A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "**Agency**" or "**GCEDC**") was convened in public session at 99 MedTech Drive, Suite 106, Batavia, New York 14020, on February 5, 2026, at 4:00 p.m., local time.

The meeting was called to order by the Chairman and, upon roll being called, the following members of the Agency were:

PRESENT:

Peter Zeliff, Chairman
Matthew Gray
Craig Yunker
Paul J. Battaglia
Laurie Mancuso
Chandy Kemp
Kathleen Manne

ABSENT:

THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:

Mark Masse	President & CEO
Matthew Fitzgerald	Legal Counsel

The attached resolution no. 02-2026-02 was offered by C. Yunker, seconded by L. Mancuso:

Resolution No. 02-2026-02

RESOLUTION OF THE GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER ACCEPTING RESPONSIBILITY TO ACT AS LEAD AGENCY FOR THE REVIEW OF PROJECT DOUBLE REED PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

Project Name: Western New York Science and Technology Advanced Manufacturing Park ("**STAMP**") - Project Double Reed

Location: 6840 Crosby Road, Town of Alabama, NY 14013 ("**Site**")

WHEREAS, the Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Center ("**GCEDC**" or "**Agency**"), in conjunction with the Genesee Gateway Local Development Corporation ("**GGLDC**"), the non-profit real estate affiliate of the GCEDC, STAMP Sewer Works, Inc. ("**SSW**"), and STAMP Water Works, Inc. ("**SWW**"), have been working on the development of the Western New York Science & Technology Advanced Manufacturing Park ("**STAMP**" or the "**Project**"), an advanced manufacturing technology campus on approximately 1,262 acres located on the west side of New York State Route 63/77, approximately five miles north of the I-90/New York State Thruway ("**Site**") in the Town of Alabama, New York ("**Town**"); and

WHEREAS, the Agency is authorized and empowered by the provisions of the Chapter 1030 of the Laws of 1969 of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "**Enabling Act**") and Chapter 71 of the 1972 Laws of New York, as amended, constituting Section 895-e of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "**Act**") to promote, develop, encourage and assist in the acquiring, constructing, renovating, improving, maintaining, equipping and furnishing of commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, development of STAMP has undergone comprehensive and thorough review of environmental impacts pursuant to the State Environmental Quality Review Act ("**SEQRA**"), resulting in the completion of Final Generic Environmental Impact Statement ("**FGEIS**") and the issuance of a written Findings Statement ("**2012 Findings**") on March 12, 2012; and

WHEREAS, subsequent development and modifications to STAMP have undergone extensive additional SEQRA review pursuant to the FGEIS and the 2012 Findings including a smart growth impact statement ("**SGIS**"); a 2016 Amended Findings Statement to the FGEIS ("**2016 Amended Findings**"); a 2020 Amended Findings Statement to the FGEIS ("**2020 Amended Findings**"); a 2021 SEQRA determination ("**2021 SEQR Determination**"); a 2022 SEQR update ("**2022 SEQR Update**"); a negative declaration issued in 2022 ("**2022 Negative Declaration**"); an amendment to the 2022 Negative Declaration ("**2022 Second Amended Negative Declaration**"); a negative declaration in 2023 (the "**February 2023 Negative Declaration**"); and an additional negative declaration in 2024 (the "**2024 Negative Declaration**"); and

WHEREAS, together, the FGEIS, the 2012 Findings, the SGIS, the 2016 Amended Findings, the 2020 Amended Findings, the 2021 SEQR Determination, 2022 SEQR Update; 2022 Negative Declaration, 2022 Amended Negative Declaration, 2022 Second Amended Negative Declaration, the February 2023 Negative Declaration, and the 2024 Negative Declaration constitute the prior environmental reviews for STAMP (collectively, these documents, including each and every supporting document referenced therein, are referred to as the "**STAMP GEIS**"); and

WHEREAS, in connection with the Project, on December 12, 2025, the Agency received an application ("**Application**") from Stream U.S. Data Centers, LLC, for itself or on behalf of an entity formed or to be formed by it or on its behalf (the "**Company**") for the purchase of land for the proposed construction and operation of a multi-building data center project at STAMP ("**Project Double Reed**"); and

WHEREAS, the Agency at its December 18, 2025 board meeting issued a resolution declaring its intent to act as the lead agency ("**Lead Agency**") for the coordinated SEQRA review of Project Double Reed as a Type I action, as the agency with primary responsibility for the review and approval of Project Double Reed; and

WHEREAS, by letter dated December 23, 2025, the Agency transmitted a notice ("**Notice**") to all interested and involved agencies of its intent to act as Lead Agency for the SEQRA review of Project Double Reed; and

WHEREAS, the Notice included the Application as well as a copy of the full environmental assessment form ("**EAF**") and supporting SEQRA documentation provided with the Application, and requested acknowledgement of consent for GCEDC to serve as lead agency for the coordinated SEQRA review of Project Double Reed; and explaining that under SEQRA, each involved agency, as that term is defined in SEQRA, has 30 days from the date the Notice was transmitted to contest GCEDC's role as lead agency, and an involved agency's failure to respond within 30 days would be deemed to have consented to the re-establishment of the GCEDC as lead agency; and

WHEREAS, by letters to the Agency dated January 15, 2026 (but signed on January 14, 2026) the Town of Shelby Town Board and the Shelby Planning Board ("**Shelby Agencies**") indicated that they did not consent to GCEDC acting as Lead Agency ("**Shelby Comments**"); and

WHEREAS, by letter dated January 23, 2026, GCEDC counsel wrote to the Shelby Agencies explaining that because they are "interested" and not involved agencies for Project Double Reed, their consent is not necessary but inviting them to provide more detailed comments on the Application; and

WHEREAS, by letter dated January 16, 2026 from Chairperson Lynne M. Johnson ("**Johnson Letter**") purportedly on behalf of the Orleans County Legislature ("**Orleans County**"), Chairperson Johnson objected to GCEDC's role as Lead Agency, and requested that the New York State Department of Environmental Conservation ("**NYSDEC**") assume Lead Agency status for Project Double Reed; and

WHEREAS, by letter dated January 26, 2026, GCEDC counsel wrote to NYSDEC Commissioner Amanda Lefton and NYSDEC Region 8 Director Timothy Walsh explaining that Orleans County was also not an involved agency for Project Double Reed, and that in addition, the Johnson Letter was a legal nullity regardless of Orleans County's agency status because it failed to follow the procedural requirements under SEQRA to dispute lead agency status; and

WHEREAS, the 30 day period expired on January 22, 2026; and

WHEREAS, several involved agencies have provided their consent to the GCEDC acting as lead agency while all others have not responded to the Notice; and

WHEREAS, by letter dated January 28, 2026, the New York State Department of Environmental Conservation confirmed that it does not object to GCEDC being reestablished as lead agency.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER AS FOLLOWS:

Section 1. The Agency, having served as the Lead Agency for all development related to STAMP since its inception, proposes to conduct a coordinated review for this Type I action and believes, as the entity with primary responsibility for the review and approval of Project Double Reed, that it is in the best position to investigate all potential impacts associated with Project Double Reed (in close cooperation with involved and interested agencies), and has the authority to impose any and all appropriate mitigation measures.

Section 2. As no involved agency has disputed the Agency's role as Lead Agency within the 30 days allotted under SEQRA, the Agency declares that it is the Lead Agency for the SEQRA review of Project Double Reed and accepts the obligations of lead agency for Project Double Reed pursuant to SEQRA.

Section 3. The President & CEO of the Agency are hereby authorized and directed to distribute appropriate notice of this Resolution to all potential interested and/or involved agencies and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 4. This Resolution, which was adopted by a majority vote of the Agency on February 5, 2026, shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Peter Zeliff	VOTING	Yes
Matthew Gray	VOTING	Yes
Paul Battaglia	VOTING	Yes
Laurie Mancuso	VOTING	Yes
Chandy Kemp	VOTING	Yes
Kathleen Manne	VOTING	Yes
Craig Yunker	VOTING	Yes

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF GENESEE)

I, the undersigned Secretary of the Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Center (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the Agency, including the Resolution contained therein, held on February 5, 2026 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 5th day of February, 2026.

Secretary