)
- Niagara Falls International Airport: the NCIDA is actively involved in marketing and promoting the Niagara Falls International Airport, and in working with the federal government in regard to keeping the Air Base operational. (economic development)
- Coordination with other economic development entities in Niagara County, including Empire State Development (ESD), Foreign Trade Zone #34 and others. Links are provided on the NCIDA website. (economic development, outreach, coordination)
- Site location assistance: NCIDA maintains an inventory of available sites and buildings, and will assist companies in finding appropriate space for their operations. (economic development)

Erie County Soil and Water Conservation District

Authority/Jurisdiction

The Erie County Soil and Water Conservation District (SWCD) was formed by resolution of the Erie County Legislature in 1943, under the authorization of State law. It is an independent agency with a Board of Directors. By law, at least one director must be a "practical farmer" and no more than two may be from the County Legislative body. Erie County provides approximately 34% of the District's annual budget.

Primary Role/Mission

The main focus of the Erie County SWCD is the provision of technical assistance and educational information in order to improve the preservation of soil and water resources.

The mission statement of the district is as follows:

"It is the mission of the Erie County Soil and Water Conservation District to protect and promote the health, safety and general welfare of the present and future generations of Erie County residents through the conservation of soil, water, air, plant and animal resources by delivery of sound science-based, locally-directed technical and educational assistance."

Activities/Functions

- **Technical Assistance:** ECSWCD provides information to the agricultural community and local municipalities regarding soil erosion, water quality and similar topics. Technical assistance ranges from advice (e.g. how to put in drain tile) to more extensive technical services (e.g. developing plans, drawings). Issues typically addressed include:
 - Streambank protection
 - Agricultural land conservation
 - Wildlife and fisheries habitat management
 - Watershed management
 - Erosion, sediment control, stormwater management
 - Non-point source pollution control
 - Pond design
- **Planning:** ECSWCD prepares plans relating to soil and water conservation, including drainage, erosion, nonpoint source pollution abatement, agricultural water management systems, and watershed plans.
- **Agricultural practices:** ECSWCD conducts Agricultural Environmental Planning (AEP) and implementation of Best Management Practices (BMPs) to reduce agricultural non-point source pollution.
- **Education:** ECSWCD provides outreach and education about pollution control, best practices, and conservation issues. Outreach includes events, such as the "Envirothon", an outdoor, hands-on natural science competition for high school students. The Envirothon, an annual event first held locally in 2002, is entirely funded by private donations in Erie County.
- **Permitting Assistance:** ECSWCD will provide assistance with going through required permitting process (NYS Department of Environmental Conservation, Army Corps of Engineers permits).
- **Grants Assistance:** ECSWCD assists applicants in applying for certain grants programs. Assistance could include grantwriting or technical services (e.g. design). Certain State funding sources are available only to Soil and Water Conservation Districts, and the District may apply on behalf of an entity or individual for these funds. The District will also administer and manage the grants if awarded. They do not provide any direct funding to localities or individuals.
- **Earned Income Program (Tree seedling and fish stocking):** ECSWCD purchases trees and shrubs at bulk rates, and offers them for sale to private landowners in order to promote reforestation and planting efforts. A fish stocking program is operated on a similar basis. By buying in bulk, the District is able to offer competitive prices. This program is a revenue source .

Additional Authorized Powers:

Under the State authorizing legislation, Soil and Water Conservation Districts have additional powers that the local SWCD is not undertaking at this time. These include:

- Providing Financial aid to public or private landowners
- Owning or leasing real property
- Provide machinery, equipment, fertilizer or other materials to landowners to promote soil or water conservation (although the District is considering the purchase of a hydroseeder)
- Promoting recreational programs for privately owned lands and waters
- Obtaining contributions (money, services, materials) for operations
- Requiring agreements from land owners regarding long-term use of land

Niagara County Soil and Water Conservation District

Authority/Jurisdiction

The Niagara County Soil and Water Conservation District (SWCD) was formed by resolution of the Niagara County Legislature in 1954, under the authorization of State law. It is an independent agency with a seven member Board of Directors. By law, at least one director must be a "practical farmer" and no more than two may be from the County Legislative body.

Primary Role/Mission

The main focus of the Niagara County SWCD is the provision of technical assistance and educational information in order to improve the preservation of soil and water resources.

Activities/Functions

- Technical Assistance: NCSWCD provides information to the agricultural community and local municipalities regarding soil erosion, water quality and similar topics. Technical assistance ranges from advice (e.g. how to put in drain tile) to more extensive technical services (e.g. developing plans and drawings for specific projects). Issues typically addressed include:
 - Streambank protection
 - Agricultural land conservation
 - Wildlife and fisheries habitat management
 - Watershed management
 - Erosion, sediment control, stormwater management
 - Non-point source pollution control
 - Pond design
- Planning and special projects: NCSWCD prepares plans relating to soil and water conservation, including drainage, erosion, sediment damage prevention, nonpoint source pollution abatement, agricultural water management systems and watershed plans. Currently, they are working cooperatively with the Niagara County Department of Planning, Development and Tourism on the 18-Mile Creek Streambank Stabilization project.

- Agricultural practices: NCSWCD conducts Agricultural Environmental Planning (AEP) and implementation of Best Management Practices (BMPs) to reduce agricultural non-point source pollution.
- Permitting Assistance: NCSWCD will provide assistance with going through required permitting process (NYS Department of Environmental Conservation, Army Corps of Engineers permits).
- Education: NCSWCD provides outreach and education about pollution control, best practices, and conservation issues.
- Reviews: NCSWCD will conduct site evaluations for ponds to assess the suitability of the site for pond use. They look at soils, topography, and history of nearby ponds and make recommendations. Some municipalities require applicants for ponds to obtain input from the SWCD prior to issuing permits. NCSWCD has no regulatory control, however, and its recommendations are not binding.
- Grants Assistance: NCSWCD assists applicants in applying for certain grants programs. Assistance could include grants writing or technical services (e.g. design). Certain State funding sources are available only to Soil and Water Conservation Districts, and the District may apply on behalf of an entity or individual for these funds. The District will also administer and manage the grants if awarded. They do not provide any direct funding to localities or individuals.
- Tree seedling and fish stocking program: NCSWCD purchases trees and shrubs at bulk rates, and offers them for sale to private landowners in order to promote reforestation and planting efforts. A fish stocking program is operated on a similar basis. By buying in bulk, the District is able to offer competitive prices, and still use this program as a revenue source.
- Equipment rental: the district owns equipment, such as a no-till drill and a hydro-seeder, that they will make available to localities for soil and water conservation activities. For example, a community could use the hydro-seeder to plant along a hillside to prevent erosion. Previously, the district had used the equipment directly, but they do not have the funds or manpower to do that at this time.

Additional Authorized Powers:

Under the State authorizing legislation, Soil and Water Conservation Districts have additional powers that the local SWCD is not undertaking at this time. These include:

- Providing Financial aid to public or private landowners
- Owning or leasing real property
- Promoting recreational programs for privately owned lands and waters
- Obtaining contributions (money, services, materials) for operations
- Requiring agreements from land owners regarding long-term use of land

Niagara County Landfill and Recycling (Niagara County Refuse Disposal District)

Authority/Jurisdiction:

The Niagara County Refuse Disposal District, which operates under the name of Niagara County Landfill and Recycling, was established under a State Charter as a special district that covers all municipalities in Niagara County *except* Cambria, Newfane, Niagara and Wilson. As a special district, the Landfill has taxing powers, which are levied as a refuse tax within the municipalities that are part of the district. The tax covers

the costs of remedial activities related to State or federally designated hazardous waste sites (Superfund sites).

Primary Role/Mission:

The purpose and intent of the district is to regionalize household hazardous waste disposal and municipal green waste disposal (composting), recycling and all other pertinent solid waste management activities. Eventually, the district would like to be responsible for solid waste management on a countywide basis.

Activities/Functions:

- The Niagara County Landfill and Recycling Facility: This facility, which is located in Lockport, accepts, on a drop-off basis, construction and demolition materials, and certain residential recyclables (computers, batteries, refrigerators, etc).
- Household Hazardous Waste Clean-up Days: The district presently manages Niagara County household hazardous waste clean up days, which are open to residents of all Niagara County municipalities.
- Regional green waste (trees and brush) reduction: The Landfill is responsible for chipping and recycling green waste for all municipal Public Works Departments throughout Niagara County. As a regional entity, the district is able to purchase large-scale equipment that can be used to grind large-scale wood and brush waste, including tree stumps and large diameter branches into mulch. The local municipalities are then able to sell the mulch to local residents or use it themselves instead of having to landfill the material. This reduces the amount of waste going to landfills, and saves on landfill charges for the municipalities.
- Closed landfills: The district is also responsible for closed landfills, including a landfill in Wheatfield where remediation has been recently completed.
- State or federally designated hazardous waste sites (Superfund sites): The district is responsible for maintenance and post-closure monitoring of Superfund sites in Niagara County. (All Superfund sites in Niagara County have been remediated)
- The district does not provide any collection services. Each municipality in Niagara County arranges for its own garbage and recyclable pick-up and disposal program.
- The district's operational landfill and recycling center in Lockport is self-sufficiently funded through revenues. It charges disposal fees to accept debris and recyclables.

Greater Buffalo-Niagara Regional Transportation Council

Authority/Jurisdiction

The Greater Buffalo-Niagara Regional Transportation Council (GBNRTC) is the Metropolitan Planning Organization (MPO) for Erie and Niagara Counties. The GBNRTC was designated in 1975 by New York State to be responsible for transportation planning in Erie and Niagara Counties.

The Erie County Executive and Chairman of the Niagara County Legislature comprise two of the seven members of the GBNRTC Policy Board. Other members include the City of Buffalo, City of Niagara Falls, New York Department of Transportation, New York State Thruway Authority, and Niagara Frontier Transportation Authority. Through their membership Erie and Niagara Counties have indirect influence on

the GBNRTC activities. Erie and Niagara Counties also provide in-kind support services to the Board that are required for the GBNRTC to receive federal monies. This is a further indirect means that the Counties have in providing input to GBNRTC's annual work program.

Metropolitan Planning Organizations such as the GBNRTC all operate within a unique structure based on the principle of collaborative planning. The GBNRTC periodically undergoes a Federal certification process to ensure that it is adequately meeting Federal mandates. Funding for the GBNRTC is provided by both the Federal Highway Administration and the Federal Transit Administration.

Primary Role/Mission

As the MPO, the GBNRTC establishes transportation policies and programs for the Erie Niagara region. The GBNRTC provides an inter-agency, regional decision making forum for the development of a multi-modal, integrated transportation system that best fits the needs of the Erie Niagara region.

Activities/Functions

The GBNRTC influences land use patterns through its role in the provision of transportation planning services to various areas in the two counties. Functions include planning, technical assistance, outreach/education on transportation issues, and funding. State and Federal funding for projects is funneled through the GBNRTC, as the regional Metropolitan Planning Organization.

- Transportation planning for highway, rail, transit, bicycle and pedestrian systems.
- The GBNRTC is responsible for preparing the Transportation Improvement Program (TIP) which prioritizes all federally funded transportation projects being considered for the next five-year period.
- Besides the TIP, other funding activities include coordinating federal grant funds for Congestion Mitigation Air Quality (CMAQ) program.
- Special Studies and Long range planning studies.
- Goals used to guide decision-making:
 - Economic development
 - Safety
 - Accessibility/mobility of people and freight
 - Environmental quality, energy efficiency, quality of life factors
 - Integration and connectivity of transportation systems
 - Efficient system management and operation
 - Emphasis is on preserving the existing system over new extensions

Outreach and education activities include a web site, newsletter and informational brochures/studies.

Niagara Frontier Transportation Authority

Authority/Jurisdiction:

The Niagara Frontier Transportation Authority (NFTA) was created as a public benefit corporation by New York State to promote the development and improvement of transportation services in the Erie Niagara

region. An eleven member Board of Commissioners governs the NFTA. Day to day operations are the responsibility of the Executive Director.

The Governor appoints Commissioners to the Board, with one recommendation from the Erie County Executive and one from the Erie County Legislature. All appointments are confirmed by the NYS Senate.

Erie County is a major funding source for the NFTA, through mortgage filing tax revenues.

Primary Role/Mission:

The NFTA's primary function is stated as "...to provide efficient and professional transportation services that enhance the quality of life throughout the Buffalo Niagara region."

The NFTA operates the two regional airports and the Metro Bus and Metro Rail systems, which operate under a wholly owned subsidiary created in 1974.

Activities/Functions:

The Niagara Frontier Transportation Authority plays a role in shaping development patterns in the Erie Niagara region both directly and indirectly. Facilities that the NFTA operates include the NFTA Boat Harbor, Port of Buffalo Terminal Buildings, Buffalo Niagara International Airport (BNIA), and the Niagara Falls International Airport (NFIA).

Indirectly, operation of the airport and transit system is a factor in how industry and business (and to a lesser extent residential) development may develop. NFTA activities that affect regional quality of life and influence land use and development patterns include:

- NFTA operates Metro Bus and Metro Rail, the regional public transit systems. Both directly affect the quality of life of residents by facilitating commuter options. The bus system is relatively flexible and can adjust to geographic demand. However, the light rail system is fixed. Therefore, past and future location decisions have the potential to influence local land use and redevelopment activities.
- The NFTA owns and operates the Niagara Falls International Airport (NFIA). There is a joint use agreement in place with the U.S. military for use of the facilities. The current functions at the NFIA are to service general aircraft, charter and cargo operations, and to act as a regional reliever airport.
- The NFTA owns and operates the Buffalo Niagara International Airport (BNIA). The BNIA is the regional commercial airport, averaging 104 passenger flights daily. The BNIA plays an indirect role in influencing growth and development due to its ability to provide a service important to business development and tourism in the Erie Niagara region.
- The NFTA Boat Harbor, located just outside downtown Buffalo, provides docking, launch and marina services (approximately 1,000 slips) for recreation and pleasure craft. There is a proposal to convey the marina and associated lands to New York State.
- Additional lands:
 - NFTA owns or controls undeveloped and underutilized lands along the Outer Harbor, which, if sold or developed, could significantly impact the utilization of the Lake Erie waterfront.
 - The NFTA owns the Port of Buffalo Terminal Buildings, which are available to lease for manufacturing or warehousing.

Comprehensive List of County Departments, Boards, Commissions

ERIE COUNTY

Arts and Culture in Public Places Board	Erie County Soil & Water Conservation District
Attorney	Executive Office
Budget, Management & Finance (incl. Real Property Services)	Health
Central Police Services	Highways (See Public Works)
Citizens Salary Review Commission	Historian
Commission of Jurors	Information and Support Services Division
Comptroller	Juvenile Detention Division
County Clerk	Labor Relations Division
Courts	Law
Criminal Justice Services	Legislature (Districts 1-17)
Disabled, Office for	Medical Examiner's Office
District Attorney	Mental Health
Elections Board	Motor Vehicle Department
Emergency Services	Parks
Environment and Planning	Personnel
Equal Employment Opportunity	Probation
Erie & Niagara Counties Regional Planning Board	Public Assistance
Erie County Citizens Committee on Rape and Sexual Assault	Public Defenders Office
Erie County Commission on the Status of Women	Public Works (incl. Division of Highways)
Erie County Community Coordinating Council on Children & Families	Purchasing
Erie County Consumer Protection Committee	Real Property Taxation (see Budget, Management & Finance)
Erie County Environmental Management Council	Senior Services
Erie County Industrial Development	Sheriff
	Social Services (Welfare)
	Veterans Services
	Weights & Measures
	Youth Services

NIAGARA COUNTY

Aging, Office for	County Clerk
Attorney	Courts
Audit	Data Processing
Board of Elections	District Attorney
Civil Service	Drug Abuse Treatment
Code Enforcement	Elections Board
Commissioner of Jurors	Emergency Services
Cooperative Extension Service	Employment & Training
Coroners	Environmental Management Council
County Attorney	Fire Control Center/Fire Coordinator

Health
Historian
Human Resources
Industrial Development Agency
Insurance & Risk Management
Legislature (Districts 1-19)
Management & Budget
Mental Health
Motor Vehicle Office
Office for the Aging
Parks
Pistol Permit Office
Planning, Development and Tourism
Probation
Public defender

Public Health
Public Works
Purchasing
Real Property Services
Refuse Disposal District
Sewer District No. 1
Sheriff
Social Services
Soil & Water
Treasurer
Veterans Service Agency
Water District
Weights & Measures
Youth Bureau

There are additional separate entities, such as the Community Colleges, ECMC, etc. that are not included in this listing.