

Regardless of whether you support or do not support the Parkway Closure option for the Bike Path the Supervisor and Mark Thomas had no right to deny the town the opportunity to provide input to the SEQR process which is allowed as part of the Lead SEQR designation process. Their decision to not allow the Town to participate in the Lead Agency designation input process was a decision they had no right or authority to make.

The SEQR assessment includes the following assessments:

- **Public health and safety:** Town input likely would have forced Thomas to address concerns that to date he has refused to address. If the town had, which it likely would have, submitted an observation of significant public health and safety concerns this may have forced a review that may have changed the plan to close the Parkway – it would have created yet another serious hurdle.
 - The Service road with 500 cars daily had 12 accidents over five years – shifting 1500 cars daily onto this road would increase this number to a projected 48 accidents over the next 5 year period.
 - This is a significant health and safety concern that is created by closure of the Parkway and it is not possible to argue it is not a significant health and safety concern.
 - This would make a negative declaration impossible – this concern was never addressed by Mark Thomas in the SEQR.
- **Two categories apply to the following concern: 1) Critical Environmental Area and 2). Vegetation, Fish, Wildlife, significant habitat and Threatened and ednagered species :** Town input likely would have forced Mark Thomas to address the fact that the corridor impacted by this project is one of most prime nesting areas along the Upper Niagara River and is sited as such by the Audubon Society and many others – a concern submitted to Thomas several times. Between May and July many thousands of migratory birds and rare and protected birds nest along this 8 mile stretch. This project includes major disruption right to the waters edge and will destroy this nesting. This should have resulted in a significant observation – and a negative declaration would not have been possible. This project impacts this habitat both short and long term – this concern was never addressed and Mark Thomas ignored this concern submitted by the Town in several meetings..
- **Community Plans, use of land or natural resources:** the Town is on record rejecting the closure of the Parkway. The town Board felt it was not consistent with the community plan and use of the land. This is on record with the Parks and was ignored in the SEQR process and again was ignored in the SEQR what was an incomplete and inaccurate SEQR process.