

PROTECTING THE BEDELL MEADOWS GRAND ISLAND, NY



Prepared for:

**NIAGARA RIVER GREENWAY COMMISSION
Project Consultation and Review**

**Prepared by:
Western New York Land Conservancy
June 10, 2024**

Niagara River Greenway Commission Consultation and Review Form

Date of Submittal:

Project Registration Number (*office use only*):

Type of Review Required (please check one):

- Mandatory Consultation for proposals seeking Greenway Funding**
 Voluntary Review and/or Endorsement for proposals not seeking Greenway Funding

PROJECT SPONSOR INFORMATION

Name:	Western New York Land Conservancy
Mailing Address:	P.O. Box 471, East Aurora
State:	New York
Zip Code:	14052
Federal ID#:	22-3160426
Charities Registration #:	05-27-68

PROJECT TYPE (Please check only ONE)

- Trail Development / Improvement Interpretation / Cultural Monuments
 Ecosystem / Riparian Habitat Restoration Stewardship
 Niagara River Greenway Placemaking / Public Access / Wayfinding

FUNDING COMMITTEE

- Host Community Standing Committee Ecological Standing Committee
 Buffalo and Erie County Standing Committee State Parks Standing Committee
 Unsure at this time / N/A

TOTAL AMOUNT REQUESTED

ADDITIONAL FUNDING FROM OTHER SOURCES

Source	Amount
Outside source to be secured	\$11,900
Pre-planning (Greenway Land Protection Program)	\$7,000

PROJECT INFORMATION

Project Name:	Protecting the Bedell Meadows
Location (include GPS coordinates if possible):	SBL #: 23.00-3-4.211
Project Site Address:	South of Bedell Rd., near the I-190 overpass, Grand Island, 14072
State:	New York
Zip Code:	14072
Minor Civil Division(s):	Grand Island
County:	Erie
Project Proponent Property Interest (own, lease, easement or other):	Own. The Land Conservancy seeks to purchase the parcel.

AUTHORIZED OFFICIAL

Name:	Kathy Bieler
Title:	President
Business Address:	P.O. Box 471, East Aurora
State:	New York
Zip Code:	14052
Work Number:	716-687-1225
Cell Number:	
E-Mail Address:	kbieler360@gmail.com

PROJECT POINT OF CONTACT

Name:	Marissa Riggi
Title:	Executive Director
Organization / Firm:	Western New York Land Conservancy
Business Address:	P.O. Box 471, East Aurora
State:	New York
Zip Code:	14052
Work Number:	716-687-1225
Cell Number:	
E-Mail Address:	marisa@wnylc.org

PROJECT NARRATIVE

Please attach material which responds to the following six items in the order that they are presented.

1. ***In a brief paragraph, describe the project and its purpose, how and when it will be accomplished, and why it is important.***

The Western New York Land Conservancy will purchase and permanently protect a property on Grand Island which includes approximately 43 acres of ecologically important land. We will then transform the land into The Bedell Meadows Nature Preserve, which will be part of an emerging network of conserved lands on Grand Island. Undeveloped land on Grand Island is in high demand, and protecting it is a priority for the health of the Niagara River and for the benefit of the community. The land includes a mature tree line, meadows, and wetlands with native plant communities. With restoration of native plants, it will likely be home to many of the rare and protected plants and animals found in Buckhorn State Park to the north. This property will also provide prime public access trails, including critical public access connectivity to the adjacent 36-acre Alt Preserve, adjacent HTR Niagara Campground, and nearby parcels under consideration by the Town for public access improvements in this quadrant of the island.

The land to be purchased is owned by the Gorrell family. They want the land protected and have agreed to sell it to the Land Conservancy. The presence of wetland habitats on the property, the large acreage for Grand Island, and potential for restoration makes this parcel especially important to protect. Unfortunately, this property is threatened, and its protection now is important. If not protected by the Land Conservancy, the land will be sold for development. Without the Land Conservancy's stewardship, invasive plant species, like buckthorn, will continue to spread and degrade the ecosystem.

This work is the result of the Land Conservancy's ongoing Greenway / Grand Island Land Protection Program, which began in 2018. This program was supported by the Niagara River Greenway Commission, and was funded by the Greenway Ecological Standing Committee (GESC), with additional support from the Town of Grand Island. The purpose of that program is to identify lands on Grand Island that have important wildlife habitat, including forests, meadows, wetlands, and streams, and to identify landowners who want to voluntarily protect their own land. The project being proposed in this application is the result of the first five years of that program.

2. ***Referring to the Niagara River Greenway Plan, clearly document and describe how the proposed project will advance the Niagara River Greenway vision including the goals, principles, and criteria that define that vision.***

The proposed project is perfectly aligned with the Niagara River Greenway Plan. It is a result of the Land Conservancy's Greenway Land Protection Program that was determined to be consistent with the Plan in 2017, and that was funded by the Greenway Ecological Standing Committee (GESC) in 2018. The project protects the ecological resources of the Greenway, connects people to those resources, and expands the "corridor of places, parks and landscapes" envisioned by the Greenway Plan. Land protection like this project is specifically recommended in the Greenway Plan.

The Bedell Meadows project builds on the Niagara River Greenway **Principles** in the following ways.

1. **Excellence:** It is the Land Conservancy's mission to permanently protect land with significant conservation value in Western New York. In our 32-year history we have protected over 8,350 acres across 103 properties, and we currently steward 87 properties across 7,425 acres. Many of our protected lands are open to the public. The Land Conservancy is a nationally-accredited land trust. In all of our work, the Land Conservancy has adopted and strives to exceed the Standards and Practices

set forth by the Land Trust Alliance, a national conservation organization that establishes best practices for land trusts.

2. **Sustainability:** The Land Conservancy will take measures to ensure that the property, its habitats, and the ecological services that it provides are protected into the future. The Land Conservancy will ensure the economic sustainability of protecting the property by contributing to a stewardship and legal defense fund to help cover ongoing costs.
3. **Accessibility:** The Bedell Meadows will be open for public access, and will include walking trails developed with leveraged non-GESC funding.
4. **Ecological Integrity:** This project protects important ecological communities and wildlife habitat. The parcel is predominantly grassland, and includes wetlands and a mature tree line. These habitats filter stormwater entering the Niagara River. The project will help sustain rare plants and animals, and Species of Greatest Conservation Need.
5. **Public Well-being:** The project will help maintain the character of Grand Island and will provide outdoor recreation in nature. All of this will increase the quality of life of nearby communities, and will improve health outcomes for people of all ages. The project will also support the local economy. Outdoor recreation attracts visitors, creates jobs, and generates spending. Property values increase when they are adjacent to protected greenspaces. The property, in its natural state, helps clean our air and our fresh water, and reduces flooding. Protecting the property will help protect those important ecosystem services.
6. **Connectivity:** The project will connect people to the Greenway and to nature. The Bedell Meadows is .8 miles from the popular West River Trail bike path with potential future connectivity by bike trail and walking path throughout this quadrant of the island. The land is adjacent to the 36-acre Alt Preserve, .8 miles from the Gallogly Nature Sanctuary, 1.3 miles from Buckhorn Island State Park, 3 miles from Scenic Woods, 4.3 miles from Spicer Creek Wildlife Management Area, and 4 miles from Beaver Island State Park.
7. **Restoration:** The Land Conservancy is committed to the enhancement and restoration of degraded landscapes. The Land Conservancy will control invasive species and restore wildlife habitat at the property.
8. **Authenticity:** The property is home to the iconic natural heritage of Grand Island. The project will preserve the sense-of-place that makes Grand Island a showcase for the entire Niagara River Greenway.
9. **Celebration:** By prioritizing and protecting land that most typifies the Greenway vision, we will promote the recognition, interpretation, and celebration of the “natural, cultural, recreational, and scenic...resources” that make this region unique.
10. **Partnerships:** The project is supported by the landowner, the Town of Grand Island, and many other elected officials (see Letters of Support). The property to be protected is the result of the Land Conservancy’s Greenway Land Protection Program, a partnership between the Land Conservancy, the Niagara River Greenway Commission, and the GESC that allowed the Land Conservancy to proactively identify and work with the landowner. The Land Conservancy will continue to work with stakeholders including elected officials, community leaders, and partner organizations.
11. **Community-based:** The project was made possible by the Greenway Land Protection Program. The Greenway Land Protection Program was inspired by community members themselves who have expressed concerns about rapid development that is taking place and the loss of valuable open spaces. The landowner of the property to be protected has chosen to work with the Land Conservancy. The Town of Grand Island supports this work.

The Bedell Meadows achieves all of the goals of the Niagara River Greenway Plan:

1. **Improve Access:** The proposed project will create a new publicly accessible nature preserve that supports low-impact outdoor recreation. Protecting this property will provide access to important habitat for wildlife in the Niagara River Greenway.

2. **Make Connections:** The project will contribute to the Greenway's landscape-scale ecosystem connectivity by creating a new protected area. The Bedell Meadows is .8 miles from the popular West River Trail bike path with potential future connectivity by bike trail and walking path throughout this quadrant of the island. The land is adjacent to the 36-acre Alt Preserve, .8 miles from the Gallogly Nature Sanctuary, 1.3 miles from Buckhorn Island State Park, 3 miles from Scenic Woods, 4.3 miles from Spicer Creek Wildlife Management Area, and 4 miles from Beaver Island State Park.
3. **Protect and Restore Environmental Systems:** The project will protect unique and threatened ecological resources including grasslands, wetlands, and mature trees. These habitats support rare and protected plants and animals and Species of Greatest Conservation Need. The Land Conservancy will restore wildlife habitat by controlling invasive plant species and adding native plants.
4. **Spark Revitalization and Renewal:** The project will strengthen an awareness of the importance of our natural heritage for the growing recreation and tourism economy on Grand Island.
5. **Promote Long Term Sustainability:** The basic goal of this project is the protection of irreplaceable resources that provide long-term ecosystem services including flood control, water quality benefits, and wildlife habitat. The property will be protected in perpetuity.
6. **Extend Olmsted's Legacy:** This project will protect a property in the Greenway directly along the Niagara River, and thus will help strengthen Olmsted's vision of a necklace of open spaces along the length of the Niagara River.
7. **Celebrate History and Heritage:** The project will protect a property that is emblematic of our unique natural heritage. The protected property will provide a living testament of the unique history and heritage of the Greenway corridor. As a publicly accessible nature preserve, the property will offer opportunities for interpretive programming.

Lastly, the project measures well in relation to the evaluative criteria established in the Niagara River Greenway Action Plan.

1. **Consistency with Principles:** The project is guided by the same 11 principles that guide the Niagara River Greenway Plan and will extend and strengthen those principles and outcomes.
2. **Priority Status:** This project mirrors the very same priorities designated in the Niagara River Greenway Plan. The newly protected natural area can be part of an "integrated trail and park system." Protecting land will be part of the "restoration of the Niagara River ecosystem." A new nature preserve will allow for "interpretation and education about the region's cultural, natural and historic resources."
3. **Focus Areas:** The project is all within the Niagara River Greenway boundary, and is located along the Niagara River and Greenway Focus Area boundary.
4. **Environmental Soundness:** Environmental conservation is at the core of the project. The property to be protected has important plants and animals, and provides ecosystem services that positively impact the Niagara River and Greenway communities.
5. **Implementable:** The Land Conservancy has a strong track record of protecting land, creating new trails, and restoring wildlife habitat. The project has landowner support and Town support. The project does not require review under the State Environmental Quality Review Act (SEQRA).
6. **Economic viability:** The project budget is based on appraisals for property value and the Land Conservancy's previous experience with similar projects.
7. **Local Sponsor or Partner:** The Western New York Land Conservancy will be responsible for implementing the project.
8. **Matching or Leveraged Funds:** The Land Conservancy will seek to leverage \$11,900 to complete restoration work on the site. To ensure that this project is completed within the three year grant period, we will likely seek the support from other funders at the end of the grant period. This funding to be secured would match the proposed \$50,000 of habitat restoration expenses proposed in the budget. Past Land Conservancy projects using Greenway funds have leveraged hundreds of thousands of non-Greenway funds. This includes the Stella Niagara Preserve, the Margery Gallogly Nature

Sanctuary, Funk Preserve, Love Road Preserve, Alt Preserve, and the Niagara Gorge restoration, among others. The Land Conservancy has already spent funds on staff time and the initial appraisal on this project from the GESC-funded Greenway Land Protection Program grant.

9. Consideration of Other Planning Efforts:

- The Town of Grand Island’s Comprehensive plan highlights the islands’ natural resources as its biggest asset. The town aims to capitalize on its natural resources through trails and greenways (pg 33, 2018 Master Plan). The plan states that the Town’s natural assets have a significant impact on economic development and overall quality of life, including open spaces and trails. Conserving open spaces was one of the top priorities discussed by town residents during the creation of the Comprehensive Plan. The Town of Grand Island’s Parks, Recreation and Open Space Plan states that “...open space offers aesthetic values through scenic corridors and vistas, agricultural lands, woodlots, waterways and similar spaces. Lands set aside to protect environmentally sensitive features such as wetlands, floodplains, unique sites or stormwater retention and detention areas likewise contribute to the quality of life of the community.”
- The NYS Open Space Conservation Plan recommends protecting ecological corridors, water quality, significant wetlands, and land in the Niagara River Greenway. It prioritizes the protection of the Niagara River watershed. It also identifies protecting Niagara River shoreline and public access as a regional priority conservation project.
- The draft work plan for the NYS DEC’s Great Lakes Action Agenda includes a goal to “Expand/enhance habitat and connectivity for fish, birds and other wildlife”. It includes an action to “Permanently protect important habitats to connect existing protected lands, especially along ecological corridors including our lakes, rivers, streams and escarpments”, and the Niagara River Greenway ecological corridor is specifically referenced.
- By protecting wetlands, the program advances the Niagara River Remedial Action Plan (RAP) and will contribute to the de-listing of two Beneficial Use Impairments of the Niagara River Area of Concern: loss of fish and wildlife habitat and degradation of fish and wildlife populations.
- Buffalo Niagara Waterkeeper’s 2015 Niagara River Greenway Habitat Conservation Strategy prioritizes protecting and connecting natural areas in the Greenway. Land on Grand Island is called out in the plan.

10. Clear Benefits: Protecting this property ensures that it will remain in its natural state, and create a new publicly accessible nature preserve. The parcel includes wetlands that filter and improve water quality, while also preventing flooding of neighboring property. The Bedell Meadows’ natural habitats, including rare grassland habitat, support Species of Greatest Conservation Need.

3. **Define the budget for the total proposed project and include costs for the following:**

Sources of Funds	Total
Greenway Ecological Standing Committee (to be requested)	\$752,411
Pre-Planning (Grand Island Land Protection Program)	\$7,000
Leveraged Funds (to be secured)	\$11,900
Total Sources of Funds	\$771,311
Uses of Funds	
Planning	\$7,000
Construction	\$93,316
Acquisition	\$513,078
Administration	\$24,965
Operations/Maintenance	\$125,729
Contingency (5%)	\$7,223
Total Uses of Funds	\$771,311

Project Budget (Uses of Funds):

- **Planning:** \$7,000, funded previously by GESC through the Grand Island Land Protection Program, including attorney’s fees (\$1,000), appraisals (\$3,000) and Land Conservancy staff time for acquisition activities (\$3,000).
- **Construction:** \$93,316 – Begin controlling invasive species and performing restoration work with a contractor (\$50,000), create a welcome sign with property information and map (\$5,000), public access improvements including parking lot, contractors, supplies (\$20,000) and staff time to manage habitat restoration, sign installation and public access improvements (\$16,316), mileage (\$2,000).
- **Acquisition:** \$513,078 – Land purchase price (\$475,000); attorney’s fees (\$8,200); title search and closing fees (\$1,986), OGM Analysis/Surface Waivers (\$1,000); phase one environmental assessment (\$2,500); baseline documentation report (\$5,200); survey, boundary description and mark boundaries (\$6,000); first year taxes (\$2,692); initial management plan (\$500); Land Conservancy staff time for acquisition activities (\$10,000).
- **Administration:** \$24,965 – indirect / overhead costs (19% of all costs except for the purchase price, stewardship fund contribution, and legal defense fund contribution).
- **Operations and Maintenance:** \$125,729 – stewardship fund contribution for long-term preserve management (\$120,729 - funds are invested, and are calculated by dividing annual costs by 4%, an estimated annual rate of return). The preserve will be monitored yearly and the stewardship fund will pay for necessary improvements and invasive species treatments as needed; legal defense fund contribution (\$5,000).
- **Contingency:** \$7,223 – Estimated to be 5% of the GESC request for construction, acquisition (without the purchase price), and administrative costs.

Project Budget (Sources of Funds):

- \$752,411 from the GESC. This will pay for Acquisition, Administrative costs, Operation and Maintenance costs (including Land Conservancy stewardship fund), and Contingency costs. It will pay for most of the Construction costs (except for a portion of the invasive species control and native plantings).
- \$11,900 of Leveraged Funds. This includes approximately \$10,000 for invasive species control and native plantings to be sought from outside sources, and \$1,900 of administrative costs.
- \$7,000 from an active GESC grant for the Grant Island Land Protection Program. These funds are used

for pre-planning costs, including attorney's fees (\$1,000), appraisals (\$3,000) and Land Conservancy staff time for acquisition activities (\$3,000).

Additional Notes:

Staff Time – Land Conservancy staff time for restoration work is needed to analyze, document, and map existing site conditions, create a comprehensive plan for habitat restoration needs, plan restoration activities, research appropriate contractors, solicit contractor bids, select contract and negotiate a final scope of work, oversee contractors and/or staff to implement the restoration plan in the field, secure and install supplies/equipment/native plantings/seeds. After initial work, assess the need for retreatment and other follow-up analysis including long term ecological monitoring, and monitor restoration work as needed."

Land Conservancy staff time for public access installations – is needed research best contractor for art and design, research contractor for physical sign install and materials, design signage content, approve drafts and final design, secure, and install signage; analyze site conditions for parking lot location, design parking lot shape, solicit contractor bids for parking lot construction, oversee parking lot construction in the field. If applicable required permitting and project management time working with relevant municipality to install drainage swale culvert so parking area can be accessed.

Operations and Maintenance - The Land Conservancy will manage the preserve for wildlife habitat protection and low-impact public access. The Land Conservancy will employ its own stewardship staff, volunteers and outside contractors for long-term management tasks. The Land Conservancy will contribute to a stewardship and legal defense fund to help cover ongoing costs.

4. Describe the measures taken at the local level to gain community and government support for this project (hearings, petitions, public surveys, resolutions of support or other methods). If this project has been cited or described in a local planning document or some equivalent thereof, attach copies of that documentation highlighting the sections that are relevant to the proposed project. Describe the role of municipal agencies, stakeholder groups, consultants, volunteers or others who will be involved in the proposed project.

The project has support from the Town of Grand Island, the Erie County Legislator and several other elected officials, as evidenced in the attached letters of support. The project has support from the landowner, as evidenced by the attached contract. The project is aligned with statewide, regional, and local planning documents, as described earlier in this application. The Land Conservancy also emailed information about the project to the GESC representatives from the Tonawanda Seneca Nation and the Tuscarora Nation.

The Land Conservancy will be responsible for the project and will initiate habitat restoration activities. The Land Conservancy will own the property and manage it as a publicly accessible nature preserve. The Land Conservancy has worked with the GESC and the Town of Grand Island to successfully complete similar projects. With funding from the GESC and a private donor, the Land Conservancy purchased a property surrounding the Assumption Cemetery on Whitehaven Road in 2018. This is now called the Margery Gallogly Nature Sanctuary. With funding from that private donor and from the Buffalo and Erie County Greenway Fund Standing Committee (BECGFSC), we constructed a new trail system there. The Gallogly Sanctuary project has already created a lot of public support for land conservation on Grand Island. In 2021 and 2022, the Land Conservancy purchased and permanently protected three additional parcels on Grand Island. In total, these three parcels total 90+ acres of protected natural lands. This includes the 36-acre Alt Preserve, adjacent to the Bedell Meadows project on the other side of the Alt Road paper street. Alt Preserve is protected by conservation easement and is a publicly accessible nature center. Pfohl Preserve, purchase to be completed in 2024, adds over 400' of Niagara River shoreline and 57 acres of healthy forest and wetland to this system of

preserves.

- 5. Describe and document the environmental setting and existing conditions at the proposed project site. If you are not the owner of the property include a letter(s) or resolution(s) evidencing support for the project by the owner. Provide photographs, conceptual plans and drawings that show the site as it presently exists and how the site will change with the addition of the proposed project. Describe how your project will comply with the State Environmental Quality Review Act (SEQRA). The existence of wetlands, significant upland and aquatic habitats, and plant or animal species that are classified as rare, threatened, or endangered should be noted. Explain how such natural resources will be protected and/or enhanced. Cite any relevant project-related studies.**

The property is composed of two sections that are separated from each other by the Alt Boulevard paper street: a strip of Town-owned land that extends south to Whitehaven Road and the south again all the way to Staley. The presence of the Alt paper street provides exceptional opportunities for connectivity by walking path or bike path to the central heart of the island, including connections to the adjacent 36-acre Alt Preserve, the adjacent HTR Niagara Campground, and to other planned sections of pathway. The land is primarily grassland, an important and locally rare habitat in which ground-nesting birds and other species thrive. A line of mature trees build the site's diversity while providing an important seed bank, and abundant wetlands provide critical environmental services including stormwater management and filtration and nutrient uptake for water quality improvement. Undeveloped grassland is rare, and of great value to the community and for the ecology of Grand Island and the Niagara River. Protecting this property would increase the community's access to natural places.

Non-native perennial rye (*Elymus*) and fescue (*Festuca*) grass species dominate the grasslands, so restoration will be important to bring back native biodiversity and ecological function. The natural hydrology has been altered to consist of channels leading to small pools which harbor pockets of native rudimental wetland flora, including wool grass (*Scirpus cyperinus*), common rush (*Juncus effusus*), and fringed sedge (*Carex crinita*). Approximately one acre of wet depression/ephemeral stream habitat crosses the northern portion of the property and is partially lined with willows (*Salix* sp.) and native red osier dogwood (*Cornus sericea*). The depression was filled with approximately 8 inches of water at the time of the last site visit. Approximately six acres of the field had been recently (<1 year) been tilled.

A line of mature trees (approximately .5 acre total) encompasses the southern boundary of the property. The tree line consists of several mature white oak (*Quercus alba*), pin oak (*Quercus palustris*), and shagbark hickory (*Carya ovata*) trees. Pin oak regeneration accounts for the majority of the sub-canopy trees, with occasional hop hornbeam (*Ostrya virginiana*) interspersed. The tree line is contiguous with an approximately 15 acre woodlot currently managed as a portion of the Alt Preserve. This woodlot largely consists of mature white oak, shagbark hickory, and red oak (*Quercus rubra*) trees.

Odessa silt loams characterize the majority of the property, with smaller interspersions of Lakemont silt loams. Odessa silt loams are characterized as prime farmland if drained and Lakemont silt loams are described as soils of statewide importance.

Principle Attributes of The Bedell Meadows include the relatively large size of this tract of undeveloped land on Grand Island; valuable soils; limited presence of invasive species; and prime opportunity for grassland and reforestation plantings.

There are at least 21 species of reptiles and amphibians likely to occur on Grand Island according to the NYS Herp Atlas. This includes one NYS threatened species (Blanding's Turtle) and two NYS special concern species (Jefferson Salamander and Blue-spotted Salamander). Two of these species are considered high priority Species of Greatest Conservation Need (SGCN) according to the NYS Wildlife Action Plan (Blue-spotted

Salamander and Blanding's Turtle), and four species are considered SGCN (Common Mudpuppy, Western Chorus Frog, Common Map Turtle, and Common Snapping Turtle). Many of the 21 species are likely to occur on the land to be protected, including Jefferson Salamander, Blue-spotted Salamander, and Western Chorus Frog.

There are at least 100 bird species likely to occur in the grasslands of Grand Island. The number of bird species likely to be present is based on Land Conservancy observations at the properties, and on eBird data from woodland and grassland habitats on Grand Island. The list of 100 species excludes aquatic bird species likely to be only found on the Niagara River off-shore from Grand Island.

- Nine of these bird species are listed in New York State, with two listed as threatened (Northern Harrier, Bald Eagle), and seven listed as special concern (Osprey, Sharp-shinned Hawk, Cooper's Hawk, Red-shouldered Hawk, Common Nighthawk, Red-headed Woodpecker, Golden-winged Warbler). The Northern Harrier is present at the adjacent Alt Preserve (recorded there in fall 2020).
- Ten of these bird species are identified as high priority SGCN by the 2015 New York State Wildlife Action Plan (Common Nighthawk, Red-headed Woodpecker, Olive-sided Flycatcher, Brown Thrasher, Golden-winged Warbler, Cape May Warbler, Bay-breasted Warbler, Canada Warbler, Rusty Blackbird), and ten are identified as SGCN (Northern Harrier, Bald Eagle, Red-shouldered Hawk, American Woodcock, American Kestrel, Wood Thrush, Blue-winged Warbler, Black-throated Blue Warbler, Prairie Warbler, Scarlet Tanager). The Bobolink, another grassland-dependent bird, is confirmed to be present at the Alt Preserve.
- Partners from across the Lower Great Lakes/St. Lawrence Plain Bird Conservation Region (BCR 13), including the U.S. Fish and Wildlife Service, developed a bird conservation plan for this region. Nineteen of the 137 species were listed as priority bird species in the BCR 13 Plan. Six were listed as High Priority: Wood Duck, American Woodcock, Black-billed Cuckoo, Wood Thrush, Brown Thrasher, and Field Sparrow. The remaining 13 were listed as Medium Priority: Northern Harrier, Chimney Swift, Red-headed Woodpecker, Northern Flicker, Willow Flycatcher, Prairie Warbler, Canada Warbler, Song Sparrow, Scarlet Tanager, Rose-breasted Grosbeak, Bobolink, Rusty Blackbird, and Baltimore Oriole.
- Many of the protected, SGCN, and BCR 13 birds likely nest in the forests of the properties to be protected. They include Wood Duck, Sharp-shinned Hawk, Cooper's Hawk, American Woodcock, Black-billed Cuckoo, Northern Flicker, Wood Thrush, Brown Thrasher, Blue-winged Warbler, Scarlet Tanager, Rose-breasted Grosbeak, and Baltimore Oriole. The Northern Harrier, American Kestrel, Song Sparrow, and Field Sparrow likely nest in the grasslands at or near the Alt Preserve. The Land Conservancy confirmed Bobolink as nesting at the Alt Preserve and adjacent properties.
- Other nesting bird species of note: At the adjacent Alt Preserve, the Land Conservancy confirmed the presence of Purple Martins, Eastern Kingbird, and Savannah Sparrow, all during nesting season. These species are likely to also be present at The Bedell Meadows.
- The entire Niagara River Corridor is internationally designated as a globally significant Important Bird Area (IBA), primarily for its role as a bird migration corridor and its congregations of winter waterfowl and gulls. According to the Great Lakes Migratory Bird Portal, many of Grand Island's open spaces rank highly as a migratory stopover site for songbirds.

SEQRA: This project will not require SEQRA.

Proposed Conceptual Plan: The Land Conservancy will seek funding to install low impact trails and public access infrastructure.

Property Owner Support: The current property owners have signed a purchase agreement, attached.

6. ***Please attach the proposed project timeline, identify any relevant milestones, and provide an estimated date for project completion/opening. If funded, it is expected that the project sponsor or point of contact***

will notify the Commission of the project opening date as it nears completion. (Note: This addition to the application was made September 2018.)

Year 1: Fall 2024 through Spring 2025

- Purchase the property (all acquisition activities: title search, full appraisal, phase one environmental assessment, baseline document report, management plan, boundary survey, closing, boundary signs, stewardship fund and legal defense fund contributions)

Year 2: Fall 2025 through Fall 2026

- Add signage
- Begin controlling invasive plant species (chemical and mechanical treatments)
- Begin implementation of parking lot and other public access improvements

Year 3: Fall 2026 through Fall 2027

- Continue controlling invasive plant species, native reseeding
- Complete public access improvements

ATTACHMENTS

1. LETTERS OF SUPPORT
2. MAPS
3. PHOTOS
4. TAX EXEMPT STATUS

1. LETTERS OF SUPPORT

We have received the following letters of support:

- Peter Marston, Supervisor, Town of Grand Island
- Senator Sean Ryan, NYS 60th Senate District
- Assemblyman Angelo J. Morinello, NYS 145th Assembly District
- Mike Kooshoian, Erie County Legislator for Grand Island
- Landowner (Purchase Agreement)

All other letters of support are attached below.



OFFICE OF THE TOWN SUPERVISOR
PETER J. MARSTON

May 24, 2024

Greg Stevens
Niagara River Greenway Commission
New York Power Authority
PO Box 1132
Niagara Falls, NY 14303

Kerrie Gallo and Erin Redding
Co-Chairs, Greenway Ecological Standing Committee
123 Main Street
White Plains, NY 10601

Dear Greg, Erin, and Kerrie,

The Town of Grand Island enthusiastically supports the Western New York Land Conservancy's current proposal to protect an important parcel of natural land on Grand Island. This project will help our community to maintain our rich natural heritage and high quality of life.

The Land Conservancy has identified parcels for sale by the Gorrell family totaling 43 acres on Bedell Road to protect. The owners would like to sell the land to the Land Conservancy for permanent protection. Meadows and wetlands on the site provide important wildlife habitat and ecosystem services such as stormwater management. Public access on the new preserve will increase trail connectivity with other parcels in this section of the island, creating opportunities for long trails and trail loops. This project adds to the diversity and acreage of protected natural lands that preserves the rural character of Grand Island.

The Land Conservancy organization has proven to be a good partner with the Town of Grand Island, successfully holding two conservation easements on Town-owned land at Bush Road Woods and Gun Creek Woods. In 2018, the Land Conservancy purchased land surrounding Assumption Cemetery on Whitehaven Road. Now known as the Margery Gallogly Nature Sanctuary, the Land Conservancy transformed this site into a publicly accessible nature preserve with year-round trails. The Land Conservancy also purchased the Love Road Preserve and Funk Preserve, and protected the Alt Preserve with a conservation easement on Grand Island in recent years. Town residents have benefitted from the outdoor recreation opportunities as well as the quality of life that these protected lands provide for our community.

We hope that the Land Conservancy continues to help our community and our landowners to protect these important natural lands so that future generations can enjoy them. Thank you for your ongoing support of this land protection work on Grand Island, and thank you for considering this application.

Sincerely,

Peter Marston
Town Supervisor

Town of Grand Island • 2255 Baseline Road, Grand Island, New York 14072
(716) 773-9600 x616 • Fax: (716) 773-9618 • E-mail: pmarston@grand-island.ny.us

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**THE SENATE
STATE OF NEW YORK**



**SENATOR
SEAN M. RYAN
61ST DISTRICT**

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Albany, New York 12247
Phone: (518) 455-3240
Fax: (518) 426-6738

DISTRICT OFFICE:
1485 Niagara St., Ste. 350
Buffalo, NY 14213
Phone: (716) 854-8705
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EMAIL: ryan@nysenate.gov

May 28, 2024

Greg Stevens
Niagara River Greenway Commission
PO Box 1132
Niagara Falls, NY 14303

Kerrie Gallo and Erin Redding
Co-Chairs, Greenway Ecological Standing Committee
New York Power Authority
123 Main Street
White Plains, NY 10601

Dear Greg, Kerrie, and Erin:

I am writing this letter in support of the Western New York Land Conservancy's efforts to protect an important parcel of natural land on Grand Island. The 43-acre parcel is owned by the Gorrell family who would like to protect the property for the benefit of their community. The new preserve is located along Bedell Road and features meadows and wetlands that provide important wildlife habitat, as well as ecosystem services such as stormwater management. Undeveloped properties along the Niagara River are extraordinarily rare and this property would make a wonderful publicly accessible preserve.

With support from the Niagara Greenway Commission and the Greenway Ecological Standing Committee, the Land Conservancy has already had a significant positive impact on the Niagara River Greenway and the greater Western New York region. Further north, they created the Stella Niagara Preserve on the Niagara River in Lewiston which now has publicly accessible trails and a kayak launch. On Grand Island, they created the Margery Gallogly Nature Sanctuary and opened trails that connect to the adjacent Town park. At the Niagara Gorge, the Land Conservancy is restoring wildlife habitat. All of this work has been supported by the local municipalities and the landowners.

Protecting the new property has the support of the Town of Grand Island and my office. Please consider approving this funding request from the Land Conservancy.

Sincerely,

A handwritten signature in black ink that reads "Sean M. Ryan".

Sean M. Ryan
New York State Senator
61st District

ERIE COUNTY LEGISLATURE
HON. MICHAEL H. KOOSHOIAN
3RD DISTRICT LEGISLATOR



1701 Hertel Ave.
Buffalo, NY 14216
716/832-0493
FAX: 716/832-0494

92 Franklin St., 4th Fl.
Buffalo, NY 14202
716/858-8868
FAX: 716/858-8895

June 6, 2024

Kerrie Gallo and Erin Redding
Co-Chairs, Greenway Ecological Standing Committee
New York Power Authority
123 Main Street
White Plains, NY 10601

Dear Kerrie and Erin,

It is my pleasure to voice my strong support for the Western New York Land Conservancy's application to the Greenway Commission and the Greenway Ecological Standing Committee.

The 43-acre property on Bedell Road under consideration for funding would make a fantastic publicly accessible preserve. The property features meadows and wetlands that provide important wildlife habitat, as well as ecosystem services such as stormwater management. Outdoor recreation is an important source of tourism. My district benefits from the economic, health, and quality of life benefits that our natural resources provide. Protecting the 43-acre Gorrell family property will increase access to nature, and will maintain the character of Grand Island that my constituents deeply value.

The wildlife habitats on this property make it ecologically valuable. By protecting this property, you will protect the systems that filter and clean our water, benefiting the Niagara River and the people who depend on it. The Niagara River is also a destination for all types of outdoor recreation, including fly fishing and kayaking. Maintaining and improving the water quality in the Niagara River benefits everyone.

The Land Conservancy has a strong track record for protecting natural lands on Grand Island, such as the Margery Gallogly Nature Sanctuary, as well as three other protected properties. Protecting and opening the preserve to low impact public access is a priority for my community. The Town of Grand Island is also in support of this project. I can't think of a better organization to help make that happen than the Land Conservancy.

Sincerely,

Michael H. Kooshoian
Erie County Legislator, 3rd District



ANGELO J. MORINELLO
Assemblyman 145th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

RANKING MINORITY MEMBER
Committee on Codes

COMMITTEES
Economic Development, Job Creation,
Commerce and Industry
Labor
Tourism, Parks, Arts and
Sports Development
Veterans' Affairs
Legislative Commission on
Toxic Substances and
Hazardous Wastes

May 29, 2024

Mr. Greg Stevens
Niagara River Greenway Commission
PO Box 1132
Niagara Falls NY 14303

Kerrie Gallo and Erin Redding, Co-Chairs
Greenway Ecological Standing Committee
New York Power Authority
123 Main Street
White Plains NY 10601

Dear Greg, Kerrie and Erin,

I am writing to offer my support of the Land Conservancy's efforts to protect 43 acres of natural land on Grand Island. The Land Conservancy is working with the owner, the Gorrell family, to permanently protect their property, which includes meadows and wetlands that provide important wildlife habitat and ecosystem services, such as stormwater management. Public access on the new preserve is also a possibility. This project is perfectly aligned with the Niagara River Greenway's purpose.

The Niagara River, its islands, shorelines and surrounding forests define my district. Residents of and visitors to my district boat, fish and hunt in these natural places. These places shape the cities and town that I love. Protecting these places will help us protect our important heritage and will help maintain the high quality of life that our families enjoy today. Protecting the Gorrell property and turning it into a publicly accessible preserve will provide more opportunities for my constituents and visitors to access and experience Grand Island.

The Land Conservancy's work throughout my district in past years has been transformative. In Lewiston, New York their Stella Niagara Preserve celebrates our history and provides a connection to the Niagara River. In the Niagara Gorge, they are restoring wildlife habitat so future generations can experience our unique plants and animals.

DISTRICT OFFICE: 800 Main Street, Suite 2C, Niagara Falls, New York 14301 • 716-282-6062, FAX: 716-282-4226
ALBANY OFFICE: Room 404, Legislative Office Building, Albany, New York 12248 • 518-455-5284, FAX: 518-455-5694
EMAIL: morinelloa@nyassembly.gov

PROJECT AGREEMENT
Land Acquisition: Bedell Rd.

Agreement Date: April 10, 2024
Property: 43+/- acres
Bedell Rd., Grand Island, NY
SBL: 23.00-3-4.211
Current Landowners: Janet S. Redinger et al. (via Nancy Gorrell)

Parties to Agreement:

Western New York Land Conservancy, Inc.

Office Address-
11663 Old Strykersville Road
Wales, NY 14052

Mailing Address-
P.O. Box 471
East Aurora, NY 14052-0471

Janet S. Redinger et al.
Nina Goss LPOA
825 N Colony Rd
Grand Island, NY 14072

Background

The Western New York Land Conservancy, Inc. (the "Land Conservancy") and Janet S. Redinger et al. (collectively, the "Landowners"), collectively the "Parties", enter into this non-binding project agreement (this "Agreement") effective as of the Agreement Date set forth above on the basis of the following facts, understandings, and intentions.

- A. Purpose.
This Agreement is evidence of the Parties' willingness and commitment to work towards the sale/purchase of the property identified above (the "Property"). This Agreement neither binds the Land Conservancy to purchase, nor the Landowners to sell or donate the Property; rather, it sets the terms under which the Parties agree to proceed in good faith towards a satisfactory transaction.
- B. Land Conservancy.
The Land Conservancy is a New York not-for-profit corporation within the meaning of Article 49, Title 3 of the Environmental Conservation Law of the State of New York (together with any successor statute, the "ECL") with a mission to permanently protect land with significant conservation value in Western New York for the benefit of current and future generations. The Land Conservancy is organized for conserving real property and is a tax exempt and qualified organization within the meaning of Sections 501(c)(3), 509(a)(1) and 170(b)(1)(A)(iv) of the Internal Revenue Code.
- C. Property.
For the purposes of this agreement, "Property" will mean the parcel of real estate shown on the attached map ("Property Map", Exhibit A). The Property is approximately 43+/- acres in size and vacant, further identified by the following SBL: 23.00-3-4.211.

- D. **Valuation.**

The Landowners and Land Conservancy agree that this transaction will be a fee-title sale of the Property for the appraised value of \$475,000. Purchase of the property is dependent on approval and funding from the Greenway Ecological Standing Committee.
- E. **Access.**

The Property is accessible via frontage on Bedell Rd. with a section of the property divided by Alt Blvd. (paper street). Access to the smaller section of the property on the eastern side will be confirmed by the Landowners. The Landowners agree that the Land Conservancy may access the Property to bring people or groups to visit for the purpose of generating interest in protecting the Property, Property inspections, and all other acquisition related activities contemplated by this Agreement.
- F. **Site Investigation.**

The Land Conservancy and its contractors shall be permitted to enter the Property to complete a Phase I Environmental Site Assessment report, Survey, Appraisal, and a Baseline Documentation Report and to obtain formal approval of the same from the Land Conservancy's Board of Directors as a condition of closing.
- G. **Reliance.**

The Land Conservancy is willing to move forward with the project based upon this Agreement and to incur costs associated with the due diligence, except where noted in this Agreement, required to evaluate the Property for conservation and to raise funds for its acquisition. The Landowners confirm that the following statements are accurate:

 - 1. *Ownership.* No person or party, other than the Landowners, has any ownership or leasehold interest in the Property.
 - 2. *Voluntary Grant.* The Landowners are not obligated to sell or donate the property or donate to the Land Conservancy by virtue of any other contractual arrangement or to satisfy any legal requirement.
 - 3. *Liens.* The Landowners will ensure that all liens are released before the Property is acquired by the Land Conservancy, including any such liens released at closing.
 - 4. *Property Information.* The Landowners will give the Land Conservancy a copy of any lease, easement, or other servitude affecting the Property within ten (10) days of execution of this Agreement. The Landowners will inform the Land Conservancy of any survey or environmental assessment of the Property in its possession or that they are aware of, and these will be furnished to the Land Conservancy within ten (10) days of execution of this Agreement.
 - 5. *Property Condition.* To the best of the Landowners' knowledge, there are no hazardous or toxic wastes or debris, nor any underground storage tanks, on or under the Property.
- H. **Professional Assistance.**

Each party will select any advisors and service providers (e.g., legal and financial advisors) it deems necessary to complete this transaction. Each party will rely solely on the advice and

counsel of its own advisors to determine whether or not any feature of this transaction is in the best interests of the party.

- I. **Information Sharing.**
Parties may share information about the proposed transaction with government agencies and other parties to find funding and to build support for the project.
- J. **Care of Information.**
Notwithstanding Item I above, the Parties named herein will use discretion with respect to the distribution of information learned as a result of this proposed transaction.
- K. **Publicity.**
The Parties will consult with each other about timing and content before issuing any press release or otherwise making any public statements in connection with this Agreement. The party publicly disclosing information will provide a meaningful opportunity to the other party to review and comment upon any draft press release or other announcement and shall give due consideration to all reasonable suggested additions, deletions or changes.
- L. **Project Completion.**
The Parties plan to complete the acquisition of the Property by December 15, 2024. Once this Agreement is signed, the Parties will proceed in good faith to complete the steps outlined below before December 15, 2024. Each party will keep the other advised as to the progress of tasks it is responsible to complete. Time extensions may be requested when there is good cause for the same, and will not be unreasonably withheld.

Steps to Complete the Project

Western New York Land Conservancy

1. **Funding**
The Land Conservancy will initiate fundraising activities, to include private funding sources, grant opportunities, and appeals to the public.
2. **Project Due Diligence**
The Land Conservancy will contract, at its sole cost, for the following project due diligence work: Survey, Phase I Environmental Site Assessment Report, Baseline Documentation Report, Final Appraisal, and obtain formal approval of the same from the Land Conservancy's Board of Directors.
 - a. **Survey-** The Land Conservancy will obtain an updated survey of the Property which complies with NYS survey standards, certified to the Western New York Land Conservancy, Inc. and its title company. The Land Conservancy will not order the survey until it has confidence in its fundraising for the full project and Property purchase. Should the Landowners decide not to move forward with closing after the survey has been ordered, the Landowners will reimburse the Land Conservancy for all costs of the survey.

3. Title

The Land Conservancy will review any title documents provided by the Landowners in a timely manner and will obtain a Title Commitment and Title Insurance at closing.

The Landowners (Janet Redinger et al.)

1. Title

Within 90 days of the signing of this Agreement, the Landowners will provide the Land Conservancy, at Landowners' expense, a fully guaranteed tax and title search covering the Property only, the first set-out of which shall be the first recorded source of title prior to 1920 in the Erie County Clerk's Office, the last continuation of which shall be dated subsequent to the Effective Date and where not covered by the search, a local tax certificate. During the due diligence period, the Landowners will work to remedy any title issues that affect the Premises.

2. Deed

The Landowners will instruct their attorney to prepare a Warranty Deed (the "Deed") and associated required recording documents to effectuate the fee simple acquisition of the Property by the Land Conservancy. The Land Conservancy's Board of Directors and/or its attorney must review and approve the Deed before it can be recorded.

3. Closing Documents

Prior to closing, the Land Conservancy will be supplied by the Landowners with the items listed below. Where applicable, the documents must be properly signed and in form for recording:

- a. The Deed, properly executed by the Landowners and with all exhibits attached.
- b. The signed Baseline Documentation Report certified to be true, correct, and completed.
- c. Evidence satisfactory to the Land Conservancy that no unpaid tax or other liens encumber the Property as of the acquisition date.
- d. Title curatives and any other documents or items required to be produced by the Landowners to establish clear title to the Property.

4. Recording

The Deed will be recorded at the Erie County Clerk's office. Each Party will pay its own costs associated with the closing according to what is customary in Erie County, New York for arm's length transactions. A real property transfer tax will be assessed, which is the responsibility of the Landowners. Notwithstanding anything to the contrary in this Agreement, the Landowners must provide their own checks for closing costs, including but not limited to the payment of transfer tax, recording and filing fees, and any attorneys' fees incurred by Landowner.

Acceptance

The Landowners and the Land Conservancy enter into this non-binding Agreement as of the Agreement Date set forth above.

Landowners

By:  Nina Goss
Janet S. Redinger et al.
Nina Goss
Date: 05/03/24

Western New York Land Conservancy, Inc.

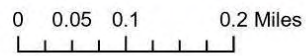
By: 
Marisa Riggi, Executive Director
Date: 5/7/2024

2. MAP



Bedell Rd. Property

 Gorrell



3. PHOTOS





4. TAX EXEMPT STATUS



CINCINNATI OH 45999-0038

In reply refer to: 0256554084
Mar. 05, 2024 LTR 4168C 0
22-3160426 000000 00

00017987
BODC: TE

WESTERN NEW YORK LAND CONSERVANCY
INC
PO BOX 471
EAST AURORA NY 14052



040355

Employer ID number: 22-3160426
Form 990 required: Y

Dear Taxpayer:

We're responding to your request dated Feb. 27, 2024, about your tax-exempt status.

We issued you a determination letter in April 1992, recognizing you as tax-exempt under Internal Revenue Code (IRC) Section 501(c)(3).

We also show you're not a private foundation as defined under IRC Section 509(a) because you're described in IRC Sections 509(a)(1) and 170(b)(1)(A)(vi).

Donors can deduct contributions they make to you as provided in IRC Section 170. You're also qualified to receive tax deductible bequests, legacies, devises, transfers, or gifts under IRC Sections 2055, 2106, and 2522.

In the heading of this letter, we indicated whether you must file an annual information return. If you're required to file a return, you must file one of the following by the 15th day of the 5th month after the end of your annual accounting period:

- Form 990, Return of Organization Exempt From Income Tax
- Form 990EZ, Short Form Return of Organization Exempt From Income Tax
- Form 990-N, Electronic Notice (e-Postcard) for Tax-Exempt Organizations Not Required to File Form 990 or Form 990-EZ
- Form 990-PF, Return of Private Foundation or Section 4947(a)(1) Trust Treated as Private Foundation

According to IRC Section 6033(j), if you don't file a required annual information return or notice for 3 consecutive years, we'll revoke your tax-exempt status on the due date of the 3rd required return or notice.

You can get IRS forms or publications you need from our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions, call 877-829-5500 between 8 a.m. and 5 p.m.,