

**New York State Environmental Quality Review Act
Lead Agency Findings Statement
for the
Western New York Science & Technology
Advanced Manufacturing Park (STAMP)**

Town of Alabama
County of Genesee, New York



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NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER

FINDINGS STATEMENT

WESTERN NEW YORK SCIENCE & TECHNOLOGY ADVANCED MANUFACTURING PARK (STAMP)

This document is a Findings Statement prepared pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations promulgated thereto at 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA") by the Genesee County Economic Development Center ("GCEDC") as Lead Agency for the proposed Western New York Science & Technology Advanced Manufacturing Park ("STAMP" or the "Project"). GCEDC is the Project Sponsor and hereby approves and commits to undertaking the Project.

This Findings Statement draws upon the matters set forth in the SEQRA record, including the generic environmental impact statement consisting of the Draft Generic Environmental Impact Statement ("DGEIS") accepted by GCEDC on April 14, 2011, the Final Generic Environmental Impact Statement ("FGEIS") accepted by GCEDC on January 19, 2012, as well as the public comments on the DGEIS received at the May 12, 2011 public hearing and during the public comment period which was conducted from April 21, 2011 through June 23, 2011. (Collectively, the DGEIS and the FGEIS are referred to as the "GEIS"). A smart growth impact statement pursuant to the State Smart Growth Public Infrastructure Policy Act was completed separately from the GEIS in February, 2012.

The purposes of the STAMP GEIS was to identify and evaluate the potential significant adverse environmental impacts of STAMP, compare the reasonable alternatives, and, where applicable, to identify reasonable mitigation measures to reduce the effect of those impacts to the maximum extent practicable, while weighing the substantial potential social and economic benefits of STAMP.

2.0 DESCRIPTION OF ACTION

STAMP 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"). 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 property 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.

STAMP's preferred alternative master plan (the "Preferred Alternative") will be a full build-out of STAMP establishing a high technology campus at the Project Site accommodating over 6 million square feet of advanced technology manufacturing and related uses providing direct employment of over 9,000 people. Phase 1 of the Preferred Alternative plans to attract an anchor tenant technology manufacturing facility potentially comprised of approximately 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 and Table 4-1 of the 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.

STAMP will require additional water, sewer, gas and telecommunications 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. STAMP will also 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 the development parcels will be built over time as needed.

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 scaled transition to neighboring farmland. The eastern portion of the Project Site will also be scaled to mirror the aesthetics of the Hamlet of Alabama. Both the undeveloped buffer zones to be located around the Project Site's perimeter and the campus-like setting of the Preferred Alternative shall ensure that over 640 acres of open spaces and environmentally sensitive locations are maintained. A 400-foot perimeter will be maintained around the perimeter of the Project Site, expanded to an average of 1,600 feet along the western boundary adjoining the Tonawanda Seneca Nation property. Lastly, a minimum 500-foot buffer will be maintained along the Project Site's boundary adjoining the John White Wildlife Management Area ("WMA").

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 waters, wetlands, 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 then ultimately compared to the Preferred Alternative Plan shown in Figure 4-7 of the FGEIS. For example, the Preferred Alternative has resulted in a reduction of potential wetland impacts from approximately 69 acres to 9.54 acres. This reduction of wetlands impacts was accomplished by re-orienting proposed development areas 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 in impacts evident in the Preferred Alternative 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 stormwater management system volumes.

The most significant revisions made to the Preferred Alternative include the removal of the John White WMA from within the Project Site boundary at this time; the relocation of the proposed Town of Alabama Town Hall closer to the Hamlet of Alabama, as well as Project buildings located near the Hamlet of Alabama being re-scaled in order to be more consistent with the existing character and nature of the Hamlet; and the refinement/clarification of the 400-foot buffer line around the Project Site perimeter, including the addition of tree plantings along the western Project Site boundary designed to augment existing forested areas in order to create a visual screen which will further reduce the potential visual impacts associated with the Project to surrounding properties.

In terms of economics, STAMP represents a significant opportunity to bring New York State investment in high technology research, development and manufacturing to the County of Genesee and the Western Region of the State of New York. To date, GCEDC 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 is projected to support approximately 9,330 Full-Time-Equivalent (“FTE”) jobs at full build-out and occupancy.
- STAMP employment is projected to generate direct annual wages of almost \$532 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 (supply chain) wages (wages not directly attributed to STAMP employers) are projected to equal \$761.3 million at build-out and occupancy, reflected in indirect employment of over 17,000 FTE jobs.
- Construction phases are projected to 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 of Genesee and the State of New York.

3.0 PUBLIC NEED AND BENEFIT

The Project's central purpose is to play a significant role in reversing a trend of economic stagnation that has affected the Western New York region in recent years. The need for reversing this trend may be seen locally in 2010 US Census figures indicating declines in population for both the Town of Alabama and Genesee County over the past ten (10) years. STAMP will result in a number of benefits that have the potential to mitigate this trend in a substantial way. Specific anticipated benefits include:

- Create good-paying, 21st century jobs in the local community.
- Reduce the "brain-drain" of young people leaving the community.
- Provide increased revenues to support local community services.
- Provide enhanced utility infrastructure, such as water, sewer, natural gas, and broadband.
- Reduce local property taxes.
- Demonstrate sustainable development.
- Create a "place" of pride in the community.

The Project will achieve these benefits 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 and well-being of the western region of New York State. STAMP will provide economic development opportunities not currently offered in the region, and will offer a variety of jobs for the residents of the Town of Alabama, Genesee County, and the Greater Buffalo-Niagara and Rochester regions.

In addition, the Project has the potential to provide significant environmental benefits including the enhancement and preservation (in perpetuity) of approximately 97 acres of wetlands and approximately 24,000 linear feet of streams and upland buffers areas; offsite mitigation of wetlands, streams and buffer habitats located in the Whitney Creek watershed; and the preservation of over 640 acres of common open areas for use as potential recreational areas.

The economic benefits associated with the Preferred Alternative are substantial, as outlined above in Section 2.0 of this Findings Statement.

4.0 GCEDC JURISDICTION AND 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 pursuant to SEQRA. No objections to GCEDC serving as 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 generic environmental impact statement.

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, the Haxton Memorial Library in the Village of Oakfield, 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 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 were accepted and responded to within the FGEIS.

The public hearing was opened by Mr. Mark A. Masse, Senior Vice President of Operations for GCEDC, and 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.

The following is a list of the interested and involved agencies that participated in the SEQRA review of the Project.

a. Involved Agencies

- The Town of Alabama Town Board
- The Town of Alabama Planning Board
- 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

The FGEIS was issued by GCEDC on January 19, 2012, and a notice of completion of the FGEIS was forwarded to the Environmental Notice Bulletin for publication on January 20, 2012.

5.0 DATE FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT ISSUED

The FGEIS was issued by GCEDC on January 19, 2012.

6.0 FACTS AND CONCLUSIONS RELIED ON TO SUPPORT THE DECISION TO APPROVE AND COMMIT TO UNDERTAKING THE PROJECT

The findings set forth in this Findings Statement consider the relevant environmental impacts, facts and conclusions disclosed in the GEIS; weigh and balance relevant environmental impacts with social, economic, and other considerations; and provide a rationale for GCEDC's decision regarding the potential significant adverse environmental impacts associated with STAMP, and the mitigation measures to be implemented to reduce and/or minimize such impacts to the maximum extent practicable.

This Findings Statement also certifies that the requirements of 6 N.Y.C.R.R. Part 617 have been met, and certify that consistent with social, economic and other essential considerations from among the reasonable alternatives evaluated, the action chosen is the one which avoids or minimizes adverse environmental impacts to the maximum extent practicable, while at the same time maximizing the social and economic benefits provided by STAMP, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions those mitigation measures that were identified as practicable.

The findings contained herein are based on the full record of the proceedings and submissions that were presented to GCEDC and included as part of its administrative record. The potential significant adverse environmental impacts reviewed in the DGEIS and FGEIS, the analysis conducted related to each potential impact, and the required mitigation and conditions, as applicable, are summarized below.

6.1 Project Alternatives Considered

Section 617.9(b)(5)(v) of the SEQRA regulations requires that an environmental impact statement contain a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the Project Sponsor. Although it is not necessary to consider all possible alternatives, those that achieve the same or similar objectives of the Project Sponsor, have relatively the same or reduced environmental impacts, and can be implemented in a timeframe similar to that of the proposed action, should be considered. Section 6197.9(b)(5)(v) of the SEQRA regulations further provides that the description and evaluation of each alternative should be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed, but will vary with the circumstances and natures of each alternative.

The following alternatives to the Project are described and evaluated below: No-Build Alternative; an Existing Zoning Alternative; a Cluster Residential Alternative; and the Preferred Alternative. These alternatives offer potential ranges and scopes of development, and are evaluated at a detailed level to allow for comparative analysis and consideration as dictated by the SEQRA provisions discussed above.

The basic and overall purpose of the Project is to develop a shovel-ready technology manufacturing site in Western New York. The Project targets green-technology and advanced manufacturing companies involved in developing and manufacturing clean technology, renewable energy and/or energy efficiency products. These companies include photovoltaic solar cell manufacturing (PV-Solar), flat panel display manufacturing including medical imaging display, bio-pharmaceutical/nanotechnology-enabled industries, and green technology research and development for energy efficient building products.

An enhanced list of design parameters was established to better assess site viability against local conditions and requirements. The specific requirements of a particular site to achieve the basic and overall purpose of the Project include:

- Must be a site greater than 1,000 acres with 500 acres suitable for low density, campus style development.
- Must be a large and virtually flat site with manageable environmental constraints.
- Must be in reasonable proximity and accessibility from freeway and major airport.
- Must have or be able to obtain high quality, redundant, low cost energy in the range of 50-200 megawatts (MW).
- Must be within a 30-mile radius of the NY Power Authority's Niagara hydropower zone surrounding Niagara Falls to qualify for low cost hydropower in significant quantities to support large-scale technology and advanced manufacturing operations.
- Must be within a 60-minute drive of local and regional labor markets allowing targeted companies to attract qualified employees.

- Must be near available water and sewer infrastructure or have the ability to expand existing systems.
- Must have support of the local community

In addition to the site selection criteria listed above, it is preferable that the site be in a designated development area under Genesee County's Smart Growth Plan to encourage and support county-wide, community-based planning efforts that target the conservation of Genesee County's agricultural and natural resources.

Five individual sites including the Proposed Development were evaluated in Genesee County over a period of 15-to-18 months in 2006 and 2007. These sites were located in several towns across Genesee County, including: one (1) in the Town of Batavia; three (3) in the Town of Alabama (including the Proposed Alternative); and one (1) in the Town of Elba.

Site selection criteria represent the first level of evaluation for determining the availability of alternate sites as presented above. The following four sites in Genesee County were evaluated, but for varying reasons did not match the site selection criteria required to achieve the Project's basic and overall purpose.

Offsite Alternative 1 – Alabama Site A-1

Alabama Site A-1 is approximately 2,041 acres in size located on the northeast corner of State Route 77 and Judge Road (State Route 63). A portion of the site overlaps the Project Site between Route 77 and Crosby Road. Almost 250 acres of this site is currently owned by NYSDEC and managed for wildlife at the John White WMA. This site is primarily active agriculture with the exception of roads, residential development, wetlands and forested areas. Alabama Site A1 meets the basic size and topography requirements for STAMP. This alternative is also within the NYPA hydropower zone and in close proximity to a Genesee County Smart Growth Plan designated development area. However, this alternative was determined to be impracticable due to a lack of willingness on the part of key property owners to sell their property to the GCEDC for the project. Other factors that weighed against this alternative were the added development costs associated with internal roadway networks and power line extensions as well as potential impacts to strategic farmland.

Offsite Alternative 2 – Alabama Site A-2

Alabama Site A-2 is approximately 1,154 acres in size located on the southeast corner of State Route 77 and Judge Road (State Route 63). This 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. This site is adjacent to Genesee County's Smart Growth development area. Alabama Site A2 meets the basic size and topography requirements for STAMP. This alternative is also within the NYPA hydropower zone and in close proximity to a Genesee County Smart Growth Plan designated development area. However, this alternative was determined to be less viable than the Proposed Site due to challenges associated with land acquisition as well as potential impacts to strategic farmland. Other factors that weighed against this alternative were the added development costs associated

with internal roadway networks and power line extensions. From a natural resource impact perspective, comparing potential wetland impacts associated with the Proposed Site, potential natural resource impacts would be more significant including an impact to private land conservation areas protected with conservation easements through the Natural Resource Conservation Service.

Offsite Alternative 3 – Batavia Site

The Batavia Site is approximately 871 acres in size located at the southwest corner of State Route 98 and Batavia-Elba Townline Road. The site is primarily active agriculture with the exception of roads, residential development and a small amount of wetland and forest habitat. The Batavia Site is closer to key infrastructure (water, sewer and transportation networks) than other alternatives. However, this site was determined to be impracticable because it does not meet the basic size requirements for STAMP, it is not in the NYPA hydropower zone and key landowners were unwilling to sell necessary property to the GCEDC for the project. Other factors that weighed against this alternative were the significant added development costs associated with land values and power line extensions and the presence of strategic farmland.

Offsite Alternative 4 – Elba Site

The Elba Site is approximately 1,739 acres in size located at the northeast corner of State Route 98 and Batavia-Elba Townline Road. The site consists of active agriculture, wetlands, forest blocks and a drainage into Spring Creek which bisects the lower third of the site originating in a large mapped state and federal wetland located just outside of the site boundary. The Elba Site meets the basic size and topography requirements for STAMP. However, this alternative was determined to be impracticable due to its location outside of the NYPA hydropower zone as well as a lack of willingness on the part of key property owners to sell their property to the GCEDC for the project. Other factors that weighed against this alternative were the added development costs associated with power line extensions as well as potential impacts to strategic farmland. From a natural resource impact perspective, comparing potential wetland impacts associated with the Proposed Site, natural resource impacts at this alternative would be comparable to the Proposed Site.

6.1.1 No-Build Alternative

The No-Build alternative considers the future condition and use of the Project Site without construction of the Project. This existing conditions analysis establishes a baseline for comparison of the benefits, impacts, and potential mitigation measures necessary in the development alternatives.

The No-Build alternative would result in no foreseeable changes regarding the current ownership and use of the properties within the Project Site. Scattered residences would remain, and the agricultural lands would be farmed or lay fallow as they are at present, assuming that farm fields that are currently in use may lay fallow and be used again in another season. In terms of infrastructure, there is no indication that upgrades to the public roads within or adjacent to the Project Site would be made, nor upgrades to the water system, natural gas, electricity, or

broadband. In addition, there would be no need to establish a sewer system for the Town of Alabama.

The area within the Project boundary is currently zoned Agricultural-Residential (A-R) according to the Town of Alabama Zoning Law. By law, the current zoning allows for a significant amount of agricultural and residential development on the Project Site. The No-Build Alternative would not remove the Project Site from agricultural use, nor result in an impact to traffic, visual aesthetics, or wetlands. However, the No-Build Alternative will not provide the potential significant socioeconomic and public utility benefits to the Town of Alabama as that associated with the Preferred Alternative. The Project Site would remain undeveloped and consequently provide only a minimal contribution to the community tax base.

The majority of the Project Site is zoned Agricultural-Residential (A-R), with a parcel of approximately 93.8 acres currently zoned Land Conservation (westernmost portion of the John White WMA, west of NYS Route 77).

Existing parcels located within that portion zoned A-R could be subdivided and roads introduced on a lot-by-lot development basis. Lot sizes would be the minimum allowed as determined by the dates the individual lots were created. Lots created before June 1987 have 40,000 square foot minimum sizes with 100-150 foot minimum frontage required. Lots created after June 1987 have 40,000 square feet minimum sizes with 200-foot minimum frontage required. Thus, the Project Site capacity for residential development is approximately 950 lots.

Development of the 950 residential lots will likely require the introduction of Town-scale water and sewer systems to accommodate the large number of residences developed. In addition, a large number of public roads would need to be constructed to realize the residential development potential of particular existing parcels, based upon their locations, sizes, and configurations.

Throughout the community input process that has been conducted for the Project over the past several years, Town of Alabama elected officials and citizens have voiced considerable opposition to additional residential development in the town. The Town of Alabama wishes to retain its agrarian character while attracting complementary commercial uses, and does not wish to permit the widespread development of residential subdivisions within its boundary.

Development of significant residential subdivisions and structures would also eliminate the natural, open vistas characteristic of agriculturally-based communities. New houses would be easily viewed from existing public roads, and would line streets within the Project Site. The widespread installation of impervious surfaces and lawns would also create inordinate amounts of stormwater loading which would adversely impact local water resources.

Residential development consistent with the existing Town of Alabama zoning requirements would further result in a significant burden being placed on the Town of Alabama community services such as fire, police and ambulatory services. In addition, according to an August 2010 fact sheet published by the American Farmland Trust summarizing over 20 years of "Cost of Community Services (COCS)" studies, the median cost per dollar of revenue to provide public services to residential land use is \$1.16. This demonstrates that residential development is a net

cost to public resources. This net cost is not sustainable without some offsetting form of land use that can serve as a net income to public resources.

6.1.2 Cluster Residential Alternative

The Cluster Residential Alternative would be planned according to the Cluster Zoning provisions as permitted by the Town of Alabama Zoning Law. Natural areas and open space are the focus of cluster development, and residential lots are requisitely down-sized due to the amount of open space surrounding them (*i.e.*, minimum 25% of Project Site).

Development of the Project Site in a cluster scenario would likely require the introduction of Town-scale water and sewer systems to accommodate the closely-spaced residences. A large number of public roads would have to be constructed as well, since an interconnected network of streets would be required to develop the site in a dense manner as allowed under cluster zoning.

Again, throughout the community input process conducted for the Project over the past several years, Town of Alabama elected officials and citizens voiced significant opposition to additional residential development in the town.

Development of significant residential structures would also eliminate the natural, open vistas characteristic of agriculturally-based communities. New houses would be easily viewed from existing public roads, and would line streets within the cluster residential neighborhood. Furthermore, the cluster residential alternative would not ensure the preservation of open spaces, wetlands and water resources, as well as potential archeological resources.

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. Market studies show that widespread residential development results in an increased burden being placed on such services without a concomitant increase in a community's tax base to cover the expense of such additional demands. As with Section 6.1.2 above, according to an August 2010 fact sheet published by the American Farmland Trust summarizing over 20 years of "Cost of Community Services (COCS)" studies, the median cost per dollar of revenue to provide public services to residential land use is \$1.16. This demonstrates that residential development is a net cost to public resources. This net cost is not sustainable without some offsetting form of land use that can serve as a net income to public resources.

6.1.3 Preferred Alternative

The Preferred Alternative is the establishment of a high technology campus at the Project Site planned to accommodate over 6 million square feet of advanced technology manufacturing uses at full build-out, providing direct employment for over 9,000 people. Phase 1 is planned to attract an anchor 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.

In alignment with the Town of Alabama's wishes to create employment opportunities to retain local residents, the Preferred Alternative provides a number of new jobs during both 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 infrastructure to support the advanced manufacturing uses being developed. Extensions to the water system will augment those lines being contemplated by the Town of Alabama's on-going 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 parcels will be built over time as needed by 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. Larger technology manufacturing structures are located on the lower, western portion of the Project Site, while the smaller-scaled 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 work force 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, stormwater, 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 current Preferred Alternative. For example, the Preferred Alternative has resulted in a reduction of potential wetland impacts from approximately 69 acres to 9.54 acres. This reduction in wetlands impacts was accomplished by reorienting proposed development areas and buildings to be more consistent with existing terrain and by preserving and enhancing an existing stream corridor traversing the site. Moreover, the Preferred Alternative is designed to enhance and protect 97 acres of wetlands and approximately 24,000 linear feet of streams and upland buffer areas.

Other reductions in impacts evident in the Preferred Alternative 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 stormwater management system volumes,

The most significant revisions made to the Preferred Alternative include the removal of the John White WMA from within the Project Site boundary at this time; the relocation of the proposed Town of Alabama Town Hall closer to the Hamlet of Alabama, as well as Project buildings located near the Hamlet of Alabama being re-scaled in order to be more consistent with the existing character and nature of the Hamlet; and the refinement/clarification of the 400-foot buffer line around the Project Site perimeter, including the addition of tree plantings along the western Project Site boundary designed to augment existing forested areas in order to create a visual screen which will further reduce the potential visual impacts associated with the Project to

surrounding properties. The western-edge buffer provides an average of 1,600 feet of open space along the western boundary adjoining the Tonawanda Seneca Nation property.

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

The economic benefits associated with the Project will be substantial and are further summarized in Section 2.0 of this Findings Statement.

6.2 Geology and Topography

6.2.1 Discussion of Potential Impacts

To achieve the required design grades, site topography within the internal road grades will be slightly altered. Nevertheless, the Project Site's natural topography will be largely maintained and utilized in order to provide enhanced minimization of the potential visual impacts the Project may have on the surrounding properties.

It is further anticipated that grading both on and off the Project Site will be balanced such that the amount of cut is approximately equal to the amount of fill for any given component of the Project. Topography will thus not be significantly altered by this approach. Additionally, there will not be any significant bedrock removal resulting from construction activities. Moreover, there will not be any significant removal of surficial geologic materials resulting from the Project. Implementation of the Project will result in local redistribution of some surficial geologic deposits on the Project Site consistent with future grading plans.

Soils within the targeted development areas of the Project Site do not present any unusual or unanticipated conditions for construction activities. During all phases of construction, topsoil will be segregated and stored for landscaping around the developed areas.

Surficial soils will be affected by excavation and grading work done on the Project and within any potential off-site improvement areas. Native soils will be rearranged on the Project Site, and additional fill as needed will be brought to the Project Site to create a level surface for construction of buildings, roadways, and parking lots within the development areas. Potential impacts of soil resources may include removal of hydric soils in isolated wetlands and on- and off-site erosion and sedimentation that may potentially occur during and after construction.

6.2.2 Minimization and Mitigation Measures

During the future development of a Project-specific use, the following best management practices shall be implemented at the Project Site to avoid and minimize potential impacts to soils in adjacent undisturbed areas to the maximum extent practicable:

- Temporary erosion and sedimentation controls such as silt fences and hay bales will be installed at the perimeter of the construction area and around any wetland and other waters of the United States that are to remain undisturbed.
- Silt fences will be monitored regularly and reinforced with hay bales in areas where white water flow is observed to be concentrated.
- When feasible, excavated native soils will be used elsewhere on the Project Site for filling and berm construction where appropriate.
- Stockpiled soils will be maintained inside the construction area and may be encircled with silt fences needed.
- In wetland areas, the top 6 to 12 inches of hydric soils will be segregated and stockpiled. Once the construction activities are complete, the soils will be replaced in the original layer.
- Sediment traps will be constructed where necessary to impound storm water and allow for the settlement of suspended soils. Water will dissipate gradually from sediment traps to minimize the potential for erosion.
- Rip/rap aprons will be established at the outlets of all storm water pipes to dissipate the water's energy and minimize scour.
- Temporary erosion and sediment controls will be monitored regularly and required as needed. Erosion and sediment controls will be maintained until soils are stabilized.
- All disturbed areas on-site will be stabilized, seeded and mulched. Stabilization will include final grading and the placement of erosion controls as needed. The Natural Resource Conservation Service will be contacted before commencement of the Project to obtain recommendations on appropriate seed mixtures, soil amendments and mulch to be used on-site.

6.2.3 Findings

While it is impossible to construct facilities without alterations to soils, these impacts will be minimized and/or avoided to the maximum extent practicable with implementation of the mitigation measures set forth in Section 6.2.2 above. Furthermore, the potential impacts are greatly outweighed by the substantial socioeconomic benefits of the Project.

6.3 **Water Resources**

6.3.1 Discussion of Potential Impacts

The Project has been designed to avoid and/or minimize to the maximum extent possible adverse impacts to water resources, and although impacts will result from the Project, preservation of

large amounts of wetlands and other water resources have been provide which offset such impacts.

Aquatic resources on the Project Site were identified, evaluated, and considered throughout the design process. The first consideration was to determine if wetland and stream impacts could be avoided entirely. The second consideration was to minimize potential impacts in terms of both quantity and quality to the maximum extent practicable. The third consideration was to develop a mitigation strategy that would compensate for all unavoidable impacts.

Design iterations to the Project Site ultimately reduced potential wetland impacts from approximately 69 acres to 9.54 acres. In addition to reducing total acreage of impacts, wetland location and quality were taken into consideration. The wetlands potentially impacted are low-to-medium quality wetlands, some of which are isolated and not currently regulated. Wetlands potentially impacted by the Preferred Alternative are listed by wetland identification number, along with the community type, total size, potential impact acres, preliminary jurisdiction, and condition rating in Table 6-1 of the FGEIS. With the possible exception of development of a recreational trail in adjacent areas, no wetlands or adjacent areas likely to be regulated by the New York State Department of Environmental Conservation ("NYSDEC") under Article 24 of the Freshwater Wetland Act will be impacted.

A minimum buffer of 100 feet shall be established on either side of Whitney Creek to avoid impacts and allow for stream buffer enhancement opportunities. The second drainage corridor to the north of Whitney Creek (also referred to as Unnamed Stream No. 2) has also been preserved along with a proposed conservation buffer. The Project will require that the third drainage way (Unnamed Stream No. 1) be re-routed into the second corridor (Unnamed Stream No. 2) to accommodate flow and provide hydrology to enhance and restore wetlands and streams in the protected corridor.

A total of 24,304.89 linear feet of stream, ditches and drainage ways will be preserved and enhanced as a result of the Project. Approximately 9,595 linear feet of ditches and drainage ways will be impacted as a result of the development at the Project Site.

No groundwater will be withdrawn; excavations for buildings will not extend into the groundwater table; and no groundwater discharge is associated with the Project. In addition, stormwater management for each specific use shall be required to manage surface water flow and allow groundwater infiltration. Lastly, the storage of chemicals and petroleum shall be done in strict accordance with applicable state and federal regulations to ensure the avoidance of potential releases to groundwater and/or surface waters.

The Stormwater Management Preliminary Report attached as Appendix E to the DGEIS evaluated the Project to full building out and the impact that the development may have on the Project Site. At full build out, the Project translates to an increase in impervious service areas of approximately 490 acres as compared to existing conditions. Impervious services will be generally introduced in the forms of buildings, roads, and parking lots.

On the other hand, the Project will provide significant benefits to existing water resources including the enhancement and protection of approximately 97 acres of wetlands and 24,000

linear feet of streams and upland buffers, as well as offsite wetland stream and buffer mitigation in the southeastern portion of the Whitney Creek watershed, including wetland restoration, invasive species eradication/control, planting of native vegetation, establishment of forested stream buffers, and the creation of legal mechanisms for permanent control.

From a watershed perspective, preservation of existing, high-quality resources that secure connectivity between existing habitat and preservation areas is most important on the Project Site. Restoration of wetlands and stream buffers is a priority in the upper reaches of the watershed that is southeast of the Project Site where greater impacts to aquatic resources have already occurred. The mitigation strategies outlined below will yield the greatest benefit to the function of the watershed as a whole through protected enhancement of headwater streams, wetlands and stream buffers on-site and in the lower reaches, as well as restoration of wetlands and stream buffers in the highly fragmented upper reaches of the Whitney Creek watershed.

6.3.2 Minimization and Mitigation Measures

Surface water resources potentially impacted by the Project are avoided, minimized and/or mitigated to the maximum extent practicable. Design revisions made to the Project have significantly reduced potential wetland impacts from approximately 69 acres to 9.54 acres. In order to minimize and avoid impacts to surface water resources and allow for stream buffer enhancement opportunities, a minimum buffer of 100 feet shall be established on either side of Whitney Creek. In addition, the third drainage way (Unnamed Stream No. 1) shall be re-routed into the second corridor (Unnamed Stream No. 2) to accommodate flow and to provide hydrology for the enhancement and the restoration of wetlands and streams in the protected corridor.

Best management practices shall be employed in order to minimize impacts to streams in other waters within the Project Site during proposed construction, utility installation and transportation facilities. The following best management practices will be implemented:

- Work within streams and other waters of the U.S. shall be scheduled during periods of low flow conditions. No work shall be conducted during or immediately after storm events.
- Work within streams shall be conducted in one continuous operation. Stream beds and banks will be stabilized immediately following construction activities using rip-rap or mulching and revegetation techniques.
- Silt fence and/or straw bales shall be installed along the edges of the stream to prevent the flow of sediment into the stream and to minimize erosion of stream banks.
- Flume pipes or the dame and pump method will be used, as necessary, to divert water flow during construction activities.
- Spoil piles and construction debris shall be temporarily stored outside of the stream corridor.

- Equipment shall cross streams using temporary bridges. No streams shall be forded by construction equipment.
- Construction staging areas will be located at least 50 feet away from all streams, and storage of chemicals, washing or refueling equipment, and mixing of concrete shall be conducted more than 100 feet away from streams.

In addition to the implementation of the above-mentioned best management practices, all potential stream disturbance activities shall be completed in accordance with applicable NYSDEC requirements.

To offset the potential impacts to 9.54 acres of wetlands, approximately 97 acres of wetlands and 24,300 linear feet of stream and upland buffer surrounding wetlands and streams shall be enhanced, restored and protected in perpetuity on the Project Site. An additional appropriate amount of wetland, stream, and buffer habitat will be mitigated off site targeting the southeastern portion of the Whitney Creek watershed. Mitigation measures shall include restoration of wetlands that have been drained; enhancement of existing wetlands through invasive species eradication and control, including planting of native vegetation; establishment of forested stream buffers; and a legal mechanism for permanent protection of all mitigation areas.

All potential future impacts to wetlands shall be contingent upon the completion of a separate Joint Permit Application process, as needed, involving the U.S. Army Corps of Engineers, NYSDEC, and all other applicable regulatory agencies. Prior to the future development of any Project-specific site, this permit process will develop a final mitigation strategy to protect, restore and enhance aquatic resource functions and services.

New development within the proposed drainage catchment areas to be located at the Project Site shall require stormwater runoff mitigation, including the best management practices outlined above. All stormwater pond designs shall have a fore bay and permanent pool to treat water quality, and additional storage volume to handle water quantity. As the Project development proceeds, in addition to a main stormwater pond facility to be located in each catchment area, point source treatment practices shall be implemented as required in the pending NYSDEC New York State Stormwater Management Design Manual. Point source treatment practices shall include rain gardens for roof drainage, bioretention swales, and/or infiltration trenches for parking areas. Land buffers for these treatment practices have been incorporated into the Preferred Alternative.

6.3.3 Findings

The Project will result in an impact to 9.54 acres of low-to-medium quality wetlands. The impact to wetlands is mitigated by the protection of approximately 97 acres of wetlands and 24,300 linear feet of stream and upland buffer areas, as well as the creation of a 100-foot buffer zone surrounding Whitney Creek. Additional mitigation measures will be applied off-site targeting the Whitney Creek Watershed. These compensatory actions combined with implementation of the stormwater management best management practices and NYSDEC and U.S. Army Corps of Engineers' permitting requirements will ensure that potential impacts are avoided and/or mitigated to the maximum extent practicable.

6.4 Air Resources

6.4.1 Discussion of Potential Impacts

Based on the air screening analysis provided in the Traffic Impact Study attached as Appendix I to the DGEIS, an air quality analysis for mobile sources is not necessary for the Project, since it will not increase traffic volume, 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. The development of the Project will result in some increases in heavy vehicle traffic; however, the majority of the Project Site-generated traffic will be from employees who will travel to-and-from the Project Site using non-diesel vehicles. Therefore, based on the expected vehicle mix and the good level of service that will exist at signalized intersections after the development of the Project during the build conditions, particulate matter exceedances will not likely occur as a result of the Project.

Certain manufacturing to be conducted at the Project Site may require compliance with regulatory requirements as set forth by NYSDEC and the United States Environmental Protection Agency ("USEPA") pursuant to the Title V Facility Permit, State Facility Permit, and Air Facility Registration air programs. All manufacturing activities to be conducted at the Project will be subject (as applicable) to these permitting requirements. Nevertheless, each potential manufacturing facility located at the Project is anticipated to have actual emissions less than Major Source thresholds, and thus regulated under a State Facility Permit. Moreover, the construction of up to three (3) contiguous manufacturing facilities under common ownership is also expected to be covered under State Facility Permit programs. Taking into consideration the data provided within the Industry Requirements and Environmental, Health and Safety Impacts Report (attached as Appendix H to the DGEIS), construction of four (4) or more contiguous facilities under common ownership may result in a Major Source classification for certain air emissions subject to a Title V Permit.

Based upon the emissions data presented within the Industry Requirements and Environmental, Health and Safety Impacts Report, the estimated annual emissions (potential to emit) of regulated air pollutants from any single stationary source to be constructed within the Project Site is expected to be below the Major Source Threshold, (*i.e.*, less than 100 tons per year (TPY) of any single criteria pollutant) less than 10 TPY of a hazardous air pollutant and/or less than 25 TPY of combined hazardous air pollutants. Nevertheless, facilities seeking to locate at the Project Site will need to satisfy the requirements of NYSDEC's Air Guide-1 (as applicable) in addition to all other permitting requirements.

Temporary air quality impacts are likely to occur during the construction phases of the Project. These impacts will consist mainly of dust being generated, and would occur as existing vegetation was removed and soils were moved around for grading and construction purposes. These impacts will be temporary and minor since most of the dust generated will settle out within a short distance of the construction activities. Thus, generation will also be consistent with the existing conditions associated with nearby agricultural uses. Preserved open spaces surrounding development areas will help contain any dust generated during construction activities, and will serve to mitigate all potential impacts from occurring off site.

6.4.2 Minimization and Mitigation Measures

As discussed above, facilities seeking to locate at the Project Site shall comply with, as necessary, all of the requirements of the NYSDEC, USEPA and/or the New York State Department of Health pursuant to the Title V Facility Permit, State Facility Permit or Air Facility Registration programs, as well as NYSDEC's Air Guide-1 requirements.

6.4.3 Findings

GCEDC finds that potential impacts to air resources will be avoided, minimized and/or mitigated to the maximum extent practicable with implementation, as necessary, of the permitting requirements set forth in Section 6.4.1 above.

6.5 Terrestrial and Aquatic Ecology

6.5.1 Discussion of Potential Impacts

There are twelve (12) ecological community types present at the Project Site which are common and well established throughout their range, as are the majority of plant and wildlife species identified at the Project Site. Two (2) species observed at the Project Site that are currently listed as threatened in New York State (heartleaf plantain and least bittern) are located in areas that will be protected from impacts associated with the Project Site development.

The northern harrier (listed as threatened in New York State) was documented at the Project Site on March 16, 2010. A pair of northern harriers were observed flying low over hedgerow and open field habitats and then traveling west toward the Tonawanda Seneca National property. No active sites were found at the Project Site. Based on multiple negative reproduction call playback sessions and the absence of species during the remaining six-month investigation, it was determined that the Project Site is not used as a nesting location and thus the Project will not have an adverse impact on the species.

The horned lark is a species of special concern in New York State. No active sites were found, however, during the Project Site surveys. Nevertheless, it appears that the agricultural fields located at the Project Site are utilized by the horned lark. Agricultural fields are abundant in the vicinity of the Project Site, providing abundant habitat for any species displaced as a result of conversion of land use at the Project Site. Farmland protection is proposed as a key component of this Project, so no additional mitigation is required with respect to the horned lark species.

6.5.2 Minimization and Mitigation Measures

In order to avoid and/or minimize to the maximum extent practicable potential impacts to the terrestrial and aquatic ecologies, a long-term Land Management Plan shall be implemented at the Project Site throughout construction and following Project Site development. In addition to implementation of the Best Management Practices and the Stormwater Mitigation Measures identified in Section 6.3 of this Findings Statement, this Land Management Plan will mitigate potential impacts to wildlife habitat by maximizing ecological functions at the Project Site, to the

watershed, and to the surrounding landscape. The long-term Land Management Plan shall include the following criteria:

- Future development areas will be maintained in their current land use until development construction commences. Most of the Project Site acreage falling into this category are currently being farmed, and shall continue to be farmed using Best Management Practices until the lands are developed by specific Project uses.
- Approximately 640 acres of Project Site shall be maintained as open space/landscaped areas manage to provide greenspace and recreational areas within STAMP. These areas will generally be mowed on a regular basis or in the case of natural grasses, street trees and visual barriers and berms, trimmed to facilitate maintenance, public safety, and aesthetic environment. Wildlife plantings shall occur as needed and include such things as pollinator gardens, fruit producing shrubs, mast producing trees, and similar microhabitats.
- A diverse array of habitat types will be preserved and restored at the Project Site providing habitat for many different species of life. Approximately 174.2 acres of the Project Site will be set aside as conservation lands. These lands will include forested wetlands, emergent wetlands, streams in riparian areas, shrub wetlands, upland forests, shrub lands and small grass lands. Where feasible, individual patches of conservation land shall be connected to one another by conservation or open-space corridors; riparian areas will be reinforced; and compatible recreational opportunities will be encouraged and maintained.

Specific habitat management objectives will be written as the preservation and restoration activities described above are completed. Generally, forested areas will be preserved and no active management will take place. Some limited tree cutting may occur to protect public safety, such as when a potential falling tree may endanger users of the recreational trails. Tree plantings will occur in forested riparian restoration and enhancement areas.

All restoration activities shall be conducted using standard techniques and assessment methods. All plantings associates with restoration activities will be designed to provide habitat for a broad array of species with additional consideration given to species of conservation concern. Shrubland and grasslands will be maintained in an early successional state through the use of mechanical or chemical means. Mowing shall be generally preferred as a management tool.

6.5.3 Findings

Any potential impacts to terrestrial and aquatic ecologies shall be avoided and/or minimized to the maximum extent practicable by implementation of the Land Management Plan set forth in Section 6.5.2 above, as well as the Best Management Practices and the Stormwater Mitigation Measures discussed in Section 6.3 above. Potential impacts are outweighed by the socioeconomic and environmental benefits to be provided by the Project.

6.6 Technology Industry Health and Safety

6.6.1 Discussion of Potential Impacts

GCEDC intends to develop the Project Site to enable advanced technology and manufacturing operations in the following areas:

- Photovoltaic (PV) manufacturing
- Flat Panel Display (FPD) manufacturing (including medical imaging display (MID))
- Biopharmaceutical/Nanotechnology – enabled industries (Bio-Pharm/Nano)

These technologies are described in greater detail in the Industry Requirements and Environmental Health and Safety Impacts Report attached as Appendix A to the DGEIS. These manufacturing technologies are emergent, and may include a wide range of manufacturing activities, each with its own unique requirements for process chemistry. However, even though the specific chemical used within the facilities will vary, each facility will tend to utilize similar categories of chemicals and maintain similar health and safety best management practices.

The leaders of the technology manufacturing industry are pioneering new process chemistries and technologies in efforts to reduce the quantity of chemicals used per unit of production, as well as the toxicity of the chemicals utilized. There are many reasons why the industry leaders are so vigorously pursuing these efforts. First, process chemicals represent a significant portion of the manufacturing cost, and improvements which reduce the quantity of chemicals required will positively impact revenue. Second, substituting less hazardous materials when possible reduces the potential impacts associated with worker exposure or chemical release, and allows for simpler handling and management systems. Third, substituting or reducing quantities of chemicals may allow facilities to more easily comply with state and federal health, safety and environmental requirements. Thus, as a result of industry efforts, technology manufacturing has achieved an excellent health and safety record.

All three (3) of the advanced manufacturing technologies involve a variety of chemical substances, and will have associated Material Safety Data Sheets (MSDS) representing the specific chemicals to be used. MSDS will be made available to employees and agencies. Tables 6-11 through 6-16 of the DGEIS provide the estimated maximum annual chemical and component material consumption rates associated with the various potential manufacturing technologies to be located at the Project Site.

All three (3) of the manufacturing technologies will use similar commercially-proven engineering control systems to allow for the management of hazardous materials in a manner that is protective of human health and the environment. Hazardous process chemicals will be stored and/or used at several locations at a typical facility including outdoor areas; at chemical storage rooms; manufacturing process areas; and other indoor areas. The types and quantities of chemicals stored and used in each of these areas are documented in a Hazardous Materials Inventory Statement, which shall be provided to local fire and other emergency service agencies as part of all safety and emergency planning efforts for the Project.

Hazardous process chemicals will be typically delivered and stored and/or used in the following outdoor areas:

- 1) Bulk gas yard: The bulk gas yard will consist of steel tanks designed for storing cryogenic gases including argon, nitrogen, hydrogen, and oxygen. The tanks will be located within a fenced area on a concrete pad.
- 2) Emergency generator area: Emergency standby backup power shall be provided by several diesel emergency engine generators also located in an outdoor yard area. Each generator typically involves several thousand gallons of diesel fuel with secondary containment that consist of a rupture basin size for 125% of the primary storage tank. The storage and use of this volume diesel is regulated by the federal Spill Prevention Control and Countermeasure Rules and NYSDEC's regulations for the bulk storage of the petroleum and hazardous substances.
- 3) Bulk fuel oil storage area: Future industry tenants at the Project Site may also require bulk storage of fuel oil as a backup fuel supply for boiler systems.

Air pollution control systems including wet fume scrubbers to control acidic or alkaline vapors, ammonia or oxides of nitrogen, thermal oxidizers to control VOCs and bag houses or other filters to control particulates will be located at the Project Site as necessary. Bulk chemical storage may include raw assets or concentrated acid waste. These materials shall be stored in steel-lined tanks equipped with high level sensors and vented to pollution control systems. Chemical storage rooms will also be located in facilities to store hazardous chemicals typically delivered to essential chemical storage and distribution rooms through a dock facility.

Certain areas of the manufacturing process may also rely on bulk chemical delivery systems as opposed to container (*i.e.*, totes, 55-gallon drums, and bottles) transport and delivery of chemicals. From the chemical storage rooms, bulk chemicals are pumped to the process areas through chemically resistant tubing inside clear secondary containment PVC piping. Secondary containment piping shall be equipped with low point drains and leak detection.

6.6.2 Minimization and Mitigation Measures

A wide variety of environmental and health and safety laws and regulations shall guide the design, construction, and operation of the advanced technology manufacturing facilities to be located at the Project Site. All future manufacturing activities to be conducted at the Project Site shall be subject to the appropriate NYSDEC regulations including those requirements set forth in the Hazardous Substance Bulk Storage Program (6 N.Y.C.R.R. Parts 595-599) and Petroleum Bulk Storage Program (6 N.Y.C.R.R. Parts 612-614). In addition, all hazardous materials transferred to and from the Project Site shall only be transported in Department of Transportation-approved containers by licensed transporters.

The storage and use of any petroleum and hazardous substances at the Project Site shall be subject to the federal Spill Prevention Control and Countermeasure ("SPCC") rules. Facility system design and daily operations at the Project Site shall also comply with all applicable

Uniform Fire and Building Codes and a site-specific Hazardous Material Management Plan shall be prepared and submitted to the Town of Alabama Fire Department for approval prior to the issuance of any Certificates of Occupancy. All employees handling hazardous materials or wastes will be appropriately trained in accordance with applicable Occupational Safety and Health Act (OSHA) and Resource Conservation and Recovery Act (RCRA) regulations.

Multiple environmental health and safety programs shall be implemented at the Project Site in order to comply with the applicable provisions of the Town of Alabama Zoning Law, RCRA, New York State Department of Labor regulations, the Emergency Planning and Community Right-to-Know Act, and OSHA regulations.

Hazardous process chemicals shall not be stored at any locations at the Project Site without the user of such chemicals first providing a Hazardous Materials Inventory Statement to the Town of Alabama Fire Department and other local emergency services agencies as part of a comprehensive safety emergency planning effort for the Project. All hazardous materials management practices and engineering controls for the advanced technology and manufacturing facilities to be located at the Project Site shall also be managed consistent with the requirements set forth in Section 6.5.1 of the DGEIS. Lastly, all nanotechnology manufacturing facilities to be located at the Project Site shall comply at all times with applicable USEPA, OSHA and National Institute for Occupational Safety and Health (NIOSH) requirements (as applicable).

6.6.3 Findings

As a result of the substantial self-policing efforts of the technology manufacturing industry, and with the mandated compliance described in Section 6.6.2 above to all applicable local, federal and state regulatory programs, any potential environmental and health and safety impacts will be avoided and/or minimized to the maximum extent practicable. GCEDC thus determines that potential impacts will be minimized and/or avoided to the maximum extent practicable by incorporating, as mitigation measures, compliance with the regulatory requirements identified herein, as applicable.

6.7 **Traffic and Transportation**

6.7.1 Discussion of Potential Impacts

GCEDC conducted a Traffic Impact Study (attached as Appendix I to the DGEIS) to review and analyze the potential impacts to existing traffic conditions from Phase 1, 70% of full build-out, and full build-out developments of the Project. The Project shall be constructed in phases over a 20-year planning horizon, with threshold analyses for Phase 1 (1,000,000 square-feet of floor space) and 70% of full build-out the Project Site's trip generation, so that additional evaluations can facilitate the phasing of transportation improvements.

The Project Site is bounded by three (3) roads, with New York Route 77 to the north; New York Route 77/63 Overlap to the east; and Judge Road to the south. A fourth road, Crosby Road, extends north/south through the Project Site. The following study intersections were reviewed and analyzed in the Traffic Impact Study:

- New York Route 63/New York Route 31/New York Route 31A
- New York Route 63/Blair Road/Main Street
- New York Route 77/New York Route 63/Lewiston Road
- New York Route 77/63 Overlap-Ham Road
- New York Route 77/New York Route 63/Judge Road
- New York Route 77/Bloomingtondale Road
- New York Route 77/Ledge Road
- New York Route 77/Akron Road
- New York Route 77/I-90 Exit 48A
- New York Route 77/New York Route 5
- New York Route 77/Royalton Center Road
- New York Route 98/Lockport Road
- New York Route 63/Lewiston Road/Park Avenue

Intersection turning movement traffic counts were conducted at the Project Site area intersections during February 2010 and during November 2010. The traffic counts were done during the AM commuter peak from 7:00 to 9:00 a.m. and during the PM commuter peak from 4:00 to 6:00 p.m. A review of the seasonal variations of traffic in the area indicated that there were generally higher traffic volumes during the summer months due primarily to the Project Site's proximity to recreation centers such as the Darien Lake Amusement Park located south on New York Route 77-63. Therefore, the AM and PM peak hour turning movement counts conducted in February and November were factored to represent average August conditions. The resulting peak hour traffic volumes formed the basis of all traffic forecasts.

An automatic traffic recorder (ATR) was installed by the New York State Department of Transportation ("NYSDOT") on NY Route 77 just south of the NY Route 77/NY Route 63/Judge Road intersection to record hourly traffic volumes from August 10, 2010 through August 18, 2010. The following observations are evident based on the existing traffic volume data:

1. The AM peak hour generally occurs from 7:00 to 8:00 a.m. while the PM peak hour generally occurs from 4:00 to 5:00 p.m.
2. The two-way traffic volume on NY Route 77 adjacent to the Project Site is approximately 150 vehicles during the AM peak hour and 200 vehicles during the PM peak hour. The two-way traffic volume on the NY Route 77/63 Overlap adjacent to the Project Site is approximately 360 vehicles during the AM peak hour and 530 vehicles during the PM peak hour. The two-way traffic volume on Judge Road adjacent to the Project Site is approximately 45 vehicles during the AM peak hour and 105 vehicles during the PM peak hour.
3. Heavy vehicle percentages on the NY Route 77/63 Overlap generally range from 5% to 13% by approach during the AM and PM peak hours. Buses account for less than 1% of the traffic.

Regional transit service available in the Project's vicinity is provided by B-Line – Batavia Bus Service (BBS), which is an operating subsidiary of the Rochester Genesee Regional Transit Authority (RGRTA). BBS provides curb-to-curb service within Genesee County; however, service is limited to three days per week with each day restricted to a specific regional area.

The typical AM and PM commuter hours represent the most conservative, "worst case" time periods to calculate potential Project-generated traffic. The trip generation evaluation contained in the Traffic Impact Study indicates that Phase 1 of the Project will generate 403 and 402 new AM and PM peak hour trips, respectively, while full build-out of the Project (assumed in Year 2035) will generate approximately 2,034 and 2,749 new AM and PM peak hour trips, respectively. The 70% threshold will generate 1,424 and 1,924 new AM and PM peak hour trips.

6.7.2 Minimization and Mitigation Measures

Various improvements have been identified to mitigate to the maximum extent practicable the Project's potential impact to existing traffic patterns and flows. It is noted that the improvements typically include traffic signals and turn lanes at intersections. Based on conversations with NYSDOT, alternative traffic controls, such as roundabouts, shall be considered, and the intersections shall be monitored to determine when the improvements should be installed.

Access to the Project Site shall be provided through Crosby Road during Phase 1. It is recommended that a right-turn lane be constructed on the east bound 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 Phase 1 of the Project's development.

After Phase 1, and before the 70% threshold for Project build-out is reached, it is recommended that a bypass road be constructed through the Project Site from NY Route 77/63 Overlap just north of Ham Road to NY Route 77 at the existing location of the intersection of Crosby Road. This connector road will provide access to the Project Site, and will allow through traffic on NY Route 77 to bypass the Hamlet of Alabama, reducing potential traffic impacts in the Hamlet of Alabama. Designating the bypass road as Route 77 and de-designating existing NY Route 77 through the Hamlet of Alabama will be considered. In addition to the connector road, several new site driveways shall be constructed as needed and in correlation to the phased development of the Project Site. These site access improvements include: two (2) driveways on NY Route 77; two (2) driveways on Judge Road; and two (2) driveways on NY Route 77/63 Overlap (in addition to the bypass road curb cuts).

Traffic capacity improvements shall be completed (as needed) at several off-site intersections including:

- NY Route 77/NY Route 63/Judge Road
- NY Route 77/Bloomingdale Road
- NY Route 77/Ledge Road
- NY Route 77/Akron Road
- NY Route 77/I-90 Exit 48A

The actual timing and necessity of these improvements will be confirmed after completion of Phase 1 development and subject to the review and approval of NYSDOT.

The full build-out analysis of the Preferred Alternative indicates that a majority of the study area intersections will continue to operate adequately. A two-lane capacity analysis of NY Route 77 shows that only the Judge Road to Bloomingdale Road segment may become congested during full build-out conditions. Since additional mitigation above and beyond the improvements identified for the 70% threshold may be necessary to provide adequate operations at a few locations, a supplemental traffic analysis shall be conducted after the 70% threshold is reached or when the Project Site generates 1,925 trips during the PM peak hour. The supplemental analysis shall focus on the intersections below:

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

There are a number of potential level-of-service (LOS) degradations (increases in delay at area intersections) that may result from the full build out of the Project and, in order to view those potential impacts in a conservative manner, are being considered potential unavoidable impacts associated with the Project Site's traffic generation. Nevertheless, with implementation of the proposed traffic improvements set forth in the Traffic Impact Study, these potential impacts will be mitigated to the maximum extent practicable.

Based on coordination with the N.Y. State Thruway Authority and evaluation of the available capacity at the I-90 Exit 48A Interchange, as well as queuing at the adjacent signal, the Interchange appears capable of accommodating the build-out of the Project by managing the existing lanes, constructing an additional toll lane, or through an employer incentive that encourages EZ-Pass use.

In sum, the analysis set forth in the Traffic Impact Study shows that the proposed improvements for the Project will provide adequate operations at the study area intersections and on the existing road network for the levels of traffic anticipated.

6.7.3 Findings

Although the Project will have a significant impact on existing traffic and transportation patterns and flows, upon implementation of the mitigation measures identified in Section 6.7.2 above, GCEDC has determined that traffic and transportation impacts from the Project will be mitigated to the maximum extent practicable. Moreover, the potential impacts on traffic are outweighed by the significant social and economic benefits to be provided by the Project.

To ensure that at full build out, no additional potential traffic impacts result from the Project that are not anticipated at the time of this Findings Statement, a supplemental traffic analysis shall be conducted before additional development occurs beyond the 70% threshold. Moreover, in order to take a conservative view of the potential impacts, the number of potential level-of-service (LOS) degradations that may result from the Project are being considered potential unavoidable

impacts. Nevertheless, these impacts are again outweighed by the potential significant socioeconomic benefits resulting from the Project.

6.8 Land Use and Zoning

6.8.1 Discussion of Potential Impacts

The pattern of land use in the area surrounding the Project Site will be altered through the full build-out of the Project. The Project Site and surrounding areas largely consist of agricultural lands, recreational open spaces and a limited amount of large lot residential development. The southeast/west corner adjoining the Project Site is part of the John White WMA and the Tonawanda Seneca Nation property borders the Project Site to the west. The Project proposes modern-high technology manufacturing and ancillary uses utilizing less than 49% of the 1,243.40 acres comprising the Project Site. The majority of the remaining acreage at the Project Site will be preserved for open space and the protection of environmentally sensitive resources.

Implementation of the Project will alter the pattern of existing land uses, transforming primarily open space and subprime agricultural land into a modern, advanced technology campus. However, the existing zoning ordinances do not accommodate the development of the Project. The majority of the Project Site is zoned A-R (Agricultural-Residential).

6.8.2 Minimization and Mitigation Measures

In order to accommodate the Project, GCEDC is proposing that the Town of Alabama consider implementing the following three (3) land use measures to minimize potential impacts the Project may have on existing land uses and zoning-planning goals:

- Implementation of an Incentive Zoning Agreement pursuant to which GCEDC, in exchange for providing certain public amenities to the Town (which will inure to the benefit of the community as a whole), will receive a re-zoning of the Project Site into a newly-created Technology Zoning District in order to address the Project's unique needs.
- Amending the Comprehensive Plan for the Town of Alabama to provide for the development of the Project consistent with the other planning goals of the Town and Village, but accepting the vision of the Project's goal of developing a world-class high technology manufacturing center with a focus on renewable energy.
- Considering the adoption of one or more of the strategies found in the Farmland Protection Strategies Report ("FPSR") for the Town of Alabama, New York, which has been prepared with the goal of describing and consolidating the potential strategies for the Town of Alabama to evaluate and consider in preserving farmland. FPSR is provided as one of the proposed mitigation measures for the potential loss of farmland associated with the development of the Project Site.

- Amendment of the Genesee County Smart Growth Plan to include the Project Site within the Hamlet of Alabama Smart Growth development area.

GCEDC has submitted an Incentive Zoning application to the Town of Alabama in furtherance of the potential mitigation measures stated above, and in particular to request that the Town create a special Technology Zoning District for the Project which will govern all development at the Project Site. The Technology Zoning District will be divided into three (3) subdistricts:

- Technology District 3 – TD3 will include the northeast corner of the Project and, which is in close proximity to the hamlet of Alabama’s commercial/residential corridor, shall be limited to smaller buildings which would accommodate retail and professional office-related uses.
- Technology District 2 – TD2 will allow all uses permitted within TD3 plus light industrial uses, warehousing and distribution, community and cultural facilities, and technology demonstration facilities.
- Technology District 1 – TD1 will allow all uses permitted within TD2 and TD3 plus large scale advanced technology use, research, development, demonstration, and manufacturing.

The Technology Zoning District is designed to mitigate off-site impacts potentially associated with the development of the Project Site. The layout of the Technology Zoning District maximizes the benefits of the Project Site layout and incorporates smart design techniques to minimize the potential impacts of the Project. The proposed Technology Zoning District shall also include a 300-foot buffer of open space along any district lot line abutting a Residential (R) or Agricultural-Residential (A-R) 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. Lastly (again, with the exception of areas zoned TD3), a 100-foot buffer of land around the perimeter of the Project Site that is being zoned TD1 or TD2 (but remained zoned A-R or R) shall be retained as an additional open space buffer. Fencing, signs, landscaping, roads, access drives, utilities and utility-related uses shall be permitted within all open spaces and buffers retained at the Project Site.

In exchange for granting the zoning incentives set forth in the proposed Technology Zoning District, GCEDC (or its affiliate) may provide certain amenities identified as priorities by the Town of Alabama, which may include providing potable water, funding and acquiring real property nearer to the Hamlet of Alabama for a new town hall, and assisting and delivering broadband services to the Town.

6.8.3 Findings

The pattern of land use will be altered by the Project. GCEDC has determined, however, that the following actions will minimize and/or mitigate potential impacts on land use and zoning to the maximum extent possible:

- Implementation of an Incentive Zoning Agreement with the Town of Alabama;

- Creation of the new Technology Zoning District;
- Amendment of the Town of Alabama's Comprehensive Plan and the Genesee County Smart Growth Plan to provide for the development of the Project consistent with the planning goals of Genesee County, the Town of Alabama and the Village of Oakfield, but accepting the vision of the Project's goal of developing a world class high technology manufacturing center; and/or
- Implementation of one or more strategies in the FPSR for the Town of Alabama, New York.

The Project's potential impacts on existing land use and zoning will be minimized and/or mitigated to the maximum extent practicable. Moreover, the impacts to land use and zoning shall be outweighed by the potential significant economic benefits associated with the Project.

6.9 Utilities

The Project Site will be served by or have access to all major utility facilities, including water, sewer, electric, natural gas and telecommunications. While the provision of water and sewer is administered by public authorities, all other utility services are provided by private companies.

6.9.1 Discussion of Potential Impacts

Water Services

The Water Service Preliminary Report, attached as Appendix N to the DGEIS, evaluates the necessary improvements required to supply the required water services to the Project Site. The analysis considers two (2) construction phases – Phase 1 and full build out scenarios. Phase 1 anticipates an assumed building development of 1.0 million square feet with a water demand of 1.0 million gallons per day (“gpd”).

The availability of water resources and large diameter water mains is limited in the vicinity of the Project Site. Therefore, providing the high water demand necessary for the Project Site will require the development of a network with multiple water resources, rather than one or two simple high volume connections. Several alternatives were considered to provide a water service system that would meet the needs of the Project while minimizing the impact to existing water supply systems. The alternatives consist of providing a supply system including new water mains and connections to existing water mains in the surrounding area, as well as on-site storage tanks.

A phased network approach will be required to satisfy the water supply needs of the Project Site while maintaining the current levels of water service to the various communities. The most practical sources of supply appear are located to the south and west of the Project Site in the Town of Pembroke and Village of Oakfield, and through Genesee County. A Phase 1 water project consisting of the construction of a Route 77 water main with a Pembroke connection, and a Route 63 and South Pearl Road water main project, will be required to meet the demand for the Phase 1 development of the Project. The construction of an on-site water storage tank would provide the required on-site storage for fire flow and peak demands associated with Phase 1 of

the Project. The estimated total capital cost of the Phase 1 water project is approximately \$17,247,000.00.

The Town of Alabama and Village of Oakfield are planning water projects that are similar to the ones described above. If these municipal projects are completed in advance of the Project Site and the proposed water main materials and sizes were upgraded, the total capital cost associated with Phase 1 of the Project Site development may be reduced to \$14,484,000.00

In addition to the required alternatives constructed for Phase 1 of the Project's development, additional improvements will be required to service the full build out of the Project Site. Construction of a Maple Street and Galloway Road water main would be required for the full build-out water system. To provide the anticipated 3.0 million gpd to the Project Site at full build-out, significant upgrades will also be required to the Genesee County, Monroe County Water Authority and Erie County water systems. The estimated total capital cost of the full build-out expansion for the Project is \$21,405,000.

Wastewater Facilities

The Sewer Service & Wastewater Treatment Facility Preliminary Report, attached as Appendix O to the DGEIS, was prepared to evaluate the necessary improvements required to provide sanitary service to the Project Site. STAMP will generate a combination of conventional domestic wastewater and wastewater from the manufacturing process and process support systems. The preliminary report evaluates several alternatives to provide sanitary service to the Project, considering the two (2): Phase 1 and full build-out. The sewer demand for Phase 1 is estimated to be 1.0 million gpd. The initial construction of the Project Site would include a wastewater treatment facility and infrastructure to convey and treat this volume of flow. For the full build-out scenario, a sewer design demand of 3.0 million gpd was evaluated. This phase will include upgrades to the wastewater treatment facility and infrastructure previously constructed under the Phase 1 development portion of the Project, as well as new infrastructure to meet anticipated demand.

The location and construction of a wastewater treatment facility on the Project Site is the most economical and feasible approach for addressing wastewater treatment resulting from the Project. The construction of an on-site wastewater treatment facility eliminates the need for long sewer forced mains filled with untreated sewage; allows flexibility to upgrade the wastewater treatment facility easily since its incorporated into the Preferred Alternative; has the lowest estimated capital costs; eliminates the needs for off-site land acquisition; and allows for feasible permitting for the wastewater treatment facility.

The on-site wastewater treatment facility to be constructed within the Project Site would include a discharge of treated wastewater to the Whitney Creek pursuant to a State Pollutant Discharge Elimination System ("SPDES") permit issued by the NYSDEC. A SPDES permit establishes stringent performance standards and operating conditions that are designed to protect the State of New York's waters including Whitney Creek. The SPDES permit shall incorporate water quality standards, sampling analysis, and reporting requirements as established by NYSDEC. The sewer service for the Project will also require permitting from the New York State Department of Health, as well as the County of Genesee and the Town of Alabama (if applicable). Based on

initial discussions with the NYSDEC, a discharge to Whitney Creek is feasible based on volume and concentration levels for a regulated Intermittent Stream.

Electrical Power

Anticipated electrical loading requirement for the Project is 185 megawatts. National Grid completed a review of system impact of low connection for the Project Site which evaluated the ability of National Grid's Genesee Regional Power Structure to provide the megawatt load-age on a five-year horizon for the Project. National Grid considers the findings and analysis contained in its report to be confidential information, and for both proprietary and security reasons, cannot be disclosed publicly. Nevertheless, several of the levels for the Project Site were considered by National Grid. It was concluded that a 9 megawatt load without reactive compensation or a 30 megawatt load with reactive compensation could be supplied at the Project Site without thermal voltage problems developing for the existing system.

Natural Gas

Estimated annual consumption of natural gas for the combined facilities to be located at the Project is 2,700 MMCF according to the Gas Service Analysis provided as Appendix P to the DGEIS. The proposed gas distribution plan set forth in the Gas Service Analysis contains the main components necessary to satisfy the Project's ultimate service requirements in consideration of the operation's parameters for the existing gas distribution system. The nearest natural gas distribution line is located the distance of approximately five (5) miles from the Project Site, near the intersection of Judge Road and Lewiston Road on the northwest side of the Village of Oakfield. Once the gas main extends the boundary of the Project Site, the available gas pressure will be in the range of 30-80 PSIG.

Telecommunications

The Genesee County website indicates existing fiber optic lines running close to the Project Site in two (2) locations. One line is located at the Lewiston Road-Route 77/63 intersection near the northeast corner of the Project Site, and the other is located at the Judge Road-Route 77/63 intersection near the southeast corner of the Project Site.

6.9.2 Minimization and Mitigation Measures

The following measure shall be implemented as part of the development of the Project Site in order to minimize potential impacts to existing utility resources to the maximum extent practicable:

- a. The improvements determined to be necessary for the Project Site as outlined in the Water Service Preliminary Report attached as Appendix N to the DGEIS shall be implemented (as necessary and applicable) on a going-forward basis as part of the Phase 1 and full build-out development phases of the Project in conformance with any and all applicable requirements of the Counties of Genesee and Erie, the Monroe County Water Authority, the Town of Alabama, and the Village of Oakfield.

- b. Implementation of the recommendations set forth in the Sewer Service and Wastewater Treatment Facility Preliminary Report set forth in Appendix O of the DGEIS shall be implemented (as necessary and applicable) as part of the Phase 1 and full build-out developments of the Project. The construction of an on-site wastewater treatment facility shall be completed with an anticipated discharge to Whitney Creek subject to any and all applicable permitting requirements set forth by NYSDEC and, as applicable, the County of Genesee, and the Town of Alabama. Discharge from the wastewater treatment facility to Whitney Creek shall be subject to any and all applicable Intermittent Stream requirements as established by NYSDEC.
- c. Provision of electrical power to the Project Site shall be completed in conjunction with the recommendations set forth by National Grid and subject to the review and approval (as applicable) by National Grid, Rochester Gas and Electric, the New York Power Authority, and the New York Independent System Operator.
- d. Gas services required for the Project Site shall be completed pursuant to the Proposed Gas Distribution Plan set forth in the Gas Service Analysis attached as Appendix P to the DGEIS. Based on the projected needs of the Project, ample gas pressure will be supplied for future uses at the Project without presenting a potential significant adverse impact to existing natural gas resources.

6.9.3 Findings

Upon implementation of the measures identified in Section 6.9.2 above, GCEDC has determined that Project impacts to existing utility resources will be mitigated to the maximum extent practicable.

6.10 **Community Facilities**

6.10.1 Discussion of Potential Impacts

Development of the Project will have an impact on the existing level of emergency response services provided in the Town of Alabama. Additional resources required to provide police services at the Project Site, however, are expected to be insignificant. Periodic patrols of the Project Site may be required, and those efforts will be coordinated between the Genesee County Sheriff's Office and the New York State Police. The larger entities located at the Project Site will typically provide internal security personnel, so routine police patrols will be able to focus on the Project Site's public access areas such as roads and recreational assistance.

With respect to fire and ambulatory services, technology manufacturing companies that will locate at the Project Site will organize and maintain their own internal fire response capabilities. These systems will be fully coordinated with the emergency response providers for the Town of Alabama, Genesee County and the State of New York. The type of incidents requiring response from public fire protection agencies will be similar to those currently maintained by those agencies. Effective responses to the Project Site will necessitate that the technology manufacturing facilities themselves provide training to local responders so that site-specific and chemical-specific knowledge is conveyed to the responders. Depending on the specific needs of

the actual facilities located in the Project, it is possible that additional resources and/or training may be required.

Approximately 54,000 tons per year of solid waste and 3,000 tons per year of hazardous waste are estimated at the peak generation during full build-out of the Project. This amount of solid waste can be readily managed by the existing private contractors operating in the region without the specific need for any additional waste management facilities.

Potential impacts to educational facilities are both direct and indirect. Direct impacts occur during construction and operations. However, due to the absence of school buildings in the Project study area and the remote location of the Oakfield-Alabama Central School District building to the Project Site, no adverse impacts are expected on any educational facilities during construction or operation. With regard to indirect impacts, educational facilities in the area are expected to benefit financially from the development of the Project. As noted in the Economic Impact Analysis provided as Appendix S to the DGEIS, increase in enrollments related to STAMP will be more than offset by potential increased tax revenues.

Moreover, the removal of the John White WMA from the Project Site at this time, coupled with the enhanced 500-foot buffer to exist between the Project Site and the John White WMA, avoids previous impacts reviewed in the DGEIS.

With respect to court services, the activities at the Project Site will be largely manufacturing-related subject to strict compliance with local, state and federal requirements. As a result, there will not be zoning related matters that may arise before the local court.

6.10.2 Minimization and Mitigation Measures

With the removal of the John White WMA at this time from the Project Site, potential impacts to public lands and recreational facilities have been further minimized. Furthermore, potential impacts to the existing waste management, highway maintenance, and court services provided in the community will be mitigated to the maximum extent practicable.

With respect to the potential impacts to the existing educational facilities, GCEDC finds that the Project may have a significant benefit to the educational facilities existing in the community as a result of the potential increased tax revenues generated by the Project. Furthermore, new advances in high tech manufacturing companies locating at STAMP will likely strengthen science, math and technology programs in the schools serving the community.

Depending on the specific needs of actual facilities that may locate at the Project Site, it is possible that additional fire and ambulatory resources and/or training may be required. In order to prepare for that possibility, a preliminary study to determine the existing baseline levels of emergency services currently provided by the Town of Alabama Fire Department, the Genesee County Emergency Services, and the Genesee County Sheriff's Department shall be completed. In addition, a facility-specific emergency services impact study shall be prepared for each actual technology manufacturing facility to be located at the Project Site and submitted to an informal committee composed of local and county emergency response representatives to review and

provide input on such studies Each study will identify mitigation measures that may be required for the following factors:

- Potential for increase in police calls
- Potential for increase in court services
- Potential for increase in EMS calls
- Potential for increase in motor vehicle accident calls
- Potential for increase in hazardous materials calls
- Potential for increase in fire calls
- Potential need for fire apparatus
- Potential incentives to attract additional volunteers for the fire department

6.10.3 Findings

In order to ensure that emergency service responders are adequately prepared for the potential unique needs of a future use, a facility-specific emergency services impact study (as described above in Section 6.10.2) shall be prepared for each actual technology manufacturing facility to be located at the Project Site and submitted to an informal committee composed of local and county emergency response representatives to review and provide input on such studies. Moreover, to ensure the adequacy of these future studies, a baseline study shall be completed to determine the current baseline levels of services provided by local and county emergency service providers. With implementation of these mitigation measures, GCEDC determines that potential impacts to community services based on a future specific use shall be minimized and/or avoided to the maximum extent practicable.

6.11 **Community Character And Demographics**

6.11.1 Discussion of Potential Impacts

The Project has been designed in a low density campus setting, meaning that development is respectful of and complements its natural landscape. Landscape buffers shall surround the Project along property lines shared with the existing houses, roads and the Hamlet of Alabama in order to maintain existing view sheds as well as the rural character of the area surrounding the Project. In addition, the ridge line that runs the existing Hamlet of Alabama will remain undeveloped to provide a visual separation between the hamlet and the Project.

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 scaled transition to neighboring farmland. The eastern portion of the Project Site will also be scaled to mirror the aesthetics of the Hamlet of Alabama. Both the undeveloped buffer zones to be located around the Project Site's perimeter and the campus-like setting of the Preferred Alternative shall ensure that open spaces and environmentally sensitive locations are maintained. A 400-foot perimeter will be maintained around the perimeter of the Project Site, expanded to an

average of 1,600 feet along the western boundary adjoining the Tonawanda Seneca Nation property. Lastly, a minimum 500-foot buffer will be maintained along the Project Site's boundary adjoining the John White WMA.

The Preferred Alternative has been designed to integrate the manufacturing facilities into the existing community fabric. In addition, the following specific design measures have been integrated to minimize Project visibility:

- Cutting of trees and hedgerows shall be avoided to the maximum extent practicable.
- All trees on the Project Site shall be protected from disturbance to the maximum extent practicable to ensure the Project Site retains its rural character.
- All buildings shall be landscaped with indigenous plants adapted to the conditions found in the surrounding area.
- All exterior lighting shall be minimized and focused downward to the maximum extent practicable to avoid excessive night time light and glow about the Project Site.
- All exterior lighting shall be minimized and focused downward to the maximum extent practicable to avoid excessive night time light and glow above the Project Site.
- The design of specific buildings, structures, signs and general streetscape, in addition to building materials, shall be high quality and chosen to reflect a rural-agricultural vernacular of the surrounding area.

Potential impacts during construction and operation of the Project to noise have been assessed according to NYSDEC guidelines. The Town of Alabama does not have a noise control ordinance that applies to STAMP. NYSDEC's published guidance "Assessing and Mitigating Noise Impacts" (NYSDEC, 2001) establishes a basis to assess the Project's potential for those impacts.

Taking the NYSDEC guidelines into consideration, the Project will limit noise at the STAMP boundary to an L_{EQ} of 65 dBA during the day and 45 dBA at night. NYSDEC guidelines state that noise sources should not increase levels above 65 dBA in non-industrial areas. The proposed Project property line requirement of 65 dBA during the day and 45 dBA at night will ensure that the 65 dBA level referenced by NYSDEC for non-industrial areas is not exceeded. The resulting maximum Project level of 65 dBA generally does not exceed maximum existing average baseline noise levels documented within the vicinity of the Project, which range from 63 dBA to 73 dBA.

Implementation of the Project has the potential to improve local and regional economics significantly. The creation of over 9,000 direct new high salary manufacturing related jobs at STAMP are expected to have a substantial positive effect on local and regional socioeconomic indicators, such as educational levels and per capita personnel and household incomes, compared

to the existing baseline demographic statistics and trends presented in Section 6.10.1 of the DGEIS. Other related socioeconomic indicators such as industrial employment, percentage of working age population employed, and a population age distribution which reflects better retention of working age young adults shall also be expected to exhibit substantial improvement over present socioeconomic measures.

By creating quality jobs focused on high technology advanced manufacturing and ancillary development, the Project will improve the demographic conditions of the local and regional communities. STAMP is designed to reverse the exodus of young college graduates in the 20-34 year old age range from the Genesee County community and western New York region serving to stabilize the demographic distribution and to retain intellectual capital produced locally, while maintaining the rural agricultural aesthetic of the Town of Alabama.

6.11.2 Minimization and Mitigation Measures

The existing Project, as designed, mitigates to the maximum extent practicable potential impacts to community character and demographics. At full build-out, STAMP will provide a substantial positive impact on local and regional socioeconomic indicators, as well as help reverse the exodus of young college graduates from the Genesee County community and western New York region serving to stabilize the demographic distribution.

6.11.3 Findings

GCEDC has determined that as currently designed, the Project is respectful of the community's current aesthetic, and thus adverse impacts to existing community character and demographics have been mitigated to the maximum extent practicable. Moreover, the Project has the potential to provide significant socioeconomic benefits including reversing the exodus of young college graduates from the Genesee County community and Western New York region.

6.12 Historic And Archeological Resources

6.12.1 Discussion of Potential Impacts

A Phase 1A Cultural Resource Assessment attached as Appendix T to the DGEIS was completed for the Project Site. The purpose of the Phase 1A investigation was to gather information pertaining to the environmental and cultural setting of the Project Site in an effort to determine if any prehistoric or historic cultural resources could be potentially and significantly impacted at the Project Site.

As a result of the Phase 1A literature, research and sensitivity assessment, it was determined that about 40 acres, or 3% of the Project Site area, is comprised of alluvial soils. The site file search produced 17 sites within one mile of the Project Site and one site within the Project Site that indicated historical and archeological importance. Of the 18 known sites, there are 13 prehistoric sites, two 2 historic sites, and 3 sites with no site file form. In addition, the historic maps reviewed indicated several portions with potential historic significance are located within the Project Site. Thirteen (13) artifact clusters and several isolated find spots were identified at portions of the Project Site. The Project Site is therefore regarded as having a high degree of

sensitivity for prehistoric sites, and a moderate-to-high degree of sensitivity for historic sites in undisturbed contexts.

Given the high sensitivity for prehistoric sites and the moderate-to-high sensitivity for historic sites, it has been determined that the Phase 1B field investigation that is currently being completed is warranted for all sections of the Project Site to be potentially impacted by future development.

6.12.2 Minimization and Mitigation Measures

Completion of the Phase 1B field investigation and implementation of its recommendations will mitigate any potential significant adverse impacts to historic and/or archeological resources found on the Project Site. Mitigation measures, if any, shall comply with the applicable criteria set forth by the New York State Office of Parks, Recreation & Historic Preservation (“NYOPRHP”), and may include realignment of structures, impervious services and other development features to avoid or minimize potential adverse impacts to on-site historic and archeological resources. Coordination with the Tonawanda Seneca Nation will also be required before the implementation of any measures taken prior to the development of a future use at the Project Site.

6.12.3 Findings

In order to address any potential impacts associated with the future development of a specific use at the Project Site, a Phase 1B field investigation of the Project Site will be conducted in coordination with NYOPRHP and the Tonawanda Seneca Nation. All future uses at the Project Site shall be subject to the applicable criteria set forth by the Phase 1B investigation, as well as the NYOPRHP, and shall include, but not be limited to, realignment of structures, impervious services and other development features to avoid or minimize such potential impacts to the maximum extent practicable. With implementation of these measures, GCEDC has determined that potential impacts to historic and archeological resources will be avoided and/or minimized to the maximum extent practicable.

6.13 Agricultural Resources

6.13.1 Discussion of Potential Impacts

Full development of the Project will result in a loss of agricultural use at the Project Site. The potential loss of future agriculture use of the Project Site represents less than 1% of the total crop land acres located in Genesee County (*i.e.*, 0.65%), and approximately 1.7% of total cropland acres located in Agricultural District No. 2. There are approximately 148,584.30 acres of crop land located in Genesee County, with approximately 120,365 acres of this total classified as prime farmland. Agricultural District No. 2 encompasses 55,143.18 acres of land located in the Towns of Alabama, Batavia, Elba, Oakfield, and Pembroke.

Based on the available information, approximately 950 acres of the Project Site are currently being used for farming. The total area of prime farmland located within the Project Site is

approximately 275 acres, representing 0.23% of the total prime farmland located in Genesee County and 0.49% of the total prime farmland acreage located in Agricultural District No. 2.

6.13.2 Minimization and Mitigation Measures

A number of factors will mitigate the loss of agricultural use at the Project Site. For example, development of the Project will not result in an immediate total loss of agriculture use at the Project Site. The phase development of the Project, coupled with implementation of the long-term Land Management Plan described in Section 6.5 above, will ensure that future development areas will be maintained in the current land use until construction is commenced. As a result, that acreage which is currently being farmed on development areas proposed for the Project Site will continue to be farmed until such time that construction for each respective area is commenced.

In addition, through the GEIS process, the Town of Alabama has been given an important tool in protecting agriculture use in the Town of Alabama in the form of the Farmland Protection Strategies Report (FPSR) provided as Appendix K to the DGEIS. The FPSR describes and consolidates methodologies to protect farmland located in other areas of the Town of Alabama as a mitigation measure for the farmland loss associated with the Project. Strategies listed in the FPSR include:

- Enhancing zoning protection for agricultural lands including the creation of agriculture districts.
- The creation of a subdivision law to manage residential developments.
- Increased minimum lot sizes.
- Adjust supplementary yard regulations.
- Appoint an agricultural member of the Planning Board.
- Create a town-based purchase development rights program.
- Create an advisory town farmland protection committee.
- Identify/refine priority farmland list.
- Promote agriculture and focus on improving agri-business.
- Assist farmers in identifying or developing direct marketing options.
- Provide public education on the value of farms.
- Provide public education on existing programs/assistance.
- Organize/provide farm generation planning/estate planning.
- Organize/assist in identifying farm worker pool.
- Implement additional or strengthen existing right-to-farm laws.

Lastly, GCEDC's development of the Genesee Valley Agri-Business Park is projected to contribute more than \$100,000,000 to the local/regional agricultural economy, greatly offsetting the potential loss of agricultural use at the Project Site. Moreover, the substantial tax revenue generated by the Project will reduce the tax burden overall on other agricultural land in the Town of Alabama and Genesee County.

6.13.3 Findings

Although development of the Project will result in a loss of agricultural use on the Project Site, such impacts will be mitigated to the maximum extent practicable by the general phased development strategy for the Project and implementation of the Land Management Plan. Moreover, the potential loss of agricultural lands at the Project Site will be outweighed by the significant socioeconomic and environmental benefits provided by the Project.

6.14 Potential Cumulative And Growth Inducing Impacts

Certain proposed actions covered under the SEQRA process have the potential to trigger further development by either attracting a significant local population, inviting commercial industrial growth, or by inducing the development of similar projects adjacent to the Project constituting an action. In addition, Section 617.9(b)(5)(iii)(a) of the SEQRA regulations requires the discussion of cumulative impacts where such impacts are “applicable and significant.”

Cumulative impacts occur when two (2) 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 this section. In this regard, cumulative impacts are impacts on the environment that may result from the incremental increased impact of an action when the impacts of that action are added to other present, past, and reasonably foreseeable future actions. Assessment of any such potential cumulative impacts is limited to the consideration of probable impacts, not speculative impacts.

In general, cumulative impact analysis of external projects is required where the external projects have been specifically identified and either are part of a single plan or program, or there is a sufficient nexus of common or interactive impacts to warrant assessing such impacts together.

6.14.1 Existing or Approved Projects

There are no existing or approved projects in the Town of Alabama or surrounding areas that generate potential significant adverse impacts in accumulation with the Project.

To the contrary, the Town of Alabama is examining the cost and feasibility of providing public water supply and fire protection to approximately 411 additional homes in the Town of Alabama (Appendix M). The Town of Alabama, the Village of Oakfield, and the Town of Pembroke are planning water main projects in the vicinity of the Project Site. The Town of Alabama is proposing an 8-inch water main along New York State Route 77 from the intersection of Lewiston Road south to the intersection of Route 63, a 12-inch water main along Route 63; from Route 77 to Maple Street; and a 12-inch water main along Route 63, from Maple Street east to the Village of Oakfield water system. This water project, would increase the number of residential homes in the Town of Alabama served by public water to 455 or approximately 70% of the Town’s households. This project will provide a significant benefit to the community, and will not, in conjunction with the Project, present any potential significant adverse environmental impacts.

Alabama Ledge Wind Farm, LLC has proposed to develop a wind-powered generating facility of up to 38 turbines with a maximum capacity of approximately 80 MW. At this juncture, it is uncertain whether the project is moving forward for approval. Nevertheless, the wind farm project does not provide a potential cumulative adverse environmental impact in conjunction with the Project.

GCEDC is also developing a 232-acre technology park in Pembroke, New York at the crossroads of New York State Routes 77 and 5, named Buffalo East. However, there are no potential cumulative impacts associated with this project and development of the Project Site.

6.14.2 Inducement of Growth

The Project may have the potential to induce growth in the Town of Alabama and the surrounding communities in a number of ways, including employment opportunities, housing, and ancillary businesses.

Construction Workers Growth

The development of the Project will result in a significant number of construction workers with seasonal employment being located at the Project Site. These workers will be involved in a number of general and specialized construction activities with various trades associated with the different specialized phases of the work. The construction phase for the Project is planned to continue over a period of approximately 15 years. It is anticipated that there is a current excess of available construction workers in the Buffalo-Batavia-Rochester region, and that many of these workers will be drawn from the existing labor pool along with residents of Genesee County and Western New York.

The construction trades workers will most likely patronize restaurants, hotels/motels, entertainment facilities, and other service providers in the vicinity of the Project Site and surrounding communities. This will result in a temporary boost to the local economy. By itself, however, the entry of new construction workers into the area of the Project Site is not expected to result in the opening of any specific new businesses that cater to the needs of these workers.

Population Growth

The Project will provide significant new and expanded employment opportunities in the Town of Alabama and region. The Project is anticipated at full build-out to provide over 9,000 new, quality jobs. Many of these new jobs are expected to be filled by the existing population residing within an approximate 60-to-70 mile radius of the Project Site. Some jobs will be filled by professionals moving into the region. As a result, implementation of the Project will likely contribute to population growth in the Genesee County area, and as far east as Rochester and west as Buffalo.

New Housing

The new jobs created by the Project will spur an increased demand for existing and new housing. In turn, the sale of such housing could create a gradual, increased school enrollment in those respective communities that create new housing over the planned development period.

Throughout the community input process conducted for the Project over the past several years, Town of Alabama elected officials and citizens have voiced considerable opposition to additional residential development in the Town of Alabama proper.

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 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. The Project's potential to induce growth within the Town of Batavia and the Village of Oakfield will be managed by the land use planning processes of those jurisdictions. New housing developments in those jurisdictions would need to be in compliance with local comprehensive plan and zoning ordinance requirements.

Ancillary/Secondary Growth

The Project will likely induce some level of complimentary secondary growth, especially in the area of supply and support enterprises and other high-technology entities. This potential secondary growth is dependent on the Project securing an "anchor" advanced technology manufacturing company locating at the Project Site. This impact, however, is considered beneficial to the region and the State. The resultant secondary businesses would be complimentary to the "anchor" advanced technology manufacturing company, and would not be concentrated in any one portion of the development schedule, or cause any significant growth inducing impacts by themselves. Each secondary business located outside of the Project Site would need to be consistent with the local zoning or otherwise be approved on a local level, and each would be subject to its own SEQRA review process.

Additional potential locations for secondary ancillary development include the City and Town of Batavia, and Erie, Niagara and Monroe Counties. Existing urban areas throughout the Genesee, Erie, Niagara, and Monroe Counties could significantly benefit from the secondary growth resultant from the Project.

Water Induced Growth

Providing water supply to the Project Site may have the potential to cause an amount of induced growth in the surrounding region. However, as stated above, the Town of Alabama is already examining the cost and feasibility of providing public water supply and protection to approximately 433 additional homes in the Town of Alabama. The Village of Oakfield and the Town of Pembroke are also planning water main projects in the vicinity of the Project Site. These projects will provide a significant benefit to the community.

Traffic Improvements

Anticipated traffic improvements required for the Project will not have the potential to induce growth. The traffic improvements recommended in Section 6 of the DGEIS and in the *Traffic Impact Study* are designed to act as mitigation measures only for the potential impacts of traffic resulting from the Project, as opposed to mechanisms by which induced growth can occur.

6.14.3 Smart Growth Impacts

A Smart Growth Impact Statement (“SGIS”) was prepared for the Project in February, 2012, pursuant to the requirements of Article 6 of the Environmental Conservation Law, also known as the State Smart Growth Public Infrastructure Policy Act (“Smart Growth Act”). As analyzed in the SGIS, the Project complies with the following Smart Growth Act Criteria or will comply before development of the Project proceeds:

- **To advance projects in developed areas or areas designated for infill development per a comprehensive land use plan, local waterfront revitalization plan or brownfield opportunity area plan.**
- **To protect, preserve and enhance the state’s resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archaeological resources.**
- **To coordinate between state and local government and intermunicipal and regional planning.**
- **To participate in community-based planning collaboration.**
- **To ensure predictability in building and land use codes.**
- **To promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad-based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation.**

The Project does not comply or only complies in part with the following Smart Growth Act Criteria:

- **To advance projects for the use, maintenance, or improvement of existing infrastructure.**
- **To advance projects located in municipal centers.**
- **To foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty and public spaces, the diversity and affordability of housing in proximity to places of employment, recreational and commercial development and the integration of all income and age groups.**
- **To provide mobility through transportation choices including improved public transportation and reduced automobile dependency.**

In terms of compliance with the criterion to advance projects for the use, maintenance, or improvement of existing infrastructure, full compliance with this criterion is impracticable because of the Project's need for a sufficiently large and flat site with a minimum of 1,000 acres and such a location with adequate existing infrastructure is simply not available to meet STAMP's needs. Nonetheless, existing infrastructure will be able to service the Project in part and the need for new infrastructure has been minimized to the maximum extent practicable.

In terms of compliance with the criterion to advance projects located in municipal centers, while the Project Site is located adjacent to the municipal center of the hamlet of Alabama, full compliance with this criterion is impracticable because of the Project's need for a sufficiently large and flat site with a minimum of 1,000 acres to implement a low-density master plan in a campus like setting. Nonetheless, in order to minimize adverse impacts, the Project has been designed to visually integrate with the Hamlet and some project components such as a proposed new Town of Alabama Town Hall and a new bypass road to channel Route 77/63 traffic away from the Hamlet will strengthen the Hamlet and help it thrive as a municipal center.

In terms of compliance with the criterion to foster mixed land uses and compact development, downtown revitalization, brownfield redevelopment, the enhancement of beauty and public spaces, the diversity and affordability of housing in proximity to places of employment, recreational and commercial development and the integration of all income and age groups, the Project complies with this criterion to the extent that it involves a mixed use development that will protect natural features and create naturally beautiful public open space including a trail network within the Project Site. In addition, the Project will help revitalize the hamlet of Alabama. The Project does not comply with this criterion to the extent that it involves a low-density campus like development and does not foster brownfield redevelopment. Compliance with these elements are simply not practicable given the goals of the Project. Other portions of this criterion such as fostering diversity and affordability of housing in proximity to places of employment, recreational and commercial development and the integration of all income and age groups are not applicable to the Project.

In terms of compliance with the criterion to provide mobility through transportation choices including improved public transportation and reduced automobile dependency, for the workers on-campus at Stamp, a network of trails for walking or biking between sections of the campus has been designed to reduce automobile dependency while workers are present. In addition, a portion of the campus has been designated for worker-support services (commercial and retail) so workers will be able to access such services without having to drive off-campus, and, instead, can access via a short bike ride or walk. Nonetheless, full compliance with this criterion is impracticable. The rural setting of the Project location, selected after careful evaluation, means that public transportation options will be fairly limited and it is likely that most workers will commute to the campus via automobile.

Overall, STAMP is an extremely unique project the size and scope of which make compliance with all of the Smart Growth Act criteria impracticable. Nonetheless, compliance has been achieved to the maximum extent practicable and the economic benefits of the project, from its first phase through full build-out, will more than outweigh any negative impacts from inconsistencies with Smart Growth criteria. In addition, through the SEQRA process for the

Project has identified and mitigated potential significant adverse impacts. The Project's potential to stimulate good-paying jobs and long-term economic growth, and in turn reverse demographic outflow in Western New York, will have a significant long-term benefit in those areas where high-density development, but an inadequate supply of population, exist. The Project's associated benefits will also include increased utility infrastructure, decreased real property tax rates, and increased local revenues to support community services. The Project, despite its rural location, is still within an hour's drive of the major population centers of Western New York, including metropolitan Buffalo and Rochester.

6.14.4 Findings

The Project is not interdependent upon or undertaken as a result of or otherwise dependent upon any other proposed action in the area. The Project has the potential to provide positive economic growth within a large geographic area, thus some level of induced growth has been anticipated in the overall design of the Project and will be accommodated within the Project Site. Other growth resulting from the Project will occur in the Village of Oakfield, Town of Batavia, as well as the urban areas of Genesee, Erie, Niagara, and Monroe Counties. Such growth will occur on a voluntary basis, subject to local environmental review and approval. Localities that do not desire such growth related to the Project will have the ability to limit future growth consistent with their comprehensive master planning efforts, whereas those localities that desire such growth can take appropriate steps to encourage site plan applications allowing construction to proceed. Compliance with Smart Growth Act criteria has been achieved to the maximum extent practicable and where necessary non-compliance has been justified.

7.0 POTENTIAL UNAVOIDABLE IMPACTS

Development often permanently alters the conditions of an area, and in the process, creates certain unavoidable impacts. With respect to the Project, certain unavoidable impacts may be presented in the form of material, energy, agricultural resources, altered habitats for non-endangered plants and animal species, and aquatic resources. However, these impacts will be minimized and/or avoided to the maximum extent practicable as a result of the implementation of the mitigation measures identified in this Findings Statement. Furthermore, the substantial financial and community benefits that will result from the Project shall greatly offset the incurrence of such impacts.

The following is an examination of the potential short-term and long-term unavoidable impacts that may result from the Project.

7.1 Potential Short-term Unavoidable Impacts

Short-term unavoidable impacts will likely be created during the construction phases for the Project. These impacts may include increased noise and odor, as well as a short-term impact to air associated with soil disturbances and truck movement. Effective site planning and development will mitigate the anticipated impacts associated with construction of the Project to the maximum extent practicable.

7.2 Potential Long-term Unavoidable Impacts

Certain long-term unavoidable impacts may result from the full build-out of the Project. Some of these impacts will be mitigated through the measures identified in this DGEIS. Such impacts include:

7.3 Loss of Property

The Project will represent a permanent impact on less than 49% of the 1,243.40 acres of land comprising the Project Site. However, over half of the total acreage will be set aside for the protection of the wetlands, surface waters, ecologically sensitive areas, and recreation and open space areas that exist on the Project Site. The incorporation of the planning designs set forth in this Findings Statement shall mitigate the unavoidable loss of the Project Site's acreage to the maximum extent practicable.

7.4 Loss of Agricultural Use on Project Site

Despite the goal of maintaining as much open space as possible on the Project Site, once the Project is developed, the opportunities for future active farming on the Project Site will be lost on an incremental basis. The potential loss of future agricultural use at the Project Site represents less than 1% of the total cropland acres located in Genesee County, and approximately 1.7% of total cropland acres located in Ag District No. 2. In return for this 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.

A number of factors will further mitigate the loss of agricultural use at the Project Site. For example, development of the Project will not result in an immediate total loss of agricultural use at the Project Site. The phased development of the Project, coupled with implementation of the long-term Land Management Plan, will ensure that future development areas will be maintained in their current land use until construction is commenced. In addition, an important tool in mitigating the loss of agricultural use at the Project Site will be the Town of Alabama implementing the FPSR. The FPSR is intended to identify and consolidate potential strategies for the Town of Alabama to evaluate and consider for preserving farmland elsewhere in the Town. The FPSR goes well beyond mitigating farmland loss associated with the Project, providing the Town with a comprehensive framework for developing and implementing a farmland protection strategy for the entire Town. In addition, the substantial tax revenue generated by STAMP will reduce the tax burden on other agricultural land in the Town of Alabama and in Genesee County.

Lastly, GCEDC's development of the Genesee Valley Agri-Business Park is projected to contribute over \$100,000,000 to the local and regional agricultural economy, greatly offsetting the loss of agricultural use at the Project Site.

7.5 Permanent Use of Energy

The full build-out of the Project Site will result in the Project utilizing on a permanent basis certain energy resources including electricity and natural gas. However, the estimated consumption is well within the capacity of the energy sources. In addition, the Project lies

within the Niagara Hydro Power Zone which will provide a low-cost renewable source of energy for the Project.

7.6 Altered Habitats for Non-Endangered Plant and Animal Species

The full build-out of the Project may result in an unavoidable alteration of habitats for some non-endangered plant and animal species. The ecological communities (habitats) found at the Project Site are common throughout New York State and within the surrounding landscape. Habitat alteration resulting from the Project will be offset by protection and restoration of key natural area corridors on the Project Site, abundant habitat for these species immediately adjacent to the site and in the immediate vicinity of the Project Site, including over 19,000 acres of currently protected conservation lands.

7.7 Impacts to Aquatic Resources

The full build-out of the Project may result in the unavoidable loss of wetland and associated headwater stream habitat, most of which is of low quality due to degradation by past and current land use at the Project Site. Compensation for these impacts will be provided by implementation of a mitigation strategy that will enhance, restore, and protect wetlands and streams of equal or greater value on and off the Project Site. Any temporal loss of aquatic resource functions and services will be buffered by the ecological resilience of the surrounding watershed.

7.8 Impact to Existing Traffic Patterns

There are a number of potential LOS degradations (increases in delay at area intersections) that may result from the full build-out of the Project and, in order to view those potential impacts in a conservative manner, are being considered potential unavoidable impacts associated with the Project Site's traffic generation.

Nevertheless, the full build-out analysis of the Preferred Alternative indicates that a majority of the study area intersections will continue to operate adequately. A two-lane capacity analysis of NY Route 77 shows that only the Judge Road to Bloomingdale Road segment could become congested during full build-out conditions. Since additional mitigation above and beyond the improvements identified for the 70% threshold may be necessary to provide adequate operations at a few locations, it is recommended that a supplemental traffic analysis be conducted after the 70% threshold is reached, or when the Project Site generates 1,925 trips during the PM peak hour. The supplemental analysis would focus on the intersections below:

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

In sum, the Traffic Impact Study attached as Appendix I of the DGEIS indicates that the proposed improvements for the Project will provide adequate operations at the Project's study area intersections and on the existing road network for the levels of traffic anticipated.

8.0 EFFECTS ON USE AND CONSERVATION OF ENERGY RESOURCES

The construction and operation of STAMP will have both short-term and long-term impacts on the use and conservation of energy resources. In the short term, construction of the Preferred Alternative will involve the use of non-renewable energy resources including gasoline, diesel, fuel oil and electricity. In addition to construction-related energy use by equipment such as excavators, backhoes, loaders, bulldozers, dump trucks, generators, and paving equipment, an indirect use of energy would also occur as a result of construction workers commuting to and from the Project Site.

The general long-term impacts of the Preferred Alternative on the use and conservation of energy would result in traffic generated by the Project and the consumption of energy from day-to-day operations of users located at the Project Site. Estimated electric and natural gas loads for the Project are described in more detail in Section 6.8 of the DGEIS. In addition, the Industry Requirements and Environmental, Health and Safety Impacts Report, attached as Appendix H to the DGEIS, also analyzes how potential manufacturing technologies targeted for the Project Site would consume energy.

STAMP's anticipated annual consumption of natural gas and electricity can be met by the current energy sources as described more fully in Section 6.8 of the DGEIS. Nevertheless, the design and development of the buildings to be located at the Project Site will incorporate state of the art energy efficient technologies and will meet current applicable federal and state requirements. In addition, the advanced technology and manufacturing operations to be located at the Project Site include technology sectors that will help advance the Nation's progress toward the utilization of renewable energy resources, thus creating a conservational benefit. Lastly, the Project Site lies within the Niagara Hydro Power Zone which will provide a low-cost renewable source of energy for the Project.

It is anticipated that buildings constructed at the Project Site will conform to the energy standards recommended by the New York State Building Construction Code. Buildings will be designed and constructed incorporating design and selection, equipment assistance to achieve maximum energy conservation, in compliance with applicable provisions set forth in the New York State Energy Conservation and Construction Code. Given the projected build-out timeframe, each proposed new structure shall be required to meet the applicable energy standards of the most recent provisions of the New York State Energy Conservation and Construction Code.

9.0 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

STAMP will require the irreversible and irretrievable commitment of certain human, material, environmental, financial and energy resources. The commitment of these resources, however, will be greatly offset by the socioeconomic benefits that will result from the construction and implementation of STAMP.

Human and financial resources have already been expended by GCEDC, the State of New York, the County of Genesee, and the Town of Alabama for the planning and review of the Project. The expenditure of funds and human resources will continue to be required throughout the

permitting and construction phases of STAMP (e.g., for environmental reviews and permitting, site plan approval, rezoning and building and construction inspections).

STAMP also represents the commitment of the land for the life of the Project. Less than 49% of 1,243.40 acres of property will be developed and not available for alternative uses for the life of STAMP. However, through a comprehensive planning approach that takes into consideration environmentally sensitive resources, the majority of the Project Site's acreage will be preserved as open space in order to protect existing wetlands and other ecological resources, as well as to provide a more rural, agrarian aesthetic consistent with the community's character. The substantial landscape buffers will surround the Project Site along property lines shared with other property owners in order to maintain existing view sheds and the rural character of the area surrounding the Project Site. In addition, coupled with the implementation of the Land Management Plan, the Preferred Alternative mitigates the impact of the permanent commitment of the remaining acreage of the Project Site to the maximum extent practicable.

Various types of construction materials and building supplies will also be committed to the Project. The use of these materials, such as gravel, concrete, steel, etc., represents a long-term commitment of these resources which will not be available for other projects. Energy resources also will be irretrievably committed to the Project during the construction and operation of the Project. Fuel and electricity will be required during site construction and project operations. In addition, the Project Site lies within the Niagara Hydro Power Zone and will draw its electrical consumption needs from this renewable energy source. Lastly, the design of the buildings on the Project Site will utilize LEED standards to the maximum extent practicable, thus maximizing energy efficiencies in the construction process and sustainable practices in the on-going operations of the Project's facilities.

A commitment of private and public funds will be made to the Project based on the premise that residents in the immediate communities, region, and State will greatly benefit by increased property and sales tax revenues, growth and land values surrounding the Project Site, increased employment opportunities in the local, regional, and state communities, and other revenues directly or indirectly generated by the Project. Therefore, the initial financial investments illustrated in the Preferred Alternative represent a long-term benefit rather than irreversible or irretrievable commitments of resources.

10.0 CONDITIONS AND THRESHOLD CRITERIA

A GEIS is prepared by a lead agency whenever there is a need to assess a wide variety of impacts at a conceptual level, rather than on a project-specific or site-specific environmental impact statement. By addressing potential impacts and adopting conditions and thresholds for future development and actions upfront, the use of a GEIS can establish a framework by which potential significant adverse environmental impacts are addressed at the planning stage, thus reducing future SEQRA review requirements as new construction proceeds at later stages.

As the Project progresses, changes may occur as the conceptual plans are developed into final design proposals. Such changes may specifically include proposed changes to the Preferred Alternative including increases or decreases in total project square footages devoted to a specific use.

This section identifies both the conditions to be complied with related to the over-all development of the Project, as well as the threshold criteria to consider when determining whether or not a future use at the Project Site requires supplemental SEQRA review.

10.1 SEQRA Procedures

Final designs for less-defined Project components, as well as any proposed changes to the more well-defined elements (hereinafter referred to “Future Project Use(s)”), may require further evaluation pursuant to SEQRA. GCEDC, as lead agency, will be responsible for performing an environmental determination on Future Project Uses pursuant to SEQRA, and will consider Future Project Uses proposals in relation to: (i) the DGEIS; (ii) the FGEIS; and (iii) this Findings Statement.

Upon development of specific site plans, simultaneously with review by the Town of Alabama Planning Board for site plan approval, GCEDC shall determine if the environmental impacts associated with such Future Project Uses have been adequately addressed in the DGEIS, the FGEIS and this Findings Statement, taking into account whether the Future Project Uses exceed any of the thresholds set forth herein. Such a determination must be made before any site plans for Future Project Uses are approved by the Planning Board.

In the event that GCEDC determines that:

1. the Future Project Uses would be carried out in conformance with the conditions and thresholds set forth in this Section 10, then no further SEQRA compliance will be required;
2. the Future Project Uses would be carried out in conformance with the conditions and thresholds set forth in this Section 10, but are not addressed or are not adequately addressed in the DGEIS, the FGEIS or this Findings Statement, then an amended Findings Statement will be prepared;
3. the Future Project Uses are not addressed or are not adequately addressed in the DGEIS, the FGEIS or this Findings Statement, but the proposal does not exceed any of the conditions or thresholds set forth in this Section 10, or the proposal does exceed a threshold set forth in this Section 10, but would not result in any potential significant adverse environmental impacts, then a Negative Declaration will be prepared pursuant to 6 N.Y.C.R.R. § 617.10(d)(3); or
4. the Future Project Uses are not addressed or are not adequately addressed in the DGEIS, the FGEIS or this Findings Statement for the Project and/or the proposed use would exceed the conditions or thresholds set forth in this Section 10 and may have one or more potential significant adverse environmental impacts, then a supplement to the FGEIS will be prepared.

10.2 Conditions

GCEDC has determined that the following mitigative conditions shall be met as part of the overall development of the Project and in conjunction (as applicable) to any Future Project Use:

a) Implementation of the Best Management Practices set forth in Section 6.2 of this Findings Statement with respect to soils located at the Project Site.

b) A minimum buffer of 100 feet shall be maintained on either side of Whitney Creek. The third drainage way (Unnamed Stream No. 1) shall be re-routed into the second corridor (Unnamed Stream No. 2) to accommodate flow and provide hydrology to enhance and restore wetlands and streams in the protected corridor.

c) Compliance with the Stormwater Best Management Practices set forth in Section 6.3.2 of this Findings Statement. All potential future impacts to wetlands shall be contingent upon the completion of a Joint Permit Application process, as needed, involving the U.S. Army Corps of Engineers, NYSDEC, and other applicable regulatory agencies. The approximately 97 acres of wetlands and 24,300 linear feet of stream and upland buffer areas surrounding wetlands and streams identified in Section 6.3.1 of this Findings Statement shall be enhanced, restored, and protected in perpetuity on the Project Site. Off-site mitigation targeting the southeastern portion of the Whitney Creek watershed will be completed including the restoration of wetlands that have been drained, enhancement of existing wetlands through invasive species, eradication and control; planting of native vegetation; establishment of forested stream buffers; and permanent protection of all mitigation measures. Lastly, stormwater management practices shall be implemented at the Project Site pursuant to the requirements of NYSDEC's New York State Stormwater Management Design Manual.

d) All potential air emissions associated with Future Project Uses shall comply (as applicable) with the regulatory requirements set forth by NYSDEC and USEPA pursuant to the Title V Facility Permit, State Facility Permit, and Air Facility Registration Programs. Facilities seeking to locate at the Project Site will further need to satisfy the requirements of NYSDEC's Air Guide-1 (as needed).

e) The Land Management Plan identified in Section 6.5.2 of this Findings Statement shall be implemented at the Project Site throughout construction and following Project Site development.

f) All future manufacturing activities to be conducted at the Project Site shall be subject to appropriate NYSDEC hazardous substances and waste regulations, including but not limited to, those requirements set forth in the Hazardous Substance Bulk Storage Program (6 N.Y.C.R.R. Parts 595-599) and the Petroleum Bulk Storage Program (6 N.Y.C.R.R. Parts 612-614). The storage and use of any petroleum and hazardous substances at the Project Site shall be subject to the federal Spill Prevention Control and Countermeasure rules. The facility system design and daily operations at the Project Site shall comply with all applicable Uniform Fire and Building Code provisions, and a Hazardous Material Management Plan for each Future Project Use shall be prepared and submitted to the Town of Alabama Fire Department for approval during any site plan application process. All employees handling hazardous materials or

chemicals will be trained in accordance with applicable OSHA and RCRA regulations. Environmental health and safety programs shall also be implemented at the Project Site in order to comply with the applicable provisions of the Town of Alabama Zoning Laws, New York State Department of Labor regulations, and the Emergency Planning and Community Right-to-Know Act. Hazardous materials shall not be stored at any locations at the Project Site without the user of such materials first providing a Hazardous Materials Inventory Statement to the Town of Alabama Fire Department and all other local emergency service agencies. Lastly, all nanotechnology manufacturing facilities to be located at the Project Site shall comply with applicable USEPA, OSHA, and NIOSH requirements.

g) Access to the Project Site shall be provided through Crosby Road during Phase 1. A right turn lane shall be constructed on the eastbound Judge Road approach of the New York Route 77/New York Route 63 intersection. This intersection, and the New York Route 77/Ledge Road intersection, shall be monitored for the potential installation of traffic signals during Phase 1 of the Project. Before the 70% threshold for the Project is reached, a bypass road shall be constructed to the Project Site from New York Route 77/63 Overlap just north of Ham Road to New York Route 77 at the existing location of the intersection of Crosby Road. Designating the bypass road as Route 77 and re-designating existing New York Route 77 through the Hamlet of Alabama shall be completed. Two (2) driveways on New York Route 77; two (2) driveways on Judge Road; and two (2) driveways on New York Route 77/63 Overlap (in addition to the bypass road curb cuts) shall be completed. Traffic capacity improvements shall also be completed at the following off-site intersections in accordance with the recommendations of the Traffic Impact Study and NYSDOT requirements:

- New York Route 77/New York Route 63/Judge Road
- New York Route 77/Bloomindale Road
- New York Route 77/Ledge Road
- New York Route 77/Akron Road
- New York Route 77/I-90 Exit 48A

Since additional mitigation beyond the improvements identified for the 70% threshold may be necessary to provide adequate operations at certain locations, a supplemental traffic analysis shall be conducted after the 70% threshold is reached or when the Project Site generates 1,925 trips during the PM peak hour. The supplemental analysis shall focus on the following intersections:

- New York Route 77/New York Route 63/Judge Road
- New York Route 77/Bloomindale Road
- New York Route 77/Ledge Road
- New York Route 77/Route 63/Lewiston Road

h) GCEDC shall undertake efforts to complete to the maximum extent practicable the following land use and zoning plan goals:

- Negotiation of an incentive zoning agreement pursuant to which GCEDC in exchange for providing certain public amenities to the Town will

receive a re-zoning of the Project Site to the Technology Zoning District identified in Section 6.7 of the DGEIS.

- Amendment to the Comprehensive Plan for the Town of Alabama to provide for the development of the Project consistent with the other planning goals of the Town and Village, but accepting the vision of the Project's goal of developing a world-class high technology manufacturing center with a focus on renewable energy.
- Adoption of one or more of the strategies found in the FPSR by the Town of Alabama.

i) The following measures shall be developed in furtherance of securing certain utility resources for the Project:

- Implementation (as applicable and necessary) of the recommendations identified in the Water Service Preliminary Report attached as Appendix N to the DGEIS.
- Implementation (as applicable and necessary) of the recommendations identified in the Sewer Service and Wastewater Treatment Facility Preliminary Report set forth in Appendix O of the DGEIS.
- Completion of the proposed gas distribution plan set forth in the Gas Service Analysis attached as Appendix P to the DGEIS.
- Procurement of Telecommunications Services as needed for the Project Site.

j) A facility-specific emergency services impact study for each technology manufacturing facility to be located at the Project Site shall be prepared to examine, at a minimum, the mitigation measures identified in Section 6.10.2 of this Findings Statement. Such studies shall be provided to an informal committee comprised of local and county emergency response representatives for review and input. A study to determine the existing baseline levels of emergency services currently provided by the Town of Alabama Fire Department, the Genesee County Emergency Services, and the Genesee County Sheriff's Department shall also be completed.

k) A Phase 1B field investigation of potential historic and/or archeological resources located at the Project Site shall be completed prior to any Future Project Use being located at the Project Site. Mitigation measures proposed by the Phase 1B field investigation shall be complied with, subject to the applicable criteria set forth by the NYOPRHP, and may include realignment of structures, impervious services, and other development features as needed.

GCEDC has determined that compliance with the above foregoing conditions shall avoid, mitigate and/or minimize to the maximum extent practicable, any potential adverse environmental impacts associated with the Project and/or Future Project Uses.

10.3 Threshold Criteria

Future Project Uses which do not exceed or that conform to any of the following thresholds shall be considered to have been addressed by this Findings Statements, and would not require any further review pursuant to SEQRA:

- Maximum buildable site area established by the Preferred Alternative: 599.0 acres.
- Maximum building square footage established by the Preferred Alternative: 6,130,000 square feet.
- Wetland impacts and mitigation requirements established in the Preferred Alternative and described in Section 6.2.2 of the DGEIS.
 - Maximum wetland impacts: 9.54 acres
 - Minimum existing wetlands to be enhanced, restored and protected: 112 acres
- Zoning regulations established by the STAMP Technology District – TD Zoning Regulations (Appendix J to the DGEIS) and summarized as follows:
 - Technology District 1 – TD1 Permitted Uses
 - Technology Manufacturing.
 - Technology Manufacturing Support.
 - Public Utility.
 - Accessory Uses and Buildings.
 - Uses Requiring Special Use Permit in TD1
 - Commercial Communication Tower (See Town of Alabama Zoning Law § 614).
 - Wind Energy Systems (See Town of Alabama Zoning Law § 621).
 - Technology District 2 – TD2 Permitted Uses
 - Technology Manufacturing Support.
 - Public Utility.
 - Accessory Uses and Buildings.

- Uses Requiring Special Use Permit in TD2
 - Commercial Communications Tower (Town of Alabama Zoning Law § 614).
 - Wind Energy Systems (See Town of Alabama Zoning Law § 621).
- Technology District 3 – TD3 Permitted Uses
 - Technology Manufacturing Support with the exception of light industrial uses and/or warehousing and distribution which shall not be permitted.
 - Accessory Uses and Buildings.
- Dimensional and Physical Requirements for Development in the Technology District
 - Minimum Lot Size
 - 100,000 s.f. for Technology Manufacturing.
 - 10,000 s.f. for Technology Manufacturing Support.
 - Minimum Frontage/Minimum Yards
 - 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. The 300 feet will be measured from the edge of the portion of the Project Site that has been zoned to Technology District, 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 Technology District (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 STAMP Site.
 - Maximum Height
 - Technology District 1: 110 feet.
 - Technology District 2: 35 feet.

- Technology District 3: 30 feet.
- Maximum Lot Coverage
 - Eighty (80) percent provided that the total development on the Project Site does not exceed twenty (20) percent Coverage of all land within the Project Site; forty (40) percent if the total development on the Project Site exceeds twenty (20) percent Coverage of all land within STAMP. For purposes of calculating maximum lot coverage within STAMP, roads, access drives, parking lots, or other paved or gravel surfaces shall not be included as “Coverage.”
- Off-Street Parking Space Requirements
 - One (1) parking space for every 1,000 square feet of floor area of Technology Manufacturing space.
 - Two (2) parking spaces for every 1,000 square feet of floor area of Technology Manufacturing Support (except as otherwise specified herein);
 - Three (3) parking spaces for every 1,000 square feet of community, museum, cultural or technology or environmental demonstration space;
 - Four (4) parking spaces for 1,000 square feet of office building space;
 - Five (5) parking spaces for every 1,000 square feet of Hotel/Motel Retail Trade or Restaurant;
 - Two (2) parking spaces for every 1,000 square feet associated with any other development.
 - The minimum off-street parking space requirements specified above may be reduced by the Planning Board for good cause shown considering projected use intensity, turnover, customers, employees and vehicles used.
- Signs
 - All signs within the Technology District shall conform to Section 606 of the Town of Alabama Zoning Law. For purposes of Section 606, the Technology District shall be treated as an Industrial District.

○ Definitions

- The following definitions will apply to the Technology District zoning regulations. All other terms shall have the same meaning as set forth in the Town of Alabama Zoning Law.
 - 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.
 - Technology Manufacturing Support: Establishments which provide support services to Technology Manufacturing including but not limited to office buildings, professional offices, light industrial uses, warehousing and distribution, museum, community and cultural facilities, technology or environmental demonstration facilities and establishments which provide on-site support services to personnel employed at STAMP including but not limited to hotel/motel, retail trade, restaurant, personal services businesses, medical/health related services, offices, banks, shopping center, community center, child day care facility, drive-in business, motor vehicle repair shop, gasoline station and/or gasoline station-market.
- Commercial Communication Antennas: The installation of Commercial Communications Towers or Antennas shall conform to Section 614 of the Zoning Law. For purposes of Section 614, the Project Site shall be treated as an Industrial District.
- Wind Energy Systems: The installation and operation of wind energy systems shall conform to Section 621 of the Zoning Law. For purposes of Section 621, the Project Site shall be treated as an Industrial District.
- Traffic trip generation exceeding 70% of projected trips at Full Build-Out as defined in the Traffic Impact Study (Appendix I to the DGEIS): Maximum of 1,925 trips during the PM peak hour.
- Utility loads at Project build-out established by the Preferred Alternative:

- Water: 3,000,000 gallons per day
- Sewer: 3,000,000 gallons per day
- Electric Power: 185 megawatts
- Natural Gas: 318,600 cubic feet per hour

Future Project Uses which exceed or which do not conform to any of the conditions or thresholds listed above shall not be considered to have been addressed by this Findings Statement and must be evaluated by the Town of Alabama Planning Board as to whether an additional SEQRA determination and/or review is necessary.

CERTIFICATION OF FINDINGS TO APPROVE

Having considered the Findings Statement for the Western New York Science & Technology Advanced Manufacturing Park (STAMP), and having considered the preceding relevant environmental impacts, facts and conclusions relied upon to meet the requirements of 6 N.Y.C.R.R. § 617.11, and having weighed and balanced the relevant impacts with social, economic and other considerations, this Statement of Findings certifies that:

1. The requirements of 6 N.Y.C.R.R. Part 617 have been met; and
2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental effects to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures which were identified as practicable.

Genesee County Economic Development Center
Name of Agency

Signature of Responsible Official

Mark A. Masse, CPA
Name of Responsible Official

Senior Vice President of Operations
Title of Responsible Official

March 1, 2012
Date

99 MedTech Drive, Suite 106, Batavia, New York 14020
Address of Agency