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PUBLIC HEARING

PURSUANT TO ARTICLE 18-A OF THE NEW

YORK GENERAL MUNICIPAL LAW

RE: GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY

ECONOMIC DEVELOPMENT CENTER AND PROJECT RAMPART, LLC GENESEE COUNTY, NEW YORK

LOCATION: Town of Alabama Fire Hall,
2230 Judge Road,
Alabama, New York 14013

DATE: February 3, 2025

TIME: 2:00 p.m.

REPORTED BY: SUZANNE SAEED TACKER, Certified Court Reporter

FORBES COURT REPORTING SERVICES

21 Woodcrest Drive

Batavia, New York 14020

APPEARANCES :

1 Rampart, LLC Public Hearing February 3, 2025

2 MARK MASSE, HEARING MODERATOR,

3 99 MedTech Drive,

4 Batavia, New York.

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2 HEARING MODERATOR: Good afternoon. I
3 have 2 o'clock. I think we'd like to call
4 the public hearing to order. My name is
5 Mark Masse. I am President, CEO of the
6 Genesee County Economic Development Center.
7 I'd like to thank everyone for coming out
8 today for these three public hearings on the
9 proposed benefits for these projects. The
10 purpose of these public hearings is to
11 solicit comments and feedback about the
12 proposed incentives being requested by each
13 project.

14 These projects are -- some of them are
15 seeking a payment in lieu of taxes, property
16 tax abatement, a sales tax abatement, and a
17 mortgage tax exemption. To be clear, these
18 incentives are not cash that is given to the
19 company, instead, they're an abatement on
20 future taxes that would be owed resulting
21 from the development of the project.

22 Copies of the applications for financial
23 assistance and economic impact analysis for
24 each project are available on the GCEDC's
25 website. The GCEDC's uniform tax exemption

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2 policy is also available on the GCEDC's
3 website.

4 These public hearings are being
5 broadcast live at the link provided in the
6 public notice for the public hearings.
7 Please sign in on the sign-in sheets if you
8 have not already done so. If you wish to
9 speak, please place an X by your name.

10 Please note that these public hearings
11 are not a question-and-answer period. Any
12 comments received either written or oral
13 will be compiled and given to the board
14 prior to the board meeting where a final
15 vote on the incentive -- on the proposed
16 incentives will take place. We will start
17 each of the public hearings with a short
18 overview of the proposed projects. When
19 that has been completed, we'll present the
20 proposed incentives requested by each of the
21 companies.

22 At the end of the presentation, any
23 written comments that were received will be
24 entered into the official record. We'll
25 then call the people who put an X by their

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2 name up to the podium in the order that they
3 signed in, which I don't know if it's the
4 order that they've signed in. I have a
5 bunch of sheets, but everybody who placed an
6 X by their name will be given a chance to
7 speak.

8 Before providing any comments, we ask
9 that each speaker clearly state their name
10 and their address so we can make sure we can
11 accurately reflect it in the record.

12 Each speaker will be given three minutes
13 to provide their comments. You'll be given
14 notice when you have 30 seconds left to go
15 to your comment period. And Matt Fitzgerald
16 will be given the 32nd notice. If there's
17 time at the end after everyone has spoken,
18 if somebody else wishes to speak who did not
19 sign up, they will be given an opportunity
20 to do so.

21 So, the first project is project
22 Rampart, LLC. They are looking at a total
23 capital investment of about \$3.3 billion.
24 They would be pledging to create 105 jobs.
25 They would be constructing a 750,000-square-

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2 foot data center, and they are estimated to
3 generate a total of \$206 million in local
4 municipal revenue over 20 years.

5 Now we will move into the public comment
6 period. Again, before making comments, we
7 just ask that each speaker clearly state
8 their name, spell their last name, state of
9 their municipality of residence clearly so
10 we can get it correctly in the record.

11 If you plan on making the same comments
12 for all three projects, please just state
13 that at one of the hearings. You do not
14 need to come back up at the later hearings.
15 Please, also note that the three projects
16 are mutually exclusive as they seek to
17 acquire overlapping property at the -- on
18 the STAMP site.

19 Accordingly, the GCEDC board is only
20 considering whether to approve one or none
21 of the projects.

22 Again, each speaker will have three
23 minutes to make their comments. There will
24 be a warning when you have 30 seconds left
25 and if there's time at the end of the

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2 hearing and anyone who did not attend to
3 speak wishes to make a comment will be given
4 an opportunity at that time.

5 So that being said -- and I do apologize
6 if I mispronounce any names. The first
7 person on my sheet I have here is Madeline
8 Nyblade.

9 MS. NYBLADE: Hi, I am Dr. Madeline
10 Nyblade, N-Y-B-L-A-D-E. I live in Syracuse,
11 New York, 22 -- 1222 Lancaster Avenue. I'm
12 an Assistant Professor at SUNY ESF. I hold
13 a PhD in Earth and Environmental Sciences
14 with a specialty in hydrology. I'm here
15 today speaking on behalf of myself and not
16 SUNY ESF. To lend my expertise to this
17 question about data centers, my comment
18 applies to all three of the data centers. I
19 have reviewed all of the environmental
20 impact assessments and the maps that were
21 provided and looked at the regional
22 hydrology, local hydrology, the soils, and
23 the subsurface geology.

24 And I want to emphasize that all of
25 these data centers will impact the hydrology

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2 of this region. It is upstream from the
3 Tonawanda Seneca Nation lands, the Tonawanda
4 Wildlife Management Area, and the Iroquois
5 National Wildlife Refuge. The runoff from
6 this site and the impacts to the hydrology
7 will have detrimental downstream impacts on
8 all three of these important lands.

9 It will have impacts to the Tonawanda
10 Seneca Nation, which has sovereign lands.
11 This water will have direct impacts on their
12 habitat, ecosystems, and waterways.

13 So, first, the data center is in direct
14 hydrologic connection to these downstream
15 wetlands. The whole geology of this area, it
16 once was a historic glacial lake and so
17 there's lots of deposits of clay and silt.
18 Clay is impermeable to water, and so it
19 holds a lot of water at the surface,
20 creating a lot of wetlands.

21 So, you see these massive wetland
22 complexes in the region, and there's likely
23 extended onto the STAMP lands as well. They
24 have been drained and converted to
25 agricultural lands, but you can still see

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2 the remnants of the streams and the wetlands
3 on the date proposed data center land,
4 especially if you look at the 2024 Google
5 Earth satellite imagery. You can see the
6 stream courses and the wetlands that were on
7 this data center lands. And I have maps and
8 stuff to submit as part of my comments.

9 So, you can see that this land is
10 wetland, part of this larger wetland
11 complex, yet none of the proposals take into
12 account the wetlands that will be destroyed
13 as when creating this data center, which
14 will add I think it's for the range 25 to 39
15 acres of impervious services to this area.

16 Also, the geologic reports done by STAMP
17 and reviewed, at least in one of the data
18 center reports. Talk extensively about
19 perch water tables.

20 HEARING MODERATOR: 30 seconds.

21 MS. NYBLADE: So, perch water tables are
22 water tables that are on top of and higher
23 and closer to the surface because of clay
24 lenses. And so, it's a very wet area and
25 it'll be hard to develop. And none of the

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2 reports take into account how they will
3 develop given all of these -- these higher
4 water tables in -- in certain areas and
5 especially during wet seasons. The
6 geological report said that it'll be very
7 difficult to develop in the wet seasons,
8 which will compound all of the impacts that
9 could -- that will flow downstream. Is that
10 my timer? That's okay. So, I just want to
11 say I oppose all three of the data centers.

12 HEARING MODERATOR: Do you have anything
13 you want to --

14 MS. NYBLADE: Yeah, I'm -- be -- I'm
15 caught off guard by going first.

16 HEARING MODERATOR: Next, we have
17 Margaret Wooster.

18 MS. WOOSTER: This letter that I'm going
19 to read is from the allies of the Tonawanda
20 Seneca Nation, the Western New York
21 Environmental Alliance and 57 --

22 HEARING MODERATOR: (Inaudible).

23 MS. WOOSTER: Pardon?

24 HEARING MODERATOR: You have to state
25 your name.

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2 MS. WOOSTER: Oh, Margaret Wooster, W-O-
3 O-S-T-E-R.

4 HEARING MODERATOR: And your municipality
5 where you reside.

6 MS. WOOSTER: Buffalo, New York. So,
7 this letter is from the allies of the
8 Tonawanda Seneca Nation, the Western New
9 York Environmental Alliance, and 57 other
10 environmental, faith, human rights, and
11 govern -- good governance groups. And it
12 addresses the investment groups behind
13 Project Rampart specific financial --
14 specifically financial and incentives
15 proposed by the GEC -- the GECDC were not
16 publicly shared until mid-afternoon last
17 Friday, January 31. The same deadline set
18 for submitting written comments. So, there
19 is more to be said about the subsidies.

20 This is addressed to the development
21 consortium behind project Rampart. Dear Mr.
22 Wesco and Kilt and Smith, we write as
23 concerned allies of the Tonawanda Seneca
24 Nation and residents of Western New York,
25 who deeply value our region's ecological and

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2 cultural heritage, PRP's proposal to build a
3 data center code-named Potentia Rampart at
4 the science at the STAMP in Alabama, New
5 York is not aligned with either New York
6 State or international commitments to
7 environmental sustainability, social
8 responsibility, and long term stewardship.

9 We urge you to withdraw your application
10 to site a data center at STAMP and join us
11 in safeguarding this remarkable place for
12 future generations. UN Sustainable
13 Development Goals include clean water,
14 affordable clean energy, responsible
15 consumption and climate action. Yet the
16 proposed project Rampart Data Center
17 actually undermines these goals. The STAMP
18 site lies at the heart of a vast wetlands
19 complex connected to the Tonawanda Wildlife
20 Management area, Iroquois National Wildlife
21 Refuge, and Tonawanda Seneca Nation
22 Reservation territory.

23 In fact, the entirety of STAMP lies
24 within the unseated homelands of the
25 Tonawanda Seneca Nation. These protected

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2 lands provide critical ecological benefits
3 like carbon sequestration, flood mitigation,
4 habitat preservation, industrial runoff,
5 hydrological disruptions, and heated water
6 discharge from a data center would devastate
7 these fragile ecosystems.

8 Data centers are known for their massive
9 energy demands and Project Rampart is no
10 exception. It demands -- its demand for 200
11 megawatts of electricity per year would
12 strain the regional energy systems undermine
13 affordability and sustainability. Project
14 Ramparts usage of up to 800,000 gallons of
15 water per day. Squanderers our precious
16 regional fresh water and the project's
17 emissions of 1,471,000 tons of carbon
18 dioxide, 441 tons of nitrogen dioxide and 88
19 tons of hazardous air pollutants per year
20 are completely out of line.

21 With 2019 Climate Leadership and
22 Community Protection Goals and the New York
23 State Environmental Siting Law and move our
24 state in the direction of further
25 environmental injustice. Putting a data

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2 center at STAMP also contradicts. Almost
3 there. So, New York State and National 30
4 by 30 initiatives and the Western New York
5 Wildlife Conservation Strategy. I have a
6 copy or two of this letter with all the
7 names of the signatories to this letter.
8 It's a very impressive list and thank you
9 very much.

10 HEARING MODERATOR: Do we have a copy of
11 that?

12 MS. WOOSTER: I will give you this copy.

13 HEARING MODERATOR: Thank you very much.
14 Joseph O'Malley.

15 MS. O'MALLEY: Hello. My name is Joseph
16 O'Malley. My municipality is Buffalo, New
17 York. But for this part of the hearing, I
18 will be reading from a statement by John
19 Whitney of the Western New York
20 Environmental Alliance. On behalf of the
21 Western New York Environmental Alliance and
22 in solidarity with the allies of the
23 Tonawanda Seneca Nation and other groups and
24 individuals, I am writing to express our
25 strong opposition to the proposed financial

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2 incentives being offered and to support the
3 construction -- offered to support this
4 construction and operation of the Potentia,
5 Rampart, and Double Reed computer data
6 centers in the GCEDC STAMP site in Genesee
7 County, New York.

8 Or to any other data centers of
9 cryptocurrency, "Mines associated an
10 associated infrastructure for that matter."
11 This proposal raises significant
12 environmental and financial concerns. Among
13 our objections is the fact that the amount
14 of the incentives has not been disclosed and
15 that these public fund incentives would be
16 on top of the massive incentives that have
17 already been directed toward the acquisition
18 and development of this most inappropriately
19 located set of speculative, high tech, high
20 environmental impact facilities.

21 The environmental impacts of the STAMP
22 development and these new proposals cannot
23 be overstated. The GCEDC STAMP site is
24 situated in an area with deep cultural and
25 ecological significance central to Western

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2 New York's heritage, including that of the
3 Haudenosaunee people and the Tonawanda
4 Seneca Nation. The region is part of the
5 ancestral and contemporary territory of the
6 Haudenosaunee Iroquois and is physically,
7 biologically, hydrologically, and
8 geomorphological interconnected with a
9 system of national and state wildlife
10 refuges totaling over 20,000 acres.

11 These refuges are crucial to the eastern
12 wild way, an ecological corridor extending
13 from Mexico to Maine, which aims to restore
14 and preserve wildlife habitats across the
15 vast landscape, including -- introducing
16 large-scale data centers threatens to
17 disrupt these delicate ecosystems leading to
18 habitat destruction, increased pollution,
19 and a substantial carbon footprint in direct
20 conflict with New York's CLCPA and 30 by 30
21 goals. Moreover, the financial implications
22 of offering incentives for such projects
23 warrant scrutiny.

24 While proponents may argue that data
25 centers bring economic growth, which isn't

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2 necessarily true, they often do so at hidden
3 costs. Data centers require enormous
4 amounts of energy. Energy not available at
5 this location, but what -- which must be
6 brought to the site through transmission
7 lines that are almost certainly inadequate
8 Putting additional strain on local and
9 regional infrastructure. The long-term
10 financial burden of maintaining these
11 facilities coupled with the potential
12 environmental remediation costs could
13 outweigh the short-term benefit of the
14 economic incentives.

15 Public funds should not be used to
16 incentivize these uncertain benefits and not
17 without first conducting an independent
18 economic analysis of the cost and benefits.
19 Additionally, the influx of these centers
20 might not significantly boost local
21 employment as data centers typically offer
22 limited job opportunities compared to other
23 industries.

24 It's also not at all clear that the
25 rapid advances in technology will not make

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2 these massive energies and cooling water-
3 demanding structures obsolete within a short
4 period of time.

5 We are already hearing about those
6 innovations. These massive facilities could
7 be obsolete in a matter of a few years.

8 In light of these concerns, we urge you
9 to abandon any of the financial incentives
10 being proposed for the construction and
11 operation of data centers in the GCEDC STAMP
12 site. The preservation of our cultural and
13 natural heritage combined with prudent
14 financial planning should take precedence
15 over shortsighted development projects that
16 pose long-term risks and harmful and or
17 wasteful cut impacts.

18 Finally, we believe a new set of public
19 hearings must be held to address the many
20 changes in STAMP since it was first proposed
21 and approved. We trust that you will
22 consider these concerns and act in the best
23 interest of our community and environment.
24 Sincerely, John Whitney, Chairperson of the
25 Western New York Environmental Alliance.

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2 HEARING MODERATOR: Thank you.

3 MS. O'MALLEY: I shouldn't take this.

4 This isn't mine.

5 HEARING MODERATOR: Kurt Stange.

6 MR. STANGE: Hi, my name is Kurt Stange,
7 and I'm a settler ally who is the family
8 physician of the Tonawanda Seneca Nation.
9 I'm also a public health specialist and for
10 public health reasons, among many others are
11 strongly opposed to proposing set-up for
12 Project Potentia, Project Rampart, and
13 Project Double Reed. These three projects
14 all have the nerve to propose setting up
15 immediately at the border of the Tonawanda
16 Seneca nation and its big woods. All three
17 projects estimate they burn at least 60,000
18 gallons of diesel fuel per year.

19 They all expect to emit at least 500
20 tons of climate-warming carbon dioxide per
21 year. Because the nation would be closest
22 to pollution sources, it would be illegal
23 for GCEDC to approve any of these projects
24 per the Environmental Justice Siting law and
25 New York's climate law, the CLCPA. In

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2 addition to air pollution, the nation's
3 health would suffer from a constant jet
4 engine, like 50 to 90 decibel noise coming
5 from any of these three projects. There's
6 extensive documentation of people living
7 near data centers at much higher rates of
8 stress, anxiety, insomnia, headaches,
9 cognitive impairment, hearing loss, and
10 ringing in ears as a result. Just talk to
11 people in North Tonawanda. Over time, this
12 noise exposure even causes high blood
13 pressure and heart disease per the World
14 Health Organization.

15 Noise, air light pollution would also
16 drive wildlife away from the adjacent big
17 woods. Yet this is the nation's main site
18 for hunting and these projects would
19 therefore threaten its food security.

20 Further, potentially contaminated
21 surface water flows at STAMP from east to
22 west and therefore into the nation. Just
23 imagine the contamination of their well
24 water with diesel fuel spills and those from
25 untreated sewer water. What about the

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2 threat of a data center fire burning down
3 their big woods and their houses? These
4 risks and harms also apply to STAMPs other
5 neighbors outside the nation.

6 Meanwhile, others will be affected as
7 far away as the mouth of Oak Orchard River.
8 Just think about fishermen sitting idle with
9 empty poles because of the harmful effects
10 of super-heated data centers. Sewer water
11 spiced up with industrial toxins.

12 In medicine we study how parasites suck
13 up the nutrients or resources while harming
14 them. Well, that's exactly what these data
15 centers are. Parasitic centers that would
16 suck up an immense amount of the drinking
17 water of Niagara or lean Erie and Genesee
18 County residents. They would also steal a
19 huge amount of their energy in exchange for
20 a barrage of contamination.

21 What's more? Hardly any jobs would be
22 offered to local residents and expansion of
23 AI is predicted to result in massive job
24 loss for blue-collar workers. This would
25 mean millions of dollars in taxpayer

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2 subsidies, funding one to three parasitic
3 centers that would actually harm taxpayers
4 and take away their jobs. GCEDC must reject
5 the applications of all three centers, but
6 they won't because they just don't care
7 about the communities.

8 Therefore, it's time to force their hand
9 in doing so. Justice as North Tonawanda
10 banned new parasitic centers, all other
11 communities locally would be wise to do the
12 same.

13 HEARING MODERATOR: Diane Ciurczak.

14 MS. CIURCZAK: My name is Diane
15 Ciurczak. I am on the executive committee of
16 the Niagara Group for the Sierra Club. And
17 today -- and I live in Buffalo, New York.
18 Today I'm speaking on behalf of the roughly
19 37,000 members of the Atlantic Chapter of
20 the Sierra Club and to oppose any funding
21 for any data centers, the Potential Holdings
22 or the Hydro Scale, which is the Hydro
23 Scale, or the Rampart, or the Double Reed.
24 There should be no data center here at
25 STAMP. We oppose the data centers on both

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2 procedural and on substantive grounds. Data
3 centers around the country are notoriously
4 dirty and noisy consumers. A vast amount of
5 electricity which are straining Electric
6 Grids, emitting large volumes of greenhouse
7 gas pollution and undermining our country's
8 ability to transition away from fossil
9 fuels.

10 Our Landmark 2019 Climate Leadership and
11 Community Protection Act has specific goals
12 for the reduction of carbon emissions, and
13 this project would undermine those goals.
14 The law requires that all agencies in New
15 York State consider what effect their
16 projects will have on our ability to meet
17 our goals. This undermines the goals.

18 Project Potentia would require 195
19 megawatts of electricity per year from NYPA.
20 This is enough to power about 32,000 homes.
21 And on the other hand, it would use an
22 estimated 1,285,000 gallons of diesel fuel
23 per year. That would put about 14,622 tons
24 of carbon dioxide into the air, as well as
25 other pollutants. The largest facility

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2 that's proposed is the project double-read
3 that would require 250 megawatts of
4 electricity diverting -- enough to power
5 40,000 homes. All of this is in -- in non-
6 conformity with our CLCPA.

7 Based upon other -- the experience of
8 other communities around the country, they -
9 - including Niagara Falls and North
10 Tonawanda, which enacted a moratorium on
11 crypto mining currency because of the -- it
12 affected the health and wellbeing of its
13 citizens. There was a moratorium. This
14 would've caused noise pollution that would
15 also disrupt the lives of the people who are
16 living here. And --

17 HEARING MODERATOR: 30 seconds.

18 MS. CIURCZAK: Okay. Finally, the manner
19 in which this hearing was organized and the
20 papers that have been filed publicly by the
21 GCECDC are not in conformity with the
22 general municipal law.

23 First of all, this agency doesn't have
24 the authority or the powers to entertain a
25 data center. It doesn't fall within the

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2 requirements or the authorities of Section
3 852 or 858. It's -- the manner in which it
4 was noticed, did not meet with the law --
5 not sufficient.

6 The public is not given sufficient
7 notice. It wasn't published properly. It
8 doesn't contain the information about the
9 money that is being offered, the incentives
10 that are being offered.

11 Late on Friday, apparently, additional
12 papers were filed. Those are also not in
13 conformity with the general municipal law.
14 And the assessment or the analysis that
15 appears to have been filed on Friday is not
16 in conformity with the requirement to assess
17 the costs and benefits.

18 So, in general, we object to all three
19 data centers. They're not in compliance
20 with the CLCPA, with the general municipal
21 law, or with the citing law to protect
22 disadvantaged communities, which is both in
23 the CLCPA and a standalone law.

24 HEARING MODERATOR: Thank you.

25 MS. CIURCZAK: Thank you.

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2 HEARING MODERATOR: Oh, sorry. Barbara
3 Jonathan.

4 MS. JONATHAN: (Inaudible). Fellow
5 residence of Genesee County and my neighbors
6 in Alabama, it's good to see you all here
7 today, and I stress for today. Everyone so
8 far has stood up and spoken about the risks
9 associated with these data centers. I
10 myself live behind Big Woods, the Big Woods
11 is my closest neighbor. I have a cousin who
12 is six years old and in 20 years, I'm not
13 going to be here, but she's going to be
14 here. What are the risks to her? Her
15 brothers, her sisters. What about your
16 children, your grandchildren?

17 My ancestors reside on the Tonawanda
18 Seneca Nation, that land there is all, all
19 we have left and the perks that are being
20 offered to -- in exchange for these data
21 centers, is it really worth it? When you
22 think about the dangers that are posed to
23 our health when we start failing, where are
24 these people who operate these data centers?
25 Where are they going to be? Are they going

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2 to really give a damn about you or I? My
3 neighborhood is threatened? How about
4 yours? Thank you. My name is Barbara
5 Jonathan. I reside on Tonawanda Seneca
6 Nations.

7 HEARING MODERATOR: Thank you. Sarah
8 Howard.

9 MS. HOWARD: Sarah Howard, H-O-W-A-R-D.
10 I live in Syracuse, New York. You don't
11 need my street address. I live in Syracuse
12 on the unseated homelands of the Tonawanda
13 Seneca Nation. And I have the honor of
14 working for the Tonawanda Seneca Nation on
15 whose own unseated homelands the entirety of
16 the WNY stamp mega industrial site,
17 including the parcel being considered as a
18 site for Projects Rampart, Potentia, or
19 Double Reed is located.

20 I'm here to comment on the requested
21 financial incentives of \$218,960,000 in
22 sales tax exemptions and \$19,950,000 in
23 mortgage tax exemptions to Project Rampart.
24 A proposed data center being advanced by the
25 real estate investment firm PRP REI.

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2 Vehemently opposed those incentives as I
3 oppose all three of the financial incentive
4 packages and let's call them what they are,
5 which is taxpayer monies requested by these
6 data center developers.

7 However, because GCEDC did not post the
8 relevant documents on their website until
9 midday Friday, January 31st, which is one
10 business day before these sham public
11 hearings, and at the same time as GCEDCs
12 deadline for the submission of written
13 online comments, I am not going to comment
14 in substance on the detail of these
15 incentives.

16 Instead of commenting on the incentives,
17 I'm going to highlight some aspects of
18 Project Rampart's environmental assessment
19 form, that's an EAF, that render whatever
20 company is actually behind this application.
21 And that's right. GCEDC has repeatedly
22 refused to disclose the identities of the
23 companies that would actually be running
24 these data centers. They could be Google, or
25 Meta, or Bitcoin mining operation that

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2 render these particularly unfit recipients
3 of the \$238,910,000 in taxpayer dollars that
4 they have the gall to request.

5 Before I do that though, I want to take
6 a few seconds to remind everyone that the
7 reason we're here is that GCEDC was forced
8 to hold public hearings pursuant to Article
9 859-(a) of the General Municipal Law, which
10 at its most basic level requires an
11 assessment of the public benefits of any
12 development project that is requesting
13 taxpayer subsidies. Let me repeat. We're
14 here to assess the public benefits of
15 Rampart, Potentia, and Double Reed in
16 relation to the hundreds of millions that
17 each one is requesting.

18 So, as I stated, the backers of Project
19 Rampart are PRP REI Global Real Estate
20 Investment Firm. The primary contact for
21 PRPREI is Tom Wasco, a name that may be
22 familiar to those of you who read the local
23 newspapers.

24 HEARING MODERATOR: 30 seconds.

25 MS. HOWARD: In fall 2023, Tom taped his

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2 company's meetings with GCEDC and then sent
3 the tapes to local media along with
4 accusations that GCEDC was unfavorably
5 favoring project Hydro Scale, now called
6 Potentia.

7 For the record, I actually appreciated
8 this move. Tom's ethical, questionable --
9 ethically questionable and aggressive
10 tactics brought a lot of important
11 information to light.

12 And like Tom, I also feel that GCEDC has
13 utterly failed to carry out a fair and
14 transparent process with respect to the data
15 center applicants or any other aspect of
16 STAMP.

17 However, this is where Tom and I part
18 ways because I absolutely do not believe
19 that the development of Project Rampart
20 would produce any iota of public benefit and
21 thus is unworthy of 1 cent of public money.

22 Project Rampart would feature a 40-foot-
23 high single-story structure totaling 750,000
24 square feet. For scale, we are talking about
25 a building that would be roughly the

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2 equivalent to 13 football fields, a massive
3 building, especially in the middle of what
4 is currently a rural agricultural community.
5 This building would only produce 105 jobs,
6 meaning that ramparts requested incentives
7 translate to \$2,275,333 per job. Rampart
8 would require 200 megawatts of electricity
9 per year, which we've already heard is
10 roughly enough to power about 32,000 homes.

11 So, I have a lot of critiques of those
12 numbers, but at least they're fairly
13 straightforward. No funny business. I'm
14 going to keep talking now.

15 We get into the numbers that raise many,
16 many questions, which Mark has already
17 informed us. He does not plan to answer
18 because this is the time for public comment,
19 not question and answer, but we can still
20 pose the questions publicly, even if Mark
21 and representatives of each data center
22 developer choose not to answer -- answer
23 them in this public forum. That silence is
24 an in and of itself an answer to the
25 question of whether or not these entities

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2 deserve our trust, which is no.

3 As you know, Mark, each applicant
4 submitted two EAFs, an initial version and a
5 revision. The revised EAFs in associated
6 materials differ in significant ways from
7 the original EAX and contain numerous
8 internal contradictions as well as certain
9 claims that appear baseless.

10 HEARING MODERATOR: We're happy to leave
11 the public here --

12 MS. HOWARD: Here are a few of the most
13 disturbing differences in Rampart's
14 documents. The original application for
15 Project Rampart submitted on October 15th,
16 2024 and --

17 HEARING MODERATOR: Excuse me. Again,
18 we're happy to leave the record open for
19 written comments to go further, because --

20 MS. HOWARD: I'm going to keep speaking.
21 Three minutes is an appropriate amount of
22 time in which to brush your teeth, not
23 comment on projects that are asking for
24 hundreds of millions of in public. I'm going
25 to keep speaking. The original application

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2 for Project Ramparts submitted on October
3 15th, 2024, indicated a need for 800,000
4 gallons of water per day. That's a lot of
5 water. 292 million gallons per year to be
6 precise or roughly 442 Olympic swimming
7 pools worth.

8 And would they be doing something useful
9 with that water? Something of benefit to
10 the public? No, they would be using that
11 water to cool super-heated computing
12 equipment. In case you don't know, a little
13 problem with data centers is that their
14 equipment gets very, very hot. Most data
15 centers depend on vast quantities of water
16 to heat down their equipment and protect --
17 prevent short-circuiting electrical fires or
18 explosions.

19 So, know the 292 million gallons
20 wouldn't be used in service of benefits to
21 the public. Rather, it would be used for
22 Bitcoin mining or generative AI or something
23 equally useless and wasteful of our precious
24 fresh water.

25 Apparently, someone told PRP REI that

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2 using all that water wasn't a great look
3 because the revised EAF submitted on
4 December 31st, 2024, states that the project
5 needs no water whatsoever for cooling and
6 just 3,675 gallons for sanitary sewer. The
7 new application references something called
8 a closed loop system, which conveniently
9 eliminates the need for hundreds of millions
10 of gallons of water to cool Rampart's
11 equipment.

12 However, the new application also now
13 includes a nearly eight-acre retention pond
14 that would hold 10 million gallons of water.
15 That's an awful lot of storm water.

16 Together, the size of the retention
17 ponds references to the closed-loop system
18 and the general lack of information about
19 heated water discharge. A well-known
20 environmental impact of many data centers
21 suggests that Rampart's impoundment ponds
22 may be intended to serve more of a cooling
23 function than a storm water retention
24 function.

25 This usage seems particularly likely

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2 given that Rampart's revised, EAF does
3 acknowledge the intent to use adjacent
4 wetlands and water lands for the express
5 purpose of dealing with storm water runoff.
6 Runoff which will carry salts, traces of
7 vehicular fluid and other contaminants
8 directly onto the Tonawanda Seneca Nation
9 reservation territory with potentially
10 serious impacts on nation waterways. And
11 that's not even addressing the harms of
12 thermal pollution.

13 HEARING MODERATOR: Excuse me, just for
14 one second.

15 MS. HOWARD: Mm-hmm (affirmative.)

16 HEARING MODERATOR: We appreciate your
17 comments. There's a lot of people who want
18 to speak here today. We're more than happy
19 to take your letter in to make it recorded,
20 the public record.

21 MS. HOWARD: Mm-hmm (affirmative.).

22 HEARING MODERATOR: And in light of the
23 comments, we will extend the written comment
24 period to 5 o'clock on Thursday, if people
25 wish to submit more comments. At this point

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2 in time, I would really like it, if you
3 wouldn't mind handing us your letter, we'll
4 put it into the record and we can move on to
5 the next person to speak, please.

6 MS. HOWARD: I'm going to hold on to it
7 and keep on reading in the next hour. Thank
8 you.

9 HEARING MODERATOR: I'm having a hard
10 time reading this name, so again, apologize.
11 Is it Maggie Catlin?

12 MR. CATLIN: Catlin. Can you hear me all
13 right? Okay. I just have this written
14 comment that I'd like to pass on.

15 HEARING MODERATOR: Just state your name,
16 please.

17 MR. CATLIN: I'm Maggie Catlin.

18 HEARING MODERATOR: And where you live.

19 MS. CATLIN: Buffalo.

20 HEARING MODERATOR: Buffalo. Thank you.

21 MR. CATLIN: This is from a friend of
22 mine, George (inaudible). I'm writing to
23 comment about the proposed financial
24 incentives being offered by GCEDC to
25 projects Potentia, Rampart, and Double Reed.

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2 The STAMP location is an area close to the
3 state's largest federal wildlife refuge in
4 the Tonawanda Seneca Nation. Any disruptive
5 industry, you will have a negative impact on
6 both.

7 Additionally, any ways from a data
8 center going into Orleans County will impact
9 the river systems that ultimately empty into
10 Lake Ontario.

11 Orleans County has seen a growing
12 tourism industry based on fishing in the
13 river system and into the lake. The
14 potential negative impact of the data center
15 would not be limited to the immediate area.
16 Hearings that specifically address the
17 impact of the data center on the area should
18 be scheduled as an immediate follow-up to
19 the hearings of February 3rd.

20 The people of nearby Somerset, Niagara
21 County have experience with data centers
22 located on the grounds of a full former
23 coal-fired power plant. The data center is
24 expanding while this county, rather than
25 fully addressing the residents issues of

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2 noise.

3 Here's a quote from a Lockport Sun
4 Journal, December 22nd, 2024. "Cooling in
5 buildings one and two is by fans and
6 unmuted. They generate roughly 85 decibels."
7 Just as an aside OSHA's level for safe
8 workplace exposure is 80 decibels.
9 Buildings three and four are cooled with
10 static venting, which is said to be less
11 noisy. Even so homeowners one to two miles
12 away-- to claim they can hear Lake Mariner
13 at work and they objected strongly to its
14 expansion.

15 Tara Wolfs, John Mariela, said in
16 October that the company had several noise
17 studies done on the property. The results
18 showed noise level is below the four dibbles
19 listed as the town's noise ordinance.

20 The potential negative impacts for
21 residents and wildlife made it clear that no
22 data center or should be encouraged to
23 locate the STAMP campus. I've got a little
24 bit more time, so I'd just like to say like,
25 this is one of like the few natural areas,

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2 like remaining in like this region of the
3 state. And it seems ridiculous to throw her
4 away for what, you know?

5 If you look at the proposal, right?
6 Like, not, not what's actually going to
7 result from these, but like the actual --
8 like the best-case scenario, right? What
9 the company is trying to sell is going to
10 happen. There's no value there, right?
11 Like, I don't -- like what -- it's just so
12 obviously like provides nothing to the
13 community and we're supposed to be
14 commenting on conflicts of interest. I
15 don't know how you accept this if you don't
16 have a conflict of interest. I did --

17 HEARING MODERATOR: Evelyn Wackett.

18 MS. WACKETT: You got me all emotional.
19 I might not be able to do this.

20 MALE VOICE 1: Sorry.

21 MS. WACKETT: It's okay. That's a very
22 emotional topic. Okay. My name is Evelyn
23 Wackett, W-A-C-K-E-T-T. I live in the Black
24 Rock section of Buffalo, New York, along the
25 Niagara River. It's (inaudible) Creek, and

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2 I'm here in opposition to all three of the
3 data centers.

4 I submitted a (inaudible) to the
5 Buffalo News saying why we don't want data
6 centers here. And the main reason why I'm
7 here and what got me started over two years
8 ago was the short-eared owl. I'm a
9 wildlife rehabber.

10 This guy right here is what got me
11 involved in this stamp project. I love
12 owls, I love raptors and everything about
13 the STAMP project threatens the endangered
14 short-eared owl, the threatened Northern
15 Harrier hawk, the threatened monarch
16 butterfly, the threatened and endangered
17 bogged turtles. This affects everything we
18 see and we don't see.

19 Yesterday was World Wetlands Day, and
20 we're here having a party. I want to
21 celebrate the wetlands. I don't want to see
22 them destroyed. Everything about this goes
23 against the Treaty of Canandaigua, the New
24 York CLCPA Laws, the Endangered Species Act,
25 the Clean Water Act, Environmental Justice

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2 Siting. There's more. I'm sure that
3 there's being violated here.

4 And again, the seen and the unseen, you
5 know, you think about the little creatures
6 in the water that the birds feed on. All of
7 this water connects us all over the place.
8 This affects all of Western New York. The
9 proposed pipeline, 16 miles from Niagara
10 County into Genesee County to draw over 6
11 million gallons of water a day from the
12 Niagara River, don't Canada have a say in
13 this?

14 Then we're going to take and we're going
15 to heat it up, add chemicals, and then we're
16 going to dump it into, well, the last plant
17 was Oakfield New York, which goes into Oak
18 Orchard Creek, which runs through the
19 refuge, which ends up in Lake Ontario.

20 This thing affects all of us here, and
21 we're all connected. One thing fails, we
22 all fail. The bees we lose -- the bees we
23 lose, the flowers, we lose the birds. We
24 can't eat if the bees aren't here.

25 And to speak out for my friends at the

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2 Tonawanda Seneca Nation, like I said, I came
3 on here because I wanted to protect the owl
4 because I'm a wildlife rehabber, but I've
5 grown a relationship with the Tonawanda
6 Seneca people, I respect them and their
7 opposition to this. And, you know, to be
8 invited to help protest for this with you
9 people meant so much to me. And I'm trying
10 not to get emotional.

11 I've got a petition here that I started
12 back in October, we have over 1,056
13 signatures in opposition to STAMP. I've got
14 them all printed out here. And to finish
15 this, you know, as a little girl growing up,
16 my mom used to bring--here-- me here all the
17 time. It's what taught me to love the land,
18 love the water.

19 To finish, I'm going to read one comment
20 from the petition, but I'm going to submit
21 them all. "The Iroquois National Wildlife
22 Refuge is a beautiful place, and it borders
23 the Tonawanda Wildlife Management area.
24 More importantly, it borders the Tonawanda
25 Band of Seneca Nation and threatens their

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2 well water that they use to drink.

3 There have not been proper procedures
4 done as far as how this STAMP project has
5 just appeared." And to me it just appeared.

6 "There is a lot of concrete evidence to
7 show hydrogen can be used, green energy.
8 Anyone who has ever seen these two huge egg-
9 ball structures has to wonder how safe it
10 is. Yes, the wetlands are vital to the
11 local ecosystem and threatens one of the
12 Great Lakes, Lake Ontario.

13 This area is such an area of bird and
14 waterfowl migration, and bald eagles live
15 there. And let's speak about the bald
16 eagles, our national bird. We're going to
17 ruin their habitat for this, and like
18 everybody else said before me." It's one of
19 the last little untouched areas we have here
20 in New York State. And part of the 30 by 30,
21 and part of the wild way and the green way,
22 and all these things that we're trying to
23 save. Thank you.

24 HEARING MODERATOR: Kristin Mosher.

25 MS. WACKETT: This might've been the

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2 comment I forgot to submit.

3 HEARING MODERATOR: Oh, thank you.

4 MS. MOSHER: Hi, my name's Kristin
5 Mosher, M-O-S-H-E-R. I live in Syracuse,
6 New York on the unseated homelands of the
7 Onondaga Nation. I'm a professional
8 wildlife photographer and sound recordist.
9 I'm here speaking on behalf of myself as
10 well as many of you have been up here to
11 speak on behalf of the wildlife. And I
12 completely disagree with these data centers
13 because they're set up to destroy what
14 wildlife is left.

15 These projects do not belong in an area
16 neighboring the peoples of the Seneca
17 Nation. In addition to the wetland wildlife
18 refuges of John White Wildlife Management
19 Area, Iroquois National Wildlife Management
20 Area, Tonawanda Wildlife Management Area,
21 Oak Orchard Wildlife Management Area, what
22 are you thinking? What is going to be left
23 if you do this? I'm a volunteer working with
24 a team of volunteers to record biological
25 diversity on the Seneca Nation. As part of

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2 this project, we have set out microphones to
3 record the wildlife on the nation, which I'm
4 feel so privileged to have been involved
5 with.

6 I would like -- I would like to share a
7 sampling of these recordings to wake you up
8 to what will be lost. This first recording
9 was made on May 1st, 2024, as an example of
10 the enormous diversity of birds, which
11 utilize the Big Woods, which is home to over
12 a hundred species of birds, many of which
13 are dependent on undisturbed areas to
14 reproduce. Here it goes. I hope you can
15 hear it.

16 (Recording was played.)

17 MS. MOSHER: I feel bad cutting them off.
18 The second recording captured in the same
19 forest is the sound of just one truck
20 passing by on a nearby road to go to the
21 STAMP complex.

22 (Recording was played.)

23 MS. MOSHER: That's what you'll be
24 hearing, if these three data centers go in -
25 - if any of this continued destruction --

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2 HEARING MODERATOR: 30 seconds.

3 MS. MOSHER: -- continues to happen. The
4 data center would be one of the closest
5 complexes to this exceptional forest. The
6 sound of the trucks will be multiplied by
7 the constant industrial sounds of the
8 center. Noise pollution will not only
9 impact and displace wildlife in the big
10 woods, it will forever destroy the peace and
11 serenity of this sacred land for the people
12 of Tonawanda.

13 It should also be mentioned that this is
14 a stronghold for the Cerulean Warbler, one
15 of our national species that is of
16 conservation concern and is also endangered
17 in Canada.

18 I want to play one more recording for
19 you. I know I'm overtime, but this is the
20 sound that they hear in Virginia where there
21 already is a data center built in continuing
22 to do its thing.

23 (Recording was played.)

24 MS. MOSHER: It's a low-frequency noise
25 that is always heard in this neighborhood

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2 now. That's what we're in for, if this isn't
3 stopped. And thank you for your time.

4 HEARING MODERATOR: Thank you. Gary
5 Ciurczak?

6 MR. CIURCZAK: Hello everyone. My name
7 is Gary Ciurczak, C-I-U-R-C-Z-A-K, in
8 Buffalo, unseated land of the Seneca Nation.
9 Thank you for the opportunity to speak here
10 today. Pursuant to General Municipal Law
11 859-(a), I'm speaking out to oppose the
12 proposed financial incentives and the
13 development of Project Potentia, Project
14 Rampart, and Project Double Reed, and demand
15 that GCEDC hold a new set of public
16 hearings.

17 I'm a bird watcher who's also a member
18 of the Buffalo Ornithological Society,
19 though I'm speaking for myself here today.
20 I enjoy multiple trips to the Iroquois
21 National Wildlife Refuge each year; a
22 wildlife refuge adjacent to STAMP land. Any
23 of these projects will take and use the
24 habitat of the endangered short-eared owl,
25 and the threatened northern harrier.

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2 The proposal to build a gigantic data
3 center adjacent to a protected wildlife area
4 is shocking to me, a person who has spent
5 considerable time in this area. New York
6 and the United States spends untold dollars
7 to restore previously damaged wetlands,
8 streams, rivers, and wild areas that have
9 been degraded by prior misuse and abuse, and
10 a pristine wetland area that shelters
11 endangered birds and other wildlife is under
12 threat of destruction by the GCEDC.

13 Rather than removing wild corridors and
14 sanctuaries, we should support their
15 expansion. No mitigation plan can
16 ameliorate this destruction.

17 I would like to leave you with the idea
18 about the size of any of these projects.
19 Many here know the BJ's Club Wholesale Club
20 and Batavia. That one building, which I
21 think we all agree is huge, is about 68,000
22 square feet according to the papers filed by
23 their agent, the DLC Corporation of
24 Tarrytown.

25 Each -- any one of these data centers

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2 are about 800,000 to 900,000 square feet.
3 Any one of those data centers could hold
4 almost 12 of these BJ's. It would be then
5 filled with computers and the tremendous
6 disruptive noise as we just heard, that will
7 not only be heard by every single person
8 living within several miles, but also all
9 local domestic and wildlife in this area.
10 This would be a loud, disturbing, and
11 unrelenting noise that continues for 24
12 hours a day, 365 days a year. Please join
13 me in opposing these projects.

14 HEARING MODERATOR: Katie Rivers.

15 MS. RIVERS: My name's Katie Rivers. I
16 live -- first of all, my hearts beating so
17 fast. I live at 6540 Crosby Road right down
18 the corner of the STAMP project. We lived
19 there for 30 years, and we've seen it change
20 so much. I have opposed this STAMP project
21 from day one, and I will continue to oppose
22 it.

23 I -- just from what they've done so far,
24 the smells from the trucks going by and
25 everything, that's disruptive. The deer, if

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2 anybody goes down Crosby Road at night, you
3 can see they're in their projects because
4 they don't -- they're used to where they
5 used to be. And it just breaks my heart
6 that things are changing from the original
7 plan from STAMP. And I feel like they're
8 trying to save the big project, so we'll
9 divert to doing the data centers, which are
10 not -- they're not helpful to anybody.
11 They're very hurtful. And my family would
12 be directly impacted along with our whole --
13 I don't even know where our people are from
14 our town. Well, they're working to fund the
15 taxpayer money for the projects. That's it.
16 I wish they were here, but it just breaks my
17 heart -- what was that?

18 FEMALE VOICE 1: That's why they have it
19 on (inaudible).

20 MS. RIVERS: Right. Well, it just breaks
21 my heart that people don't realize how
22 beneficial nature is to us. And I just --
23 it just breaks my heart. I wish people
24 would wake up to see what's actually going
25 on. And I'm so disheartened by the town

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2 that even took on the economic development
3 coming into the town. It's like you've all
4 been bamboozled. It's like, I can't even
5 imagine that you would think that this would
6 be beneficial to anybody in the town. I
7 have seen zero benefit. I don't know if
8 anybody else has seen any benefit in the
9 town. But it's just very harmful to
10 everyone, the citizens and the wildlife.

11 And we all know the history of
12 them trying to put the pipeline down
13 through, you know, going down into Medina.
14 I mean -- and they've -- and they have a
15 history of covering things up when they make
16 a mistake. So, to me that tells me that you
17 cannot be trusted. And so, trust is earned,
18 it's not just given freely.

19 HEARING MODERATOR: 30 seconds.

20 MS. RIVERS: So, that's all I wanted to
21 say. I don't look forward -- well, I will
22 not, because I know this will not go
23 through, listen to constant ringing 24/7,
24 365 as it is. I can look in my backyard and
25 see the big white balls that are just

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2 sitting there, and I've witnessed all of it.
3 And that's all. I just hope that they will
4 just not -- I oppose it and everybody in the
5 whole county should. So that's it. Thank
6 you.

7 HEARING MODERATOR: Christine Zinni.

8 MS. ZINNI: Hello my name is Christine
9 Zinni, Z-I-N-N-I. I live in Batavia, New
10 York, third generation, descendant of an
11 Italian immigrant and Polish immigrant
12 family, and I have great concerns about this
13 STAMP project, and I oppose it. I oppose
14 the Project Rampart, Potentia -- Project
15 Potentia, and project Double Reed for the
16 following reasons:

17 My father was a lawyer. He was a police
18 attorney for the city of Batavia as were
19 other members of my family, lawyers. And
20 this seems to be a question of informed
21 consent over the years. We've heard one
22 side basically of the story for the last
23 couple years, but we need -- the public
24 needs to hear the other side. I urge you to
25 google data centers, see what comes up, the

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2 number of lawsuits across the nation because
3 of noise pollution, because of the ill
4 effects. How is this -- how is that going
5 to affect workers?

6 Promise of a hundred jobs. How about
7 the lawsuits of workers who have had to
8 endure noise pollution within the centers
9 they're working in? This needs to be
10 considered with that promise of jobs for one
11 thing. And I'll just read parts of my
12 letter here and central focus is that noise
13 pollution. I think we all heard and felt
14 from the sound of the birds, the migratory
15 birds in the area -- in the area from one of
16 the speakers, what this means.

17 So, I'm here on behalf -- I'm an
18 educator. And I'm here as an ally of the
19 Tonawanda Seneca Nation as a resident, and
20 also, I'm here to speak for nature's rights
21 for the birds and animals in the area that
22 are trying to send a message to us, mm-hmm,
23 (inaudible). The character of this region
24 is at stake. Who decides what the character
25 of the region will be? People living here

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2 next to the wildlife refuge?

3 HEARING MODERATOR: 30 Seconds.

4 MS. ZINNI: Okay. I'm not going to be
5 able to read everything, but I'll just say
6 I'm entering my article -- my paper in the
7 record. And none of the three data center
8 applicants has conducted a comprehensive,
9 meaningful noise study. Instead, they
10 downplayed or obscure altogether potential
11 noise impacts.

12 Again, go to your computer, check and
13 see the kind of lawsuits that have been
14 levied, you know, that it stated against
15 data centers, and that's what the county
16 faces in the future because of the noise.
17 How many of the people who are promoting the
18 data centers live here which hear that
19 noise?

20 HEARING MODERATOR: Angela Carlson. And
21 I know the second meetings supposed to start
22 at 3 o'clock. I think we've got 9 or 10
23 speakers, so we'll finish this up before we
24 start the next one.

25 MS. CARLSON: All right. Hello,

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2 everyone. As stated, my name is Angela
3 Carlson, C-A-R-L-S-O-N. I live in Batavia,
4 but I'm a long-time resident of Oakfield.
5 My family still lives in Oakfield and I'm a
6 local teacher at the Oakfield Alabama
7 School. So, I speak for a lot of people in
8 the area who of course cannot be here now.

9 So, Mark Masse. "Pursuant to General
10 Municipal Law 859-(a), I'm ready to oppose
11 proposed financial incentives for Project
12 Rampart, Potentia, and Double Reed. The
13 applicable Genesee municipal law requires
14 GCEDC to produce a written cost-benefit
15 analysis by the agency that identifies the
16 extent to which project will create or
17 retain permanent private sector jobs, the
18 estimated value of any tax exemptions to be
19 provided, the amount of private sector
20 investment generated or likely to be
21 generated by the proposed project, the
22 contribution of the project to the state's
23 renewable energy goals and emission
24 reduction targets as set forth in the state
25 energy plan adopted pursuant to Section 6104

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2 of the energy law. The likelihood of
3 accomplishing the proposed project in a
4 timely fashion and the extent to which the
5 proposed project will provide additional
6 sources of revenue from municipalities,
7 school districts, and any other public
8 benefits that might occur as a result of the
9 project.

10 In addition, the law requires the GCEDC
11 to identify the owner-operator of the
12 facility to the public. GCEDC has failed to
13 produce such a cost-benefit analysis at a
14 good time or inform the public of the data
15 center's identity. And thus, these hearings
16 are insufficient as a venue in which to
17 solicit public comment.

18 More of Project Ramparts use of 200
19 megawatts of electricity per year in its
20 onsite bulk storage of 1.5 million gallons
21 of diesel fuel with associated risks of
22 brown and surface water contamination raise
23 serious concerns.

24 Additionally, Project Ramparts claims of
25 no impact on wetlands and water bodies are

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2 undermined by its plants to discharge
3 stormwater directly to tributaries and
4 wetlands, facilitated by a 7.7-acre onsite
5 storm water pond. The creation of 20 acres
6 of impervious surface further exasperates
7 potential environmental consequences.

8 The EAF also acknowledges the presence
9 of New York State-listed rare and threatened
10 species, including the northern harrier and
11 short-eared owl, making this project need
12 even greater ecological risk.

13 Additionally, I'm ready to issue the
14 following demands:

15 The GCEDC was properly produced and
16 informed about the written cost-benefit
17 analysis of Project Rampart as stipulated in
18 the general municipal law, must widely
19 circulate this report and must hold another
20 round of public hearings with significant
21 advanced notice to the public and a -- and a
22 time that accommodates the people who are
23 working a standard 9:00 a.m. to 5:00 p.m.
24 schedule.

25 The GCEDC must immediately disclose the

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2 identity of the owners and operators of
3 Project Rampart and the other data centers.

4 The GCEDC must publicly provide the
5 completed applications required by GMU 8594
6 or 84. And the uniform criteria for
7 evaluation and selection of projects
8 required by GMU 85985.

9 The GCEC must ensure that JLL LLC carry
10 out a third-party verified robust
11 comprehensive noise study of Project
12 Rampart, and while they publicize the
13 results.

14 In all aspects of the public process,
15 pertinent to Project Rampart and other data
16 -- and the other data centers, GCEDC must
17 follow CP29 environmental justice and
18 provide enhanced public participation
19 opportunities to the Tonawanda Seneca Nation
20 and public at large.

21 To quote a certain op-ed, 'One cannot
22 claim to care about the environment while
23 continuing to disregard and disrespect the
24 rights of indigenous peoples. They are on
25 the front lines.'

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2 The values (inaudible)
3 industrialization, destruction that directly
4 fuel the climate crisis we face today.
5 Ignoring their warnings is a great mistake.
6 They have been fighting to protect this land
7 far longer than any of us. So fellow people
8 of Oak Alabama, don't mess this up.
9 Businessmen, maybe sellouts, we are not."

10 HEARING MODERATOR: Melissa Smith.

11 Melissa, you have to keep it level.

12 MS. SMITH: Keep it level. Okay.

13 HEARING MODERATOR: You're pointing right
14 at the speakers.

15 MS. SMITH: Okay. Level with what?

16 HEARING MODERATOR: Keep it like that.

17 MS. SMITH: Oh, keep it level. Okay. My
18 name is Melissa Smith. I think you guys all
19 know that that's my name. I'm from the
20 Tonawanda Seneca Nation. I live right here
21 on Judge Road, right across from the -- from
22 where the STAMP is trying to build all their
23 crap.

24 First of all, I want to say that how
25 dare you come through all of these people

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2 and you don't even have your people that are
3 going to build these things lined up? How
4 dare you? How dare you present that you
5 know more than these companies know to
6 present to us what to do. You know, how
7 dare you. No respect for all these people.
8 No respect for the nation. It's terrible.
9 And have you ever been out to the Iroquois
10 National Wildlife Refuge; do you guys ever
11 go there? Because we go there a lot.

12 There's places for me to go and see
13 woods and swamp and whatever, where I can
14 get to it. You know how difficult that is
15 for a person in a wheelchair. You need to
16 be more closer to the Earth. You're so
17 wrong and you're thinking that green means
18 money, because green does not.

19 And I have a few suggestions for what
20 you can do with that thing on Crosby Road.
21 Turn it into a wildlife sanctuary like they
22 did somewhere in New York State. It's
23 called Cherry Creek. And they made it into
24 a huge -- they aligned it with the Iroquois
25 National Wildlife. You could do everything

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2 and have tourism there instead of this crap
3 that you're trying to put there. Get out
4 there and roll on the grass once in a while.
5 That's what your people need.

6 HEARING MODERATOR: Jacob Clark.

7 THE COURT REPORTER: Say it again, Jacob
8 Clark.

9 HEARING MODERATOR: Jacob Clark.

10 MR. CLARK: Hello everybody. My name is
11 Jacob Clark. I'm a registered member of the
12 Tonawanda Seneca Nation. I come to you from
13 East Aurora, New York, and I'm here to read
14 on behalf of somebody who cannot attend for
15 reasons we've previously heard. I'm going to
16 read the letter handed to me here.

17 "I'm writing to express comments about
18 the proposed financial incentives being
19 offered by GCEDC to Project Potentia.

20 As a resident of Genesee County, I find
21 it part of my civic duty to ask for
22 clarification on the proposed STAMP Data
23 Centers, project by Genesee County Economic
24 Development Center, GCEDC. The data
25 center's information seems to be

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2 intentionally vague with empty promises of
3 jobs and 'economic development.' It's clear
4 that the lack of transparency is just
5 another clear tactic to dissuade the public
6 from the real potential harm to the area.
7 There are real concerns of sound pollution,
8 raised utilities due to increased demand,
9 and new infrastructure that will fall
10 squarely on the backs of local residents.

11 The Tonawanda Seneca Nation has clearly
12 stated that they do not want this project
13 next to their territory. It has impacts on
14 their land and consideration to
15 biodiversity. It is our responsibility as
16 neighbors of the nation to stand with them
17 in protecting their land as well as our own.

18 As residents of Genesee County, we have
19 seen many projects come and go that have not
20 directly benefited the residents, instead
21 have just lined the pockets of large
22 corporations.

23 I oppose the proposed incentives for
24 Project Potentia and the development of
25 Project Potentia by GCEDC. GCEDC's February

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2 3rd, 2025, public hearings are (inaudible)
3 inadequate and illegal, constitute a
4 violation of the public trust and manifest
5 an utter lack of regard for the impact of
6 data centers on Tonawanda Seneca Nation,
7 residents of the Great Lakes bio region and
8 the health and wellbeing of our shared
9 environment.

10 GCEDC must address these failures and
11 hold a new round of hearings. Sincerely,
12 Gina Sheila Mano (phonetic), Batavia, New
13 York." I yield my time.

14 HEARING MODERATOR: Hilka Salsbury.

15 MS. SALSBUARY: Hi. My name is Hilka
16 Salsbury. I'm a resident -- my name is Hilka
17 Salsbury. I'm a resident of the town of
18 Alabama. I pay my taxes here. I pay my
19 water bills, which are going up. This is
20 also the traditional lands of the Tonawanda
21 Seneca. We are on it. These lands are
22 unseeded, and they were taken without being
23 ratified by Congress. I hold a deed that
24 has Tonawanda Seneca's land outlined on my
25 deed, as I'm sure the deed does to the

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2 property that's on STAMP.

3 I did not -- I moved to Alabama not
4 knowing that this STAMP works was already
5 underway. It was done in secrecy. There
6 was an inappropriate environmental review
7 that I saw that was done in 2012 that did
8 not include the Tonawanda Seneca Nation
9 input at that time. They weren't even
10 mentioned at all. They weren't counted as
11 part as the local census.

12 There were about 900 people that live
13 over there. Their very existence is
14 threatened by this project. Their way of
15 life is threatened, we are all threatened.
16 What happens to them will happen to all of
17 us.

18 We are currently undergoing a sixth mass
19 extinction on this planet. Google it. What
20 we're going to need in the future is clean
21 water, and rich soil and land in which to
22 grow organic foods. I propose that it may
23 be a project for STAMP. But not, not, not
24 without the consent of the Tonawanda Seneca
25 Nation.

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2 (Cross-talk.)

3 MS. SALSBUURY: I hope to turn the page.
4 We all need to come together as a community.
5 We have all suffered, the people that live
6 here, emotionally, physically, due to the
7 stress of this project. Please, let's
8 rethink STAMP, cease and desist this whole
9 project and let's move forward with a better
10 plan.

11 HEARING MODERATOR: James Burnett.

12 MR. BURNETT: I -- my name is James
13 Burnett. I'm from Lackawanna, New York, way
14 over in Erie County, other side of the
15 world.

16 It has come to my attention that one of
17 the major reasons for the STAMP project is
18 to buy Western New York votes for Governor
19 Hochul and Senator Chuck Schumer by dumping
20 federal and state monies into GCEDC and
21 their business associates. Somebody's
22 getting paid, but you're not.

23 The promised jobs will likely not
24 materialize after the initial destruction
25 and construction. This is a low economic

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2 return project. I'll give you two examples.

3 Example one. Last week, Chinese AI lab,
4 DeepSeek, massively undercut open AI on
5 pricing, sending shockwaves down to Nasdaq.
6 This is risky.

7 Example two. Comedian Nikki Glaser at
8 the recent Tom Brady Roast made fun of
9 cryptocurrency and Tom Brady's \$30 million
10 loss with Bitcoin and then attributed "To
11 local boy and Brady's go-to tight end, the
12 likable (inaudible) Rob Gronkowski. We know
13 that not real money. Even Gronk knows
14 better." Nikki Glaser said that that's not
15 my joke.

16 All right. The real money comes from
17 careful choice of industries and careful
18 site selection with the help of
19 organizations like NYSERDA, which will help
20 find appropriate brownfields for industrial
21 parks. This was not done. NYSERDA was not
22 consulted. There are better ways to put your
23 people to work. You have to consult with
24 other organizations that know where to
25 locate things.

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2 The real beauty, the draw in this area,
3 the star of the show is the Iroquois
4 National Wildlife Refuge. I invite you to
5 check out this book, "Where to watch
6 Wildlife New York Wildlife Viewing Guide,"
7 available at your public library. There's a
8 section in this book on the Iroquois
9 National Wildlife Reserve, our refuge
10 listing river otters among other wildlife. I
11 hope to come here more often and spend
12 tourist dollars and photograph the river
13 otters.

14 HEARING MODERATOR: 30 seconds.

15 MR. BURNETT: Okay. 30 seconds. Finally,
16 to the good people of Genesee County and
17 town of Alabama, don't let STAMP rip you off
18 and thank you by polluting your air and
19 water. Okay. Thank you.

20 HEARING MODERATOR: Betty Pitcher.

21 MS. PITCHER: Hello everyone. My name is
22 Betty Pitcher. It's like a baseball pitcher
23 or the kind you pour. I live in Lancaster,
24 New York as of last spring. For many, many
25 years before that I lived in East Aurora.

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2 And it was in East Aurora that I saw the
3 article in in the paper written by Jacob
4 Clark about the STAMP project. And I've
5 read some more articles about this, so I
6 have a little -- I wrote a little bit here.

7 The Iroquois National Wildlife Refuge
8 and the Tonawanda setting nation must be
9 protected. The STAMP project would do great
10 harm to this area. It would be disastrous
11 to the Tonawanda Seneca Nation and the
12 Iroquois National Wildlife Refuge. STAMP's
13 surrounded by four state and federally
14 protected areas and would border the
15 Tonawanda Seneca Nations' big woods.

16 In this area, there are wetlands,
17 grasslands and forests, with its wildlife of
18 birds and other animals. There is cultural
19 and natural history and natural beauty.

20 Nature does not have a voice. It is up
21 to us to be that voice, to protect this very
22 special place by saying no to STAMP and its
23 irreparable damage. We must be that voice
24 to protect this natural beauty. This is
25 what makes New York such a beautiful state."

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2 Thank you.

3 HEARING MODERATOR: Amy Khan (phonetic).

4 MS. KHAN: My name is Amy Khan. I live
5 on unseated Seneca Land in Rochester, New
6 York. And I am an active ally to the Seneca
7 people. I'm speaking here today, and I
8 think I might combine my comments on both
9 the Rampart and the Potentia project since
10 we're at past the 3 o'clock time.

11 I'm writing to oppose any kind of
12 financial incentives for either of these
13 projects. And I've been following this
14 project since Governor Cuomo first proposed
15 this project. And I remember conversations
16 at that time about -- it made no sense to me
17 to put a tech park in the middle of an area
18 where they were expecting people to drive
19 from Rochester and Buffalo to be employed
20 there. Things have changed dramatically
21 since that was first proposal. And we're
22 now to the point where all of these hundreds
23 of millions of my tax dollars, your tax
24 dollars have been poured into something that
25 is going to employ less than a hundred

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2 people, if that.

3 So, I think that some of our politicians
4 that are still pumping money in here are
5 being fooled as well as the public. There's
6 been such a (inaudible) for this project
7 from day one. There's been no attempts to
8 be transparent. There have been no attempts
9 really until very recently, and even now
10 it's done begrudgingly to speak to the
11 neighbors, the folks who live in the
12 Tonawanda Seneca Nations who rely on their
13 big woods.

14 People come from all over Haudenosaunee
15 territory to hunt and collect medicine in
16 the Big Woods. And the Big Woods are a
17 threat because of now data centers going in.

18 If I read, and I'm hoping that there was
19 a typo in the information, but one of these
20 data centers, if I did my calculations
21 right, it could be 41 acres of building
22 that's being -- I mean, that's hard to
23 imagine how you even hold a building up
24 that's that big. To fill that building with
25 machinery that's going to pump out noise

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2 that's going to then disturb all those
3 animals, to cool that building with water --

4 HEARING MODERATOR: 30 seconds.

5 MS. KHAN: -- that is then going to be
6 discharged either into wetlands that flow
7 into the nation or, you know, be dumped in
8 the opposite direction and go into Oak
9 Orchard. Both of those bodies of water are
10 full of very sensitive animals that will not
11 survive the pollution. So even if anyone
12 here likes to fish, that might be threatened
13 by these. So, there's a lot -- this is
14 affecting many, many people. And as a
15 taxpayer, I especially object to this use of
16 my hard-earned money.

17 And I do also object to holding this on
18 the first Monday of a month in the afternoon
19 when so many of my friends are not able to
20 come because they (inaudible) their job to
21 come.

22 Unfortunately retired so I had the
23 option to come here today. But many, many
24 hardworking people whose money you are
25 spending, were not able to come. That is a

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2 violation of all of our state regulations.
3 So, you've got to do this-- a better job of
4 not just check marking and saying, oh, we're
5 following the law, but actually following
6 the law. It will serve your purposes better
7 as well.

8 HEARING MODERATOR: Thank you.

9 MS. KHAN: This one said Potentia at the
10 top, but you just say that it's for all
11 three.

12 THE COURT REPORTER: Okay. Thank you.

13 HEARING MODERATOR: Jordan Kadish.

14 THE COURT REPORTER: Could you spell your
15 last name for me?

16 MR. KADISH: Sure.

17 THE COURT REPORTER: Okay. Thank you.

18 MR. KADISH: Yes. Hi, my name is Jordan
19 Kadish, K-A-D-I-S-H. I have about 30 percent
20 (inaudible) blood in me from Bogota,
21 Colombia. But I'm not here to speak on
22 them, more specifically though about the
23 Kogi, which also are an indigenous tribe
24 from Bogota, Colombia. And they have made
25 two movies and one of their spiritual

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2 leaders' sons had gone on a live webcast and
3 spoke about the consequences of giving into
4 the death machine of the capitalistic
5 Healthscope, that is putting things up like
6 big data centers and the constant need to
7 grow as an economy, which is killing the
8 planet, it's dying, literally dying.
9 Because of people (inaudible) working to
10 build these three projects.

11 The movies are called The Heart --
12 Message from The Heart of the World and
13 Aluna. And they're both on YouTube, as is
14 the spiritual leader's son that came and
15 talked. You can search YouTube search
16 Golden Message of the Kogi.

17 And everyone's already mentioned the
18 environmental impact of energy use and all
19 of its impacts, the wildlife energy grid
20 strain, air pollution, E-way's water usage,
21 heated water discharge, danger of fires, and
22 explosions. But there are real consequences
23 to this -- well, I've already said -- that's
24 all I really had to say.

25 HEARING MODERATOR: Jean Dixon?

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2 MS. DIXON: My name is Jean Dixon. I am
3 reading a message from Virginia Maier, M-A-
4 I-E-R from Fairport, New York. I'm going to
5 add a couple things of my own. I'm writing
6 to oppose the proposed financial incentives
7 for Project Potentia. Although I'm not a
8 resident of Genesee County, the decisions
9 you make on this project will affect me and
10 my children and my grandchildren through the
11 pollution and energy use of this data
12 center.

13 Scientists have been telling us for
14 decades that our emissions of fossil fuel
15 are fundamentally changing the climate that
16 supports human civilization. At this point,
17 with limited renewable energy available, any
18 activities that seek to use immense amounts
19 of energy, such as this data center will be
20 contributing to this planetary crisis.

21 By allowing this project to go forward
22 and even facilitating it, you are telling
23 the children of this community that you
24 don't care that they will have to deal with
25 this crisis.

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2 The effects of which we conceive from
3 the devastating fires in Los Angeles, to the
4 deadly flooding caused by Hurricane Helene,
5 to the newly unpredictable weather patterns
6 wreaking havoc on agriculture in your own
7 community. These effects are only going to
8 get -- keep getting worse unless we unite to
9 stop emitting fossil fuels. It is even more
10 galling that this pollution will be created
11 by a data center, which is literally not
12 producing anything of value except wealth
13 for a few already wealthy individuals

14 Either for bitcoin mining or powering
15 completely unnecessary AI bots. It's
16 incredibly depressing that this project is
17 receiving greater consideration than the
18 literal future of the planet and of the
19 people you and I care about.

20 The majority of residents in New York
21 State voted for a constitutional amendment
22 guaranteeing a right to clean air and water
23 just two years ago. This project flies in
24 the face of what the people have said they
25 want and our responsibilities to future

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2 generations.

3 Please reject any support for this
4 project and rethink whether what is
5 happening at STAMP really aligns with the
6 public's desires and what I hope is your
7 desire to make the world a better place now
8 and in the future. Thank you.

9 HEARING MODERATOR: Cindy Stroud
10 (phonetic).

11 MS. STROUD: Good afternoon. I enjoy the
12 way everybody walks up here real slow to
13 make you all wait. So, I walked really slow
14 for you all. Just want you to know I'm from
15 Clean Air Coalition of Western New York, and
16 I'm here just to let you know, I oppose the
17 proposed incentive for Project Potentia. Is
18 that how you print it out? Okay, Potentia,
19 and development of the Project Potentia by
20 GCEDC. Any financial incentive for Project
21 Double Reed would thus violate the
22 stipulations of the general municipal law.

23 Project Double Reed uses -- used -- used
24 of 250 megawatts of energy per year and
25 consumption of 60,000 gallons of diesel fuel

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2 per year with associated emissions of 533
3 tons of CO2 per year, as well as its
4 squandering of 10,000 gallons of water
5 daily.

6 Clearly violates the state's renewable
7 energy goals and emission reduction targets.
8 We say no.

9 HEARING MODERATOR: Chris Murawski. You
10 spell your name.

11 MR. MURAWSKI: Yes, sure.

12 Hi, everyone, my name is Chris Murawski
13 M-u-R-A-W-S-K-I. First name is C-H-R-I-S.

14 Coming today with my colleague Cindy,
15 Executive Director of the Clean Air
16 Coalition of Western New York, and we work
17 with residents and workers of environmental
18 justice communities throughout our region to
19 organize and win for public health and
20 environmental justice.

21 We're also part of group Buffalo
22 (inaudible) Friends of Echo Hay way, provide
23 solidarity from non-native groups to native
24 groups in New York -- in Western New York.

25 On behalf of Clean Air's members and

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2 supporters, we write to express comments
3 about the proposed financial incentives
4 being offered by GCEDC to the three proposed
5 projects and the STAMP project, project
6 Double Reed, project Rampart and Project
7 Potentia.

8 We strongly oppose these proposed
9 financial incentives for these three
10 projects and any further development of
11 these projects, and we've arrived at
12 opposition for the following reasons.

13 Data centers are immensely energy-
14 intensive facilities, significant demands on
15 local infrastructure for relatively small
16 job creation. Regulations must be put in
17 place first to prevent stress on energy and
18 water infrastructure as well as to prevent
19 concerns from noise.

20 Before we permit these structures to go
21 in place, we need regulations to regulate
22 them, and we do not have them yet in New
23 York.

24 Clean Air has a campaign in North
25 Tonawanda, New York, where there is a data

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2 center currently running and an old gas-
3 fired power plant. But there's well-
4 documented effects from noise pollution from
5 the residents. The residents can't sleep,
6 they're disturbing the wildlife, they're
7 disturbing their pets. And -- so, we know
8 that this is a big concern. And the city has
9 actually passed a two-year moratorium on the
10 development of any more of these types of
11 projects because it's so bad.

12 So, STAMP is an extremely inappropriate
13 site for a data center due to its remote
14 location, lack of infrastructure, and of
15 course, adjacency to the Seneca Tonawanda
16 Nation and sensitive protected environmental
17 areas.

18 Further, all three of these proposals
19 include plans for emergency diesel backup
20 generators, and greenhouse gas submissions
21 projected into the megatons annually.

22 We also object to the opaque public
23 engagement process related to the
24 development of the site and these three
25 proposed projects. And we ask that GCEDC

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2 reject the applications of the three
3 projects, also produce the written cost-
4 benefit analysis as stipulated in the
5 General Municipal Law, and then widely
6 circulate this report and hold another round
7 of public hearings, with significant
8 advanced notice to the public, and not a
9 time that's during the business day 9:00 to
10 5:00, give folks a chance to come in the
11 evening.

12 We put together all kinds of public
13 engagement groups and we always do them in
14 the evening because we want people to come
15 and take part in that. We don't do it during
16 the workday.

17 And there's other things in here that I
18 don't have time to get to, but I'll hand in
19 my letter. I appreciate the time. Thank
20 you.

21 HEARING MODERATOR: Okay. With that, I
22 think we'll close the public hearing for
23 Project Rampart.

24 We'll stop video.

25 (Proceedings concluded.)

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2 CERTIFICATE

3
4 I, Suzanne Saeed Tacker, do hereby certify
5 that I have reported in voice court reporting the
6 proceedings in the matter of the Public Hearing
7 Pursuant to New York State Eminent Domain Procedure
8 Law Section 203 Regarding STAMP Sewer Works
9 Corporation aka STAMP Sewer Works, Inc., at the
10 Alabama Volunteer Fire Department, 2230 Judge Road,
11 Alabama, New York, on July 27, 2023.

12
13 That the transcript herewith is a true, accurate and
14 complete record of my voice court reporting
15 software.

16
17
18
19 Suzanne Saeed Tacker, CCR

20 Certified Court Reporter

21 License No. 6471-8356-4904-8576
22
23
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25