

BRIAN HIGGINS  
26TH DISTRICT, NEW YORK

2459 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-3306  
(202) 226-0347 (FAX)

COMMITTEE ON HOMELAND SECURITY

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Congress of the United States  
House of Representatives  
Washington, DC 20515-3226

726 EXCHANGE STREET  
SUITE 601  
BUFFALO, NY 14210  
(716) 852-3501  
(716) 852-3929 (FAX)

640 PARK PLACE  
NIAGARA FALLS, NY 14301  
(716) 282-1274  
(716) 282-2479 (FAX)  
higgins.house.gov

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June 16, 2014

Hon. Rose Harvey  
Commissioner  
New York State Office of Parks, Recreation and Historic Preservation  
Albany NY, 12238

**Re: Proposed Police Station on the Niagara River Gorge**

Dear Commissioner Harvey:

I applaud the decision, announced this weekend, that OPRHP would suspend the development of the proposed new police station on the rim of the Niagara River Gorge. I write today to express my opposition to the proposal to locate this facility at this location. I very much value the important work of the New York State Park Police, and their needs must certainly be met. However, in order for Niagara Falls to maximize its potential as a destination, the land uses in close proximity to the falls and the gorge should be those which facilitate, rather than limit, public access.

I am concerned that the planning process associated with this proposed development has not met the requirements of the National Environmental Policy Act (NEPA). The proposed site is actually owned by the New York Power Authority. Significant land-use changes which impact "scenic, recreational, and other environmental values" on land which NYPA owns in connection with the Niagara Power Project require review and approval by not only NYPA, but also by the Federal Energy Regulatory Commission.<sup>1</sup> Because this project involves disturbing and moving radioactive waste, the effective alienation of parkland, and will significantly impact important cultural, historical and natural resources, the strictures of NEPA require a vigorous, thorough environmental review before any federal agency could accede to these proposed changes. No such review has taken place.

Again, I very much value the good work of OPRHP generally and the Parks Police specifically, but this proposal needs to go back to the drawing board, as administrative facilities of any kind are not the highest and best use for the land on the top of the Niagara Gorge. Thank you very much for your leadership and your consideration.

Sincerely,



Brian Higgins  
Member of Congress

Cc: Mr. Gil C. Quiniones, President and CEO, NYPA

<sup>1</sup> FERC *Hydropower Compliance Handbook*, pp. 8 and 9, [http://www.ferc.gov/industries/hydropower/gen-info/handbooks/compliance\\_handbook.pdf](http://www.ferc.gov/industries/hydropower/gen-info/handbooks/compliance_handbook.pdf).