

SEQRA
FINAL SCOPING DOCUMENT

for the

Draft Generic Environmental Impact Statement

**Project Name: Western New York Science & Technology Advanced
Manufacturing Park**

Lead Agency: Genesee County Economic Development Center

**One Mill Street
Batavia, New York 14020
April 1, 2010**

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- A. Copy of February 3, 2010 Draft Scoping Document
- B. Copies of Written Comments to Draft Scoping Document

1. INTRODUCTION

This Final Scoping Document outlines the issues to be studied and analyzed in the Draft Generic Environmental Impact Statement (“DGEIS”) for the proposed Western New York Science & Technology Advanced Manufacturing Park (the "Project"). The Draft Scoping Document for the Draft Generic Environmental Impact Statement (“DGEIS”), as prepared in compliance with the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law, and the regulations promulgated thereunder at 6 N.Y.C.R.R. Part 617 (collectively referred to as “SEQRA”), has been revised to reflect comments received during the public scoping comment period.

GCEDC as Lead Agency

Subsequent to the successful completion of the DGEIS, the Genesee County Economic Development Center (“GCEDC”) proposes to apply for a new zoning designation for the Project to be located on approximately 1,340.37 acres of land located in the Town of Alabama, Genesee County, New York. 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 (“EAF”), 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 which requires the preparation of a DGEIS.

Involved and interested agencies that will participate in the SEQRA review process include:

Involved Agencies

- The Town of Alabama Town Board
- The Town of Alabama Planning Board
- The Genesee County Industrial Development Agency (“IDA”)
- The Genesee County Health Department
- The U.S. Army Corp. of Engineers (“ACOE”)
- The New York State Department of Transportation (“NYSDOT”)
- The New York State Department of Environmental Conservation (“NYSDEC”)
- The New York State Department of Health (“NYSDOH”)
- The New York State Office of Parks, Recreation & Historic Preservation (“NYSOPRHP”)
- The New York State Department of Agriculture and Markets (“NYSDAM”)
- The New York Empire State Development Corporation

Interested Agencies

- The Town of Alabama Fire Department
- The Genesee County Department of Planning
- The Seneca Nation of Indians
- The New York State Thruway Authority

- The U.S. Fish & Wildlife Services
- National Grid
- Buffalo Enterprise
- Greater Rochester Enterprise

Pursuant to the applicable requirements of SEQRA, the DGEIS will be prepared to facilitate the environmental review process, seek public comment and constructive input, and provide a basis for informed decision-making. The DGEIS will present an analysis of the potentially significant adverse and beneficial environmental impacts of the Project, as well as potential measures to mitigate the potential adverse impacts to the maximum extent practicable. An alternative analysis will also be provided, with emphasis placed on the environmental review of the Project as the preferred alternative. In accordance with the SEQRA regulations, after acceptance of the DGEIS by the GCEDC, and the filing of the requisite notice of completion, a minimum 30-day public review and comment period shall commence. A public hearing on the DGEIS will also be conducted during this time period. A Final GEIS will then be developed which will include responses to any comments received on the DGEIS. Finally, a SEQRA Findings Statement will be prepared. The GEIS and Findings Statement will set forth, among other things, "specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance." The issuance of the findings statement will conclude the SEQRA review process.

Public Scoping Process

On January 26, 2010, GCEDC further directed, as Lead Agency, that a Draft Scoping Document be prepared and distributed for public review pursuant to 6 N.Y.C.R.R. § 617.8 of the SEQRA regulations. On February 3, 2010, GCEDC forwarded a copy of a Draft Scoping Document to all involved and interested agencies. Copies of the Draft Scoping Document were also maintained at the Town of Alabama Town Hall and on GCEDC's website at www.gcedc.com. A written public comment period for the Draft Scoping Document was provided from February 4 through March 5, 2010. GCEDC also conducted two (2) public scoping meetings on February 11, 2010 at 7:00 p.m. and February 13, 2010 at 12:00 p.m. at the Town of Alabama Fire Hall for the purpose of receiving verbal comments from members of the public.

Section 8 of this Final Scoping Document provides a responsive summary of the written comments received during the comment period, as well as the verbal comments provided during the public meetings. Section 8 further outlines those revisions that have been made to the Final Scoping Document (as necessary) in response to specific comments. Lastly, Attachment A to this Final Scoping Document includes a copy of the February 3, 2010 Draft Scope and Attachment B includes copies of the written comments that were submitted.

2. PROJECT BACKGROUND

2.1 Historical and Current Site Use

Historically, the primary use of the WNY Science & Technology Advanced Manufacturing Park (“STAMP”) site has been farming and agriculture. Currently, the STAMP site is comprised of twenty three separate parcels, the majority of which are in farming and agricultural uses. In addition, the DGEIS archeological survey will determine the extent of past site use by the Tonawanda Indian Reservation, which abuts the western edge of the STAMP site.

2.2 Town Hall Meetings

In May and November of 2007, GCEDC conducted four “Town Hall Meetings” at the Town of Alabama Fire Hall in order to discuss the idea of a science and technology park located in the Town of Alabama. The format of the Town Hall Meetings included PowerPoint presentations describing typical character and makeup of technology manufacturing sites and facilities in other locations followed by question and answer periods. In all of the meetings, the discussion was interesting and informative. Much good information was exchanged by all parties and good relationships were formed.

2.3 Community Opinion Survey

Following the November 2007 Town Hall Meetings, GCEDC conducted a community opinion survey of all residents and property owners in the Town of Alabama to determine the community’s view towards continuing to investigate the feasibility of developing a science and technology park in the Town. The central question the survey asked was whether community residents would support continuing and finalizing a comprehensive feasibility study for the science and technology park initiative. The survey response rate was 42%, and of those responding, 78% indicated support for continuing the feasibility study.

2.4 STAMP Feasibility Study

In November of 2008, IDC Architects/CH2M HILL completed a Feasibility Study for STAMP for the GCEDC. The study concluded that the STAMP site would be attractive to technology manufacturing companies due to a range of factors, including low-cost hydro power, a superb higher education system proximate to the site, a large, flexible site and the availability of state incentives. The master plan developed for the feasibility study indicates that over six million square feet of technology manufacturing and support uses, along with office, retail and possibly a renewable energy demonstration center, can be accommodated on the site at build-out in an ultra-low density configuration resulting in a floor area to total site area ratio of 0.16. The master plan also suggests investigation of a strong renewable energy theme for the STAMP development.

2.5 Land Assembly Status

Discussions between GCEDC and the owners of the twenty-three land parcels comprising the 1,340.37-acre STAMP site have been active, open, and underway since the inception of the STAMP idea over four years ago.

3. DESCRIPTION OF THE PROPOSED ACTION

3.1 Description of the Project

The Project is the zoning approval, construction and operation of STAMP, an advanced technology manufacturing campus on a 1,340.37-acre site located in the Town of Alabama. The Project will involve rezoning of the property either to an industrial zone with special use permits, planned unit development (“PUD”), or a newly-developed technology zoning district, as applicable under the Town of Alabama zoning laws to allow the land uses and off-site road mitigation measures and utility improvements including water, sewer, electric power, telecommunications, and natural gas.

3.2 Project Location

STAMP will be located along New York State Highway 77/63 approximately 5 miles north of I-90/New York State Thruway in the Town of Alabama.

Project maps will accompany this section to describe the specific location and site configuration of the proposed action.

3.3 Project Purpose, Need and Benefit

This section will identify the background for the Project, including a discussion of related potential social, economic and other benefits. This will include the following:

- Purpose and Need

The purpose of the Project is to develop STAMP as a world-class high technology manufacturing center, with a focus on renewable energy, serving as an economic development engine central to the economic sustainability and well-being of the western portion 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.

The Project will augment the region's existing economy through the development of jobs and businesses competitive in a global technology marketplace.

- Economic Benefit

- The Technology Manufacturing Industry: This section will define the technology manufacturing industry and present an overview of industry economic benefits.

- Local Siting Efforts: Efforts specific to STAMP undertaken by GCEDC, Empire State Development (“ESD”), and the Center for Economic Growth (“CEG”) will be summarized in this section.
- Industry Requirements: The industry requirements will be identified by the potential user class for the Project. This section will also evaluate potential impacts related to water use, chemical use, energy use, chemical and petroleum bulk storage and waste generation handling and disposal.
- Expected Employment Growth and Economic Impact
 - Direct Impact: The Project will lead to the employment of approximately 9,300 employees at full build-out. In addition, a construction workforce of 1,500 to 2,000 workers can be expected for up to 2 years during construction of each technology manufacturing facility.
 - Indirect Impact: The Project will lead to the employment of indirect employees, including a wide variety of service industry providers, material suppliers, retail establishments and professional service providers.

3.4 Preferred Development Alternative

This section will propose a complete planning-level master plan for the preferred development alternative including the “full build out” and operation of the Project area, green space, landscaping, general building locations, and configurations of development areas. Building footprint sizes and layouts, general layouts, green spaces, configurations of the development areas, and occupied square footages will be established, as well as reasonably foreseeable locations for utility and infrastructure improvements. Overall permitted uses and the anticipated phasing of development within the Project area, including “ancillary development,” will be presented.

It is the intent of the Project’s master plan that the development areas and green space/buffers will be designated at inception as part of Project approval, and that such areas would remain permanent “green space” throughout campus operations. Such common space would support both designated forestry and potential public recreation uses in a manner consistent with GCEDC’s goal of taking a sustainable approach in designing STAMP.

The Project’s master plan and proposed zoning regulations will provide for mechanisms to update and amend the master plan with the Town (if necessary) in the future, particularly if the proposed development scenarios presented in the plan for the “anchor” industries require alteration due to specific industry requirements or changed circumstances. The concept of incentive zoning as a mechanism to gain water and sewer services will also be analyzed. The following areas will be addressed through written and graphic descriptions:

- Proposed Master Plan
- Structures
- Site Access and Transportation
- Water

- Sewer
- Electric Power
- Other Utilities (natural gas, telecommunications)
- Stormwater management
- Parking
- Lighting
- Landscaping
- Green Space/ Buffers/ Recreation areas
- Forestry and Natural Habitats Management
- Common Area Management
- Security
- Land and Building Reuse

3.5 Technology Manufacturing Operations

This section will describe the technology manufacturing operations associated with a major component of the Project, including required support systems. An Industry Requirements and Environmental Health & Safety Impacts Report, which will be attached as an appendix to the DGEIS, will examine the industry requirements for the technology manufacturing operations. The GEIS will generically address the potential impacts from technology manufacturing facilities similar to those proposed in the master plan to be the major facility “anchors.” The specific processes and potential impacts relative to technology manufacturing will be fully evaluated in detail in the DGEIS. Specific details will be provided for the envisioned construction and operation of the Project campus. Construction details will include the following:

- Phasing
- Schedule for Construction
- Location of staging areas
- Construction vehicle access
- Nighttime lighting
- Access during construction

3.6 Permits and Approvals

This section will describe the various permits and approvals, e.g., local, State, and Federal, that will be necessary before commencing the Project.

3.7 Thresholds for Future Actions

The DGEIS will set forth conditions under which future actions may be undertaken or approved, including general requirements for any subsequent SEQRA compliance (if required). For example, should a subsequent proposed action be carried out in conformance with the criteria established in the GEIS, no further SEQRA compliance would be required. Conversely, if the elements of a subsequent proposed action differ from what was reviewed in the GEIS, or present the potential for its components to exceed the criteria set forth in the GEIS, then the appropriate environmental review documentation would be required to comply with SEQRA.

The thresholds identified in this section will then be reviewed against criteria including:

- Building and infrastructure locations.
- Building and infrastructure footprints.
- Building and infrastructure heights and setbacks.
- Volumes, types and general locations of any proposed petroleum and/or chemical bulk storage.
- Solid and hazardous waste generation and management.
- Potential air emissions.

4. ENVIRONMENTAL REVIEW PROCESS

4.1 What is a Generic Environmental Impact Statement?

Because the Project is based upon a conceptual development plan involving a large area that would be developed over an extended period, it was determined that a GEIS was the most appropriate way of addressing the environmental assessment review.

Agencies may prepare a GEIS when there is a need to assess a wide variety of impacts at a more conceptual level on a larger geographic area, rather than on a project-specific or site-specific EISs. GEISs that are prepared before development or other activities are proposed give agencies an opportunity to plan their future courses of action to avoid or mitigate such impacts. A GEIS may include site-specific analyses for components of a proposed project that are well defined, and establish thresholds for impacts of project elements that are more conceptual and/or are not fully developed at the time of the assessment. Thus, the use of a GEIS at the planning stage can establish a framework that fully addresses potential significant adverse environmental impacts and substantially reduces SEQRA documentation requirements as new construction actually comes on-line.

4.2 Steps in the SEQRA Review Process

The SEQRA review process for the Project will involve the following steps:

- A Scoping Process has been initiated to identify the issues/methodologies that will be used to evaluate potential impacts resulting from the Project. As part of this process, two (2) meetings will be held to solicit comments from the public regarding the draft scoping document. Copies of the scoping document will also be provided to all involved and interested agencies for their review and input. In addition to comments received at the scoping meeting, a written comment period will be open. Comments received during the Scoping Process will be addressed as appropriate in the Final Scoping Document and the Draft GEIS (DGEIS).
- As Lead Agency, GCEDC will facilitate the preparation of the DGEIS to analyze potentially significant adverse environmental impacts that may result from the Project, and will address issues identified during the Final Scoping Document, as well as measures designed to mitigate any potential significant adverse impacts to the maximum extent practicable.
- After GCEDC determines that the DGEIS is complete, a Notice of Completion for the DGEIS will be distributed by GCEDC in accordance with SEQRA requirements and

published in NYSDEC's Environmental Notice Bulletin. Copies of the DGEIS will be made available to the public and placed on GCEDC's website at www.gcedc.com. One or more public hearings will be held to solicit comments on the DGEIS (notice of the hearings will be published in appropriate local newspapers at least 14 days in advance) and a minimum 30-day public comment period on the DGEIS will be held.

- Following the close of the comment period on the DGEIS, all comments received in writing and at the public hearing will be reviewed and incorporated into the Final GEIS (FGEIS) for the Project, including all necessary revisions, additions, and clarifications to the document, as well as categorized responses to comments received.
- Once deemed completed by GCEDC, a Notice of Completion of an FGEIS will be distributed and again published in the ENB.
- Following a minimum 10-day period after the publication of the Notice of Completion for the FGEIS, a Statement of Findings in accordance with SEQRA will issued by GCEDC and filed with all involved state/local agencies completing the SEQRA documentation on the Project.

5. PRELIMINARY SCOPE OF THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

The DGEIS will provide a clear and concise overview of the Project and its purpose; the underlying public need and benefits; the existing environmental setting; potential environmental impacts and mitigation measures; and alternatives considered in defining the Project. The following sections outline the key information to be addressed in the DGEIS. As appropriate, this section identifies the potentially significant adverse impacts associated with the Project, the extent and quality of information needed to address each impact, and the initial identification of mitigation measures.

5.1 Geology

This section will address existing conditions, potential impacts and proposed mitigation measures associated with site geology. The section will be prepared utilizing existing maps, reports and studies. Areas of focus will include:

- Regional Setting and Topography
- Bedrock
- Surficial Geology
- Soils

5.2 Water and Watershed Resources

This section will address existing conditions, potential impacts and proposed mitigation measures associated with water resources, including a review of the potential positive impacts the Project may have on watershed resources and planning. This section will be prepared utilizing existing maps, reports and studies, as well as wetlands delineation and mitigation assessment and stormwater management reports prepared for the DGEIS. Areas of focus will include:

- Groundwater
- Surface Water: Whitney Creek and tributaries have been identified as running within or contiguous to the Project area. The potential impact on surface water, including Whitney Creek, tributaries draining toward the Tonawanda Reservation, and the approximately 7 acres of freshwater ponds will be assessed.
- Wetlands: A total of approximately 36 acres of Federal Wetlands have been identified as within the Project area according to National Wetland Inventory (“NWI”) and New York State Department of Environmental Conservation NYSDEC Fresh Water Wetlands Maps. A field delineation will be performed to verify the existence and size of wetlands on the Project site. The potential impact on Federal wetlands within the site boundary will also be assessed. These investigations will result in the preparation of a Wetland Delineation and Mitigation Assessment Report which will be attached as an appendix to the DGEIS.
- Stormwater Management: This section will examine existing watershed conditions and proposed stormwater management systems, practices, and discharge points. This section will also evaluate the Project’s potential compliance with NYSDEC’s SPDES permit program for stormwater discharges from construction and industrial activities as well as describe potential mitigation measures designed to protect groundwater quality.

5.3 Air Resources

This section will address existing conditions, potential impacts and proposed mitigation measures associated with air resources. This section will be prepared utilizing existing reports and studies, including applicable on-line and regulatory agency sources and Industry Requirements and Environmental Health and Safety Impacts reports prepared for the DGEIS. Areas of focus will include:

- Climate: The DGEIS will utilize, to the extent applicable, NYSDEC’s guidance materials on the evaluation of greenhouse gases in an environmental impact statement (located at <http://www.dec.ny.gov/regulations/56552.html>).
- Air Quality: This section will establish the existing ambient air quality based on NYSDEC standards. Potential impacts to air quality will be assessed for on-site manufacturing processes and on-site facility operations, vehicular traffic and site development associated with the Project. Site development impacts will be approximated using data specific to the technology manufacturing industry and comparisons with the various New York State permitting thresholds.

5.4 Terrestrial and Aquatic Ecology

This section will address existing conditions, potential impacts and proposed mitigation measures associated with terrestrial and aquatic ecology and include an overview of a long-term land management plan for the Project site. The section will be prepared using file research data from NYSDEC and the U.S. Fish and Wildlife Service (“USFWS”), field reconnaissance

information for the Project area, and new Threatened and Endangered Species Assessments, Phases 1 and 2, which will be attached as appendices to the DGEIS. Areas of focus will include:

- Vegetation
- Fish and Wildlife: Potential impacts to fish and wildlife resulting from proposed activities associated with development of the site will be assessed.
-
- Threatened and Endangered Species: A number of possible threatened and endangered species have been identified by NYSDEC as having potential to occur within the vicinity of the Project site or adjacent to the Project site. A list of state identified species that may exist within the Project area was provided by NYSDEC in its March 5, 2010 comment letter and is shown below (a copy of which is provided in Attachment B):

Common Name	Scientific Name	State Status	General Survey Method	General Survey Schedule
Heartleaf plantain	<i>Plantago cordata</i>	Threatened	Visual survey of suitable habitat	Mid-April to May
Northern harrier	<i>Circus cyaneus</i>	Threatened	Line transect or point count within suitable habitat	June (with other grassland birds) and also during winter
King rail	<i>Rallus elegans</i>	Threatened	Call Response survey within suitable habitat	Multiple surveys early May to late June (with other secretive marsh birds)
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Threatened	Visual survey	For nesting pairs March-June
Black tern	<i>Chlidonias niger</i>	Endangered	Point count from edge of suitable habitat	Mid-June
Short-eared owl	<i>Asio flammeus</i>	Endangered	Point count within suitable habitat	Visits March-April
Henslow's sparrow	<i>Ammodramus henslowii</i>	Threatened	Call Survey within suitable habitat	June – both morning and evening

Horned lark	<i>Eremophila alpestris</i>	Special Concern	Line transect or point count within suitable habitat	June (with other grassland birds)
Grasshopper sparrow	<i>Ammodramus savannarum</i>	Special Concern	Line transect or point count within suitable habitat	June (with other grassland birds)
Least bittern	<i>Ixobrychus exilis</i>	Threatened	Call response survey within suitable habitat	Multiple surveys early May to June (with other secretive marsh birds)
Pied-billed grebe	<i>Podilymbus</i>	Threatened	Call response survey within suitable habitat	Multiple surveys early May to June (with other secretive marsh birds)
Karner blue butterfly	<i>Plebejus melissa sameulis</i>	Endangered	Walking potential habitat-where wild blue lupine is present	During first and second flight periods (May-July)
Persius duskywing	<i>Erynnis persius</i>	Endangered	Walking potential habitat-where wild blue lupine or indigo (<i>Baptisia</i> spp.) are present	During first and second flight periods (May-July)

A comprehensive endangered species investigation and habitat evaluation will be performed to assess potential adverse impacts, if any, to these threatened and endangered species. If suitable habitat is identified for any of the state-identified species, surveys will be conducted according to the techniques and schedule in the table above.

- Critical Environmental Areas

5.5 Technology Industry Health and Safety

This section will address potential impacts and mitigation associated with chemical use and management, including industry and regulatory agency standards for prevention of accidental releases, including:

- Chemical Use, Storage, Management and Disposal: This section will identify typical chemicals and quantities used in the technology manufacturing industry proposed for the campus. This section will further examine potential on-site chemical and manufacturing

processes to be proposed for the Project as they relate to fire and other emergency response services.

- Potential Onsite and Offsite Exposure Scenarios: This section will describe potential exposure scenarios for typical chemicals used in the manufacturing process.
- Preventative Measures

5.6 Transportation

This section will address existing conditions, potential impacts and proposed mitigation measures associated with traffic and transportation. The section will be prepared using data available from NYSDOT, additional field data collected in the Project area, and a traffic impact study prepared for the DGEIS. The potential traffic of future development on and adjacent to the Project area will be assessed during the AM and PM peak hours of adjacent street traffic. Areas of focus will include:

- Traffic Data Collection: An automatic traffic recorder will be installed on Alleghany Road for several days including a weekend, to document daily and hourly traffic variations. Peak hour intersection turning movement counts will be conducted during the typical AM and PM peak hours. Existing roadway and traffic control conditions will be inventoried at the study area intersections including traffic control, lane width, shoulder width, and speed limits. The study area will include the following intersections:
 - Route 63/Route 77 (Lewiston Road/Alleghany Road)
 - Route 63/77 OLAP/Ham Road
 - Route 77 (Alleghany Road)/Route 63 (Judge Road)
 - Route 77 (Alleghany Road)/Ledge Road
 - Route 77 (Alleghany Road)/Akron Road
 - Route 77 (Alleghany Road)/NYS Thruway Exit 48A Access
 - Route 77/NY Route 5
 - Route 77/Bloomington Road (Rt 267)
 - Route 63 (Judge Road)/Lewiston Road
 - Route 63/NY Route 31/NY Route 31A
 - Route 63/Main Street/Blair Road (Shelby Center)
 - Route 98/Lockport Road (County Road 12)
 - Route 77/Royalton Center Road (County Road 55)
 - Site Access Intersections
- Traffic Forecasting: Background traffic volumes will be estimated at the study area intersections for the No-Build condition for two design years. The future traffic volumes will be determined based on historical traffic growth rates and regional forecasts by others. The Design Years will include 2015 No-Build and 2035 No-Build.

- Trip generation for the proposed site will be based on data published by the Institute of Transportation Engineers (ITE), Design Population (employment estimates), and experience on other similar sites.
- The origins and destinations of traffic generated by the proposed development will be estimated and distributed onto the local roadway network and study area intersections for the two design years, and consistent with the access plan documented during the Master Planning phase. The trip distribution patterns will be based on a review of existing travel patterns and an assessment of the probable travel routes to/from the site. Traffic forecasts will be prepared for the following scenarios:
 - 2015 Phase I
 - 2035 Full Build
- Traffic Analysis: Capacity and Level-of-Service analyses will be conducted for the key intersections based on standard traffic capacity procedures set forth in the *Highway Capacity Manual* (HCM). The sufficiency of the improvements identified in the Master Plan will be evaluated. The need for additional or different improvements will be identified. Conceptual plans (scaled plan view drawings using aerials as base maps) will be developed to illustrate the potential improvements. Primary issues associated with implementation of the improvements will be identified, such as physical impact areas, apparent right-of-way, and planning level cost estimates. Site access improvements will be explored. The goal of this task will be to identify and confirm the necessary traffic mitigation measures for the project.
- Traffic Engineering Report: The preferred access alternative will be refined and a technical traffic engineering report will be prepared to summarize the recommendations. The report will include an executive summary, text, tables, concept plans (Plan view drawings to illustrate the improvements), and technical appendices for reviewing agencies.

5.7 Land Use and Zoning

This section will address existing and potential future conditions and impacts, as well as proposed mitigation measures associated with land use and zoning. Existing planning documents for the Town of Alabama and Genesee County will be used to complete this section. Areas of focus will include:

- Existing Land Uses: The following land uses on and surrounding the Project area have been identified: agriculture, residential, commercial, the Tonawanda Indian Reservation and the John White Wildlife Management Area.
- Existing Town of Alabama Zoning/Permitted Uses: The majority of the site is currently zoned A-R (Agricultural-Residential) and would have to be rezoned for advanced manufacturing use. The southeast corner of the site is part of the John White Wildlife Management Area and is zoned L-C (Land Conservation).
- Oakfield/Alabama Comprehensive Plan

- Genesee County Smart Growth Plan
- Genesee County Agricultural and Farmland Protection Plan
- Proposed Zoning Regulations for Project: This section will review a set of proposed zoning regulations and incentive zoning concepts for the Project and analyze the potential impacts of re-zoning the Project area either to an industrial zone with special use permits; a planned unit development (“PUD”); or a newly-developed technology zoning district as applicable under the Town of Alabama zoning laws. This section will also review potential impacts, if any, incentive zoning and re-zoning may have on the continued use of the John White and the Tonawanda State WMAs.

5.8 Utilities

This section will address existing conditions, potential impacts and proposed mitigation measures associated with site utilities. Existing data sources and utility reports prepared for the DGEIS will be used to complete this section. This section will further identify potential impacts of foreseeable and necessary improvements to utility lines, corridor and facilities necessary for build-out of the Project. Areas of focus will include:

- Water Supply: This section will review the potential water demands of the Project, as well as an assessment of the capacity and capability of identified water supply sources utilizing, in part, any existing maps, plans and/or reports prepared by Chatfield Engineers on behalf of the Town of Alabama. A Water Service Preliminary Report will be prepared and attached as an appendix to the DGEIS.
- Wastewater Treatment and Sewers: This section will review the potential sewer demands of the Project and treatment options. This section will also evaluate potential wastewater pretreatment requirements. A Sewer Service and Wastewater Treatment Plant Preliminary Report will be prepared and attached as an appendix to the DGEIS.
- Electric Power
- Natural Gas
- Telecommunications
- Renewable Energy: The Project lies within the Niagara Hydro Power Zone and near a proposed wind farm to be located to the southeast of the Project.

5.9 Community Facilities

This section will address existing conditions, potential impacts and proposed mitigation measures associated with community facilities. Existing data sources will be used to complete this section. Areas of focus will include:

- **Emergency Services:** This section will be developed through interviews with officials from existing service providers to discuss their present and anticipated future capabilities and organization. The section will address the potential impacts of the Project on existing emergency services in the study area and assess the capabilities of emergency service providers to service the associated increased demand. Potential additional resources, training, support or coordination, if any, that will be necessary for the phased development will be listed for the following:
 - Police
 - Fire – The DGEIS will assess the potential need for enhanced resources as a result of the Project, including additional personnel and fire hydrants.
 - Ambulance

- **Waste Management:** This section will address solid and hazardous waste management and disposal, including the use of potential solid waste facilities, and the disposal of hazardous waste that may be produced by the Project.

- **Highway Maintenance**

- **Educational Facilities**

- **Court Services**

- **Public Lands and Recreation:** This section will evaluate potential significant adverse impacts to existing recreational and open space resources identified in the Town of Alabama, as well as on the Project area, including but not necessarily limited to, the John White WMA and the Tonawanda State WMA. Any potential significant adverse impacts on existing hunting grounds and snowmobiling areas will be further assessed.

5.10 Community Character

This section will address existing conditions, potential impacts and proposed mitigation measures associated with community character. Observations, existing reports and studies, along with a noise study and a visual impact analysis conducted for the DGEIS, will be used as source material for this section. Areas of focus will include:

- **Aesthetics:** Potential visual impacts of the preferred alternative, including utilities and roads, will be assessed in this section using computer viewshed projections for a 3-mile radius and visual simulations. NYSDEC criteria for visual impacts will be used to define other visual receptors. This section of the DGEIS will also review potential landscaping opportunities and integration of natural resource conservation opportunities as mitigation measures designed to reduce the Project's potential impact on community character.

- **Noise Levels:** Potential impacts during construction and operation of the Project will be assessed. Existing noise levels for construction and operation will be approximated using industry standards and comparative noise levels from similar existing facilities, and modeled for comparison to existing site line noise levels established in a Baseline Noise Analysis

conducted for the DGEIS. The potential noise impacts will be evaluated using NYSDEC standards to determine impacts.

- Socioeconomics: Potential impacts (positive and negative) to the local and regional socioeconomic setting will be identified and evaluated. This evaluation will include factors identified in other sections of the DGEIS including demographic indicators (population, housing, etc.); community services; and expected employment growth both within the Project and related employment growth as a result of the Project. These potential impacts will be assessed taking into consideration the existing community character. Appropriate mitigation measures will be identified as well as funding mechanisms as necessary. Planning information and studies pertaining to similar communities elsewhere in the U.S. where technology manufacturing centers have developed over the past 10-20 years will be included and evaluated. The positive and negative impacts related to existing facilities will be identified and mitigation proposed in order that the Project emulates these successes and adjusts plans as necessary to avoid past problems.

5.11 Demography

This section will address existing conditions, potential impacts and proposed mitigation measures associated with potential changes in site demographics. Existing data sources and reports will be used to complete this section. Areas of focus will include:

- Existing Employment Base
- Sensitive Receptors (Residences, Churches and Schools)

5.12 Historic and Archaeological Resources

This section will address existing conditions, potential impacts and proposed mitigation measures associated with historic and archaeological resources. This section will summarize findings of Phases 1A and 1B Archeological Surveys prepared for the DGEIS. Phase 1A and 1B study protocols will be developed in consultation with both the NYS Office of Parks, Recreation and Historic Preservation (“OPRHP”) and the Tonawanda Seneca Indian Nation. The Phase 1B study will identify potential areas for avoidance or future Phase 2 studies. Areas of focus will include:

- STAMP site implications related to the adjacent offsite Tonawanda Indian Reservation

5.13 Agricultural Resources

This section will address existing conditions, potential impacts and proposed mitigation measures associated with agricultural resources. Areas of focus will include:

- Prime and Non-Prime Farmland
- An analysis of the Project’s impact on agricultural resources taking into consideration the total amount of resources available in the Town of Alabama and the surrounding community.
- Potential impact on agricultural resources in the proximity of the Project site.

5.14 Cumulative Impact Analysis

A cumulative impact is an impact on the environment that could result from incremental impacts of a proposed action when added to other past, present, or reasonably foreseeable future actions by other entities separate from the proposed action. Cumulative impacts can result from individually minor but collectively significant actions that take place over time.

This section will include a qualitative analysis of the relationship and implications of such projects when added to the Project, noting any future environmental documentation efforts to be conducted with such foreseeable projects when substantially defined. Elements included in this assessment will only involve projects which have advanced to an appropriate level of detail to warrant consideration. Areas of focus will include:

- Background growth and development trends in Project area
- Cumulative impact with other existing and proposed industrial development projects
- Potential induced growth, including the potential of creating a demand for residential development in the Town of Alabama

5.15 Unavoidable Adverse Impacts

This section will summarize those environmental impacts that cannot be avoided and include an analysis weighing those unavoidable adverse impacts against the potential positive benefits of the Project. Areas of focus will include:

- Loss of Agricultural Lands
- Increased Demand for Water Supply and Sanitary Sewer Treatment
- Increased Demand for Energy
- Increased Impervious Surfaces
- Loss of Habitat for Non-Endangered Plant and Animal Species
- Potential Noise Increases
- Increased Demand for Community Services

5.16 Irreversible and Irretrievable Commitment of Resources

This section will identify any irreversible and irretrievable commitments of environmental resources that cannot be avoided or adequately mitigated, and include an analysis weighing the loss of those resources against the potential positive benefits of the Project.

5.17 Effects on Use and Conservation of Energy

This section will identify the energy sources to be used, the anticipated levels of consumption and will suggest ways to reduce energy consumption. Areas of focus will include:

- Electric Power
- Natural Gas
- Petroleum Products
- Building Standards – Energy Efficiency
- Leadership in Energy and Environmental Design (LEED)

6. PROJECT ALTERNATIVES

The DGEIS will describe and evaluate a range of reasonable alternatives to the Project that are feasible considering the goals, objectives and capabilities of the GCEDC. Alternatives that will be considered during the DGEIS are described below:

6.1 No-Build Alternative

The No-Build Alternative is considered in order to establish a base line to help qualitatively and quantitatively assess the benefits and impacts associated with identified feasible alternatives.

6.2 Existing Zoning Alternative

The DGEIS will examine the social, economic and environmental impacts of a development alternative based on existing site zoning.

6.3 Preferred Alternative

The DGEIS will examine the social, economic and environmental impacts of an advanced technology manufacturing development alternative based on the STAMP master plan as shown in the STAMP Feasibility Study. This section will further review variations of the preferred development alternative as part of its analysis of the STAMP master plan, as well as the concept of incentive zoning as a means of gaining access to existing water and sewer services.

6.4 Residential Alternative

The DGEIS will examine the social, economic and environmental impacts of a development alternative based on the site developed as a suburban residential area.

7. APPENDICES TO BE PROVIDED WITH DGEIS

The following is a list of specific studies and reports to be provided with the DGEIS as appendices.

- Aerial Topographic Survey
- Industry Requirements Environmental Health & Safety Impacts Report
- Project Area Maps
- Proposed Zoning Regulations
- Traffic Impact Study
- Water Service Preliminary Report
- Sewer Service & WWTP Preliminary Report
- Regional SWM System Preliminary Report
- Natural Gas Preliminary Report
- Telecommunications Correspondence
- Wetland Delineation & Mitigation Assessment
- Threatened & Endangered Species Assessment, Phase 1
- Threatened & Endangered Species Assessment, Phase 2
- Local Zoning Maps

- Visual Impact Analysis
- Baseline Noise Study
- Phase 1A Archaeological Survey
- Phase 1B Archaeological Survey
- Involved and Interested Agency Correspondence
- SEQRA Procedural Documents

8. RESPONSIVENESS SUMMARY OF COMMENTS TO DRAFT SCOPING DOCUMENT

The following constitutes a responsiveness summary of the comments received on the Draft Scoping Document for the Project. The comments are broken down into two groups: 1) written comments submitted during the February 4th through March 5th comment period; and 2) comments made during the public meetings held on February 11 and February 13, 2010. Each written communication has been catalogued, and the comments provided therein organized by topic area. Responses to comments as they pertain to the Draft Scoping Document are provided, while revisions made to the Final Scoping Document are noted accordingly. Comments made at the public meetings have been catalogued by topic area, with responses provided and revisions also noted accordingly.

6 N.Y.C.R.R. § 617.8(f)(7) of the SEQRA regulations requires that the Final Scoping Document include a listing of the prominent issues that were raised during scoping and determined either not to be germane; not to be environmentally significant; or were adequately addressed in a prior environmental review. Section 8 has been prepared to meet the requirements of Section 617.8(f)(7). For further reference, a copy of the February 3, 2010 Draft Scoping Document is included as Attachment A to this Final Scoping Document and copies of the written comments submitted during the comment period are included as Attachment B.

8.1 Written Comments

A number of written comments were provided to the Draft Scoping Document during the comment period that extended from February 4, 2010 through March 5, 2010. The following is a catalogue of the written comments that were submitted:

- A) February 19, 2010 letter from NYS Thruway Authority
- B) Card from D. Phelps postmarked February 12, 2010
- C) Undated and unsigned postcard
- D) Card from Peggy Lamb postmarked February 23, 2010
- E) March 5, 2010 letter from Scott E. Sheeley, Deputy Regional Permit Administrator, NYSDEC, Region 8
- F) March 4, 2010 letter from Robert Crossen
- G) March 1, 2010 letter from NYS Department of Transportation
- H) February 28, 2010 letter from John P. Volpe
- I) Undated letter from Norman Giess
- J) Undated letter from Ben Fullsen
- K) Undated letter from Bryan Phelps

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| L) February 26, 2010 letter from Myra Phelps
M) February 26, 2010 note from Wayne Phelps
N) Undated letter from Dennis Phelps
O) March 4, 2010 letter from Robert Crossen on behalf of the Alabama Volunteer Fire Department, Inc. |
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For this section, each written communication is identified, as well as the specific topic areas and/or issues addressed in each communication. This is followed by a responsiveness summary, including a reference (as necessary) to any revisions that have been made to the Final Scoping Document.

Written Comment 8.1.A: February 19, 2010 letter from NYS Thruway Authority:

- Letter states that the Project may have potential impacts on NYS Thruway facilities, but provides no specific issues regarding the Draft Scoping Document. The letter does confirm that the NYS Thruway Authority has no intention of constructing a noise barrier in the vicinity of the Project.

Response: NYS Thruway Authority has been included as an interested agency for the SEQRA process and will be consulted with as the review of the Project proceeds.

Written Comment 8.1.B: Card from D. Phelps postmarked 2/12/10

- What will be the impacts on existing agricultural businesses in the proximity of the Project area?
- Will income from Project offset increased community services?
- Will compensation be made to Town for taxes that will no longer be collected from property to be purchased by applicant?

Response: Section 5.13 of the DGEIS will address the potential significant adverse impacts the Project may have on agricultural resources. In particular, Section 5.13 will address existing conditions and set forth proposed mitigation measures associated with agricultural resources. The Final Scoping Document has been amended to also include the potential impact on agricultural services in the proximity of the Project site, in light of the comment made above.

Section 5.9 of the DGEIS will also address the potential impacts the Project may have on a variety of community services, including police, fire, ambulance, waste management, highway maintenance, education, court services, and public lands and recreation. Section 5.9 will further analyze the potential mitigative aspects of increased tax revenues generated by the Project as an offset of any increased use of community services.

With respect to the commentator's opinion regarding compensation being made to the Town for taxes that will no longer be collected from the property to be purchased for the Project, the DGEIS will address economic benefits associated with the Project resulting from potential increased tax revenues.

Written Comment 8.1.C: Undated and unsigned card

- Opinion that Project is not needed and will turn land into empty buildings and parking lots.
- New people bring crime and drugs.
- Questions whether Project is realistic.
- New people coming to the area do not like farm noise and smell.
- Project will result in more taxes for increased water, highway, sewage and waste disposal services.

Response: Section 5.9 of the DGEIS will address the potential impacts the Project may have on existing community services including emergency services, waste management, educational facilities, and public lands and recreation. Section 5.9 of the Final Scoping Document has been revised to include highway maintenance and court services as additional community services to be examined. Section 5.9 will also include proposed mitigation measures that will analyze how increased tax revenues generated by the Project may offset the increased use of community services. Section 5.10 will further address the Project's potential impacts on community character, including impacts associated with aesthetics and noise. Lastly, the commentator's opinions as to whether the Project is realistic and new people bringing crime and drugs are not germane to the studies and analyses required to be prepared in the DGEIS as outlined in the Final Scoping Document.

Written Comment 8.1.D: Card from Peggy Lamb postmarked February 23, 2010

- Supports Project
- Calls for stressing the good paying jobs and the bleak future of Alabama with an aging population.

Response: GCEDC appreciates the positive comments regarding the anticipated economic benefits the Project may bring to the Town of Alabama and Genesee County. The DGEIS will review the potential economic and socioeconomic benefits of the Project, and how such benefits may outweigh the potential environmental impacts associated with the Project.

Written Comment 8.1.E: March 5, 2010 letter from New York State Department of Environmental Conservation

- DEC's letter suggests that the Final Scoping Document include an executive summary outlining the major elements of the Project and that if necessary the text of the scope should reference an appendix in

which additional supporting information and analysis will be included. DEC also suggests that it may be helpful to include an appendix that contains all involved and interested agency correspondence received on the Project and copies of the relevant SEQRA documents.

- DEC suggests that the Final Scoping Document elaborate on how the industry requirements will be identified and described, and recommends that such requirements be defined specifically enough to evaluate potential impacts to water, air and land related to water use, chemical use, energy use, chemical and petroleum bulk storage and waste generation, handling and disposal.
- DEC's letter suggests that Section 3.4 of the Draft Scoping Document be amended so that the full build-out "footprint" will identify building locations, building footprints, sizes, green spaces and configurations of the development areas, as well as locations of any reasonably foreseeable infrastructure improvements.
- DEC suggests that Section 3.4 of the Draft Scoping Document identify the preferred development alternative.
- DEC states that it should be noted in Section 3.5 of the DGEIS that, to the extent the Industry Requirements and Environmental Health & Safety Impacts Report will be used as the supporting material for the description of the technology manufacturing operations, that it say so.
- DEC supports the inclusion of Section 3.7 of the DGEIS and states that the threshold should address the following criteria:
 - a. Building and infrastructure locations.
 - b. Building and infrastructure footprints.
 - c. Building and infrastructure heights and setbacks.
 - d. Volumes, types and general locations of petroleum and chemical bulk storage.
 - e. Solid and liquid waste types and quantities that will be generated.
 - f. Air emission type, sources and quantities.
- DEC recommends that Section 5.2 of the DGEIS identify in greater detail how surface and groundwater resources will be evaluated and suggests that a separate section heading be included for the evaluation of stormwater runoff. In addition, DEC suggests that a table be provided to summarize the amounts and types of wetlands, streams and other water bodies present on the site, along with their jurisdictional statuses. DEC further comments that the table should include a summary of the potential physical impacts (temporary and

permanent) of each Project alternative under consideration on surface waters and wetlands.

DEC recommends, to the extent that the impacts to groundwater will be evaluated in Section 5.2, it should include potential impacts that may result from the development of new, off-site groundwater sources to supply the Project site should be included. Lastly, DEC suggests that Section 5.2 specifically identify mitigation measures to protect on-site groundwater quality which will include a full discussion of the applicable regulatory requirements for chemical and petroleum bulk storage and waste handling, as well as a discussion of the potential physical impacts to surface waters and wetlands related to the Project alternatives that could avoid filling, piping or relocation of streams and wetlands.

- DEC recommends that Section 5.3 include an evaluation of potential impacts on air resources associated with the Project related to both on-site manufacturing processes, on-site facility operations and off-site power generation.
- DEC's letter further identifies State-listed threatened and endangered species that should be evaluated in the DGEIS. DEC recommends that the Draft Scoping Document should indicate that a determination regarding the presence of a valuable habitat for each species will be made. DEC further recommends that the Draft Scoping Document identify the general survey methods and schedule that will be used.
- DEC suggests that Section 5.4 include the development of a long-term land management plan for the Project site that will address changes in land use over the course of the Project's anticipated build-out. The plan could identify the location of lands to be developed and provide a schedule of development. Lands that will remain undeveloped should also be identified along with a habitat management goal that supports or enhances adjacent undeveloped lands and wildlife management areas.

DEC also states that to the extent that the acquisition of the John White Wildlife Management Area ("WMA") is advanced, potential impacts to fish and wildlife to the WMA should be addressed in Section 5.4 of the DGEIS.

- DEC comments that Section 5.7 of the DGEIS should evaluate the compatibility of the proposed re-zoning with the continued use of the WMA, wildlife conservation and public recreation.

- DEC suggests that Section 5.6 of the DGEIS indicate that the physical impacts of necessary traffic improvements will be identified and mitigation measures developed. DEC further suggests that Section 5.8 of the DGEIS regarding utilities likewise identify the physical impacts of any foreseeable and necessary improvements in utility lines, corridors and facilities. DEC further states that the ownership, operation and maintenance of sewer and water infrastructure be identified and discussed in the DGEIS, with particular attention paid to any applicable provisions of New York State's Transportation Corporations Law.
- DEC's further comments that wastewater treatment and water supply alternatives should be identified in the Final Scoping Document, and suggests that the development of a phasing plan for water and sewer construction activities may be beneficial. With respect to sewer, DEC's comment further suggests that the DGEIS identify the projected industrial class codes that will use the Project site and discuss any wastewater pretreatment requirements for identified users. For any on-site streams that are identified to receive treated wastewater, a waste assimilative capacity analysis should be prepared and included in the DGEIS that accounts for full build-out. Lastly, DEC recommends that the DGEIS identify the basis for the proposed water demands of the Project and provide adequate information to demonstrate that proposed water sources are sufficient to supply the Project site.
- DEC states that the public lands and recreation are identified and evaluated in Section 5.9 of the DGEIS should include the John White State WMA and the Tonawanda State WMA.
- DEC recommends that Section 5.12 of the DGEIS indicate that the Phase 1A and 1B study protocols will be developed in consultation with both the New York State Office of Parks, Recreation and Historic Preservation and the Tonawanda Seneca Indian Nation. Furthermore, where the Phase 1B analysis identifies the potential for archeological resources to be present, DEC suggests that the DGEIS also include the results and findings of a Phase II investigation.
- DEC recommends that additional development alternatives be identified for consideration in Section 6 of the DGEIS that would avoid and minimize impacts to wetlands, streams and other sensitive natural resources that may be identified on the Project site. DEC further recommends that some variation of development alternatives be investigated further in the DGEIS.

Response: Section 3 of the DGEIS will outline the major elements of the Project, including a description of the proposed advanced technology manufacturing campus, its location, and the Project's purpose, need and benefit. The Final Scoping Document has been amended to include references to appendices with additional supporting information and analysis as appropriate. In addition, the list of appendices has been amended to include appendices for all involved and interested agency correspondences and copies of the relevant SEQRA procedural documentation.

Section 3.3 has been amended to incorporate DEC's comments regarding the description of the industry requirements.

Section 3.4 of the Final Scoping Document has been amended to incorporate DEC's comments.

Section 3.5 of the Final Scoping Document has been amended to incorporate DEC's comments regarding the Industry Requirements and Environmental Health & Safety Impacts Report.

Section 3.7 of the Final Scoping Document has been amended to incorporate DEC's comments on the additional threshold criteria.

Section 5.2 of the Final Scoping Document has been amended to include a specific reference to the analysis of the potential impacts regarding stormwater runoff. In addition, the DGEIS will contain figures and other tables with respect to a summary of amounts and types of wetlands, streams and water bodies present at the Project site, along with their jurisdictional statuses and the Project's potential impacts to such resources. Section 5.2 of the DGEIS will also identify potential mitigation measures to protect on-site groundwater quality, including, as applicable, a discussion of the regulatory requirements for chemical and petroleum bulk storage and waste handling, as well as the potential for physical impacts to surface waters and wetlands due to construction requirements.

Section 5.3 of the Final Scoping Document has been amended to incorporate analysis of the potential impacts to air quality as a result of on-site manufacturing processes and on-site facility operations, as well as a reference that the DGEIS will utilize (to the extent applicable) DEC's guidance materials on the evaluation of greenhouse gases in an environmental impact statement.

Section 5.4 of the Final Scoping Document has been amended to incorporate the list of identified species contained in DEC's comment letter. Section 5.4 has also been amended to include a description of the general survey methods to be used and applicable schedules, as well as a reference to an evaluation of a long-term land management plan for the Project site. In addition, potential impacts to fish and wildlife resulting from the acquisition

of the John White Wildlife Management Area has also been identified as an item to be addressed in Section 5.4.

Section 5.7 of the Final Scoping Document has been amended to incorporate DEC's comment regarding the potential impact of the proposed re-zoning of the Project site for the continued use of the John White and Tonawanda State Wildlife Management Areas.

Section 5.6 of the DGEIS has been amended to incorporate DEC's comments with respect to potential impacts of foreseeable and necessary improvements to utility lines, corridors and facilities in the Project site, as well as an assessment of the capacity and capability of identified water supply sources and wastewater pretreatment requirements.

Section 5.9 of the Final Scoping Document has been amended to include specific references to the John White and Tonawanda State Wildlife Management Areas.

Section 5.12 of the Final Scoping Document has been amended to incorporate DEC's comment regarding developing the Phase 1A and Phase 1B study protocols in consultation with OPRHP and the Tonawanda Seneca Indian Nation. The Phase 1B study will identify potential areas for avoidance or future Phase 2 studies.

Section 6.3 of the Final Scoping Document has been amended to incorporate DEC's comments regarding the review of variations of the preferred development alternative as part of its analysis of the STAMP master plan.

Written Comment 8.1.F: March 4, 2010 letter from Robert Crossen

- Farmland protection measures need to be considered by the Town of Alabama including the use of incentive zoning to purchase development rights from willing landowners and deed restrictions for undeveloped land. Urban creep is threatening to eat away property and the Project could be used to slow further losses. As part of the population projections for the Project, a no-build out alternative should be considered.
- Mr. Crossen's letter raises concerns about community character and requests that the planners consider saving a set of barns and silo on the Wyder property and converting them into the Project's demonstration/visitor center. The commentator further provides that the plan should consider focusing on saving existing woods, hedge lines and scrub areas to preserve the look of the area.
- Mr. Crossen requests that an in-depth study of costs and projected remedies for each tax entity be provided. Such a study should include

the impact of the increased property value and subsequent sales tax payments to the Town on the current sales tax formula.

- Lastly, Mr. Crossen suggests that the impact of the Project to the revenue stream and state aid formula for the Oakfield/Alabama School District be analyzed.

Response: Section 5.13 of the DGEIS will address the Project's potential impacts to agricultural resources including its ability to enhance farmland protection. As required by SEQRA, Section 6 of the DGEIS will outline project alternatives to be considered in the DGEIS, including a no-build alternative that will help establish a baseline to qualitatively and quantitatively assess the benefits and impacts associated with the other identified alternatives.

Section 5.10 of the DGEIS will further review the existing conditions and potential impacts associated with the Project and community character. Proposed mitigation measures will be outlined in the DGEIS which may include landscaping and other measures as part of efforts to reduce the aesthetic impact of the Project. In light of the comment provided by Mr. Crossen, the Final Scoping Document has been revised to consider landscaping and the retention of existing environmental features as part of potential mitigating measures. Lastly, the DGEIS will discuss the potential economic benefits the Project may provide to the community, including increased tax revenues to the Town, school districts and Genesee County.

Written Comment 8.1.G: March 1, 2010 letter from the New York State Department of Transportation

- New York State DOT states that the Project will have significant traffic and environmental impacts and requests that the scope be increased to include additional intersections
- The letter states that a March 11, 2010 meeting has been scheduled to discuss the scope of the traffic impact study and which additional intersections need to be included
- DOT further states that significant traffic mitigation will be required

Response: GCEDC welcomes the input of the New York State DOT regarding the potential traffic impacts associated with the Project. As set forth in Section 5.6 of the Final Scoping Document, existing traffic conditions, potential impacts and proposed mitigation measures associated with traffic and transportation will be examined in the DGEIS. Traffic data collection points have been installed and a Traffic Impact Study will be provided as referenced in the list of Appendices of the Final Scoping Document. In addition, a traffic forecasting analysis, including capacity and level-of-service analyses, will be conducted for key intersections based on standard traffic capacity procedures set forth in the Highway Capacity Manual. A Traffic Engineering Report will also be generated which will include proposed site access improvements and other mitigation measures to ensure that potential significant adverse traffic impacts associated with the Project are mitigated to the maximum extent practicable.

Written Comment 8.1.H: February 28, 2010 letter from John P. Volpe

- Mr. Volpe requests that a full environmental impact study be done instead of a generic environmental impact study.
- Mr. Volpe notes that a number of threatened and endangered species may be located in the 36 wetland areas.
- Mr. Volpe further expresses concerns about wildlife losses due to projects such as the STAMP Project.
- Mr. Volpe further expresses frustration about companies coming in and getting what they want and lying to the people with respect to the Project and their concern about wildlife.

Response: Section 5.4 of the Final Scoping Document entitled “Terrestrial and Aquatic Ecology” outlines how the DGEIS will analyze existing conditions, potential impacts, and proposed mitigation measures associated with terrestrial and aquatic ecology. The DGEIS will utilize data from NYSDEC and the U.S. Fish and Wildlife Service, as well as field reconnaissance information obtained from the Project site, in order to catalogue and address potential significant adverse impacts the Project may have on identified endangered and threatened species. A comprehensive endangered species investigation will be performed to assess impacts, if any, to the threatened and endangered species identified by NYSDEC and GCEDC’s consultants. This investigation shall result in the completion of Phase I and Phase II Threatened and Endangered Species Assessments, as referred in the list of appendices to the DGEIS.

GCEDC remains committed to working with NYSDEC and the U.S. Fish and Wildlife Services to ensure that the Project does not create a potential significant adverse impact to endangered and threatened species.

With respect to Mr. Volpe’s concern about a generic environmental impact statement being prepared for the Project, Section 617.10 of the SEQRA regulations states that a generic environmental impact statement is warranted where you have a large project that contains a sequence of actions that are not site specific, but based on general and/or conceptual plans. GCEDC submits that the Project fits within the types of actions that warrant a generic environmental impact statement.

Lastly, Mr. Volpe’s comments about companies coming in and lying about their concerns regarding wildlife is not germane to the scope of analyses and reviews to be completed as part of the DGEIS.

Written Comment 7.1.H: Undated letter from Norman Giess

- Mr. Giess states that he is a full time farmer in the Town of Alabama and is currently working 800 acres, of which 150 acres are rented from the Wyder farm on Crosby Road. Commentator states that crops grown on the Wyder farm have consistently yielded well over the last 15 years.

- Mr. Giess states that Genesee County ranks high nationally as one of the best places to farm and the ethanol plant which is 10 miles north has made farms prosper more.
- Mr. Giess notes that there is a need for good paying jobs in the Genesee community area and the STAMP Project would certainly accomplish this. Commentator suggests that certain land in the Project area should be preserved for farming (particularly land located south of Patterson Road and to the east of Crosby Road).
- Mr. Giess questions the future plans including parks and bike paths and asks why such areas could not be kept as farmland.
- Mr. Giess expresses concern that the Project is just another example of the increasingly nationwide problem of farmland loss due to industrial and residential sites.

Response: The DGEIS will analyze the potential significant adverse impacts the Project may have on existing and future agricultural resources. Section 5.13 of the DGEIS will address existing conditions, potential impacts, and proposed mitigation areas associated with agricultural resources. Areas of focus will include prime and non-prime farmland, as well as an analysis of the impact on agricultural resources taking into consideration the total amount of resources available in the community. The DGEIS will also review how this particular Project site was selected in light of its historical use as farmlands.

The Final Scoping Document will also identify and analyze the Project's potential impact on community facilities, including public lands and recreation, and will weigh the impact of providing additional recreational uses at the Project site against the loss of the agricultural use of the Property.

Although Mr. Giess' concern about a nationwide loss of farmland, as well as the overall prosperity of agriculture, are worthwhile, they are beyond the scope of the DGEIS for the Project, and thus not germane to the specific analysis required to be outlined in the Final Scoping Document. Moreover, Mr. Giess' opinions about the Wyder Farm and its agricultural productivity will be reviewed as part of the DGEIS' review of prior investigations conducted to determine the agricultural usefulness of the Project site.

Written Comment 8.1.I: Undated letter from Ben Fullsen

- Mr. Fullsen states that agricultural land should not be taken out of production for this Project and no more recreational land in Alabama is necessary.
- Mr. Fullsen expressed concerns that the Town and the roads within the Town will not be able to handle the volume of traffic the traffic will generate. Mr. Fullsen states that the Ledge Road-Route 77 intersection is too dangerous now with only a few gas stations and smokeshops on the reservation.
- Mr. Fullsen states that the current land is zoned A-R and should be left that way.

- Mr. Fullsen expresses concern about impact on taxpayers associated with the Project and the loss of farmland resulting from the Project.

Response: Section 5.7 of the DGEIS will address the Project’s potential impact on existing zoning and land use plans for the community. A majority of the Project site is currently zoned A-R and would have to be re-zoned for the STAMP Project. The DGEIS will thus not only address any potential significant impacts to the existing zoning designation, but further analyze the potential impacts associated with the re-zoning of the Project site, as well as any necessary amendments to the Town’s Comprehensive Plan.

Section 5.6 of the DGEIS will also provide a comprehensive analysis of the existing conditions, potential significant adverse impacts, and proposed mitigation measures associated with traffic and transportation resulting from the Project. A traffic engineering report and a Traffic Impact Study will be provided as part of the DGEIS. The study will provide a thorough analysis of the potential impacts to surrounding intersections, including the Ledge Road-Route 77 intersection noted by Mr. Fullsen.

Mr. Fullsen further provides general comments about the overall concern of the loss of farmland resulting from the Project. Section 5.13 of the DGEIS will analyze the potential significant adverse impacts the Project may have on existing and future agricultural resources. Lastly, the potential significant adverse impacts the Project may have on community character will be analyzed in Section 5.10 of the DGEIS.

With respect to Mr. Fullsen’s opinions regarding there not being a need for additional recreational land in the Town of Alabama, this comment is not germane to the specific analyses and studies to be provided in the DGEIS.

Written Comment 8.1.K: Undated letter from Bryan Phelps

- Mr. Phelps states that absolutely no new zoning designation or changes should be made and that the site should stay as a farming and agricultural area
- Mr. Phelps states that jobs are being lost to China: that the community survey was completely manipulative; and that various local municipal boards and Town comprehensive plans are totally useless with government agencies such as GCEDC wastefully spending taxpayer dollars.
- Mr. Phelps states that the Town already has enough public lands and recreation and that 1/3 of the Project area is located within prime agricultural lands as set forth in the Town of Alabama’s Comprehensive Plan
- Mr. Phelps expresses concern that once the land is gone, it’s gone forever, and that the Project will bring suburban development.

Response: Section 5.7 entitled “Land Use and Zoning” will address the Project’s potential impacts associated with existing and future conditions, as well as propose mitigation measures associated with land use and zoning. The DGEIS will analyze

proposed zoning regulations for the Project, including the proposed re-zoning of the Project site either to an industrial zone with a special use permit requirement; a planned unit development; or a newly-developed technology zoning district.

Sections 5.9 and 5.10 of the DGEIS will also review the potential significant impacts the Project may have on community character and the potential increased use of existing community services. Section 5.14 of the DGEIS will review any anticipated cumulative impacts associated with the Project, including the potential for ancillary residential growth. Section 5.13 will analyze potential significant adverse environmental impacts the Project may have on existing and future agricultural resources. An analysis of the Project's impact on agricultural resources will be completed taking into consideration the total amount of resources available in the community and the capability of the Project site for agricultural production.

Mr. Phelps's concerns regarding the loss of jobs in the U.S. and, in particular, his opinion that local municipal boards and town comprehensive plans are totally useless, are not germane to the specific analyses and studies required to be provided in the DGEIS for the Project.

Written Comment 8.1.L: January 26, 2010 letter from Myra Phelps

- Ms. Phelps states that the Project should not proceed.
- Ms. Phelps expresses concern about the loss of agricultural lands resulting from the Project, and that there are existing empty buildings located within the community where the Project could be located. Ms. Phelps further discusses a stone quarry project in the Town that was supposed to be farmland after they were finished, and questions what could now be grown on that property.

Response: Section 5.13 of the DGEIS will discuss the potential significant adverse impacts the Project may have on prime and non-prime farmland located in the community where the Project is to be located. The analysis of the Project's impact on agricultural resources will take into consideration the total amount of resources available in the community. In addition, Section 5.10 of the DGEIS will analyze the potential significant impacts the Project may have on the Town's existing community character.

Ms. Phelps' comments regarding the stone quarry in the Town concerns a project not related to STAMP. Thus, the comments regarding the stone quarry property are not germane to this DGEIS. Lastly, a no-build alternative will be analyzed in the DGEIS which will outline the potential impacts of the Project if it is not developed, including the potential loss of tax revenue and employment.

Written Comment 8.1.M: February 26, 2010 note from Wayne Phelps

- Mr. Phelps states that he is against the Project and that the property is zoned agriculture and should be kept that way.

- Mr. Phelps further states that there are Empire Zone sites located next to Exits 48 and 48A of the New York State Thruway and the Project could be located in one of those sites.

Response: The DGEIS will review the potential impacts on the community character and agricultural resources of the Town of Alabama and Genesee County. In addition, Section 5.7 of the DGEIS will analyze the Project's potential significant impact on existing and future zoning designations for the Project site.

A prior analysis of the Empire Zone sites located next to Exits 48 and 48A proved that such sites were not conducive to the type of advanced manufacturing park required for STAMP. The requirements for the types of uses to be located at STAMP will be reviewed in the Industry Requirements and Environmental Health & Safety Impacts Report (which will be provided as an appendix to the DGEIS) and Section 6 of the DGEIS. These requirements will be addressed as part of the analysis as to why other sites located in Genesee County are not conducive to the Project.

Written Comment 8.1.N Undated letter from Dennis Phelps

- Mr. Phelps expresses his opinion that agricultural farmland is available and should not be disturbed for the STAMP Project.
- Mr. Phelps further states that the Town of Alabama Comprehensive Plan does not allow for the STAMP Project and states that it should not be changed to permit the Project.
- Mr. Phelps opines that GCEDC has been misleading to the Town residents with respect to improvements being made available to the Town and states that the government should stop wasting taxpayer dollars on projects like STAMP.

Response: Section 5.13 of the DGEIS will analyze the potential significant impacts the Project may have on existing and future agriculture resources in the community. In addition, Section 5.7 of the DGEIS will address the potential impact on existing and proposed zoning for the Project, as well as consistency with the Town of Alabama Comprehensive Plan.

GCEDC denies the assertion by Mr. Phelps that it has been misleading to Town residents with respect to the Project. GCEDC has conducted numerous public meetings about the Project and regularly provided specific information regarding the Project to the public so that it could obtain its input. There has been no effort to mislead anyone with respect to the Project and its potential impacts to the community and the environment. Furthermore, Mr. Phelps' statements that government should stop wasting taxpayer monies on projects like STAMP are not germane to the analyses and studies that need to be provided as part of the SEQRA review for the Project.

Written Comment 8.1.0: March 4, 2010 letter from Robert Crossen on behalf of the Alabama Volunteer Fire Department, Inc.

- Mr. Crossen requested that the Fire Department be considered an interested agency.
- Mr. Crossen further stated that typical on-site chemical and physical processes should be documented and studied as it relates to all aspects of fire response services.
- Mr. Crossen further stated that the traffic study should include expected additional call type and volumes the Fire Department would have to respond to.
- Mr. Crossen expressed his opinion that full build-out with the expected 9,000 persons employed on-site with an unknown number of additional persons in supporting businesses off-site that call volume for fire response will significantly increase. Therefore, commentator requested that the Fire Department's equipment, resource, training, and volunteer pressures be studied in the DGEIS.
- Mr. Crossen requested that ways of encouraging engagement by future employees in the Fire Department be studied.
- Mr. Crossen asked that the financial burden to the Fire Department as a result of the Project should be studied including projected cost figures and funding sources from the beginning of site work to full build-out.

Response:

The Final Scoping Document has been amended to include the Town of Alabama Fire Department as an interested agency for SEQRA review purposes.

Section 5.9 of the DGEIS will review the Project's potential impacts on existing and future emergency services, including police, fire, and ambulance response services. Section 5.9 will address the potential impacts of the Project on existing emergency services in the study area and assess the capabilities of emergency service providers to service the potential increased demand for the Project. Potential additional resources, training, equipment and support coordination, if any, will be further reviewed.

Section 5.5 of the DGEIS will also address the potential impacts and mitigation measures associated with the projected chemical use and management associated with the Project. Section 5.5 will examine industry and regulatory agency standards for the prevention of any accidental releases, including those standards associated with the typical chemicals and quantities that will be used in the kind of advanced technology manufacturing industries that will be sited at the Project. As a result of the comments provided by Mr. Crossen, Section 5.5 of the Final Scoping Document has been amended to include the review and study of on-site chemical and physical processes that will be potentially used at the Project site as they relate to all aspects of fire and emergency response services.

8.2 Comments Submitted at February 11th and February 13th Public Meetings

A number of verbal comments regarding the Project were provided during the public meetings held by GCEDC at the Town of Alabama Fire Hall on February 11 and February

13, 2010. This Section identifies the nature of the comments that were provided at the public meetings; couples similar comments under one topic heading; and addresses those comments with respect to the topic area or issue addressed in the Draft Scoping Document. Revisions that have been made to the Final Scoping Document as a result of any comment are noted accordingly.

8.3 February 11th Public Meeting

Tonawanda Tribal Council Comments:

Which Chiefs attended the Tonawanda Tribal Council meeting? Why didn't GCEDC meet with the reservation population?

Response:

At the request of Chief Darwin Hill, GCEDC attended a Tonawanda Tribal Council meeting whereby the Council of the Chiefs communicated its interest and concerns regarding the Project. In particular, the Tonawanda Tribal Council expressed concerns regarding traffic, drainage and property border issues.

Fire Response Comments:

How will the Alabama Fire Department be involved in the Project? Would the STAMP Project have its own fire department? The Fire Department's main concern is the need for resources and labor since the Project is so large and applies a lot of pressure to the volunteer based fire department.

Response:

The Final Scoping Document has been revised to list the Alabama Fire Department as an interested agency for the SEQRA process. Furthermore, Section 5.9 of the DGEIS will address the Project's potential significant impacts on the fire services provided in the Town of Alabama, including any impacts on the Fire Department's existing resources and staffing requirements.

Agricultural Resources Comment:

There were a number of comments provided at the February 11th public meeting regarding impacts on farming and agricultural resources located in the Town of Alabama. Several comments stated that the number one use in the Town of Alabama's Comprehensive Plan is agriculture, and questioned what percentage of farmland in the Town of Alabama would be used for the Project. One commentator stated that if residents were concerned about new residential development, then the farmers should not sell their property.

Response:

Section 5.13 of the DGEIS will review the potential significant adverse impacts that the Project may have on existing and future agricultural resources. The DGEIS will review

how the Project utilizes 1% of the farmland present in Genesee County, as well as provide analysis of the potential impact on agriculture resources located within the Town of Alabama. The DGEIS will also review how the Project site will interact with the adjacent farming properties. Lastly, the New York State Department of Agriculture and Markets will continue to participate in the SEQRA process as an involved agency and provide feedback and analysis regarding these issues as appropriate.

Employment Comments:

A number of comments expressed positive feedback regarding the potential employment opportunities the Project will provide to the Town of Alabama and Genesee County. One commentator stated that there are eight (8) school districts in Genesee County with about 1,000 graduates per year, and that the jobs that would be created by the Project offer opportunities to retain a large portion of these graduates. A number of commentators expressed support of the Project's potential for bringing jobs to the Town, and noted that people have been leaving the Town of Alabama to find work at other communities. One commentator stated that typically 50% of the children leave the Town of Alabama and 50% of the children stay, but all want to live in a place like the Town of Alabama. Thus, commentators stated that the Project would not only provide more jobs in the community, but put more money back into the community through a better tax base. One commentator read a letter sent to the Daily Press in support of the Project and its opportunity to provide jobs and an increased tax base to the community. Lastly, one commentator expressed his interest in buying American products so that manufacturing jobs would not go to China.

Response:

GCEDC appreciates the positive comments regarding the potential employment and tax revenue opportunities the Project may provide to the Town of Alabama and Genesee County. The potential economic and socioeconomic benefits of the Project will be discussed in the DGEIS and, as required under the SEQRA regulations, such benefits will be weighed against the potential significant adverse environmental impacts the Project may create. Although comments regarding the purchasing of American products may be worthwhile, they are not germane to the analyses and studies required to be specifically provided in the DGEIS.

Existing Building Comments:

Several commentators discussed the possibility of retrofitting existing industrial buildings as opposed to utilizing new land for the Project. One commentator stated that schools teach to reduce, reuse and recycle, and that it was hypocrisy to take 13 acres (and based on the commentator's opinion, 1/3 of which is prime soil and areas of wildlife) for industrial development, when there are Brownfields that could be redeveloped in the region. One commentator stated that the Town of Alabama had a number of empty and unfilled business parks, that the government was broke, and questioned why another manufacturing site should be built.

Response:

An Industry Requirements and Environmental Health & Safety Impacts Report will be provided as part of the DGEIS which will review the requirements for advanced technology manufacturing facilities such as the one proposed at STAMP. The Industry Requirements and Environmental Health & Safety Impacts Report and alternatives analysis provided in Section 6 of the DGEIS will discuss why reusing certain existing facilities located in the community have a number of limiting factors, including costs and building structure limitations, which prohibit the siting of advanced technology manufacturing facilities. The commentator's opinion about government being broke and the alleged hypocrisy of developing the Project are not germane to the specific analyses and studies that will be provided in the DGEIS.

Municipal Services Comment:

A number of commentators asked how the municipal services provided for the Project will be paid.

Response:

Section 5.9 of the DGEIS will address the existing conditions and potential significant impacts the Project may have on municipal services, including police, fire, ambulance, waste management, highway maintenance, educational facilities, court services and public lands and recreation. Section 5.9 will also review proposed mitigation measures associated with these services, including how additional municipal services required for the Project will be offset by potential increased tax revenues.

Zoning Comments:

A number of commentators raised questions regarding the existing and future zoning requirements for the Project. One commentator stated that the County Farmland Protection Plan will have to be amended for the Project. Another commentator asked whether the Town's Comprehensive Plan would need to be amended, and questioned whether the zoning ordinance for the Town of Alabama would need to be similarly amended. Lastly, another commentator stated that the Town was in control of whether the Project moved forward or not and, with respect to incentive zoning, GCEDC would apply to the Town of Alabama for zoning relief, and that incentive zoning acts in conjunction with the existing zoning ordinances of the Town of Alabama.

Response:

Section 5.7 of the DGEIS will address the Project's potential impacts on existing and future zoning and land use conditions. Section 5.7 will analyze the existing land uses surrounding the Project, as well as proposed zoning regulations to be implemented for the Project. Section 5.7 will include the potential impacts of rezoning the Project site either to an industrial zone with special use permits; planned unit development; or a newly-developed technology zoning district as applicable under the Town of Alabama zoning code. Section 5.7 of the DGEIS will also analyze consistency with the Town Comprehensive Plan, the

Genesee County Smart Growth Plan, and the Genesee County Agricultural and Farmland Protection Plan. Amendments to such plans will be addressed to the extent necessary.

Induced Growth Comments:

Comments were made regarding the Town’s ability to control residential growth since, according to the comments, as farms go under, privately-held land can be sold off for residential development. Another commentator asked whether the Town could purchase development rights for a conservation trust in order to preserve farmland.

Response:

Section 5.14 of the DGEIS will provide a cumulative impact analysis as required by SEQRA which will include a review of potential cumulative impacts associated with other existing and proposed development projects located in the Genesee County community. Section 5.14 will also review the Project’s potential to induce growth in the Town of Alabama. The Final Scoping Document has been amended to reflect that the analysis of potential induced growth shall include the potential of creating new demands for residential development.

Community Input Survey Comments:

One commentator stated that the Community Input Survey responses were not meant to measure support of the development, but support of the idea that further investigation of the Project’s feasibility. The commentator further stated that responses that “were not negative, were not necessarily positive either” for the Project, and using the word “finalizing” is disingenuous.

Response:

GCEDC involved the public in the feasibility phase of the Project by conducting numerous public meetings. Another effort completed by the GCEDC was the Community Input Survey, which was provided to the residents of the Town of Alabama. However, the commentators’ opinions with respect to the validity of the survey are not germane to the analyses and studies that are to be provided in the DGEIS for the Project.

Traffic Impact Comments:

Two comments were provided at the public meeting regarding potential traffic impacts associated with the Project. One commentator stated that a four lane highway was not needed for the Project nor was a widening of the existing road. Another commentator stated that Judge Road has more cars now due to reservation smokeshops, and if it’s hard to put up with now, what was the community going to deal with when the Project was completed.

Response:

Section 5.6 of the DGEIS will analyze existing conditions and potential significant adverse impacts to traffic and transportation that may arise from the Project. Section 5.6 will be prepared using data made available by NYSDOT, and additional field data collected in the Project area, and will result in the preparation of a traffic impact study for the DGEIS. Capacity and level-of-service analyses will be conducted for key intersections based on standard traffic capacity procedures set forth in the Highway Capacity Manual. The need for traffic and site access improvements will also be explored in Section 5.6. This will include an analysis of the potential need for a four lane highway and the expansion or widening of existing roads.

Induced Growth Comments:

A number of commentators raised concerns regarding the Project's ability to create further residential development in the Town of Alabama. One commentator stated that the Project will make the Town of Alabama a suburb of Rochester and Buffalo, while another commentator stated that if residents were worried about new residential development, then the farmers should not sell their properties to developers.

Response:

Section 5.14 of the DGEIS will provide a cumulative impact analysis as required by SEQRA, which will include a review of potential cumulative impacts associated with other existing and proposed development projects located in the surrounding community. Section 5.14 will further review the Project's potential to induce growth in the Town of Alabama. The Final Scoping Document has been amended to reflect that the analysis of potential induced growth shall include the potential of creating new demands for residential development.

Economic Comments:

A number of commentators asked questions about specific employment opportunities that may be generated by the Project. One commentator expressed concern as to where the potential Project employees will come from. Another commentator asked whether local companies from the Town of Alabama would be hired to build the Project. Lastly, one commentator asked how you ensure the Project will have "green companies" once developed and do you know if the Niagara Hydropower would be guaranteed for the Project?

Response:

The DGEIS will analyze the specific employment opportunities that may be generated by the Project. As was discussed at the public meeting, GCEDC will be required to bid out some of the work needed for the Project, but other work will be made available to local businesses. An Industry Requirements and Environmental Health & Safety Impacts Report and Electrical Power Study will also be provided as part of the DGEIS's analysis. Lastly,

the DGEIS will review steps that will be taken to attract advanced technology manufacturing companies to the Project site. .

Town Revenue Comment:

A commentator asked what the timeframe was for the Town of Alabama to receive revenue from the Project.

Response:

The DGEIS will discuss the state and federal funding that GCEDC will pursue in support of the STAMP Project. It is GCEDC's goal to obtain the necessary funding between 2011 and 2012. Section 3 of the DGEIS will also discuss the Project and the anticipated schedule when tax revenues may be generated by the Project.

Advisory Committee Comment:

One commentator asked whether the Advisory Committee meetings being held by GCEDC were open to the public.

Response:

GCEDC has been hosting Advisory Committee meetings which include representatives of the Town of Alabama Town Board and Planning Board, in order to assist GCEDC in ensuring that the SEQRA process for the Project is completed in a manner that effectively engages community residents. The Advisory Committee meetings are not open to the public, but are designed to advise the GCEDC on its efforts to conduct a thorough and comprehensive review of the Project.

Community Character Comment:

One commentator asked how will the community's quality of life and housing issues will be addressed in the DGEIS.

Response:

Section 5.10 of the DGEIS will address the Project's potential impacts on community character, including impacts on aesthetics, noise levels and local and regional socioeconomic settings. Section 5.14 of the DGEIS will also analyze the potential cumulative impacts that could result from other past, present or reasonably foreseeable future actions taken by other entities separate and apart from the Project. Section 5.14 will further review the Project's potential to induce additional growth in the community, including the potential of creating demands for residential development.

Government Comments:

A number of commentators expressed general opinions regarding the government's role in implementing the Project. One commentator stated that the problem with the Project was

government funding was involved, and that it should be only developed through private enterprise. Another commentator stated that GCEDC has done enough to destroy Genesee County and that President Obama's "stash equals taxpayers paying".

Response:

The comments provided above represented the opinions of the commentators, and do not represent comments germane to the studies and analyses that need to be provided in the DGEIS for the Project.

Lead Agency Comment:

One commentator questioned GCEDC acting as Lead Agency for the SEQRA review of the Project.

Response:

GCEDC is acting as Lead Agency for the SEQRA review of the Project and will carry out its obligations in conformance with the requirements of the SEQRA regulations. On December 22, 2009, GCEDC circulated to all involved and interested agencies copies of the Full Environmental Assessment Form for the Project and GCEDC's resolution declaring its intent to act as Lead Agency of a coordinated review of the Project pursuant to SEQRA. As required by Section 617.6 of the SEQRA regulations, the involved and interested agencies were then provided 30 calendar days to object to GCEDC's decision to act as Lead Agency. No objection was received from any involved or interested agency regarding GCEDC's role as Lead Agency, thus, authorizing GCEDC to proceed with the SEQRA review.

Miscellaneous Comment:

One commentator questioned how will the Town and County handle such a large decision as the Project.

Response:

GCEDC is confident that the Town of Alabama and Genesee County are capable of reviewing the Project from both a SEQRA and land use standpoint.

8.4 February 13th Public Meeting

Water and Watershed Resource Comments:

A number of comments were made regarding the drainage patterns of the Project and the potential impacts to existing tributaries. In particular, one commentator stated that Whitney Creek and other tributaries drain toward the Tonawanda Reservation, and inquired about the proposed stormwater ties to the existing streams.

Response:

Section 5.2 of the DGEIS will address the existing water and watershed resource conditions, as well as the Project's potential impacts on such resources, in addition to examining the potential mitigation measures associated with the Project. Section 5.2 will address groundwater, surface water and wetlands, and will be prepared utilizing existing maps, reports and studies, as well as a wetlands delineation and mitigation assessment and a Stormwater Management Report. As a result of the comment provided, Section 5.2 of the Final Scoping Document has been amended to include the potential impacts to tributaries draining toward the Tonawanda Reservation.

Fire Comments:

Several comments were made regarding the volunteer status of the Town of Alabama Fire Department and how the Project may impact the resources of the Fire Department. One commentator asked how emergency services will be handled for existing residents as well as employees at the Project site. Questions were also asked as to whether the Fire Department's ability will be enhanced and whether new fire hydrants would be needed at the Project site.

Response:

The Final Scoping Document has been amended to include the Town of Alabama Fire Department as an interested agency for SEQRA review purposes.

Section 5.9 of the DGEIS will review the Project's potential impacts on existing and future emergency services, including police, fire, and ambulance response services. Section 5.9 will address the potential impacts of the Project on existing emergency services in the study area and assess the capabilities of emergency service providers to service the potential increased demand for the Project. Potential additional resources, training, and support coordination, if any, will be further reviewed. It was also confirmed at the public meeting that additional fire hydrants will be located at the Project site.

Traffic Comments:

One commentator asked how the current residents would get out of the houses and driveways located near the new planned intersection at Judge and Crosby Roads. The commentator further stated that a four lane highway was crazy and that fire companies will have to fight traffic to respond to emergency calls.

Response:

Section 5.6 of the DGEIS will analyze existing conditions and potential significant adverse impacts to traffic and transportation that may arise from the Project. Section 6.6 will be prepared using data made available by NYSDOT and additional field data collected in the Project area. The data collection will result in the preparation of a Traffic Impact Study for the DGEIS. Capacity and level-of-service analyses will also be conducted for key intersections based on standard traffic capacity procedures set forth in the Highway

Capacity Manual. The need for traffic and site access improvements will be further explored in Section 5.6. This will include an analysis of the potential need for a four lane highway and the expansion or widening of existing roads.

Stormwater Comments:

One commentator asked whether there will be stormwater ponds built on the Project site.

Response:

Section 5.2 of the DGEIS will address potential impacts to stormwater presented by the Project. Section 5.2 will be prepared utilizing existing maps, reports and studies, including a Stormwater Management Report that will focus on the potential impacts the Project may have on Whitney Creek and other tributaries which have been identified as running within or contiguous with the Project area. The Stormwater Management Report will include the potential design and need for stormwater ponds to be located on the Project site.

Phasing of Development Comment:

One commentator asked where the first phase of development will be located.

Response:

Section 3.4 of the DGEIS will outline a complete planning level master plan for the full build-out and operation of the Project, including green space, landscaping, general building locations, and configurations of development areas. Overall permitted uses and the anticipated phasing of development within the Project area will also be presented.

Municipal Services Comment:

Several commentators raised questions about the Project's potential impact on municipal services. One commentator asked where the water lines would be coming from and who would be paying for them. Another commentator asked whether the infrastructure had to be built before the development. In addition, several comments were made regarding the potential increase for costs for municipal services as a result of the Project. One commentator asked whether the Final Scoping Document would include an estimate of these costs and would the Town pay for additional fire, police, courts and highway maintenance services needed for the Project.

Response:

Section 5.9 of the DGEIS will address the potential impacts the Project may have on existing municipal services including emergency services, waste management, highway maintenance, educational facilities, court services, and public lands and recreation. Section 5.9 will also include proposed mitigation measures that will analyze how increased tax revenues generated by the Project may offset the increased use of these services. Section 5.9 of the Final Scoping Document has been revised to include an analysis of the potential increased demand on courts and highway maintenance.

Recreational Comments:

One commentator asked how hunting grounds and snowmobiling will be impacted by the Project.

Response:

Section 5.9 will review the Project's potential impacts on public lands and recreational resources in the Project area. Section 5.9 of the Final Scoping Document has been amended in light of this comment to address the Project's potential impacts on existing hunting grounds and snowmobiling areas.

Agricultural Resources Comments:

Several commentators raised concerns about the Project's potential impact on existing agricultural resources in the Town of Alabama. One commentator stated that farmland was the only land use that paid for the services it took and referenced an American Farmland Trust Study. Another commentator stated that land use and zoning should protect the agricultural district and the Farmland Protection Board would need to be approached. Another commentator asked what the cost per acre of industrial land was versus farmland.

Response:

Section 5.13 of the DGEIS will review the potential significant adverse impacts that the Project may have on existing and future agricultural resources. The DGEIS will review how the Project utilizes 1% of the farmland present in Genesee County, as well as provide analysis of the potential impact on agriculture resources located within the Town of Alabama. The DGEIS will also review how the Project site will interact with the adjacent farming properties. In addition, Section 5.9 of the DGEIS will address the existing conditions and potential significant impacts the Project may have on municipal services, including police, fire, ambulance, waste management, highway maintenance, educational facilities, court services and public lands and recreation.

Cultural Resources Comment:

A commentator stated that the Project site lies on culturally sensitive lands.

Response:

Section 5.12 of the DGEIS will address existing conditions, potential impacts, and proposed mitigation measures associated with historic and archeological resources. Section 5.12 will also summarize findings of Phase IA and IB archeological surveys that will be prepared as part of the DGEIS efforts (and included as appendices). Areas of focus will include implications related to the Tonawanda Indian Reservation.

Economic and Tax Comments:

Several commentators asked questions as to whether the Project would be located on the local tax rolls; how public infrastructure for the Project would be paid for; and whether the Project should pay for all of the Town of Alabama's taxes.

Response:

Section 3.3 of the DGEIS will identify the background of the Project including a discussion of the related potential socioeconomic and economic benefits. Section 3.3 will further review the Project's potential employment opportunities, as well as the potential positive economic impacts to the community. How the Project will be treated from a tax standpoint will be further examined in the DGEIS.

Wetland Comment:

One commentator stated that the wetland information should not be generic.

Response:

Section 5.2 of the DGEIS will include an assessment and review of the Project's potential impact on wetlands. A wetlands field delineation will be performed to verify the existence and size of wetlands on the Project site, and included as an appendix to the DGEIS. As a result, the wetland information will not be generic but specific to the Project.

Alternatives Comments:

Several commentators asked whether GCEDC looked at other sites for the Project, and noted that sites near Darien Lake could have housed the Project.

Response:

Section 6 will describe and evaluate the range of reasonable alternatives to the Project that was considered in light of the goals, objectives and capabilities of the GCEDC.

Hillsboro Comments:

One commentator asked whether the Hillsboro Tech plant operators and "Town folks" could come to the Town of Alabama versus going to Oregon so more people could attend. In addition, the same commentator asked whether the Luther Forest operators could come to Alabama as well. Lastly, the commentator questioned the comparison of Malta and Stillwater to Alabama from a population standpoint.

Response:

GCEDC will be coordinating with Town and County officials on the benchmarking trips to the Hillsboro, Oregon and Saratoga County facilities. It was determined at the public

meeting that the Towns of Malta and Stillwater were comparable comparisons to the Town of Alabama based on demographic similarities.

Lead Agency Comment:

One commentator stated that the Lead Agency should have been the Town of Alabama.

Response:

GCEDC is acting as Lead Agency for the SEQRA review of the Project and will carry out its obligations in conformance with the requirements of the SEQRA regulations. On December 22, 2009, GCEDC circulated to all involved and interested agencies copies of the Full Environmental Assessment Form for the Project and GCEDC's resolution declaring its intent to act as Lead Agency of a coordinated review of the Project pursuant to SEQRA. As required by Section 617.6 of the SEQRA regulations, the involved and interested agencies were then provided 30 calendar days to object to GCEDC's decision to act as Lead Agency. No objection was received from any involved or interested agency regarding GCEDC's role as Lead Agency, thus, authorizing GCEDC to proceed with the SEQRA review.

Advisory Committee Comment:

One commentator stated that the Advisory Committee is not open to the public.

Response:

GCEDC has been hosting Advisory Committee meetings which include representatives of the Town of Alabama Town Board and Planning Board, in order to assist GCEDC in ensuring that the SEQRA process for the Project is completed in a manner that effectively engages community residents. The Advisory Committee meetings are not open to the public, but are designed to advise the GCEDC on its efforts to conduct a thorough and comprehensive review of the Project.

Community Input Survey Comments:

One commentator stated that he never received the original Community Input Survey provided to the Town residents.

Response:

The Community Input Survey distributed during the feasibility phase of the Project was mailed out to all Town residents. However, this comment is not germane to the analyses and studies to be covered in the DGEIS.

Zoning Comments:

One commentator stated incentive zoning for the Project had not been mentioned until February 11, 2011.

Response:

Section 5.7 entitled “Land Use and Zoning” will address the Project’s potential impacts associated with existing and future conditions, as well as propose mitigation measures associated with land use and zoning. The DGEIS will analyze proposed zoning regulations for the Project, including the proposed re-zoning of the Project site either to an industrial zone with a special use permit requirement; a planned unit development; or a newly-developed technology zoning district. Incentive zoning will be considered in conjunction with these zoning approaches. Ultimately, the specific approach to zoning is within the purview of the Town of Alabama.

Notice Comment:

One commentator asked whether the February 11, 2010 meeting had been advertised in the Batavian newspaper.

Response:

The February 11, 2010 public meeting was advertised in the Batavian newspaper.

GCEDC Comments:

A commentator stated that the GCEDC spent \$50 million on 23 projects where land was now gone. The same commentator stated that GCEDC was getting their money from the taxpayers.

Response:

During the public meeting, GCEDC clarified that it has not spent \$50 million on 23 projects, but enabled \$50 million of private investment in the community. The remaining comment regarding GCEDC getting their money from taxpayers is not germane to the studies and analyses that are to be provided in the DGEIS as set forth in the Final Scoping Document.

Miscellaneous Comments:

The commentator stated that the Town of Oakfield and the City of Batavia did not support the Project or the development.

Response:

This comment only expresses the opinion of the commentator, and is not germane to the analyses and studies that are to be provided in the DGEIS as outlined in this Final Scoping Document.

Public Meeting Comments:

One commentator asked about the difference between the public meetings and public hearings being held during the SEQRA process.

Response:

The February 13th, 2010 meeting was a public meeting as opposed to a public hearing. As the SEQRA process moves forward, there will be four additional meetings, two of which will be public hearings held upon the release of the DGEIS at which time all comments will be officially transcribed. Nevertheless, verbal comments provided on the Draft Scoping Document at the February 11th and 13th public meetings, as well as the written comments provided to GCEDC, are being addressed in this Final Scoping Document.

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