June 25, 2026

Mark A. Masse, CPA
President & CEO
Genesee County Economic Development Center
99 MedTech Drive, Suite 106
Batavia, NY 14020

RE: Sierra Club's Supplemental Written Comments Regarding Geotechnical Report for the North Campus

Dear Mr. Masse,

We have received supplemental comments dated June 18, 2026 ("Geotech Comments"), from Stephen D. Daly, Esq., counsel to the Sierra Club, Atlantic Chapter ("Sierra Club"), regarding the geotechnical investigation report ("Geotech Report") submitted by Stream U.S. Data Centers, LLC ("Stream") for the North Campus of the proposed data center development at STAMP ("Project Double Reed"). The Geotech Comments raise three individual points, two of which we address below. The third, regarding the site plan approval process, is deferred to the Town of Alabama Planning Board ("Planning Board") for review and consideration.

Our review is limited to evaluating consistency with the previously adopted GEIS and the approved SWPPP framework based on the Geotech Report.

The two relevant[1] comments are as follows:

1. The GEIS assumed site soils do not present unusual or unanticipated conditions, that site grading would be balanced, and that no significant impacts to surficial geology would result from development of STAMP; however, the Geotech Report is asserted to contradict these conclusions.

2. The stormwater pollution prevention plan ("SWPPP") developed for the Project does not include information regarding soil characteristics and infiltration identified in the Geotech Report.

By this letter, we respond to the comments above. Based on our review of the GEIS, the SWPPP for the North Campus, and our familiarity with extensive prior engineering work

1. A third comment asserted in the Geotech Comments dealt with the ability of the Town of Alabama Planning Board's ("Planning Board") to issue a site plan approval determination based on the information in the Geotech Report. This issue is beyond the purview of CPL's review of Project Double Reed and we defer to the Planning Board and its counsel on this issue.

performed for STAMP development, we do not agree with the Geotech Comments allegations of inconsistencies with the GEIS or the SWPPP framework.

Geotech Comment Responses

1. ***Does the Geotech Report contradict the GEIS expectations?***

The Geotech Comments assert the following:

> *First, the GEIS for the STAMP Site assumed that site soils do not present unusual or unanticipated conditions, that grading for site construction would be minor and balanced, and that no significant impacts to surficial geology were expected. See DGEIS 6-2.*
>
> *The Geotechnical Report for the North Campus fundamentally contradicts these conclusions from the earlier environmental review. The Geotechnical Report demonstrates that the site soils are not suitable to support the Project's massive buildings without major intervention. The Report confirms that the site is underlain by compressible soils incapable of supporting the proposed structures without (i) substantial ground improvement or deep foundation systems extending up to 55 feet below grade, (ii) significant grade increases exceeding 10 feet, and (iii) controlled settlement over weeks to months. This is heavily engineered and intrusive subsurface construction that essentially requires the site to be reengineered before construction can even begin. These construction and geotechnical impacts were not analyzed in the GEIS and require a supplemental environmental impact statement focused on construction and geotechnical impacts.*

CPL Response:

The Draft GEIS at section 6.1 provides an examination of the geology and topography of the STAMP Site. As relevant here, § 6.1 states:

- The Project Site's natural topography will be largely maintained and utilized in order to provide enhanced minimization of the potential visual impacts the Project may have on the surrounding properties. It is further anticipated that grading both on and off the Project Site will be balanced such that the amount of cut is approximately equal to the amount of fill for any given component of the Project. Topography will thus not be significantly altered by this approach.

- There is no anticipated adverse impact to bedrock resulting from the Project. There will not be any significant bedrock removal resulting from construction activities. Development within the Project Site is not anticipated to extend to buried bedrock. Buried utilities may be installed within the top surface of bedrock, below frost lines.

Such bedrock construction techniques are common to the area and region, and do not present any unusual or unanticipated circumstances.

- Soils within the targeted development areas of the Project Site do not present any unusual or unanticipated conditions for construction activities. As a result of the Project, significant loss of topsoil is not anticipated.

The Site Plans indicate that grading across portions of the North Campus will include areas of net fill. The GEIS discussion of "balanced grading" was conceptual in nature and intended to describe an overall site development approach rather than to establish a strict quantitative requirement for each individual project or site component. Final grading for specific developments is determined through detailed engineering design and subject to review and approval by the Planning Board. Accordingly, the presence of fill in the current Site Plans does not, in itself, indicate a contradiction of the GEIS assumptions.

Furthermore, the construction of the buildings proposed for Project Double Reed is consistent with the development anticipated under the GEIS. Soil conditions and geology at the STAMP Site have not materially changed since adoption of the GEIS, nor have the overall development assumptions for STAMP materially changed since they were first evaluated. The GEIS contemplated that the largest and most intensive uses on the STAMP Site would be located in the area now proposed for Project Double Reed. The Project Site was rezoned in accordance with the GEIS as TD-1 to permit data centers as an allowed use. The GEIS also anticipated that buildings within the TD-1 district could be up to 110 feet in height and as large as 2 million square feet.

Project Double Reed, by comparison, is proposed with a maximum building height of approximately 65 feet and building footprints of approximately 664,000 square feet. The Geotech Report identifies potential subsurface conditions and recommends foundation and soil improvement approaches, including the possible use of rigid inclusions or micropiles at depth. These are widely used, conventional foundation solutions for sites with variable or compressible soils and are routinely implemented on large-scale industrial and commercial developments. Similar ground improvement and deep foundation systems have been utilized across comparable projects, to address site-specific subsurface conditions.

Such approaches are developed based on site-specific geotechnical investigations, with detailed design and implementation performed by the project's geotechnical and structural engineers in accordance with established engineering practice. These methods do not represent unusual construction techniques and are not expected to introduce atypical risks beyond standard construction considerations. The Project does not propose significant bedrock removal or broad modification of the underlying site geology.

Controlled settlement is a standard geotechnical practice commonly used on sites with

compressible soils. It typically involves preloading and monitoring to allow the soils to consolidate and reach anticipated settlement conditions prior to construction.
While this approach is not uncommon, it does require additional time for preloading and verification, along with instrumentation and monitoring to confirm performance. In this case, the reference to controlled settlement is intended to reflect the level of site preparation and sequencing required, not that the method itself is unusual.

As reflected in the Geotech Report, the subsurface investigation has identified areas where soil conditions may warrant alternative foundation or soil improvement approaches. The report presents multiple potential methods to address these conditions. Selection, design, and performance of these approaches will be determined through the project's final engineering design process. This is standard engineering practice.

Accordingly, the recommendations and conditions described in the Geotech Report were anticipated under the GEIS and do not present any unusual or unanticipated construction design issues that could result in significant adverse impacts to the surrounding groundwater or geology.

2. ***Does the Geotech Report contradict the North Campus SWPPP?***

The Geotech Comments assert the following:

> *Third, the Geotechnical Report also includes information that must be considered in relation to the site's stormwater engineering. The Geotechnical Report describes how the site has very poor drainage and essentially zero infiltration, meaning that stormwater will need to be managed entirely through engineered systems.*
>
> *Yet the North Campus's Stormwater Pollution Prevention Plan and Design Report ("SWPPP") was prepared between January-March 2026, apparently before the Geotechnical Report was completed. As a result, the SWPPP does not reflect the actual engineering reality of the site.*
>
> *The SWPPP, for example, assumes that post-development drainage patterns will generally be maintained relative to existing conditions, but the Geotechnical Report describes how site grades will be raised by more than 10 feet in areas. Moreover, the Geotechnical Report concedes that settlement is expected to occur and must be monitored before any construction can proceed. The SWPPP, therefore, assumes stable, pre-defined drainage patterns, but the Geotechnical Report confirms that the site will undergo extensive regrading and settlement that are likely to affect post-development drainage.*

The SWPPP also assumes generic/linear construction phasing, but the Geotechnical Report makes clear that the project will necessitate a highly managed construction sequence, consisting of settlement waiting periods, monitoring platforms, staged fill, and intensive protection from moisture degradation. With different sequencing, the erosion and sedimentation risks may be underestimated in the SWPPP.

In short, the SWPPP appears to have been prepared before the Project's geotechnical constraints were fully understood and does not adequately account for the extensive site preparation and construction activities contemplated in the Geotechnical Report. As a result, both GCEDC and the Planning Board lack a complete and reliable basis to evaluate stormwater impacts.

CPL Response:

The SWPPP for the North Campus received authorization from the New York State Department of Environmental Conservation's General Permit for Stormwater Discharges from Construction Activity under New York's SPDES program (GP-0-25-001) on June 12, 2026. Furthermore, the SWPPP includes a separate geotechnical investigation dated March 18, 2026 ("SWPPP Report"), undertaken specifically for areas of the North Campus proposed to be developed as stormwater management facilities. The SWPPP Report references infiltration parameters consistent with those identified in the geotechnical report prepared by Whitestone, which is included in Appendix S of the SWPPP.

The SWPPP also contemplates phased construction and was prepared in accordance with Site Plans submitted on March 18, 2026. The overall grading framework reflected in the SWPPP remains consistent with the proposed site development approach.

The commenter's assertion seems to be based on a misunderstanding of the scope and purpose of a SWPPP. A SWPPP is focused on stormwater runoff, erosion and sediment control, and post-construction stormwater management, and is developed based on the proposed civil grading and drainage design. It is not intended to evaluate or account for detailed structural fill placement, subsurface ground improvement, or foundation design elements.

Site grading associated with structural fill, including areas where grades may increase on the order of 10 feet, is part of the overall site and geotechnical design process and is routinely incorporated into final grading plans that form the basis of the SWPPP analysis. Similarly, settlement identified in the Geotech Report is addressed through standard pre-construction measures to establish stable subgrade conditions prior to final grading and

drainage infrastructure installation. The SWPPP is therefore based on the stabilized, post-construction condition, not interim conditions during ground improvement or consolidation.

Accordingly, the Geotechnical Report and SWPPP address different and complementary aspects of site development and are not in conflict. The conditions described are typical for sites requiring fill and ground improvement and do not invalidate or alter the technical basis of the SWPPP. No revisions to the SWPPP are warranted on this basis.

Conclusion

Based on our review of the Geotech Comments, the Geotech Report, the SWPPP, and the SWPPP Report for the North Campus, and our extensive experience at the STAMP site having served as GCEDC's engineers on STAMP since the project was commenced,[2] we do not identify inconsistencies with the conditions and assumptions set forth in the GEIS or with the SWPPP framework. The Geotech Report does not indicate a departure from the development conditions contemplated under the GEIS, nor does it identify conflicts with the basis upon which the SWPPP was prepared.

Accordingly, we do not identify a basis, from the standpoint of GEIS or SWPPP consistency, to suggest that additional information is required from Stream at this time.

Please feel free to reach out if you have any questions.

Very truly yours,

Andrew R. Kosa, P.E.
Principal

C: File

2 CPL participated in the drafting of both the STAMP DGEIS and the STAMP FGEIS as well as the GCEDC Findings Statement.