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Clean Air congratulates Mayor-elect Sean Ryan and his entire team on his well fought electoral win. We are excited for the potential of a shift away from the machine politics that have dominated the city's policies for the past half-century. Mayor Ryan also promises that his administration will be the most labor-friendly administration in Buffalo's history, which we find extremely heartening.

Since roughly 2005, Clean Air has organized grassroots-run campaigns for environmental justice and public health in the Buffalo-area, and today runs several campaigns within the City of Buffalo. Many of the policies we have advocated for at the local level have stalled out due to opposition or reticence from City Hall, but we feel the new administration may be more amenable to adopting some of these policies that we have long fought for.

We understand, though, that the incoming administration will also have a challenging time in office - from the longstanding and worsening fiscal status of the city, to existential threats from white nationalist fascism and climate change, to simply keeping the streets and sidewalks paved and plowed, Mayor Ryan will have a challenging agenda to tackle.

Clean Air members and staff are eager to support the incoming Ryan administration in tackling environmental justice-oriented policy goals. **If any of the Transition Teams would like to meet with us to discuss any of the policies we suggest in this memo further in depth, we will happily accommodate your scheduling.**

Please reach out to our Executive Director, Chris Murawski, for more information. He can be reached at chris@cacwny.org or at 716-852-3813.

We urge the Transition Team and incoming Ryan administration to consider pursuing, planning, and implementing the following policies in this memo during the first 100 Days and over the course of the next four years.



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Justice for Delavan-Grider: American Axle

For over a decade, Clean Air has have organized with residents in Delavan-Grider to begin the long term remediation of contaminants at the former American Axle¹ industrial site at 1001 East Delavan, including significant PCB leakage that has reached the Scajaquada Creek pipe that runs under the property.

Part of a Superfund remediation process includes establishing a Community Advisory Group, which is a body of resident leaders, technical staff, site developers, governmental officials, and other stakeholders to provide oversight of the clean up and to facilitate communication with the public on the progress.

While this body is best convened by the municipal government where the remediation is ongoing, due to reticence by prior administrations to host a Community Working Group, we instead needed to go through the Erie County Legislature to secure one.

We recommend that the incoming Ryan Administration formally adopt this Community Working Group within the City of Buffalo's governance and begin convening these meetings regularly, alongside the CAGs for the Northland-Beltline development.

We also recommend that the city work with residents to develop a strategic plan and find funding to investigate and remediate potential contaminants in the surrounding community, from lead exposures to potential seepage or deposits of air emissions from the former industrial operations.

Justice for Seneca Babcock: Battaglia Demolition

Under the leadership of Mayor Brown, the City of Buffalo engaged in a large-scale “5 in 5” demolition plan, with an initial goal to demolish 5,000 houses in the city in five years, which quickly became one of the key tactics of his economic development plans.

¹ <https://www.cacwny.org/campaigns/delavan-grider/>



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One of the demolition contractors and debris processors the city contracted with was Battaglia Demolition². Battaglia Demolition would truck the debris from demolished houses to a landlocked light industrial parcel on Peabody Street behind residential properties for processing, which included crushing of concrete.

Residents in Seneca Babcock, particularly on Peabody Street, were poisoned by the silica dust produced from this processing.

After operating without a state air permit for years, in 2018 Battaglia's operations on Peabody Street were ordered to cease immediately. In 2022, after pressure from Clean Air urging intervention, the City of Buffalo stepped in directly to demolish the hulking burnt out warehouse structure that Battaglia Demolition left on the property. Today, the New York State Attorney General's Office continues to pursue a court case against Peter Battaglia, the owner of the company, but many questions remain for the future of Peabody Street.

We urge the City of Buffalo to work with the residents of Peabody Street to determine the future uses of Battaglia-owned properties in the Seneca-Babcock neighborhood, including several vacant houses. While residents must be involved in the final decisions, given that the light industrial parcel where the demolition processing occurred is landlocked, a passive use is likely the best direction, such as planting pine trees to address air quality issues.

Permits and Inspections and Contractor Oversight

Clean Air feels that Permits and Inspections must better prioritize the environmental justice impacts of "light" industrial operations in the City of Buffalo which fall below the oversight threshold of the NYS Department of Environmental Conservation. Time and again, the concerns residents bring to us could have been resolved initially with robust regulatory oversight by Permits and Inspections.

For example, in the Northland Beltline area, Clean Air has recently supported residents calling attention to underpermitted or unpermitted junk yards. In one instance, because Permits and Inspections had not directly examined a tire dump

² <https://www.cacwny.org/campaigns/senecababcock/>



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until Clean Air flagged the issue for investigation, a facility had brought in enough tires that it rose above the threshold of requiring DEC permits, and once this was brought to the attention of the DEC, the facility chose to close and move the tires off site rather than bring its current operations into compliance.

If Permits and Inspections were directed to conduct more oversight of light industrial operations, Clean Air would not have needed to intervene, and this business may have continued in the community with a much smaller footprint that would not have been of concern or threat to residents.

In addition to the above case with Battaglia, Clean Air has also recently worked with residents in the Seneca-Babcock community as well as in the Lovejoy neighborhood to address another problematic city contractor, Geiter Done³⁴. With Geiter Done, which processes organic materials as well as abandoned tires at two separate facilities in these neighborhoods, the light industrial operations simply grew in size to no longer fit within the original footprints, and until residents flagged their concerns, Permits and Inspections did not take action.

There is a certain absurdity to these situations as a city resident - you are paying taxes to the city that are then being used to pay contractors to cause environmental injustices within your neighborhood, including very direct health harms. Greater oversight of light industrial operations run by contracted servicers would improve the lives of the residents of the City.

We recommend that the Ryan Administration direct Permits and Inspections to prioritize regulatory oversight of light industrial operations above nuisance concerns like tall grass at residential properties which have been the priority focus as part of Broken Window theories of governance, and also **develop a strong code of conduct for city contractors** that includes agreeing to regular inspections of their facilities and operations.

³ <https://www.cacwny.org/campaigns/lovejoy/>

⁴ <https://www.wkbw.com/news/local-news/like-rotten-eggs-seneca-babcock-neighborhood-complains-of-foul-odor-around-green-waste-facility>



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Neighborhood Hubs

From the Covid Crisis to the Christmas Blizzard of 2022 to 5/14, Buffalo residents have been through several mass scale emergencies in recent years, and given both the national political instability as well as worsening weather due to climate change, we can and should expect more mass scale emergencies for the foreseeable future.

Centralized emergency response and planning simply cannot meet all of the challenges of the 21st century. While government response should be the baseline plan, during the immediate crisis, residents must be able to support each other, and neighborhoods need a certain amount of established resiliency and infrastructure to independently weather disasters until government response can catch up.

Neighborhood mutual aid networks are just as important during crisis moments as any established municipal program.

Clean Air, alongside a coalition of local organizations, applied for and was awarded a \$20 million EPA Community Change Grant in 2024⁵, which would have focused on building a network of Neighborhood Hubs rooted in mutual aid and climate resilience for emergency preparedness within the City of Buffalo. Unfortunately, the Trump administration cancelled funding for this program before any funding was distributed⁶, but, recognizing how crucial this work is, this coalition has continued to forge forward with a scaled down program and private grant funding.

We urge the incoming Ryan administration to meet with the leadership of this coalition to discuss how to adopt some of this programming into the city's emergency response, such as working with these groups to make investments in and establish training programs at city community centers and at public schools.

Data Center Regulations

From noise pollution to energy and water demands and beyond, Data Centers in recent years have become a significant concern to local governments, and here in

⁵<https://www.pushbuffalo.org/epa-announces-20-million-communities-change-grant-to-push-buffalo-and-local-groups/>

⁶<https://earthjustice.org/article/trumps-epa-cancelled-350-environmental-justice-grants-then-congress-cut-funding-for-future-projects-heres-why-that-matters>



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the City of Buffalo, we are home to several smaller size ones currently⁷. At this time, data centers within the city of Buffalo have not yet risen to a level of serious concern for nearby residents as it has in North Tonawanda or Niagara Falls, but without pre-emptive action to develop local regulations, problems could emerge extremely rapidly.

As an example, Clean Air and partners⁸ were greatly alarmed by the news earlier this year that TESLA intended to make a half billion dollar investment in the South Buffalo facility to install a data center.

In Memphis Tennessee, a similar recent investment into a new data center for xAI, another Elon Musk-owned company, was powered by a fleet of over 30 natural gas generators which were installed within a matter of weeks without any air permits, immediately causing air emissions in the adjacent community⁹.

Clean Air members feared that similar practices would be adopted at the South Buffalo facility, and once questions began to be asked of the company about this potential, TESLA quietly pulled the plug on plans for the data center, which we feel indicates that this was in fact the planned source of power.

Without established regulations for data centers, site fights such as this one will continue to pop up periodically. **Clean Air urges the incoming Ryan Administration to immediately pursue a two-year moratorium on any data centers** within the City of Buffalo to allow for the city to examine best practices for this emergent industrial sector, develop local-level regulations, and to implement any statewide regulations the NYS legislature passes in that time.

Public Power Projects

Following the passage of the Climate Leadership and Community Protection Act, other bills have passed which are aimed at implementing practices and programs to meet the ambitious greenhouse gas emission reduction targets of the CLCPA.

⁷ <https://www.datacentermap.com/usa/new-york/buffalo/>

⁸ <https://ppgbuffalo.org/news-and-events/news/article:07-22-2025-12-00am-new-policy-brief-on-failed-tesla-deal-calls-for-a-fresh-start/>

⁹ <https://www.politico.com/news/2025/05/06/elon-musk-xai-memphis-gas-turbines-air-pollution-permits-00317582>



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Among these bills is the Build Public Renewables Act, passed in 2023, which arose as a response to the slow progress of renewable energy project deployment by the private sector, and gives the New York Power Authority direct ability to build publicly-owned renewable energy projects.¹⁰

Since the passage of the BPRA, NYPA has sought sites for potential projects, and **we strongly urge the Ryan administration to reach out to NYPA and other state agencies to express interest in hosting renewable energy projects on city-owned properties.**

For example, with “big dig” projects like Allen Street’s reconstruction or Buffalo Sewer Authority’s Queen City Clean Waters Initiative or large scale campus projects at places like the University at Buffalo and Medical Campus, Buffalo could incorporate Thermal Energy Networks¹¹ for neighborhoods with the other underground infrastructure projects.

Rooftop and ground-level solar arrays could also be installed on a multitude of municipal properties, such as community centers or over parking lots - studies and plans for this avenue have been explored¹², but implementation by the city has been slow.

The City of Buffalo could also work with adjacent municipalities to coordinate larger scale renewable energy projects, and could become a state and national leader in a Just Transition, preserving and creating unionized jobs while shifting away from reliance on fossil fuels for power and heat.

Inviting In Non-profit Sector - Participatory Budgeting, Brownfield Mapping, and more

There are longstanding issues of distrust between non-profit organizations and the City of Buffalo, especially over policy disputes. Many organizations skip working with

¹⁰ <https://www.thenation.com/article/environment/build-public-renewable-act-draft-strategic-plan/>

¹¹ <https://nysaflcio.org/news/union-strong-podcast-thermal-energy-networks-pipeline-union-jobs>

¹² <https://www.buffalony.gov/DocumentCenter/View/11099/Priority---Climatecleaned?bidId=>



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the City entirely, choosing instead to seek partnerships with county and state agencies for the sake of expediency.

The Ryan administration has an opportunity to shift this culture and make policy development more productive and grassroots oriented by actively making an effort to invite in non-profit policy organizations for meaningful partnerships. In addition to collectively developing stronger public policies, actively working with the non-profit policy sector will also have the added bonus of increasing civic engagement and deep democracy to tackle systemic equity issues.

For example, rather than contracting exclusively with for-profit consultants and developers, the Ryan administration could reach out to community organizations for their expertise, especially for community outreach and engagement efforts, but also for more technical projects, such as street design.

Clean Air, for example, championed Participatory Budgeting as a campaign during the 2010s¹³, but largely shifted away from PB as a dedicated campaign as other campaign priorities arose and the City of Buffalo proved reluctant to officially adopt PB as a standing practice in budgeting processes. We continue to utilize PB as a tactic within other larger campaigns.

As the City struggles with our fiscal straits, PB processes could help identify potential cost cutting measures or revenue sources that have not yet been pinpointed. At the very least, it would mean that residents would have a better understanding of the budgetary constraints the city is presently facing, and with that understanding there would be less opposition to any funding cuts that must be made as a result. Clean Air would be honored and thrilled to facilitate PB workshops in partnership with the city.

Similarly, Clean Air has sought partnerships with local municipalities to run an education program to teach the public about how to identify potential brownfields in our region and document potential contamination sources that residents and former workers may know of, and to then work with an educated public to inventory and map potential brownfields in our community. Brownfield developers can then use

¹³ <https://www.pbbuffalo.org/>



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this inventory and map to target properties for remediation and reactivation, including testing properties for potential contamination.¹⁴¹⁵

In some instances, these tests will come back negative, and these test results will allow developers to dispel community perceptions of contamination where none exists, which will remove barriers to conventional financing and smooth the path to redevelopment of the property. In other instances where the tests come back positive, the contamination and potential health risks can then be addressed directly, removing a public health hazard and allowing the property to be brought back into productive use.

While we have received interest from one area municipality, the NYS Brownfield Opportunity Area program we would like to pursue for funding is designed for regional projects, so we have been informed that applications most likely to be funded generally include at least three participating municipalities, preferably neighboring municipalities. If the City of Buffalo were to join our effort, we feel other municipalities would be far more interested in supporting this project.

Big Vision: Office of Environmental and Climate Justice

Finally, we wish to introduce the idea of an Office of Environmental and Climate Justice to be housed on the Third Floor of City Hall.

While we have tossed this idea around for years internally, we have honestly not fully formulated this particular thought, as until this past election, we simply felt the idea was a non-starter.

We feel, though, that a Ryan administration will be far more open to this idea - imagine a coordinated one-stop for environmental justice concerns, rather than splitting concerns across multiple departments without a clear plan to address issues holistically. New York City has an established office that could be examined as a model.¹⁶

¹⁴ https://groundworkusa.org/wp-content/uploads/2023/08/GWUSA_Brownfields_Tutorial_080123-1.pdf

¹⁵ <https://www.njit.edu/njbrownfields/sites/njit.edu.njbrownfields/files/Brownfields%20Inventory%20Guide.pdf>

¹⁶ <https://www.nyc.gov/content/climate/pages/>



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Broadly, imagine a single office within the Mayor's cabinet for coordinating with Permits and Inspections, Erie County Department of Health, and the New York State Department of Environmental Conservation to address environmental polluters in the city, as well as work with Public Works and dedicated climate justice-focused planners at the Office of Strategic Planning to equitably coordinate infrastructure investments and address concerns such as tree cover disparity.

This office could work to bring existing plans and recommended policies to fruition, as well as better connect residents to existing programs, such as the Buffalo Street Trees initiative¹⁷ or act on the conclusions of the Wintermission study¹⁸.

One of the core goals could be preventing climate gentrification¹⁹, and coordinate housing investment programs that are difficult for the public to navigate, which leads to continued deferred maintenance issues for homeowners, and eventually forced sales and displacement. If the overall policy goals of these programs are to remediate asbestos and lead, weatherize, electrify, preserve, and keep families in homes, then accessing these programs should be as simple as possible for the average homeowner, with City Hall streamlining programs as smoothly for homeowners as it does for developers.

This office could tie together many of the above suggested policies, such as being the home for Community Working Groups, or confidentially field whistleblower calls about city contractors acting unethically. It could bring together stakeholders to facilitate conversations about large infrastructure projects like the 33 and 198, so that community opposition does not arise after projects begin to move forward, causing stall-outs and stoppages before shovels ever are put in the ground.

Staff could be dedicated to researching and implementing innovative programs and policies for environmental and climate justice, such as those profiled in the report "Local Land Use Policy for Environmental Justice" produced by the New School's Tishman Environment and Design Center.²⁰

¹⁷ <https://www.buffalotrees.org/>

¹⁸ https://www.880cities.org/portfolio_page/wintermission/

¹⁹ <https://globalresilience.northeastern.edu/climate-gentrification-why-we-need-to-consider-social-justice-in-climate-change-planning/>

²⁰ <https://www.tishmancenter.org/projects-publications>



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Conclusion

Clean Air urges the incoming Ryan Team to explore these ideas with us - and to dream big.

To re-emphasize, Clean Air members and staff are eager to support the incoming Ryan administration in tackling these and other environmental justice policy goals, and would love to meet with any of the Transition Teams for further discussion.

Please reach out to our Executive Director, Chris Murawski, and we will accommodate your scheduling. He can be reached at chris@cacwny.org or at 716-852-3813.

**“Make no little plans, they have no magic in them to stir
men’s blood.” - Daniel Burnham**