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September 24, 2012

Hon. Joan McDonald
Commissioner
New York State Department of Transportation
50 Wolf Road
Albany, NY 12232

Re: The Buffalo Skyway

Dear Commissioner McDonald:

Spending more than $100 million dollars to rebuild the Buffalo Skyway over the next twenty years would be a transportation and land-use policy disaster. It will cost far more to perpetuate an unsafe, functionally obsolete design which stifles Buffalo's potential as a great waterfront city than it will to build better, more efficient infrastructure. NYSDOT's Skyway Management Study (October, 2008) indicated that it will cost approximately $117 million over the next twenty years to extend that structure's life fifty years or more.[1] This is vastly more expensive than the proposed Buffalo Harbor Bridge, which is estimated to cost approximately $75 million.[2]

We are drawing near to the point where this community will have to decide whether to maintain the Skyway, or replace it with something much better. I write today specifically to request that before any effort is made to put expensive Skyway rehabilitation contracts on the state's rolling five-year transportation investment plan, that the Department undertake an analysis of alternatives to the continued rehabilitation of the Skyway. Such analysis should position this community to make smart decisions based on real choices, and should take into account the following considerations:

- A number of initiatives already in development will increase the capacity of the transportation system between downtown and the communities to the South. The planned improvements to Ohio Street (PIN 5760.26), the Buffalo Harbor Bridge (PIN 5758.17), and the Tifft Street Arterial (Part of PIN 5044.01) all enhance the potential for throughput. The Buffalo Harbor Bridge is particularly interesting in

[1] https://www.dot.ny.gov/regional-offices/region5/repository/FinalReport-ExecutiveSummary10-20-08.pdf Two options were given to extend the structure's life 50 years, one at $109.2 million and one at $124.9 million. $117 million is the average of these.

[2] Buffalo Harbor Bridge March, 2010 Scoping Report. http://www.buffaloharborbridge.com/ The range given was $87 million to $63 million. $75 million is the average of these.

this regard. It would provide easy and immediate access from Downtown Buffalo to Buffalo's Outer Harbor for drivers, bicyclists and pedestrians the first time since 1964[3]. The Draft Environmental Impact Statement (DEIS) is soon to be published and it could be under construction within two years.

- Barry B. LaPatner's book Too Big To Fail: America's Failing Infrastructure and the Way Forward drew particular attention to the danger posed by bridges which are *both* "Structurally Deficient" and "Fracture-Critical". Structurally Deficient means that "significant load carrying elements are found to be in poor or worse condition due to deterioration and/or damage [or] the bridge has inadequate load capacity."[4] "Fracture-Critical" means that the bridge was constructed without sufficient redundancy, meaning that "the failure of any one of its supporting structural members could result in the collapse of the whole bridge"[5] The Skyway is the type of bridge about which LaPatner warns, as it is both structurally deficient and fracture-critical. The Department's own report on the condition of the state's bridges, issued last month, listed the Skyway as structurally deficient.[6] It is also listed on a national inventory of fracture-critical bridges which was provided to my office by the U.S. Department of Transportation last week.
- The analysis should not just review the engineering and construction costs of maintaining the status quo (as the Management Study did), but also the opportunity costs of keeping up this facility. The Skyway dramatically depresses the value and the development potential of the land around it. For example, the 27.5 acres on which a portion of the Skyway sits at the Outer Harbor contribute nothing to the property tax rolls. A preliminary analysis indicates that if this land were developed with a density similar to Buffalo's Waterfront Village at the Erie Basin Marina, the County, the City and its School district would realize $15.5 million in additional property tax receipts over twenty years (in 2012 dollars).[7]
- The Skyway was constructed at a time when Buffalo's bustling port received twenty million tons of cargo annually via lake freighter[8], and the frequent raising of the City's lift bridges were a source of frustration to drivers and pedestrians. Now, Buffalo receives less than 2 million tons of cargo via lake freighter[9], and the city's lift bridges are raised an average of 1.5 times per day.[10] This makes the Skyway's four mile long and 110 foot profile absolutely unnecessary and unjustifiable.
- The Skyway's design means that it will always be functionally obsolete and unsafe for motorists in distress because of its lack of shoulders. The Skyway also makes no accommodation for pedestrians or bicyclists.

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[3] http://www.buffaloharborbridge.com/Project%20Description.htm

[4] https://www.dot.ny.gov/main/bridgedata

[5] LePatner, Barry B. (2010-09-28). Too Big to Fall (Kindle Location 478). University Press of New England. Kindle Edition.

[6] https://www.dot.ny.gov/main/bridgedata/repository/ErieBridgeData.pdf; https://www.dot.ny.gov/main/bridgedata/key-nys-bridge-data-draft

[7] Inputs: $1.2 million in assessed valuation per acre (which allows for substantial public/green space), Combined tax rate of $23.44/$1,000, 27.47 acres (From the bridge over the City Ship Canal to the first off ramp).

[8] Statistical Abstract of the United States, 1969, Table 875, p. 579

[9] http://www.lrb.usace.army.mil/general/Factsheets/buffalo-harbor.html.

[10] Buffalo Harbor Bridge Movable Bridge Lift Analysis, January 2010, Erie Canal Harbor Development Corporation, Parsons Brinckerhoff/Hardesty & Hanover, LLP.
Page 8., http://www.buffaloharborbridge.com/DocumentsandReports/BHB_PSR_Appendix%20B.pdf.

Since the Skyway was constructed a lot has changed. These changes include the understanding engineers and planners now have about the manner in which highways impact urban land use, the vastly reduced volume of lake-borne shipping in Buffalo, the increased appreciation for the value of pedestrian and bicycle accommodation, and modern engineering standards generally. Given these changes, if we were going to design the ideal transportation infrastructure for Buffalo's waterfront today, from scratch, there is no way we would design anything remotely resembling the Buffalo Skyway. To invest several tens of millions of dollars to keep it up is to perpetuate failure. Again, I urge the Department to undertake a robust and meaningful analysis of its alternatives. I thank you for your leadership and your consideration.

Sincerely,

Brian Higgins
Member of Congress