

# Final Generic Environmental Impact Statement for the Western New York Science & Technology Advanced Manufacturing Park (STAMP)

Town of Alabama  
County of Genesee, New York



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January 2012

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Economic  
Development Center

*This Final Generic Environmental Impact Statement (FGEIS) was accepted as complete  
by the Lead Agency on January 19, 2012*

FGEIS available at:  
[www.gcedc.com](http://www.gcedc.com)

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## **EXECUTIVE SUMMARY**

### **ES.1 Introduction**

This Final Generic Environment Impact Statement (“FGEIS”) is issued for the Western New York Science and Technology Advance Manufacturing Park (“STAMP” or the “Project”) by the Genesee County Economic Development Center (“GCEDC”) as Lead Agency pursuant to and in compliance with Article 8 of the Environmental Conservation Law and its implementing regulations of 6 N.Y.C.R.R. Part 617, commonly known as the State Environmental Quality Review Act (“SEQRA”). GCEDC is the Project Sponsor for the Project, which is to be located on approximately 1,243.40 acres of land in the Town of Alabama, County of Genesee, State of New York (the “Project Site”). The Project Site is located along New York State Highway 77/63, approximately five miles north of the I-90/New York State Thruway in the Town of Alabama.

The FGEIS, incorporating by reference the Draft Generic Environmental Impact Statement (“DGEIS”) for STAMP, forms the basis for the Project-related decision making. SEQRA regulations require that the FGEIS incorporate the DGEIS, including any revisions or supplements to it; copies or a summary of the substantive comments received and their sources; and the Lead Agency’s response to all substantive comments.

All volumes of the DGEIS which were accepted by GCEDC on April 14, 2011 are incorporated herein by reference in their entirety.

After the issuance of this FGEIS, the public and involved agencies will be afforded a reasonable time period, not less than ten (10) calendar days, in which to consider the FGEIS. After this reasonable time period has passed, GCEDC (as Lead Agency) will issue a finding statement pursuant to 6 N.Y.C.R.R. § 617.11 prior to making a determination whether to undertake the Project.

On January 26, 2010, GCEDC accepted lead agency status for the coordinated SEQRA review of the Project, and in accordance with 6 N.Y.C.R.R. § 617.12, issued a Positive Declaration determining that the Project may have a potential significant adverse impact on the environment requiring the preparation of a DGEIS.

On April 14, 2011, GCEDC determined that the DGEIS was complete, and copies of the DGEIS were made available for public review. The DGEIS comment period commenced on April 21, 2011 and extended through and until June 23, 2011. Nevertheless, additional comments received after the end of the public comment period prior to the issuance of the FGEIS have been accepted and responded to within this FGEIS. A public hearing on the DGEIS was also conducted on May 12, 2011 at 7:00 p.m. in the Town of Alabama Fire Hall.

### **ES.2 Description of the Project**

Chapters IV and V of the DGEIS provide a detailed description of the preferred alternatives, as well as the Project Sponsor’s goals, objectives and constraints. Since the entire DGEIS has been incorporated by reference, this Section ES.2 is limited to a brief summary of the Preferred Alternative. Section ES.4 further provides a summary of the description of changes made to the DGEIS as a result of the comments received from the public and involved and

interested agencies, as well as continuing design refinement associated with development of the Project.

The Preferred Alternative is the establishment of a high technology campus at the Project Site planned to accommodate advanced technology manufacturing uses at full build-out, and providing direct employment for over 9,000 people. Phase I is planned to attract an anchor technology manufacturing facility potentially comprised of 1,000,000 square feet. Once secured, the anchor facility will attract a variety of technology manufacturing and support uses, as well as supporting commercial enterprises. In alignment with the Town of Alabama's wishes to create employment opportunities to retain local residents, the Preferred Alternative provides a number of jobs during the construction and operation phases of the Project. No private residences will be developed at the Project Site.

The Project will require additional water and sewer infrastructures to support the advanced manufacturing uses being developed. Extension of the water system will augment those lines being contemplated by the Town of Alabama's ongoing water study. The Project will provide additional opportunity to expand the reach of broadband to be shared between the Project and residential services. Roads needed to access and connect development parcels will be built over time as needed by the development.

In terms of maintaining the visual character of the community, the Project is planned to visually integrate itself into the existing rural agrarian setting in a comfortable and compatible manner as outlined in the *Visual Impact Assessment* (Appendix R to the DGEIS). Larger technology manufacturing structures are located on the lower, westerly portion of the Project Site, while the smaller-scale supporting structures are located in the eastern portion of the Project Site to provide a scaled transition to neighboring farmland. In addition, significant undeveloped buffer zones are located around the Project's perimeter, and the campus-like setting of the Preferred Alternative will ensure that open spaces and environmentally-sensitive locations are maintained. This type of setting is not only required to preserve the aesthetic of the surrounding community, but to attract and retain the creative-class workforce necessary for advanced technology manufacturing. Building materials will be high quality and will be chosen to reflect the rural agricultural vernacular of the area.

The Preferred Alternative comprises of 6,130,000 square feet of development at full build-out, including technology manufacturing facilities; flex space and support facilities; office space; retail support uses; and a network of open space and trails that meander throughout the Project Site. Nevertheless, the Project is developed at a low density, with less than 49 % of the Project Site to be developed. Substantial landscape buffers will surround the Project Site along property lines shared with other property owners in order to maintain existing viewsheds and the rural character of the area surrounding the Project. In addition, a ridge line that runs between the existing Hamlet of Alabama will remain undeveloped to provide visual separation between the Hamlet and the Project Site. Central to the Project's open space system is a natural area corridor that runs east-west across the Project Site. This natural area will be protected and maintained to improve ecological functions provided by existing headwater streams, stream buffers, and wetlands. This natural area corridor, along with the Whitney Creek Corridor and various wetlands located throughout the Project Site, will anchor the open space system. A trail network will weave its way throughout the Project Site, and will be a useful amenity for both workers at STAMP, the Town of Alabama community-at-large, and residents of the Whitney Creek watershed.

There will be two main entry points to the Project Site. At full build-out, a boulevard entry will extend from New York State Route 77/63 to the heart of the Project Site. However, Crosby Road will be the Phase I access point to STAMP, and will be the internal spine that connects the various development areas together, as well as links the internal road network. The intersection of Crosby Road and the boulevard entry from New York State Route 77/63 will lead to and define the center of STAMP. Parking and service areas will be associated with the various development sites, and will be built to serve the needs of the build-out of each parcel. Parking is envisioned at surface lots throughout the Project Site. The ultimate number of parking spaces built will be in accordance with the zoning requirements set forth for the district in the Technology Zoning District category developed for the Project as part of this SEQRA review.

The Project will be developed incrementally, in phases and in response to market demand and other factors, such as funding and the interest of the development community. The phasing strategy of the Project is to attract an advanced manufacturing company to the Project Site to “anchor” Phase I development. Once this anchor manufacturing company is secured, a variety of supporting uses will likely be attracted to the Project Site, along with additional manufacturing facilities. Phase I development is thought of as a 1,000,000 square feet of advanced manufacturing space, as well as the requisite on-site improvements necessary to attract this user, though the exact size and type of facility will depend on market demand.

### **ES.3 Comments and Responses to Comments**

A total of 246 comments were identified during the DGEIS public comment period. Section III of the FGEIS identifies each comment specifically, as well as provides appropriate responses. A summary for each comment was created and a response identified, with comments grouped together as provided by the commentator.

Numerous members of the public provided both verbal and written comments during the public comment period for the DGEIS. Written comments were also provided by the New York State Department of Environmental Conservation, the Town of Alabama, Sheriff Gary T. Maha of Genesee County, New York, Genesee County Pomona Grange No. 10, the American Farmland Trust, the New York State Department of Transportation, and the Genesee County Department of Planning.

The FGEIS provides a summary of all substantive comments and responses provided on the DGEIS. Copies of all letters, e-mails and a transcript of the May 12, 2011 public hearing are provided in Appendix B of the FGEIS.

### **ES.4 Description of Changes to the DGEIS**

The FGEIS incorporates changes to the DGEIS resulting from the public/involved and interested agencies’ comments on the DGEIS, project redesign/refinement since the DGEIS, and the development of additional relevant information that was not available at the time of the publication of the DGEIS. Chapter IV of the FGEIS addresses aspects of the DGEIS that have been revised as a result of these factors. The following is a brief summary of some of the revisions outlined in Chapter IV:

(1) Revisions to Figure 1-3 of the DGEIS include the removal of the John White Wildlife Management Area (“WMA”) from within the STAMP Project boundary at this time, realignment of associated pedestrian trails, relocation of buildings adjacent to the John White WMA boundary to be set back at a minimum of 500 feet from the John White WMA, relocation

of the proposed Town of Alabama Town Hall closer to the Hamlet of Alabama, rescaling project buildings near the Hamlet of Alabama to be more in scale with existing scale and character of the Hamlet, refinement/clarification of the 400-foot buffer line surrounding the Project perimeter and the addition of tree plantings along the western Project boundary to augment existing forested areas to create a visual screen along the entire western boundary.

(2) Figure F-2 of the FGEIS illustrates all permanent open space in one color to clarify overall open space intent of the Preferred Master Plan. In addition, the area shown as “Potential Conservation Lands & Open Space” on Figure F-2 are typically undisturbed areas to preserve linkages to offsite ecosystems. Non-wetland open areas within the Potential Conservation Lands & Open Areas shown on Figure F-2 are planned to be maintained as native vegetation.

(3) The United States Army Corps of Engineers (“USACE”) requested that Drainage Ways (DW) 22 and 23 be added to the delineation map based on field visits and discussions with the Project Sponsor’s wetland consultant, Earth Dimensions. These have been included in the FGEIS as Figure 6-2, Existing Wetlands and Surface Waters. USACE has also requested that the delineation of Wetland 2 be adjusted from 18.47 acres to 18.48 acres and Wetland 9 be adjusted from 1.69 acres to 1.71 acres. The adjustments have been made and are shown in Figure 6-3, Existing Wetlands on Project Site. Based on field work completed to date, the drainage ways appear to be of marginal quality as they were not evident in the field during scheduled site visits and did not meet wetland definitions. At this time, the USACE is uncertain in terms of jurisdiction on DW 22 and 23. The jurisdictional determination is in progress and expected to be completed in the next couple of months.

(4) Section 6.6.2 of the DGEIS has been revised to state that access to the Project Site will be provided via Crosby Road during Phase I of the Project. This section has been further revised to recommend that a right-turn lane be constructed on the eastbound Judge Road approach of the NY Route 77/NY Route 63 intersection and that this intersection and the NY Route 77/Ledge Road intersection be restricted for the potential installation of traffic signals during this phase of the Project’s development.

## **I. INTRODUCTION**

### **1.1 The Final Generic Environmental Impact Statement**

This Final Generic Environment Impact Statement (“FGEIS”) is issued for the Western New York Science and Technology Advance Manufacturing Park (“STAMP” or the “Project”) by the Genesee County Economic Development Center (“GCEDC”) as Lead Agency pursuant to, and in compliance with, Article 8 of the New York State Environmental Conservation Law and its implementing regulations at 6 NYCRR Part 617, commonly known as the State Environmental Quality Review Act (“SEQRA”). GCEDC is also the Project Sponsor for the Project, which is to be located on 1,243.40 acres of land in the Town of Alabama, County of Genesee, State of New York (the “Project Site”).

The FGEIS, incorporating by reference the Draft Generic Environmental Impact Statement for STAMP (“DGEIS”) forms the basis for the Project-related decision making. SEQRA regulations require that the FGEIS incorporate the DGEIS, including any revisions or supplements to it; copies or a summary of the substantive comments received and their sources; and the Lead Agency’s responses to all substantive comments

After the issuance of this FGEIS, the public and involved agencies will be afforded a reasonable time period, not less than ten (10) calendar days, in which to consider the FGEIS. After this reasonable time period has passed, GCEDC as Lead Agency will issue a finding statement prior to making a determination whether to undertake the Project. This finding statement will consider the relevant environmental impacts, facts and conclusions disclosed in this FGEIS; weigh and balance relevant environmental impacts with social, economic and other essential considerations; provide a rationale for the lead agency’s decision; certify that the requirements of SEQRA have been met; certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practical.

As future development components envisioned under the Project are fully defined and designed, they will be reviewed against the thresholds and assumptions outlined in the FGEIS and findings statement. If the scale and characteristics of such future developments are consistent with such standards or thresholds, no further documentation will be required pursuant to SEQRA. Should a particular future component exceed any threshold or standard established in the FGEIS or be determined to potentially result in an impact not considered in the FGEIS or a findings statement, additional environmental review and possibly a supplemental EIS will be required.

### **1.2 Chronology of the SEQRA Process**

To commence the SEQRA process, in December 2009, GCEDC issued notices to all then known involved or interested agencies to solicit Lead Agency status for the Project. No objections to GCEDC serving a SEQRA lead agency were made by any interested or involved agency, and on January 26, 2010, GCEDC accepted Lead Agency status for the coordinated SEQRA review of the Project.

Based on the information contained in the Full Environmental Assessment Form and in accordance with 6 N.Y.C.R.R. § 617.12, GCEDC issued a Positive Declaration having determined that the Project may have a potential significant adverse impact on the environment requiring the preparation of a DGEIS.

On April 14, 2011, GCEDC accepted the DGEIS as being prepared pursuant to the requirements of SEQRA. Copies of the DGEIS were then distributed to all of the involved and interested agencies and made available for public review at the Town of Alabama Town Hall and GCEDC's offices. A copy of the DGEIS (with appendices) was also posted on the website, *www.gcedc.com*. A notice of completion of the DGEIS and a notice of public hearing appeared in the *The Daily News* on April 25, 26 and 27, 2011, and the Environmental Notice Bulletin on April 27, 2011. A notice of the extension of the public comment period to June 23, 2011 appeared in *The Daily News* on May 17, 18, and 19, 2011. Copies of the notices are provided in Appendix B.

A public comment period on the DGEIS was commenced on April 21, 2011, and extended through and until 5:00 p.m. on June 23, 2011. A public hearing was also held on the DGEIS on May 12, 2011 at 7:00 p.m. in the Town of Alabama Fire Hall. Additionally, comments received after the end of the public comment period prior to the issuance of the FGEIS have been accepted and responded to within this FGEIS.

### **1.3 Interested and Involved Agencies**

The following is a list of the interested and involved agencies for the SEQRA review purposes of the Project.

#### **a. Involved Agencies**

- The Town of Alabama Town Board
- The Town of Alabama Planning Board
- The Genesee County Industrial Development Agency
- The Genesee County Health Department
- The US Army Corps of Engineers
- The New York State Department of Transportation
- The New York State Department of Environmental Conservation
- The New York State Department of Health
- The New York State Office of Parks, Recreation and Historic Preservation
- The New York State Department of Agriculture and Markets
- The New York Empire State Development Corporation

#### **b. Interested Agencies**

- The Town of Alabama Fire Department
- The Genesee County Department of Planning
- Tonawanda Seneca Nation
- The New York State Thruway Authority
- The U.S. Fish and Wildlife Services
- National Grid

- Buffalo Niagara Enterprise
- Greater Rochester Enterprise

#### **1.4 DGEIS Public Hearing and Comment Period**

A public comment period on the DGEIS commenced on April 21, 2011 through May 24, 2011, and then was subsequently extended through and until June 23, 2011. The public hearing on the DGEIS was conducted on May 12, 2011 at 7:00 p.m. in the Town of Alabama Town Hall. Included in Appendix B hereto is a copy of the transcript of the May 12<sup>th</sup> public hearing and associated materials.

The public hearing was opened by Mr. Mark Masse, Senior Vice President of GCEDC. Following a presentation by Mr. Masse and representatives of the GCEDC Project Team, approximately fifteen (15) members of the public testified about the DGEIS and the potential environmental impacts associated with the Project. The hearing was closed at 8:10 p.m. The public comment period closed at 5:00 p.m. on June 23, 2011.

#### **1.5 Comments Received and Changes to DGEIS**

Many comments were received during the comment period. Copies of all comments received, including those received at the public hearing, are also provided in Appendix B. Comments covered the purpose and need for the Project, the alternatives for the Project, potential environmental impacts associated with the Project, and potential mitigation measures. As a result of comments received, various changes were made to the DGEIS. These changes are detailed in Chapter IV.

#### **1.6 FGEIS Consideration Period**

SEQRA requires that the lead agency shall afford other agencies in the public a minimum of ten (10) calendar days following the filing of notice of completion in which to consider the FGEIS before issuing its written findings statement.

#### **1.7 Incorporation by Reference**

All volumes of the DGEIS which were accepted by GCEDC on April 14, 2011 are incorporated herein by reference in their entirety. The DGEIS provides analysis of: (i) the purpose of and need for the Project; (ii) reasonable alternatives for the Project; (iii) the Project environmental setting; (iv) the potential significant adverse environmental impacts associated with the project; (v) mitigation measures for the project; (vi) thresholds for future actions; and (vii) impacts that cannot be mitigated if the Project proceeds.

In addition to the DGEIS and the studies contained therein, the following study is incorporated by reference in its entirety: Wetland Delineation Report prepared by Earth Dimensions, Inc. as revised on November 16, 2011. A copy of this report is attached as Appendix C.

## II. Description of the Proposed Action

### 1. Overview

Chapter 5 of the DGEIS provides a detailed description of the preferred alternative, as well as GCEDC's goals, objectives and constraints relating to STAMP. As the entire DGEIS has been incorporated by reference, this Chapter of the FGEIS is limited to a brief summary of the preferred alternative, as well as a description of the updates that have been made to the preferred alternative since the publication of the DGEIS. Project updates are the result of comments received on the DGEIS, as well as the continuing design refinement associated with STAMP.

### 2. Project Location

The Project is proposed to be located on 1,243.40 acres of land in the Town of Alabama, County of Genesee, State of New York. The Project Site is located along New York State Highway 77/63, approximately five miles north of the I-90/New York State Thruway in the Town of Alabama. The Project Site is bounded by Judge Road on the south, Lewiston Road on the north, NYS Highway 77/63 on the east, and Tonawanda Seneca Nation Reservation on the west.

The Project site is characterized by rural, agricultural land uses, predominant in the Town of Alabama. The Project Site borders the Hamlet of Alabama at its northeast corner. The Project Site is visually flat to gently rolling, and contains a variety of uplands and wetlands; the highest elevation is at its southeast corner and gently slopes to its northwest corner. A subtle ridgeline runs diagonally across this Project Site adjacent to the Hamlet of Alabama.

### 3. Brief Description of the Preferred Alternative

The Preferred Alternative would be a full build-out of the Project establishing a high technology campus at the Project Site accommodating over 6 million square feet of advanced technology manufacturer uses providing direct employment of over 9,000 people. Phase I of the preferred alternative plans to attract an anchor tenant technology manufacturing facility potentially comprised of 1 million square feet. Once secured, the anchor facility will attract a variety of technology manufacturing support uses and supporting commercial enterprises. Figure 1-3 of this FGEIS sets forth the land use and density at full build-out as well as a conceptual site plan showing configuration of the buildings, roadways and infrastructures at the Project Site as would be built out under the preferred alternative.

The Project will require additional water and sewer infrastructure to support the advanced manufacturing facilities being developed. Extensions to the water system will augment those lines being contemplated by the Town of Alabama's ongoing water study. The Project will provide an additional opportunity to expand the reach of broadband to be shared between the Project and residential service. Roads needed to access and connect development the development parcels will be built over time as needed by the development.

In terms of maintaining the visual character of the community, the Project is planned to visually integrate itself into the existing rural, agrarian setting in a comfortable and compatible manner as outlined in Appendix R of the DGEIS entitled *Visual Impact Assessment*. Larger technology manufacturing structures are located on the lower western portion of the Project site, while the small-scale supporting structures are located on the eastern portion of the Project site to

provide a scale transition to neighboring farmland. In addition, significant undeveloped buffer zones are located around the Project site's perimeter, and the campus-like setting of the preferred alternative will ensure that open spaces and environmentally sensitive locations are maintained. This type of setting is not only required to preserve the aesthetic of the surrounding community, but to attract and retain the creative-class workforce necessary for advanced technology manufacturing. Building materials will be high quality and will be chosen to reflect the rural agricultural vernacular of the area.

The Preferred Alternative also represents an evolution of conceptual planning that has resulted in a significant minimization and/or avoidance of potential impacts to existing surface-water wetlands, storm water, and historical and archeological resources. This is clearly demonstrated when a review of the original master plan set forth in the initial feasibility study master plan is compared with the Preferred Alternative as shown in Figure 5-6 on page 5-15 of the DGEIS as well as the newly revised Preferred Master Plan as shown in Figure 4-7 of this FGEIS. For example, the Preferred Alternative has resulted in a reduction of potential wetland impacts from approximately 69 acres to below 10 acres. This reduction of wetlands impacts was accomplished by reorienting proposed development area and buildings to be more consistent with the existing terrain and by preserving and enhancing an existing stream corridor traversing the Project site.

Other reductions and impacts evident in the Preferred Master Plan include a new bypass road to channel Route 77/63 traffic away from the Hamlet of Alabama, moving to a distributed concept of stormwater management facilities, and adding bioswales at the edges of paved areas to reduce storm water management system volumes.

In terms of economics, the Project represents an opportunity to bring New York State significant investment in high technology research, development and manufacturing to the Western Region of the State of New York. To date, the Lead Agency has already received inquiries from high technology companies that could appropriately be accommodated at the Project Site. Therefore, there is considerable market demand for such a high technology campus in this area.

Economic benefits associated with the preferred alternative will be substantial including:

- At full build-out, STAMP will comprise approximately 6.1 million square feet of employment-supporting building space with a total estimated assessable value of \$760.5 million.
- STAMP will support over 9,000 Full-Time-Equivalent ("FTE") jobs at full build-out and occupancy.
- STAMP employment is projected to generate direct annual wages of \$531.9 million at full build-out and occupancy (2011 dollars).
- Total economic output is projected to equal approximately \$4.6 billion at full build-out and occupancy, including secondary economic impacts.
- Indirect wages (wages not directly attributed to STAMP employers) or projected equal \$761.3 million at build-out and occupancy, reflected in indirect employment of over 17,000 FTE jobs.

- Construction phases or projected support 1,400 to 2,900 direct and indirect FTE jobs during the duration of development, with total earnings ranging from \$40.8 million to \$83.8 million.
- Property tax rates are projected to decrease due to significant increases in the tax base from STAMP:
  - The Town of Alabama could realize a decrease in the tax rate per \$1,000 in value from \$1.11 to \$0.11.
  - Genesee County could realize a decrease in the tax rate per \$1,000 in value from \$9.82 to \$7.97.
  - Oakfield-Alabama School District could realize a decrease in the tax rate per \$1,000 in value and \$23.73 to \$16.94.
- Total recurring annual State income taxes are projected to equal approximately \$33.6 million and full build-out and occupancy.
- Retail operations are projected to generate annual sales taxes of \$2.3 million each to the County and the State.

#### **4. Project Updates Since Publication of the DGEIS**

A number of Project updates have been made to the Preferred Alternative since the publication of the DGEIS. These project updates are the result of comments received on the DGEIS, as well as a continuing design refinement associated with the build-out of the Preferred Alternative. As a result of the Project updates, the footprint of the Project Site has been decreased, as well as further refinement in the location of buildings near the John White WMA and relocation of the proposed Town of Alabama Town Hall in order to be consistent with the input provided by the Town of Alabama and the New York State Department of Environmental Conservation.

The most significant changes made to the Preferred Alternative since the publication of the DGEIS is the removal of the John White WMA from within the Project Site boundary. As a result, at this time, the John White WMA will not be part of the Project Site as earlier set forth in the DGEIS.

Furthermore, as reflected in Figures 4.6 and 4.7 attached to this FGEIS, the realignment of associated pedestrian trails and the relocations of buildings nearest the John White WMA boundary are set back a minimum of 500 feet from the John White WMA is a Project change that further minimizes and/or avoids any potential significant adverse impacts to the John White WMA.

The proposed Town of Alabama Town Hall has also been relocated closer to the Hamlet of Alabama, as well as Project buildings located near the Hamlet of Alabama have been re-scaled in order to be more consistent with the existing character and nature of the Hamlet. Lastly, a refinement/clarification of the 400-foot buffer line around the Project Site perimeter, and the addition of tree plantings along the western Project boundary designed to augment existing forested areas in order to create a visual screen along the entire western boundary will further reduce the potential visual impacts associated with the Project to surrounding properties.

### III. Comments and Responses to Comments

A total of 246 distinct comments were identified during the DGEIS public comment period. Following identification of each comment, all of the comments were carefully reviewed.

This Chapter provides summaries and responses to the substantive comments received on the DGEIS. As noted in Section 1.2, GCEDC accepted the DGEIS on April 14, 2011. A public comment period extended from April 21 through May 24, 2011, and then was subsequently extended through and until June 23, 2011. The public hearing on the DGEIS was conducted on May 12, 2011 at 7:00 p.m., in the Town of Alabama Fire Hall. Many comments were received during the comment period including approximately (fourteen) 14 letters and eight (8) memorandums from WENDEL submitted on behalf of the Town of Alabama Town Board, as well as verbal comments from fifteen (15) speakers during the DGEIS public hearing. Copies of these emails, letters and the transcript of the public hearing are provided in Appendix B.

This Chapter summarizes the comments that were provided both at the public hearing and during the written comment period and provides responses in accordance with the issues and questions raised by each comment. Note that in some circumstances, more than one comment summary and response may have been relevant to a particular comment. In such cases, the cross references to other responses made to comments summaries will be provided in order to ensure that a complete response is provided to each comment as necessary.

Comments have been broken down into specific and distinct comment summaries with appropriate responses provided therein. Authors of the written comment letters are provided, as well as the date of the correspondence received by GCEDC.

#### **A. The following summaries and responses are associated with the comments provided at the May 12, 2011 public hearing held for the DGEIS.**

Lorna Klotzbach:

*Comment Summary 1:* DGEIS should address how Town of Alabama will be compensated for loss of tax revenue for each parcel of property bought by GCEDC.

**Response:** The Town of Alabama will be compensated through the incentive zoning agreement that is currently being negotiated between the GCEDC and the Town of Alabama. The final incentives that are agreed to by the Town of Alabama and the GCEDC will be presented to the Town residents at a public hearing when completed. When STAMP is completed, the amount of tax revenue generated by the new construction will be far greater than the revenue that is currently being collected on the property now.

*Comment Summary 2:* How will Town and County be compensated for the increased cost to farmers due to increased traffic, increased regulation and increased complaints for people not used to farming?

**Response:** The Town and County will received a substantial increase in tax revenues from the increase in assessed value when the Project buildings are complete.

*Comment Summary 3:* How will Town and County be compensated for the cost of implementing farmland preservation plans?

**Response:** The Town of Alabama needs to vote and approve a farmland protection plan. Depending on which plan they decide to adopt, the Town will have to decide how it is implemented and funded.

*Comment Summary 4:* How will Town and County be compensated for the loss of sales tax revenue if GCEDC waives construction sales tax and pay a payment in lieu of that tax?

**Response:** The sales tax revenue would not be generated if it wasn't for the Project building at the Project Site. There will be an increase in people who will be spending some of their wages locally, on food and services in the Town of Alabama which will generate sales tax revenue for the Town and County.

*Comment Summary 5:* If the Project doesn't pay off will GCEDC return that money to the Town and the County?

**Response:** The Town of Alabama and Genesee County are not putting any money into the Project.

*Comment Summary 6:* How will the Town and County be compensated for the cost of installing infrastructure in Project Site?

**Response:** The Town of Alabama and Genesee County will not be paying for any of the infrastructure at the Project Site.

Bob Crossen:

*Comment Summary 7:* Everything that was ever done with STAMP should be on the website for GCEDC.

**Response:** All of the information related to STAMP is on the GCEDC website.

*Comment Summary 8:* DGEIS does not provide what typical chemical and physical processes that will be included at Project site.

**Response:** Section 3 Manufacturing Technology Descriptions of the *Industry Requirements and Environmental Health & Safety Report* (Appendix H of the DGEIS) identifies typical technology manufacturing processes; Section 4 Chemical Use and Storage identifies chemical use and storage requirements; applicable regulations and practices, including discussions of hazardous materials management; and Section 5 Wastewater describes wastewater sources and treatment, including applicable regulatory requirements such as adherence to the Clean Water Act.

In New York, several regulatory programs are applicable to bulk chemical storage, bulk petroleum storage and waste management. These regulatory programs are as follows:

- Hazardous Substance Bulk Storage Program (6 N.Y.C.R.R. Parts 595-599)
- Regulation of Petroleum Tanks (6 N.Y.C.R.R. Parts 612-614)

Fundamentally, these two regulatory programs establish standards to mitigate adverse impacts to human health and the environment including groundwater and surface water resources.

In addition, multiple environmental, health & safety programs will be implemented at STAMP to comply with the Town of Alabama Zoning Code, EPA, and OSHA regulatory requirements. These are briefly described below.

- Clean Water Act, as codified with Title 40 of the Code of Federal Regulations and local sewer use ordinances
- OSHA Hazard Communication (HAZCOM) – Hazard communication in accordance with 29 CFR 1910.
- Flammable Liquid & Hazardous Chemicals – Storage in Underwriters Laboratory (UL) approved flammable containers. Compliance with State Hazardous Substance Bulk Storage program as applicable.
- Hazardous/Flammable Vapors – Ventilation to achieve safe occupational exposure limits
- Compressed Gas Cylinders – Secured storage and appropriate valve protection caps.
- Confined Space Entry – Defining confined space and entry/retrieval protocols.
- Control of Hazardous Energies – Lockout/Tagout program for servicing energized equipment
- Personal Protective Equipment – Applicable to energized electrical work and hazardous materials handling.
- Emergency Response/Evacuation – Safe evacuation procedures and arrangements with local emergency response agencies.
- Ergonomics – Work procedures to minimize musculoskeletal disorders (MSD)
- Fall Protection

- Forklift Operation – Operator training and safety inspection checks.
- Incident/Injury Investigation Prevention & Reporting
- Labeling – Labeling of chemical containers with OSHA approved labels.
- Ladders & Scaffolding – OSHA approved ladders and scaffolding
- Non-Electrical Hotwork – Permit program for protocols involving any open flame or spark producing equipment.
- Safety Showers & Eye Washes – Located during facility design.
- Storm Water/Groundwater/Surface Waters – Implement General Industrial Storm Water Permit conditions including Storm Water Pollution Prevention Plan (SWPPP), comply with NYSDEC bulk hazardous substance, bulk petroleum storage and waste management regulations.
- Air Quality – Implement air permit conditions. Track and report air emissions.
- Hazardous Waste – Employee training, implement contingency plan, waste manifesting and recordkeeping.
- Wastewater – Wastewater monitoring, sampling and submission of a monthly discharge monitoring report.

*Comment Summary 9:* DGEIS should provide traffic study and anticipated additional call volumes – increase in call volumes fire department can expect.

**Response:** Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study “should” be performed each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*“The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff’s Department are currently putting together a Request for Proposal (RFP) for a preliminary study on the STAMP Project and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.*

*Depending on the specific needs of actual facilities that locate in the Project, it is possible that additional resources and/or training may be required. At the time each actual technology manufacturing facility submits a Site Plan Application to the Town of Alabama, a facility-specific Emergency Services Impact Study will be performed to identify any unique needs associated with that specific technology manufacturing facility.*

*Each Emergency Services Impact Study will specifically identify mitigation measures that may be required for the following, among other considerations:*

- *Potential for increase in police calls.*
- *Potential for increase in court services (See “Court Services” section below).*
- *Potential for increase in EMS calls.*

- *Potential for increase in motor vehicle accident (MVA) calls.*
- *Potential for increase in hazardous materials calls.*
- *Potential for increase in fire calls.*
- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”*
- *Potential incentives to attract additional volunteers for the fire department.”*

*Comment Summary 10:* What incentives can be implemented to get more volunteers at the fire department.

**Response:** Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study “should” be performed each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*“The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff’s Department are currently putting together a Request for Proposal (RFP) for a preliminary study on the STAMP Project and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.*

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- *Potential for increase in hazardous materials calls.*
- *Potential for increase in fire calls.*
- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”*
- *Potential incentives to attract additional volunteers for the fire department.”*

*Comment Summary 11:* DGEIS needs to address the current lack of potential expensive and needed equipment, current hiring, and experience levels lacking in dealing with industrial facilities.

**Response:** Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study “should” be performed each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*“The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff’s Department are currently putting together a Request for Proposal (RFP) for a preliminary study on the STAMP Project and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.*

*Depending on the specific needs of actual facilities that locate in the Project, it is possible that additional resources and/or training may be required. At the time each actual technology manufacturing facility submits a Site Plan Application to the Town of Alabama, a facility-specific Emergency Services Impact Study will be performed to identify any unique needs associated with that specific technology manufacturing facility.*

*Each Emergency Services Impact Study will specifically identify mitigation measures that may be required for the following, among other considerations:*

- *Potential for increase in police calls.*
- *Potential for increase in court services (See “Court Services” section below).*
- *Potential for increase in EMS calls.*
- *Potential for increase in motor vehicle accident (MVA) calls.*
- *Potential for increase in hazardous materials calls.*
- *Potential for increase in fire calls.*
- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”*
- *Potential incentives to attract additional volunteers for the fire department.”*

*Comment Summary 12:* The Fire Department would like GCEDC to fund a study for the potential increased needs and would like GCEDC to pay for it.

**Response:** Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study “should” be performed each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*“The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff’s Department are currently putting together a Request for Proposal (RFP) for a preliminary study on the STAMP Project and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.*

*Depending on the specific needs of actual facilities that locate in the Project, it is possible that additional resources and/or training may be required. At the time each actual technology manufacturing facility submits a Site Plan Application to the Town of Alabama, a facility-specific Emergency Services Impact Study will be performed to identify any unique needs associated with that specific technology manufacturing facility.*

*Each Emergency Services Impact Study will specifically identify mitigation measures that may be required for the following, among other considerations:*

- *Potential for increase in police calls.*
- *Potential for increase in court services (See “Court Services” section below).*
- *Potential for increase in EMS calls.*
- *Potential for increase in motor vehicle accident (MVA) calls.*
- *Potential for increase in hazardous materials calls.*
- *Potential for increase in fire calls.*
- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”*
- *Potential incentives to attract additional volunteers for the fire department.”*

Myra Phelps:

*Comment Summary 13:* Concern about re-zoning impact on future farming and can’t believe 3 out of 4 Town Board members haven’t said no to this Project.

**Response:** Sections 6.7 and 6.13 of the DGEIS analyze the potential impacts of the re-zoning proposal on the community and existing agricultural resources, as well as sets forth proposed mitigation measures such as the Long Term Land Management Plan and the Farmland Protection Strategies Report. With implementation of these measures, the potential significant adverse impacts associated with the Project and existing agricultural resources are designed to be mitigated to the maximum extent practicable.

Section 6.13 of the DGEIS analyzes the potential impacts the Project may have on nearby farming, as well as examines the potential measures that would be implemented to mitigate those impacts including the Long Term Land Management Plan and the Farmland Strategies Report. The implementation of the mitigation measures will minimize and/or avoid to the maximum extent practicable impacts the Project may have on the community’s farming resources. The

Long Term Land Management Plan will ensure that future development areas will be maintained in their current land use until construction is commenced. The Farmland Protection Strategies Report further describes and consolidates potential strategies for the Town of Alabama to evaluate and consider as methodologies to protect farmland located in other areas of the Town.

In addition, the development and current success being experienced at the 202-acre Genesee Valley Agri-Business Park (Ag Park) in Batavia, New York is a significant mitigation factor when considering the loss of the economic value of roughly 971 acres (275 acres of which is considered prime farmland) being removed from agricultural production in the County due to the development of the Project. A direct economic impact study was completed for the Ag Park in February 2009. The direct economic impact of the Genesee Valley Ag Park to the agricultural industry in Genesee County can be summarized as follows:

- Food Processing and related facility capacity to be constructed at park: 1.4M square feet
- Full Time Equivalent employment at site upon full build-out: 1,200 jobs
- Annual Output (Revenues) of food processing firms at site @ Year 10: \$322M
- Annual locally/regionally produced products purchased by food processing firms at site @ yr. 10: \$81M
- Full Time Equivalent employment at site @ Year 10: 600
- Annual Payroll at site @ Year 10: \$20M
- Genesee Valley Agri-Business Park direct local/regional annual direct economic impact to the agricultural industry @ Year 10: \$101M<sup>†</sup>

The statistics above clearly demonstrate that GCEDC and GGLDC's activities to boost the community and region's agricultural economy through the development and attraction of food processing firms to the Ag Park clearly exceeds the potential economic loss of removing 971 acres of agricultural lands, which local agricultural experts suggest such land is equivalent to 1 or 2 jobs from a farm employment perspective, due to the development of the Project. The greater than \$100M annual contribution to the local/regional agricultural economy from the Ag Park certainly mitigates and significantly exceeds the potential agricultural economic loss resulting from STAMP. We are seeing great success at the Ag Park with three (3) companies currently under construction. The Ag Park has the potential to exceed the results stated above from the economic impact study given the size and pace of projects currently under construction.

As to the comment regarding Town Board members, the DGEIS is not the appropriate venue by which to address such comments.

Vance Wyder:

*Comment Summary 14:* Tonawanda Indian Reservation is disgusted about Project and is very concerned about storm water runoff.

**Response:** The Project Sponsor has conducted significant outreach to the Tonawanda Seneca Nation as part of the community input process, as well as the SEQRA review conducted for the Project. Those interactions and meetings continue as the Project proceeds in order to ensure the Tonawanda Seneca Nation's engagement in the planning process for the Project.

Any potential stormwater discharges will be permitted and regulated as required by NYSDEC to match or be below existing peak stormwater flows. Stormwater runoff will be controlled on the Project Site through a diversity of stormwater management practices. These may include:

- preservation of undisturbed areas;
- protection and enhancement of existing wetlands;
- preservation of vegetated buffers along waterways, wetlands and property boundaries;
- locating development in the least sensitive areas and avoiding aquatic resources to the greatest extent possible;
- restoration of soil properties and porosity;
- development of stormwater ponds, vegetated swales and a collection system; and
- other green infrastructure techniques including porous pavement, rain gardens and green roofs.

These stormwater management practices will be designed to protect downstream waters and habitats by reducing the volume and velocity of stormwater and by filtering runoff.

*Comment Summary 15:* Concern about chemical use at Project site.

**Response:**

Section 4 of the *Industry Requirements and Environmental Health & Safety Report* entitled "Chemical Use and Storage" (Appendix H of the DGEIS) identifies chemical use and storage requirements, applicable regulations and practices, including discussions of hazardous materials management and nanotechnology-specific considerations, while Section 5 entitled "Wastewater" describes wastewater sources and treatment, including applicable regulatory requirements such as adherence to the Clean Water Act.

In New York, several regulatory programs are applicable to bulk chemical storage, bulk petroleum storage and waste management. These regulatory programs are as follows:

- Hazardous Substance Bulk Storage Program (6 N.Y.C.R.R. Parts 595-599)
- Regulation of Petroleum Tanks (6 N.Y.C.R.R. Parts 612-614)

Fundamentally, these two (2) regulatory programs establish standards to mitigate adverse impacts to human health and the environment including groundwater and surface water resources.

In addition, multiple Environmental, Health & Safety programs will be implemented at STAMP to comply with the Town of Alabama Zoning Code, EPA, and OSHA regulatory requirements. These are briefly described below.

- Clean Water Act, as codified with Title 40 of the Code of Federal Regulations and local sewer use ordinances
- OSHA Hazard Communication (HAZCOM) – Hazard communication in accordance with 29 CFR 1910.
- Flammable Liquid & Hazardous Chemicals – Storage in Underwriters Laboratory (UL) approved flammable containers. Compliance with State Hazardous Substance Bulk Storage program as applicable.
- Hazardous/Flammable Vapors – Ventilation to achieve safe occupational exposure limits
- Compressed Gas Cylinders – Secured storage and appropriate valve protection caps.
- Confined Space Entry – Defining confined space and entry/retrieval protocols.
- Control of Hazardous Energies – Lockout/Tagout program for servicing energized equipment
- Personal Protective Equipment – Applicable to energized electrical work and hazardous materials handling.
- Emergency Response/Evacuation – Safe evacuation procedures and arrangements with local emergency response agencies.
- Ergonomics – Work procedures to minimize musculoskeletal disorders (MSD)
- Fall Protection
- Forklift Operation – Operator training and safety inspection checks.
- Incident/Injury Investigation Prevention & Reporting
- Labeling – Labeling of chemical containers with OSHA approved labels.
- Ladders & Scaffolding – OSHA approved ladders and Scaffolding
- Non-Electrical Hotwork – Permit program for protocols involving any open flame or spark producing equipment.
- Safety Showers & Eye Washes – Located during facility design.

- Stormwater/Groundwater/Surface Waters – Implement General Industrial Storm Water Permit conditions including Storm Water Pollution Prevention Plan (SWPPP), comply with NYSDEC bulk hazardous substance, bulk petroleum storage and waste management regulations.
- Air Quality – Implement air permit conditions. Track and report air emissions.
- Hazardous Waste – Employee training, implement contingency plan, waste manifesting and recordkeeping.
- Wastewater – Wastewater monitoring, sampling and submission of a monthly discharge monitoring report.

*Comment Summary 16:* Concern about drainage at the Project Site.

**Response:** Stormwater runoff will be controlled on the Project Site through stormwater management practices including stormwater ponds, swales and a collection system. The stormwater discharge will be permitted and regulated as required by NYSDEC.

*Comment Summary 17:* Concern about future location of buildings.

**Response:** The Preferred Master Plan for STAMP is illustrated in detail in Figure 1-3, Figure 4-7, Figure 5-5, Figure 6-22, Figure 10-1, and Appendix B of the DGEIS. This plan illustrates the conceptual locations of buildings on the Project Site. Due to the fact that a generic environmental impact statement seeks to review general potential significant adverse environmental impacts, and is thus not a specific site plan, the exact locations of buildings may be amended based upon the physical needs of the tenant which cannot be determined at this juncture. To this end, *Figure 4-8 Buildable Area/Open Space Plan* of the DGEIS illustrates the developable areas of the Project Site, including the buffers along property lines per *Exhibit A: Proposed Technology District Regulations*, part of the *Oakfield Alabama Comprehensive Plan Amendment* (Appendix J of the DGEIS). Buildings are required to be located within these developable areas.

Mark Williams:

*Comment Summary 18:* How was the archeological study completed? Did GCEDC work with the Seneca Nation?

**Response:** Jeremy Deuel of Deuel Archeology and Doug Perrelli of the State University of New York at Buffalo have completed Phase 1A and a portion of the Phase 1B work. The Tonawanda Seneca Nation has been involved and has monitored the work to date on the Project Site.

*Comment Summary 19:* How will the Project development impact the east side of Route 77?

**Response:** The roadway and intersection capacity improvement projects will involve some roadway widening along NY Route 77. However, information provided by NYSDOT indicates that the typical right-of-way (ROW) width is 4 rods (66-feet) along most of NY Route 77 from Exit 48A of I-90 to the Hamlet of Alabama. Although detailed design plans have not been developed, it is anticipated that the proposed roadway widening can be accommodated within the existing ROW.

James Chrisner:

*Comment Summary 20:* Discuss impacts of LeRoy school district renovation and Monroe County study on Riga Landfill.

**Response:** The impacts of the LeRoy school district renovation and Monroe County study on the Riga Landfill are beyond the scope and relevancy of the DGEIS for the Project. As a result, the Project Sponsor is not in a position to respond to this comment.

Mary Witter:

*Comment Summary 21:* “Helping Town of Alabama out instead of getting a tax cut right now or tax exemption.”

**Response:** Section 4.7 of the DGEIS analyzes the potential economic and tax benefits the Project will create, including but not necessarily limited to, the creation of approximately 9,000 jobs at full build-out and the resulting reduction in property tax rates for residents of the Town of Alabama and Genesee County. There has been no proposal regarding providing tax exemptions as part of the Project.

*Comment Summary 22:* Concern about time when trucks would be at highest volume and impact on Route 77.

**Response:** The traffic study analyzes the two (2) highest traffic volume time periods (Weekdays from 7:30 to 8:30 a.m. and from 4:30 to 5:30 p.m.) and includes truck trips. The recommendations in the traffic study account for the impact of the peak cars and trucks on Route 77 and surrounding roads. Several improvements are recommended along Route 77 to mitigate potential impacts.

Rob Crossen:

*Comment Summary 23:* Questions about proposed buffer zone for Project Site. Comment is on maintaining the buffer zones as deep as possible and to push buffer zones on residential areas side 400 feet instead of 300 feet.

**Response:** The proposed zoning regulations were designed to require a 400-foot buffer around the perimeter of the Project Site with the exception of the area to be zoned TD3 in the northeast corner. The 400-foot buffer is comprised of a 100-foot buffer around the perimeter of the Project Site that will not be rezoned, plus 300 feet of area that will be rezoned to TD1 or TD2. DGEIS Figure 6-16 has been revised to more clearly show the buffer areas. In addition, Section F2 of the proposed zoning regulations has been revised to make clear that with the exception of the area zoned TD3, this buffer includes both the 300-foot TD-zoned buffer and the 100-foot A-R/R zoned buffer for a total of 400 feet. The original text of Section F2 is set forth below with proposed modifications in bold italics:

There are no minimum frontage or yardage requirements within the Technology District. However, there shall be at least a 300-foot buffer of open space along any Technology District lot line abutting a Residential or Agricultural-Residential District with the exception of the Property zoned TD3 in the northeast corner of the Project Site. In addition, a 300-foot buffer will be maintained between TD1 or TD2 with TD3. The 300 feet will be measured from the edge of the portion of the Project Site that has been zoned to TD1 or TD2, inwards. In addition, (again, with the exception of areas zoned TD3) a 100-foot buffer of land around the perimeter of the Project Site that is not being zoned TD1 or TD2 (but will remain zoned Agricultural-Residential or Residential) will be retained as an additional open space buffer. Fencing, signs, landscaping, roads, access drives, utilities and utility related uses are permitted within open space buffers on the Project Site.

It should be noted that the 400-foot total buffer width described above is a minimum. In most locations along the Project Site boundary, the average buffer width is much greater than 400 feet. As an example, the average distance from the western site boundary abutting the Tonawanda Seneca Nation reservation to the nearest STAMP-related paved surface is approximately 1,600 feet, based on the Preferred Master Plan shown in Figures 1-3, 4-7, 5-5, 6-22, 10-2 Preferred Alternative. See Figure 6-16 Proposed Zoning Map in Section IV for additional information.

*Comment Summary 24:* Were told that Town roads would not be used but now secondary site entrance is coming out at Judge and Crosby and eventually coming out at Crosby and Route 77. Should not use Town roads and will impact traffic routes through reservation. A new road should be built and all Town roads kept out of the Project.

**Response:** Crosby Road bisects the Project Site and will serve as an internal access road. Regionally, travel on local roads will be negligible. Primary regional access will be provided from Route 77.

*Comment Summary 25:* Project will impact character of community.

**Response:** The Project is planned to visually integrate into the existing rural, agrarian setting in a comfortable and compatible manner. Larger technology manufacturing structures are located on the lower, western portion of the Project Site, while smaller-scale supporting structures are located on the eastern portion of the Project Site to provide a scale transition to neighboring

farmland. In addition, significant undeveloped buffer zones are to be located around the Project Site's perimeter, and the campus-like setting of the Preferred Alternative will ensure that open spaces and environmentally sensitive locations are maintained. This type of setting is not only required to preserve the aesthetic of the surrounding community, but to attract and retain the "creative class" workforce necessary for advanced technology manufacturing. Building materials will be high-quality, and will be chosen to reflect the rural agricultural vernacular of the area.

*Comment Summary 26:* Project will create significant sales tax revenue and commentator suggests that it may be 10 times what the property is assessed at (i.e., \$750 million). The PILOT for the Project will take away a lot of that tax revenue from the Town.

**Response:** The Town of Alabama will receive significant amounts of additional revenue even with the PILOT programs and sales tax exemptions in place. Without STAMP, this additional revenue would never exist. New York State is ranked 50<sup>th</sup> out of 50 states for being business friendly tax environment. The PILOT program and sales tax exemption are two important tools that the GCEDC uses to make New York State and Genesee County more competitive in the global attraction process. With the PILOT programs in place, the Town still would see a significant decrease in their property tax rate from \$1.11 to about \$0.11 per thousand.

Ben Falkner:

*Comment Summary 27:* Concern about Project's impact to existing traffic and questions whether widening road from Bloomingdale to Lewiston Road will help.

**Response:** The Traffic Impact Study (TIS) outlines the impacts and mitigation to the transportation system and indicates that widening NY Route 77 will increase capacity at the Judge Road, Ledge Road, and Bloomfield Road intersections by removing left-turn vehicles from the through movement.

*Comment Summary 28:* What about the traffic coming off the Thruway down Route 77?

**Response:** The TIS indicates that approximately 40% of Project Site-generated traffic will travel to and from I-90 via Exit 48A and recommends several improvements to the interchange and intersections between Exit 48A and the Project Site.

*Comment Summary 29:* Who is going to pay for improvements to county roads?

**Response:** STAMP will be responsible for any site related impacts to the County road system.

*Comment Summary 30:* Questions whether intersection of Route 77 and Ledge Road can handle increased traffic.

**Response:** Yes. The intersection can handle the increased traffic with the recommended improvements. The TIS indicates that a traffic signal will be warranted at the NY Route 77/Ledge Road intersection and that separate northbound and southbound left-turn lanes will be necessary for the 70% threshold condition. A supplemental impact assessment will be conducted after development of the 70% threshold, or when the Project Site generated 1,925 PM peak hour trips to determine if additional mitigation is necessary for continued expansion of the Project.

*Comment Summary 31:* Widening Route 77 from Bloomingdale to Lewiston Road will impact a couple of businesses.

**Response:** A detailed plan has not been developed for the proposed widening on NY Route 77 between Bloomfield Road and Judge Road. The widening may have some right-of-way impacts, but it is not expected to impact any specific structures. Any impacts would be compensated.

*Comment Summary 32:* What is the impact to Alexander's Market from proposed road widenings? How will Project compensate people for impacts to their stores?

**Response:** It is not anticipated that any of the proposed traffic improvements will impact area stores. Impacts would be compensated by independent appraisals and at fair market value.

*Comment Summary 33:* What are the impacts of proposed road widening on Highway Department building? Is Project Sponsor going to compensate for loss of building?

**Response:** It is not anticipated that the Highway Department building on Ham Road will be impacted by the proposed improvements.

Keith Danner:

*Comment Summary 34:* Concern about traffic impact on Ledge Road and quiet character of community.

**Response:** A review of the TIS indicates that Project Site-generated traffic will not typically use Ledge Road as it does not provide good regional access to the surrounding area and will therefore not increase noise to existing residents living on Ledge Road. Intersection specific improvements such as the installation of a traffic signal and the construction of exclusive northbound and southbound left-turn lanes are recommended to facilitate through traffic destined to and from the Project Site.

Kathryn Thurber:

*Comment Summary 35:* Concern about Project's impact on farming.

**Response:** Section 6.13 of the DGEIS analyzes the potential impacts the Project may have on nearby farming, as well as examines the potential measures that would be implemented to mitigate those impacts including the Long Term Land Management Plan and the Farmland Strategies Report. The implementation of these mitigation measures will minimize and/or avoid to the maximum extent practicable potential adverse impacts the Project may have on the community's farming resources. The Long Term Land Management Plan will ensure that future development areas will be maintained in their current land use until construction is commenced. The Farmland Protection Strategies Report further describes and consolidates potential strategies for the Town of Alabama to evaluate and consider as methodologies to protect farmland located in other areas of the Town.

In addition, the development and current success being experienced at the 202-acre Ag Park in Batavia, New York is a significant mitigation factor when considering the loss of the economic value of roughly 971 acres (275 acres of which is considered prime farmland) being potentially removed from agricultural production in the County due to STAMP. A direct economic impact study was completed for the Ag Park in February 2009. The direct economic impact to the agricultural industry in Genesee County can be summarized as follows:

- Food Processing and related facility capacity to be constructed at park: 1.4M square feet
- Full Time Equivalent employment at site upon full build-out: 1,200 jobs
- Annual Output (Revenues) of food processing firms at site @ Year 10: \$322M
- Annual locally/regionally produced products purchased by food processing firms at site @ yr. 10: \$81M
- Full Time Equivalent employment at site @ Year 10: 600
- Annual Payroll at site @ Year 10: \$20M
- Genesee Valley Agri-Business Park direct local/regional annual direct economic impact to the agricultural industry @ Year 10: \$101M<sup>+</sup>

The statistics above clearly demonstrate that GCEDC's activities to boost the community and region's agricultural economy through the development and attraction of food processing firms to the Ag Park exceeds the potential economic loss of removing the some 971 acres of agricultural lands from production, which local agricultural experts suggest such land is equivalent to 1 or 2 jobs from a farm employment perspective, due to the development of STAMP. The greater than \$100M annual contribution to the local/regional agricultural economy from the Ag Park certainly mitigates and significantly exceeds the potential agricultural economic loss via STAMP. We are seeing great success at the Ag Park with three (3) companies currently under construction. The Ag Park has the potential to exceed the results stated above from the economic impact study given the size and pace of projects currently under construction.

*Comment Summary 36:* Bringing in 9,000 people will change the Town.

**Response:** Sections 6.7, 6.9, 6.10 and 6.11 of the DGEIS examine, in part, the potential impacts on the Town of Alabama's land use, zoning and community character relating to the introduction of increased populations of employees to the Town of Alabama community at full build-out of the Project. The Project will likely result in some level of increased population in the Village of Oakfield, Town of Batavia, and other communities surrounding the Town of Alabama. It is expected that this increase in population will be in harmony with local land use and comprehensive master plans.

*Comment Summary 37:* Project will spur residential development and there will be no land left to farm.

**Response:** Please see responses to Comment Summaries 35 and 36 above. In addition to the responses above, Section 6.13.2 and Appendix K of the DGEIS set forth a farmland protection strategy to be considered by the Town of Alabama designed to protect farmland resources in the future from potential residential development pressures associated with the Project and other proposals that may come before the Town of Alabama. As stated in Section 9 of the DGEIS, discussions with the Village of Oakfield and the Town of Batavia indicate they would welcome an opportunity to expand their residential bases. This would allow Oakfield and Batavia to accommodate residential demand generated by the Project, while allowing Project employees the opportunity to live in areas located near the Project Site. This pattern of potential secondary growth resulting from the Project will also help maintain farmland resources in the Town of Alabama community.

*Comment Summary 38:* Concern about the drainage impacts.

**Response:** Any stormwater discharges will be permitted and regulated as required by NYSDEC to match or be below existing peak stormwater flows. Stormwater runoff will be controlled on the Project Site through a diversity of stormwater management practices. These may include:

- preservation of undisturbed areas;
- protection and enhancement of existing wetlands;
- preservation of vegetated buffers along waterways, wetlands and property boundaries;
- locating development in the least sensitive areas and avoiding aquatic resources to the greatest extent possible;
- restoration of soil properties and porosity;
- development of stormwater ponds, vegetated swales and a collection system; and
- other green infrastructure techniques including porous pavement, rain gardens and green roofs.

These stormwater management practices will be designed to protect downstream waters and habitats by reducing the volume and velocity of stormwater and by filtering runoff.

*Comment Summary 39:* Concern about the proposed use of chemicals.

**Response:** Section 4 of the *Industry Requirements and Environmental Health & Safety Report* entitled “Chemical Use and Storage” (Appendix H of the DGEIS) identifies chemical use and storage requirements, applicable regulations and practices, including discussions of hazardous materials management and nanotechnology-specific considerations, while Section 5 entitled “Wastewater” describes wastewater sources and treatment, including applicable regulatory requirements such as adherence to the Clean Water Act.

In New York, several regulatory programs are applicable to bulk chemical storage, bulk petroleum storage and waste management. These regulatory programs are as follows:

- Hazardous Substance Bulk Storage Program (6NYCRR Parts 595-599)
- Regulation of Petroleum Tanks (6NYCRR Parts 612-614)

Fundamentally, these two regulatory programs establish standards to mitigate adverse impacts to human health and the environment including groundwater and surface water resources.

In addition, multiple environmental, health & safety programs will be implemented at STAMP to comply with the Town of Alabama Zoning Code and EPA and OSHA regulatory requirements. These are briefly described below.

- Clean Water Act, as codified with Title 40 of the Code of Federal Regulations and local sewer use ordinances
- OSHA Hazard Communication (HAZCOM) – Hazard communication in accordance with 29 CFR 1910.
- Flammable Liquid & Hazardous Chemicals – Storage in Underwriters Laboratory (UL) approved flammable containers. Compliance with State Hazardous Substance Bulk Storage program as applicable.
- Hazardous/Flammable Vapors – Ventilation to achieve safe occupational exposure limits
- Compressed Gas Cylinders – Secured storage and appropriate valve protection caps.
- Confined Space Entry – Defining confined space and entry/retrieval protocols.
- Control of Hazardous Energies – Lockout/Tagout program for servicing energized equipment
- Personal Protective Equipment – Applicable to energized electrical work and hazardous materials handling.
- Emergency Response/Evacuation – Safe evacuation procedures and arrangements with local emergency response agencies.

- Ergonomics – Work procedures to minimize musculoskeletal disorders (MSD)
- Fall Protection
- Forklift Operation – Operator training and safety inspection checks.
- Incident/Injury Investigation Prevention & Reporting
- Labeling – Labeling of chemical containers with OSHA approved labels.
- Ladders & Scaffolding – OSHA approved ladders and Scaffolding
- Non-Electrical Hotwork – Permit program for protocols involving any open flame or spark producing equipment.
- Safety Showers & Eye Washes – Located during facility design.
- Storm Water/Groundwater/Surface Waters – Implement General Industrial Storm Water Permit conditions including Storm Water Pollution Prevention Plan (SWPPP), comply with NYSDEC bulk hazardous substance, bulk petroleum storage and waste management regulations.
- Air Quality – Implement air permit conditions. Track and report air emissions.
- Hazardous Waste – Employee training, implement contingency plan, waste manifesting and recordkeeping.
- Wastewater – Wastewater monitoring, sampling and submission of a monthly discharge monitoring report.

*Comment Summary 40:* Expresses concern about potential threat of contamination.

**Response:** Section 4 of the *Industry Requirements and Environmental Health & Safety Report* entitled “Chemical Use and Storage” (Appendix H of the DGEIS) identifies chemical use and storage requirements, applicable regulations and practices, including discussions of hazardous materials management and nanotechnology-specific considerations., while Section 5 entitled “Wastewater” describes wastewater sources and treatment, including applicable regulatory requirements such as adherence to the Clean Water Act.

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- Safety Showers & Eye Washes – Located during facility design.
- Storm Water/Groundwater/Surface Waters – Implement General Industrial Storm Water Permit conditions including Storm Water Pollution Prevention Plan (SWPPP), comply with NYSDEC bulk hazardous substance, bulk petroleum storage and waste management regulations.
- Air Quality – Implement air permit conditions. Track and report air emissions.
- Hazardous Waste – Employee training, implement contingency plan, waste manifesting and recordkeeping.
- Wastewater – Wastewater monitoring, sampling and submission of a monthly discharge monitoring report.

Ron Thurber:

*Comment Summary 41:* Concern about traffic impacts at the end of Ham Road.

**Response:** The TIS indicates that the NY Route 77/Ham Road intersection will operate adequately through full build-out conditions. It is noted that only approximately 35% of Project Site-generated traffic will travel through this intersection due to the location of the proposed site access roads and the anticipated regional trip distribution that indicates that a majority of traffic will originate south of STAMP.

*Comment Summary 42:* Has the Town of Pembroke been addressed?

**Response:** The intersection of NY Route 5/NY Route 77 located in the Town of Pembroke was evaluated for the Project pursuant to the DGEIS.

*Comment Summary 43:* If you take away the whole east side of Route 77, you take away Basom and Indian Falls.

**Response:** Please see the Response to Comment Summary 19 above.

*Comment Summary 44:* Concern that because of existing residents' education, there would not be employment opportunities presented by the Project.

**Response:** There will be many employment opportunities at the Project Site for all levels of education. The GCEDC also has workforce training programs to help retrain potential employees for the types of companies we are trying to attract to the Project Site.

Gordon Lindsey:

*Comment Summary 45:* Would hate to see the Town change into a suburb.

**Response:** Please see the Responses to Comment Summaries 36 and 37 above.

*Comment Summary 46:* You are not going to bring 9,000 people to work on the corner of Routes 77 and 63 and not want them to live closer to the Project site.

**Response:** Throughout the community input process conducted for the Project, Town of Alabama officials and citizens have voiced considerable opposition to additional residential development in the Town of Alabama proper. The Project respects this understanding and proposes a Farmland Protection Strategies Report in Appendix K of the DGEIS which is designed for the Town to consider strategies which ensure protection of the existing farmland resources while controlling future residential development. The Village of Oakfield and the

Town of Batavia, however, have expressed interests in welcoming additional residential development. This future potential residential development pattern will be managed by the land use planning processes of their respective jurisdictions. Lastly, it is not uncommon for employees to live considerable distances away from their employment location.

*Comment Summary 47:* It is GCEDC's goal to get people to sell their homes to bring in new people who are about industrialization?

**Response:** The GCEDC is only interested in developing the Project Site.

*Comment Summary 48:* When is eminent domain going to be used?

**Response:** Eminent domain will not be used.

*Comment Summary 49:* Are we going to be a ghost town on Route 77?

**Response:** This comment is ambiguous and outside the scope of analysis required in the DGEIS by SEQRA. Nevertheless, the Project is designed to further the economic viability of the Town of Alabama and other Genesee County municipalities, while respecting the existing agrarian aesthetic of these communities. The Project Sponsor views the Project as an important opportunity to return the existing population of the community and avoid the on-going "brain drain" of younger residents leaving the region for other areas where better economic opportunities may exist.

*Comment Summary 50:* "On the east side they're going to tear everything down right away. What's going to happen then?"

**Response:** The comment is somewhat vague and ambiguous, and it is difficult to ascertain what the commentator means when he says "on the east side they're going to tear everything down right away." If the comment is intended to address the initial phase of future site work, Section 6.4.2 of the DGEIS sets forth a Long Term Land Management Plan for the Project Site to be implemented throughout construction and following Project Site development. The long term management strategy will mitigate for lost wildlife habitat by maximizing ecological functions and services provided on-site to the watershed and the surrounding landscape. Furthermore, development of the Project will not result in an immediate total loss of agricultural use at the Project Site. The planned development of the Project, coupled with the Long Term Land Management Plan, will ensure that future development areas are maintained in their current land use until construction is commenced.

*Comment Summary 51:* Where is the housing Project complex going to be built? Is it going in Oakfield?

**Response:** The Project does not entail the construction or development of a housing complex. As a part of the analyses required by SEQRA to be completed in a generic environmental impact statement, potential secondary growth and cumulative impacts must be assessed. As a result, Section 9 of the DGEIS examines the potential need for future housing that could be created by the Project. Throughout the community input process for the Project, Town of Alabama officials have voiced opposition to additional residential development in the Town of Alabama proper. However, discussions with the Village of Oakfield and the Town of Batavia indicate they would welcome an opportunity to expand their residential base. This would allow these municipalities to accommodate residential demand generated by the Project, while allowing Project employees the opportunity to live in the area, closer to the Project Site.

*Comment Summary 52:* Taxes are going to rise because property values will skyrocket. Home values are going to go up a minimum of 50%. For them to say taxes are going to go down is a “bald face lie and they know it.”

**Response:** Section 4.7 of the DGEIS examines the substantial economic benefits the Project may provide to the Town of Alabama, County of Genesee and Western New York region. These benefits include a projected reduction in the property tax rates of existing residents due to the significant increases in the tax base resulting from the Project. The commentator’s assertion is not supported by the fact that as a result of the significant increase in the Project’s tax base, the tax rates of other residents would be reduced.

Pam Dumbough:

*Comment Summary 53:* Project is going to take farmland away and the community is beautiful and pristine and the Project will take that away.

**Response:** Please see the Response to Comment Summary 35 above.

*Comment Summary 54:* Project is not going to generate jobs for the community.

**Response:** The Project Site is projected to create 9,330 jobs plus 1,200 construction jobs. There will also be retail stores and service companies that will be needed to support the Project Site companies, resulting in employment opportunities for members of the local communities.

*Comment Summary 55:* What are you going to do with the trucks?

**Response:** NY Route 77 and NY Route 63 are both designated as qualifying or access highways for larger-dimension vehicles in the State of New York. Therefore, these roads can adequately accommodate truck traffic generated by the Project Site. While the timing of truck

traffic is dependent on the operational needs of individual companies, the typical pattern is for truck pick-up and delivery times to be dispersed throughout the day. A “rush hour” concentration of trucks accessing the Project Site would be highly unusual.

*Comment Summary 56:* When you have semis going up and down all hours of the day and night, what are you going to do about the fumes?

**Response:** Based on a site screening analysis conducted on the roadway segments and study area intersections, a detailed air quality analysis is not necessary since the Project will not increase traffic volumes, reduce source-receptor distances or change other existing conditions to such a degree as to jeopardize attainment of the National and New York State ambient air quality standards.

*Comment Summary 57:* They’ll be no more Basom.

**Response:** Please see the Responses to Comment Summaries 19, 31, 32 and 33 for ROW implications. It is acknowledged that traffic volumes will increase in the Hamlets along NY Route 77 as a result of the Project. However, operational impacts will be mitigated with the construction of the proposed improvements. In addition, STAMP proposes to respect and preserve the rural vernacular that exists in the area today, while adding high-quality jobs and an opportunity for young people to remain in the community.

*Comment Summary 58:* There is only 1,944 people in the Town of Alabama and they want to bring in 9,000. Where are you going to put them?

**Response:** There is over a 1.1 million person workforce within a 50-minute drive of the Project Site. A lot of STAMP employees will be commuters. Any employees wishing to move closer to the Project Site will be able to find available housing stock in the City of Batavia and the Town and Village of Oakfield.

Unnamed commentator:

*Comment Summary 59:* Have you given any consideration to the Darien Lake traffic?

**Response:** Yes. The traffic volumes were factored to represent average August conditions since traffic volumes are typically higher in the summer months due primarily to the proximity to recreation centers such as the Darien Lake Amusement Park. A seasonal factor technical memorandum is included in the TIS.

Joyce Jewett:

*Comment Summary 60:* Concern about increased traffic on roads.

**Response:** The TIS recommends specific traffic improvements that address increased traffic on the area roadways. The Project Site has been designed to maximize the use of State highways and minimize traffic on secondary roads.

*Comment Summary 61:* Concern about impact on potential increase in accidents.

**Response:** STAMP will increase traffic volumes on the roadway network and as a result has the potential to increase the total number of accidents. The greatest traffic volume increases will occur along Route 77 near the Project Site and will represent approximately a 100% to 160% increase in traffic during the 70 Percent threshold condition. However, it is noted that the TIS proposes numerous improvements associated with STAMP such as, but not limited to, the construction of left-turn lanes and the installation of traffic signals at numerous locations on NY Route 77. The geometric improvements provide storage for northbound and southbound left-turn vehicles traveling on NY Route 77 thus minimizing vehicle conflicts and reducing the potential for rear-end collisions for mainline traffic, while the installation of traffic signals minimize the potential for right-angle accidents by providing gaps in mainline traffic. A review of the Post Implementation Evaluation System (PIES) – Reduction Factor Report published by NYSDOT indicates that the channelization of left-turn lanes with a painted separation at intersections will reduce all accidents by 50 percent, left-turn accidents by 44 percent, and right angle accidents by 46 percent. The PIES also indicates that the installation of a traffic signal will reduce all accidents by 31 percent and right angle accidents by 59 percent. Therefore, the improvements identified for the Project will minimize the potential increase in accidents associated with the sheer volume increase of traffic related to the proposed development.

*Comment Summary 62:* Where is the proposed “millions of gallons of industrial waste water” going to drain?” That’s all a swamp region. Is it going to drain into the wildlife?

**Response:** Any discharge from a WWTF would require a permit from involved agencies, including the NYSDEC. The proposed WWTF would discharge to Whitney Creek after the required treatment restrictions are met.

Lorna Klotzbach:

*Comment Summary 63:* Asks that DGEIS address whether or not Town of Alabama residents and Genesee County residents will have any sort of program so that the jobs will be targeted toward Alabama residents. Is there going to be compensating work for development?

**Response:** The GCEDC cannot force companies to hire a certain number of local residents for job positions. The GCEDC does have workforce training programs that can give people new skill sets or training that might enhance their employability for a certain industry. With 9,330

projected jobs directly resulting from STAMP and another 17,000 indirect supply chain jobs there should be large number of those jobs that Town and County residents can apply for.

*Comment Summary 64:* How is the Genesee County and Town of Alabama population going to be compensated for all the tax money that went into educating people for biomedical research and now is going back to clean room STAMP manufacturing?

**Response:** Genesee County and the Town of Alabama did not give any funding to the iSciWNY program. The iSciWNY program was designed to get kids in school interested and excited about possible careers in the medical sciences. These employment opportunities still exist in our region. The Finger Lakes Regional Economic Development Council listed iSciWNY as a program to help its advanced healthcare/life sciences focus area.

*Comment Summary 65:* The Town of Alabama is not similar to the Town of Malta from population size and median income standpoints.

**Response:** The Town of Malta was used as a comparison because it is not a metro area, has a lot of available greenspace, neighboring university centers, and low cost infrastructure. It was chosen to show how a project of this size and magnitude can have a great impact in a smaller non-metro area.

*Comment Summary 66:* Will it take \$240 million of taxpayers' money to make the STAMP project fly?

**Response:** It may take \$240 million of largely State and Federal taxpayer investment over a 10- to 20-year build out of the Project to make this campus shovel ready to accommodate 6.1 million square feet of manufacturing and support facilities. This investment could result in a private investment of over \$10 billion by companies building at the Project Site.

*Comment Summary 67:* If GCEDC puts a fraction of the money they paid Roger Pearson into developing a work force suitable for agriculture, we would not have such a problem with illegal aliens working here. We could train our own work force and our County would be prospering.

**Response:** This comment is not relevant to the analysis of potential significant environmental impacts resulting from the Project as assessed in the DGEIS.

*Comment Summary 68:* Will the residents of the Town of Alabama be able to bow and shotgun hunt and snowmobile and ride horses through the Project site once it is developed. And if development of this STAMP Project takes away those opportunities for recreation, how will the Town of Alabama residents be compensated for that?

**Response:** Public areas of the Project Site are available to the public for general recreation pursuits, including walking, running, bicycling, and snowmobiling. Hunting, including bow and shotgun hunting, would not be allowed on the Project Site as a conservative approach to maintaining a safe environment for technology park companies and employees. Horse riding would not be allowed on the Project Site due to potential conflicts with walkers, joggers and snowmobiles.

The public areas of the Project Site becoming available for public recreation use is an improvement on the current situation whereby the entire Project Site is in private ownership, therefore requiring permission by private landowners to allow recreation use.

Regarding hunting and horse riding, there are in excess of 20,000 acres of public lands in the immediate vicinity that are available for these activities.

**B. The following summaries and responses are associated with the written comment letters submitted during the DGEIS comment period.**

I. Bryan Phelps: (6/21/11):

*Comment Summary 69:* Project is nothing but a land grab by GCEDC which will impact Town forever.

**Response:** The Project is not considered a “land grab” but a conceptual plan to attract large technology manufacturing facilities in order to provide significant employment and tax revenue opportunities for the community. The Project will advance these benefits, as well as numerous others, by developing a world-class high technology manufacturing center, with a potential focus on renewable energy, serving as an economic development engine central to the economic sustainability of Western New York, while respecting and maintaining the rural, agrarian aesthetic of the Town of Alabama community.

*Comment Summary 70:* Soils are very productive at Project Site with good ph and fertility. Tile drainage fields are the best.

**Response:** The total area of Prime Farmland located within the Project Site is approximately 275 acres. As shown in Figures 6-24 and 6-25 of the DGEIS, farmland with the Project Site boundary may be classified as either “Prime Farmland” or “Prime Farmland Where Drained.” In order for the remaining portions of the Project Site’s cropland acreage to be considered unencumbered Prime Farmland, comprehensive drainage actions may need to be completed subject to NYSDEC and USACE review and approval in light of the presence of wetlands on the Project Site.

*Comment Summary 71:* Traffic study is a joke.

**Response:** The traffic study was conducted according to standard traffic engineering practices.

*Comment Summary 72:* There should be no tax incentives for companies coming in.

**Response:** New York State is the highest taxed state in the United States. STAMP will be competing against other regions in the U.S., and the world that will be using any and all incentives they have to land a company. In order to have the Project Site be competitive, GCEDC has to offer incentives or it will not be able to attract companies from outside the region, or even have local companies expand.

*Comment Summary 73:* Town Board should have been lead agency.

**Response:** The Town of Alabama Board has had every opportunity to review the DGEIS and be part of the process. The Town actually hired an independent third party consulting firm, Wendel Companies, to review the DGEIS and report to the Town on questions, comments or concerns they had about STAMP. The Town then reviewed those comments and submitted them to GCEDC as part of the DGEIS public comment process.

## II. David Culver:

*Comment Summary 74:* With projected FTE of +300 year 5 and + 9300 year 15, this is in itself larger than the Village of Medina.

**Response:** Noted.

*Comment Summary 75:* The Project will result in increased public safety concerns from traffic infractions actions to even more violent crimes. Concern is that the Project will require around-the-clock police presence on my property as a Town of Alabama resident.

**Response:** Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study “should” be performed each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*“The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff’s Department are currently putting together a Request for Proposal (RFP) for a preliminary study on the STAMP Project and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.*

*Depending on the specific needs of actual facilities that locate in the Project, it is possible that additional resources and/or training may be required. At the time each actual technology manufacturing facility submits a Site Plan Application to the Town of Alabama, a facility-specific Emergency Services Impact Study will be performed to identify any unique needs associated with that specific technology manufacturing facility.*

*Each Emergency Services Impact Study will specifically identify mitigation measures that may be required for the following, among other considerations:*

- *Potential for increase in police calls.*
- *Potential for increase in court services (See “Court Services” section below).*
- *Potential for increase in EMS calls.*
- *Potential for increase in motor vehicle accident (MVA) calls.*
- *Potential for increase in hazardous materials calls.*

- *Potential for increase in fire calls.*
- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”*
- *Potential incentives to attract additional volunteers for the fire department.”*

*Comment Summary 76:* If the Project dissolves, the Town residents should not be left with the mess of dissolving a police force or breaking contracts with the Sheriff’s Department.

**Response:** Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study “should” be performed each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*“The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff’s Department are currently putting together a Request for Proposal (RFP) for a preliminary study on the STAMP Project and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.*

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- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”*
- *Potential incentives to attract additional volunteers for the fire department.”*

*Comment Summary 77:* The Town residents should not have to pay for a deal with dissolving a paid or call manned fire department; this cost should be paid for by the Project.

**Response:** Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study “should” be performed each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*“The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff’s Department are currently putting together a Request for Proposal (RFP) for a preliminary study on the STAMP Project and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.*

*Depending on the specific needs of actual facilities that locate in the Project, it is possible that additional resources and/or training may be required. At the time each actual technology manufacturing facility submits a Site Plan Application to the Town of Alabama, a facility-specific Emergency Services Impact Study will be performed to identify any unique needs associated with that specific technology manufacturing facility.*

*Each Emergency Services Impact Study will specifically identify mitigation measures that may be required for the following, among other considerations:*

- *Potential for increase in police calls.*
- *Potential for increase in court services (See “Court Services” section below).*
- *Potential for increase in EMS calls.*
- *Potential for increase in motor vehicle accident (MVA) calls.*
- *Potential for increase in hazardous materials calls.*
- *Potential for increase in fire calls.*
- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”*
- *Potential incentives to attract additional volunteers for the fire department.”*

### III. Bonnie Dysinger:

*Comment Summary 78:* The commentator is against the Project and moved to the country to get away from factories and traffic.

**Response:** The Project has been designed to attract high-tech manufacturing facilities to be built in a campus-like setting to attract the most sophisticated and technically-advanced manufacturing workforce. The Project Site has also been designed to create a sustainable campus-style setting while respecting and maintaining to the maximum extent practicable the

agrarian aesthetic and existing visual resources of the surrounding community. With respect to the potential traffic impacts associated with the Project, Section 6.6 of the DGEIS provides a significant analysis of potential mitigation measures that would be implemented in order to reduce and/or minimize to the maximum extent practicable increased traffic flows resulting at various stages of the Project build-out.

*Comment Summary 79:* The commentator understands that the Project will result in widening of the road from Bloomingdale to Judge Road which means removal of her front yard along with driveways.

**Response:** Please see Response to Comment Summary 27.

*Comment Summary 80:* The Project will employ 9,000 people; where are these people going to live?

**Response:** There is over a 1.1 million person workforce within a 50 minute drive. Many of the future STAMP employees will be commuters. Any employees wishing to move closer to the Project Site will be able to find available housing stock in the Town and City of Batavia and the Town and Village of Oakfield.

*Comment Summary 81:* The commentator is concerned that chemicals will be filtered into the ground and concern about the potential contamination of well water.

**Response:** Section 4 Chemical Use and Storage of the *Industry Requirements and Environmental Health & Safety Report* (Appendix H of the DGEIS) identifies chemical use and storage requirements, applicable regulations and practices, including a discussion of hazardous materials management, while Section 5 Wastewater describes wastewater sources and treatment, including applicable regulatory requirements such as adherence to the Clean Water Act.

In New York, several regulatory programs are applicable to bulk chemical storage, bulk petroleum storage and waste management. These regulatory programs are as follows:

- Hazardous Substance Bulk Storage Program (6NYCRR Parts 595-599)
- Regulation of Petroleum Tanks (6NYCRR Parts 612-614)

Fundamentally, these two regulatory programs establish standards to mitigate adverse impacts to human health and the environment including groundwater and surface water resources. In addition, multiple Environmental, Health & Safety programs will be implemented at STAMP to comply with Zoning Code of the Town of Alabama, and EPA and HOSE regulatory requirements. These are briefly described below.

- Clean Water Act, as codified with Title 40 of the Code of Federal Regulations and local sewer use ordinances

- OSHA Hazard Communication (HAZCOM) – Hazard communication in accordance with 29 CFR 1910.
- Flammable Liquid & Hazardous Chemicals – Storage in Underwriters Laboratory (UL) approved flammable containers. Compliance with State Hazardous Substance Bulk Storage program as applicable.
- Hazardous/Flammable Vapors – Ventilation to achieve safe occupational exposure limits
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- Labeling – Labeling of chemical containers with OSHA approved labels.
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- Non-Electrical Hotwork – Permit program for protocols involving any open flame or spark producing equipment.
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- Storm Water/Groundwater/Surface Waters – Implement General Industrial Storm Water Permit conditions including Storm Water Pollution Prevention Plan (SWPPP), comply with NYSDEC bulk hazardous substance, bulk petroleum storage and waste management regulations.
- Air Quality – Implement air permit conditions. Track and report air emissions.
- Hazardous Waste – Employee training, implement contingency plan, waste manifesting and recordkeeping.
- Wastewater – Wastewater monitoring, sampling and submission of a monthly discharge monitoring report.

*Comment Summary 82:* How much will the Town taxes go up because of the Project?

**Response:** The economic impact shows that the taxes for the Town of Alabama, the Oakfield-Alabama School District and Genesee County will decrease because of the Project.

*Comment Summary 83:* The commentator is concerned about chemicals seeping into the ground if the runoff water travels under Route 77 right through her back yard.

**Response:** Section 4 Chemical Use and Storage of the *Industry Requirements and Environmental Health & Safety Report* (Appendix H of the DGEIS) identifies chemical use and storage requirements, applicable regulations and practices, including discussions of hazardous materials management and nanotechnology-specific considerations., while Section 5 Wastewater describes wastewater sources and treatment, including applicable regulatory requirements such as adherence to the Clean Water Act.

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- Air Quality – Implement air permit conditions. Track and report air emissions.
- Hazardous Waste – Employee training, implement contingency plan, waste manifesting and recordkeeping.
- Wastewater – Wastewater monitoring, sampling and submission of a monthly discharge monitoring report.

IV. Dennis and Joan Phelps (6/21/11):

*Comment Summary 84:* GCEDC will benefit from the creation of STAMP and Alabama in a near and long term basis. Please provide real evidence that GCEDC is genuinely concerned with support of working toward long term success of the STAMP project for the benefit of Alabama and Genesee County rather than simply the circulation of monies through the GCEDC's hands.

**Response:** GCEDC's mission is to be the driving force in fostering community economic success through growth, expansion and retention of our existing business base and to market our community as "business friendly" facilitating new business attraction in order to build a sustainable long-term economy.

The Genesee Gateway Local Development Corp.'s ("GGLDC") mission is to assist local economic development efforts by making real estate development investments to bolster shovel-ready tech and industrial park development and to provide tax and other related financial assistance to commercially viable projects in Genesee County thereby enabling the continued development of a sustainable long-term economy.

All monies earned by both the GCEDC and the GGLDC are kept within the organizations to be reinvested back into the community for projects and necessary improvements at our corporate business parks.

*Comment Summary 85:* The commentator states that based on the fact that GCEDC does not intend to give the Town of Alabama any benefit incentives until at least 1 million square feet of manufacturing space has been built, implies that the Town of Alabama will bear the cost in dollars and community changes for many years perhaps forever without getting any of the GCEDC proposed benefits.

**Response:** The incentive zoning agreement is still under negotiation. All timing of payments and amounts to be paid will be disclosed to the public at the public hearing on the agreement. It

is the GCEDC's intention to provide significant amounts of funding to help with the community needs and STAMP infrastructure in the first round of funding.

*Comment Summary 86:* The DGEIS should spell out more clearly how the proposed STAMP project will benefit Alabama or at least not hurt its taxpayers in the realistic short term as well as the optimistic long term. The taxpayers of Alabama are not able to survive extreme tax increases for many years while they wait for the benefits predicted to come with the full build-out.

**Response:** There will be no tax increases in the short term. The Town will not be required to pay for any of the needed infrastructure to support STAMP. The Town will actually receive benefits before the build out through the incentive zoning agreement.

V. Joan Phelps (6/21/11):

*Comment Summary 87:* In calculating the costs of building water lines large enough to serve the STAMP project site, the DGEIS uses numbers that include federal stimulus money. That money is not available. The DGEIS does not include revised figures.

**Response:** The Water Service Preliminary Report uses preliminary budgetary costs associated with the work without federal stimulus money. The Town of Alabama Water Service Incentive Report shows calculations with and without USDA grant funds.

*Comment Summary 88:* Commentator requests a side-by-side comparison of the costs to Alabama putting in its original planned water district and line, versus the cost to Alabama in combination with planning of that of the GCEDC's plan for the STAMP project.

**Response:** This was completed in the Town of Alabama Water Service Incentive Report.

*Comment Summary 89:* The DGEIS should spell out more clearly who will bear the costs of building, staffing, operating, and maintaining the required water and sewage treatment plants and/or transport lines. The costs should be spelled out for each phase of the Project and for the preliminary time while the GCEDC is still recruiting manufacturers.

**Response:** The onsite WWTF and collection system will be constructed, owned and maintained by GCEDC. The water transmission lines servicing the Project Site would be constructed by GCEDC and likely dedicated to the host municipality. If a business requires a water treatment plant, it would be responsible and bear the costs associated with construction. It is unlikely that a WWTF would be constructed prior to tenants being sited at the Project Site.

VI. Dennis Phelps (6/21/11):

*Comment Summary 90:* The DGEIS does not include any data about increased traffic coming from the east.

**Response:** The TIS indicates that approximately 20% of site generated traffic will originate from the east. Therefore, the traffic improvements recommended in the study address this concern.

*Comment Summary 91:* Local residents have repeatedly raised concerns about the already overwhelming traffic on Route 77 and 63, on Ledge Road and Maple Road, on Townline Road and Ledge Road, and on Ledge Road and Route 77.

**Response:** A review of existing traffic volumes in the Project area indicates that the surrounding road network and intersections currently have substantial reserve capacity. While it is anticipated that STAMP will utilize some of this existing capacity, the proposed recommendations will increase available capacity on segments and at numerous intersections via specific improvements such as the construction of turn lanes, widening, the installation of traffic signals, and the construction of a bypass road.

*Comment Summary 92:* The DGEIS does not plan for mitigation of problems caused by increased traffic until 70% build-out.

**Response:** The full build-out analysis indicates that most of the study area and Project Site access intersections will continue to operate adequately. Since additional mitigation above and beyond the improvements identified for the 70 percent threshold may be necessary to provide adequate operations at a few locations, the TIS recommends that a supplemental impact assessment be conducted after the 70 percent threshold, or when the Project Site generates 1,925 trips during the PM peak hour. The supplemental analysis will confirm actual site trip generation and operating conditions, and better evaluate future intersection operations to determine if additional mitigation is necessary for continued expansion of the Project. The TIS recommends that the supplemental analysis focus on the following intersections:

- NY Route 77/NY Route 63/Judge Road
- NY Route 77/Bloomington Road
- NY Route 77/Ledge Road
- Route 77/Route 63/Lewiston Road

*Comment Summary 93:* Commentator asks that the DGEIS amend its traffic study to include the rest of the surrounding counties and the traffic patterns through Alabama. The study needs to include the seasonal peaks in traffic associated with agricultural operations; it should include the cost to the Town of construction, maintenance and policing of roads due to the increased traffic, even in the early phases of the STAMP project. The study needs to also include the costs of upgrading existing roads to handle heavy construction traffic and to include a plan to compensate

local agriculture non-farm businesses for the loss of business and/or increase of doing business associated with the STAMP project in the Town of Alabama.

**Response:** During scoping, the study area was increased from six (6) to thirteen (13) intersections to address potential regional impacts based on comments from the New York State Department of Transportation (NYSDOT). The analysis has demonstrated that STAMP will not noticeably impact intersections outside the study area already identified. In addition, seasonal traffic volumes were reviewed and it was determined that peak operating conditions occur during the summer months when recreational facilities such as the Darien Lake Amusement Park are operational. Therefore, traffic volumes were factored to peak summer conditions to provide a worst-case traffic scenario.

VII. New York State Thruway Authority, Paul Zakrzewski, Capital Program Manager:

*Comment Summary 94:* The traffic study appears to address New York State Thruway Authority's previous comments and concerns regarding potential impacts on Thruway facilities, specifically those at the Interchange 48A ramp intersection with Route 77 and the existing toll plaza at Interchange 48A. The New York State Thruway Authority requests that they be updated on the status of the Project as it moves forward to the completion of Phase I and the 70% threshold.

**Response:** Agreed. The New York State Thruway Authority will be kept informed of the Project's status and contacted at key milestones.

VIII. Ann and Gerald Bacon (6/23/11):

*Comment Summary 95:* The ideas that the Project are bringing forth – to both bring jobs to an area and state that is in need of additional workers and to keep residents in the state – is both admirable and exciting. The Project has the potential of a great benefit to the overall area.

**Response:** The Project Sponsor appreciates the comment as provided and will continue to work to attract economic opportunities to the community in order to retain and grow the existing employment, workforce and residencies of the community.

*Comment Summary 96:* If the development plan set forth in the DGEIS is modified, will a new statement be available for public viewing and comment prior to final approval of the development plan? What are the tentative dates for finalizing the GEIS?

**Response:** Section 11 of the DGEIS sets forth the threshold for future actions when a Project-specific or site-specific proposal is presented at the Project Site. The final designs for less-defined Project components, as well as any proposed changes to the more well-defined elements (referred to as future project uses) will require further evaluation pursuant to SEQRA. The Town of Alabama Planning Board, as the agency responsible for the approval of site plans

associated with future project uses, will be responsible for performing an environmental determination on future project uses pursuant to SEQRA, and must consider future project uses proposals in relation to: (i) the FGEIS which will be issued for the Project, and (ii) the final Findings Statement to be issued for the Project by the Project Sponsor pursuant to SEQRA. In the event that the Planning Board determines that a future project use is either not addressed or not adequately addressed in the FGEIS for the Project, but the proposal does not exceed any of the conditions or thresholds set forth in Section 11.2 of the DGEIS, or the proposal does exceed a threshold set forth in Section 11.2 of the DGEIS, but would not result in any potential significant adverse environmental impacts, then a Negative Declaration would be prepared pursuant to 6 N.Y.C.R.R. Section 617.10(d)(3). If the Planning Board determines, however, that a future project use is not addressed or has not been adequately addressed in the FGEIS for the Project and/or the proposed use would exceed the conditions or thresholds set forth in Section 11.2 of DGEIS and they have one or more potential significant adverse environmental impacts, then a supplement to the FGEIS would be prepared at that point with such preparation being overseen by the Town of Alabama Planning Board. If, in fact, a supplement to the FGEIS is determined to be required by the Planning Board, a public comment process would be conducted as part of that process.

It is anticipated that the FGEIS will be completed and accepted by the Project Sponsor at some point in early 2012.

*Comment Summary 97:* Where on the site will the outdoor/indoor hazardous material storage and management facilities reside?

**Response:** Section 4 Chemical Use and Storage of the *Industry Requirements and Environmental Health & Safety Report* (Appendix H of the DGEIS) identifies chemical use and storage requirements, applicable regulations and practices, including discussions of hazardous materials management and nanotechnology-specific considerations, while Section 5 entitled "Wastewater" describes wastewater sources and treatment, including applicable regulatory requirements such as adherence to the Clean Water Act.

In New York, several regulatory programs are applicable to bulk chemical storage, bulk petroleum storage and waste management. These regulatory programs are as follows:

- Hazardous Substance Bulk Storage Program (6NYCRR Parts 595-599)
- Regulation of Petroleum Tanks (6NYCRR Parts 612-614)

Fundamentally, these two regulatory programs establish standards to mitigate adverse impacts to human health and the environment including groundwater and surface water resources. In addition, multiple Environmental, Health & Safety programs will be implemented at STAMP to comply with the Zoning Code of the Town of Alabama, and EPA and OSHA regulatory requirements. These are briefly described below.

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- Air Quality – Implement air permit conditions. Track and report air emissions.
- Hazardous Waste – Employee training, implement contingency plan, waste manifesting and recordkeeping.
- Wastewater – Wastewater monitoring, sampling and submission of a monthly discharge monitoring report.

*Comment Summary 98:* When a developer is identified, what level of notice is required to be provided to the community regarding the potential hazards that will exist and where the biggest resides in terms of physical location, types of chemicals and types of environmental risks?

**Response:** Section 4 Chemical Use and Storage of the *Industry Requirements and Environmental Health & Safety Report* (Appendix H of the DGEIS) identifies chemical use and storage requirements, applicable regulations and practices, including discussions of hazardous materials management and nanotechnology-specific considerations, while Section 5 entitled

“Wastewater” describes wastewater sources and treatment, including applicable regulatory requirements such as adherence to the Clean Water Act.

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comply with NYSDEC bulk hazardous substance, bulk petroleum storage and waste management regulations.

- Air Quality – Implement air permit conditions. Track and report air emissions.
- Hazardous Waste – Employee training, implement contingency plan, waste manifesting and recordkeeping.
- Wastewater – Wastewater monitoring, sampling and submission of a monthly discharge monitoring report.

*Comment Summary 99:* Will a potential developer be asked to provide residents of the immediate perimeter and within it a clause to protect them from environmental and financial losses sustained during the development operational period for the facility?

**Response:** Please see response to Comment Summary 96. In addition, if at the time the Planning Board determines that a future project use requires a supplemental assessment being prepared to the FGEIS, the Planning Board would be in a position to determine what appropriate conditions and mitigation measures, if any, would be required in order to minimize to the maximum extent practicable any potential significant environmental impacts associated with a specific future project use.

*Comment Summary 100:* Will there be an actual buy-out plan identified for these residents who will and have experienced hardship and specifically would be eligible due to environmental impacts?

**Response:** The increase in available jobs at STAMP will create an increase in demand for available housing. The Town of Alabama has clearly stated that they are not interested in increasing the amount housing within the Town of Alabama. Since there will be an increase in demand, but not in supply, the residents who are seeking to sell their homes should be able to do so, and at potentially increased prices. Some housing may be purchased by GCEDC as the Project progresses depending on the location of the house, but these will be reviewed on a case by case basis and any purchases would be made for fair market value.

*Comment Summary 101:* It appears that the initial study (March 2010 at Appendix N) differs from current plans in that the more recent plan eliminates many of those residents that have been target for waterline upgrades, including the areas immediately adjacent and within the Project site (e.g., Judge/Route 77 to Crosby; Crosby/Judge to Lewiston; and Route 77/63/Lewiston to Crosby). Since these areas that are most likely to be impacted by the Project, how does providing public water to these individuals make sense? How would the Project transport usable water to your home for day-to-day use or sell property without that working water source basic need being met?

**Response:** The Water Service Preliminary Report analyzes water sources and the Project's needs in conjunction to the needs of the Town of Alabama. The Town of Alabama Water Service Incentive Report also analyzes the specific needs of the Town of Alabama.

*Comment Summary 102:* With the added expense to residents, if the USDA funds for one-third of the Project projected initial infrastructure investment be an added \$200,000 per resident per year.

**Response:** If tenants are secured at the Project Site in the future, funding would be available to complete water upgrades as required by the Project and the Town, as outlined in the Town of Alabama Water Service Incentive Report. Any upgrades beyond the scope outlined in the Town of Alabama Water Service Incentive Report would be the responsibility of the Town.

*Comment Summary 103:* For how long of a period would the long term repayment be required and would it be a logical expectation to ask the investing company to contribute to the expense within the immediate vicinity.

**Response:** If STAMP is fully funded, USDA resources would not be required as such costs to the residents for infrastructure would be minimal, they would be less than if the Town of Alabama were to undertake the water project on their own.

*Comment Summary 104:* During the multi-year construction phases, the commenter understands there is going to be a land buffer 300 feet from any residences. Since those residence will be in the property line of some of the construction will there be a physical barrier placed to protect from the noise, debris, smells and invisible environmental conditions at the time of construction?

**Response:** The proposed zoning regulations were designed to require a 400-foot buffer around the perimeter of the Project Site with the exception of the area to be zoned TD3 in the northeast corner. The 400-foot buffer is comprised of a 100-foot buffer around the perimeter of the Project Site that will not be rezoned plus 300 feet of area that will be rezoned to TD1 or TD2. DGEIS Figure 6-16 has been revised to more clearly show the buffer areas. In addition, Section F2 of the proposed zoning regulations has been revised to make clear that with the exception of the area zoned TD3, this buffer includes both the 300-foot TD-zoned buffer and the 100-foot A-R/R zoned buffer for a total of 400 feet. The original text of Section F2 is set forth below with proposed modifications in bold italics:

“There are no minimum frontage or yardage requirements within the Technology District. However, there shall be at least a 300 foot buffer of open space along any Technology District lot line abutting a Residential or Agricultural-Residential District with the exception of the Property zoned TD3 in the northeast corner of the STAMP Site. *In addition, a 300-foot buffer will be maintained between TD1 or TD2 with TD3. The 300 feet will be measured from the edge of the portion of the Project Site that has been zoned to TD1 or TD2, inwards. In addition, (again, with the exception of areas zoned TD3) a 100 foot buffer of land around the perimeter of the Project Site that is not being zoned TD1 or TD2 (but will remain zoned Agricultural-Residential or Residential) will be retained as an additional open space buffer.* Fencing, signs, landscaping, roads, access drives, utilities and utility related uses are permitted within open space buffers on the Project Site.

It should be noted that the 400-foot total buffer width described above is a minimum. In most locations along the Project boundary, the average buffer width is much greater than 400 feet. As an example, the average distance from the western site boundary abutting the Tonawanda Seneca Nation reservation to the nearest STAMP-related paved surface is approximately 1,600 feet, based on the Preferred Master Plan shown in Figures 1-3, 4-7, 5-5, 6-22, 10-2 Preferred Alternative. Barriers will be placed as required by applicable laws and regulations. See Figure 6-16 Proposed Zoning Map in Section IV for additional information.”

*Comment Summary 105:* Having school age children during this potential site development period, will care be taken not to have construction occur in the area during the sleeping hours of the night? Will any compensatory consideration be given to residents needing to sell homes and having property values negatively affected during the construction time? What is the actual buffer zone between property lines and STAMP buildings (300 or 400 feet)?

**Response:** It is reasonable to expect major construction to be limited to the period between the hours of 6:00 a.m. to 10:00 p.m.

The increase in available jobs at STAMP will create an increase in demand for available housing. The Town of Alabama has clearly stated that they are not interested in increasing the amount housing within the Town of Alabama. Since there will be an increase in demand, but not in supply, the residents who are seeking to sell their homes should be able to do so, and at potentially increased prices. Some housing may be purchased by the GCEDC as the Project progresses depending on the location of the house, but these will be reviewed on a case by case basis and any purchases would be made for fair market value.

The proposed zoning regulations were designed to require a 400-foot buffer around the perimeter of the Project Site with the exception of the area to be zoned TD3 in the northeast corner (where the minimum buffer is 100 feet). The 400-foot buffer is comprised of a 100-foot buffer around the perimeter of the Project Site that will not be rezoned, plus 300-foot of area that will be rezoned to TD1 and TD2. DGEIS Figure 6-16 has been revised to more clearly show the buffer areas. In addition, Section F2 of the proposed zoning regulations has been revised to make clear that with the exception of the area zoned TD3, this buffer includes both the 300-foot TD-zoned buffer and the 100-foot A-R/R zoned buffer for a total of 400 feet.

*Comment Summary 106:* The new bypass road has the curve of the new intersection running directly towards the commentator’s yard and buildings. Is there a way to route the path away from the homes and intersect further west of Crosby Road, potentially creating a cul-de-sac for the homes at the southern side of Lewiston and Crosby?

**Response:** This concept would impact land that is not controlled by STAMP and is therefore not under consideration. The Project does not have any frontage on NY Route 77 west of Crosby Road which would allow a different connection of the bypass road.

*Comment Summary 107:* Are there any compensatory protection clauses that would be placed into a development agreement to protect the residents and property inadvertently impacted by accidents in the Project area?

**Response:** No compensatory protection clauses have been contemplated for future development agreements.

*Comment Summary 108:* The traffic study did not seem to evaluate the intersection of Crosby and Lewiston and the potential loss of service (increased wait time at intersection). Was the intersection traffic degradation/LOS grades that are projected in the report during the construction phases based upon current traffic to those points in time (i.e., 2010 – 2015 and 2010 – 2035) or where they graded based on the projected traffic between those periods of time (i.e., 2010 – 2015 and 2010 - 2035)? How does the current peak volumes of 955/hour to Exit 48A or 421/hour at Route 77 Bloomingdale Road versus the projected 1,925/hour will not result in a greater score degradation or need for more police and fire protection.

**Response:** Correct. The traffic study did not specifically evaluate existing delays at the Crosby Road/Lewiston Road intersection because existing traffic volumes are low and delays are short. The traffic study shows that worst-case future 2035 full-build delays will be less than 30 seconds at this intersection.

*Comment Summary 109:* If the Project Site is made shovel ready through these approval processes and the developer is not finalized in a reasonable time period, what is the projected net tax burden to the residents of Alabama and Genesee County? What physical changes will have been made to the Project site during this time? What guarantees from the Town and County do we have that standards (i.e., seeking clean and green technologies) won't be compromised if the land remains vacant unless desirable use of the property (e.g., dangerous chemical production, nuclear type facility, etc.) is sought and approved.

**Response:** The preliminary site work that will be done prior to a tenant being secured for the Project Site will be limited to infrastructure that will benefit the Town of Alabama, such as water, and other items such as signage at the Project Site, and some roadways into the Project Site to be able to show potential companies what the Project has to offer. GCEDC is working to secure Federal and State funding to pay for the necessary infrastructure costs so as to not pass any debt to the local municipalities. The types of companies that can be located at STAMP can be controlled with the zoning of the Project Site. The three zoning districts that are being created will limit what types of companies can be allowed to locate within STAMP. The draft zoning policies are located within the DGEIS document.

*Comment Summary 110:* Will there be a process to return the land to the Town tax rolls so the burden of vacant land is not left to be paid by the residents.

**Response:** The commenter's concern about the potential impacts to Town tax revenue during the development of STAMP is noted. In response to this comment, GCEDC has performed

additional analysis on the tax revenue received by the Town from STAMP and offers the following information: Approximately 27% of the Town tax revenue from the 1,337.2 acre Project Site comes from parcels which have been improved. These improved parcels, which are generally on road frontages, comprise only 6% of the overall Site. Due to the location of these improved parcels at the edges of the Project Site and the limited amount of acreage involved, these improved parcels will not be acquired until such acquisition is necessary for a specific project. This will help ensure that these properties will continue to generate tax revenue for the Town until needed for the development of STAMP. In terms of the assessed value of the undeveloped portions of the Project Site (94% of STAMP acreage), the annual fiscal impact to Town tax revenue is extremely minimal, equivalent to approximately one penny per thousand dollars of assessed value in the Town of Alabama.

*Comment Summary 111:* With respect to Luther Forest as the reference point for the type of projected STAMP development planned, how is it doing in relation to its original economic projections – relative to the financial environmental impacts to the residents? Have there been any unforeseen consequences that our community needs to be built into its development or tax arrangements? Has the site grown to the size projected and have the construction periods and costs been in line with the environmental study?

**Response:** Consultation with Town of Malta officials, review of GlobalFoundries press releases, and review of the original Luther Forest (LF) GEIS have provided the following responses:

- The overall financial impact to the community from LF has been positive, but specific quantification has not been compiled.
- GlobalFoundries currently employs approximately 1,000 person and are currently installing semiconductor tools and equipment expected to employ an additional 500 persons by the end of 2012.
- The main financial impacts on the surrounding community include existing service business growth, five new high-tech companies have moved to Malta employing 160 new workers, with more in other jurisdictions. Generally, the local economy is good in this time of economic uncertainty.
- For the Town of Malta, unforeseen consequences have included legal challenges and uncertainties regarding the future of maintenance agreements, loss of anticipated sales tax revenues because of IDA incentives, challenges by GlobalFoundries to Town assessments, educational expenses that have consumed a higher-than-expected portion of higher school tax revenues and GlobalFoundries construction noise that has required negotiation. Malta has generally been successful in recovering its cost, though it has required vigilance and attention by the Town.

- For the Town of Malta, LF-related public investment has generally been in line with original expectations.
- LF total site area is approximately 1,350 acres. Of this total, the original LF GEIS established approximately 540 acres as developable area. Of these 540 acres, approximately 280 acres have been developed.

The original LF GEIS projected a start date of 2003 and a buildout period of between 15 and 25 years. Construction of public improvements actually began in 2007, and GlobalFoundries broke ground in 2009.

*Comment Summary 112:* Are the Town and GCEDC legally bound to act on behalf of the interests of its residents or the companies it seeks to bring in?

**Response:** The comment provided is outside the scope of the potential environmental impact assessments required in SEQRA to be completed in the FGEIS. GCEDC is carrying out the Project and its assessment of potential environmental impacts pursuant to the statutory obligations set forth in SEQRA.

IX. Robert Crossen (6/23/11):

*Comment Summary 113:* With respect to the analyzed sound levels, data collected at just 6 points over a single week period is insufficient. No discussion was provided regarding just what the increase (at any given distance) in sound levels will be and what level sound increase is expected and considered acceptable. There are no triggers for mitigation and there are no plans for future monitoring.

**Response:** Noise is a facility-specific environmental measurement. In terms of a generic environmental impact statement, its quantification cannot be generalized based upon the number of buildings and types of industry on a particular industrial site.

The appropriate time to conduct a noise study identifying potential increases in sound levels is when a specific user decides to locate at STAMP. At this time, noise impacts can be accurately quantified and compared to the existing ambient noise levels outlined in the *Evaluation of Existing Ambient Sound Levels*, DGEIS Appendix F.

*Comment Summary 114:* Buffer zone distances for the property have changed over time. During the initial meeting GCEDC stated buffer zones would be 1,000 feet. The current DGEIS calls for a site buffer of 100 feet within an additional open space zone of 300 feet in A/R and R zones. How will the zone be configured? The DGEIS should address in detail the buffer zone distances, how they will be constructed, and just how much of the site will be visible from nearby residences. The initial traffic study shows only minor increases in traffic on Judge and on Route 77 west of Crosby. The current DGEIS shows Judge and Crosby as the main access points through 70% build-out extrapolated to 6,300 direct employees. No estimate or consideration is

given to the significant amount of traffic that will chose to exit Crosby and Judge going west onto largely unimproved reservation roads. Traffic from the Project site should be not funneled onto any internal roads especially at Crosby and Route 77 which is a residential zone. Any configuration that funnels traffic into the reservation should also be avoided.

**Response:** The proposed zoning regulations were designed to require a 400-foot buffer around the perimeter of the Project Site with the exception of the area to be zoned TD3 in the northeast corner. The 400-foot buffer is comprised of a 100 foot buffer around the perimeter of the Project Site that will not be rezoned plus 300 feet of area that will be rezoned to TD1 or TD2. DGEIS Figure 6-16 has been revised to more clearly show the buffer areas. In addition, Section F2 of the proposed zoning regulations has been revised to make clear that with the exception of the area zoned TD3, this buffer includes both the 300-foot TD-zoned buffer and the 100-foot A-R/R zoned buffer for a total of 400 feet. The original text of Section F2 is set forth below with proposed modifications in bold italics:

“There are no minimum frontage or yardage requirements within the Technology District. However, there shall be at least a 300 foot buffer of open space along any Technology District lot line abutting a Residential or Agricultural-Residential District with the exception of the Property zoned TD3 in the northeast corner of the STAMP Site. *In addition, a 300 foot buffer will be maintained between TD1 or TD2 with TD3. The 300 feet will be measured from the edge of the portion of the Project Site that has been zoned to TD1 or TD2, inwards. In addition, (again, with the exception of areas zoned TD3) a 100 foot buffer of land around the perimeter of the Project Site that is not being zoned TD1 or TD2 (but will remain zoned Agricultural-Residential or Residential) will be retained as an additional open space buffer.* Fencing, signs, landscaping, roads, access drives, utilities and utility related uses are permitted within open space buffers on the Project Site.

It should be noted that the 400-foot total buffer width described above is a minimum. In most locations along the Project’s boundary, the average buffer width is much greater than 400 feet. As an example, the average distance from the western site boundary abutting the Tonawanda Seneca Nation reservation to the nearest STAMP-related paved surface is approximately 1,600 feet, based on the Preferred Master Plan shown in Figures 1-3, 4-7, 5-5, 6-22, 10-2 Preferred Alternative. See Figure 6-16 Proposed Zoning Map in Section IV for additional information.”

The intent is that Crosby Road/Judge Road will be used for access through Phase 1 only. Peak hour traffic volumes will be approximately 150 vehicles in and 150 vehicles out on Crosby Road and Judge Road during this time. After Phase 1, and before the 70% build-out threshold, primary access will be directly from Route 77. An evaluation of regional population centers and probable travel routes indicate that an increase in traffic through the reservation will be negligible and will not adversely impact local roadways and intersections.

*Comment Summary 115:* It seems to the commentator that an on-site circular road system would lend itself well to the site. Entrances could be placed to connect the site to Route 77 east and west to Crosby and south of the Hamlet of Alabama Center. Lesser connections could be made

at Crosby into Judge Roads. This would eliminate a need for a bypass to Alabama Center as the bypass will be part of the internal road system. This would also eliminate any increased traffic in the residential zone encompassing the area of Crosby and Route 77. The Project should not rely on any significant use of Town roads.

**Response:** Crosby Road will be used by Project traffic since it bisects STAMP. Crosby Road will be upgraded to accommodate traffic destined to the Project Site and will be addressed as part of the Preferred Master Plan. It is noted that the Project will construct a network of internal roads that will supplement the use of Crosby Road. In addition, constructing a bypass road will relocate existing vehicular traffic currently traveling through the Hamlet of Alabama in addition to removing Project Site generated traffic from the surrounding road network.

*Comment Summary 116:* The Project will result in a potential significant adverse impact to the Town of Alabama's community character. The total assessed value of all taxable properties last year is about \$75 million. Adding an investment of more than 50 times our current value and up to 16,000 persons on and off site to a Town of 2,000 persons will impact all aspects of the Town's character.

**Response:** Please see Responses to Comment Summaries 21, 25 and 26.

*Comment Summary 117:* The DGEIS lacks any meaningful detail documenting impact the Project will have on the demand for police and court services.

**Response:** Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study should be performed each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*"The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff's Department are currently putting together a Request for Proposal (RFP) for a preliminary study on the STAMP Project and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.*

*Depending on the specific needs of actual facilities that locate in the Project, it is possible that additional resources and/or training may be required. At the time each actual technology manufacturing facility submits a Site Plan Application to the Town of Alabama, a facility-specific Emergency Services Impact Study will be performed to identify any unique needs associated with that specific technology manufacturing facility.*

*Each Emergency Services Impact Study will specifically identify mitigation measures that may be required for the following, among other considerations:*

- *Potential for increase in police calls.*
- *Potential for increase in court services (See "Court Services" section below).*

- *Potential for increase in EMS calls.*
- *Potential for increase in motor vehicle accident (MVA) calls.*
- *Potential for increase in hazardous materials calls.*
- *Potential for increase in fire calls.*
- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”*
- *Potential incentives to attract additional volunteers for the fire department.”*

*Comment Summary 118:* Commentator submits that the statement saying that the Project is not expected to have any potential significant adverse impact to the environment or provide a potential for a significant adverse inducement of growth to the Town of Alabama is ridiculous. Commentator states that it is reasonable to assume that businesses and a significant number of people will want to locate in the Town as a result of the Project.

**Response:** A DGEIS has been prepared by the Project Sponsor to assess all potential significant adverse environmental impacts associated with the Project including the potential for the inducement of growth to the Town of Alabama. The DGEIS also sets forth proposed mitigation measures designed to minimize and/or avoid to the maximum extent any potential adverse environmental impacts associated with the Project as required by SEQRA.

*Comment Summary 119:* The commentator states that significant changes to the Town of Alabama zoning laws and the implementation of a real farmland protection plan (prior to any approval of the Project) is critical to reducing the undeniable impact. If nothing is done Alabama will end up like many of the other nearby towns, loss of farmland to huge single-family lots, several acres each, with a house in the middle and none of the land in agricultural production.

**Response:** As discussed in Section 9.2.4 of the DGEIS, the Project will likely induce some secondary growth. Existing limitations on access to public infrastructure will necessarily limit secondary growth within agricultural areas of the Town of Alabama. In addition, the DGEIS includes, as Appendix K, a Farmland Protection Strategies Report which sets forth various options and strategies for consideration by the Town of Alabama to further protect agricultural land within the Town.

*Comment Summary 120:* The commentator does not support any farmland protection plan that regulates horses or restricts the landowner's right to do what they want with their property. The commentator would support a plan that funds the purchase of agricultural easements from the willing landowner. If reasonable zoning change is made and a well-funded farmland protection plan is implemented, the Town of Alabama can have more housing units and more land and farm production in 1,500 units than the no-build alternative.

**Response:** The Farmland Protection Strategies Report does not contain any strategies that would regulate horses and, in fact, one strategy would involve expanding right to farm

protections within the Town. However, the commenter's opposition to restrictions to a landowner's "right to do what they want with their property" goes to the heart of the challenge that municipalities face when trying to protect farmland. Simply stated, one of the strongest ways to ensure that farmland remains in production is to limit the ability of landowner's to convert agricultural land to non-agricultural uses through land use restrictions. Nonetheless, municipalities must be sensitive to concerns about property rights from the agricultural community. Thus, the Farmland Protection Strategies Report identifies many different strategies and options for the Town of Alabama to better protect agricultural lands including possible development of a Town-Based Purchase of Development Rights Program.

*Comment Summary 121:* The DGEIS fails to provide sufficient details on the tax revenues to be generated to the Town and the County, as well as the Oakfield-Alabama School District, as a result of the Project. Issues of state school aid, the differences between a pilot and assessed value tax calculation of the sales tax formula and the county legislature's control of that formula have been ignored in the DGEIS.

**Response:** The economic impact study does take into account PILOTS and their affect on the sales tax allocation formula and their affect on the real estate tax calculations. The school aid formula was not taken into account because it cannot be calculated at this time. GCEDC acknowledges the fact that the school aid formula will be impacted. GCEDC calculated the sales tax allocation in accordance with the current formula. GCEDC has no influence or control over how that formula is modified.

X. Genesee County Pomona Grange #10 (6/22/11):

*Comment Summary 122:* A copy of the resolution adopted by the Grange saying that it supported the protection of agricultural land and opposed the development of STAMP was submitted.

**Response:** The comment is noted and a copy of the resolution adopted by the Grange has been copied and incorporated in this FGEIS.

XI. Sheriff Gary T. Maha, Office the Sheriff, Genesee County, New York (6/15/11):

*Comment Summary 123:* Commentator expresses concern with respect to the Project's potential impact on traffic safety in the area and the impact the Project may have on emergency services as well as law enforcement services. Commentator states that certainly with the increased number of vehicles on local highways and the projected number of possibly 9,000 employees there will be significant impact on law enforcement services.

**Response:** With respect to the commentator's question regarding traffic safety, please refer to the response provided to Comment Summary 61.

Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study should be performed

each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*“The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff’s Department are currently putting together a Request for Proposal (RFP) for a preliminary study on the STAMP Project and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.*

*Depending on the specific needs of actual facilities that locate in the Project, it is possible that additional resources and/or training may be required. At the time each actual technology manufacturing facility submits a Site Plan Application to the Town of Alabama, a facility-specific Emergency Services Impact Study will be performed to identify any unique needs associated with that specific technology manufacturing facility.*

*Each Emergency Services Impact Study will specifically identify mitigation measures that may be required for the following, among other considerations:*

- *Potential for increase in police calls.*
- *Potential for increase in court services (See “Court Services” section below).*
- *Potential for increase in EMS calls.*
- *Potential for increase in motor vehicle accident (MVA) calls.*
- *Potential for increase in hazardous materials calls.*
- *Potential for increase in fire calls.*
- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”*
- *Potential incentives to attract additional volunteers for the fire department.”*

*Comment Summary 124:* Commentator states that a separate in-depth study needs to be conducted to determine what the potential impacts of the Project may have on emergency services, including fire, police and ambulance.

**Response:** Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study should be performed each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*“The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff’s Department are currently putting together a Request for Proposal (RFP) for a preliminary study on the STAMP Project and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.*

*Depending on the specific needs of actual facilities that locate in the Project, it is possible that additional resources and/or training may be required. At the time each actual technology manufacturing facility submits a Site Plan Application to the Town of Alabama, a facility-specific Emergency Services Impact Study will be performed to identify any unique needs associated with that specific technology manufacturing facility.*

*Each Emergency Services Impact Study will specifically identify mitigation measures that may be required for the following, among other considerations:*

- *Potential for increase in police calls.*
- *Potential for increase in court services (See “Court Services” section below).*
- *Potential for increase in EMS calls.*
- *Potential for increase in motor vehicle accident (MVA) calls.*
- *Potential for increase in hazardous materials calls.*
- *Potential for increase in fire calls.*
- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”*
- *Potential incentives to attract additional volunteers for the fire department.”*

XII. Robert Crossen, President, Town of Alabama Volunteer Fire Department, Inc. (6/22/11):

*Comment Summary 125:* Commentator does not agree that the impact to public fire agencies are insignificant from the Project. It is the commentator’s opinion that adding 9,000 direct employees, 7,000 indirect employees and structures up to 110 feet is vastly different from anything currently existing which will have a significant impact on emergency services.

**Response:** Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study “should” be performed each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*“The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff’s Department are currently putting together a Request for Proposal (RFP) for a preliminary study on the STAMP Project and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.*

*Depending on the specific needs of actual facilities that locate in the Project, it is possible that additional resources and/or training may be required. At the time each actual technology manufacturing facility submits a Site Plan Application to the Town of Alabama, a facility-specific Emergency Services Impact Study will be performed to identify any unique needs associated with that specific technology manufacturing facility.*

*Each Emergency Services Impact Study will specifically identify mitigation measures that may be required for the following, among other considerations:*

- *Potential for increase in police calls.*
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- *Potential for increase in EMS calls.*
- *Potential for increase in motor vehicle accident (MVA) calls.*
- *Potential for increase in hazardous materials calls.*
- *Potential for increase in fire calls.*
- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”*
- *Potential incentives to attract additional volunteers for the fire department.”*

*Comment Summary 126:* The Fire Department states that the DGEIS does not provide a requested study of the following: (1) typical chemical and physical processes to be utilized at the Project; (2) expected traffic accident call volume; (3) fire departments equipment resource training and volunteer pressures resulting from the Project; (4) discussion of incentives that would be developed to encourage sufficient persons to join and be active in the volunteer fire department; and (5) a financial study be commissioned to study the short and long term impacts to the Fire Department as a result of the Project.

**Response:** With respect to the commentator’s question regarding traffic safety, please refer to the response provided to Comment Summary 61 from Joyce Jewett.

Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study should be performed each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*“The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff’s Department are currently putting together a Request for Proposal (RFP) for a preliminary study on the STAMP Project and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.*

*Depending on the specific needs of actual facilities that locate in the Project, it is possible that additional resources and/or training may be required. At the time each actual technology manufacturing facility submits a Site Plan Application to the Town of Alabama, a facility-specific Emergency Services Impact Study will be performed to identify any unique needs associated with that specific technology manufacturing facility.*

*Each Emergency Services Impact Study will specifically identify mitigation measures that may be required for the following, among other considerations:*

- *Potential for increase in police calls.*
- *Potential for increase in court services (See "Court Services" section below).*
- *Potential for increase in EMS calls.*
- *Potential for increase in motor vehicle accident (MVA) calls.*
- *Potential for increase in hazardous materials calls.*
- *Potential for increase in fire calls.*
- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet."*
- *Potential incentives to attract additional volunteers for the fire department."*

### XIII. NYS Department of Environmental Conservation (NYSDEC) (6/23/11):

#### A, General

*Comment Summary 127:* In several locations throughout the DGEIS (e.g., pp. 1-10, 1-13, 6-19, 6-82, Section 8.2.5), the document indicates that land use changes and impacts associated with the Project will be buffered by the public lands and ecological functions and services being provided by an abundance of existing high quality natural resources that exist nearby. It should be noted that all adverse impacts of the Project should be avoided, minimized, and mitigated within the project site to the greatest extent practicable, or as required by applicable regulations. The position that surrounding ecosystems or public lands will act as a buffer to absorb any inadequately avoided or mitigated impacts is questionable, particularly since those surrounding areas are held and managed for their own intrinsic value as natural ecosystems and public lands by state and federal agencies (Tonawanda State WMA, John White WMA, Iroquois National Wildlife Refuge), or as the sovereign territory of the Tonawanda Seneca Nation.

**Response:** On-site avoidance, minimization and mitigation have been, and will continue to be, addressed extensively in design iterations and communications with regulatory agencies. Unavoidable, adverse impacts associated with development of STAMP will be mitigated as required by state and federal permitting process.

A natural outcome of respect for public lands and ecological services and functions is the preservation of those elements, as has been done in large measure in the recommended Preferred Master Plan as shown in Figures 1-3, 4-7, 5-5, 6-22, and 10-2 Preferred Alternative. By recognizing and preserving significant ecological resources as they occur on the site, the Preferred Master Plan has employed the ecological systems factor as a the key means to weave the proposed development into the fabric of the existing landscape.

Landscape level/watershed analysis is critical to the proper evaluation of on-site environmental impacts and to ensure sustainable development. A watershed requires capacity and resilience to sustainably accommodate change. A landscape level analysis for STAMP is provided as part of the overall environmental analysis to inform impact analysis, design and mitigation

strategies. Observations regarding the abundance of natural resources in a portion of the watershed do not suggest a reduced emphasis on compensatory mitigation for unavoidable impacts. As part of the STAMP landscape level analysis, the observation is made that the portion of the watershed surrounding the Project Site is comprised of intact, high quality natural resources which support ecological resilience. On the other hand, the ecological functions of wetlands and streams in the portion of the watershed upstream from the Project Site have been reduced due to agricultural activities. Wetlands have been drained, stream buffers removed and forest cover significantly reduced. This area of the watershed may provide an opportunity for mitigating any unavoidable impacts at STAMP to provide equal or greater functions and services to the watershed as a whole.

*Comment Summary 128:* In its prior correspondence dated January 21, 2010, NYSDEC provided GCEDC with information related to NYSDEC's jurisdiction. In addition to the potential approvals listed in its January 21, 2010 letter, information contained in the DGEIS indicates that the following additional DEC approvals will likely be required and Section 4.10 of the DGEIS should be revised to reflect the following:

- (i) Section 6.5 and Appendix H of the DGEIS indicates that operation of certain facilities at the site will likely require coverage under a NYSDEC Part 373, Hazardous Waste Management Permit for the treatment, storage or disposal of hazardous wastes. This permit requirement should be added to the list provided in Table 4-4.

**Response:** The requirement for a Hazardous Waste Management Permit has been added to Table 4-4.

- (ii) The need for an Individual Section 401 Water Quality Certification should be added to the list of approvals provided in Table 4-4.

**Response:** The requirement for a Water Quality Certification has been added to Table 4-4.

- (iii) Table 6-6 on page 6-18 of the DGEIS provides estimated stormwater detention storage requirements for the various drainage areas that will be created by the project. These estimated storage requirements range from 5.19 acre-feet (approximately 1.7 million gallons) to 77.09 acre feet (approximately 25 million gallons). According to Figure 6-8, which provides a conceptual plan for the number and location of stormwater management ponds, there could be approximately four separate stormwater management ponds developed to meet these stormwater requirements.

**Response:** The stormwater layout is conceptual and may be changed or reduced once actual layout and tenants are approved. All required permits will be obtained.

- (iv) Please note that an Article 15, Protection of Waters Dam Safety permit is required from the DEC for the construction of any impoundment structure that meets the following criteria: height over 6 feet and impounding at least 3,000,000 gallons of water; or height of 15 feet or greater and impounding over 1,000,000 gallons of water. Given these thresholds, it is possible that a dam safety permit may be needed for the construction of the stormwater retention ponds and the development of the site.

**Response:** An Article 15 Protection of Waters Dam Safety Permit has been added to Table 4-4. Other alternatives will be explored once tenants have been secured in order to reduce the total volume of storage required through point source treatments or other methods. Total impervious area estimated for the entire Project Site was conservative and may be able to be reduced depending on the type and size of the tenants within the Project Site. All required permits will be obtained.

*Comment Summary 129:* The DGEIS should also provide a brief summary of what approvals are required to acquire a portion of the John White State Wildlife Management Area (WMA), as proposed in the preferred alternative. As noted in prior correspondence, these procedures would include approval from the U.S. Fish & Wildlife Service and New York State Legislature.

**Response:** The portion of the John White WMA located within the proposed STAMP boundary (west of Allegany Road/NYS Route 77) has been withdrawn from consideration as part of STAMP at this time. See Revised Figures 1-3, 5-5, 6-22 and 10-2 Preferred Alternative.

*Comment Summary 130:* Section 4.5 (p. 4-7) implies that the building and development footprint is flexible and indicates that “[s]hould the proposed total development remain within the development numbers set forth in Table 4-1 above, further review under SEQRA will not be required.” Table 4-f contains information only on the total building square footage of each proposed land use. This may be consistent with the generic nature of the DGEIS, however, it would be beneficial for the development limits to be more precisely identified. This would help to provide a clear reference for future development so that the need for additional SEQRA review in the future can be determined. This would also be consistent with the approach identified in Section 3.4 of the final scope, which indicates that “building footprint sizes and layouts, general layouts, green spaces, configurations of the development areas . . . will be established, as well as reasonably foreseeable locations for utility and infrastructure improvements.” For this purpose, we suggest that Figure 4-7 be converted to a larger scale site plan that clearly defines a development limit boundary, and shows other key features of the site (e.g., wetlands, streams, etc.). This development boundary should include within it proposed buildings, roadways, stormwater management measures, infrastructure (e.g., roadways, utilities, drainage features, etc.), and required parking. The proposed parking requirements are defined in Appendix I of the DGEIS and should be used to estimate the parking coverage requirements for the project.

**Response:** Revised Figures 4-7 and 4-8 define development limits, conservation/open space areas, wetlands, streams, adjacent areas/buffers, and development details to a level of refinement consistent with the values of the generic assessment required for generic environmental impact assessments. More detailed plans will be developed in compliance with Chapter 11 of the DGEIS and applicable permitting requirements as the Project moves forward.

*Comment Summary 131:* Maps showing the locations and approximate boundaries of the off-site alternatives described in Section 5.2 should be provided.

**Response:** See Figure F-1 Off-Site Alternatives Map in Appendix A.

B. **Wastewater Treatment**

*Comment Summary 132:* On page 1-9 and elsewhere in the DGEIS the projected wastewater flow at full build-out is estimated at 3.0 million gallons per day (MGD). However, Table 4-3 lists flat-panel display and semiconductor sewer requirements at 3-7 MGD. This table is inconsistent with other portions of the DGEIS (e.g., Table 5.3-1 on p. 33 of Appendix H) and the basis for the estimated sewer demand should be more clearly explained. In this regard we note that the 3.0 MGD estimate provided in the DGEIS is higher than the 1.8 MGD estimate contained in the preliminary water and sewer infrastructure evaluation for STAMP included with the feasibility study, and the 2.39 MGD estimate provided by Andrew Kosa, P.E. in his e-mail to me dated December 20, 2010. The DGEIS should better document the basis for the projected wastewater flows and more clearly specify the volume threshold for wastewater treatment capacity that would require additional SEQRA review if exceeded.

**Response:** The estimated wastewater flow has been developed over several iterations and multiple input and comparison sources. The wastewater demand for Phase I is estimated to be 1.0 million gallons per day, while the wastewater flow for full build-out is estimated at 3.0 million gallons per day. These estimates have been updated to be consistent throughout the FGEIS.

*Comment Summary 133:* Pages 31-34 of Appendix H of the DGEIS (“Industry Requirements and Environmental, Health & Safety Report”) include a general discussion of the industrial wastewater pre-treatment methods. The preferred wastewater treatment alternative identified in the DGEIS (p. 1-8, Fig. 4-7) includes an on-site, presumably private, wastewater treatment facility (WWTF) with a discharge to Whitney Creek. Please note that any privately-owned WWTF would be required to be operated in accordance with the following: (a) a sewage works corporation duly-formed in accordance with the requirements of Article X of the New York State Transportation Corporations Law is required to operate a sewage collection and treatment system that services more than one privately-owned property. According to this law, the consent of the municipality in which the WWTF would be located is required for the formation of the sewage works corporation and the posting of performance bonds is required. It is not clear whether there is any municipal support for the formation of a sewage works corporation and operation of a private WWTF at the site; and (b) the provisions and restrictions contained in an Industrial State Pollutant Discharge Elimination System (SPDES) permit issued by the DEC. In addition, NYSDEC would probably require the

implementation of pre-treatment requirements for process wastewater at each manufacturing facility prior to discharging to the WWTF.

**Response:** All required permits, procedures, and regulations will be obtained and followed.

*Comment Summary 134:* Non-contact cooling water would need to be separated from any sanitary and process wastewater prior to discharge to the WWTF.

**Response:** All required permits, procedures, and regulations will be obtained and followed.

*Comment Summary 135:* Discharge of non-contact cooling water also requires a separate, site-specific SPDES permit.

**Response:** All required permits, procedures, and regulations will be obtained and followed.

*Comment Summary 136:* The DGEIS describes the construction of an on-site WWTF with a discharge to Whitney Creek. However, Figures 4-7 and 5-5 of the DGEIS show the location of the WWTF at the northern boundary of the project site, while Whitney Creek is located in the southern portion of the Project site. Please clarify where a WWTF would most likely be located given the proposed discharge to Whitney Creek.

**Response:** The WWTF has been placed at the approximate low point on the Project Site for collection purposes. A force main would be constructed to discharge to Whitney Creek.

*Comment Summary 137:* Paragraph 2 on page 6-73 indicates that the downstream impacts of the WWTF would be evaluated during the permitting process. However, the analysis of the on-site WWTF alternative presented in Section 6.8.2 of the DGEIS should include an evaluation of the potential impacts downstream of the point of discharge, both in terms of water quality and water volume.

**Response:** The on-site drainage area for Whitney Creek is approximately 100 acres. The flow associated with this drainage area is approximately 172 cfs for the 100 year storm event. The anticipated flow discharged from the WWTF into Whitney Creek would be 1.5 cfs for Phase 1. This represents approximately 0.9% of the overall onsite flow. At full build-out, the anticipated discharge is approximately 4.5 cfs or 2.6% of the overall flow. In addition, there are approximately 3,100 acres of offsite drainage area that contribute to Whitney Creek that have not been analyzed for flow conditions. Therefore, the percentages of discharge would actually be much smaller than what is shown for onsite drainage. State managers of the Tonawanda WMA and other applicable agencies will be consulted during permitting to address potential offsite impacts.

The potential impacts associated with a WWTF include a slight increase in the volume of water within Whitney Creek, possible bank and stream erosion and temperature changes of the water.

Potential downstream impacts of the WWTF will be more accurately calculated and evaluated once the final design is refined based on details associated with an actual tenant. At that time, the wastewater constituents, volume and temperature of the discharge, and the offsite impacts and mitigation measure can be fairly evaluated. These issues will be addressed in the final permitting stage of the project. All applicable standards and requirements will be met.

### C. Water Supply

*Comment Summary 138:* Table 6-17 on page 6-66 indicates that full build-out water supply demand would be approximately 3.0 MGD. While page 6-17 of the DGEIS states that no groundwater will be withdrawn on-site, the adequacy of potential off-site water supply sources should be evaluated. Table 6-19 (pp. 6-67 & 6-68 of the DGEIS) provides a summary of potential sources and costs for water supply alternatives. This table, and the analysis contained in Section 6.8.1, should more clearly indicate the existing and surplus capacities of any system being contemplated for use by STAMP.

**Response:** Approximate capacities of systems being considered for STAMP have been included in the Water Service Preliminary Report.

*Comment Summary 139:* Public Water Supply permits will be required from NYSDEC for the development of new sources by any water supplier; the expansion of approved service areas; and the distribution and sale of water within the Project site by a single private entity.

**Response:** All necessary permits will be obtained and the Project will comply with any current permits as required.

*Comment Summary 140:* The construction of water mains would be subject to NYSDEC permit requirements where state-protected streams or wetlands are involved. The locations of water mains identified on Figures 6-18 and 6-19 of the DGEIS would require the following permits: Article 15, Protection of Waters permit for the crossing of Tonawanda Creek (Class B) along Route 77; Article 24, Freshwater Wetland permit for work within Freshwater Wetland OK-23 (Class 2) and/or its 100-foot adjacent area along Galloway Road, Potential Section 401 Water Quality certification(s) for work within streams regulated by the US Army Corps of Engineers.

**Response:** All necessary permits will be obtained and the Project will comply with any current permits as required.

**D. Stormwater Management**

*Comment Summary 141:* The storage requirements of any anticipated stormwater management facilities may require Article 15 dam safety permits if the structure designs exceed regulatory thresholds.

**Response:** Other alternatives will be explored once tenants have been secured in order to reduce the total volume of storage required through point source treatments or other methods. Total impervious are estimated for the entire site was conservative and may be able to be reduced depending on the type and size of the tenants within the Project Site. All required permits will be obtained.

*Comment Summary 142:* The Whitney Creek watershed assessment on page 6-12 of the DGEIS should mention that the watershed includes portions of both Tonawanda WMA and Iroquois NWR and that Whitney Creek flows directly into Tonawanda WMA. The conservation priorities outlined in the DGEIS (protect and restore headwater streams and wetlands; and restore stream buffers in native vegetation cover) are commendable and will certainly have positive impacts; however, the DGEIS should also consider the impacts of discharging the proposed quantity and quality of wastewater into the system.

**Response:** The downstream portion of the Whitney Creek watershed includes portions of the Tonawanda Wildlife Management Area and Iroquois National Wildlife Refuge. Potential impacts of stormwater/wastewater discharge included increased water volume, possible stream bank erosion and changes in water temperature. These potential impacts will be more accurately calculated and evaluated once the final design is refined based on details associated with an actual tenant. At that time, the stormwater and wastewater constituents, volume and temperature of the discharge, and the offsite impacts and mitigation measures can be fairly evaluated. These issues will be addressed in the final permitting stage of the Project. Nevertheless, all applicable standards and requirements will be met.

*Comment Summary 143:* Stormwater management practices must comply with the technical standards in effect at the time the developer submits the applicable SPDES "Notice of Intent" for the site, including runoff reduction criteria (e.g., green infrastructure). These standards must be included with the SWPPP for the site. Given the lengthy build-out time frame estimated for this site, additional future SPDES stormwater management criteria may also apply to construction on this site.

**Response:** The Project will comply with any and all current permits and regulations as required.

*Comment Summary 144:* Page 6-19 of the DGEIS asserts that the discharge of treated stormwater into streams and wetlands on the site that the integrity of these systems will be "maintained and

even enhanced”. If the systems will actually be enhanced in some fashion, further explanation or support for the enhancement of the existing systems should be provided.

**Response:** The preferred layout for STAMP includes a conservation corridor running along Unnamed Stream #2 connecting the John White WMA with a large forest block along the west side of STAMP (See Figure F-2 Open Space and Conservation Lands Plan). Opportunities have been identified to protect, restore and enhance existing wetlands and streams along this corridor. Restoration and enhancement activities may include removal of drain tile, plugging ditches and limited grading in specific locations along the corridor, utilizing treated stormwater to reestablish hydrology in areas that have been drained for agriculture, treatment of invasive plant species, establishment of habitat structures (snags, brush, nesting structures, etc.) and reforestation of stream buffers. These conservation measures will provide additional habitat for wildlife and support watershed functions including water quality protection and floodwater attenuation.

#### E. Air Resources

*Comment Summary 145:* Section 6.3 of the DGEIS should be revised to address the following: (a) Potential impacts of greenhouse gas emissions be evaluated. Table 5-3 on page 5-12 of the DGEIS indicates that approximately 318,600 CFH of natural gas and 185 megawatts (MW) of electricity will be needed at full build-out. Page 6-74 of the DGEIS estimates the annual consumption of natural gas for all facilities at 2700 MMCF. The discrepancy on the natural gas consumption should be clarified. In addition, Section 6.3.2 (p. 6-28) should be revised to incorporate an evaluation of potential greenhouse gas emissions in accordance with NYSDEC’s guidance on evaluation of greenhouse gases; (b) A useful inventory of potential sources, potential pollutants, and estimates of emission volumes has been provided for the entire project, and the DGEIS correctly points out that each plant will need to meet all applicable air permitting requirements prior to construction and operation. As each plant is constructed, each would be subject to a cumulative analysis of facility-wide emissions and more stringent emission control requirements may apply. NYSDEC suggests that modeling be provided within the current DGEIS to evaluate potential air quality impacts based on the site’s topography and other relevant factors to determine whether emissions from the entire facility could be prone to inversions or other localized effects that could adversely impact nearby communities. The results of such modeling should be provided and discussed in the DGEIS; (c) Page 6-28 of the DGEIS indicates that backup air quality control systems will be activated in that a primary system fails or is taken off-line for maintenance. NYSDEC supports the use of back-up systems where necessary and proposed; (d) Stand-alone references to Air Guide-1 should be replaced by, or used in along with, references to the Division of Air Resources’ Process Emissions regulations found at 6 NCYRR Part 212. The following revisions in italics should be made to the document: (i) Page 6-25, last paragraph: “Air Guide-1 was developed in order to evaluate the short-term and annual impacts from sources of air emissions in the State of New York to *comply with 6 NYCRR Part 212;*” (ii) Page 6-26, second paragraph: “[t]hese contaminant concentrations are then compared to the SGC and AGC for the purpose of demonstrating compliance with Air Guide-1 *and 6 NYCRR Part 212;*” and (iii) Page 6-26, third paragraph: “[f]acilities seeking to locate at the Project Site will need to satisfy the requirements of *6 NYCRR Part 212;*” (e) Tables 6-8 and 6-9 should be revised to include the units of measurement; (f) The reference on page 6-26 to a “200 megawatt (MW) solar photovoltaic (PV) plant” is unclear. Whether the 200 MW refers to the

assumed energy consumption of the plant, the PV production capacity, or something else should be explained. The rate (presumably annual) is also not identified; and (g) The fourth paragraph on page 6-26 states that the estimated annual emissions from any single stationary source is expected to be below major source thresholds. While this may be true, the major source thresholds would be applicable to the entire facility and Title V permitting requirements would apply once the cumulative emissions from the site exceed major source thresholds.

**Response:** Response to Item (a): Page 6-74, paragraph 1 of the DGEIS is hereby revised to read:

*“The estimated consumption of natural gas for the combined facilities at Project buildout is 318,600 CFH according to the Gas Service Analysis (Appendix P).”*

Section 6.3.2 has been revised taking into consideration NYSDEC Policy – “Assessing Energy Use and Greenhouse Gas Emissions in Environmental Impact Statements” to the extent the aspects of that policy can be incorporated for a conceptually-developed project GEIS. Additional greenhouse gas evaluation activities will occur during the facility permitting phase under existing GHG reporting and permitting rules as applicable.

DGEIS Section 6.3.2 is revised to add the following:

*“Potential Sources of Greenhouse Gases:*

- *Temporary construction phase emissions (not anticipated to be a significant fraction of overall project emissions)*
- *Direct emissions*
  - *Natural gas combustion (for example, boilers or air pollution control devices)*
  - *Diesel combustion (exercising of emergency standby generators)*
  - *Manufacturing process emissions (some manufacturing technologies may include the use of perfluorocarbons)*
  - *Onsite fleet vehicles or other non-stationary equipment using fossil fuels*
- *Indirect emissions*
  - *Offsite electrical power generation*
  - *Vehicle trips generated by employees, vendors, site customers, etc.*
  - *Waste generation including emissions associated with the generation, transportation, treatment and disposal of waste generated at the Project site.*

*Quantification of GHG emission rates associated with these direct and indirect sources would require a high degree of speculation and is not anticipated to benefit a discussion of alternatives or mitigation measures at this time. Section 10 provides a discussion of the Project’s effects on the use and conservation of energy resources. The state-of-the-art energy efficiency technologies described in that section will reduce energy demand and reduce GHG emissions. In addition, the technology sectors planned to be present at the Project Site will advance and support the manufacturing of renewable energy products such as photovoltaic (PV)*

*modules. Producing electricity with photovoltaics produces no greenhouse gases. The energy payback period for photovoltaics can be as short as one year meaning that after one year of operation the module is producing emissions free electricity beyond the amount of energy required to produce the system in the first place.*"

Response to Item (b): While estimating overall regulated air pollutant emission rates for the types of facilities likely to occupy STAMP can be accomplished based on industry knowledge, performing air dispersion modeling would be highly speculative at this early point. Performing air dispersion modeling during the air permitting process is more appropriate as the needed site layout and stack parameter data will be developed as part of facility detailed design.

Response to Item (c): We acknowledge NYSDEC's support of back-up systems and clarify that such back-up may include only critical portions of the air pollution control systems such as fans and motors or power supply. Entirely redundant systems may not be used.

Response to Item (d): The following revisions are hereby made to DGEIS Section 6 Environmental Setting, Potential Impacts, and Proposed Mitigation Measures:

- Page 6-25, last paragraph: "Air Guide-1 was developed in order to evaluate the short-term and annual impacts from sources of air emissions in the State of New York to comply with 6 NYCRR Part 212;"
- Page 6-26, second paragraph: "[t]hese contaminant concentrations are then compared to the SGC and AGC for the purpose of demonstrating compliance with Air Guide-1 and 6 NYCRR Part 212;" and

Page 6-26, third paragraph: "[f]acilities seeking to locate at the Project Site will need to satisfy the requirements of 6 NYCRR Part 212;"

Response to Item (e): DGEIS Tables 6-8 and 6-9 revised as shown in Section IV.

Response to Item (f): The 200 megawatt (MW) solar photovoltaic (PV) reference is an industry-standard designation referring to the annual production capacity of a manufacturing facility. In this case, a single PV facility would be capable of producing enough solar panels in one year's time to generate 200 megawatts of electricity at the panel's peak rated capacity under ideal conditions.

Response to Item (g): We are of the understanding that individual entities (those that may be co-located, but are not under common control nor belonging to the same single major industrial grouping) could receive a single source determination and would be permitted and regulated accordingly.

## F. Other Utilities

*Comment Summary 146:* The estimated amount of natural gas consumption should be clarified. With regard to the location of a potential gas line to serve the Project Site, we note that there are presently no state-protected streams or wetlands along Route 63, as identified in Figure 1 of Appendix P – “Gas Service Analysis.” There are several “Class C” streams and it remains possible that an individual Section 401 Water Quality Certification would be required for the installation of gas service to the Project Site along the route shown.

**Response:** Page 6-74, paragraph 1 of the DGEIS is hereby revised to read “The estimated consumption of natural gas for the combined facilities at project buildout is 318,600 CFH according to the Gas Service Analysis (Appendix P).”

If required, an individual Section 401 Water Quality Certification will be obtained as part of the permitting process for the gas line.

*Comment Summary 147:* Page 6-73 of the DGEIS contains a somewhat ambiguous statement about the need to install or expand electric transmission lines to serve the site: “[u]pon analyzing the various options, National Grid has identified an interconnection alternative to be feasible that will not result in a potential significant adverse impact to existing electrical resources.” The DGEIS should identify any potential impacts to public lands and state-regulated resources (e.g., wetlands, streams, state-listed wildlife) that may result from electric transmission facility construction or expansion. To the extent that such information may be considered confidential or proprietary pursuant to SEQRA regulations (6 NCYRR Part 617.16), we respectfully request that the information be provided directly to the DEC for agency review. As an SEQRA involved agency, we would consider the information confidential to the extent that it is consistent with the confidentiality provisions contained in the Freedom of Information Law (FOIL).

**Response:** National Grid has performed a comprehensive preliminary study of alternative methodologies for providing adequate power to the Project Site. The preliminary nature of this study is such that National Grid has requested confidentiality in study distribution. In addition, the preliminary nature of the study is such that exact alignments and locations of power facilities have not been precisely determined. GCEDC will coordinate closely with DEC for specific power facility locations and alignments as the Project moves forward and will meet any and all applicable environmental regulations.

## G. Public Open Space and Recreation

*Comment Summary 148:* Sections 4.5.6 (p. 4-11) and 6.9 (pp. 6-78, 6-79, 6-82, and 6-83) of the DGEIS address recreation and open space aspects of the project. The DGEIS further indicates that losses of wildlife habitat and existing public uses that would result from the acquisition and use of the western portion of the John White WMA would be mitigated by an exchange of lands whereby NYSDEC would be compensated with lands of equal or greater benefit elsewhere. The private acquisition of state conservation lands obtained under the Open Space Conservation Program is a

long and difficult process which requires the passage of state legislation and federal approval from the US Fish & Wildlife Service.

There is no explanation in the DGEIS for the need to acquire the west side of the John White WMA for a town hall/community center and it does not appear that the proposed use of the John White WMA is an integral component of the manufacturing and business development proposed on the larger portion of the Project site. NYSDEC suggests that other, more suitable locations for the construction of a town hall and community center be pursued. There has also been no meaningful discussion with NYSDEC on specific locations or sites where the existing public uses and benefits situated on the western portion of the John White WMA are proposed to be mitigated. Insofar as the DGEIS would be used to support the development of the preferred alternative, including any eventual acquisition of some of the John White WMA, specific sites for the required compensation of state wildlife management area lands must be identified and evaluated. In this regard, NYSDEC notes that the acquisition of lands for state use is subject to the requirements of SEQRA (*See* 6 NYCRR Part 617.2 (b) (1) and 617.4 (b) (4)) and the potential impacts of any new lands proposed for use as a state WMA should also be evaluated in the DGEIS.

**Response:** The portion of the John White WMA located within the proposed STAMP boundary (west of Allegany Road/NYS Route 77) has been withdrawn from consideration as part of STAMP at this time. *See* Revised Figures 1-3, 5-5, 6-22 and 10-2 Preferred Alternative.

*Comment Summary 149:* To the extent that the western portion of the John White WMA may not ultimately be acquired as part of the project, it would be appropriate to identify this in one of the potential development alternatives and further evaluate the impacts on existing uses in the DGEIS. Specifically, the impacts to universally-accessible hunting on the John White WMA by the construction of new structures adjacent to the area should be identified. If necessary, mitigation measures (e.g., property line setbacks, etc.) to preserve existing uses on the site should also be identified.

**Response:** The portion of the John White WMA located within the proposed STAMP boundary (west of Allegany Road/NYS Route 77) has been withdrawn from consideration as part of STAMP at this time. *See* Revised Figures 1-3, 5-5, 6-22 and 10-2 Preferred Alternative.

There is no change to the amount of area available for universally-accessible hunting. The STAMP design includes a set back for structures of greater than 500 feet from the John White WMA. Pursuant to Title 9, § 11-0931 of the NY Environmental Conservation Law, it is legal to discharge a bow or firearm so long as it is greater than 500 feet from a structure. There may be some disturbance to wildlife from activities at STAMP; however, a conservation corridor running along Unnamed Stream #2 connecting John White WMA to existing natural areas on STAMP and the Tonawanda Seneca Nation lands will be established. Impacts to game population should be minimal. There may be some noise/visual disturbance from activities at STAMP greater than what public users of John White already experience from agricultural activities and the existing heavy traffic on Route 77.

*Comment Summary 150:* The volume of water that would be discharged under full build-out is estimated at 3,000,000 GPD. This equates to approximately 9.2 acre-feet/day being discharged to Whitney Creek. Because Whitney Creek is a primary source of water for the Tonawanda WMA, the proposed increase in flow could have significant impacts on the Tonawanda WMA and the surrounding area. Based on this, the potential impacts associated with the increase flow should be included in the list off-site considerations listed on page 4-4, and the following issues should be evaluated further in the DGEIS. (a) Water levels on the Tonawanda WMA can already be seasonally high with flooding of adjacent roadways sometimes becoming a problem. Because of the proposed increase in flow, NYSDEC recommends that coordination be undertaken with FEMA to determine whether further evaluation of the Whitney Creek watershed should be performed to determine whether the flood hazard maps (Flood Insurance Rate Maps FIRMs) would need to be adjusted as a result of the project; and (b) Facilities appear to be designed to pass the 25-year event from Whitney Creek, and so do not comply with current spillway criteria. A hydrology and hydraulics analysis, using current techniques, should be conducted for the Whitney Creek watershed and the entire Tonawanda WMA facility to assess whether there is sufficient spillway capacity to meet dam safety guidelines. Because the STAMP project proposes significantly increasing the flow of Whitney Creek, an H&H study would seem to be necessary. The study would need to determine if current impoundments, control structures and spillways could handle the proposed amount of additional water in the system and also outline any changes that would need to be made to the system.

**Response:** The on-site drainage area for Whitney Creek is approximately 100 acres. The flow associated with this drainage area is approximately 172 cfs for the 100-year storm event. The anticipated flow discharged from the WWTF into Whitney Creek would be 1.5 cfs for Phase 1. This represents approximately 0.9% of the overall onsite flow. At full build-out, the anticipated discharge is approximately 4.5 cfs or 2.6% of the overall flow. In addition, there are approximately 3,100 acres of offsite drainage area that contribute to Whitney Creek that have not been analyzed for flow conditions. Therefore, the percentages of discharge would actually be much smaller than what is shown for onsite drainage. State managers of the Tonawanda WMA and other applicable agencies will be consulted during permitting to address potential offsite impacts. Additional hydrology studies and surveys may be required once a tenant is secured at the Project Site.

The potential impacts include a slight increase in the volume of water within Whitney Creek, possible bank and stream erosion and temperature changes of the water. These potential impacts will be more accurately calculated and evaluated once the final design is refined based on details associated with an actual tenant. At that time, the wastewater constituents, volume and temperature of the discharge, and the offsite impacts and mitigation measure can be fairly evaluated. These issues will be addressed in the final permitting stage of the project. Nevertheless, any and all applicable standards and requirements will be met.

*Comment Summary 151:* Page 6-82 of the DGEIS states that “there are no significant adverse impacts from the project expected to existing public recreational or open space assets associated with the TIO complex.” An increase in public use of the John White, Tonawanda, and Oak Orchard WMAs and Iroquois National Wildlife Refuge as a result of a significant increase in the area

population may have both positive and negative impacts. If increased use is in the form of legitimate, compatible, wildlife-dependent activities (e.g., hunting, fishing, wildlife observation etc.) then an increase may result in increased community support and awareness of the public resource as stated in the document. However, there may also be an increase in incompatible and illegal activities that may result in impacts to habitat and wildlife species and a need for increased enforcement activity on the area. In addition, development immediately adjacent to public lands may result in issues such as loss of areas for hunting due to setbacks, illegal vehicle use, encroachment issues, etc.

**Response:** While an increase in incompatible and illegal activity on public lands is possible, it is not an anticipated result of the development of STAMP. Secondary growth pressure associated with development and operation of STAMP has been identified as a probability. Green infrastructure planning including farmland protection and conservation buffers will be utilized to manage and direct secondary growth toward development techniques and suitable locations that maintain agricultural and natural resource values in the area.

#### H. Vegetation, Fish & Wildlife

*Comment Summary 152:* NYSDEC identified several state-listed species that was to be evaluated in the DGEIS. In general, the evaluation of potential impacts to wildlife is thorough and well-prepared.

**Response:** Comment Noted

*Comment Summary 153:* Page 1-6 of the DGEIS notes that two state-listed threatened species were observed on the Project site, but does not mention the other state-listed species that were also observed on the Project site and discussed in more detail in Section 6.4 of the DGEIS. An additional statement regarding the other observed state-listed species should be included in the executive summary.

**Response:** The two state-listed species referred to above are heartleaf plantain and least bittern. The heartleaf plantain was observed in the northwest corner of STAMP. This area has been designated as a conservation area in the preferred layout for STAMP. The least bittern was observed utilizing habitat on the John White WMA, which is no longer part of the STAMP footprint. The other two state-listed species observed during wildlife surveys at the STAMP site were northern harrier (state-listed, threatened) and horned lark (state-listed, species of special concern). Two northern harriers were observed flying low over the Project Site. Nest searches were conducted but no nests were found and based on an absence of this species in subsequent surveys it was concluded that the Project Site was not used as a nesting location and there would be no significant impact on the species by the development of STAMP. Horned larks were observed several times utilizing the agricultural areas of the Project Site. No nests were found. Agricultural areas are abundant in the vicinity providing substantial habitat for any species displaced due to the development of STAMP. A farmland protection strategy is proposed as a key component to the development of STAMP.

*Comment Summary 154:* Page 6-32 of the DGEIS indicates there will be approximately 451 acres maintained as open space/landscaped area managed to provide green space and recreation areas within STAMP, and that approximately 268 acres will be set aside as conservation lands. A figure showing the general locations of these designated land uses would be helpful. In addition, NYSDEC suggests that more of the open space/landscaped area be set aside as conservation lands instead, which could include areas maintained as grassland habitat through a schedule of infrequent mowing (e.g. annual, biannual or longer). Other strategies to minimize the intensity of landscape maintenance could also be employed elsewhere on the site and should be considered (e.g., low-frequency mowing, no fertilizer/pesticides, etc.).

**Response:** Management of conservation areas and of open space/landscaped areas will emphasize the establishment of native, sustainable, natural communities that require minimal maintenance. Conservation areas refer to existing natural communities of medium to high quality that will be protected and enhanced to continue to provide watershed functions. Enhancement actions may include invasive species removal, garbage removal, establishing natural buffers and the placement of wildlife structures. Open space/landscape areas are currently active agricultural or fallow farm fields that will be developed into appropriate natural communities that serve a dual function of providing additional buffer between conservation areas and development activities and providing aesthetic and recreational value to employees and visitors. See Figure F-2 Open Space & Conservations Lands Plan in Section IV for more information.

*Comment Summary 155:* Page 6-33, paragraph 3 of the DGEIS states that “[a]ny plantings associated with restoration activities will include native species to the fullest extent possible.” Typically, NYSDEC would approve a planting list that included only native species. In addition, the Project Sponsor should consider getting a list of “species of greatest conservation need” from the NYSDEC Bureau of Wildlife to work in cooperation with the State Wildlife Grant (SWG) biologist(s) to develop conservation plans that will potentially benefit these species.

**Response:** Restoration and enhancement activities in the conservation and open space/landscaped areas will not include any invasive, non-native species and will include species from NYSDEC’s “species of greatest conservation need” list as appropriate.

## I. Wetlands and Streams

*Comment Summary 156:* According to the DGEIS (p. 6-13), approximately 9.54 acres of wetlands will be impacted by the Project. While this represents a significant reduction of the 69 acres that would have been impacted under initial development scenarios, further efforts should be made to further minimize impacts to on-site wetlands and streams. It may be necessary to reduce the scale of development or utilize upland areas currently envisioned as roadway or Hamlet setbacks to avoid further minimize wetland impacts. In particular, the filling and diversion of Stream No. 1 noted in Section 6.2.2 (p. 6-15) and Appendix E of the DGEIS should be avoided if possible. According to page 6-15, additional data would be collected and hydrologic modeling would be conducted prior to

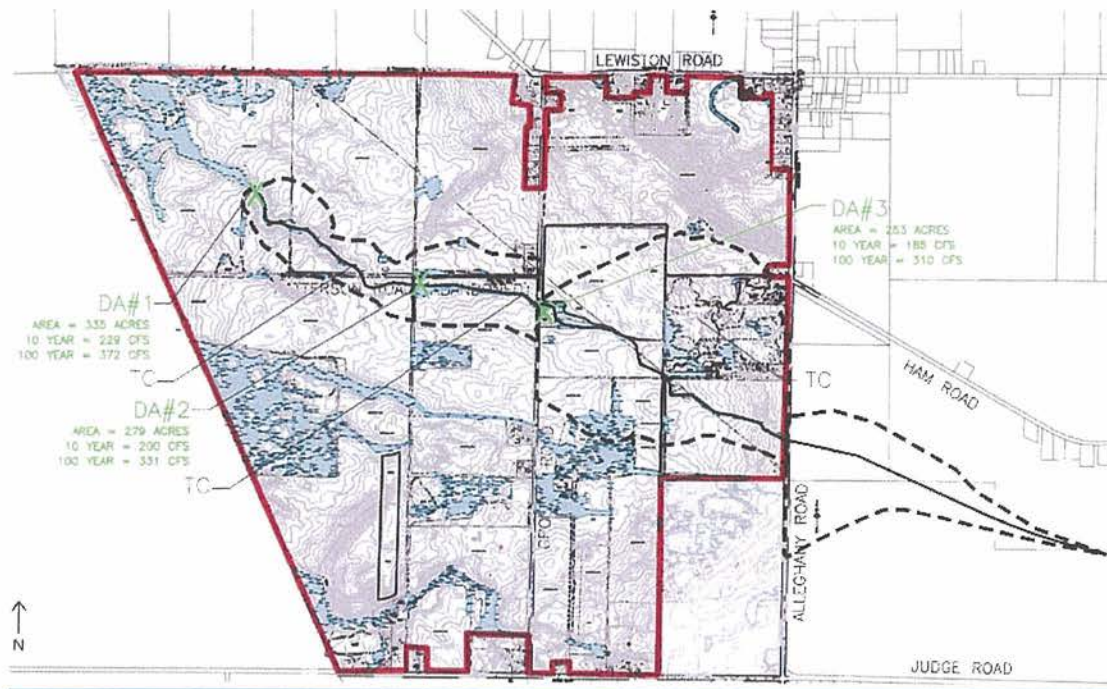
the diversion. We believe the data and modeling should be provided in the DGEIS so that a meaningful evaluation can be made of the potential impacts of the diversion on the stream itself, and on the wetlands located immediately downstream (northwest corner of the site). The analysis should include an evaluation of the potential impacts of water level changes to the habitat for heartleaf plantain, which is a NYS threatened plant species that was located in these wetlands. In addition, a more thorough analysis of the effects of the proposed Stream No. 1 diversion on wetlands W38 and W20 (as shown in Figure 6-3) should also be provided.

**Response:** Preliminary analysis on Stream #1 indicates that the 10-year storm flow is approximately 185 cfs and the 100-year storm flow is approximately 310 cfs at the point of rerouting. At the point where this stream enters the northwest wetland system, the flow is approximately 229 cfs for a 10-year storm and approximately 372 cfs for a 100-year storm. The stormwater management systems located in the northwest portion of the site can be designed to match the flow in the proposed conditions. Therefore, while Stream #1 may be relocated, the amount and quality of water directed to the wetland systems can be maintained.

Based on current analysis of the Project Site and Project development needs, aquatic resources have been protected to the greatest extent possible to still realize the Project's purpose. As acknowledged above, a relatively small acreage of remaining wetlands and an unnamed stream will be impacted by development activities. These potential impacts will require completion of the USACE and NYSDEC Joint Permit Application prior to disturbance. It is during this permit process that a hydrology study would be conducted to quantify the impacts of diverting the unnamed stream and to identify specific on and offsite mitigation measures. A comprehensive mitigation strategy will be developed to offset all potential impacts to both wetland and stream resources. These mitigation measures will include maintenance of appropriate water levels in protected areas on the Project Site to ensure continued habitat support for species such as the heartleaf plantain.

The figure "Additional Drainage – North Headwater" below illustrates additional drainage impacting the north headwater.

FIGURE F-5



STAMP  
Final Generic Environmental Impact Statement

Town of Alabama, New York

Figure F-5  
Additional Drainage - North Headwater

**Comment Summary 157:** To the extent that wetland and stream impacts have been avoided and minimized to the greatest extent practicable, the mitigation of such impacts is required, and the SEQRA record developed by the DGEIS will be used to support permit applications related to wetland impacts, specific mitigation sites and concepts should be identified and discussed in the DGEIS. It is our understanding that further discussions with the NYSDEC and US Army Corps of Engineers are being undertaken to address impacts to regulated wetlands and streams and mitigation requirements. The outcome of these discussions should be reflected in the DGEIS. For any site-specific impacts associated with wetland mitigation requirements that are not adequately addressed in the DGEIS, a site-specific SEQRA review would be required in the future.

**Response:** Specific mitigation sites include onsite mitigation action in designated conservation areas. On-site mitigation actions include: (1) permanent protection of remaining wetlands (approximately 112 acres), streams and drainage ways (approximately 24,300 feet), and stream buffers; (2) restoration and enhancement of wetlands via invasive species treatment, breaking tile, plugging ditches, and placement of wildlife structures; and (3) enhancement of streams (including a portion of Whitney Creek) by reforesting stream buffers. Off-site mitigation actions will target lands southeast of the Project Site in the upper reaches of the Whitney Creek watershed in accordance with the watershed conservation priorities discussed in Section 6.2.1 of the DGEIS. Off-site locations have been evaluated and suitable sites have been

identified. These sites include lands impacted by past and ongoing agricultural activities especially in low-lying areas that are difficult to drain and along ditches and streams. Mitigation sites will be secured for mitigation during the permit process and a final mitigation design will be developed. Off-site mitigation actions will restore wetlands of similar type to those impacted (palustrine emergent marsh/wet meadow, palustrine scrub shrub and palustrine forested) and restore and enhance streams and stream buffers. Off-site mitigation will include similar conservation techniques described above for onsite mitigation. On-going discussions with USACE and NYSDEC regarding potential impacts to aquatic resources and mitigation requirements have not resulted in any outcomes that are not already discussed in the DGEIS and FGEIS.

*Comment Summary 158:* NYSDEC has identified four wetland complexes on the site that could qualify as potential state-regulated wetlands based on their size. In addition, page 1-5 indicates that “[w]ith the exception of potential temporary impacts to adjacent areas due to development of a recreational trail no wetlands likely to be regulated by New York Department of Environmental Conservation (“NYSDEC”) under Article 24 of the Freshwater Wetland Act will be impacted.” We support GCEDC’s recognition of potential state wetland jurisdiction on this site. However, while Table 6-1 loosely reflects the potential NYSDEC jurisdiction on the largest portions of these wetland complexes (e.g., wetlands 2, 20, 42), it does not include all the wetlands identified in NYSDEC’s February 8, 2011 letter. In addition, there appears to be no figure in the DGEIS that shows potential 100-foot buffer areas around these wetland complexes and Figure 6-3 does not include this information. The DGEIS should be revised to identify potential state-regulated wetlands on the site and include a figure that shows all potential 100-foot buffer areas. In addition, now that certain conceptual stormwater management information is available, this information should be examined to determine the extent of any potential impacts within 100 feet of potential state-regulated wetlands. Including this information will help ensure that future developers are aware of these areas and every effort can be made to avoid impacts.

**Response:** A new figure has been developed to identify potential state-regulated wetlands including all potential 100-foot buffer areas to illustrate that there are no direct impacts anticipated to these wetlands and 100-foot buffer areas. Stormwater management activities will also be designed to avoid negative impacts to wetland buffer areas. All stormwater flows will be treated and controlled prior to discharging through green infrastructure treatment practices such as bioswales and rain gardens. See Figure F-3 NYSDEC Wetlands & Required 100-foot Buffers in Appendix A for more information.

*Comment Summary 159:* Further detail on the potential impacts of trail construction in wetland areas should be provided. We note that there is wide variability in the types of recreational trails that can be developed and that not all trail types are compatible with the functions and benefits that wetlands provide. For instance, trails that are wide enough for vehicle use and have hardened surfaces (e.g., asphalt, packed gravel) would generally not meet the permit issuance standards within the freshwater wetland permitting regulations (6 N.Y.C.R.R. Part 663). On the other hand, the establishment of walking/ recreational trails involving the clearing of a narrow, defined walking

path, cutting low hanging branches and selective removal of “tripping” stones may be exempt from permitting if no heavy equipment is used, and no fill (including mulch) is placed.

**Response:** Trails within wetlands and wetland-adjacent areas will meet permit issuance standards in wetland areas. Intended trail uses in wetland areas are for hikers and bicycles and will typically be surfaced with natural materials such as crushed stone and/or elevated wooden walkways. The emphasis is on low impact, low maintenance design that will avoid or minimize impacts and meet permit issuance standards where located in wetland areas.

#### J. Cultural Resources

*Comment Summary 160:* The DGEIS (pp. 6-92 and Appendix T) provides a discussion of the Phase 1A survey that was provided for the Project site. According to this survey, additional Phase 1B surveys are recommended due to the high sensitivity of the site for prehistoric sites, and moderate to high sensitivity for historic sites. Because the general footprint of the development has been identified, we recommend that to the greatest extent practicable, especially for the initial portion of the development (“Phase 1”), that the recommended Phase 1B cultural resources survey be undertaken and presented in the DGEIS so that a meaningful discussion of potential impacts to cultural resources can be provided. In addition, the comments of the New York State Office of Parks, Recreation, and Historic Preservation (OPRI-IP) on the surveys performed should be sought and addressed in the DGEIS. For any potential impacts to cultural resources not adequately addressed in the DGEIS, subsequent site-specific SEQRA review would be required.

**Response:** A Phase 1B investigation is underway. GCEDC acknowledges that site-specific SEQRA review may be required prior to construction as set forth in Chapter 11 of the DGEIS.

*Comment Summary 161:* The Phase 1A survey recommends that an invitation be extended to representatives of the Tonawanda Seneca Nation to monitor Phase 1B field work for all phases of development. We support this recommendation and encourage GCEDC to fully consider concerns conveyed by Tonawanda Seneca Nation representatives. As noted in our prior correspondence, during NYSDEC’s review of permit applications associated with this Project, NYSDEC will be required to comply with the requirements of the State Historic Preservation Act (SHPA), and follow the guidance contained in NYSDEC’s policy on Contact, Cooperation, and Consultation with Indian Nations Section (CP-42). As a result, any SEQRA findings issued by NYSDEC based on the DGEIS will need to address cultural resources. Therefore, the DGEIS should also include and address comments from the Tonawanda Seneca Indian Nation on the cultural resources investigation of the project site.

**Response:** A representative from the Tonawanda Seneca Nation is currently monitoring all Phase 1B work.

XIV. American Farmland Trust, Diane Held, Senior New York Field Manager (6/20/11):

*Comment Summary 162:* Agriculture is a significant element of New York's economy providing jobs and a \$31 billion annual economic impact from the food and farm sector.

**Response:** Section 6.123 of the DGEIS sets forth the existing conditions of the agricultural resources located in Genesee County and within the Town of Alabama. The DGEIS acknowledges that in 2008, Genesee County was ranked fourth in New York State for economic activity generated from farming (\$179 million). The DGEIS further acknowledges that within the Town, agriculture is the single most prevalent economic activity, making up almost 50% of the land uses located within the geographical boundaries of the municipality. The Project Sponsor further acknowledges agriculture's significant economic contribution to the State of New York, as well as to the United States, and as a result of that understanding, proposes that the Project be designed and implemented to respect and maintain to the maximum extent practicable agricultural resources located in the community.

Section 6.13 of the DGEIS analyzes the potential impacts the Project may have on nearby farming, as well as examines the potential measures that would be implemented to mitigate those impacts including the Long Term Land Management Plan and the Farmland Strategies Report. The implementation of the mitigation measures will minimize and/or avoid to the maximum extent practicable impacts the Project may have on the community's farming resources. The Long Term Land Management Plan will ensure that future development areas will be maintained in their current land use until construction is commenced. The Farmland Protection Strategies Report further describes and consolidates potential strategies for the Town of Alabama to evaluate and consider as methodologies to protect farmland located in other areas of the Town.

In addition, the development and current success being experienced at the 202-acre Genesee Valley Agri-Business Park (Ag Park) in Batavia, New York, is a significant mitigation factor when considering the loss of the economic value of roughly 971 acres (275 acres of which is considered prime farmland) being removed from agricultural production in the county due to the development of STAMP. A direct economic impact study was completed for the Ag Park in February 2009. The direct economic impact of the Ag Park to the agricultural industry in Genesee County can be summarized as follows:

- Food Processing and related facility capacity to be constructed at park: 1.4M square feet
- Full Time Equivalent employment at site upon full build-out: 1,200 jobs
- Annual Output (Revenues) of food processing firms at site @ Year 10: \$322M
- Annual locally/regionally produced products purchased by food processing firms at site @ yr. 10: \$81M

- Full Time Equivalent employment at site @ Year 10: 600
- Annual Payroll at site @ Year 10: \$20M
- Genesee Valley Agri-Business Park direct local/regional annual direct economic impact to the agricultural industry @ Year 10: \$101M

The statistics above clearly demonstrate that GCEDC and GGLDC's activities to boost the community and region's agricultural economy through the development and attraction of food processing firms to the Ag Park clearly exceeds the potential economic loss of removing some 971 acres (275 acres of which is considered prime farmland) of agricultural lands from production, which local agricultural experts suggest such land is equivalent to 1 or 2 jobs from a farm employment perspective, due to the development of STAMP. The greater than \$100M annual contribution to the local/regional agricultural economy from the Ag Park certainly mitigates and significantly exceeds the potential agricultural economic loss due to STAMP. We are seeing great success at the Ag Park with three (3) companies currently under construction. The Ag Park has the potential to exceed the results stated above from the economic impact study given the size and pace of projects currently under construction.

*Comment Summary 163:* The DGEIS recognizes the Project's immediate impact on agricultural land in the Town of Alabama, specifically the incremental removal of 970 acres of farmland from agricultural products once full build-out is realized (estimated to occur in 10 to 25 years). It is stated that "in return for the minimal loss of crop land, the Project will create over 9,000 high paying technology-related direct jobs at the Project site and will become a significant net contributor to the local economy." The vast majority of this Project is not located within a development area of the Genesee County Smart Growth Plan. This is a significant concern as Genesee County has developed its Smart Growth Plan to encourage fiscally responsible development patterns that are less likely to cause conflict with the County's important agriculture industry.

**Response:** It is the intent of SEQRA to incorporate the consideration of environmental factors into the planning, review and decision-making processes of governmental agencies and that environmental impacts be balanced with social and economic factors. In the case of STAMP, there will be a long-term loss of approximately 970 acres of farmland. This loss must be weighed against the economic benefits of the Project. As the commenter correctly points out, the vast majority of the Project Site is not located within a designated development area of the Genesee County Smart Growth Plan. The need to expand the Smart Growth Plan's Hamlet of Alabama development area to include the Project Site must also be weighed in the decision-making process.

*Comment Summary 164:* If this Project, despite not adhering to the Smart Growth Development boundaries, is determined to be a Project that is in the best interests of local population, then considerable efforts should be given to mitigating secondary growth and impacts from the Project. A project of this size and scope will create pressure on the Town of Alabama and nearby communities to expand residential development – particularly if water extensions are included in the

Project as is stated in the amenities that the Project sponsor will provide in exchange for granted zoning changes.

**Response:** As discussed in Section 9.2.4 of the DGEIS, the Project will likely induce some secondary growth. Existing limitations on access to public infrastructure will necessarily limit such secondary growth within agricultural areas of the Town of Alabama. In addition, the DGEIS includes, as Appendix K, a Farmland Protection Strategies Report which sets forth various options and strategies for consideration by the Town of Alabama to further protect agricultural land. With regard to the commenter's concern regarding water extensions, the Genesee County Smart Growth Plan will limit the growth inducing impacts of such extensions by limiting the ability of landowners to hook up to public water supplies for new development outside of designated development areas. Pursuant to the Smart Growth Plan, within designated development areas, development and redevelopment is encouraged and there are no restrictions on water hook-ups. Outside of designated development areas, access to the water system is limited to pre-existing structures and agricultural uses. All other proposed development requires a case-by-case review based upon agricultural impacts, consistency with economic development goals, other available infrastructure and local comprehensive plans and zoning laws. The County also evaluates the impact upon City/Village revitalization programs and public health or other community needs when considering hook up requests outside of designated development areas.

*Comment Summary 165:* The 970 acres of farmland that are not part of a Smart Growth Development area directly impacted by this Project will be compounded by the loss of neighboring farmland unless strong mitigation actions are taken. AFT recommends preventing the extension of water service extensions in agricultural areas.

**Response:** In 2010, the Town Board of the Town of Alabama commissioned a Public Water Feasibility Study which identified a need for the installation of a public water service project to protect public health and safety by providing municipal water to approximately 70% of the households in the Town of Alabama. The vast majority of these households are located in agricultural areas of the Town. Thus, it would not be prudent or feasible to prevent the extension of water service to agricultural areas of the Town. Nonetheless, it is noted that the Genesee County Smart Growth Plan limits access to public water infrastructure in all agricultural areas that are outside of designated development areas.

*Comment Summary 166:* While the DGEIS does recommend mitigation of some impacts on the remaining farmland and farms in the Town, key tools and techniques must be adopted in order to strengthen the viability of these farms and to compensate for the loss of 970 acres of working farmland in the County. Appendix K to the DGEIS identifies possible zoning considerations that can provide protection for the remaining farmland. First, developing an agricultural and farmland protection plan and/or adding language to the Comprehensive Plan that asserts the value of agriculture of the Town is testimony of the Town's commitment to farming. Second, developing an agricultural zoning district that gives preference to agriculture uses, identifies residential development as a secondary use, and establishes a minimum lot size requirement that protects land

for farming is vital. Third, creating a subdivision law that requires Town Board approval for all subdivision requests. Lastly, permanently protecting 1000 acres of prime farmland elsewhere in the Town would offset the impact of losing that acreage to be impacted by the STAMP project.

**Response:** Many of the farmland protection strategies highlighted by the commenter, as well as many other tools and strategies available to the Town of Alabama, are set forth in the Farmland Protection Strategies Report, attached as Appendix K to the DGEIS. As discussed in Section 6.7.2 of the DGEIS, the Farmland Protection Strategies Report is included in the DGEIS as a mitigation measure for the loss of farmland associated with the development of the Project Site. The Farmland Protection Strategies Report mitigates the loss of farmland associated with Project, by providing the Town with a comprehensive framework for developing and implementing a Town-wide farmland protection strategy. Ideally, the Farmland Protection Strategies Report can serve as a foundation for the Town to create a broad-based Farmland Protection Plan for the Town of Alabama that will protect farmland throughout the Town for years to come. As discussed in the DGEIS, because the Farmland Protection Strategies Report goes so far beyond mitigation of the Project Site, responsibility for selecting and implementing appropriate farmland protection strategies must necessarily be left to the sound discretion of the Town Board.

*Comment Summary 167:* Creating a fund to finance farmland protection so it can support the Town in developing an agricultural and farmland protection plan, review and revise Town zoning code to protect the viability of the local farms and purchasing development rights on 1,000 acres of farmland.

**Response:** As noted in response to the Comment Summary 166, the farmland protection strategies highlighted by the commenter, as well as many other tools and strategies available to the Town of Alabama, are set forth in the Farmland Protection Strategies Report, attached as Appendix K to the DGEIS. These options will be actively considered by the Town of Alabama as the Town works to develop a long-term farmland protection program best suited to the needs of the citizens of Alabama.

XV. New York State Department of Transportation, David C. Goehring, P.E. (6/24/11):

***With regard to Phase I of Project Development:***

*Comment Summary 168:* At the Route 77 and Judge Road and Route 77 and Ledge Road intersections, it is recommended that each of these intersections be monitored for the installation of a traffic signal. NYSDOT agrees with this recommendation, however, more detail needs to be provided on the plan to monitor.

***Response:*** The timing of traffic improvements required to mitigate identified impacts will depend on the rate of regional traffic growth and trips generated by the phases of development of the Project, and the location of the development on the Project. The following monitoring program is recommended to facilitate the implementation of improvements:

- i.* The applicant shall be required to undertake traffic counts at select key intersections prior to the construction of subsequent development phases, at the direction of NYSDOT, and provide the results to the Town and the NYSDOT.
- ii.* The applicant shall be required to have the transportation improvements in place that will provide access to a particular development phase, prior to occupancy of the development phase, unless a supplemental traffic engineering study approved by NYSDOT and the Town demonstrates that adequate traffic operations can be provided without the improvements. A quantitative trip generation threshold for requiring site transportation impact studies recommended in *Transportation Impact Analyses for Site Development* published by the Institute of Transportation Engineers (ITE) indicates that an additional 100 vehicles per hour can change the level of service or appreciably increase the volume-to-capacity ratio of an intersection approach.
- iii.* Therefore traffic projections shall be prepared for development phases at intersections using the 100 trips per approach threshold for conducting supplemental transportation evaluations for development of STAMP.

*Comment Summary 169:* Prior to installing a traffic signal at an intersection, a second side street lane should be considered. Right turn volumes are projected to be increased significantly. During Phase I failing levels of service (LOS) are documented for the eastbound and westbound approaches to each of these intersections. Right turn lanes would mitigate traffic impacts at each of these intersections and possibly avert the need for a traffic signal. A determination needs to be made if a right turn lane is physically constructed. The right turn lanes will be considered required mitigation pending this determination.

***Response:*** The TIS indicates that a traffic signal will be warranted at the Ledge Road and Judge Road intersections on NY Route 77 during Phase 1 development of the STAMP. The following

table shows the levels of service at these intersections with the construction of only a right-turn lane on the side street approaches.

**Table – Intersection Level of Service Summary**

Intersection	Control	AM Peak Hour		PM Peak Hour	
		2015 Build Phase 1	2035 Build 70 Percent	2015 Build Phase 1	2035 Build 70 Percent
Route 77/Route 63/Judge Rd	TW				
Route 77 NB L		A (0.9)	A (1.0)	A (2.9)	A (6.5)
Route 77/63 SB L		A (0.1)	A (0.2)	A (0.4)	A (0.7)
Judge Rd EB LT [R]		C (19.3)	F (81.9)	F (69.0)	F (>999)
Judge Rd WB LT R		B (10.9)	B (12.2)	B (11.6)	D (33.2)
		C (19.0)	F (86.7)	F (55.5)	F (>999)
		B (10.1)	C (16.9)	B (10.7)	B (14.7)
Route 77/Ledge Rd	TW				
Route 77 NB L		A (8.1)	A (9.1)	A (8.3)	B (11.8)
Route 77 SB L		A (7.8)	A (9.8)	A (8.4)	B (10.8)
Ledge Rd EB LT [R]		C (21.7)	F (>999)	E (47.8)	F (>999)
Ledge Rd WB LT R		B (10.5)	B (11.7)	B (11.2)	F (64.6)
		E (42.9)	F (>999)	F (315.3)	F (>999)
		A (9.4)	C (17.1)	B (10.6)	C (18.4)

Key: TW, AW, S, R = Two-way stop, All-way stop, Signal, or Roundabout controlled intersection  
 NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound intersection approaches  
 L, T, R = Left-turn, through, and/or right-turn movements  
 L[T]R = LR represents the existing geometry, LTR represents the future geometry  
 X (Y.Y) = Level of Service (Average delay in seconds per vehicle)

NY Route 77/Judge Road – A review of existing conditions indicates that there is an existing westbound right-turn lane on Judge Road. In addition, the construction of an eastbound right-turn lane is recommended during the 70% Threshold condition. A review of the level of service analysis indicates that the eastbound and westbound approaches will operate at a LOS F during the PM peak hour with the construction of a right-turn lane on the eastbound approach without the installation of a traffic signal during Phase 1 conditions. However, since the eastbound right-turn lane is an improvement required for future development of the project, it is recommended that this improvement be constructed during Phase 1 development which could delay the necessity of the traffic signal.

NY Route 77/Ledge Road – The level of service analysis indicates that the eastbound approach will operate at a LOS C/E and westbound approach will operate at a LOS E/F during the AM and PM peak hours with the construction of right-turn lanes without the installation of a traffic signal for Phase 1 conditions. Therefore, the determination is that the right-turn lanes are not required and since the installation of a traffic signal will adequately mitigate the Project traffic impacts.

***With Regard to Phase II (or 70% Threshold) of the Project Development:***

*Comment Summary 170:* At the Route 77 and Judge Road intersection, an eastbound right turn lane is warranted as part of Phase I and so should be assumed in base conditions. The warrants for a three color traffic signal should be reviewed and documented, with a traffic signal installed if warranted.

***Response:*** Agreed. Monitoring shall be administered as noted in the response to Comment Summary No. 168.

*Comment Summary 171:* At the Route 77 and Bloomingdale Road intersection, NYSDOT agrees with the construction of a northbound left turn lane, and extending this lane north to the northbound left turn lane at Judge Road. An eastbound right turn lane is also warranted at this intersection, and the warrants for a three color traffic signal shall be reviewed and documented, with a traffic signal installed if warranted.

***Response:*** Agreed, except the TIS indicates that this intersection does not require a separate eastbound right-turn lane for Phase 1 or 70% Threshold conditions with the installation of a traffic signal, and is not part of the proposed mitigation. Also, the eastbound Bloomingdale Road approach does not have sufficient width to provide a separate right-turn lane due to the location of an existing building as shown on the photo below.



*Comment Summary 172:* At the Route 77, Ledge Road intersection, in addition to the eastbound right turn lane warranted in Phase I, NYSDOT agrees to the installation of northbound/southbound left turn lanes on Route 77. The warrants for a three color traffic signal shall be reviewed and documented, with a traffic signal installed, if warranted.

**Response:** Agreed, except an eastbound right-turn lane on Ledge Road is not required for Phase 1 or 70% Threshold conditions as noted in response to Comment Summary No. 171 and is therefore not recommended at this intersection.

*Comment Summary 173:* At the Route 77 and Akron Road intersection, NYSDOT agrees with the installation of an eastbound right turn lane and northbound left turn lane and extending this lane to the Hamlet of Indian Falls.

**Response:** Agreed.

*Comment Summary 174:* At the Route 77, Route I-90 exit, we agree with the installation of a second eastbound left turn lane. NYSDOT also agrees with changing the existing shared southbound thru-right lane to an exclusive right turn lane and providing a protective southbound right turn arrow overlapping with the eastbound phase.

**Response:** Agreed.

*Comment Summary 175:* At the Route 63/Route 77/Lewiston Road intersection, the overall LOS in the P.M. peak hour degrades from an LOS "C" to an LOS "D." To mitigate this traffic impact an additional lane on one or more approaches to the intersection should be investigated. NYSDOT recommends the installation of a northbound right turn lane at this intersection.

**Response:** This intersection is located in the center of the Hamlet of Alabama and is constrained by existing buildings and private property on each corner. There is parking for a small retail store located in the southeast corner of the intersection that would be impacted if a northbound right-turn lane here constructed on NY Route 77 as shown on the photo below. It is noted that the proposed bypass road will divert traffic away from the Hamlet of Alabama and improve overall operating conditions. Rather than the northbound right turn lane, it is recommended that this intersection be monitored for the possible installation of a traffic signal.



*Comment Summary 176:* NYSDOT agrees with the recommendation to construct a bypass road to the site (bypassing the Hamlet of Alabama) from Route 63/77 just north of Ham Road, to the Route 77 and Crosby Road intersection. This new road will make Route 77 a more direct route for existing and generated vehicles, and reduce impacts in the Hamlet of Alabama. As this Phase progresses, the intersection of this bypass road at Route 63/77 should be reviewed to document that sufficient storage links on Route 63/77 exist. A short southbound turn lane ends at Route 63/77 at Ham Road should be considered. Another alternative that should be explored is for the bypass road to meet Route 63/77 at Ham Road. The north/south corridor (Route 63) should be maintained as the main thoroughfare. In other words, the bypass should tee into Route 63 and not vice versa.

**Response:** Agreed. These alternatives will be evaluated during the design of the bypass road which will include the possible relocation of Ham Road opposite the proposed bypass road. These alternatives may impact properties not controlled by the Project and thus will be subject to pending discussions with property owners.

*Comment Summary 177:* Route 77, Lewiston Road, Route 63 is not under the jurisdiction of the State, even though it is a marked touring route. Therefore, designating the bypass as Route 77 will not result in any need for jurisdictional transfer of highways.

**Response:** Comment noted. The designation of the bypass as NY Route 77 will not result in the need for jurisdictional highways.

*Comment Summary 178:* At the Route 63/77 and Site Access #4 intersection, we agree with providing eastbound left and right turn lanes approaching Route 63/77. The northbound left turn lane on Route 63/77 is also warranted at this intersection. A warrant for three-color traffic signal at this intersection should be reviewed and documented, with a traffic signal installed if warranted.

**Response:** Agreed.

*Comment Summary 179:* At the Route 63/77 and Bypass Road intersection, NYSDOT agrees with the construction of a northbound left turn lane on Route 63/77. NYSDOT also agrees with providing a separate east-bound right and left turn lanes under stop or yield control. Stop or yield control is determined by approaching site distance.

**Response:** Agreed. However, separate eastbound left and right turn lanes are not part of the proposed mitigation and were not recommended in the traffic study because very few vehicles will make a left-turn from the bypass road to go north on NY Route 77. The eastbound bypass road approach will almost exclusively service right-turn vehicles. The need to add separate lanes as part of the mitigation will be determined during the design phase in consultation with the NYSDOT.

*Comment Summary 180:* At the Route 63 and Site Access #3 intersection, we agree with providing one eastbound lane approaching Route 63. However, a northbound left turn lane on Route 63 is also warranted and required for safety reasons.

**Response:** Agreed. The exclusive northbound left-turn lane will be added as additional mitigation at this intersection.

*Closing Summary 181:* Because the Route 77/Crosby Road/Bypass Road intersection is not under state jurisdiction, we have not commented on the proposed mitigation.

**Response:** Comment noted.

*Comment Summary 182:* The storage length of each left or right turn lane should be a minimum of the stopping sight distance for the 85<sup>th</sup> percentile approach need. Taper lengths for each left turn lane should be based on the Manual of Uniform Traffic Control Devices for the 85<sup>th</sup> percentile approach speed.

**Response:** Comment noted. The detailed design will be based on current NYS and Region 4 design standards, and account for the stopping sight distances and 85<sup>th</sup> percentile speeds.

*Comment Summary 183:* We also agree that the timing of the improvement of this phase is contingent on how the site is built after Phase I. Accordingly, we agree that the phasing of the site access and off-site improvements be evaluated after completion of Phase I.

**Response:** Agreed. The proposed monitoring plan is described in the Response to Comment Summary 168.

#### NYSDOT's General Comments:

*Comment Summary 184:* NYSDOT agrees with the report's findings that even with the mitigation measures proposed, some intersections will experience a level of service degradations from no-build to build conditions. Where auxiliary lanes can be added to minimize these impacts, these lanes should be included as mitigation. Assuming this land use change is supported by the local municipalities, NYSDOT would be open to granting an exception to department policy of requiring mitigation that achieves no-build levels of service.

**Response:** Comment noted. The Project will mitigate level of service degradations where feasible with auxiliary lanes to minimize traffic impacts associated with STAMP.

*Comment Summary 185:* With full build-out of the site, additional mitigation may be necessary. NYSDOT is agreeable with the recommendation to provide a supplemental impact assessment after Phase II (i.e., 70% completion) to determine the scope and better evaluate future conditions and the required traffic mitigation.

**Response:** Comment noted.

*Comment Summary 186:* To enter into a phased mitigation agreement to allow deferment of mitigation measures until a later day, a phased mitigation plan must be developed and agreed upon by NYSDOT, the developer and the lead agency.

**Response:** Comment noted. The monitoring plan described in the Response to Comment Summary 168 will be the basis for development of the phased mitigation plan.

XVI. WENDEL Engineering Memorandum, July 11, 2011

*Comment Summary 187:* Access to Phase 1 of the project is proposed via Crosby Road. The access road to SR 77/63 (Site Driveway #4) isn't proposed until 70% build out. It seems that it would make sense to construct Site Driveway #4 to SR 77/63 during Phase 1 of the project so that access to Phase 1 would be from SR 77/63 rather than from Crosby Road. This would keep construction vehicles and site traffic to the main thoroughfares and off the local streets that aren't equipped to handle this additional traffic. Further, the TIS does not propose any improvements to Crosby Road. Crosby Road is a local road with 20 feet of pavement with minimal shoulder width and no striping. This street will be transformed from a local road handling less than 100 vehicles a day to a roadway that handles hundreds of vehicles in a peak hour, including trucks. This additional traffic could result in a change to the functional classification of Crosby Road. Please clarify why site access for Phase 1 is not proposed from SR 77/63.

**Response:** The intent is that Crosby Road would be used as the primary access only during Phase 1, and that Site driveway #4 would then be constructed for additional development. It is necessary to provide access from Crosby Road for Phase 1 development since it bisects the Project Site. Crosby Road upgrades will be incorporated into the detailed site plan.

*Comment Summary 188:* If Phase 1 access is proposed from Crosby Road, why did the TIS not evaluate the intersections of Crosby Road with Judge Road and SR 77 under the Phase 1 build out? Further, the TIS did not evaluate the intersection of the proposed site access with Crosby Road. Not only should these intersections be evaluated operationally but also geometrically to ensure that both the volume and size of vehicles anticipated can be handled on Crosby Road.

**Response:** The specific Crosby Road upgrades and specific internal intersection geometry will be incorporated into the detailed site plan.

*Comment Summary 189:* The TIS includes assumptions that employees of the high technology manufacturing use will operate on shifts 6am-6pm and 6pm-6am, thus placing peak hour traffic generated by the project at different times than the peak hour of traffic of the adjacent roads. This assumption means that the construction of Phase 1, 70% build out, and full build out of the project will result in multiple peaks traffic hours during both the AM and PM (5:30am-6:30am and 7:30am-8:30am/4:30pm-5:30pm and 5:30pm-6:30pm). For purposes of analyzing a worst case scenario, peak hour traffic generated from the Phase 1 build out (5:30am-6:30am and 5:30pm-6:30pm) was

shifted and compounded onto the peak hour traffic of adjacent roads to analyze a single peak hour (7:30am-8:30am and 4:30pm-5:30pm). The analysis of the 70% build out and full build out does not shift this traffic to the peak hour of adjacent road traffic, resulting in traffic being split among two AM and two PM peak hours, thus a true worst case scenario for each is not evaluated. This reasoning for this approach should be explained.

**Response:** A review of the trip generation information indicates that the ancillary land uses significantly increase the peak hour trip generation that occurs during typical adjacent street traffic peaks. This is reflected in the 70% Threshold and Full Build-Out conditions. However, since Phase 1 development does not include any ancillary development, the peak operating conditions are driven solely by the technology manufacturing operations which occur outside the typical adjacent street peaks, especially the morning peak hour. Therefore, in order to demonstrate that there is an abundant amount of reserve capacity on the existing road network, the Phase 1 trip generation was added to the adjacent peak hour traffic times. It is noted that the only improvements identified for Phase 1 development include the installation of traffic signals at the Ledge Road and Judge Road intersections on NY Route 77 even with all of the traffic shifted to a time that it normally would not occur. Therefore, the Phase 1 evaluation was ultra conservative. This same approach was not taken with the 70% Threshold and Full Build-Out conditions since the ancillary development has such a large impact on trip generation.

*Comment Summary 190:* Further, any high technology business locating within the development proposes to operate with a shift structure different than what was analyzed in the TIS (6am-6pm and 6pm-6am), it would likely require a supplemental TIS to analyze the compounded traffic impact of the AM and PM peak hour under the new shifts.

**Response:** Information provided indicates that these types of technology manufacturing developments specifically operate under these conditions to maximize worker production and minimize impacts associated with off-site transportation. However, it is noted that the development thresholds identified in the TIS are based on the number of trips generated by the Project and are not equated to the total square-footage of the buildings. Therefore, it is conceivable that development could be built within the Project Site that has peaks that occur outside of the 6:00 a.m.-6:00 p.m. and 6:00 p.m.-6:00 a.m. schedule, as long as the trip thresholds that occur during the adjacent street traffic identified for the Phase 1 and 70% Threshold conditions are not exceeded.

*Comment Summary 191:* Considering this development is in a rural area with no other means of access other than vehicular (and no other transportation service recommended) and considering the fact that employees will likely travel long distances to access the site, is it reasonable to assume that a trip generation will occur at a rate of 1.2 employees for each vehicle?

**Response:** The rate of 1.2 employees per vehicle for the technology manufacture land use was obtained from the Project's initial master plan which is reflective of this type of development. It is noted that the trip generation estimates in the TIS assumed 100 percent attendance which is conservative. Applying the 1.2 rate to the trip generation is similar to applying an 80 to 85 percent employee attendance rate which is typical for manufacturing land uses.

*Comment Summary 192:* The TIS trip generation for the technology manufacturing use for Phase I of the project during the AM peak hours (5:30am-6:30 during shift change) assumes that 274 employees will be exiting and 274 employees will be arriving, however, the TIS indicates that only 364 trips would be generated. Not only does this not conform to the 1.2 employees per vehicle equation, the trip generation seems unrealistically low for a rural business park. The trip generation for the AM peak hour (assuming the shift structure identified in the TIS) under the 1.2 employee per vehicle equation should be 438 trips (274 employees exiting, 274 employees arriving = total of 548 employees), however the trip generation should likely be closer to 500 trips with all the single occupant vehicles that are anticipated. Likewise, trip generation for technology manufacturing uses the AM peak hour (5:30am-6:30am) under the full build out was underestimated by nearly 300 vehicles without explanation. Clarification should be provided regarding the potential for undercounting the peak hour trip generation of the project.

**Response:** The technology manufacturing trip generation discussion found on Page 13 of the TIS indicates that it was assumed that there would be an average attendance of 100 percent each day (worst-case Phase 1 = 456 trips with 1.2 employees per vehicle) with 10 percent arriving before (46 trips) and after (46 trips) the one hour shift window for a total of 364 total trips or 80 percent of the total. Information provided indicates that a small percentage of employees arriving on either side of the shift peak is typical for this land use and was accounted for in the trip generation estimate. This is similar to the Full Build-Out condition. It is noted that the thresholds identified in the TIS are trip based and not associated with the building square footage. Therefore, the timing and schedule of improvements will be determined by the actual trip generation of the Project during the subsequent supplemental trip generation evaluations and intersection analysis.

*Comment Summary 193:* The TIS analysis includes improvements made to the intersection of SR 77 and SR 5 that are identified in the build out of Buffalo East Technology Park (BETP). If development of STAMP commences prior to the improvement made to this intersection, how will traffic generated by STAMP impact this intersection? Will these improvements be necessary under the STAMP project and should they be included as recommended improvements under the STAMP TIS?

**Response:** A sensitivity analysis has been conducted to determine if the NY Route 77/NY Route 5 intersection will operate adequately after construction of STAMP if the BETP development is not progressed and the improvements associated with that development are not implemented (*i.e.*, construct southbound right-turn lane and install exclusive left-turn signal phasing). The following table summarizes the results for full build-out conditions (worst-case):

**Table – Intersection Level of Service Summary**

Intersection	Control	2035 Full Build	
		AM Peak Hour	PM Peak Hour
Route 77/Route 5	S		
Route 5 EB	L	B (10.7)	D (44.8)
	TR	A (8.1)	C (27.4)
Route 5 WB	L	A (7.6)	C (20.2)
	TR	A (8.7)	C (25.0)
Route 77 NB	L	B (16.6)	B (17.8)
	TR	C (21.4)	B (14.8)
Route 77 SB	L	B (16.4)	B (15.2)
	TR	B (18.8)	D (37.4)
Overall		B (13.9)	C (28.5)

Key: TW, AW, S, R = Two-way stop, All-way stop, Signal, or Roundabout controlled intersection  
 NB, SB, EB, WB = Northbound, Southbound, Eastbound, Westbound intersection approaches  
 L, T, R = Left-turn, through, and/or right-turn movements, -- = Not applicable  
 L[T]R = LR represents the existing geometry, LTR represents the future geometry  
 X (Y.Y) = Level of Service (Average delay in seconds per vehicle)

The level of service summary indicates that this intersection will operate adequately during both peak hours during Full Build-Out conditions of STAMP and without the improvements and traffic associated with the BETP development. It is noted that minor signal timing adjustments would be required to allow this intersection to operate at a LOS D or better on all movements. No specific improvements are recommended for STAMP.

*Comment Summary 194:* Clarification should be provided as to why certain impacts to the transportation system are identified in the DGEIS to be unavoidable adverse impacts. All mitigation measures to improve traffic operations and avoid failing and unacceptable traffic operations should be identified and then individual agencies responsible for the respective roadways should be responsible for identifying whether they should be considered unavoidable adverse impacts or whether roadway improvements should be included to mitigate potential impacts.

**Response:** All mitigation measures to improve traffic operations and avoid failing and unacceptable traffic operations are included in the Project. The only transportation impacts listed as unavoidable adverse impacts are level-of-service degradations where that provide adequate operations. For example, an unsignalized intersection may degrade from a LOS A to a LOS B on the side street approach. Since this is still an acceptable operating condition, it is not feasible to add geometry to improve the LOS back to a LOS A. In addition, the installation of a traffic signal would likely not be warranted under this condition. The NYSDOT has indicated that they would be open to granting an exception to department policy of requiring mitigation that achieves no-build levels of service assuming this land use change is supported by the local municipalities.

*Comment Summary 195:* Clarification should be provided as to who will be responsible for any traffic reevaluations or supplemental TIS's and who will be responsible for ensuring transportation improvements are implemented and how they will be funded.

**Response:** As stated in the response 1 to Comment Summary No. 168, STAMP will be responsible for conducting any supplemental analyses which will be reviewed by NYSDOT and the Town's designated engineer.

*Comment Summary 196:* The DGEIS does not describe the potential impacts that slow moving farm equipment might have on traffic generated by the STAMP project. The FEIS should address this.

**Response:** NY Route 77 has shoulders that average 8-feet wide in the vicinity of the Project Site. Traffic will continue to pass slow moving farm vehicles as they do today.

*Comment Summary 197:* The FGEIS should clarify why the 70% build threshold was decided on. Being that this is a Generic Environmental Impact Statement, would it make sense to indicate the build thresholds at which transportation improvements will be required?

**Response:** The 70% Threshold is the threshold at which additional transportation improvements could be required. It was determined that major transportation improvements could be required beyond the 70% Threshold, and that a supplemental analysis of future traffic conditions should be provided to confirm the need for additional improvements. Another consideration is that operating conditions at technology manufacturing facilities can change drastically as production becomes more automated and future traffic levels beyond the 70% Threshold are not certain.

*Comment Summary 198:* The Alabama Town Board is requesting that Genesee County, as the Lead Agent, copy the Town on all comments submitted on the DGEIS.

**Response:** The Town will receive copies of all comments made on the DGEIS.

XVII. Genesee County Department of Planning Memorandum (6/21/11)

*Comment Summary 199:* The first paragraph of the Traffic and Transportation section notes that 'Various improvements are identified in this DGEIS to mitigate to the maximum extent practicable the Project's potential impacts to existing traffic levels and patterns.' This statement neglects to note the loss of service that is detailed in the study included in Appendix I that shall occur at many intersections. On Page 46 of the Traffic Impact Study found in Appendix I, it is noted that '...since the increase in delay and associated drop in level of service is generally small, it is recommended that NYSDOT grant an exception to their policy of requiring mitigation to maintain the same levels of service from no-build to build conditions and that the Town of Alabama acknowledge and accept the level of service degradations...' This statement neglects to point out that the unavoidable impacts at the intersections that are noted list Phase 1 conditions (what the degradation would be after Phase 1 is complete) and then shows a number of intersections that would have loss of service degradations from Phase 1 to build out. The degradations noted on Page 47 of Appendix I fail to take into account the level of service prior to Phase 1 and therefore inaccurately portray the degradation in service that will take place at full

build out. To clarify this issue, it is recommended that the study show the loss of service at all intersections on Page 47 from its current level of service to full build out, thus enabling the DGEIS reader a more accurate picture of the cumulative degradations that shall occur.

**Response:** The summaries in Appendix I show the impacts of the Project which occurs between no-build and build conditions and are the Project Site-related impacts to be acknowledged. Additional changes in levels of service may occur between existing and build conditions due to background growth and can be seen in Tables 4.2 and 4.3 located in pages 38 through 43 of the TIS.

*Comment Summary 200:* It is noted that ‘In return for a relatively minimal loss of cropland, the Project will create over 9,000 high-paying technology-related direct jobs at the Project Site and will become a significant net contributor to the local economy.’ This statement fails to note that to the Town of Alabama, the cropland that will be lost is significant, especially to those farmers currently working the land located in the proposed Project location. The total acreage of cropland in the Project area is calculated at 970.86 and the total cropland in the Town of Alabama, including the Tonawanda Indian Reservation and Iroquois National Wildlife Refuge is 14,491. Using these figures, the cropland that would be lost is 6.7%. When the total acreage of cropland lost is taken out of the total acreage of cropland in Genesee County this number becomes smaller, as it also does when removed from the total cropland at the state and national levels. Although our community must acknowledge the return for such a loss, the loss itself should not be minimized.

**Response:** It was not the intent of the authors of the DGEIS to downplay the role or undervalue the importance of agricultural lands in our community. The Project Sponsor emphatically acknowledges the vitally important role that agriculture plays in terms of the fabric of our community, as exemplified by the efforts to develop and implement the AG Park in Batavia, New York. The statement regarding the weighing of the loss of farmland against the creation of jobs was designed to assist decision-makers, stakeholders and the public to understand the Project’s impacts to agriculture versus its economic benefits. It is the intent of SEQRA to incorporate the consideration of environmental factors into the planning, review and decision-making processes of governmental agencies and that environmental impacts be balanced with social and economic factors.

Section 6.13 of the DGEIS analyzes the potential impacts the Project may have on nearby farming, as well as examines the potential measures that would be implemented to mitigate those impacts including the Long Term Land Management Plan and the Farmland Strategies Report. The implementation of the mitigation measures will minimize and/or avoid to the maximum extent practicable impacts the Project may have on the community’s farming resources. The Long Term Land Management Plan will ensure that future development areas will be maintained in their current land use until construction is commenced. The Farmland Protection Strategies Report further describes and consolidates potential strategies for the Town of Alabama to evaluate and consider as methodologies to protect farmland located in other areas of the Town.

In addition, the development and current success being experienced at the 202-acre Ag Park is a significant mitigation factor when considering the potential loss of the economic value of roughly 971 acres (275 acres of which is considered prime farmland) being removed from agricultural production in the county due to the development of STAMP. A direct economic impact study was completed for the Ag Park in February 2009. The direct economic impact of the Ag Park to the agricultural industry in Genesee County can be summarized as follows:

- Food Processing and related facility capacity to be constructed at park: 1.4M square feet
- Full Time Equivalent employment at site upon full build-out: 1,200 jobs
- Annual Output (Revenues) of food processing firms at site @ Year 10: \$322M
- Annual locally/regionally produced products purchased by food processing firms at site @ yr. 10: \$81M
- Full Time Equivalent employment at site @ Year 10: 600
- Annual Payroll at site @ Year 10: \$20M
- Genesee Valley Agri-Business Park direct local/regional annual direct economic impact to the agricultural industry @ Year 10: \$101M<sup>†</sup>

The statistics above clearly demonstrate that GCEDC and GGLDC's activities to boost the community and region's agricultural economy through the development and attraction of food processing firms to the Ag Park clearly exceeds the economic loss of removing some 971 acres (275 acres of which is considered prime farmland) of agricultural lands from production, which local agricultural experts suggest such land is equivalent to 1 or 2 jobs from a farm employment perspective, due to the development of STAMP. The greater than \$100M annual contribution to the local/regional agricultural economy from the Ag Park certainly mitigates and significantly exceeds the potential agricultural economic loss due to STAMP. We are seeing great success at Ag Park with three (3) companies currently under construction. The Ag Park also has the potential to exceed the results stated above from the economic impact study given the size and pace of projects currently under construction.

*Comment Summary 201:* In the first paragraph of Community Facilities, it is noted that 'The project is not expected to result in a significant impact to existing Town of Alabama and Genesee County emergency response services.' It is noted further that 'Additional resources required to provide police and court services for the Project are expected to be insignificant.' The Planning Department had brief discussions with the County Sheriff and the Coordinator of Emergency Management Services and both feel there is the possibility for significant increases in the level of services currently being provided not only to the site itself, but also along the highways leading to and from the site. As is mentioned throughout the DGEIS, this proposed project will bring at

full build-out approximately 6.1 million square feet of building area, some buildings at 110 feet in height, 1,400 to 2,900 direct and indirect construction employees, along with over 9,000 employees, who will be traveling to and from the site on a daily basis to an area that is primarily farmland now that requires much less in the way of emergency services. It is also likely that over 9,000 employees and 1,400 to 2,900 direct and indirect construction employees will increase the need for court services. Both the County Sheriff and the County Coordinator of Emergency Management have indicated additional detailed analysis will be required in the future to address the level of services (Fire, Ambulance, Police and Courts) necessary for this proposed project.

**Response:** Section 6.9.2, paragraph 4 of the DGEIS comprehensively addresses emergency services needs by stating that a facility-specific Emergency Services Impact Study should be performed each time an actual technology manufacturing facility is identified for STAMP. To make this statement more definitive, paragraph 4 is amended to read:

*“Depending on the specific needs of actual facilities that locate in the Project, it is possible that additional resources and/or training may be required. At the time each actual technology manufacturing facility submits a Site Plan Application to the Town of Alabama, a facility-specific Emergency Services Impact Study will be performed to identify any unique needs associated with that specific technology manufacturing facility.*

*Each Emergency Services Impact Study will specifically identify mitigation measures that may be required for the following, among other considerations:*

- *Potential for increase in police calls.*
- *Potential for increase in court services (See “Court Services” section below).*
- *Potential for increase in EMS calls.*
- *Potential for increase in motor vehicle accident (MVA) calls.*
- *Potential for increase in hazardous materials calls.*
- *Potential for increase in fire calls.*
- *Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”*
- *Potential incentives to attract additional volunteers for the fire department.”*

**Comment Summary 202:** The Farmland Protection Strategies Report is a collection of recommended actions found in other widely circulated agricultural protection studies and handbooks and is not tailored to the needs and desires of the Town of Alabama. The majority of data provided to justify the existence and need for protection is data that has been calculated for Genesee County as a whole. Further study regarding the Town itself is warranted when creating this type of document. Although designed as a tool to mitigate the loss of farmland

(acknowledged in several parts of the DGEIS to be minimal), it ultimately will not affect the future of the Town of Alabama and have any impact on preservation of farmland unless the Town Board chooses to implement any of the described methods of protection. As a result, this document is not seen as an actual mitigation, but rather a compilation of possible mitigation actions.

**Response:** The commenter's point is acknowledged, and it is noted that the Farmland Protection Strategies Report was not intended as a means to force a Town-wide farmland protection program upon the Town of Alabama. Such an effort would be difficult at best and is certainly beyond the scope of this GEIS process, particularly in light of the minimal direct impacts that the Project will have on agricultural resources. Nonetheless, the Project Sponsor wanted to give the Town of Alabama a clear roadmap for implementing farmland protection should the Town Board decide that it is in the long-term interests of the citizens of Alabama to take a more comprehensive approach to farmland protection in the future. Thus, as explained in the Farmland Protection Strategies Report: "[t]his FPSR goes well beyond mitigating farmland loss associated with STAMP, providing the Town with a comprehensive framework for developing and implementing a farmland protection strategy covering the entire Town. Ideally, this FPSR can serve as a foundation for the Town to create a broad-based Farmland Protection Plan for Alabama that will help protect farmland throughout the Town for years to come. Because this FPSR goes so far beyond mitigation of the STAMP Project, responsibility for selecting and implementing appropriate farmland protection strategies must necessarily be left to the sound discretion of the Town Board."

While it is ultimately up the elected leaders of the Town of Alabama to decide how and if such strategies are implemented, the compilation of such protection strategies in an easy-to-use resource has value and is viewed as appropriate mitigation given the minimal direct impacts that the Project will have on agricultural resources.

*Comment Summary 203:* Table 5-1 displays the Site Alternative Design Parameters. In this table, Alabama Site A1 and A2 are both shown as having significant environmental impacts, but this determination is not explained, specifically with respect to Site A3, the recommended site.

**Response:** Five alternative sites were evaluated based on factors including location/workforce access, size, utilities, transportation, development capacity, land assembly, environmental impact, aesthetics, and cost (*See* Figure F-1 Off-Site Alternatives Map). Sites A1 and A2 were identified to have the potential for significant environmental impacts over and above the other three sites including the Project Site (STAMP site, A3). Factors specific to the "significant" environmental impact ratings for these two sites include 246 acres of state land and significant mapped aquatic resources for site A1, and an NRCS conservation area including wetland restoration and conservation easement restricting development at A2. Additional details contributing to the environmental impact rating for each site are below.

Alternative site A1 located directly east of the Project Site includes a significant acreage that is currently farmed by one of the area's largest dairy farm operations. Approximately 246 acres in the southwest corner of the site is public conservation lands managed by NYSDEC as

part of the former John White WMA. The dairy farm operator indicated that site A1 soils were of high quality and highly productive from an agricultural perspective. Genesee County maps label much of the land within this site as “Strategic Farmlands.” A review of aerial photos, land use data, site soils and other available wetland mapping show approximately 266 acres of mapped wetlands and 330 acres of hydric soils. This is much greater than mapped wetlands and mapped hydric soils on the Project Site. Of these mapped wetlands at A1, 102 acres are mapped NYSDEC freshwater wetlands. The general distribution of wetland areas, forest blocks, wildlife management areas and drainage ways is widespread and avoidance of them would be difficult.

Alternative site A2 located southeast of the Project Site is a mix of active agriculture, early successional old field with newly restored conservation areas including wetlands and grasslands, roads, residential development, and small blocks of forested areas. The predominant land use of the site is agriculture. Residential development has occurred along the periphery of the site. Small forest blocks intermixed with small wetlands and a limited conservation area exist as well. The County GIS system indicates large blocks of land within this alternative site are considered “Strategic Farmlands.” A review of aerial photos, land use data, site soils and other available wetland mapping suggests that based on the presence of mapped wetlands, hydric soils and soils with potential hydric inclusions that more than approximately 200 acres of wetlands may be present on this site. There are approximately 21 acres of federal-mapped wetlands. No state wetlands are currently mapped on this site. The general distribution of mapped and likely wetland areas is widespread and avoidance of them would be difficult. In addition approximately 140 acres of land in the central portion of this site has been enrolled in the Wetlands Reserve Program and Conservation Reserve Program under NRCS and includes conservation easements restricting development.

*Comment Summary 204:* Section 5.3 ends by stating that should no development take place, ‘The project site would remain undeveloped and consequently would provide only a minimal contribution to the community tax base.’ Should the project site remain as it currently is, primarily agricultural (referred to in the DGEIS as undeveloped), its contribution to the tax base will remain minimal, but its demand for services will also remain minimal.

**Response:** Acknowledged and agreed.

*Comment Summary 205:* Section 5.5 notes that ‘Residential development consistent with the existing Town of Alabama zoning requirements would result in a significant burden being placed on the Town of Alabama community services such as fire, police and ambulatory services.’ (It is assumed that in the previous quotation that the term ambulatory should be ambulance.) It appears that this may be in sharp contrast to page 1-13 that indicates the Project (6.1 million square feet of building area, over 9,000 employees and 1,400 to 2,900 construction employees) would pose ‘insignificant impacts.’

**Response:** As noted in Sections 5.4 and 5.5 of the DGEIS, a fact sheet published by the American Farmland Trust indicates that the median cost per dollar of revenue to provide public services to residential land use is \$1.16, a net cost to the community. Conversely, as noted in Section 5.6 of the DGEIS, projected revenues associated with the Preferred Alternative will

exceed the cost of providing public services by a significant enough margin that local tax rates could actually decline, if local jurisdictions so desire.

*Comment Summary 206:* This map of the preferred alternative does not show the homes that are within the center of the Project area. There has been no mention throughout the entire DGEIS as to what shall be done with regard to the homes located within the proposed project area.

**Response:** GCEDC’s intention is to acquire homes that are directly in the Project Site at fair market value. This process will take time as funding for the Project and infrastructure are secured and worked out.

*Comment Summary 207:* The paragraph at the top of this page describes the figure 6-3. The written description appears not to match the map presented. This paragraph notes that ‘The majority of wetlands located on the Project Site were ranked low-to-medium quality...’ but the map appears to show that the majority of wetlands identified are of medium-to-high quality.

**Response:** This statement relates to the number of wetland bodies on the Project Site, not their corresponding acreage. The majority of wetlands on the Project Site are of medium and/or low quality (45 wetland bodies), though the majority of the wetland acreage is of high and/or medium quality (113.51 acres). The statement referenced within the DGEIS (and noted above) refers to the number of wetland bodies on the Project Site. Please see the table below for further clarification:

Wetland Condition	Total Acres*	Total Number of Wetland Bodies
High Quality	64.89	7
Medium Quality	48.62	27
Low Quality	8.39	18
<b>Total</b>	<b>121.90</b>	<b>52</b>

\*NOTE: When a wetland body is comprised of more than one wetland condition, the higher quality wetland definition was used for this calculation.

*Comment Summary 208:* The second paragraph under Fire gives the incorrect address for the Town of Alabama Fire Department, Station #2. The correct address is 1417 Lewiston Road.

**Response:** The comment is noted and the address for the Town of Alabama Fire Department Station #2 has been corrected.

IX. WENDEL Engineering, STAMP Project Memorandum, July 11, 2011

*Comment Summary 209:* What will be the timing of the second public opinion survey? What are the questions that should be asked?

**Response:** The second public opinion survey will be sent out after the public hearing on the incentive zoning agreement, once the GCEDC and the Town of Alabama agree on the terms. The questions have not been developed yet, but the Town will have a chance to review them and comment or request changes prior to the mailing.

*Comment Summary 210:* Should the County do more outreach to the Seneca Nation?

**Response:** The Project Sponsor has conducted significant outreach to the Tonawanda Seneca Nation as part of the community input process, as well as the SEQRA review conducted for the Project. Those interactions and meetings continue as the Project proceeds in order to ensure the Tonawanda Seneca Nation's engagement in the planning process for the Project.

X. WENDEL Engineering, Cumulative Impact Memorandum, July 11, 2011

*Comment Summary 211:* Section 9.1 of the DGEIS makes a statement that the Town's proposed public water project which will provide service to approximately 455 residential dwellings or 70% of the households in the Town of Alabama will not present any potential significant adverse environmental impacts. There is no further information or analysis to substantiate this statement; how was this conclusion drawn? Although it is understood that the two projects are interconnected, an explanation or discussion of the evaluation of the potential impact should be included.

**Response:** Wetland and Archeology studies will be required along the water main route prior to construction.

*Comment Summary 212:* Section 9-1 states that there are no potential cumulative impacts associated with the development of the STAMP Project in the 232-acre technology park at Route 77 and 5 in Pembroke. It is possible that development of portions of both projects may take place sequentially or simultaneously. Furthermore, it is assumed that any traffic mitigation that would be required for the intersections of Routes 5 and 7 would be undertaken as an element of the Pembroke project. As no further information or analysis is provided, how is it determined that there would be no future cumulative impacts? Is it possible to conclude that the potential of cumulative impacts of these two projects are not applicable or insignificant?

**Response:** Cumulative impacts occur when two or more individual environmental effects which, when taken together, are significant or that compound or increase other environmental effects. The individual effects may be effects resulting from a single project or from separate projects. In addition, potential cumulative impacts that may arise from interactions between the impacts of the Project and the impacts of other projects are addressed in the DGEIS.

Cumulative impact assessment must be done under the following circumstances: (a) if two or more simultaneous or subsequent actions themselves are related in that (1) one action is an interdependent part of a larger action or included as part of any long range plan; (2) one action is likely to be undertaken as a result of the proposed action which will likely be triggered by the proposed action; and (3) one action cannot or will not proceed unless other actions taken or one action is dependent on another; (b) that the impacts of related or unrelated actions may be incrementally significant and the impacts themselves are related.

There is the possibility that development of portions of the Project may take place sequentially or simultaneously. The potential significant adverse environmental impacts associated with the Project have been analyzed in the DGEIS from both a phased-staged perspective, as well as a full build-out perspective. Certain impact analysis, however, is impossible to conduct at this stage. Under those circumstances, Chapter 11 of the DGEIS clearly notes that supplemental SEQRA analysis may be required at future stages of development of the Project Site. With respect to the potential cumulative impact of the Project and external projects being considered by the Town of Alabama, the Village of Oakfield and the Town of Pembroke, Section 9.1 of the DGEIS analyses the potential cumulative impacts of the water project contemplated by these municipalities. In addition, Section 9.1 analyzes the potential cumulative impacts of the Project with the wind farm previously proposed by Alabama Ledge Windfarm, LLC, as well as the 232-acre technology park GCEDC is developing in Pembroke, New York. Because of the nature of these projects, and the mitigation measures being implemented for the Project, the DGEIS notes that there are no potential cumulative impacts associated with these external projects and the development of the Project Site.

With respect to the traffic mitigation required for the Project, such traffic improvements are designed to act as mitigation measures for the potential impacts of traffic resulting only from the Project, as opposed to mechanisms by which induced growth can occur. Moreover, as stated in the DGEIS, potential future development opportunities resulting from any induced growth elements will be subject to local zoning review and approval processes. Thus, the Project's potential to induce any growth within the Town of Alabama and other local jurisdictions will be managed by those jurisdictions' land use planning processes and restrictions.

XI. WENDEL Engineering, Review of Growth Inducing Impacts for STAMP Memorandum, July 11, 2011

*Comment Summary 213:* The DGEIS indicates that potential future residential growth will not occur in Alabama because the community does not want it; therefore, it will occur in the Town of Alabama and the Village of Oakfield where it is desired. What about other communities such

as the Town of Newstead in Erie County, the Town of Pembroke and the Town of Oakfield? What is to prevent growth from occurring in those and other nearby communities? Is it reasonable to assume that residential growth will only occur in areas identified in Section 9.2.3 of the DGEIS?

**Response:** The commenter is correct to point out that demand for new residential housing will not just be limited to the Village of Oakfield and the Town of Batavia. While these areas may be the focus of such development, particularly to the extent that these communities desire such growth and act accordingly, growth will not be limited to just these two communities. Other communities which could see an increase in demand for new housing as a result of the Project include the Towns of Pembroke, Newstead, Royalton, Oakfield and Shelby as well as the Villages of Corfu, Akron, Medina and Middleton. For some of these communities, existing planning and land use policies and limitations on access to public infrastructure will necessarily limit such secondary growth.

*Comment Summary 214:* As the Town will need to revise its zoning and adopt other agricultural preservation strategies which are not currently in place, is it reasonable to assume that residential growth will not occur in the Town of Alabama?

**Response:** The Project will certainly increase the demand for new housing in the local community. However, existing limitations on access to public infrastructure will necessarily limit such secondary growth within the Town of Alabama. Moreover, as noted in section 9.2.3 of the DGEIS, throughout the community input process conducted for the Project, Town of Alabama elected officials and citizens have voiced strong opposition to additional residential development in the Town of Alabama proper. Moreover, the Farmland Protection Strategies Report included in Appendix K of the DGEIS sets forth various options and strategies for consideration by the Town of Alabama to further protect agricultural land. As noted in the Farmland Protection Strategies Report, some of these strategies are already identified in the Town of Alabama Comprehensive Plan.

*Comment Summary 215:* Sections 9.2.2 and 9.2.3 of the DGEIS note that growth will be induced by the full build-out of STAMP; what will result from the completion of Phase 1, which includes 1,000,000 square feet in new development and the extension of public of water service.

**Response:** The growth noted in Sections 9.2.2 and 9.2.3 of the DGEIS will occur incrementally throughout the development of STAMP proportional to the market demand potentially generated by STAMP.

*Comment Summary 216:* Section 9.2.4 of the DGEIS indicates that the Project will induce some level of complementary secondary growth, especially in the area of supply and support enterprises and other high technology entities. The DGEIS does not approximate or otherwise indicate how much secondary growth may be expected, yet it was determined that such growth would not induce growth. How was this determined?

**Response:** Section 9.2.4 of the DGEIS states that secondary businesses would not “cause any significant growth inducing impacts by themselves.” The secondary businesses would be drawn to the area to support the primary “anchor” technology manufacturing businesses that develop at STAMP. As such, the support businesses would not induce significant growth in and of themselves.

*Comment Summary 217:* Section 9.2.4 of the DGEIS further states that the resultant secondary businesses would be complementary to the anchor business and that these secondary businesses are not anticipate to result in any potential significant adverse impacts, be concentrated in any one portion of the development schedule, or cause any significant growth-inducing impacts by themselves. What about cumulatively?

**Response:** The secondary businesses would be drawn to the area to support the primary “anchor” technology manufacturing businesses that develop at STAMP. As such, the support businesses would not induce significant growth in and of themselves, but would create new job opportunities and tax revenues for the jurisdictions in which they reside. These factors could contribute to cumulative growth impacts in a positive way, as determined by SEQRA regulations and local zoning regulations.

*Comment Summary 218:* In providing water supply to the Project Site is part of the provision of the public water to portions of the Town of Alabama, how was it determined that the potential growth-inducing impacts of this effort will be insignificant?

**Response:** The DGEIS notes that providing water supply to the Project Site may have the potential to cause an insignificant amount of induced growth in the surrounding area. However, induced growth that may be presented by the Project in terms of the water supply system is minimal in light of the fact that the Town of Alabama is already examining the costs and feasibility of providing public water supply and protection to approximately 411 additional homes in the Town of Alabama (*see* Appendix M of the DGEIS).

The Town of Alabama, Village of Oakfield and the Town of Pembroke are planning water main projects in the vicinity of the Project Site. These planned municipal projects vary in scope and will provide a significant benefit to the community and will not, in accumulation with the Project, present potential significant adverse environmental impacts. Moreover, any potential future development opportunities resulting from the water supply projects contemplated by the municipalities will be subject to their respective local zoning review and approval processes. The Genesee County Smart Growth Plan provides further guidance to prioritizing water supply projects. As set forth in Section 6.7.2 of the DGEIS, the Project Sponsor has agreed to contribute specific funds toward the Town of Alabama’s currently proposed water infrastructure plans as a mitigation measure which will enable the Town to provide water to a majority of the Town’s households. This is not a mitigation measure designed to induce growth in the Town of Alabama, but to address both the water supply needs for the Project Site as well as assist the Town in addressing the need to provide potable water to Town of Alabama residents.

*Comment Summary 219:* Section 9.2.6 of the DGEIS states that the anticipated traffic improvements for STAMP will not have the potential to induce growth. What about the proposed bypass road, which will improve travel along Route 77?

**Response:** The construction of the bypass road will only open up land associated with the STAMP project which has been evaluated in the traffic study. The bypass road will actually improve conditions through the Hamlet by diverting traffic away from this area.

*Comment Summary 220:* Section 9-3 of the DGEIS states that the proposed Project has the potential to induce regional growth in both population and business activity, and that some level of this induced growth has been anticipated in the overall design of the Project and will be accommodated on the Project Site. How so?

**Response:** The fundamental intent of STAMP is to attract advanced technology manufacturing companies to the Western New York region in order to create good-paying jobs and boost tax revenues to governing jurisdictions. This will be primarily accomplished through the attraction of significant “anchor” advanced technology manufacturing companies. Accordingly, the Preferred Master Plan proposes approximately two-thirds of the total building square footage be allocated to “anchor” companies. The remaining square footage is allocated to uses that support the anchor companies. These supporting uses will have been induced to locate on the Project Site to be in close proximity to the “anchor” companies, the best customers of the supporting companies.

*Comment Summary 221:* Section 9.3 states that all potential induced growth that is related to the Project shall be consistent with applicable local zoning and community comprehensive planning requirements. Is it reasonable to make this assumption? How do we know that induced growth will be consistent with the plans and procedure of other potentially-affected communities (particularly when the only communities that have been identified as being affected are Batavia and Oakfield Village, and the urban areas of Genesee, Erie, Niagara and Monroe Counties). What about the rural areas of the affected counties?

**Response:** Any potential secondary induced growth resulting from the development of the Project can only be conducted subject to compliance with the applicable local zoning and community comprehensive planning requirements. Any such secondary growth projects, such as future potential residential development, can not proceed unless properly permitted pursuant to the various communities’ zoning requirements. In addition, at the time that such specific projects are proposed in those communities, additional SEQRA compliance would be required. It will be the responsibilities of those communities’ planning and zoning boards to ensure that such future secondary growth projects are only approved consistent with the requirements and goals of those communities.

XII. WENDEL Engineering, Land Use and Zoning Memorandum, July 11, 2011

*Comment Summary 222:* Shouldn't the new Town Hall be proposed in closer proximity to the Hamlet of Alabama to allow for better connectivity to the Hamlet?

**Response:** Proposed amenity #3 as described in *Appendix 1: Incentive Zoning Application* within the *Oakfield Alabama Comprehensive Plan Amendment* (DGEIS Appendix J) supports the Town-identified need for a new Town Hall in Alabama. This document further states, “[t]he specific location of such land being mutually agreed upon by the Town and GCEDC”. The proposed amenity of three acres of land for a Town Hall to be built upon is offered, however, its specific location is not identified within the Incentive Zoning Application included in the DGEIS. A Town Hall location in the Hamlet of Alabama is possible, pending agreement on the exact location between the Town and GCEDC.

To facilitate and help visualize how a new Town Hall might be located near the Hamlet, Figures 1-3, 4-7, 5-5, 6-22 and 10-2 Preferred Master Plan have been revised to show the Town Hall on the Project Site in close proximity to the Hamlet of Alabama. See Figures 1-3, 4-7, 5-5, 6-22 and 10-2 Preferred Master Plan in Section IV for more information.

*Comment Summary 223:* If the intent is to integrate the area to be rezoned Technology District - 3 into the Alabama Hamlet area, why include a 100 foot buffer around this area which essentially separates it from the Hamlet?

**Response:** The commenter's point is well-taken. Figure 6-16 Proposed Zoning Map has been revised to relocate the applicable buffers southward to allow the Hamlet to grow consistent with the Hamlet's existing scale and character. See Figure 6-16 in Section IV for additional information.

*Comment Summary 224:* As indicated in the DGEIS, will the buffer area surrounding the areas to be rezoned Technology District-1 and Technology District-2 be a minimum of 400 feet? The proposed Technology District zoning indicates a requirement of a 300 foot buffer; there is no mention that the 300 foot open space area is required in addition to the 100 foot buffer (that remains A-R zoning) as specified in the DGEIS.

**Response:** The proposed zoning regulations were designed to require a 400-foot buffer around the perimeter of the Project Site with the exception of the area to be zoned TD3 in the northeast corner. The 400-foot buffer is comprised of a 100-foot buffer around the perimeter of the Project Site that will not be rezoned, plus 300 feet of area that will be rezoned to TD1 or TD2. DGEIS Figure 6-16 has been revised to more clearly show the buffer areas. In addition, Section F2 of the proposed zoning regulations has been revised to make clear that with the exception of the area zoned TD3, this buffer includes both the 300-foot TD-zoned buffer and the

100-foot A-R/R zoned buffer for a total of 400 feet. The original text of Section F2 is set forth below with proposed modifications in bold italics:

“There are no minimum frontage or yardage requirements within the Technology District. However, there shall be at least a 300 foot buffer of open space along any Technology District lot line abutting a Residential or Agricultural-Residential District with the exception of the Property zoned TD3 in the northeast corner of the Project Site. *In addition, a 300-foot buffer will be maintained between TD1 or TD2 with TD3. The 300 feet will be measured from the edge of the portion of the Project Site that has been zoned to TD1 or TD2, inwards. In addition, (again, with the exception of areas zoned TD3) a 100-foot buffer of land around the perimeter of the Project Site that is not being zoned TD1 or TD2 (but will remain zoned Agricultural-Residential or Residential) will be retained as an additional open space buffer.* Fencing, signs, landscaping, roads, access drives, utilities and utility related uses are permitted within open space buffers on the Project Site.”

It should be noted that the 400-foot total buffer width described above is a minimum. In most locations along the Project Site boundary, the average buffer width is much greater than 400 feet. As an example, the average distance from the western site boundary abutting the Tonawanda Seneca Nation reservation to the nearest STAMP-related paved surface is approximately 1,600 feet, based on the Preferred Master Plan shown in Figures 1-3, 4-7, 5-5, 6-22, 10-2 Preferred Alternative.

*Comment Summary 225:* The proposed Technology District Zoning Specifically limited allowable uses in the Technology District-1 and Technology District-2 districts to technology manufacturing and technology manufacturing support, which are defined in the DGEIS. What happens if a potential user that does not service the high technology industry or employ advanced manufacturing techniques or modern technology such as microtechnology or nanotechnology is a potential user of the Project Site? Since the Town would be approving site plans, would such uses be turned away? Are the definitions for allowable uses to specialized?

**Response:** The commenter’s point is well taken. While the clear vision for STAMP is advanced technology and advanced manufacturing, it is possible in future years that the Town may find other types of commercial or industrial development desirable. Thus, the definition of technology manufacturing has been modified slightly to provide for more flexibility in the future. A revised definition is set forth below:

“Technology Manufacturing: Establishments engaged in the use, research and development, demonstration, manufacturing and/or distribution of advanced technologies in modern industries such as energy, communications, information and computing technologies, pharmaceuticals and life sciences, including but not limited to semiconductors and semiconductor devices, computing technology and data centers, flat panel display technology and components including light emitting diodes and liquid crystal display, renewable energy, solar photovoltaics, and any related enabler technologies that employ advanced manufacturing techniques and/or resources such as microtechnology or nanotechnology or other manufacturing, industrial or commercial uses appropriate to STAMP.”

See Figure 6-16 Proposed Zoning Map in Section IV for additional information.

*Comment Summary 226:* How do museums and community and cultural facilities and retail uses meet the definition for technology manufacturing support?

**Response:** The concept for STAMP is to support not only the businesses that will operate at the Project Site, but also to support their employees and visitors to STAMP as well. Museums and cultural facilities add to the desirability of the Project Site for those who work and visit there.

*Comment Summary 227:* It appears that the proposed zoning would eliminate agricultural altogether as an allowable use on the site. Couldn't agriculture/farming be an allowable use in these districts?

**Response:** The proposed zoning regulations for STAMP are designed to serve as the basis for all future development within the Advanced Manufacturing Technology Park. Over the long term, agricultural use is not an appropriate permitted use in an Advanced Manufacturing Technology Park. Nonetheless, agricultural activities will continue to operate as non-conforming uses during the long-term development of the Project.

*Comment Summary 228:* Shouldn't the proposed zoning districts include some design standards (architectural, landscaping, etc.)? If so, please provide greater detail for these standards.

**Response:** GCEDC intends to form an Architectural Review Board (ARB) that will develop design standards including standards for architectural character. Architectural character intent is to honor the rural agricultural vernacular in architectural style and materials. Preliminary standards for site signage, site furnishings, pedestrian trails and landscaping are provided in the figures below.

FIGURE F-6a



STAMP  
Final Generic Environmental Impact Statement  
Town of Alabama, New York

Figure F-6a  
STAMP Branding & Character Imagery

FIGURE F-6b



STAMP  
Final Generic Environmental Impact Statement  
Town of Alabama, New York

Figure F-6b  
STAMP Branding & Character Imagery



XIII. WENDEL Engineering, Comprehensive Plan Impact Memorandum, July 11, 2011

*Comment Summary 230:* Who will complete the Comprehensive Plan update and who will pay for these costs?

**Response:** Please see Response to Comment Summary 231 below.

*Comment Summary 231:* How will the Project affect the following different sections of the Comprehensive Plan: (a) How will the goals and objections of the Town change? Does it impact the goals and objectives of the other two communities (Town and Village of Oakfield) involved in this regional plan? (b) How would the Findings section change? (c) What other recommendations would need to be included in Section 5.3 to address the changes that would take place with this Project? (d) How would the implementation plan be affected?

**Response:** The DGEIS provides a detailed analysis of the Project's consistencies with the Oakfield Alabama Comprehensive Plan ("Comprehensive Plan") including a document titled "Proposed Amendments to the Oakfield Alabama Comprehensive Plan to Establish the Western New York Science and Technology Advanced Manufacturing Park" (attached as Appendix J to the DGEIS). As a general matter, STAMP, as currently proposed, is consistent with a number of the community's values and vision as articulated in the Comprehensive Plan including providing for economic development, protecting environmental resources and features and providing potable water to appropriate areas of the Town. However, the Project also has some inconsistencies with community values and visions as spelled out in the Comprehensive Plan. The primary inconsistency found between STAMP and the Comprehensive Plan centers around the Town's goal to preserve farmland as STAMP will result in the loss of active farmland within the Town. As discussed in the DGEIS, this loss of farmland has been mitigated in a number of important ways. For instance, in order to help mitigate the Project's impact upon agricultural resources, the DGEIS includes a Farmland Protection Strategies Report specifically tailored to the Town of Alabama. The Farmland Protection Strategies Report collects and consolidates information and resources that will be helpful to local farmers and the Town and suggests strategies that the Town can adopt to further protect, promote and preserve farmland within the Town. In terms of revisions to specific sections of the Comprehensive Plan, it is noted that Comprehensive Plans, by their very nature, are conceptual documents which outline the community's general plans and objectives based on current community conditions. Such plans are a means to accomplish a community's goals rather than an end unto itself. As such, rather than drafting detailed section-by-section amendments to the Comprehensive Plan, it is envisioned that the Town Board will formally adopt the document attached as Appendix J to the DGEIS as an addendum to the current Comprehensive Plan. This will incorporate STAMP directly into the current Comprehensive Plan and make implementation of STAMP a specific community goal. As the development of STAMP moves forward, the Annual Review Process outlined in Section B of the Comprehensive Plan is envisioned as the best way for the Town to address the progress of STAMP relative to the Comprehensive Plan and through that review process, can determine if and when the Town may desire to revisit specific sections of the Comprehensive Plan, or update the Comprehensive Plan as a whole.

*Comment Summary 232:* If the Comprehensive Plan update is adopted and the Project moves forward, who will complete and pay for the implementation actions of the Comprehensive Plan update? Some of these actions will need to be completed prior to the project moving forward.

**Response:** See Response to Comment Summary 231 above.

XIV. WENDEL Miscellaneous Comments Memorandum, July 11, 2011

*Comment Summary 233:* How many existing buildings or structures would be removed or affected by the Project?

**Response:** Based on review of the *Aerial Topographic Survey* conducted for the STAMP DGEIS (DGEIS Appendix A), thirty-three (33) structures would be removed or directly affected within the STAMP boundary. These structures include houses, garages, silos, and similar outbuildings. New Figure F-4 Existing Structures On-Site denotes the structures removed or affected by the recommended master plan as shown in Figures 1-3, 4-7, 5-5, 6-22, 10-2 Preferred Alternative. See Figure F-4 in Chapter IV for additional information.

*Comment Summary 234:* What is the physical relationship between the ridgeline preservation area and the proposed Route 63 bypass?

**Response:** The physical relationship between the ridgeline preservation area and the proposed Route 63 bypass is illustrated in Figures 1-3, 4-7, 5-5, 6-22, 10-2 Preferred Master Plan. The ridgeline generally follows a high point within the Project Site boundary. The bypass road will be located below this high point along its northeastern side, and will tie into the new development area that augments the existing Hamlet of Alabama, located at the northeast corner of the Project Site. See Figures 1-3, 4-7, 5-5, 6-22, 10-2 in Appendix A for more information.

*Comment Summary 235:* What is the status of the proposed bypass? Has NYSDOT discussed this and who will own it?

**Response:** Discussions with the NYSDOT have indicated that the proposed bypass road is considered feasible and beneficial to the Project and the surrounding area. However, it is not anticipated that NYSDOT will own the road.

*Comment Summary 236:* The DGEIS should specifically discuss the ownership of the facilities of the Project (i.e., roads, sewers, green space, buffers, trails, etc.).

**Response:** Public roadways within STAMP will be owned and maintained by state or county agencies, utilities will be owned and maintained by utility providers and public open space will initially be owned and maintained by GCEDC, but will transition over time to a business owners association.

*Comment Summary 237:* It is strongly recommended that the County consider evaluating a Phase 1 of the Project that could include a single user of 100,000 to 500,000 square feet. Where would such a use locate and how would it affect the plans?

**Response:** Based on IDC Architects/CH2M HILL's involvement in the planning and construction of similar high technology manufacturing campuses, 1,000,000 square feet of development is the allowable building area required to successfully market the site to an "anchor industry" company. The first critical step to jumpstart development of an advanced manufacturing campus of the kind proposed at STAMP is the attraction of an anchor industry company.

*Comment Summary 238:* Further elaborate on the steps/actions that would take place if the County issues positive findings on the Project. What happens next? Potential steps include the County amending its smart growth plan; the Town issuing its own SEQRA Findings; the Town amending its Comprehensive Plan; the Town rezoning the property; potentially issuing site plan approval.

**Response:** In the event that the Lead Agency (GCEDC) issues positive findings for the Project, the Town Board would proceed to hear and decide GCEDC's Incentive Zoning Application which was filed with the Town Clerk on or about April 1, 2011 and is included as Appendix L to the DGEIS. The steps involved are varied, but generally, it is envisioned that GCEDC will reach conceptual agreement on an Incentive Zoning Agreement with the Town pursuant to Section 1104(A) of the Town of Alabama Zoning Law. Once conceptual agreement is reached, the Town will refer the Incentive Zoning Application (including the terms of the proposed Incentive Zoning Agreement and the Proposed Comprehensive Plan Amendment) to the Town Planning Board and the County Planning Board for review and comment. Following such review and comment, the Town Board would hold a public hearing and make its determination on the rezoning application. It is anticipated that the Town Board will adopt its own SEQRA findings prior to making a determination on the rezoning application. If its determination is to rezone the Project Site, the Town Board would also formally request that the County Legislature amend the County Smart Growth Plan to include the entire Project Site within the Hamlet of Alabama designated development area. The County Legislature would take up such a request pursuant to and consistent with the County Smart Growth Plan amendment policies and procedures.

*Comment Summary 239:* The FGEIS should address how the Project's proposed traffic and traffic during construction would affect agriculture and agriculture-related traffic and mitigations for these impacts.

**Response:** The Project will increase traffic on NY Route 77. However, the recommended intersection and roadway improvements will provide adequate capacity at these locations after development of the Project. In addition, it is anticipated that any roadway widening projects related to the Project will replace the existing shoulder width and that slower moving agricultural vehicles will continue to utilize these shoulders similar to existing conditions.

XV. WENDEL Engineering Community Character Aesthetics Memorandum, July 11, 2011

*Comment Summary 240:* The DGEIS states that "the design of specific buildings, structures, signs and general streetscape in addition to building materials selected will be high quality and will be chosen to reflect the rural agricultural vernacular of the area." The FGEIS must indicate how this will be enforced. Neither the Town's current zoning nor the proposed new zoning in the DGEIS have any design standards or other provisions that would accomplish this goal. As mitigation for potential aesthetic impacts, the County should assist the Town in developing improved zoning restrictions to appropriately control the quality of the new development.

**Response:** It is recommended that the Town of Alabama, with GCEDC as a key stakeholder, update the Town of Alabama Zoning Law with illustrative Design Guidelines that can be used by Planning Commission and the Board of Supervisors to evaluate site plan review/development submissions for STAMP.

*Comment Summary 241:* Signage controls in the Town zoning are inadequate to address potential impacts of signage at the proposed new development. In addition to design standards noted above in comment summary 1, an improved signage ordinance is needed.

**Response:** It is recommended that the Town of Alabama, with GCEDC as a key stakeholder, update the Town of Alabama Zoning Law with illustrative Design Guidelines for Signage that can be used by Planning Commission and the Board of Supervisors to evaluate site plan review/development submissions for STAMP.

*Comment Summary 242:* The DGEIS speaks about how all exterior lighting will be minimized and focus downward. However, there are no provisions in the DGEIS, the proposed zoning or the existing zoning to mandate this. The FGEIS should discuss how this issue will be addressed to avoid adverse impacts due to lighting.

**Response:** It is recommended that the Town of Alabama, with GCEDC as a key stakeholder, update the Town of Alabama Zoning Law with illustrative Design Guidelines for Lighting that

can be used by Planning Commission and the Board of Supervisors to evaluate site plan review/development submissions for STAMP.

*Comment Summary 243:* The field survey of the study area was conducted on December 9, 2010. Balloons were not flown as part of the study due to cold temperatures that would have limited the length of time the balloons would have accurately flown at the intended height and because of concerns about the proximity of potential balloon locations to local occupied residences. The Town would like additional verification through balloon tests and/or photo simulations that there will be limited visibility of the proposed new development from 14 of the sites that were photographed in the visual impact assessment.

**Response:** The Final Scoping Document in the DGEIS provided for use of a 3-mile zone of visibility analysis rather than the standard of 5 miles found in NYSDEC Visual Policy DEP-00-2. The Final Scoping Document also required discussion of mitigative measures and use of Section V A. Inventory of Aesthetic Resources. The Visual Analysis Policy Document was used to inventory the important visual resources in the 3-mile area. Based on that work, the regional character photographs were taken and some were used for the visual simulations. An evaluation of the character photographs and local vistas was completed, along with photographic simulations to evaluate future conditions.

*Comment Summary 244:* Of the 4 simulations provided, only 1 was provided from the immediate vicinity of the Project Site. The visual assessment does not provide substantiation for why the locations in the wildlife area and the Reservation were selected for simulation. Other locations closer to the same may have been more appropriate for simulation providing a better picture of potential future impacts.

**Response:** The Final Scoping Document in the DGEIS provided for use of a 3-mile zone of visibility analysis rather than the standard of 5 miles found in NYSDEC Visual Policy DEP-00-2. The Final Scoping Document also required discussion of mitigative measures and use of Section V A. Inventory of Aesthetic Resources. The Visual Analysis Policy Document was used to inventory the important visual resources in the 3-mile area. Based on that work, the regional character photographs were taken and some were used for the visual simulations. An evaluation of the character photographs and local vistas was completed, along with photographic simulations to evaluate future conditions.

*Comment Summary 245:* Alternative 2 of the Phase 1 water project proposes that construction of an on-site water storage tank with the capacity of 2,000,000 gallons expandable to 4,000,000 gallons. Was this tank included in the DGEIS's visual impact assessment? This facility, which would provide required on-site storage for fire flow and peak demands, is shown to be situated in close proximity to Route 77 in the Hamlet of Alabama. How would this tank impact views from off-site?

**Response:** Additional options will be explored at the time of construction. In lieu of elevated tanks, lower profile storage tanks and booster pumps can be used to reduce the visual impacts.

*Comment Summary 246:* What measures are proposed to limit removal of vegetation and trees from the Project Site?

**Response:** Figure 4-6 Site Opportunities & Constraints Map illustrates areas of the Project Site that will not be developed, other than road and utility corridor crossings. Existing vegetation and trees would not be removed from these areas. In addition, the landscape concept for the Project Site intends that meadow grasses be the standard vegetative cover for the majority of the Project Site, including developed areas. Overall landscape intent for STAMP is consistency with a rural, agricultural vernacular. Manicured landscape will be confined to main site entrances, the edges of public roadways and the main entrance areas of buildings and development sites. See Figure F-2 Open Space & Conservation Lands Plan in Chapter IV for more information.

## IV. Description of Changes to the DGEIS.

This chapter of the FGEIS discusses changes to the DGEIS resulting from public/agency comments on the DGEIS, project redesign/refinement since the DGEIS, and/or the development of additional relevant information that was not available at the time of publication of the DGEIS. The text in this chapter addresses aspects of most sections of the DGEIS. To help guide readers through this FGEIS and to distinguish the various types of edits to the text, the following sections include gray, highlighted text that indicates the type of action for the text (e.g. UPDATE, REPLACE, ADD, and SUPPLEMENT). The subsequent italic text provides additional direction to where the change occurs within the chapter, and a brief explanation of why the change had been made. Following the italic text is the actual text amending the DGEIS and, if necessary, figures and/or tables amending the DGEIS.

### 4.1 Executive Summary

#### **UPDATE:**

*The following update is a clarification to correct an error in the DGEIS main document to be consistent with DGEIS Appendix S Economic Impact Analysis.*

In the first full paragraph on DGEIS page 1-2, the anticipated number of indirect FTE jobs is 17,000, rather than the figure shown.

#### **REPLACE:**

*The following figure is a replacement to the corresponding **DGEIS Figure 1-3 Preferred Alternative** based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 1-3 include removal of the John White WMA from within the Project Site boundary at this time, realignment of associated pedestrian trails, relocation of buildings near the John White WMA boundary to be set back a minimum 500 feet from the John White WMA, relocation of the proposed Town of Alabama Town Hall nearer to the Hamlet of Alabama, re-scaling project buildings near the Hamlet of Alabama to be more in scale with existing scale and character of the Hamlet, refinement/clarification of the 400-foot buffer line around the Project Site perimeter, and the addition of tree plantings along the western project boundary to augment existing forested areas along the western edge to create a visual screen along the entire western boundary.

FIGURE 1-3



STAMP  
Final Generic Environmental Impact Statement

Figure 1-3  
Preferred Alternative

Town of Alabama, New York

## 4.2 Project Background

### REPLACE:

*The following figure is a replacement to the corresponding **DGEIS Figure 3-5 Project Site Parcel Map** based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 3-5 include removal of the John White WMA parcel, Parcel 23, from within the Project Site boundary,

FIGURE 3-5



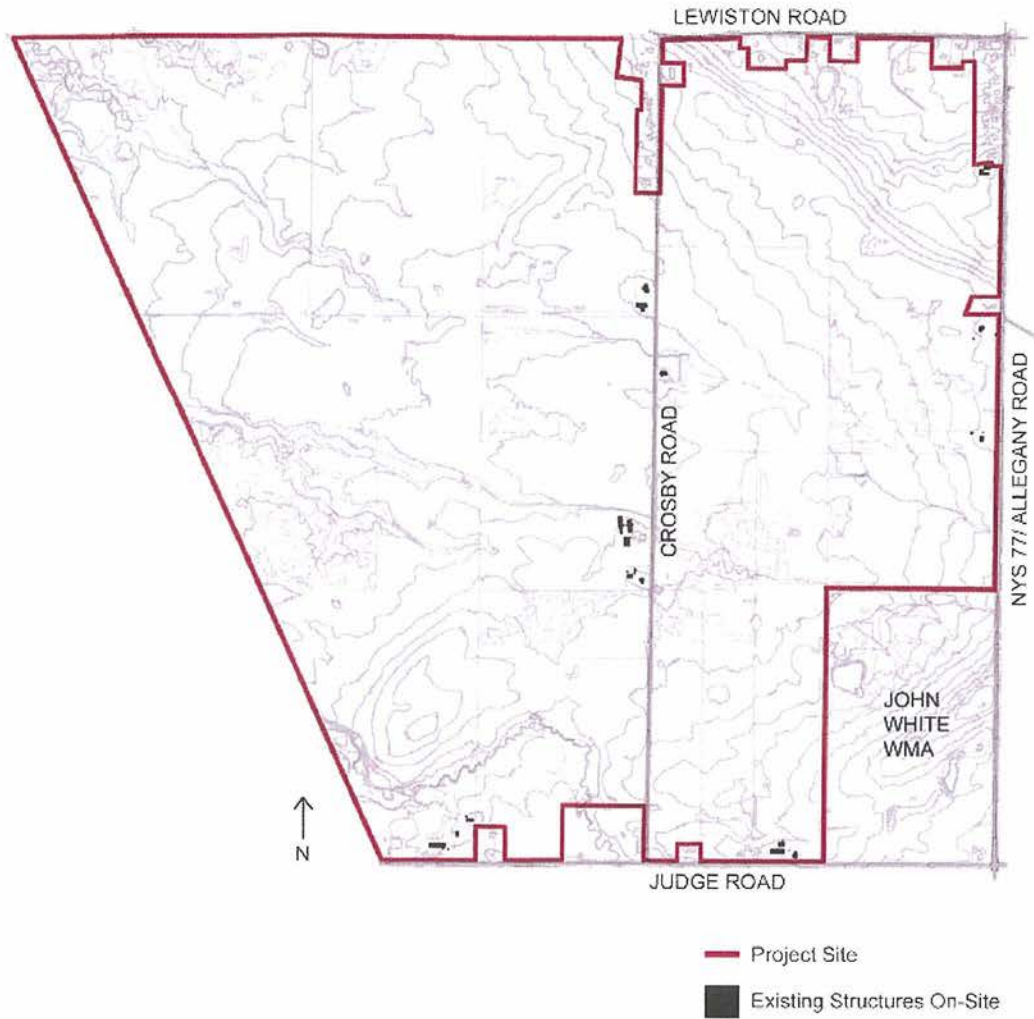
### 4.3 Description of the Proposed Action

**ADD:**

*The following **Figure F-4 Existing Structures On-Site** is a new figure prepared based on public/agency comments on the DGEIS.*

Figure F-4 was prepared to clearly illustrate the locations of existing structures on the Project Site.

FIGURE F-4

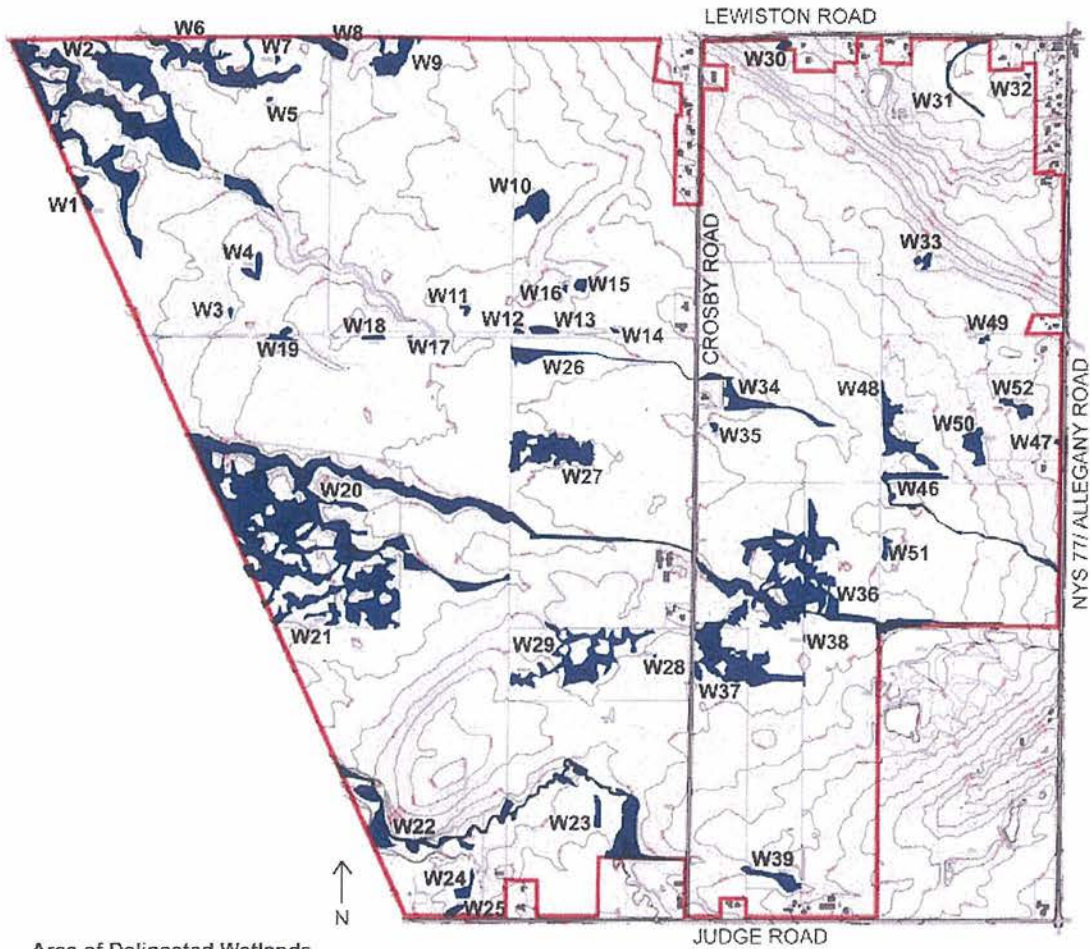


**REPLACE:**

*The following figure is a replacement to the corresponding **DGEIS Figure 4-4 Wetland Delineation Map** based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 4-4 include removal of the John White WMA parcel from within the Project Site boundary, corresponding removal of wetlands W40 thru W45 from consideration in this DGEIS, and a corresponding reduction in the total area shown in the Area of Delineated Wetlands table.

FIGURE 4-4



**Area of Delineated Wetlands**

W1	0.63 ac	W17	0.02 ac	W33	0.31 ac
W2	18.48 ac	W18	0.15 ac	W34	1.78 ac
W3	0.07 ac	W19	0.34 ac	W35	0.11 ac
W4	0.45 ac	W20	31.75 ac	W36	12.04 ac
W5	0.04 ac	W21	0.50 ac	W37	5.63 ac
W6	4.43 ac	W22	6.93 ac	W38	0.02 ac
W7	0.06 ac	W23	0.33 ac	W39	0.89 ac
W8	0.99 ac	W24	0.40 ac	W46	1.72 ac
W9	1.71 ac	W25	0.23 ac	W47	0.06 ac
W10	1.28 ac	W26	1.37 ac	W48	2.08 ac
W11	0.11 ac	W27	3.75 ac	W49	0.11 ac
W12	0.08 ac	W28	0.02 ac	W50	0.97 ac
W13	0.38 ac	W29	4.66 ac	W51	0.22 ac
W14	0.06 ac	W30	0.25 ac	W52	0.56 ac
W15	0.25 ac	W31	0.64 ac	<b>TOT.</b>	<b>106.96 ac</b>
W16	0.05 ac	W32	0.05 ac		

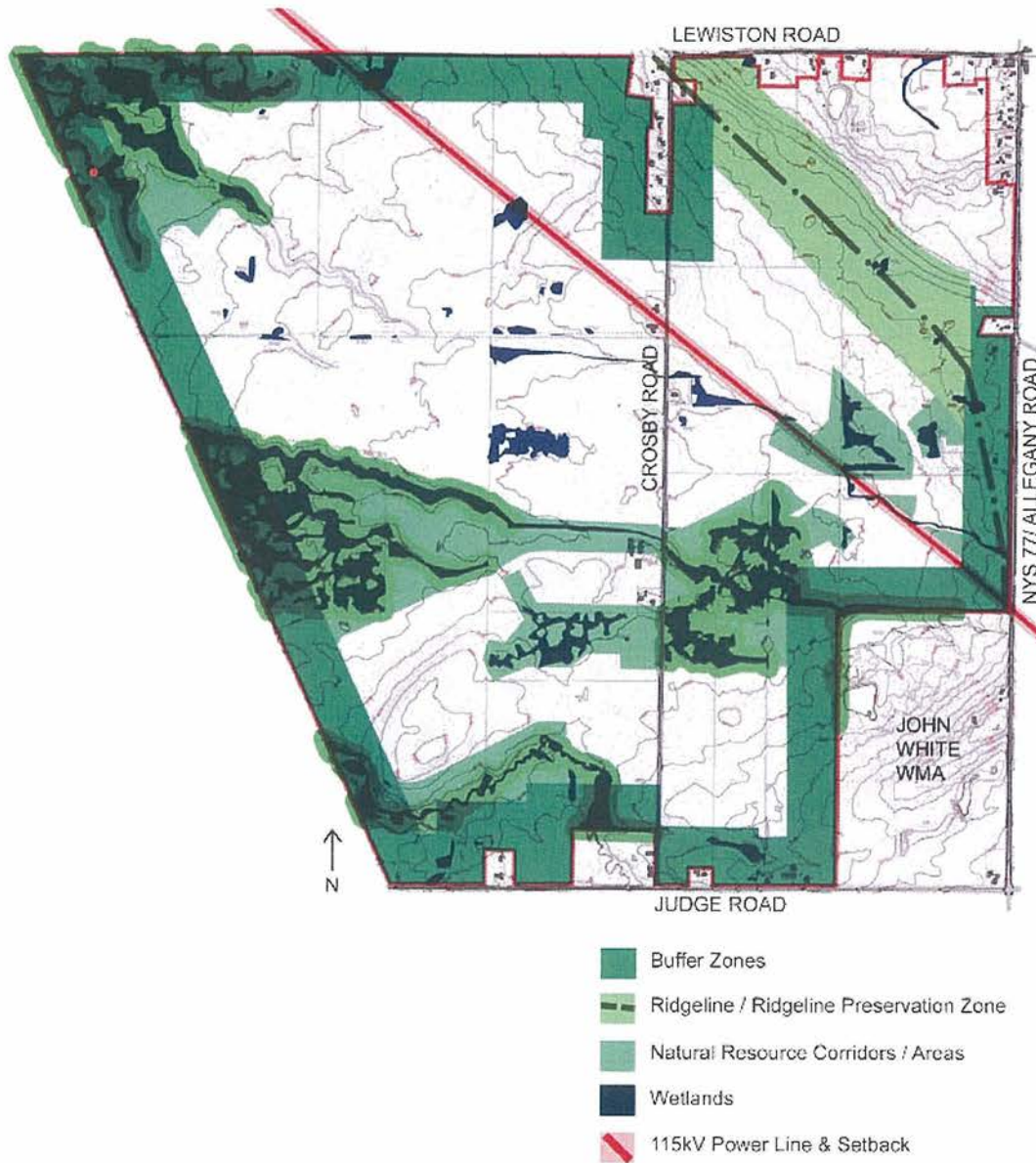
 Delineated Wetlands

**REPLACE:**

*The following figure is a replacement to the corresponding **DGEIS Figure 4-6 Site Constraints & Opportunities Map** based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 4-6 include removal of the John White WMA parcel from within the Project Site boundary at this time, corresponding removal of wetlands on the John White WMA from consideration in this DGEIS, corresponding realignment of the Project Site's perimeter buffer zone, and the addition of buffer zone indications around two wetland areas on the interior of the Project Site.

FIGURE 4-6



**REPLACE:**

*The following table is a replacement of the corresponding **DGEIS Table 4.1 Land Use and Density at Build-Out** based on revisions needed to remove John White WMA from the Project Site boundary.*

Revisions to Table 4-1 include a revised buildable site area and a revised percentage buildable site area.

TABLE 4-1

TABLE 4.1  
Land Use and Density at Build-out

Land Use and Density at Build-out	Building SF	Floor Area Ratio
Gross Site Area (Acres)		1,243.40
Buildable Site Area (Acres)		599.0
Percentage Buildable Site Area		48.2%
Technology Manufacturing	4,000,000	
Flex Space	1,400,000	
Office	500,000	
Retail	180,000	
Demonstration Center/Town Hall Multi-Use	50,000	
Subtotal	2,130,000	
Totals	6,130,000	0.11

**REPLACE:**

*The following figure is a replacement to the corresponding DGEIS Figure 4-7 Preferred Alternative based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 4-7 include removal of the John White WMA from within the Project Site boundary at this time, realignment of associated pedestrian trails, relocation of buildings near the John White WMA boundary to be set back a minimum 500 feet from the John White WMA, relocation of the proposed Town of Alabama Town Hall nearer to the Hamlet of Alabama, re-scaling project buildings near the Hamlet of Alabama to be more in scale with existing scale and character of the Hamlet, refinement/clarification of the 400-foot buffer line around the Project Site’s perimeter and the addition of tree plantings along the western Project Site boundary to augment existing forested areas along the western edge to create a visual screen along the entire western boundary.

FIGURE 4-7



STAMP  
Final Generic Environmental Impact Statement

Figure 4-7  
Preferred Alternative

Town of Alabama, New York

**ADD:**

*The following **Figure F-2 Open Space & Conservation Lands Plan** is a new figure prepared based on public/agency comments on the DGEIS.*

Figure F-2 illustrates all permanent open space in one color to clarify overall open space intent of the Preferred Master Plan. In addition, the areas shown as “Potential Conservation Lands & Open Space” on Figure F-2 are typically undisturbed areas to preserve linkages to offsite ecosystems. Non-wetland open areas within the Potential Conservation Lands & Open Space areas shown on Figure F-2 are planned to be maintained as native meadow vegetation.

FIGURE F-2

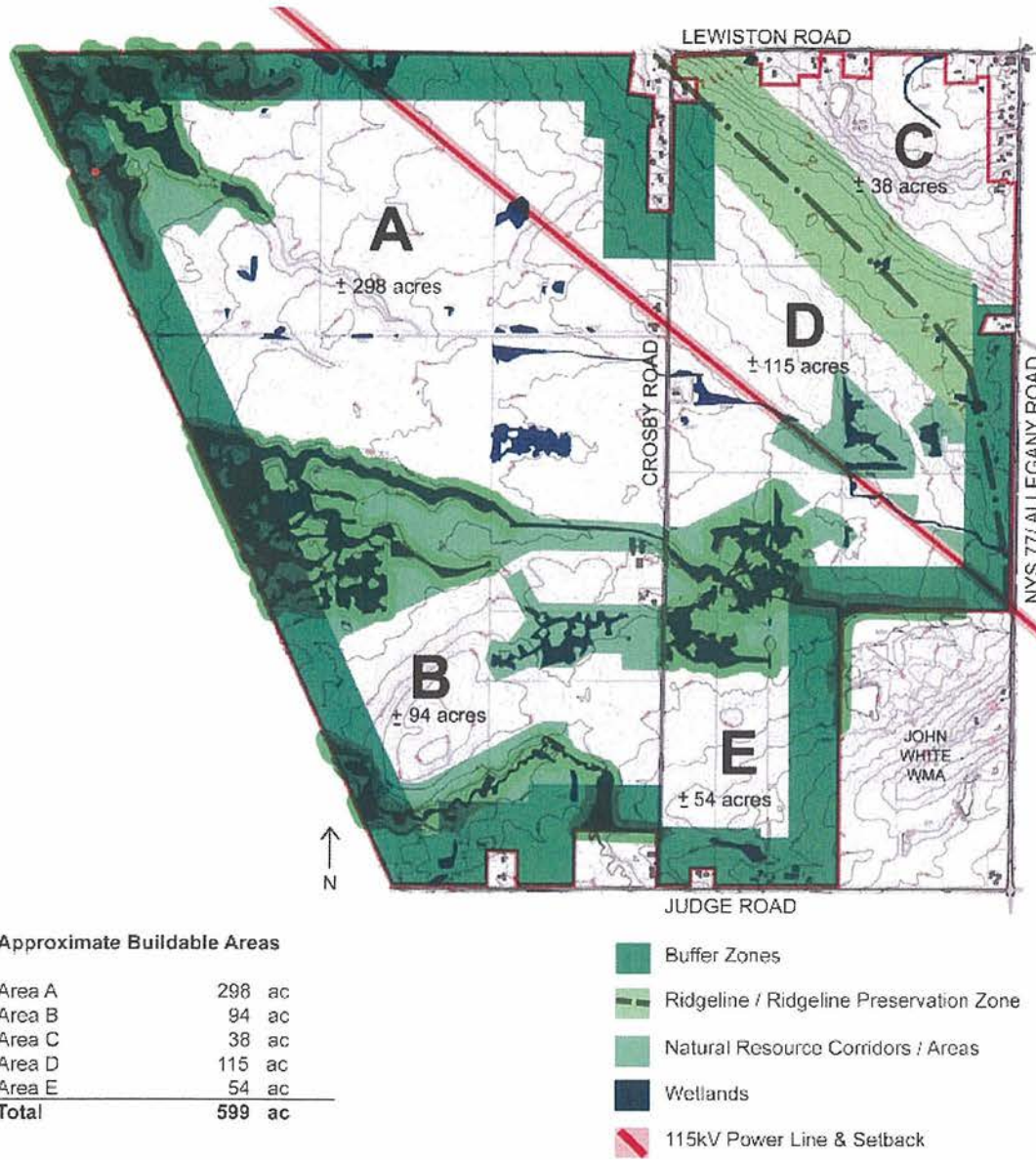


**REPLACE:**

*The following figure is a replacement to the corresponding **DGEIS Figure 4-8 Buildable Area / Open Space Plan** based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 4-8 include removal of the John White WMA parcel from within the Project Site boundary at this time, corresponding removal of wetlands on the John White WMA from consideration in this DGEIS, a corresponding reduction in total area shown in the Approximate Buildable Areas table, corresponding realignment of the Project Site's perimeter buffer zone and the addition of buffer zone indications around two wetland areas on the interior of the Project Site.

FIGURE 4-8

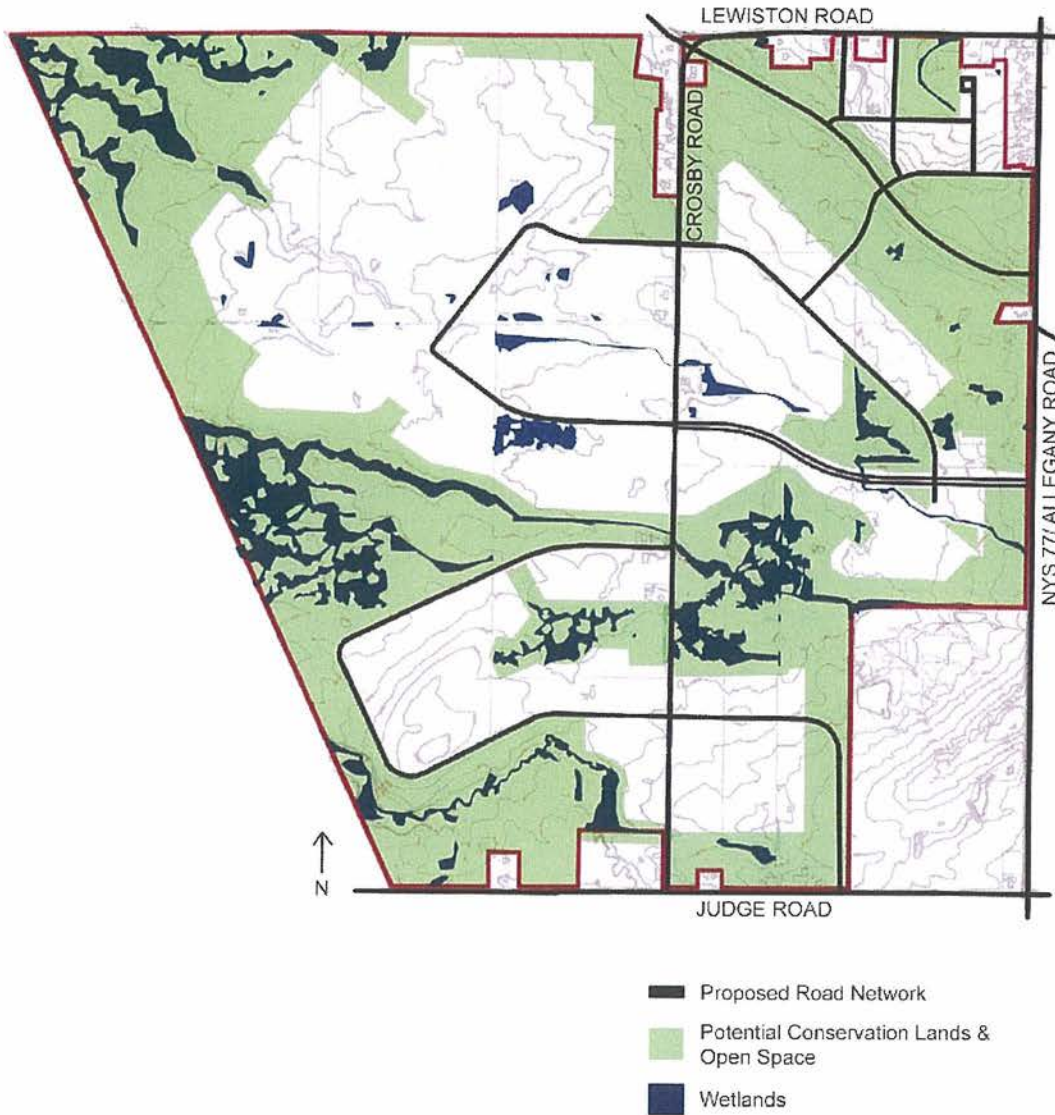


**REPLACE:**

*The following figure is a replacement to the corresponding **DGEIS Figure 4-9 Preferred Alternative – Road Network** based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 4-9 include removal of the John White WMA parcel from within the Project Site boundary at this time, corresponding westward realignment of the easternmost Project Site access road intersecting with Judge Road to remove it from the John White WMA lands, the addition of Open Space & Conservation Lands Plan background to comprehensively indicate how proposed Project roads are planned to avoid environmental preservation areas and minor realignment of Project roads near the Hamlet of Alabama as part of an overall development scale adjustment in this area.

FIGURE 4-9



**REPLACE:**

*The following table is a replacement of the corresponding DGEIS Table 4.4 Required Permits and Approvals based on public/agency comments to the DGEIS.*

Revisions to Table 4-4 include adding 3 permits to the list: a) Part 373 Hazardous Waste Management Permit, b) Individual Section 401 Water Quality Certification, and c) Article 15 Protection of Waters Dam Safety Permit.

**TABLE 4-4**

**TABLE 4.4**  
Required Permits and Approvals

Re-Zoning and Site Plan approval	Town of Alabama, Genesee County Planning Board
Approval of Water Plans	Genesee County Dept. of Health
Major Entrance Permit	NYS Department of Transportation
Utility Work Permit for Infrastructure	NYS Department of Transportation
Public Water Supply Permit	NYS Department of Environmental Conservation
SPDES	NYS Department of Environmental Conservation
SPDES General Permit for Stormwater	NYS Department of Environmental Conservation
Chemical Bulk Storage (if required)	NYS Department of Environmental Conservation
Sanitary Sewer Approval	NYS Department of Environmental Conservation
Section 404 Clean Water Act (wetlands, if required)	US Army Corps of Engineers
Article 24 - Environmental Conservation Law	NYS Department of Environmental Conservation
Article 15 – Environmental Conservation Law	NYS Department of Environmental Conservation
Title V Air Permit, State Facility Permit or Air Facility Registration (if required)	NYS Department of Environmental Conservation
Historic Preservation Project Review	NYS Office of Historic Preservation
Electrical Connection	NY Independent Systems Operators, NY Power Authority, Rochester Gas & Electric, and National Grid

Part 373 Hazardous Waste Management Permit	NYS Department of Environmental Conservation
Individual Section 401 Water Quality Certification	NYS Department of Environmental Conservation
Article 15 Protection of Waters Dam Safety Permit	NYS Department of Environmental Conservation

#### 4.4 Discussion of Project Alternatives

**ADD:**

The following *Figure F-1 Off-Site Alternatives Map* is a new figure prepared based on public/agency comments on the DGEIS.

Figure F-1 corresponds with Table 5-1 Site Alternatives Design Parameters to provide locational information in support of the information in the table.

**FIGURE F-1**



STAMP  
Final Generic Environmental Impact Statement  
Town of Alabama, New York

Figure F-1  
Off-Site Alternatives Map

**REPLACE:**

The following table is a replacement of the corresponding *DGEIS Table 4.1 Land Use and Density at Build-Out* based on revisions needed to remove John White WMA from the Project Site boundary.

Revisions to Table 4-1 include a revised buildable site area and a revised percentage buildable site area.

**TABLE 4-1**

**TABLE 4.1**  
Land Use and Density at Build-out

Land Use and Density at Build-out	Building SF	Floor Area Ratio
Gross Site Area (Acres)		1,243.40
Buildable Site Area (Acres)		599.0
Percentage Buildable Site Area		48.2%
Technology Manufacturing	4,000,000	
Flex Space	1,400,000	
Office	500,000	
Retail	180,000	
Demonstration Center/Town Hall Multi-Use	50,000	
Subtotal	2,130,000	
Totals	6,130,000	0.11

**REPLACE:**

The following figure is a replacement to the corresponding *DGEIS Figure 5-5 Preferred Alternative* based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.

Revisions to Figure 5-5 include removal of the John White WMA from within the Project Site boundary at this time, realignment of associated pedestrian trails, relocation of buildings near the John White WMA boundary to be set back a minimum 500 feet from the John White WMA,

relocation of the proposed Town of Alabama Town Hall nearer to the Hamlet of Alabama, re-scaling project buildings near the Hamlet of Alabama to be more in scale with existing scale and character of the Hamlet, refinement/clarification of the 400-foot buffer line around the Project Site's perimeter and the addition of tree plantings along the western Project boundary to augment existing forested areas along the western edge to create a visual screen along the entire western boundary.

FIGURE 5-5



STAMP  
Final Generic Environmental Impact Statement

Figure 5-5  
Preferred Alternative

Town of Alabama, New York

**REPLACE:**

*The following figure is a replacement to the corresponding **DGEIS Figure 5-6 Comparison of Feasibility Study Plan & Preferred Alternative Plan** based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 5-6 include replacement of the Preferred Alternative Plan with the revised plan described herein in replacement Figures 1-3, 4-7, 5-5, 6-22 and 10-2.

FIGURE 5-6



## 4.5 Geology and Topography

*No changes have been made to the DGEIS for this section.*

## 4.6 Water Resources

### **UPDATE:**

*The following text is an update to the corresponding portion of **DGEIS Section 6.2.1** based on recent wetland delineation work completed within the Project Area.*

*USACE requested that Drainage Ways (DW) 22 and 23 be added to the delineation map based on field visits and discussions with Earth Dimensions. These have been included in the FGEIS as Figure 6-2 Existing Wetlands & Surface Waters. USACE has also requested that the delineation of Wetland 2 be adjusted from 18.47 acres to 18.48 acres and Wetland 9 be adjusted from 1.69 acres to 1.71 acres. The adjustments have been made and are shown in Figure 6-3 Existing Wetlands on Project Site.*

*Based on field work completed to date, the drainage ways appeared to be of marginal quality as they were not evident in the field during scheduled site visits and did not meet wetland definitions.*

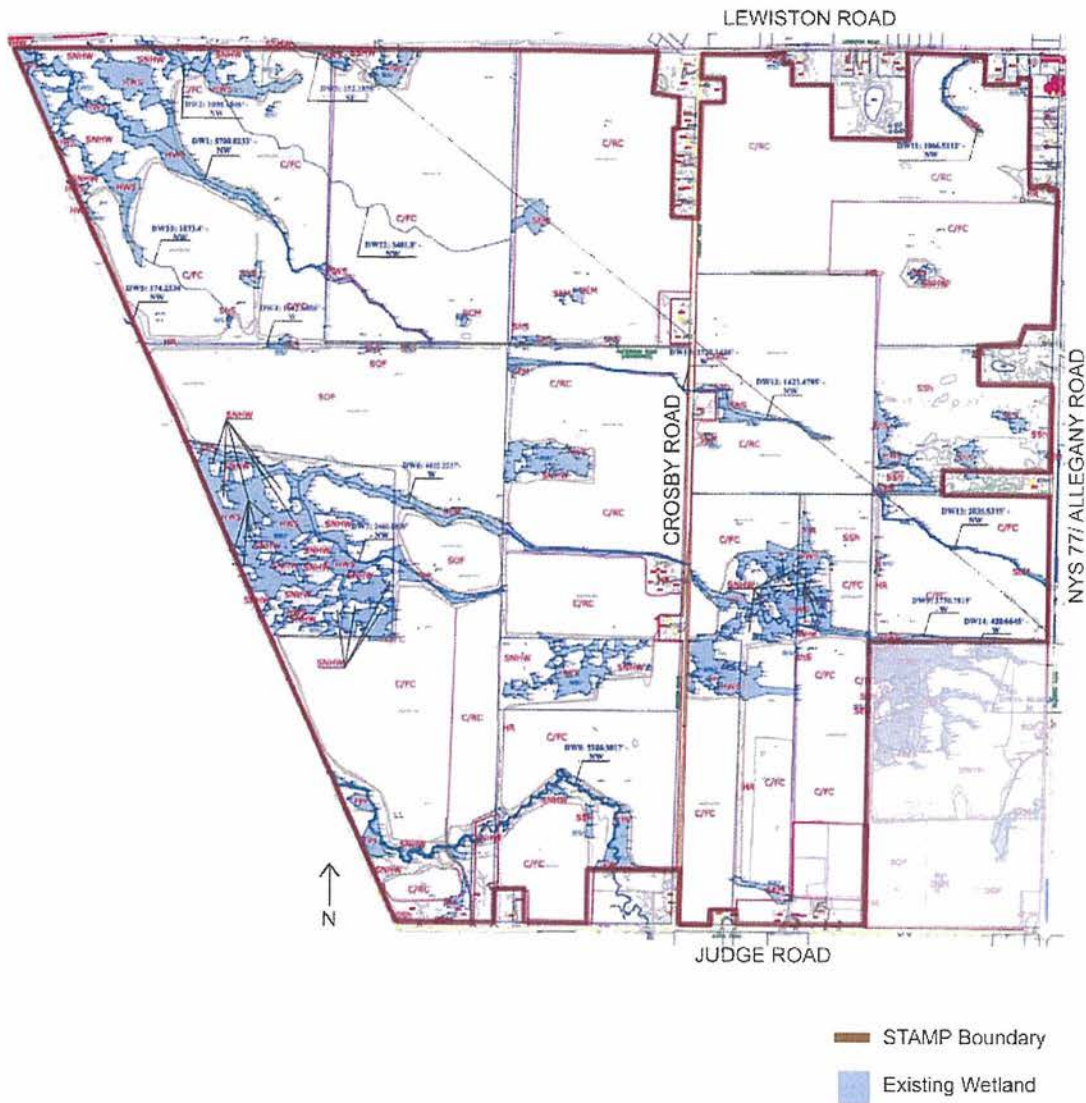
*At this time, the USACE is uncertain in terms of jurisdiction on DW 22 and 23. The jurisdictional determination is in progress and expected to be completed in the next couple of months.*

### **REPLACE:**

*The following figure is a replacement to the corresponding **DGEIS Figure 6-2 Existing Wetlands & Surface Waters** based on recent wetland delineation work completed within the Project Area.*

Revisions to Figure 6-2 include removal of the John White WMA parcel from within the Project Site's boundary at this time, corresponding removal of wetlands W40 thru W45 on the John White WMA from consideration in this DGEIS and the addition of two newly found small drainageways in the northwest quadrant of the Project Site.

FIGURE 6-2



STAMP  
Final Generic Environmental Impact Statement

Figure 6-2  
Existing Wetlands & Surface Waters

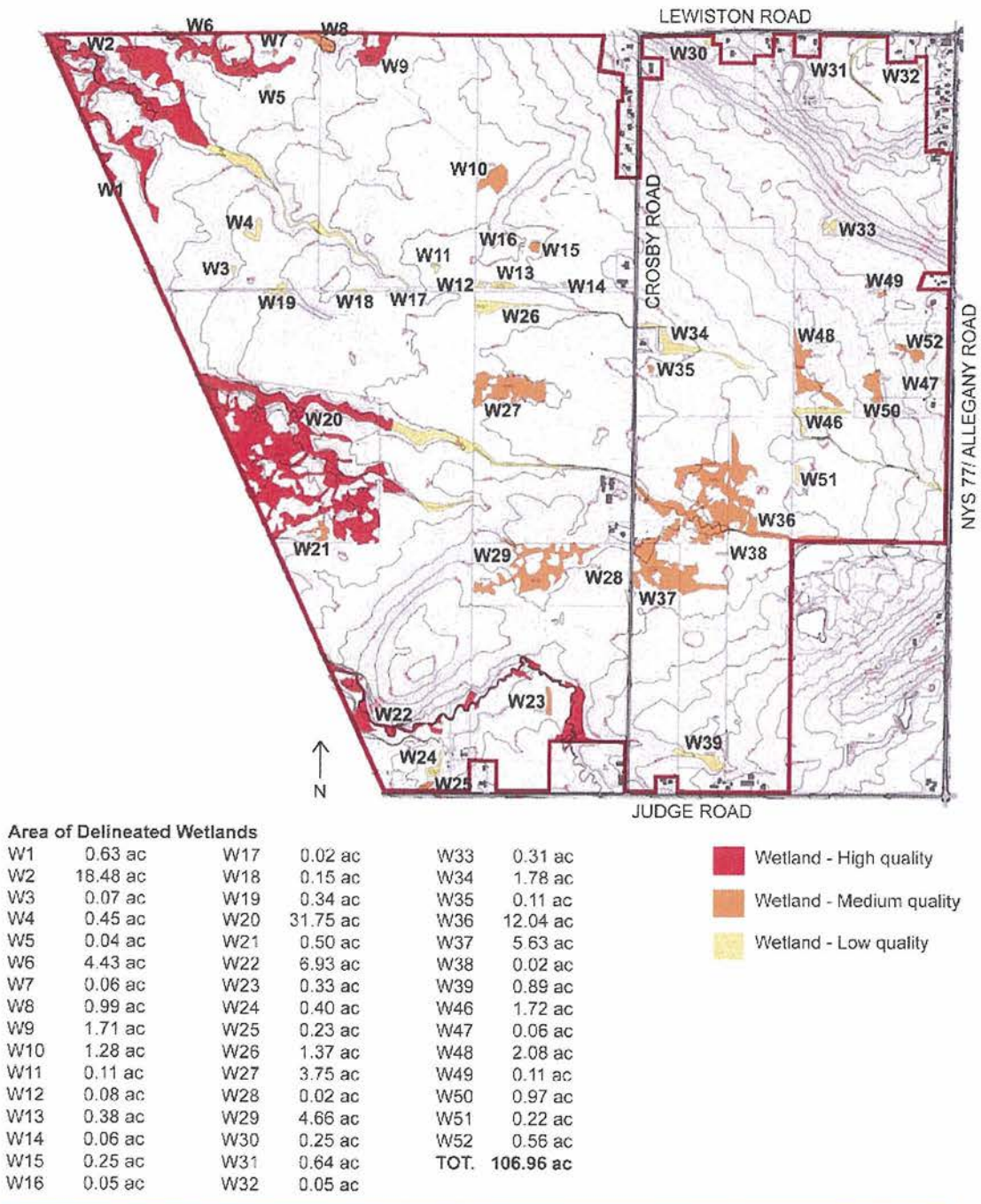
Town of Alabama, New York

**REPLACE:**

*The following figure is a replacement to the corresponding **DGEIS Figure 6-3 Existing Wetlands on Project Site** based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 6-3 include removal of the John White WMA parcel from within the Project Site boundary at this time, corresponding removal of wetlands W40 thru W45 from consideration in this DGEIS, and a corresponding reduction in the total area shown in the Area of Delineated Wetlands table.

FIGURE 6-3



STAMP  
 Final Generic Environmental Impact Statement  
 Town of Alabama, New York

Figure 6-3  
 Existing Wetlands on Project Site

**REPLACE:**

The following **Table F-1 Existing Wetlands Condition Totals** is a new table prepared based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS that removed the John White WMA from the Project Site boundary.

Table F-1 includes a summary of high, medium and low quality wetlands corresponding to Figure 6-3 Existing Wetlands on Project Site.

**TABLE F-1**

Table F.1  
Existing Wetland Condition Totals

Wetland Condition	Total Acres*	Total Number of Wetland Bodies
High Quality	64.92	7
Medium Quality	33.65	21
Low Quality	8.39	18
Total	106.96	46

\*NOTE: When a wetland body is comprised of more than one wetland condition, the higher quality wetland definition was used for this calculation, regardless of specific field conditions, for order of magnitude purposes.

**REPLACE:**

The following table is a replacement of the corresponding **DGEIS Table 6-1 Existing Wetlands and Associated Technical Information** based on additional relevant information that was not available at the time of publication of the DGEIS from a November 16, 2011 update to the wetlands delineation by Earth Dimensions.

Revisions to Table 6-1 include a minor revision to the wetland size of Wetland 9 and the removal of Wetlands 40 thru 45 due to the removal of the John White WMA from the Project Site boundary at this time.

TABLE 6-1

TABLE 6.1  
Existing Wetlands and Associated Technical Information

Wetland Number/ Parcel Number (s)	Community Type(s)/ Comments	Wetland Size (acres)	Preliminary Jurisdiction	Primary Functions/Values	Condition
Wetland 1 Parcel 1	PFO Hardwood Swamp and PEM Cattail Marsh, adjacent to active farming, high quality, subdued kettle hole on the lake plain	0.63	ACE/DEC	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat, potential t/e species habitat	High
Wetland 2 Parcel 1 & 2	PFO Floodplain Forest and PFO Hardwood Swamp, with linear water course through farmed areas, linear features, include reed canary grass (RCG), nice uplands within, some areas shrubby in field, few openings, adjacent to active farming, high quality, slight micro-depressions, lake plain, kettle holes	18.48	ACE/DEC	floodflow alteration, nutrient removal, wildlife habitat, potential t/e species habitat	High/Low
Wetland 3 Parcel 1	PSS scrubby, fragmented by farming, overgrown with vines, invasive species, debris, adjacent to active farming	0.07	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low
Wetland 4 Parcel 1	In hedge row, PEM/PSS, scrubby, RCG, adjacent to active farming	0.45	NON		Low/Medium
Wetland 5 Parcel 1	PFO hardwood swamp, fragmented by farming, small, adjacent to active farming	0.04	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low/Medium
Wetland 6 Parcel 1	PFO hardwood swamp, edges contain invasive species, adjacent to active farming, dissected lake plain, flowing water in sw direction in concave trough	4.43	ACE/DEC	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat, potential t/e species habitat	High
Wetland 7 Parcel 1	PEM Shallow Emergent Marsh, fragmented by farming, small, adjacent to active farming	0.06	NON	nutrient removal, wildlife habitat	Medium

Wetland 8 Parcels 1 & 2	PFO Hardwood Swamp and PSS Shrub Swamp, contains farm pond with fish, adjacent to active farming	0.99	ACE	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Medium/ High
Wetland 9 Parcel 2	PFO Hardwood Swamp, adjacent to active farming, high quality, nearly level micro-relief, lake plain, power line right of way through wetland	1.71	ACE	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat, potential t/e species habitat	High
Wetland 10 Parcel 3	PEM Shallow Emergent Marsh, farmed, possibly contains contaminants, water stagnant adjacent to active farming	1.28	NON	nutrient removal, wildlife habitat	Medium
Wetland 11 Parcel 2	PEM- Reed Canary Marsh (RCG), adjacent to active farming, concave	0.11	NON	nutrient removal, wildlife habitat	Low
Wetland 12 Parcel 3	PSS Shrub Swamp, in hedgerow, adjacent to active farming	0.08	NON*	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low
Wetland 13 Parcel 3	PSS Shrub Swamp, in hedgerow	0.38	NON*	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low
Wetland 14 Parcel 3	PSS Shrub Swamp, in hedgerow, adjacent to active farming	0.06	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low
Wetland 15 Parcel 3	PEM Shallow Emergent Marsh, man-made farm pond, adjacent to active farming, ground moraine, concave	0.25	NON*	nutrient removal, wildlife habitat	Medium
Wetland 16 Parcel 3	PEM Shallow emergent marsh reed canary grass, adjacent to active farming	0.05	NON*	nutrient removal, wildlife habitat	Low
Wetland 17 Parcel 8	PSS Shrub Swamp, in hedgerow, adjacent to active farming	0.02	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low
Wetland 18 Parcel 8	PSS Shrub Swamp, in hedgerow, adjacent to active farming, slightly concave	0.15	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low

Wetland Number/ Parcel Number (s)	Community Type(s)/ Comments	Wetland Size (acres)	Preliminary Jurisdiction	Primary Functions/Values	Condition
Wetland 19 Parcel 8	PSS Shrub Swamp, in hedgerow, adjacent to active farming	0.34	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low
Wetland 20 Parcels 7, 8, 9	PFO Floodplain Forest, PSS Shrub swamp and PFO Hardwood Swamp, with linear water course through farmed areas, includes reed canary grass nice uplands within, some areas shrubby in field, few openings, adjacent to active farming, concave drainageway, concave, lake plain, kettle hole	31.75	ACE/DEC	floodflow alteration, nutrient removal, wildlife habitat, potential t/e species habitat	High/Low
Wetland 21 Parcel 7	PFO Hardwood Swamp, adjacent to active farming, hemlock swamp within as well as vernal pools	0.50	ACE	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat, potential t/e species habitat	Medium
Wetland 22 Parcel 8, 21	Whitney Creek corridor, Class C- non-trout, PFO Hardwood Swamp, some invasive species, fish present in channel, fringe of wetlands/floodplains, adjacent to active farming, high quality, concave, small farm dump area located by D28	6.93	ACE	floodflow alteration, nutrient removal, wildlife habitat, potential t/e species habitat	High
Wetland 23 Parcel 21	PEM Shallow emergent marsh adjacent to active farming	0.33	ACE	nutrient removal, wildlife habitat	Medium
Wetland 24 Parcel 8	PEM Phragmites marsh adjacent to active farming, lake plain, concave	0.40	NON	nutrient removal, wildlife habitat	Low

Wetland 25 Parcel 8	PEM cattail marsh adjacent to active farming, adjacent to road, concave drainageway	0.23	NON	nutrient removal, wildlife habitat	Low/Medium
Wetland 26 Parcel 9	PEM/PSS linear water course through farmed areas, includes reed canary grass, some areas shrubby in field, adjacent to active farming, concave	1.37	ACE	nutrient removal, wildlife habitat	Low
Wetland 27 Parcel 9	PFO Hardwood swamp, fragmented edges from farming, squared wood edges, upland islands within, farm pond or old farm dump within some logging trails present and/or debris, adjacent to active farming, wetland hummocks	3.75	NON*	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Medium
Wetland 28 Parcel 20	PFO Hardwood swamp, small, adjacent to active farming	0.02	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat, potential t/e species habitat	Medium
Wetland 29 Parcel 20	PFO Hardwood swamp, fragmented from farming, squared wood edges, upland islands within, some logging trails present and/or debris, adjacent to active farming, vernal pools present	4.66	ACE	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat, potential t/e species habitat	Medium
Wetland 30 Parcel 6	PSS Shrub Swamp, along road/ part of road side ditch, adjacent to active farming, lake plain, concave	0.25	ACE	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low

Wetland 31 Parcel 6	PSS Shrub Swamp-scrubby, Old channel scar, adjacent to active farming, lake plain, concave and convex, ground moraine, convex slope to maintained drain, old foundation found, some debris at southern end.	0.64	ACE	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low
Wetland 32 Parcel 6	PEM Shallow Emergent/Cattail Marsh, adjacent to active farming	0.05	NON	nutrient removal, wildlife habitat	Medium
Wetland 33 Parcel 6	PFO hardwood swamp with some shrubs, some open water, garbage, somewhat disturbed from farming, adjacent to active farming, ground moraine, concave, excavated pit	0.31	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low/ Medium

Wetland Number/ Parcel Number (s)	Community Type(s)/ Comments	Wetland Size (acres)	Preliminary Jurisdiction	Primary Functions/Values	Condition
Wetland 34 Parcel 11	PEM/PSS linear water course through farmed areas, include reed canary grass, some areas shrubby in field, adjacent to active farming, irregular topography, slightly altered, lake plain	1.78	ACE	nutrient removal, wildlife habitat	Low
Wetland 35 Parcel 11	PEM shallow emergent marsh, overgrown and scrubby, some debris, old foundation within wetland area, adjacent to active farming	0.11	NON	nutrient removal, wildlife habitat	Medium
Wetland 37 Parcels 16, 17, 22	PFO Hardwood swamp, fragmented edges from farming, squared wood edges, upland islands within, some logging trails present and/or debris	5.63	ACE/DEC	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat, potential t/e species habitat	Medium

Wetland 38 Parcel 16	PSS Shrub Swamp, in hedgerow, adjacent to active farming	0.02	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low
Wetland 39 Parcels 16, 22	PEM/PSS linear water course through farmed areas, include reed canary grass, some areas shrubby in field, adjacent to active farming	0.89	ACE	nutrient removal, wildlife habitat	Low
Wetland 46 Parcel 18 &12	PEM/PSS linear water course through farmed areas, include reed canary grass, some areas shrubby in fields, very dense in spots	1.72	ACE	nutrient removal, wildlife habitat	Low
Wetland 47 Parcel 12	PEM Shallow emergent marsh, roadside, Phragmites and reed canary grass, concave, recessional moraine	0.06	NON	nutrient removal, wildlife habitat	Low
Wetland 48 Parcel 12	PSS- shrub swamp, successional shrubland, very dense in spots	2.08	ACE	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Medium
Wetland 49 Parcel 12	PSS- shrub swamp, successional shrubland, very dense in spots	0.11	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Medium
Wetland 50 Parcel 12	PSS- shrub swamp, successional shrubland, very dense in spots	0.97	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Medium
Wetland 51 Parcel 18	PFO/PEM hardwood swamp and reed canary grass marsh in hedgerow	0.22	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low/Medium
Wetland 52 Parcel 12	PSS- shrub swamp, successional shrubland, very dense in spots	0.56	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Medium

\*Pending assessment of tile drainage

**REPLACE:**

The following table is a replacement of the corresponding **DGEIS Table 6-2 Wetlands Impacted by the Preferred Alternative** based on additional relevant information that was not available at the time of publication of the DGEIS from a November 16, 2011 update to the wetlands delineation by Earth Dimensions.

**TABLE 6.2**

**TABLE 6.2**  
Wetlands Impacted by the Preferred Alternative

Wetland Number / Parcel Number (s)	Community Type(s)/ Comments	Wetland Size (acres)	Preliminary Jurisdiction	Primary Functions/ Values	Condition	Wetlands Impacted (acres)
Wetland 2 Parcel 1 & 2	PFO Floodplain Forest and PFO Hardwood Swamp, with linear water course through farmed areas, linear features, include reed canary grass (RCG), nice uplands within, some areas shrubby in field, few openings, adjacent to active farming, high quality, slight micro-depressions, lake plain, kettle holes	18.48	ACE/DEC	floodflow alteration, nutrient removal, wildlife habitat, potential t/e species habitat	High/Low	1.18
Wetland 3 Parcel 1	PSS scrubby, fragmented by farming, overgrown with vines, invasive species, debris, adjacent to active farming	0.07	NON	floodflow alteration, sediment/toxicant retention, nutrient removal, wildlife habitat	Low	0.07
Wetland 4 Parcel 1	In hedge row, PEM/PSS, scrubby, RCG, adjacent to active farming	0.45	NON		Low/ Medium	0.45
Wetland 10 Parcel 3	PEM Shallow Emergent Marsh, farmed, possibly contains contaminants, water stagnant adjacent to active farming	1.28	NON	nutrient removal, wildlife habitat	Medium	1.28
Wetland 11 Parcel 2	PEM- Reed Canary Marsh (RCG), adjacent to active farming, concave	0.11	NON	nutrient removal, wildlife habitat	Low	0.11

Wetland 12 Parcel 3	PSS Shrub Swamp, in hedgerow, adjacent to active farming	0.08	NON*	floodflow alteration, sediment/toxic ant retention, nutrient removal, wildlife habitat	Low	0.08
Wetland 13 Parcel 3	PSS Shrub Swamp, in hedgerow	0.38	NON*	floodflow alteration, sediment/toxic ant retention, nutrient removal, wildlife habitat	Low	0.38
Wetland 14 Parcel 3	PSS Shrub Swamp, in hedgerow, adjacent to active farming	0.06	NON	floodflow alteration, sediment/toxic ant retention, nutrient removal, wildlife habitat	Low	0.06
Wetland 15 Parcel 3	PEM Shallow Emergent Marsh, man-made farm pond, adjacent to active farming, ground moraine, concave	0.25	NON*	nutrient removal, wildlife habitat	Medium	0.25
Wetland 16 Parcel 3	PEM Shallow emergent marsh reed canary grass, adjacent to active farming	0.05	NON*	nutrient removal, wildlife habitat	Low	0.05
Wetland 17 Parcel 8	PSS Shrub Swamp, in hedgerow, adjacent to active farming	0.02	NON	floodflow alteration, sediment/toxic ant retention, nutrient removal, wildlife habitat	Low	0.02
Wetland 18 Parcel 8	PSS Shrub Swamp, in hedgerow, adjacent to active farming, slightly concave	0.15	NON	floodflow alteration, sediment/toxic ant retention, nutrient removal, wildlife habitat	Low	0.15
Wetland 19 Parcel 8	PSS Shrub Swamp, in hedgerow, adjacent to active farming	0.34	NON	floodflow alteration, sediment/toxic ant retention, nutrient removal, wildlife habitat	Low	0.34

Wetland 26 Parcel 9	PEM/PSS linear water course through farmed areas, includes reed canary grass, some areas shrubby in field, adjacent to active farming, concave	1.37	ACE	nutrient removal, wildlife habitat	Low	1.37
Wetland 27 Parcel 9	PFO Hardwood swamp, fragmented edges from farming, squared wood edges, upland islands within, farm pond or old farm dump within some logging trails present and/or debris, adjacent to active farming, wetland hummocks	3.75	NON*	floodflow alteration, sediment/toxic ant retention, nutrient removal, wildlife habitat	Medium	3.75
<b>Total Wetlands Impacted</b>						<b>9.54</b>

\*Pending assessment of tile drainage

**REPLACE:**

*The following table is a replacement of the corresponding DGEIS Table 6-3 Unnamed Stream #1 & Drainageways Impacted by the Preferred Alternative based on additional relevant information that was not available at the time of publication of the DGEIS from a November 16, 2011 update to the wetlands delineation by Earth Dimensions.*

Revisions to Table 6-3 include adjustments to figures based on removal of the John White WMA parcel from within the Project Site boundary at this time, the addition of two newly-found small drainageways in the northwest quadrant of the Project Site and format separation of “streams” and “drainageways” in recognition of the ecological differences between these two types of water courses.

TABLE 6-3

TABLE 6.3  
Drainage Ways Impacted by the Preferred Alternative

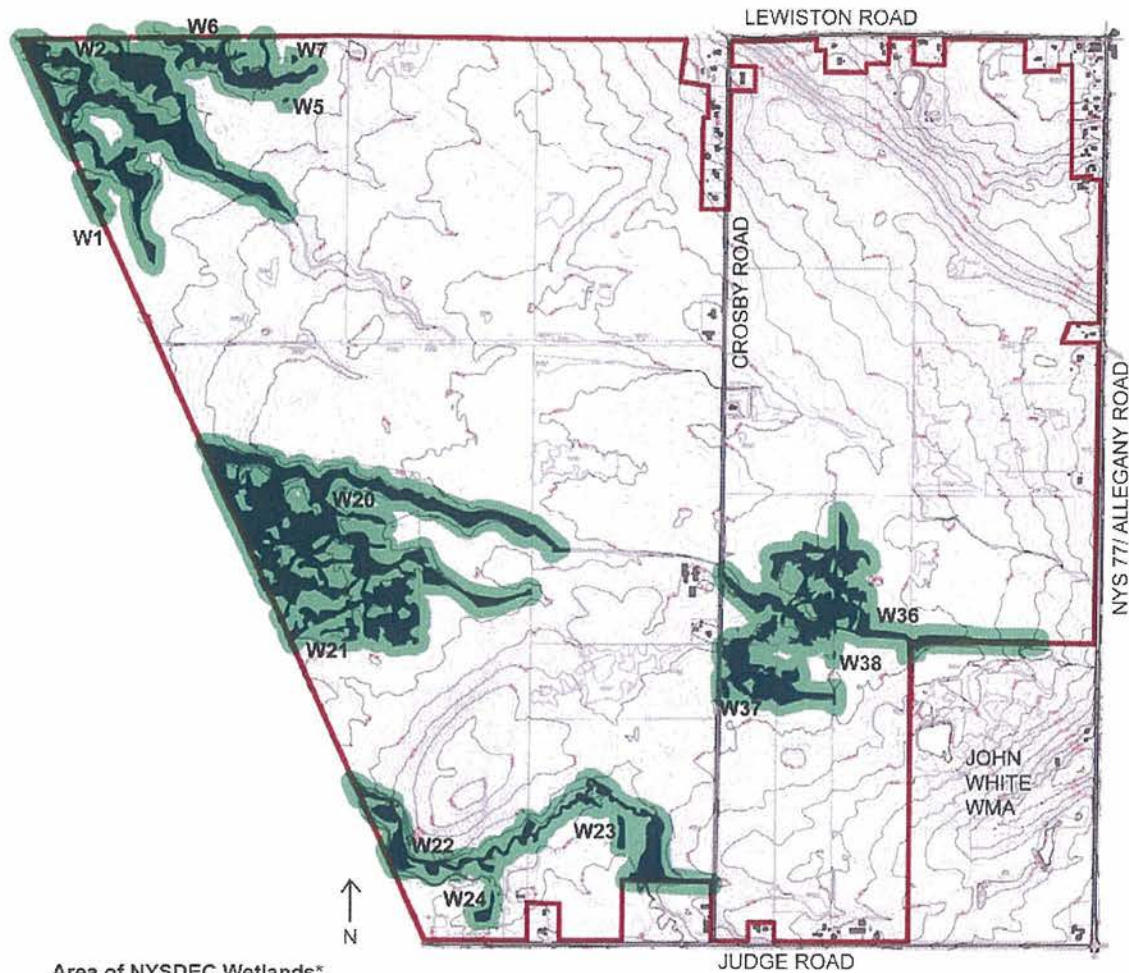
Water Feature	Approximate Reach Beginning (NAD83)		Approximate Reach End (NAD83)		Approximate Linear Feet	Direction of Flow	Rosgen Classification	Drainage Way Impacts (LF)
	Latitude	Longitude	Latitude	Longitude				
<b>Unnamed Stream #1 Impacts</b>								
DW1	43.08921	78.41258	43.09655	78.42628	5,490.4421	NW	E6/C6	1,950
DW10	43.08914	78.41717	43.08925	78.4228	1,602.6806	W	E6	1,602.6806
DW12	43.08869	78.40982	43.08802	78.40383	1,722.1426	W	E6	1,722.1426
DW13	43.08682	78.39913	43.088	78.40365	1,423.4795	NW	G6	1,423.4795
DW19	43.08313	78.39167	43.08555	78.39744	2,035.5375	NW	E6	600
DW20	43.08523	78.4038	43.08423	78.40123	791.8156	SW	G6	791.8156
<b>Total Unnamed Stream #1 Impacts</b>								<b>8,090.1183</b>
<b>Drainageway Impacts</b>								
DW4	43.08914	78.41717	43.08925	78.44228	1,602.6806	W	E6	1,602.6806
DW16	43.08523	78.4038	43.08423	78.40123	791.8156	SW	G6	791.8156
DW22	43.09228	78.40973	43.09523	78.41887	3,481.8	NW	G6	3,481.8
DW23	43.08990	78.41938	43.09157	78.42220	1,073.4	NW	G6	1,073.4
<b>Total Drainageway Impacts</b>								<b>6,949.6962</b>
<b>Grand Total</b>								<b>15,039.8145</b>

**ADD:**

*The following Figure F-3 NYSDEC Wetlands & Required 100' Buffers is a new figure prepared based on public/agency comments on the DGEIS.*

Figure F-3 was prepared to clearly illustrate those wetlands anticipated to fall within NYSDEC jurisdiction as noted in NYSDEC correspondence dated February 8, 2011, less wetland numbers W42 thru W44 located on the John White WMA parcel which has been removed from within the Project Site boundary at this time.

FIGURE F-3



**Area of NYSDEC Wetlands\***

W1	0.63 ac
W2	18.48 ac
W5	0.04 ac
W6	4.43 ac
W7	0.06 ac
W20	31.75 ac
W21	0.50 ac
W22	6.93 ac
W23	0.33 ac
W24	0.40 ac
W36	12.04 ac
W37	5.63 ac
W38	0.02 ac
<b>TOT.</b>	<b>81.24 ac</b>

\*NYSDEC wetlands used as noted in NYSDEC correspondence dated February 8, 2011, less wetland numbers W42, W43 & W44, which are no longer included within the Project Site

- Project Site
- Delineated Wetlands
- 100-foot Buffer (required)

## 4.7 Air Resources

### ADD:

*The following text is an addition to DGEIS Section 6.3.2 based on public/agency comments on the DGEIS.*

“Potential Sources of Greenhouse Gases:

- Temporary construction phase emissions (not anticipated to be a significant fraction of overall project emissions)
- Direct emissions
  - Natural gas combustion (for example, boilers or air pollution control devices)
  - Diesel combustion (exercising of emergency standby generators)
  - Manufacturing process emissions (some manufacturing technologies may include the use of perfluorocarbons)
  - Onsite fleet vehicles or other non-stationary equipment using fossil fuels
- Indirect emissions
  - Offsite electrical power generation
  - Vehicle trips generated by employees, vendors, site customers, etc.
  - Waste generation including emissions associated with the generation, transportation, treatment and disposal of waste generated at the site.

Quantification of GHG emission rates associated with these direct and indirect sources would require a high degree of speculation and is not anticipated to benefit a discussion of alternatives or mitigation measures at this time.

Section 10 provides a discussion of the Project’s effects on the use and conservation of energy resources. The state-of-the-art energy efficiency technologies described in that section will reduce energy demand and reduce GHG emissions. In addition, the technology sectors planned to be present at the Project Site will advance and support the manufacturing of renewable energy products such as photovoltaic (PV) modules. Producing electricity with photovoltaics produces no greenhouse gases. The energy payback period for photovoltaics can be as short as one year meaning that after one year of operation the module is producing emissions free electricity beyond the amount of energy required to produce the system in the first place. Response to Item (b): While estimating overall regulated air pollutant emission rates for the types of facilities likely to occupy STAMP can be accomplished based on industry knowledge, performing air dispersion modeling would be highly speculative at this early point. Performing air dispersion modeling during the air permitting process is more appropriate as the needed site layout and stack parameter data will be developed as part of facility detailed design.”

Revisions to Table 6-8 include the addition of the “tpy” (tons per year) designation in the heading of the table.

**ADD:**

The following portions of sentences in *DGEIS Section 6.3.2* as shown in **bold italics** below have been added based on public/agency comments on the *DGEIS*.

Page 6-25, last paragraph: “Air Guide-1 was developed in order to evaluate the short-term and annual impacts from sources of air emissions in the State of New York to ***comply with 6 NYCRR Part 212.***”

Page 6-26, second paragraph: “[t]hese contaminant concentrations are then compared to the SGC and AGC for the purpose of demonstrating compliance with Air Guide-1 ***and 6 NYCRR Part 212.***”

Page 6-26, third paragraph: “[f]acilities seeking to locate at the Project Site will need to satisfy the requirements of ***6 NYCRR Part 212.***”

**REPLACE:**

The following table is a replacement of the corresponding *DGEIS Table 6-8 Criteria Pollutant Emissions from Fuel Combustion Sources* based on public/agency comments on the *DGEIS* requesting a unit of measure be indicated.

Revisions to Table 6-8 include the addition of the “tpy” (tons per year) designation in the heading of the table.

**TABLE 6-8**

TABLE 6.8  
Criteria Pollutant Emissions from Fuel Combustion Sources

Pollutant	Single Factory Emission (tpy)	All Facilities (tpy)
NO <sub>x</sub>	22.4	164.1
CO	16.8	123.4
SO <sub>2</sub>	6.2	45.8
PM <sub>10</sub>	1.7	12.8
PM <sub>2.5</sub>	1.7	12.8
VOC	1.2	8.5

**REPLACE:**

*The following table is a replacement of the corresponding DGEIS Table 6-9 Criteria Pollutant & HAP Emissions from Manufacturing Process Operations based on public/agency comments on the DGEIS requesting a unit of measure be indicated.*

Revisions to Table 6-9 include the addition of the “tpy” (tons per year) designation in the heading of the table.

**TABLE 6-9**

**TABLE 6.9**  
Criteria Pollutant & HAP Emissions from Manufacturing Process Operations

Hazardous Air Pollutant	Single Factory (tpy)	All Facilities (tpy)
Hydrofluoric Acid	5.8	10.6
Hydrochloric Acid	5.3	11.8
Glycol Ethers	4.0	4.0
Methanol	5.6	9.0
Cadmium	0.00061	0.00061
Phosphine	0.100	0.014
Chlorine	nil	1.1
HAP Total	20.7	36.5
Criteria Pollutant		
VOC	47.6	102.3
NOx	20.0	20.0
PM2.5	14.4	14.6
Hydrogen Sulfide	0.1	0.4
Criteria Total	82.1	137.3
Other		1.2
Ammonia	6.8	24.9

#### 4.8 Terrestrial and Aquatic Ecology

*No changes have been made to the DGEIS for this section.*

#### 4.9 Technology Industry Health and Safety

*No changes have been made to the DGEIS for this section.*

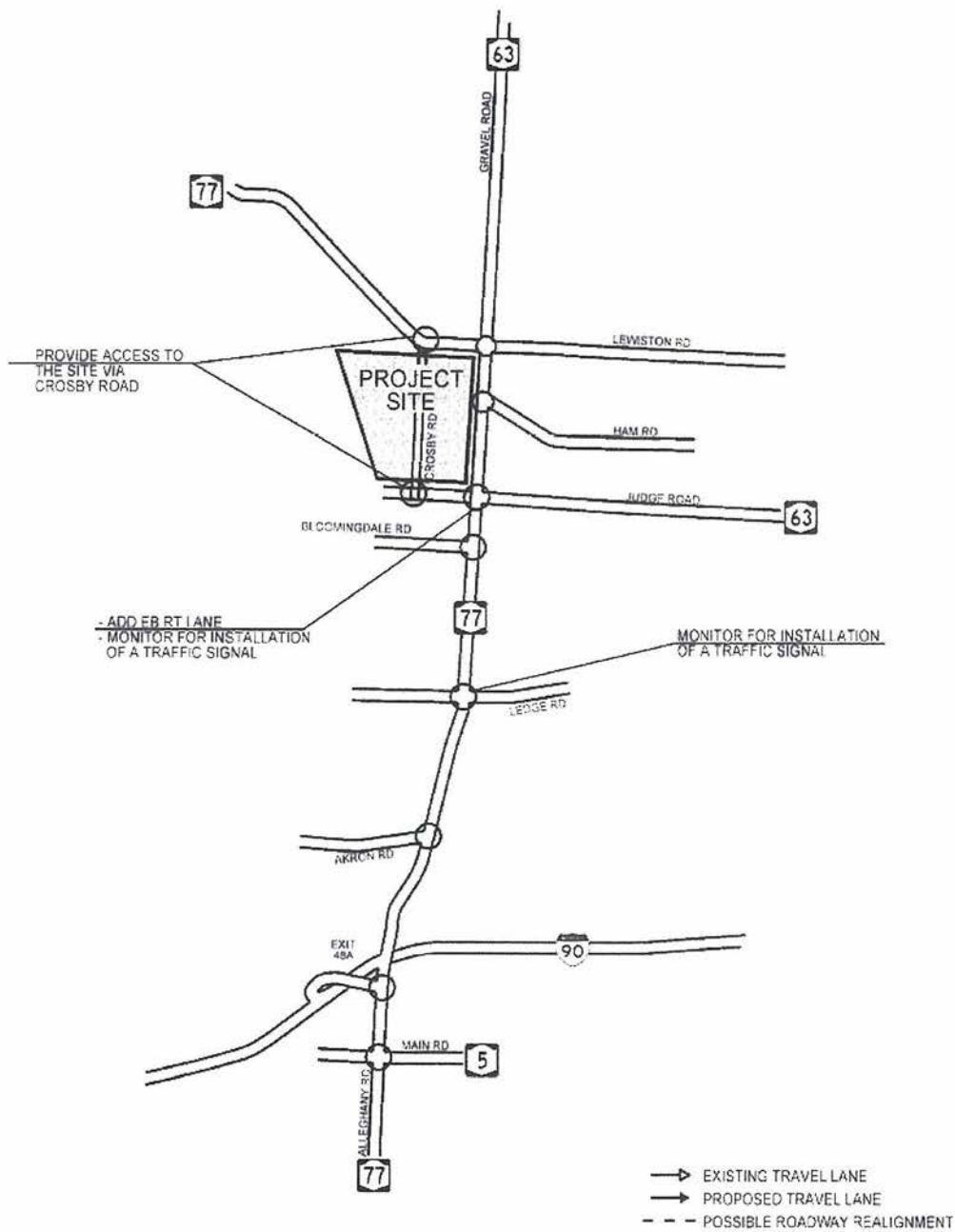
#### **4.10 Traffic and Transportation**

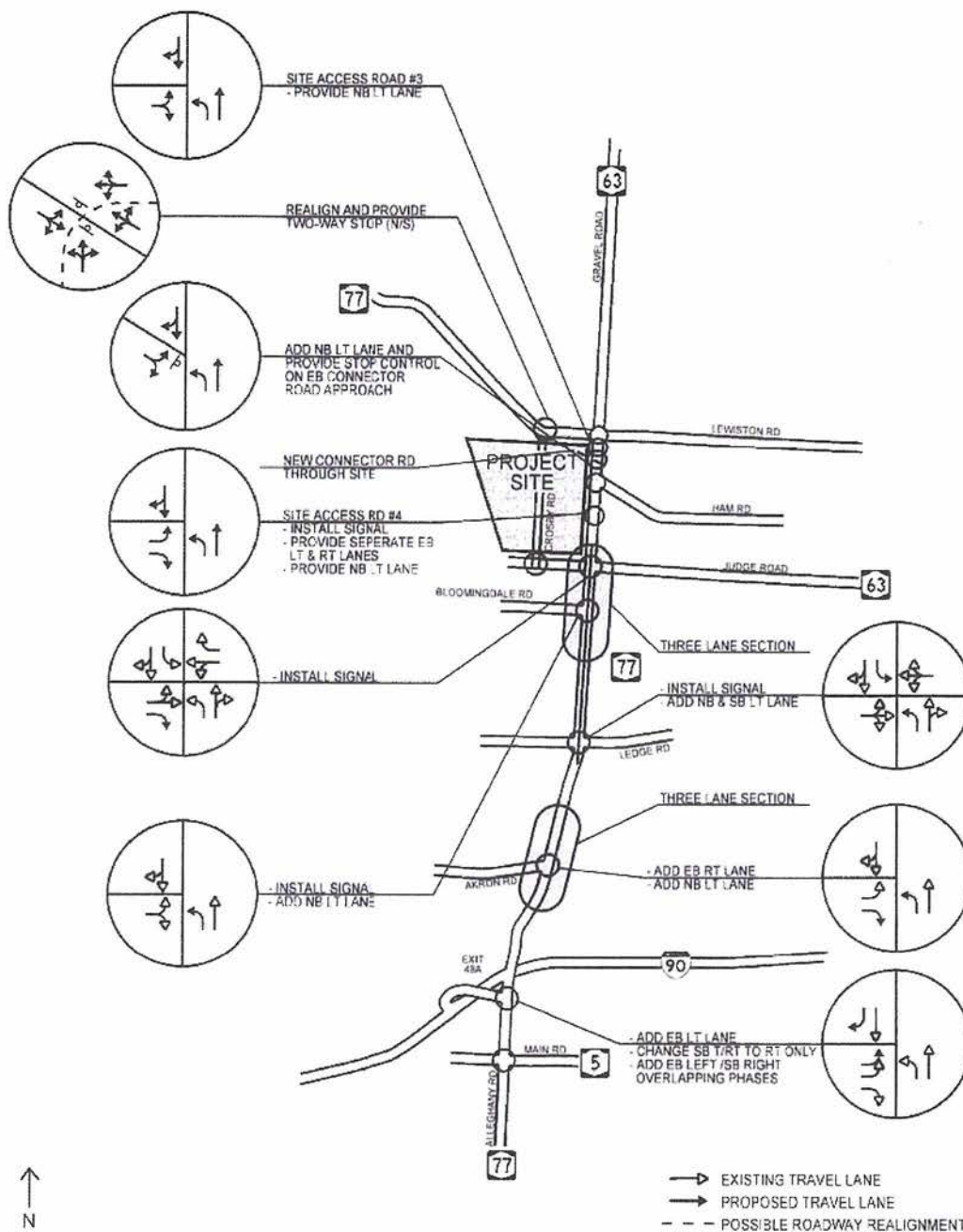
##### **REPLACE:**

*The following text replaces paragraph three to the corresponding portion of **DGEIS Section 6.6.2** based on comments received from the New York Department of Transportation. In addition, Figure 6-11 and Figure 6-13 have also been replaced.*

Access to the Project Site will be provided via Crosby Road during Phase 1. It is recommended that a right-turn lane be constructed on the eastbound Judge Road approach of the NY Route 77/NY Route 63 intersection and that this intersection and the NY Route 77/Ledge Road intersection be monitored for the potential installation of traffic signals during this phase of the Project's development (Figure 6-11).

FIGURE 6-11 AND 6-13





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Figure 6-13  
70% Traffic Improvements

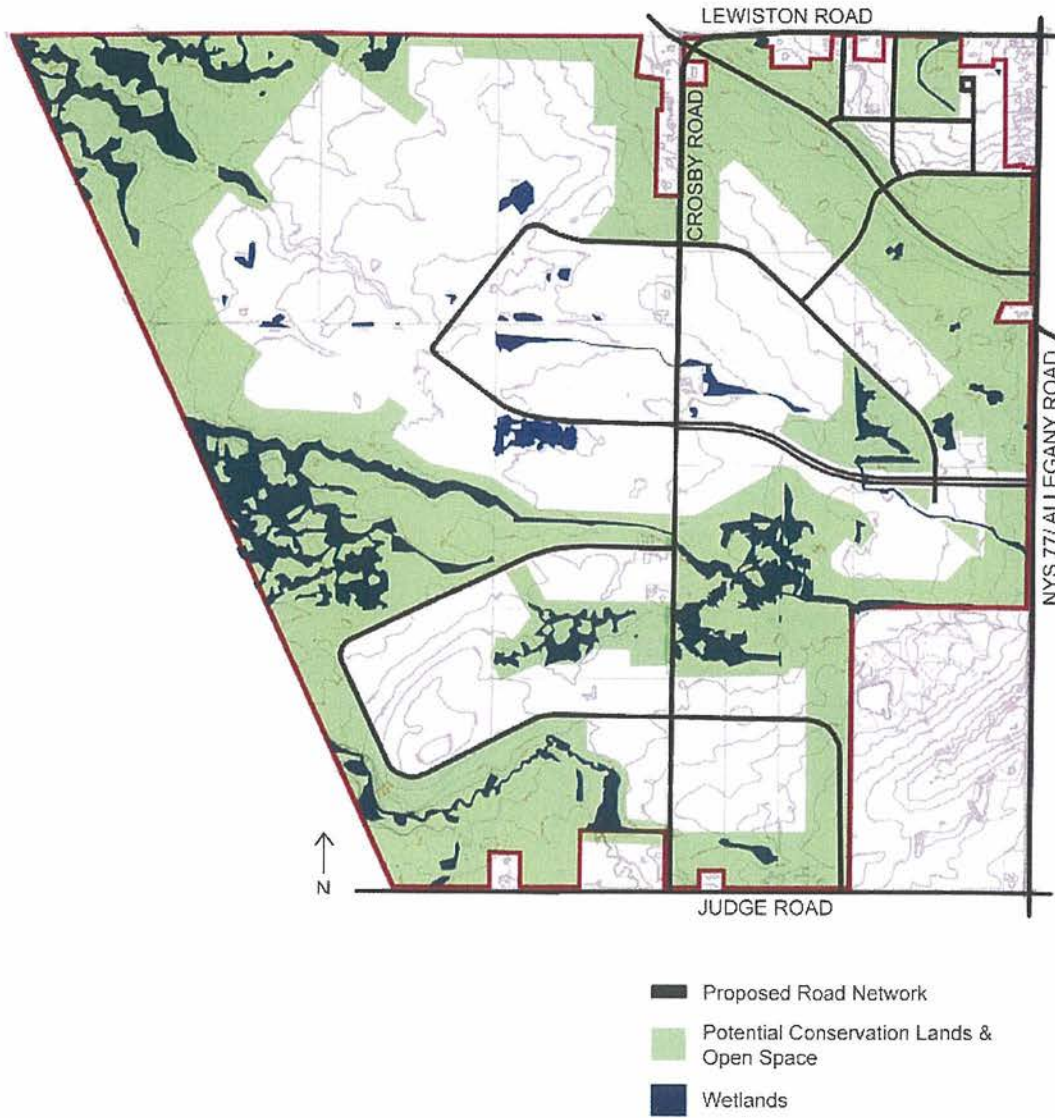
Town of Alabama, New York

REPLACE:

*The following figure is a replacement to the corresponding **DGEIS Figure 6-12 Preferred Alternative – Road Network** based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 6-12 include removal of the John White WMA parcel from within the Project Site boundary at this time, corresponding westward realignment of the easternmost Project Site's access road intersecting with Judge Road to remove it from the John White WMA lands, the addition of Open Space & Conservation Lands Plan background to comprehensively indicate how proposed Project roads are planned to avoid environmental preservation areas and minor realignment of Project roads near the Hamlet of Alabama as part of an overall development scale adjustment in this area.

FIGURE 6-12



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Figure 6-12  
Preferred Alternative - Road Network

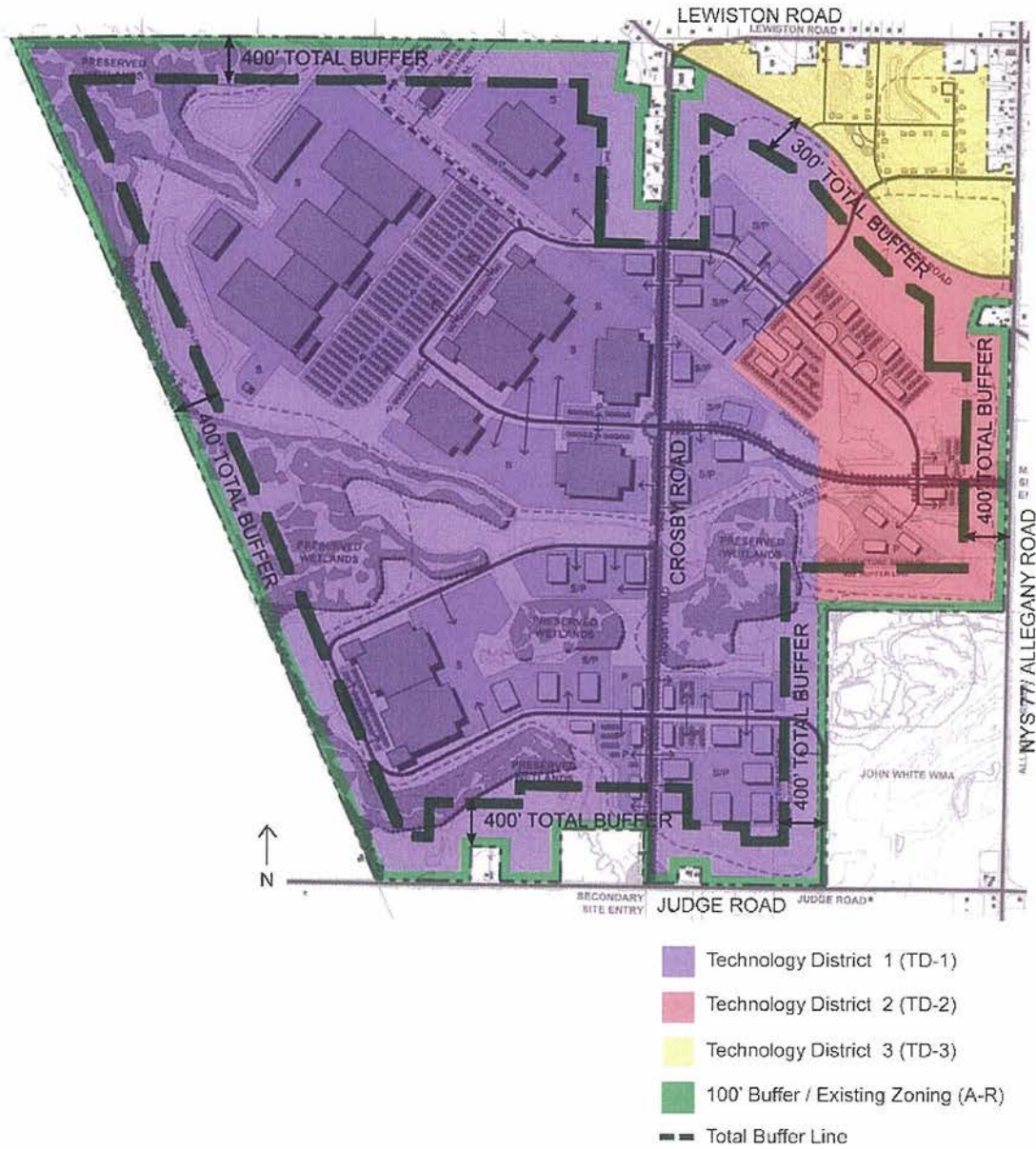
## 4.11 Land Use and Zoning

### REPLACE:

*The following figure is a replacement to the corresponding **DGEIS Figure 6-16 Proposed Zoning Map** based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 6-16 include removal of the John White WMA parcel from within the Project Site boundary at this time, removal of the buffer separating the Hamlet of Alabama from the STAMP TD-3 zone, extending the TD-3 zone to the intersection of Lewiston Road and the New Bypass Road and the addition of a Total Buffer Line to clarify buffer intent.

FIGURE 6-16



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Figure 6-16  
Proposed Zoning Map

## 4.12 Utilities

*No changes have been made to the DGEIS for this section.*

## 4.13 Community Facilities

### **REPLACE:**

*The following text is a replacement to the corresponding portion of **DGEIS Section 6.9.2 paragraph 4** based on public/agency comments on the DGEIS and development of additional relevant information that was not available at the time of publication of the DGEIS.*

“The Town of Alabama Fire Department, Genesee County Emergency Services and the Genesee County Sheriff’s Department are currently putting together a Request for Proposal (RFP) for a preliminary study on STAMP and its potential impacts on the police, EMS, and fire departments in the Town of Alabama and Genesee County.

Depending on the specific needs of actual facilities that locate in the Project, it is possible that additional resources and/or training may be required. At the time each actual technology manufacturing facility submits a Site Plan Application to the Town of Alabama, a facility-specific Emergency Services Impact Study will be performed to identify any unique needs associated with that specific technology manufacturing facility.

Each Emergency Services Impact Study will specifically identify mitigation measures that may be required for the following, among other considerations:

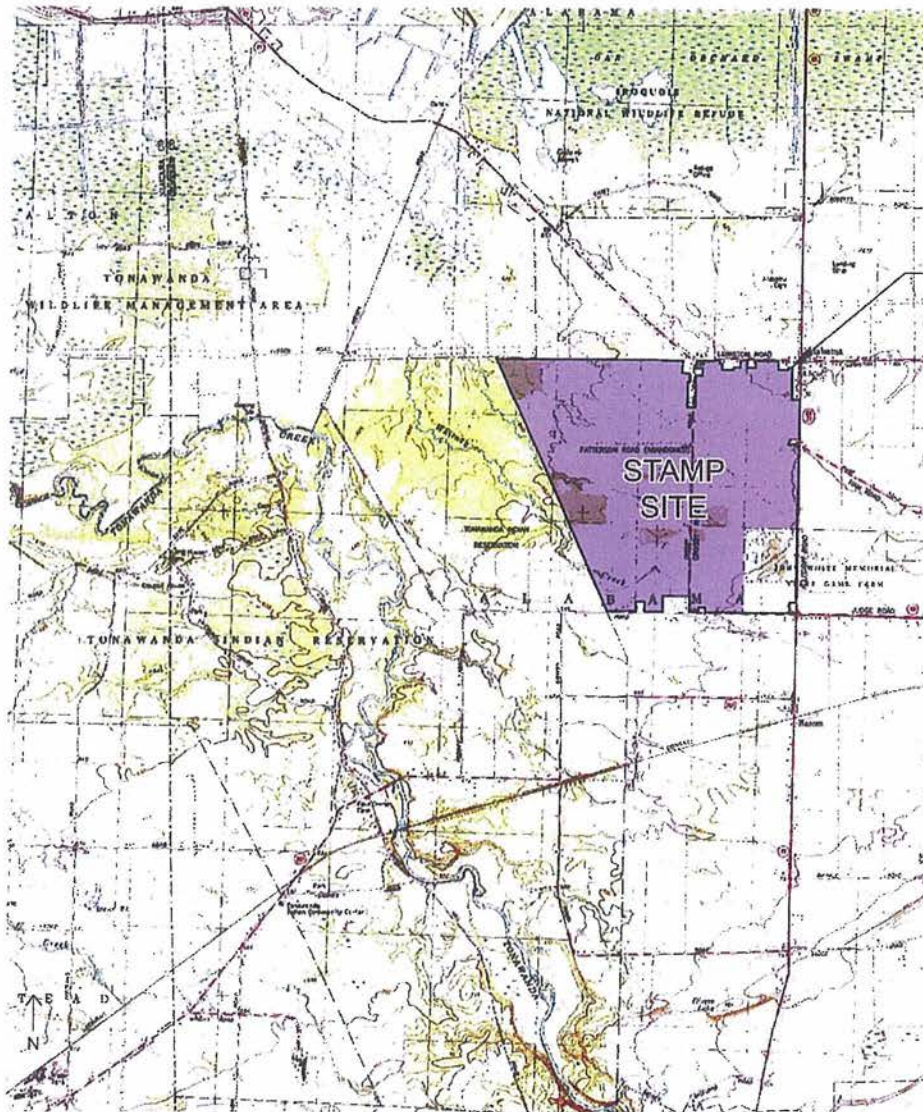
- Potential for increase in police calls.
- Potential for increase in court services (See “Court Services” section below).
- Potential for increase in EMS calls.
- Potential for increase in motor vehicle accident (MVA) calls.
- Potential for increase in hazardous materials calls.
- Potential for increase in fire calls.
- Potential need for new fire apparatus, if warranted, potentially including a compressed air truck, a ladder truck and/or an aerial device with a span of one hundred (100) plus feet if needed to respond to a major incident at structures higher than sixty (60) to seventy five (75) feet.”
- Potential incentives to attract additional volunteers for the fire department.

### **REPLACE:**

*The following figure is a replacement to the corresponding **DGEIS Figure 6-21 Public Lands Location Map** based on public/agency comments on the DGEIS.*

Revisions to Figure 6-21 include removal of the John White WMA from within the Project Site boundary.

FIGURE 6-21



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Figure 6-21  
Public Lands Location Map

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**REPLACE:**

*The following figure is a replacement to the corresponding DGEIS Figure 6-22 Preferred Alternative based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 6-22 include removal of the John White WMA from within the Project Site boundary at this time, realignment of associated pedestrian trails, relocation of buildings near the John White WMA boundary to be set back a minimum 500 feet from the John White WMA, relocation of the proposed Town of Alabama Town Hall nearer to the Hamlet of Alabama, re-scaling project buildings near the Hamlet of Alabama to be more in scale with existing scale and character of the Hamlet, refinement/clarification of the 400-foot buffer line around the Project Site's perimeter and the addition of tree plantings along the western Project Site boundary to augment existing forested areas along the western edge to create a visual screen along the entire western boundary.

FIGURE 6-22



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Figure 6-22  
Preferred Alternative

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#### 4.14 Community Character

*No changes have been made to the DGEIS for this section.*

#### 4.15 Demography

*No changes have been made to the DGEIS for this section.*

#### 4.16 Historic and Archeological Resources

##### **UPDATE:**

*The following text is an update to the corresponding portion of **DGEIS Section 6.12** based on recent archaeological work completed within the Project Site.*

The SUNY Buffalo Archaeological Survey conducted Phase 1 archaeological reconnaissance surveys in portions of the Western New York Science & Technology Advanced Manufacturing Park (STAMP) project area in 2010-2011. Fieldwork included surface inspections in Parcels 3, 6, 8-9 and 11. The size of the area surveyed and the results are summarized in the table presented below. The locations of the parcels are shown on the accompanying figure. No subsurface testing has been completed thus far, but will be conducted in the future in appropriate areas.

During the surface inspections, all prehistoric artifacts were flagged and assigned unique field numbers. The ground surface around artifact findspots was then closely reexamined for a distance of about 10 m (33 ft) around it in an effort to identify other finds. Within the large lithic scatters, finds within 1 m (3.3 ft) were grouped as a single findspot with multiple finds. No historic artifact scatters were identified. Most Euro-American artifacts occurred as isolated finds that were not collected, but their number, type and general location was noted. Prehistoric artifacts consist mainly of chips or flakes of Onondaga chert- the debris from stone tool making. Several finished stone tools have been recovered along with numerous debitage flakes. Once flagged, a Global Positioning System (GPS) receiver was used to map all prehistoric artifact findspots referencing them to UTM coordinates and plotting them on a digital ortho-photo of the project area. Once the mapping procedures were completed, the prehistoric finds were collected for processing at the Archaeological Survey.

Most of Parcel 6 and 11, and a small part of Parcel 9 along Crosby Road were examined in the fall of 2010. These areas had corn and soybean stubble on the ground surface reducing visibility to about 50%. Consequently, crew members were aligned at close intervals of only 1-2 m (3.3-6.6 ft) when conducting surface inspections. Two artifact clusters and a series of isolated find spots were identified and may merit further testing.

Parcels 3 and 8, and most of Parcel 9, were investigated in the late spring and early summer of 2011. All these areas were in recently planted corn and surface visibility was about 95% at most locations. Crew members were aligned at 3-4 m (10-13 ft) intervals when examining the ground surface. This resulted in the identification of 11 prehistoric artifact

clusters and numerous isolated find spots. Some of these sites are large with high artifact densities and appear to have considerable research potential based on the limited investigations conducted thus far. A number of smaller sites also merit further investigation.

FIGURE F-7

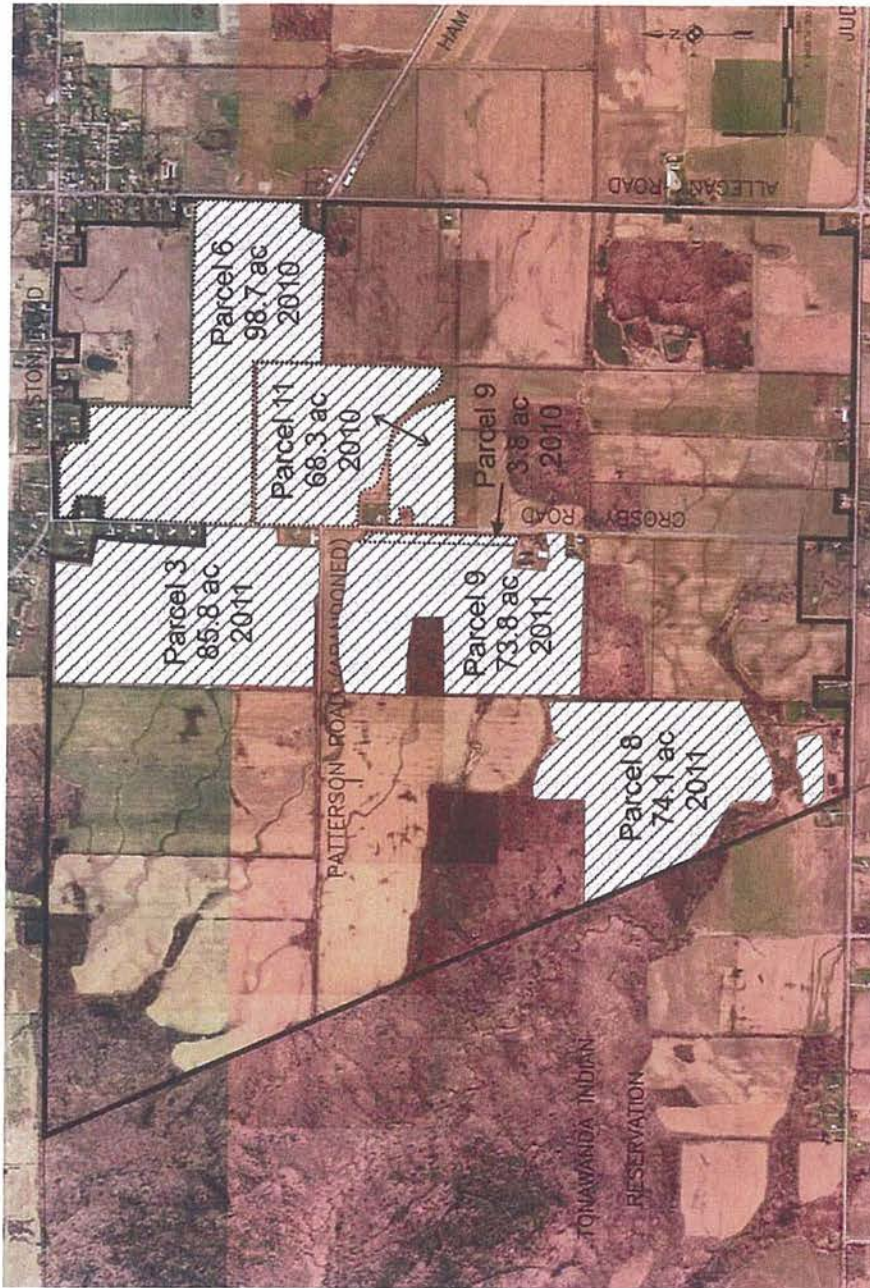


Figure F-7  
Archeological Phase 1B -  
Locations of 2010-2011 Phase 1 Surface  
Inspections for STAMP

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TABLE F-2

## Archeological Phase 1B 2010-2011 Fieldwork Summary

Parcel #	Area Surveyed	Results
3	34.7 ha (85.8 ac)	Two moderately large, high density sites. Three other small-medium size, low-moderate density scatters also identified. Scattered artifact findspots elsewhere.
6	40.0 ha (98.7 ac)	One small low density lithic scatter. Scattered findspots elsewhere.
8	30.0 ha (74.1 ac)	Large prehistoric lithic scatter bounding Whitney Creek includes two high density and one moderate density sites. Large area of scattered findspots lies nearby along high elevations. Low density scatter at north end of field. Scattered findspots throughout other areas.
9	31.4 ha (77.6 ac)	Two small, low density lithic scatters. Scattered artifact findspots elsewhere.
11	27.7 ha (68.3 ac)	One moderately large, moderate density lithic scatter. Scattered findspots elsewhere.
Total	163.8 ha (404.5 ac)	

#### 4.17 Agricultural Resources

*No changes have been made to the DGEIS for this section.*

#### 4.18 Potential Growth Inducing and Cumulative Impacts

*No changes have been made to the DGEIS for this section.*

#### 4.19 Effects on Use and Generation of Energy Resources

**REPLACE:**

*The following figure is a replacement to the corresponding DGEIS Figure 10-2 Preferred Alternative based on public/agency comments on the DGEIS and project redesign/refinement since the DGEIS.*

Revisions to Figure 10-2 include removal of the John White WMA from within the Project Site boundary at this time, realignment of associated pedestrian trails, relocation of buildings near the John White WMA boundary to be set back a minimum 500 feet from the John White WMA, relocation of the proposed Town of Alabama Town Hall nearer to the Hamlet of Alabama, re-scaling project buildings near the Hamlet of Alabama to be more in scale with existing scale and character of the Hamlet, refinement/clarification of the 400-foot buffer line around the Project Site's perimeter and the addition of tree plantings along the western Project Site boundary to augment existing forested areas along the western edge to create a visual screen along the entire western boundary.

FIGURE 10-2



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Figure 10-2  
Preferred Alternative

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#### **4.20 Thresholds for Future Actions**

*No changes have been made to the DGEIS for this section.*

**V. References**

The following references have been utilized for the preparation of this FGEIS, in addition to those utilized for the DGEIS.

Earth Dimensions Incorporated, November 16, 2011, Wetlands Delineation Update, Town of Alabama, New York, a copy of which is attached as Appendix C to this FGEIS.