Analysis of Environmental Impacts
Pursuant to
New York State Environmental Quality Review Act

Project Name:

Western New York Science & Technology Advanced Manufacturing Park (STAMP) 2016 Update

Dated:
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Lead Agency:

The Genesee County Industrial Development Agency d/b/a The Genesee Economic Development Center

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DEFINED TERMS

1366 Technologies: 1366 Technologies Inc.

1366 Facility: 1366 Technologies' proposed large scale advanced manufacturing plant to produce silicon wafers in the south west corner of the Site.

1366 Parcels: Two parcels of land located in the southwest corner of the STAMP Campus north of Judge Road, west of Crosby Road, just east of the western boundary of STAMP totaling approximately 105-acres.

AFD: The Town of Alabama Fire Department.

CL: Chlorine.

County: Genesee County, New York.

DGEIS: The Draft Generic Environmental Impact Statement.

EMS: The Genesee County Emergency Management Services.

EPAct 2005: The Energy Policy Act of 2005 which established a federal loan guarantee program for eligible energy projects such as the 1366 Facility.

Fabs: Semiconductor manufacturing facilities.

Fabs Complex: Proposed semiconductor manufacturing complex in the northwest quadrant of STAMP (referred to as Main Manufacturing Campus on ***Figure 1***).

FGEIS: The Final Generic Environmental Impact Statement.

FPSR: Farmland Protection Strategies Report attached as an Appendix K to the DGEIS.

FTE: Full Time Equivalent.

GCEDC: The Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Corporation.

GCEDC Findings: The GCEDC's Written SEQR Findings Statement issued on March 12, 2012.

GCSO: The Genesee County Sheriff's Office.

GEIS: The Generic Environmental Impact Statement.

GEIS Master Plan: The STAMP GEIS master plan (***Figure 1-1***).

GGLDC: The Genesee Gateway Local Development Corporation.

GPD: Gallons per day**.**

Hamlet: Hamlet of Alabama

HF: Hydrogen Fluoride.

IZA: The Incentive Zoning Agreement to rezone the Site to Technology District between the Town of Alabama and the GCEDC.

JPA: The Joint Permit Application to the USACE and the NYSDEC pursuant to Section 404 of the Clean Water Act.

Judge Road Main: A new 12 inch transmission water main to be constructed along Judge Road and a portion of Route 77 between the Village of Oakfield and STAMP.

LTMP: The Long Term Land Management Plan for the Site.

Main Access Road: The new main access road into STAMP which runs between Route 77 and Crosby Road in the eastern central portion of the Site.

Medina: The Village of Medina, New York.

Medina MOU: A memorandum of understanding between the GCEDC and Medina regarding the treatment of STAMP sanitary effluent at the Medina WWTF.

Medina WWTF: The Village of Medina Wastewater Treatment Facility.

MGD: Million gallons per day.

Nation: The Tonawanda Seneca Nation.

NCWD: Niagara County Water District.

NLE Bat**:** Northern long-eared bat.

NOx: Nitrogen Oxide.

NYSDEC: The New York State Department of Environmental Conservation.

NYS DOA: The New York State Department of Agriculture.

NYS DOT: The New York State Department of Transportation.

OSHA: Occupational Safety and Health Act.

PILOT: Payment in lieu of taxes.

Project Changes: Changes to the Project under consideration or which have occurred since the completion of the GEIS.

PV: photovoltaic.

RAI: Request for additional information from USACE and NYSDEC relative to JPA, received by the GCEDC in February, 2014.

SEQR: Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto being 6 NYCRR Part 617, as amended.

SEQR Update: An updated environmental review of the Project being conducted by the GCEDC as Lead Agency, to determine whether Project Changes and/or the 1366 Facility will result in any significant adverse environmental impacts which were not addressed in the GEIS or the GCEDC Findings.

sf: square feet.

SHPO: The New York State Office of Parks, Recreation and Historic Preservation.

Site: Approximately 1,262 acres located on the west side of New York State Highway 63/77, approximately five miles north of the I-90/New York State Thruway in the Town of Alabama, New York.

STAMP: The Western New York Science & Technology Advanced Manufacturing Park.

Project: The Western New York Science & Technology Advanced Manufacturing Park.

STAMP Track I Infrastructure: Certain infrastructure including sewer, water, electrical and natural gas that must be extended to the Site in conjunction with the 1366 Facility.

TD: Technology Zoning District.

Town Board: The Town Board of the Town of Alabama, New York.

***Town Board Findings*:** The Town Board's Written SEQR Findings Statement issued on August 13, 2012.

Town Water Project: A capital water project that will serve approximately 433 homes and businesses in the Town with a currently estimated capital cost of $7,824,570.

TPY: Tons per year

Updated Master Plan: The current STAMP master plan (***Figure 1-2***).

USACE: The United States Army Corps of Engineers.

USDOE: The United States Department of Energy.

USFWS: The United States Fish and Wildlife Service.

VOC: Volatile Organic Compound.

Water/Wastewater Report: Conceptual Water and Wastewater Alternatives Analysis and Recommendations Report completed for STAMP in August 2013.

WWTP: Waste Water Treatment Plant.

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Executive Summary

A. Introduction

The Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Corporation ("**GCEDC**") and the Genesee Gateway Local Development Corporation ("**GGLDC**") have been working on the development of the Western New York Science & Technology Advanced Manufacturing Park ("**STAMP**" or the "**Project**"), an advanced manufacturing technology campus on approximately 1,262 acres located on the west side of New York State Route 63/77, approximately five miles north of the I-90/New York State Thruway ("**Site**") in the Town of Alabama, New York ("**Town**"). The environmental impacts of STAMP were analyzed pursuant to and in accordance with the State Environmental Quality Review Act ("**SEQR**") utilizing a Generic Environmental Impact Statement ("**GEIS**"). The GCEDC, as lead agency, issued a Final GEIS ("**FGEIS**") for the Project on January 19, 2012 and a written Findings Statement ("**GCEDC Findings**") on March 12, 2012.

There have been a number of changes contemplated to STAMP since the completion of the GEIS including changes to sewer service for STAMP (wastewater from STAMP will now be routed to the Village of Medina Waste Water Treatment Facility ("**Medina WWTF**")) and revisions to the STAMP Master Plan (collectively, all changes are referred to as the "**Project Changes**"). In addition, 1366 Technologies Inc., ("**1366 Technologies**") has recently committed to become the first tenant of STAMP with the construction and operation of a large scale advanced manufacturing facility in the southwest corner of the Site ("**1366 Facility**"). Certain infrastructure including sewer, water, electrical and natural gas must be extended to the Site in conjunction with the 1366 Facility ("**STAMP Track I Infrastructure**").

In light of the proposed 1366 Facility and the Project Changes, the GCEDC is conducting an updated environmental review of the Project to determine whether the 1366 Facility and/or the Project Changes will result in any significant adverse environmental impacts which were not addressed in the GEIS or the GCEDC Findings ("**SEQR Update**").

B. Overview of STAMP

1. GEIS Project Description

Per the FGEIS and the GCEDC Findings, STAMP was proposed to be located on 1,243.40 acres of land. STAMP's GEIS master plan ("**GEIS Master Plan**") provided for the development of a high technology campus accommodating over 6 million square feet of advanced technology manufacturing and related uses providing direct employment of an estimated 9,330 people. Phase 1 of the GEIS Master Plan involved attempting to attract an anchor tenant technology manufacturing facility comprised of approximately 1 million square feet.

Per the FGEIS and the GCEDC Findings, the basic and overall purpose of the Project was defined as the development of an advanced manufacturing technology center in Genesee County ("**County**"). The Project was designed to target green-technology and advanced manufacturing companies involved in developing and manufacturing clean technology, renewable energy and/or energy efficient products. These companies were to include semi-conductor manufacturers, photovoltaic solar cell manufacturers, flat panel display manufacturers including medical imaging display, bio-pharmaceutical/ nanotechnology-enabled industries, and green technology research and development for energy efficient building products.

2. Project Progression Since the Completion of the GEIS

Since issuance of the GCEDC Findings in March 2012, the GCEDC, with assistance from the Town and other key stakeholders, has advanced STAMP in a number of significant and important ways over the last four years. The following summarizes Project implementation since 2012.

a. Emergency Services Study

As part of the mitigation imposed upon the Project by the GCEDC Findings, an Emergency Services Impact Study was completed in November, 2012 evaluating potential Project impacts on emergency services in the Town and County. The purpose of the study was to document the status of existing public safety services in the community, and to address a series of specific questions regarding the potential impacts of the Project regarding such services. The report concludes that emergency service calls will likely increase in the Town and neighboring communities but that these increases will occur gradually over many years as the Site build out progresses, allowing the opportunity to utilize increases in the tax base from the Project to incrementally gauge and adjust the capacity of the public safety system as may be required. To ensure proper mitigation, the report provides an outline of issues for consideration at each major milestone in the STAMP build out process.

b. Town Board Findings Statement

As required by SEQR, prior to approving the Incentive Zoning Agreement ("**IZA**") to rezone the Site to Technology District, the Town Board of the Town of Alabama ("**Town Board**") issued its own SEQR Finding Statement ("**Town Board Findings**"). The Town Board Findings included all of the mitigation imposed upon the Project by the GCEDC but added a number of additional mitigation measures.

c. Incentive Zoning Agreement

The IZA, dated December 10, 2012, made between the Town, acting through its Town Board, and the GCEDC is the result of discussions and negotiations to rezone the Site to a Technology Zoning District ("**TD**"). The TD designation was established to specifically permit advanced manufacturing and related support facilities at STAMP.

Pursuant to the rezoning amendment, the TD was broken down into three (3) sub-districts, namely TD1, TD2 and TD3, each of which has its own set of permitted uses under the Town Code. TD1 is the primary heavy manufacturing/industrial district. Permitted uses in TD1 include but are not limited to technology manufacturing, light industry, technology or environmental demonstration facilities, warehousing and distribution facilities, professional offices, public utilities and accessory uses and buildings. TD2 is the secondary/support light-industrial district. Permitted uses in TD2 include but are not limited to light industry, office buildings, professional offices, warehousing and distribution facilities, community and cultural facilities, including museums, medical/health related services, public utilities and accessory uses and buildings. TD3 is the final district encompassing mostly commercial and retail uses. Permitted uses in TD3 include but are not limited to office buildings, professional offices, retail trade, restaurants, shopping centers, parks and recreational trails and accessory uses and buildings.

Pursuant to the IZA, in exchange for the re-zoning of the Site to TD, the Town is receiving financial assistance from GCEDC to address various possible capital improvement needs. The total estimated value of the GCEDC's financial assistance to the Town is projected to be in excess of $8,500,000 (2012 dollars).

d. Focus on Semiconductor Manufacturing

Due to the large size of the Site and developments in the global marketplace over the last several years, the GEIS Master Plan for STAMP has been updated to accommodate a large semiconductor manufacturing complex ("**Fabs Complex**") in the northwest quadrant of the Site. Specifically, the Project has been revised to ensure the ability to host multi-facility 450mm semiconductor manufacturing and related support services and industries.

e. Amendment to Genesee County Smart Growth Plan

The County has a comprehensive Smart Growth Plan that focuses new development within targeted area that have adequate infrastructure to support additional development. In 2013, at the request of the Town, the County added the Site as a designated priority development area under the Smart Growth Plan.

f. Coordination with Nation

Consistent with various State and Federal permitting processes, the GCEDC has conducted extensive outreach and consultation with the Nation regarding the development of STAMP which is adjacent to the Nation's reservation in western Genesee County.

Following completion of the GEIS process, the GCEDC initiated a number of direct consultation meetings with the Nation. Generally, such meetings are held on the Reservation with the Nation's Council of Chiefs and Clan Mothers. Additional participating parties in these meetings have typically included representatives of the

New York State Office of Parks, Recreation and Historic Preservation ("**SHPO**"), the United States Army Corps of Engineers ("**USACE**"), and NYSDEC.

Early in the consultation process, the Nation expressed both concern about potential archeological impacts and an interest in monitoring archeological field work. The GCEDC, at the Nation's request, paid a Nation representative to conduct archeological monitoring throughout all Phase IB field work, and requested the Nation's input on reports and analyses. The GCEDC will continue to do so for all archeological field work associated with STAMP.

The Nation also voiced concerns regarding the determination of Site boundaries along the Reservation boundary. As such, the GCEDC invited representatives of the Nation to participate in surveying field work along the Site border with Nation lands. Nation representatives were very helpful to surveyors by assisting to find survey markers from an early 20th Century survey conducted by the U.S. Geological Survey.

During consultation meetings with GCEDC, the Nation voiced concerns over visitors to the Site coming onto Reservation property. Thus, the Nation requested creation of a buffer zone. The GCEDC has worked with the Nation and the Town Board to develop a 400' buffer zone on the Site along the reservation boundary, and has requested input from the Nation on the types of vegetation or natural markers that should provide a border between the properties. Additionally, the GCEDC has redirected a trail that was to run through the buffer zone to avoid activity in this area.

3. Wetlands Permitting

In November, 2013, GCEDC submitted a joint permit application pursuant to Section 404 of the Clean Water Act, to the USACE, Buffalo District, (Department of the Army Application No. 2010-00964), and the NYSDEC, Region 8 (NYSDEC No. 8-1820-00020/00002), for activities within wetlands and waters of the United States in association with the development of the Project. On June 19, 2015, the USACE issued a Public Notice (No. 2010-00964) describing the Site, unavoidable impacts and proposed mitigation.

4. Land Acquisition

Following completion of the GEIS process, the GCEDC began acquiring the land associated with the Site. The first land purchase was completed on December 21, 2012. Since then, the GCEDC has purchased a total of twenty parcels consisting of 1,090.35 acres of real property.

5. Archeological Investigations

As a result of the joint permit application, the entire Project is subject to review under Section 106 of the National Historic Preservation Act. To date, four investigations have been completed in association with STAMP at the Site and two investigations have been completed off-site for water and sewer infrastructure.

Recently, field work for a number of priority investigations associated with the construction of the 1366 Facility and the installation of STAMP Track 1 Infrastructure have been completed and results will be compiled and submitted to regulatory agencies for review. A draft Programmatic Agreement among the GCEDC, the Advisory Council on Historic Preservation;, the U.S. Fish and Wildlife Service ("**USFWS**"), the U.S. Department of Energy ("**USDOE**") USACE, SHPO and the Nation is currently under development to guide future archeological investigations and any required mitigation at the Site.

C. 1366 Technologies

As mentioned earlier, STAMP has secured its first tenant for the Project, 1366 Technologies, which plans to construct a large scale commercial manufacturing facility that will use a proprietary manufacturing process for making silicon wafers, whereby they produce multi-crystalline silicon wafers for solar cells at substantially lower costs and with less waste than current processes. Since silicon wafers are the largest cost component in the manufacture of silicon photovoltaic modules used in solar cells, this new process is anticipated to reduce the overall cost of solar power.

The 1366 Facility will be located in the southwest corner of the Site on a 105-acre site ("**1366 Parcels**") which includes 41.1 acres of buildable area. The 1366 Facility is proposed to be built-out in phases. The first phase will include an approximate 150,000+/- sf facility that will initially produce 250MW of silicon wafers annually. The 1366 Facility would be quickly expanded over several years to allow for growth to 600,000+/- square feet to allow for 1 GW of silicon wafer production annually with up to 1,000 employees and approximately $700 million in total investment.

The 1366 Facility will be constructed, in part, with loan guarantees from the USDOE. The initial phase of the 1366 Facility is anticipated to commence operation in 2017, with full project build out expected by 2021.

D. Contemplated Project Changes Since 2012

As noted above, since the completion of the GEIS process over four years ago, there have been a number of Project Changes summarized below.

1. Master Plan Changes/Updates

Since the completion of the GEIS, there have been a number of changes developed to the GEIS Master Plan as reflected in an updated master plan ("**Updated Master Plan**") which retains the large green buffer around the majority of the perimeter of the Site and preservation of natural features across the Site within three different zones of development connected by internal walking/biking trails. In the Update Master Plan, more refinement has been added to the layout for the Fabs Complex and the 1366 Facility has been added to the campus in the southwest quadrant of the Site. Specific changes are described below.

a. Changes to the Site Plan Layout

There are four major changes to the Site Plan layout as reflected in the Updated Master Plan. The first involves reductions in on-Site impacts to aquatic resources. Wetland impacts have been reduced to approximately 4.49 acres of federally regulated wetlands and 3.34 of non-jurisdictional wetlands (total of 7.83 acres). On-Site stream corridor impacts have also been reduced from 9,595 linear feet to approximately 9,566 linear feet.

The second change involves utility re-routing. The existing 115 kV power line that traverses the Site (from northwest quadrant to southeast/central area of Site) will be relocated to the perimeter of the Site. Electric service to 1366 Technologies will be run from the existing line south of the new access road between Crosby Road and Route 63/79 ("**Main Access Road**") to the proposed electric substation north of 1366. Also, natural gas and sewer will be brought into the Site along the future Bypass Road/Connector Road right-of-way.

The third change involves realignment of the Main Access Road into the Site which has been straightened somewhat to run more directly to Crosby Road. This shift minimizes wetland impacts (.23 acres) while allowing for a larger development footprint north of the Main Access Road on the west side of Crosby Road.

The fourth change involves the relocation of the Bypass Road and realignment of the Connector Road between the Bypass Road and the Main Access Road. The Bypass Road has been moved southwest to a flat area atop the ridge line that runs along the northeast quadrant of the Site. These realignments result in a small expansion of TD3 and slight reduction to TD1 and TD2.

b. Changes to the TD Zoning Boundaries, Buffers and Regulations

The GCEDC has proposed modifications to the TD zoning regulations to clarify the Town Board's intent with regard to zoning for the Site including: buffer use clarifications, the elimination of the 300-foot buffer along the northern side of the Site, the elimination of the 300-foot buffer on the interior of the Site between TD1/TD2 and TD3, the elimination of the 300-foot buffer for 500 linear feet on each side of the Main Access Road and that this area be zoned TD2, and the addition of solar panels as a special use permit in TD1 and TD2. The GCEDC is proposing some minor changes to the TD district lines.

c. Timing and Other Changes to the GEIS Master Plan

There are a number of other changes contemplated to the GEIS Master Plan. First, the GCEDC is accelerating the construction of this Main Access Road which will be completed in conjunction with the development of the 1366 Facility. In addition, the GCEDC has expanded the footprint of the Site to include all of the residential properties in the north-central area of STAMP along Crosby Road (except for the northern-most

parcel at the intersection of Crosby Road and Lewiston Road). The GCEDC has requested that the Town Board rezone these residential parcels to TD1.

2. Demolition of the Houses Along Crosby Road

As a result of the expansion of the footprint of the Site to include all of the residential properties in the north-central section of STAMP along Crosby Road, six additional existing houses on Crosby Road are now proposed for demolition following acquisition by the GCEDC.

3. The Town Water Project

In order to extend water service to the Site, the GCEDC has entered into the IZA with the Town, which, among other things, commits the GCEDC to design and install a municipal water system ("**Town Water Project**") which has a currently estimated capital cost of $7,824,570 and will serve approximately 433 households in the Town. The GCEDC has agreed to include the Town Water Project within the scope of this SEQR Update.

4. Water Service for STAMP

Water required for the Project will be provided to the Site via a new 12 inch transmission water main to be constructed along Judge Road and a portion of Route 63/77 between the Village of Oakfield and the Site. This main will be constructed in conjunction with the Town Water Project and will be owned and maintained by the Town.

5. Sewer Service for STAMP

The Village of Medina Wastewater Treatment Facility ("**Medina WWTF**") has been selected as the preferred sanitary sewer effluent treatment alternative The Medina WWTF is approximately twelve miles north of the STAMP, and the route from the STAMP site to the Village of Medina has been established with input from the Village of Medina, Orleans County and the Town of Shelby. The Medina WWTF can handle approximately 1 MGD of sewage from STAMP without significant upgrades to its treatment plant. Ultimately, with upgrades, it is anticipated that the Medina WWTF would be able to handle up to 2.5 MGD of sewage from STAMP.

6. The Northern Long Eared Bat

The northern long-eared bat ("**NLE Bat**") has recently been listed as a Threatened Species under State and Federal law. Potential impacts to the northern long-eared bat are being re-evaluated based on this species new listing as a Threatened Species.

E. Analysis of Environmental Impacts

This section provides a summary of the environmental impacts of the 1366 Facility and the Project Changes relative to the environmental impacts identified and

analyzed in the DGEIS, the FGEIS and the GCEDC's Findings (collectively referred to herein as "**GEIS/Findings**"). Each subsection below begins with a summary of the environmental impacts identified and analyzed in the GEIS/Findings.

1. **Impacts on Geology and Topography**

a. **The 1366 Facility**

Because the 1366 Parcels and surrounding area are generally flat, consistent with the analysis in the GEIS/Findings, construction of the 1366 Facility and related infrastructure improvements will not require major alterations to the natural topography of the 1366 Parcels. Some of the topography on the Site will require slight grading and redistribution of soil material. Consistent with the GEIS/Findings, grading is anticipated to be balanced such that the amount of cut required by the development of the 1366 Facility and related infrastructure improvements will be approximately equal to the amount of fill required. Accordingly, the impacts to geology and topography from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

b. **The Project Changes**

(1) **Master Plan Changes/Updates**

Generally, there are no material impacts to geology and topography associated with the Master Plan Changes/Updates. The changes to the utility runs and the realignment of both the Main Access Road and Bypass Road will result in minor changes to grading plans on-Site as physical improvements are relocated. However, these changes will reduce earthwork and soil disturbance at the Site. Similarly, adjustments to the zoning regulations may result in minor changes to grading plans on-Site as some boundaries and buffers are reduced and/or relocated. The inclusion of the residential properties on the north end of Crosby Road will result in minor changes to grading plans on-Site as physical improvements are relocated. All of these changes are minor and well within the scope of actions analyzed in the GEIS/Findings.

(2) **Demolition of the Houses Along Crosby Road**

There are no material impacts to geology and topography associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings. Following the completion of demolition, each house site will be appropriately re-graded with no anticipated changes to topography. To the extent any of the houses have basements, any subsurface improvements will be removed, and clean fill will be added to ensure level grading.

(3) **The Town Water Project**

There are no material impacts to geology and topography associated with the Town Water Project that were not addressed in the GEIS/Findings. Installation of

water related infrastructure will be along public roads via a combination of open cut method and directional drill method. These installations will result in temporary impacts to geography and topography that were analyzed in the GEIS/Findings.

(4) **Water Service for STAMP**

There are no material impacts to geology and topography associated with water service for STAMP that were not addressed in the GEIS/Findings. As with the Town Water Project, on-Site installation of water related infrastructure will be along current and/or future roads via a combination of open cut method and directional drill method. These installations will result in temporary impacts that were analyzed in the GEIS/Findings.

(5) **Sewer Service for STAMP**

There are no material impacts to geology and topography associated with sewer service for STAMP that were not addressed in the GEIS/Findings. Installation of sewer related infrastructure will be along public roads via a combination of open cut method and directional drill method. However, all installation routes will be re-graded to match original topography after infrastructure installation. Thus, these installations will result in temporary impacts that are consistent with impacts from other infrastructure installations that were analyzed in the GEIS/Findings.

2. **Impacts on Water Resources**

a. **The 1366 Facility**

Construction of the 1366 Facility and related infrastructure improvements will avoid any physical disturbance of surface water resources, including Whitney Creek and the three jurisdictional wetlands on the 1366 Parcels. Moreover, all of these surface waters present on the 1366 Parcels, plus a 100 foot buffer, will be deed restricted to prevent future development.

Construction will require the clearing and filling of portions of the Site which will expose un-vegetated soil to the elements. This creates the potential for erosion and sedimentation due to stormwater passing through un-vegetated areas or construction areas with exposed soils, which could result in degradation of water quality in Whitney Creek and other surface waters in the area. Consistent with the analysis in the DGEIS/Findings, best management practices will be employed to minimize impacts to streams and other water resources during construction and operation of the 1366 Facility. In addition, as required by the *New York Stormwater Management Design Manual* (January 2015), one or more point source treatment practices, such as rain gardens for roof drainage, bio-retention swales, or infiltration trenches for parking areas, and a variety of other practices, shall be incorporated into the design of the 1366 Facility.

b. The Project Changes

(1) Master Plan Changes/Updates

The STAMP Updated Master Plan shows a reduction in wetland impacts as compared to the GEIS Master Plan. Accordingly, the impacts to water resources from the changes to the Master Plan Changes/Updates are adequately addressed in the GEIS/Findings.

(2) Demolition of the Houses Along Crosby Road

There are no material impacts to water resources associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings. These houses are not proximate to any water resources.

(3) The Town Water Project

There are no material impacts to water resources associated with the Town Water Project that were not addressed in the GEIS/Findings. In terms any potential impact due to construction activities, directional drilling will be implemented on any stream or wetland crossing, and a SWPPP will discuss plans for any trenching and erosion control details.

(4) Water Service for STAMP

There are no material impacts to water resources associated with water service for STAMP that were not addressed in the GEIS/Findings.

(5) Sewer Service for STAMP

The sewer line to Medina will cross the Iroquois National Wildlife Refuge along the Route 63 public right-of-way. This area has large wetlands and several stream crossings. In order to ensure protection of water resources, the GCEDC will employ directional drilling methods. Based on existing soils conditions and the physical limitations with the directional drill equipment, each directional drill set up will be staged a maximum of approximately 1,000 feet. The force main will be installed by directional drill method between each staging area. Thus, the installation of the sewer main will have minimal temporary impacts to less than 0.5 acre of wetland and will not adversely impact water resources along the installation route. If anything, the routing of sewer lines to the Medina WWTF will be beneficial to local water resources by removing proposed treated discharges from nearby streams, including Whitney Creek, Tonawanda Creek, Oak Orchard Creek and/or other small tributaries in the area.

3. **Impacts on Air Resources**

a. **The 1366 Facility**

The 1366 Facility will require a State Facility Permit from NYSDEC, and therefore, must satisfy the requirements set forth in the GEIS/Findings including NYSDEC's Air Guide-1, which was developed to evaluate the short-term and annual impacts from sources of air emissions in the state. The 1366 Facility will include state-of-the-art emission control equipment as a necessary function of its operations, as determined by the State Air Permit. Air Emission Scrubbing will take the form of a wet scrubber installed to treat hazardous and environmental gas emissions from certain processes. Further, all equipment using hazardous gases is designed to fail into a safe state, preventing emissions. Overall emissions of air pollutants from the 1366 Facility will comply with the thresholds for air emissions set forth in the GEIS/Findings.

b. **The Project Changes**

(1) **Master Plan Changes/Updates**

The Master Plan Changes/Updates have no impacts upon air resources. These changes do not result in larger developable areas or more building square footages. In fact, open space actually increases under the Updated Master Plan. Further, the building square footage threshold established in the GEIS/Findings (6,130,000 sf) has not changed.

(2) **Demolition of the Houses Along Crosby Road**

There will be minor temporary impacts to air resources associated with the demolition of the houses along Crosby Road. These impacts will be minimized through the utilization of appropriate dust control measures including wetting of materials during demolition consistent with construction related impacts associated with the demolition of other structures on-Site addressed in the GEIS/Findings.

(3) **Town Water/STAMP Water & Sewer Service**

There are no material impacts to air resources associated with the Town Water Project and/or water or sewer service for STAMP that were not addressed in the GEIS/Findings.

4. **Impacts on Terrestrial and Aquatic Ecology**

a. **The 1366 Facility**

The 1366 Facility will replace active agricultural fields with a high-technology manufacturing plant and supporting facilities, such as access roads and parking lots, utilities, etc. However, existing forested areas adjacent to the 1366 Parcels, such as the riparian forest adjacent to Whitney Creek, and wetland areas will be preserved along with a 100-foot buffer. Although limited tree cutting may be required on the 1366

Parcels, tree plantings of native species will be included as part of the overall landscaping of the 1366 Parcels, leading to a net increase in the number of trees. Finally, GCEDC is proposing deed restrictions and/or conservation easements to further protect wetlands in accordance with the goals and policies of the STAMP Long-Term Land Management Plan ("**LTMP**"). Accordingly, the impacts to terrestrial and aquatic ecology from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.[1]

b **The Project Changes**

(1) **Master Plan Changes/Updates**

As discussed above in the water resources analysis, the overall changes to the Master Plan Changes/Updates in a net reduction in wetland and aquatic resource impacts from the scope of actions analyzed in the GEIS/Findings. Additionally, these changes do not result in larger developable areas or more building square footages.

(2) **Demolition of the Houses Along Crosby Road**

There are no material impacts to terrestrial and aquatic ecology associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings.

(3) **The Town Water Project**

There are no material impacts to terrestrial and aquatic ecology associated with the Town Water Project that were not addressed in the GEIS/Findings. Any potential impacts to terrestrial and aquatic ecology due to construction activities in connection with the Town Water Project will be minor, and temporary in nature.

(4) **Water Service for STAMP**

There are no material impacts to terrestrial and aquatic ecology associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the impacts to terrestrial and aquatic ecology from water service for STAMP are adequately addressed in the GEIS/Findings.

(5) **Sewer Service for STAMP**

There are generally no material impacts to terrestrial and aquatic ecology associated with the sewer service for STAMP that were not addressed in the GEIS/Findings. One exception to this general characterization of aquatic resources within the sewer route is Oak Orchard Creek and the associated wetlands to the south of Oak Orchard Creek's intersection with Route 63. This wetland area is owned by USFWS (Iroquois National Wildlife Refuge) and is part of a large complex system that

[1] Please note, potential impacts to the NLE Bat are addressed in a separate analysis herein.

includes riparian, emergent, and forested wetlands. While evidence of disturbance exists, the system as a whole is high quality, federally protected, and linked to mapped significant natural communities and potential occurrence of rare, threatened, and endangered species. The sewer project will disturb only areas within and/or immediately adjacent to an existing DOT right-of-way. Wetlands within or adjacent to this proposed area of disturbance are fragmented edges of the larger system.

In order the ensure the construction of the sewer line across the Iroquois National Wildlife Refuge along the Route 63 public right-of-way will not adversely impact these resources, the force main will be installed by directional drill method which will limit ground disturbance and potential impacts significantly. Accordingly, any potential impacts to terrestrial and aquatic ecology due to construction activities in connection with the Sewer Service for STAMP will be minor, and temporary in nature.

c. **The Northern Long Eared Bat**

As discussed above, the NLE Bat has recently been listed as a Threatened Species under State and Federal law and potential NLE Bat habitat is present at the Site and within the offsite utility Project areas. A field review of on-Site habitat suitable for the NLE Bat was conducted in November, 2015, taking into account areas of potential disturbance associated with construction planned for the 1366 Facility, including construction of the entry road, substation and utility areas. Project activities require the removal of trees greater than 3" DBH along the first section of the proposed access road west of Route 63/77, where hedgerows are crossed by the access roads and utilities, and along Crosby Road on residential parcels.

Additional field review was conducted at the site in May, 2016. A Phase 1 Summer Habitat Assessment was completed including data collection at a representative sample sites. Very few trees within the Project area are ideally suited for summer bat habitat due to a paucity of trees with exfoliating bark and no suitable snags. Further, the Project area is not near known maternity sites and are not located within 0.25 mile of a known hibernaculum according to a review of known sites.

To ensure that the future development activities will not have any material impacts to the NLE Bat, any necessary tree removal will be scheduled outside of the pup season (June 1 - July 31) and, where possible, within the hibernation period (October 31 - March 31). The Project location and planned construction schedule put the Project within the category of "excepted from incidental taking prohibitions" in the final 4(d) rule. In this case, the determination is that activities "may affect" but are not likely to adversely affect and/or will not cause a prohibited taking. Thus, future on-Site development activities will not have an adverse impact upon the NLE Bat and the listing of the NLE Bat as a Threatened Species under State and Federal law will have no material impacts to terrestrial and aquatic ecology in conjunction with the Project.

In terms of off-Site development associated with water and sewer infrastructure, a desktop and field review were conducted in December, 2015 and May, 2016 in support of the development of an aquatic resource and ecology investigation report.

The majority of the off-site infrastructure (water and sewer) project areas are upland consisting of previously disturbed areas including road shoulders, mowed lawn and mowed lawn with trees, cropland, excavated ditches, culverts, and brushy cleared land. A smaller portion of the project area, primarily at stream and wetland crossings, consists of intermittent and perennial streams and wetlands. One exception to this general characterization of aquatic resources within the sewer route is Oak Orchard Creek and the associated wetlands to the south of Oak Orchard Creek's intersection with Route 63.

To ensure that the installation of the off-site infrastructure will not have any material impacts to the NLE Bat, any necessary tree removal will be scheduled outside of the pup season (June 1 - July 31) and, where possible, within the hibernation period (October 31 - March 31). The Site location and planned construction schedule put the Project within the category of "excepted from incidental taking prohibitions" in the final 4(d) rule. In this case, the determination is that activities "may affect" but are not likely to adversely affect and/or will not cause a prohibited taking. Thus, the installation of the off-site infrastructure will not have an adverse impact upon the NLE Bat.

5. **Impacts on Technology Industry Health and Safety**

a. **The 1366 Facility**

Several plans for chemical storage/ handling may be required for the 1366 Facility including:

- Small Quantity Generators or Large Quantity Generators permit from NYSDEC for hazardous waste.
- USEPA Hazardous Waste Registration with NYSDEC.
- Emergency Planning and Community Right-to-Know Act.
- SARA Title III Inventory Reporting.
- EPCRA Toxic Release Reporting (Form R).
- NYSDOT Hazmat Registration and Security Plan.
- Flammable storage and use permits from local fire departments.

1366 Technologies will provide a Hazardous Materials Inventory Statement and a 1366 Facility Specific Hazardous Materials Management Plan to the Town of Alabama Fire Department. Additionally, all hazardous materials at the 1366 Facility will be transported, handled, stored and disposed of in accordance with:

- Applicable requirements set forth in the Hazardous Substance Bulk Storage Program and/or the Petroleum Bulk Storage Program.

- Applicable requirements set forth in all DOT requirements.
- Applicable SPCC rules.
- Applicable requirements of the Uniform Fire and Building Codes.
- Applicable OSHA and/or RCRA regulations.

b. **The Project Changes**

(1) **Master Plan Changes/Updates**

There are no Master Plan Changes/Updates that will impact technology industry health and safety.

(2) **Demolition of the Houses Along Crosby Road**

There are no material impacts to health and safety associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings. All asbestos and other potentially hazardous materials, such as mercury thermostats, fluorescent lights or miscellaneous cleaners, will be removed from the structures prior to demolition, properly packaged and disposed of in accordance with applicable laws. Demolition contractors will employ wet methods and other engineering controls during demolition to minimize airborne particulate emissions. The GCEDC will comply with all applicable laws and will implement proper protocols during the demolition period to minimize potential impacts from demolition activities.

(3) **Town Water/STAMP Water & Sewer Service**

There are no material impacts to health and safety associated with the Town Water Project, water service for STAMP and/or sewer service for STAMP that were not addressed in the GEIS/Findings.

6. **Impacts on Traffic and Transportation**

a. **The 1366 Facility**

Transportation access to the 1366 Parcels will be via an access road to Crosby Road (secondary access), with a main access to/from NY State Route 63/77. At full build out (1 GW), the 1366 Facility will generate an average of 2,486 trips per day including 86 truck trips per day, and will operate 24 hours a day, 7 days a week.

For the initial phase of development of the 1366 Facility (250 MW), the 1366 Facility will generate an average of 622 trips per day including 22 truck trips per day. The highest anticipated peak hour for the initial phase is approximately 240 trips per hour. Based on these traffic estimates, the Phase I build out of 1366 Technologies will result in less traffic than the Phase I build out assumed in the GEIS, however, its full build out will be more than the Phase I GEIS build out. Full build out will still remain below the 70% threshold.

An updated traffic impact analysis was conducted because of the acceleration of the installation of the Main Access Road. Instead of utilizing two access point at either end of Crosby Road to enter the Site, the acceleration of the construction of the Main Access Road means that traffic entering the Site will be through a single entry point. The updated Traffic Impact Analysis concluded that a left turn lane on Route 63/ 77 to access the Site is warranted. Thus, a northbound left turn lane on Route 63/ 77 will be implemented. This turn lane was identified as a necessary future improvement in the GEIS/Findings.

b. **The Project Changes**

(1) **Master Plan Changes/Updates**

The realignment of the Bypass Road will improve traffic flow due to better intersection designs. The other changes to the site plan layout do not result in larger developable areas or more building square footages. Further, the building square footage threshold established in the GEIS/Findings (6,130,000 sf) has not changed.

(2) **Demolition of the Houses Along Crosby Road**

There are no material impacts to traffic and transportation associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings.

(3) **Town Water/STAMP Water & Sewer Service**

The construction and excavation work associated with the installation of the water and sewer mains and related facilities will require the transportation of construction materials, including loads of water piping, gravel, topsoil and related construction materials. There will also be minor impacts because the water infrastructure will be installed within existing road right-of-ways requiring lane closures and traffic re-routing. These impacts will be minor and temporary and are within the scope of construction activities analyzed in the GEIS/Findings.

7. **<u>Impacts to Land Use and Zoning</u>**

a. **The 1366 Facility**

The construction of the 1366 Facility and related infrastructure improvements will convert existing croplands within a portion of the Site into a modern, high-technology manufacturing facility and related support infrastructure. The 1366 Parcels are approximately 105 acres in size. A large percentage of the 1366 Parcels will be preserved for open space, consisting of landscaping and protection of environmentally-sensitive resources. The entire Site has been rezoned by the Town Board to TD1 to accommodate the kinds of development (advanced high technology and research focused on renewable energy) envisioned for STAMP, such as the 1366 Facility. The 1366 Facility will be developed pursuant to and consistent with the TD1 requirements

as established under the IZA with the Town. Further, the 1366 Facility will comply with all zoning regulations in TD1 such as minimum lot size, maximum building height, maximum lot coverage, parking requirements and signage requirements.

b. The Project Changes

(1) Master Plan Changes/Updates

In terms of changes to the site plan layout, the realignment of the Bypass Road and the connector road to the Main Access Road will have a small impact on land use and zoning. Specifically, TD3 will increase in size from approximately 72.3 acres to 89.4 while TD1 and TD2 will decrease in size. However, the density of the build out in each of the districts will not change.

In terms of the buffer use clarifications, all of the uses included in the clarifications were identified as permitted uses in the GEIS/Findings. Thus, there are no impacts to land use and zoning from the buffer use clarifications that were not analyzed and addressed in the GEIS/Findings.

In terms of the elimination of the 300-foot buffer along the northern side of the Site, this area is already buffered from public rights-of-way by adjacent agricultural lands and utility infrastructure. Thus, there are no impacts to land use and zoning from the buffer use clarifications that were not analyzed and addressed in the GEIS/Findings.

In terms of the elimination of the 300-foot buffer on the interior of the Site between TD1/TD2 and TD3, this change creates the possibility of a minor visual impact to the Hamlet as buildings at the top of the ridgeline, which is within the buffer area, may be visible to the Hamlet. In order to address and mitigate this, the GCEDC is proposing new minimum setbacks from the Bypass Road, which has been relocated atop the ridgeline, to ensure that buildings are adequately setback from the ridgeline. The new setbacks along the Bypass Road are actually more restrictive than the current buffer, except for a very small area, approximately 1.3 acres, in the area where the Bypass Road meets Lewiston Road.

In terms of the elimination of the 300-foot buffer for 500 linear feet on each side of the Main Access Road, this too, will create visual impacts as structures associated with the Project are developed along Route 63/77. In order to mitigate this issue, the GCEDC and the Town have agreed to work together on revised design guidelines for this area to ensure the construction of high quality, attractive buildings.

In terms of adding solar panels as a special use permit in TD1 and TD2, this change will have no significant impact on land use or zoning, particularly because it is simply adding to the previously included cell towers and windmills as other uses by special use permits.

In terms of the addition of the residential houses on the north end of Crosby Road, this change will result in an important but minor change to land use in the overall context of the Project. Specifically, these properties will be rezoned from A-R to TD1. With the exception of one property along Lewiston Road, all of the properties along Crosby have been/will be acquired and demolished. At the request of the Town, a setback of 30 feet from Crosby Road for construction of new structures within the area to be rezoned will be established.

c. **Demolition of the Houses Along Crosby Road**

The demolition of the houses along Crosby Road will result in permanent conversion of each of the six (6) parcels of land from residential use to technology manufacturing. This will result in an important but minor change to land use in the overall context of the Project.

d. **The Town Water Project**

There are no material impacts to land use and zoning associated with the Town Water Project that were not addressed in the GEIS/Findings. It is, however noted, that the Town Water Project is being fully paid for by funds secured by the GCEDC per the terms of the IZA. This funding obligation was discussed extensively in the GEIS/Findings.

e. **STAMP Water & Sewer Service**

There are no material impacts to land use and zoning associated with water service and/or sewer service for STAMP that were not addressed in the GEIS/Findings.

8. **Impacts to Utilities**

a. **The 1366 Facility**

Although the plans for providing Phase 1 water and sewer for the Project have changed since the completion of the GEIS/Findings, the utility needs for the 1366 Facility are well within the thresholds analyzed in the GEIS/Findings and which are currently available. Specifically, the GEIS/Findings analyzed obtaining up to 3 MGD of water from the County and 1366 Technologies' water consumption needs will not exceed 800,000 GPD. In terms of sewer, the Medina WWTF can handle approximately 1 MGD without any significant upgrades and 1366 Technologies' sewer needs will not exceed 600,000 GPD. Additionally, electric, gas and telecom infrastructure will be sufficient with the extensions to the Site identified in the GEIS/Findings, to meet the needs of the 1366 Facility.

b. **The Project Changes**

(1) **Master Plan Changes/Updates**

The Master Plan Changes/Updates will not result in larger developable areas or more building square footages. While the utility rerouting portion of the site plan changes will have an impact upon the physical location of utility corridors, there are no impacts to utilities associated with the utility rerouting.

(2) **Demolition of the Houses Along Crosby Road**

There are no material impacts to utilities associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings.

(3) **The Town Water Project**

Adequate water volumes for the long-planned Town Water Project are available from Genesee County. The Town system and STAMP are being designed to provide at a minimum, 100,000 GPD for the Town, 150,000 GPD to Lamb Farms, and 200,000 GPD for the STAMP Site totaling 450,000 GPD. Supply needs significantly higher than 450,000 GPD will require construction of an additional transmission main to Pembroke, consistent with the analysis in the GEIS/Findings and as recently confirmed with Genesee County.

(4) **Water Service for STAMP**

Consistent with the Water Service Preliminary Report, attached as *Appendix N* to the DGEIS, a phased approach to water supply is being applied at STAMP. Also, consistent with the Water Service Preliminary Report, water supply for Phase 1 of STAMP (1 MGD) will be supplied by Genesee County.

(5) **Sewer Service for STAMP**

The Medina WWTF is currently permitted for 4.5 MGD of capacity while actual discharges average between 1.5 MGD and 2.2 MGD. A detailed peak flow analysis was undertaken which confirms that the Medina WWTF has capacity to accommodate an additional 1 MGD.

9. **Impacts to Community Facilities**

a. **The 1366 Facility**

The 1366 Facility will maintain its own internal fire suppression system that will consist of wet sprinkler systems, foam fire suppression system, clean agent style fire suppression system, early suppression, fast response system, deflagration venting, smoke control, toxic/ flammable gas detection system, on-site fire hydrants, and fire department hose valves. Based upon available information, the Alabama Fire Department ("**AFD**") will not require additional resources to protect the 1366 Facility;

however, periodic training will be provided to volunteers of the AFD and other pertinent emergency service providers regarding responding to any emergency calls from the 1366 Facility and chemical-specific aspects of the facility. This kind of coordination and training is routinely provided by technology manufacturing companies and is consistent with analysis provided in the GEIS/Findings.

In terms of waste generation, the 1366 Facility will not exceed volumes analyzed in the GEIS/Findings. In terms of impacts to public lands and recreation, for the reasons identified in the GEIS/Findings, the 1366 Facility will not have an impact upon open space or recreation.

In terms of an emergency action plan, 1366 Technologies' emergency action plan will be prepared and submitted to the Town in conjunction with 1366 Technologies' site plan application. This approach is consistent with the requirements set out in both the GCEDC Findings, the Town Board Findings and the Emergency Services Impact Analysis, and will ensure no impacts to emergency services that were not previously addressed in the GEIS/Findings.

b. **The Project Changes**

(1) **Master Plan Changes/Updates**

There are no Master Plan Changes/Updates that will impact community facilities. The site plan changes do not result in larger developable areas or increased building square footages. In addition, the Town will have no responsibility for maintaining any portion of the Site.

(2) **Demolition of the Houses Along Crosby Road**

There will be a relatively small volume of construction and demolition debris generated by the demolition of the houses along the north end Crosby Road and their supporting structures, but all construction and demolition waste will be properly disposed of at approved disposal facilities.

(3) **The Town Water Project**

There are no material impacts to community facilities associated with the Town Water Project that were not addressed in the GEIS/Findings.

(4) **Water Service for STAMP**

There are no material impacts to community facilities associated with water service for STAMP that were not addressed in the GEIS/Findings.

(5) **Sewer Service for STAMP**

There are no material impacts to community facilities associated with sewer service for STAMP. The Medina WWTF is currently permitted for 4.5 MGD of capacity.

Actual discharges average between 1.5 MGD and 2.2 MGD. A detailed peak flow analysis was undertaken to confirm that the Medina WWTF has the capacity to treat up to 1 MGD of wastewater from STAMP during peak periods. Flow monitoring for sections of the Village of Medina was implemented during the sanitary sewer route analysis.

10. **Impacts to Community Character and Demographics**

a. **Aesthetics**

(1) **The 1366 Facility**

The 1366 Facility and related infrastructure improvements will be designed and constructed in a low density setting consistent with the design philosophy of STAMP and will be constructed consistent with existing STAMP design guidelines. The required 400-foot buffer will be maintained along the western boundary of the 1366 Parcels to ensure adequate screening on the 1366 Facility from the lands of the Tonawanda Seneca Nation ("**Nation**"). Existing hedgerows on the Site will be maintained and will ensure that the 1366 Facility is not materially visible from any existing public rights of way. In addition, all exterior lighting for the 1366 Facility will be directed downward to minimize the amount of light that spills beyond the boundaries of the 1366 Parcels.

(2) **The Project Changes**

(i) **Master Plan Changes/Updates**

The Main Access Road into the Site from Route 63/77 had a significant curve to the north in the GEIS Master Plan. In the Updated Master Plan, the alignment has been straightened somewhat to run more directly to Crosby Road. Nonetheless, a curve in the Main Access Road has been maintained to provide a more interesting visual context from the Main Access Road entrance looking towards the interior of the Site.

The elimination of the 300-foot buffer on the interior of the Site between TD1/TD2 and TD3, creates the possibility of a minor visual impact to the Hamlet as buildings at the top of the ridgeline, which is within the buffer area, may be visible to the Hamlet. In order to address and mitigate this, the GCEDC is proposing new minimum setbacks from the Bypass Road, which has been relocated atop the ridgeline, to ensure that buildings are adequately setback from the ridgeline. The new setbacks along the Bypass Road are actually more restrictive than the current buffer, except for a very small area, approximately 1.3 acres, in the area where the Bypass Road meets Lewiston Road.

The elimination of the 300-foot buffer for 500 linear feet on each side of the Main Access Road will create visual impacts as structures associated with the Project are developed along Route 63/77. In order to mitigate this issue, the GCEDC and the Town

will work together on revised design guidelines for this area to ensure the construction of high quality, attractive buildings along Route 63/77.

The incorporation of the residential properties at the north end of Crosby into the Project make it possible for buildings in TD1 to move closer to the Hamlet than was evaluated in the GEIS. In order to mitigate this issue, the GCEDC is proposing new setback of thirty (30) feet from this section of Crosby Road. In addition, in order to ensure that there are no visual impacts that were not addressed in the GEIS/Findings, if and when specific buildings are proposed in locations along the north end of Crosby Road closer to the Hamlet than what was evaluated in the GEIS, subsequent visual impact analysis would have to be completed at that time.

(ii) **Demolition of the Houses Along Crosby Road**

The demolition of the six residential structures along the north end of Crosby Road and their supporting structures will change the visual character of the area. However, the removal of these structures is considered a minor impact to aesthetics. In addition, these parcels will be incorporated into the Site and the TD Buffer and the Ag/Res Buffer will mitigate the visual impacts from the construction of new structures on these parcels consistent with the visual impact analysis in the GEIS/Findings.

(iii) **The Town Water Project**

During installation of the water mains and related facilities, large equipment and materials will be located temporarily in proximity to the installation routes. All such impacts are short-term and limited and well within the scope of activities analyzed in the GEIS/Findings.

(iv) **STAMP Water & Sewer Service**

During installation of the force main and related facilities, large equipment and materials will be located temporarily in proximity to the installation routes. All such impacts are short-term and limited.

b. **Noise**

(1) **The 1366 Facility**

Based on operations at 1366 Newton Massachusetts facility and other manufacturing facilities of a similar nature, the types of manufacturing operations that will occur at the 1366 Facility will not generate excessive noise and the 1366 Facility will not generate any noise in excess of the limits set forth in the GEIS/Findings.

(2) **The Project Changes**

(i) **Master Plan Changes/Updates**

The changes to the TD zoning boundaries and buffers and the incorporation of the residential properties on the north end of Crosby Road will bring some development closer to the STAMP boundary. However, there will be no changes to the noise limits set for the STAMP boundaries in the GEIS/Findings. Future uses within these areas that were previously undevelopable will have to comply with these noise limits.

(ii) **Demolition of the Houses Along Crosby Road**

It is anticipated that the demolition of the structures will temporarily generate noise that exceeds background levels. The intermittent noise associated with construction vehicles and equipment will be short-term and temporary in nature. Demolition activities will be limited to daylight working hours, when noise sensitivity is typically lowest. Construction activities will comply with applicable noise ordinances and laws.

(iii) **Town Water /STAMP Water & Sewer Service**

During installation of the water and sewer mains and related facilities, noise levels will temporarily increase during construction. All such impacts, which will take place during daylight working hours, when noise sensitivity is typically lowest, are well within the scope of construction activities analyzed in the GEIS/Findings.

c. **Socioeconomics**

(1) **The 1366 Facility**

Based on the experiences of two similar developments in Oregon and in eastern New York, the STAMP GEIS anticipated that the overall development of the Project would have positive effects on educational levels, per capita personal and household incomes, unemployment, industrial employment and percentage of working age population employed when compared to existing socioeconomic conditions. These effects may spur new or expanded programs of educational, cultural and community service institutions in the region. In addition to employment growth, the 1366 Facility will contribute to the overall population increases in the communities surrounding the Site. This growth is well within the thresholds considered in the GEIS/Findings for the Project. At full build-out and maximum production, the 1366 Facility will employ approximately 1,000 people.

The Town has expressed concern about the impacts of an enhanced payment in lieu of taxes ("**PILOT**") associated with Phase 1 of the 1366 Facility build out. Specifically, Phase 1 of the 1366 Facility will receive a full abatement on all property

taxes for a period of 5 years followed by 50% tax equivalent payments in years 6 through 10. In 2012, prior to approving the IZA, the Town completed a fiscal impact analysis in order to better understand the potential fiscal impacts of the Project relative to Town finances. The analysis identifies potential increases associated with Town spending in certain areas including planning and code enforcement, infrastructure, administration, emergency services, highways and courts. However, the analysis explains that increases in spending will be offset by increased PILOT and tax revenues from the Project. While the analysis was based upon a standard PILOT for 1366 Technologies which provides for a graduated increase to full assessed value over 10 years (20% increase every two years), the enhanced PILOT for Phase 1 of 1366 Technologies' build out will not significantly alter the fiscal impact analysis or the underlying assumptions. This is because the overall impact of the enhanced PILOT will only reduce a portion of PILOT/tax payments from 1366 Technologies to the Town (Phase 1 only). Moreover, the Town is working to establish a fee schedule that will be imposed on all projects to cover the Town's costs from project review through construction. Thus, as noted in the fiscal impact analysis, tax rates in the Town will decrease significantly as revenue from the Project increases over time, particularly as 1366 Technologies proceeds to expand to 1 GW (future phases of 1366 Facility are anticipated to be subject to standard a PILOT).

(2) **The Project Changes**

(i) **Master Plan Changes/Updates**

The Master Plan Changes/Updates will have no impact upon socioeconomics.

(ii) **Demolition of the Houses Along Crosby Road**

The demolition of the six houses along the north end of Crosby Road will remove a limited amount of residential development from the Town. This is a very minor impact to socioeconomics and consistent with impacts analyzed in the GEIS/Findings.

(iii) **Town Water/STAMP Water & Sewer Service**

The Town Water Project is expected to have a positive socioeconomic benefit upon the Town by dramatically expanding the availability of public water to existing households within the Town. These benefits are consistent with and will build upon the socioeconomic benefits of the Project as a whole.

11. **Impacts on Historic and Archaeological Resources**

a. **The 1366 Facility**

Phase IB studies have been completed on the 1366 Parcels and along any planned access roads and utility support areas for the 1366 Facility. As a result of the Phase IB work, five archeological sites of potential National Register eligibility, have been

identified which could be impacted by the 1366 Facility. Phase II investigations were completed at all five locations. Of these, two identified as requiring further analysis (Archaeological Sites 3 and 6). Thus, a Phase III scope of work was proposed and approved by SHPO for both of these sites and was recently completed. No construction activities will take place in the vicinity of Archeological Sites 3 or 6 until the Phase III work is accepted as complete by SHPO.

It is also noted that a Programmatic Agreement between the GCEDC, USACE, and SHPO, initiated by an application for Joint Permit made to USACE, is under development and will stipulate measures to be taken as the Project moves forward to avoid, minimize and/or mitigate the potential adverse effect on cultural resources consistent with the GEIS/Findings. The 1366 Facility will comply with the stipulations of the Programmatic Agreement to the extent necessary, once it is finalized.

b. **The Project Changes**

(1) **Master Plan Changes/Updates**

There are no Master Plan Changes/Updates that will impact historic or archeological resources that will not be addressed through the programmatic agreement.

(2) **Demolition of the Houses Along Crosby Road**

None of the six houses along the north end of Crosby Road are historic. Moreover, prior to redevelopment of these parcels, the GCEDC will comply with the stipulations of the Programmatic Agreement. To date, Phase IB field investigations are complete for four of the six parcels. Additional survey work will be undertaken as necessary consistent with the requirements of the Programmatic Agreement once it is finalized.

(3) **The Town Water Project**

A Phase 1A Cultural Resource investigation was completed for the water route by Deuel Archaeology & CRM in December 2015. It was recommended that a Phase 1B subsurface investigation, in the form of shovel testing be conducted for the archeologically sensitive areas. SHPO indicated in their February 25, 2016 letter, they concur with the Phase 1B testing recommendation and concluded they have no building/structural concerns. A specific scope for the Phase 1B investigation was developed by the GCEDC in consultation with SHPO and Phase 1B work is currently underway. Upon completion of the Phase 1B work, additional survey work will be undertaken as necessary consistent with the requirements of the Programmatic Agreement.

(4) Water Service for STAMP

There are no material impacts to historic or archeological resources associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the impacts to historic or archeological resources from water service for STAMP are adequately addressed in the GEIS/Findings.

(5) Sewer Service for STAMP

A Phase 1A Cultural Resource investigation was completed for the sewer route by Deuel Archaeology & CRM in December 2015. It was recommended that a Phase 1B subsurface investigation, in the form of shovel testing be conducted for the archeologically sensitive areas. SHPO indicated in their February 25, 2016 letter, they concur with the Phase 1B testing recommendation and concluded they have no building/structural concerns. A specific scope for the Phase 1B investigation has been developed by the GCEDC in consultation with SHPO and the Phase 1B work is currently underway. Upon completion of the Phase 1B work, additional survey work will be undertaken as necessary consistent with the requirements of the Programmatic Agreement.

12. Impacts on Agricultural Resources

a. The 1366 Facility

The development of the 1366 Facility and related infrastructure improvements will displace active agriculture land on the Site with a modern, high-technology manufacturing facility that will consist of a main building and supporting facilities, such as access drives, parking lots, utilities and landscaping. However, the development of the agricultural lands on the 1366 Parcels was thoroughly analyzed in the GEIS/Findings.

b. The Project Changes

(1) Master Plan Changes/Updates

There are no Master Plan Changes/Updates that will impact agricultural resources. The GEIS assumed all agricultural lands within the Project area would eventually be developed.

(2) Demolition of the Houses Along Crosby Road

There are no material impacts to agricultural resources associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings.

(3) **The Town Water Project**

There are no material impacts to agricultural resources associated with the Town Water Project that were not addressed in the GEIS/Findings. In fact, the availability of public water for farming activities may prove to be a benefit to agricultural activities within the Town. In addition, the Project, which included the Town Water Project, has already received approval for STAMP from the NYS Department of Agriculture in January, 2014.

(4) **Water Service for STAMP**

There are no material impacts to agricultural resources associated with water service for STAMP that were not addressed in the GEIS/Findings.

(5) **Sewer Service for STAMP**

There are no material impacts to agricultural resources associated with sewer service for STAMP. Accordingly, the impacts to agricultural resources from sewer service for STAMP are adequately addressed in the GEIS/Findings. Nonetheless, GCEDC plans to coordinate with NYS Department of Agriculture to ensure no further agency review is necessary in connection with construction of sewer service for STAMP as this aspect of the Project was unknown at the time that the GCEDC received its certification for the Project.

13. **Short Term Construction Impacts**

a. **The 1366 Facility**

Construction of the 1366 Facility and related infrastructure improvements has the potential to result in air quality impacts that will generally consist of fugitive dust and mobile source emissions from construction vehicles and equipment. In addition, construction activities would involve the use of heavy machinery and vehicles that generally produce noise in excess of background noise levels. However, these activities would occur during daylight hours, when noise sensitivity is lowest. All of the construction related impacts associated with the 1366 Facility are well within the contemplated thresholds analyzed in the GEIS/Findings.

b. **The Project Changes**

(1) **Master Plan Changes/Updates**

There are no short-term construction related impacts associated with the Master Plan Changes/Updates that were not addressed in the GEIS/Findings.

(2) **Demolition of the Houses Along Crosby Road**

As analyzed in the GEIS/Findings, demolition of existing structures will result in short-term impacts to the environment. These impacts may include increased noise and

odor, as well as a short-term impact to air associated with structure demolition, soil disturbances and truck movement. Also, during the demolition process, construction personnel are likely to encounter a number of physical hazards that are typically associated with commercial construction. However, as explained in the GEIS/Findings, all construction and demolition will take place within the boundaries of the Site. Thus, the general public's exposure to any Site hazards will be limited. Additionally, the Project will minimize risks to construction personnel by fully complying with applicable OSHA and New York State Labor Law requirements.

(3) **Town Water/STAMP Water & Sewer Service**

During installation of the water and sewer mains and related facilities, air and water quality may be temporarily impacted by construction activities and equipment. Noise levels will also temporarily increase during construction. All such impacts are well within the scope of construction activities analyzed in the GEIS/Findings.

14. **Future Conditions and Thresholds**

a. **The 1366 Facility**

The 1366 Facility and related infrastructure improvements do not exceed any of the conditions and thresholds set forth in the GEIS/Findings. Specifically:

- The 1366 Facility and related infrastructure improvements will not cause an exceedance of the maximum buildable Site area established (618.18 acres);
- The 1366 Facility and related infrastructure improvements will not cause an exceedance of the maximum building square footage;
- The 1366 Facility and related infrastructure improvements will not cause an exceedance of wetland impacts examined in the GEIS/Findings;
- The 1366 Facility and related infrastructure improvements will be constructed in compliance with the zoning regulations established by the STAMP TD;
- The 1366 Facility and related infrastructure improvements will not cause traffic trip generation in exceedance of 70% of projected trips established in the GEIS/Findings; and
- The 1366 Facility and related infrastructure improvements will not cause an exceedance of any utility loads established for the Project in the GEIS/Findings.

b. **The Project Changes**

(1) **Master Plan Changes/Updates**

None of the Master Plan Changes/Updates exceed any of the conditions and thresholds set forth in the GEIS/Findings.

(2) **Demolition of the Houses Along Crosby Road**

The demolition of the houses along Crosby Road will not exceed any of the conditions and thresholds set forth in the GEIS/Findings.

(3) **The Town Water Project**

The Town Water Project will not exceed any of the conditions and thresholds set forth in the GEIS/Findings.

(4) **Water Service for STAMP**

The water service for STAMP will not exceed any of the conditions and thresholds set forth in the GEIS/Findings.

(5) **Sewer Service for STAMP**

The sewer service for STAMP, which will now be provided via a force main to the Medina WWTF rather than via an on-Site WWTP, although a different method that was contemplated in the GEIS/Findings, will not exceed any of the conditions and thresholds set forth in the GEIS/Findings. In fact, the threshold for sewer will be reduced from 3.0 MGD to 1.0 MGD, as this is the volume that the Medina WWTF can handle without significant upgrades to its treatment plant.

15. **Incomplete GEIS/Findings Mitigation**

a. **Long Term Management Plan**

As part of GCEDC's plan for mitigation to avoid and/or minimize any potential impacts to the terrestrial and aquatic ecologies, the GCEDC Findings required the preparation of a LTMP. Town Board Findings required preparation of the LTMP prior to any site plan approvals for use in the review of future Site development. To date, the LTMP has not be finalized, and it is not anticipated that it will be complete prior to initial Site Plan approvals for the Project. In order to ensure that there are no adverse impacts associated with the development of the 1366 Parcels, the GCEDC has proposed deed restrictions and/or conservation easements to further protect wetlands in accordance with the goals of the LTMP. This is being implemented relative to the 1366 Parcels even though the LTMP is still being developed. These restrictions will help to protect wetlands on the Site from being impacted by future development. The GCEDC will also work closely with the Town, and will undertake site plan review for any component of the Project in accordance with the goals set forth by the LTMP.

b. **Farmland Protection Plan**

The GCEDC Findings and the Town Board Findings require the GCEDC to assist the Town with implementing one or more strategies in the FPSR. To date, a committee has been formed, and is in the early stages of development and exploration of options and programs as outlined in the DGEIS, the FPSR and other sources. The formation of this committee was identified as a protection strategy in the FPSR and thus, the Town has now implemented at least one protection strategy from the FPSR. Nonetheless, the GCEDC will continue to work with the Town to advance farmland protection in the Town.

c. **Comprehensive Plan Update**

As agreed upon in the IZA, the GCEDC is tasked with assisting the Town with updating its comprehensive plan. To date, the GCEDC has secured a grant on behalf of the Town in order to cover a portion of the cost for the update, which is anticipated to be completed in full in 2016. The need for a comprehensive plan update emerged from the Town's concerns about potential long-term development pressure from STAMP on the rest of the Town. The implementation of the first phase of the 1366 Facility will produce limited development pressure on the Town. Moreover, the Town has imposed a moratorium on the issuance of commercial building permits outside of the Site until the comprehensive plan update is complete. Thus, there will be no adverse impacts from moving forward with initial development at STAMP before the comprehensive plan update has been completed.

d. **Design Guidelines**

Design standards for buildings to be constructed at STAMP have been discussed between the Town and the GCEDC for several years. In the FGEIS, in response to a comment about design guidelines, the GCEDC noted an intent to form an Architectural Review Committee that would develop design standards for the Site. In the IZA, the Town zoning regulations for the Site provide that any development within any Technology District shall conform to the Town of Alabama's Design Guidelines.

Since the Town adopted its Design Guidelines for STAMP, the GCEDC has formed an Architectural Review Committee comprised of a representative from GCEDC and an architect from GCEDC's engineering firm, Clark Patterson & Lee. A representative from the County Department of Planning also serves on the Committee. In order to help the community understand what specific types of buildings may be constructed at STAMP consistent with the Town's design guidelines, the Committee has developed a series of photographic renderings with explanatory narrative for each of the three TD districts at the Site. In order to ensure that there are no adverse impacts resulting from moving forward with initial development at STAMP prior to development of more specific design guidelines, the Town and the GCEDC have agreed to work closely with 1366 Technologies through the site plan review process to develop a site plan that is consistent with the goals that both the Town and the GCEDC seek to achieve through more specific design guidelines. For the 1366 Facility, particular

attention will be paid to building materials visible from public rights of way and landscaping and screening measures.

16. **Unavoidable Adverse Impacts**

a. **The 1366 Facility**

The development of the 1366 Facility and related infrastructure improvements will result in several unavoidable adverse impacts including short-term unavoidable construction impacts, use of real property, loss of agricultural use on the Site, consumption of energy and the resources that go into making that energy, altered habitats on-Site, and impacts to existing traffic patterns. These impacts are consistent with the analysis of unavoidable adverse impacts in the GEIS/Findings.

b. **The Project Changes**

(1) **Master Plan Changes/Updates**

The Master Plan Changes/Updates will not result in any material changes to unavoidable adverse impacts as discussed in the GEIS/Findings.

(2) **Demolition of the Houses Along Crosby Road**

The demolition of the houses along Crosby Road will result in some unavoidable adverse impacts including short-term unavoidable construction impacts, use of real property and consumption of energy. These impacts are consistent with the analysis of unavoidable adverse impacts in the GEIS/Findings.

(3) **The Town Water Project**

The installation of the Town Water Project will result in several unavoidable adverse impacts including short-term unavoidable construction impacts, use of real property, impacts to water resources and consumption of energy and the resources that go into making that energy. These impacts are consistent with the analysis of unavoidable adverse impacts in the GEIS/Findings.

(4) **Water Service for STAMP**

The consumption of water supplies for STAMP is consistent with the analysis of unavoidable adverse impacts in the GEIS/Findings.

(5) **Sewer Service for STAMP**

The installation of sewer service for STAMP will result in several unavoidable adverse impacts including short-term unavoidable construction impacts, use of real property, impacts to water resources and consumption of energy and the resources that go into making that energy. These impacts are consistent with the analysis of unavoidable adverse impacts in the GEIS/Findings.

F. **Conclusions**

A thorough analysis of the environmental impacts of the 1366 Facility and the Project Changes relative to the environmental impacts identified and analyzed in the GEIS/Findings demonstrate that:

1. The impacts associated with the construction and operation of the 1366 Facility and related infrastructure improvements have been adequately analyzed in the GEIS/Findings and will be carried out in conformance with the conditions and thresholds set forth in the GEIS/Findings.

2. The impacts associated with the Master Plan Changes/Updates have been adequately analyzed in the GEIS/Findings and will be carried out in conformance with the conditions and thresholds set forth in the GEIS/Findings.

3. The impacts associated with the Demolition of the houses along Crosby Road have been adequately analyzed in the GEIS/Findings and will be carried out in conformance with the conditions and thresholds set forth in the GEIS/Findings.

4. The impacts associated with the Town Water Project were not analyzed in the GEIS/Findings. However, there will be no significant adverse environmental impacts associated with the Town Water Project and the Town Water Project will be carried out in conformance with the conditions and thresholds set forth in the GEIS/Findings.

5. The impacts associated with the water service for STAMP have been adequately analyzed in the GEIS/Findings and will be carried out in conformance with the conditions and thresholds set forth in the GEIS/Findings.

6. The impacts associated with the sewer service for STAMP were not analyzed in the GEIS/Findings. However, there will be no significant adverse environmental impacts associated with providing sewer service for STAMP from the Medina WWTF and Sewer Service for STAMP will be carried out in conformance with the conditions and thresholds set forth in the GEIS/Findings.

7. The impacts associated with the listing of the NLE Bat as a threatened species were not analyzed in the GEIS/Findings. However, there will be no significant adverse impacts to the NLE Bat as a result of the Project and the listing of the NLE Bat as a Threatened Species under State and Federal law does not exceed any of the conditions and thresholds set forth in the GEIS/Findings.

I. Introduction

The Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Corporation ("**GCEDC**") and the Genesee Gateway Local Development Corporation ("**GGLDC**") have been working on the development of the Western New York Science & Technology Advanced Manufacturing Park ("**STAMP**" or the "**Project**"), an advanced manufacturing technology campus on approximately 1,262 acres located on the west side of Route 63/77, approximately five miles north of the I-90/New York State Thruway ("**Site**") in the Town of Alabama, New York ("**Town**"). The environmental impacts of STAMP were thoroughly analyzed pursuant to and in accordance with Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto being 6 NYCRR Part 617, as amended (collectively "**SEQR**") utilizing a Generic Environmental Impact Statement ("**GEIS**"). The GCEDC, as lead agency, issued a Final GEIS ("**FGEIS**") for the Project on January 19, 2012 and a written Findings Statement ("**GCEDC Findings**") on March 12, 2012.

Following completion of the GEIS, the Town of Alabama Town Board ("**Town Board**") rezoned the Site to Technology District (see, ***Appendix B***) and the GCEDC has proceeded to acquire more than 1,000 acres of land for the Project. Recently, 1366 Technologies Inc., ("**1366 Technologies**") has committed to become the first tenant of STAMP with the construction and operation of a large scale advanced manufacturing facility that will use a proprietary manufacturing process to produce silicon wafers, an integral part of the solar cell manufacturing process, in the southwest corner of the Site ("**1366 Facility**"). The 1366 Facility is initially proposed to be approximately 150,000 square feet ("**sf**") with a number of expansion phases contemplated over several years to eventually bring the 1366 Facility to approximately 600,000 sf with up to 1,000 employees and approximately $700 million in total investment. Certain infrastructure including sewer, water, electrical and natural gas must be extended to the Site in conjunction with the 1366 Facility ("**STAMP Track I Infrastructure**").

Figure 1-1 is STAMP's GEIS master plan ("**GEIS Master Plan**"). ***Figure 1-2*** is STAMP's updated master plan ("**Updated Master Plan**") reflecting a number of changes contemplated for the Project since the completion of the GEIS process. The vast majority of these changes are the results of efforts to further mitigate adverse environmental impacts identified and analyzed in the GEIS. For instance, based on feedback from the Tonawanda Seneca Nation ("**Nation**") and the New York State Department of Environmental Conservation ("**NYSDEC**"), a determination was made to re-evaluate construction of an on-Site wastewater treatment plant for STAMP. It is now proposed that wastewater from STAMP be routed to the Village of Medina Waste Water Treatment Facility ("**Medina WWTF**"), an existing municipally owned Treatment Facility approximately 12 miles north of the Site.

Other Project changes include revisions to the STAMP Master Plan including but not limited to the incorporation of existing residential properties along the northern end of Crosby Road into the STAMP footprint; proposed rerouting of infrastructure across the Site; reduction in anticipated impacts to aquatic resources (wetland and stream

corridors); and the realignment of both the main access road into the Site from Route 63/77 and the proposed future bypass road from Route 63/77 to Lewiston Road. See, ***Figures 1-1 and 1-2***. In addition, the northwest quadrant of STAMP has now specifically been designed to accommodate a large semi-conductor manufacturing complex (collectively, all of the above changes are referred to as the "**Project Changes**").

In addition to the above Project Changes, certain other modifications to the Project are currently being evaluated by the GCEDC and other key stakeholders including the Town Board. These modifications include potential adjustments to the zoning regulations for STAMP. Finally, the northern long-eared bat ("**NLE Bat**") has recently been listed as a Threatened Species under State and Federal law and the Site has potential habitat for the NLE Bat.

In light of the proposed 1366 Facility and the Project Changes, the GCEDC believes it is appropriate to conduct an updated environmental review of the Project to determine whether the 1366 Facility and/or the Project Changes will result in any significant adverse environmental impacts which were not addressed in the GEIS or the GCEDC Findings ("**SEQR Update**").

Figure 1-1
Original STAMP Master Plan

Figure 1-2
STAMP Updated Master Plan

II. Overview of STAMP

A. GEIS Project Description

Per the FGEIS and the GCEDC Findings, STAMP was proposed to be located on 1,243.40 acres of land in the Town of Alabama, County of Genesee, State of New York along Route 63/77, approximately five miles north of the I-90/New York State Thruway. The Site is bounded by Judge Road on the south; Lewiston Road and farm fields on the north; Route 63/77 on the east; Nation lands on the west and is characterized by rural, agricultural land uses, predominant in the Town. The Site borders the Hamlet at its northeast corner. The Site is visually flat to gently rolling, and contains a variety of uplands and wetlands; the highest elevation is at its southeast corner and gently slopes to its northwest corner. A subtle ridgeline runs diagonally across the northeast quadrant of the Site in proximity to the Hamlet of Alabama.

STAMP's GEIS Master Plan (***Figure 1-1***) provided for the development of a high technology campus accommodating over 6 million square feet of advanced technology manufacturing and related uses providing direct employment of an estimated 9,330 people. Phase 1 of the Master Plan involved attempting to attract an anchor tenant technology manufacturing facility comprised of approximately 1 million sf.

Per the FGEIS and the GCEDC Findings, the basic and overall purpose of the Project was defined as the development of an advanced manufacturing technology center in Genesee County ("**County**"). The Project was designed to target green-technology and advanced manufacturing companies involved in developing and manufacturing clean technology, renewable energy and/or energy efficient products. These companies were to include semi-conductor manufacturers, photovoltaic solar cell manufacturers, flat panel display manufacturers including medical imaging display, bio-pharmaceutical/ nanotechnology-enabled industries, and green technology research and development for energy efficient building products.

As explained in the GCEDC Findings, economic benefits associated with the Project were noted to be substantial including:

- At full build-out, STAMP will comprise approximately 6.1 million square feet of employment-supporting building space with a total estimated assessable value of $760.5 million.

- STAMP is projected to support 9,330 Full-Time-Equivalent ("**FTE**") jobs at full build-out and occupancy.

- STAMP employment is projected to generate direct annual wages of almost $532 million at full build-out and occupancy (2011 dollars).

- Total economic output is projected to equal approximately $4.6 billion at full build-out and occupancy, including secondary economic impacts.

- Indirect (supply chain) wages (wages not directly attributed to STAMP employers) are projected to equal $761.3 million at build-out and occupancy, reflected in indirect employment of over 17,000 FTE jobs.

- Construction phases are projected to support 1,400 to 2,900 direct and indirect FTE jobs during the duration of development, with total earnings ranging from $40.8 million to $83.8 million.

- Property tax rates are projected to decrease due to significant increases in the tax base from STAMP.

- The Town of Alabama could realize a decrease in the tax rate per $1,000 in value from $1.11 to $0.11.

- Genesee County could realize a decrease in the tax rate per $1,000 in value from $9.82 to $7.97.

- Oakfield-Alabama School District could realize a decrease in the tax rate per $1,000 in value and $23.73 to $16.94.

- Total recurring annual State income taxes are projected to equal approximately $33.6 million at full build-out and occupancy.

- Retail operations are projected to generate annual sales taxes of $2.3 million each to the County of Genesee and the State of New York.

B. Project Progression Since the Completion of the GEIS

Since issuance of the GCEDC Findings in March 2012, the GCEDC and GGLDC, with assistance from the Town, have advanced STAMP in a number of significant and important ways over the last four years. The following summarizes Project implementation since 2012.

1. Emergency Services Study

As part of the mitigation imposed upon the Project by the GCEDC Findings, an Emergency Services Impact Study was completed in November, 2012 evaluating potential Project impacts on emergency services in the Town and County. See, ***Appendix A***. The full report, prepared by CGR, a nationally recognized consulting firm, included contributions from a committee that included staff from various organizations including the Alabama Fire Department ("**AFD**"), the Genesee County Sheriff's Office ("**GCSO**"), the Genesee County Emergency Management Services ("**EMS**"), the Genesee County Planning Department, GCEDC and Mercy Emergency Medical Services.

The purpose of the study was to document the status of existing public safety services in the community, and to address a series of specific questions regarding the

potential impacts of the Project regarding such services. The report concludes that emergency service calls will likely increase in the Town and neighboring communities. The increase will occur over the entire lifespan of the Project and will be driven by increases in population, higher traffic volumes in the vicinity of the Site and activities at the Site. Specifically, the report concludes that GCSO would likely experience an additional sixty-five to one hundred fifty calls for service per year; the AFD would likely experience an additional five to ten calls for service per year; and, EMS would likely experience an additional twenty to thirty-two additional calls per year.

The report discussed a number of actions to help mitigate these impacts. First, while the AFD should be able to meet the insurance rating criteria for a protected community classification with the addition of an adequate water supply, the building of any structures over thirty five feet may necessitate that a ladder truck be acquired by the AFD. Second, the AFD must become prepared to meet more complex and technical types of incidents through acquisition of new equipment and training in specific types of incidents that STAMP facilities could present to the department. Third, while the locations of the current fire stations are appropriate to meet the needs of STAMP, station sizes may not be appropriate if additional equipment includes a ladder truck. Fourth, the Site will increase the population and traffic volume in a portion of the County resulting in the increased demand for law enforcement activity. Fifth, based on the application of a common law enforcement staffing model, a 25% increase in law enforcement call volume would suggest the need for a 25% increase in patrol staffing. Finally, emergency response plans will need to be updated to include the addition of any new hazardous chemicals.

Overall, the report concludes that the largest potential impacts on emergency services will occur gradually over many years as the Site build out progresses, allowing the opportunity to utilize increases in the tax base from the Project to incrementally gauge and adjust the capacity of the public safety system as may be required. To ensure proper mitigation, the report provides an outline of issues for consideration at each major milestone in the STAMP build out process. See ***Appendix A***.

2. **Town Board Findings Statement**

As required by SEQR, prior to approving the Incentive Zoning Agreement ("**IZA**") to rezone the Site to Technology District, the Town Board issued its own SEQR Finding Statement ("**Town Board Findings**"). The Town Board Findings included all of the mitigation imposed upon the Project by the GCEDC but added a number of additional mitigation measures. Areas where additional mitigation measures were established by the Town Board include Geology and Topography, Water Resources, Air Resources, Terrestrial and Aquatic Ecology, Traffic and Transportation, Land Use and Zoning, Utilities, Community Facilities, Community Character and Demographics and Agricultural Resources. While not collectively exhaustive, the following discussion highlights some of most important additional mitigation measures required by the Town Board followed by a summary of the status of each major mitigation component in connection with the Project.

In addition to the Town Board Findings Statement, the Town is also working to establish a fee schedule that will be imposed on all projects to cover the Town's costs from project review through construction. GCEDC acknowledges the fee schedule and will work cooperatively with the Town to implement same in connection with Project development.

a. **Long Term Land Management Plan**

As part of GCEDC's plan for mitigation to avoid and/or minimize to the maximum extent possible impacts to the terrestrial and aquatic ecologies, the GCEDC Findings required preparation of a Long Term Land Management Plan ("**LTMP**"). The Town Board Findings require preparation of the LTMP prior to any site plan approvals for use in the review of future Site development. The LTMP will mitigate potential impacts to wildlife habitat by maximizing ecological functions at the Site, to the watershed and to the surrounding landscape. The LTMP is currently under development by STAMP's Tech Team which has met with the Town to discuss LTMP contents and development. At this point in time, it is not anticipated that the LTMP will be finalized prior to initial Site Plan approvals for the Project.

b. **Road Damage Concerns**

In its analysis, the Town Board identified various requirements to limit potential damage of Town owned roads which include but are not limited to (i) the construction of an access road as part of the initial development of the Site to mitigate road damage from construction traffic to the Site, (ii) the exploration of a road swap which would involve the conversion of Crosby Road and the portion of Judge Road between Crosby Road and Route 63/77 to Genesee County in order to alleviate financial responsibility of the Town for any damage to road infrastructure due to traffic to and from the Site, and (iii) the execution of a road use/repair agreement to ensure that any and all cost of repair and/or rehabilitation of road infrastructure elsewhere in the Town in connection with Site development is not the responsibility of the Town.

To date, GCEDC and the Town have agreed that the main access road into the Site from Route 77 ("**Main Access Road**") will be constructed, on an accelerated schedule, to avert any significant damage to surrounding infrastructure. See ***Figure 1-2***, Updated Master Plan. Additionally, the Town and the County are working on a road swap. The goal of this road swap is to reduce any potential impact to Town roads in connection with the Project. The process by which this road swap was developed involved identifying Town roads that had the greatest potential to be impacted by the Project (Crosby Road which runs across the Site and Judge Road which serves as an access point to the Site from Route 63/77). Once identified, the goal was then to find County roads in similar shape, with similar maintenance requirements, for the road swap. Accordingly, Crosby and portions of Judge Road are contemplated to be transferred to the County, and portions of Knowlesville and Ham Roads are contemplated to be transferred to the Town. See ***Figure 2-1***.

Finally, GCEDC and the Town Board have discussed a road use/repair agreement which would address financial responsibility for maintenance and repair of road infrastructure elsewhere in Town from construction traffic associated with the Project. With the road swap, there should be no impacts to Town roads from the construction of the Project. Thus, it is anticipated that a road damage agreement will only be executed by the Town and the GCEDC if any Town roads are identified as transportation routes for construction.

c. **Farmland Protection Plan**

As part of GCEDC's plan for mitigation to avoid and/or minimize to the maximum extent possible indirect impacts to agriculture, the GCEDC Findings required the consideration of the adoption of one or more strategies found in the Farmland Protection Strategies Report which was included as an *Appendix K* to the Draft GEIS ("**DGEIS**"). The Town Board Findings similarly require the GCEDC to assist the Town with implementing one or more strategies in the Farmland Protection Strategies Report ("**FPSR**") in order to protect valuable farmland in the Town. To date, a committee has been formed, and is in the early stages of development and exploration of options and programs as outlined in the DGEIS, the FPSR and other sources. The formation of this committee was identified as a protection strategy in the FPSR and thus, the Town has now implemented at least one protection strategy from the FPSR.

d. **Comprehensive Plan Update**

Based upon the Towns intention to update its comprehensive plan, and as agreed upon in the IZA, the GCEDC has undertaken efforts to assist the Town with its update. To date, the GCEDC has secured a grant on behalf of the Town in order to cover a portion of the cost for the update. Additionally, the Town is finalizing a Green Action Plan under the Green Genesee/Smart Genesee Project. This Green Action Plan will help guide sustainable land use decisions and protect high quality natural assets throughout the Town. Moreover, the Town is anticipated to complete a full Comprehensive Plan update in 2016.

e. **Project Related Responsibilities**

The Town Board Findings included a number of items designed to clarify Project roles and responsibilities. Specifically, the Town Board Findings state: (i) all wetland mitigation will be the responsibility of the Project sponsor or other entities involved with the Project and such mitigation must be approved by the NYSDEC prior to Site development; (ii) ownership and maintenance of any open space, recreational space, and/or conservation land shall not be the responsibility of the Town; (iii) the ownership, maintenance, and operation of all utilities including any public water, stormwater, sewer and wastewater treatment facility is to be the sole responsibility of the Project sponsor or other government agency, or by a landowner association formed to represent STAMP and not be the responsibility of the Town.

The Project has been implemented with the understanding that wetland mitigation, open space, recreational, conservation areas and utilities shall not be the responsibility of the Town. The GCEDC shall be responsible for all wetland permitting and mitigation. Permanent protection of wetlands, stream corridors and buffer areas shall be achieved through conservation easement or deed restriction. An example of a deed restriction that was utilized an another GCEDC project is attached hereto as ***Appendix X***. Genesee County will own and maintain all roads within STAMP. All water and sewer works on the Site will be owned and maintained by private water and sewer works corporations. A property owners' association will own and be responsible for maintaining landscaping, trails and signage on Site.

3. **Incentive Zoning Agreement**

Pursuant to New York State Town Law § 261-b and §§ 1100-1105 of the Town Zoning Law, the Town Board is authorized to grant zoning incentives, including but not limited to decreases in required minimum lot sizes, changes of use or zoning classifications, changes in setbacks or height or any other changes in the provisions of the Zoning Law, in exchange for the provision of certain public amenities which inure to the benefit of the community as a whole including parks, public utilities, cultural facilities or other facilities or benefits to the residents of the community.

The IZA (see, ***Appendix B***), dated December 10, 2012, made between the Town, acting through its Town Board, and the GCEDC is the result of discussions and negotiations to rezone the Site to a Technology Zoning District ("**TD**"). The TD designation was established to specifically permit advanced manufacturing and related support facilities at STAMP.

Pursuant to the re-zoning amendment, the TD was broken down into three (3) subdistricts, namely TD1, TD2 and TD3, each of which has its own set of permitted uses under the Town Code. TD1 is the primary heavy manufacturing/industrial district. Permitted uses in TD1 include but are not limited to technology manufacturing, light industry, technology or environmental demonstration facilities, warehousing and distribution facilities, professional offices, public utilities and accessory uses and buildings. TD2 is the secondary/support light-industrial district. Permitted uses in TD2 include but are not limited to light industry, office buildings, professional offices, warehousing and distribution facilities, community and cultural facilities, including museums, medical/health related services, public utilities and accessory uses and buildings. TD3 is the final district encompassing mostly commercial and retail uses. Permitted uses in TD3 include but are not limited to office buildings, professional offices, retail trade, restaurants, shopping centers, parks and recreational trails and accessory uses and buildings.

Pursuant to the IZA, in exchange for the re-zoning of the Site to TD, the Town is receiving financial assistance from GCEDC to address various possible capital improvement needs. The total estimated value of the GCEDC's financial assistance to the Town is projected to be in excess of $8,500,000 (2012 dollars).

First and foremost, the GCEDC is funding the development of a municipal water system capable of serving 433 households within the Town ("**Town Water Project**"). In addition, the GCEDC is funding a capital projects fund that may be used by the Town towards various needs including the construction of a new Town Hall, the construction of a community center, a recreation center and/or museum, improvements to public sewers and related infrastructure, improvements to broadband service within the Town, improvements to the Town Highway Garage, improvements to or development of new parkland or public recreational trails and acquisition of Farmland Development Rights within the Town to protect farmland and open space as detailed in the FPSR.

With regard to the improvement of broadband service within the Town, GCEDC has met, and had discussions with, seven (7) providers of broadband service as of March 31, 2016. The goal of these discussions has been to express the Town's need for broadband service for its residents, and to encourage each provider to reach out to the Town to set up meetings to discuss extending broadband access further in the Town. Now that 1366 Technologies has committed to be the first tenant at STAMP, GCEDC anticipates that the number of these conversations will increase.

As the construction of 1366 Technologies' first manufacturing facility begins, and 1366 Technologies selects a broadband service provider, GCEDC hopes that the opportunity to allow some residents to connect will be provided. However, GCEDC cannot guarantee that prospect. Each provider has expressed concern over the rural nature of the community and how far apart the residents are, as it increases the cost for such providers to run cable without the associated increase in revenue for new users. GCEDC will continue to express the Town's strong desire and need for broadband services for it residents, and feels that as STAMP develops, the amount of broadband services that will be made available to local residents will increase.

4. **Focus on Semiconductor Manufacturing**

Due to the large size of the Site and developments in the global marketplace over the last several years, the GEIS Master Plan for STAMP has been updated to accommodate a large semiconductor manufacturing complex (**"Fabs Complex**") in the northwest quadrant of the Site. Specifically, the Project has been revised to ensure the ability to host multi-facility 450mm semiconductor manufacturing and related support services and industries. The 450mm is in reference to the silicon substrate wafer used in the semiconductor manufacturing process. The substrate size has ranged from 50mm in the 1960s', 75 mm in 1970's, 100mm in 1980s', 200mm in 1990s' and 300mm in 2000 to current. 450mm substrate size is the future factory next generation size.

Modern semiconductor manufacturing facilities ("**Fabs**") are multi-fab campuses featuring large buildings with intricate utility systems; large, complex, and expensive tools; and ultra-clean spaces designed to produce microelectronic chips and parts. These chips are used in household devices, such as appliances, automobiles, smart phones, computers, video game consoles, medical devices, etc. The GEIS Master Plan

has been updated to provide for the construction of up to three 450mm semiconductor manufacturing plants adjacent to each other. See ***Figure 1-2***.

5. Amendment to Genesee County Smart Growth Plan

Genesee County has a comprehensive Smart Growth Plan that focuses new development within targeted area that have adequate infrastructure to support additional development. One of the main tools that the County uses to achieve this targeted growth is through control over new water hookups into existing water infrastructure. Specifically, the Smart Growth Plan prohibits water hook ups to municipal systems for new development outside of designated priority development areas. In 2013, at the request of the Town, the County added the Site as a designated priority development area under the Smart Growth Plan.

6. Coordination with Nation

Consistent with various State and Federal permitting processes, the GCEDC has conducted extensive outreach and consultation with the Nation regarding the development of STAMP which is adjacent to the Nation's reservation in western Genesee County. Below is a detailed narrative of the outreach and consultation between the GCEDC and the Nation to date, along with a summary of issues raised by the Nation and how these issues have been addressed.

a. Consultation Meetings

During the approximately two year-long GEIS process for the Project, the GCEDC treated the Nation as an involved agency and solicited comments and feedback on the environmental review documents at each stage of the review process. However, towards the end of the process, Nation representatives expressed the view that the Nation did not appreciate being treated as one of many interested agencies; that because the Project was adjacent to the Nation's lands, there needed to be more direct engagement between the Nation and the GCEDC. As a result, the GCEDC initiated a number of direct consultation meetings with the Nation over the last several years. Generally, such meetings are held on the Reservation with the Nation's Council of Chiefs and Clan Mothers. Additional participating parties in these meetings have typically included representatives of the New York State Office of Parks, Recreation and Historic Preservation ("**SHPO**"), the United States Army Corps of Engineers ("**USACE**"), and NYSDEC.

During these meetings, GCEDC representatives have provided updates on the status of the Project, and the Nation was able to voice concerns regarding an array of issues including concerns about waste and storm water discharges from the Site to the reservation (which is located downstream from the Site), archeological studies and preservation of artifacts, the delineation of the reservation boundary with the Site, and creation of a buffer zone along the reservation boundary. The Nation has also inquired about the possibility of tapping in to new water supply lines which may run past the reservation to the Site and about job training opportunities. Representatives of SHPO,

USACE and NYSDEC were able to participate directly in these discussions. These meetings occurred on August 30, 2011, May 23, 2012, February 14, 2013, and December 15, 2015.

On December 15, 2015, the GCEDC arranged a consultation meeting with members of the Tonawanda Seneca Nation Council of Chiefs and other Nation representatives, as well as representatives from USACE, NYSDEC, SHPO, the U.S. Department of Energy ("**USDOE**")[2] and 1366 Technologies. The meeting was organized to provide the Nation with status updates and information on new developments for the STAMP Project, to receive feedback from the Nation on those updates, and to provide an introduction to 1366 Technologies, the first tenant committed to construct an advanced manufacturing facility at STAMP. Coordination meetings with the Nation are on-going and will be scheduled as necessary as the Project progresses.

b. **Sewer Discharges**

The Project, as contemplated in the GEIS, included an on-Site Waste Water Treatment Plant ("**WWTP**") to treat wastewater generated at STAMP prior to discharge to Whitney Creek. Early on in the consultation process, the Nation expressed deep concern about discharges from the WWTP which would have been located upstream from the Nation lands. After careful consideration, and in tandem with other contemplated Project changes, the GCEDC began exploring alternative options to an on-Site WWTP. A detailed feasibility study was completed in 2013. See, ***Appendix D***. This feasibility study identified the Medina WWTF as a viable alternative to constructing a WWTP on-Site at STAMP. The GCEDC has negotiated a memorandum of understanding with Village of Medina ("**Medina**"), which lays out a pathway for review and ultimately approval of the installation of a new main sewer line from STAMP to the Medina WWTF. See, ***Appendix H***. The GCEDC has also provided the Nation with information and analysis regarding green infrastructure to control stormwater runoff rates from the Site and improve water quality. Consultation with the Nation on these issues is on-going.

c. **Archeological Studies and Preservation of Artifacts**

The GCEDC has performed Phase IB archeological studies over the majority of the Site. Early in the consultation process, the Nation expressed both concern about potential archeological impacts and an interest in monitoring archeological field work. The GCEDC, at the Nation's request, paid a Nation representative to conduct archeological monitoring throughout all Phase IB field work, and requested the Nation's input on reports and analyses. The GCEDC will continue to do so for all archeological field work associated with STAMP. Additionally, the GCEDC and the Nation have tentatively agreed that the Nation should have ultimate possession of

[2] 1366 Technologies has secured a $150 million loan guarantee from the USDOE to help scale its manufacturing of silicon wafers. This loan guarantee will be used, in part, to help fund construction of the 1366 Facility at STAMP.

archeological finds from the Site of interest to the Nation. SHPO has also agreed that such finds can be housed by the Nation instead of being housed by the State. Consultation with the Nation on these issues is on-going.

d. **Surveying of the Reservation Border**

The Nation voiced concerns regarding the determination of Site boundaries along the Reservation boundary. As such, the GCEDC invited representatives of the Nation to participate in the surveying field work. Nation representatives were very helpful to surveyors by assisting to find survey markers from an early 20th Century survey conducted by the U.S. Geological Survey. Following completion of field work, survey maps were finalized and presented to the Nation for review and comment. The Nation notified the GCEDC that it had no comments and thus, the survey maps of STAMP lands bordering the Nation boundary were finalized.

e. **Buffer Along Nation Boundary**

During consultation meetings with GCEDC, the Nation voiced concerns over visitors to the Site coming onto Reservation property. Thus, the Nation requested creation of a buffer zone. The GCEDC has worked with the Nation and the Town Board to develop a 400' buffer zone on the Site along the reservation boundary, and has requested input from the Nation on the types of vegetation or natural markers that should provide a border between the properties. Additionally, the GCEDC has redirected a trail that was to run through the buffer zone to avoid activity in this area.

f. **Access to Public Water**

During consultation meetings, the Nation has expressed possible interest in access to a public water supply. The Project is currently exploring bringing new water supply lines to the STAMP from Niagara County. If this water supply is ultimately constructed, supply lines would likely run in very close proximity to Nation lands. The GCEDC has expressed an interest in pursuing this issue further and consultation with the Nation on water supply is on-going.

g. **Job Training and Skills Development**

During consultation meetings, the Nation has inquired as to whether job training and skills development programs would be available for its young members to learn valuable new skills to pursue employment opportunities with companies locating at STAMP. The GCEDC has expressed an interest in working with the Nation on this issue and has circulated workforce training brochures to the Nation. The GCEDC indicated that seats could be reserved for the Nation for future job/skills training courses related to high-tech manufacturing. Consultation with the Nation on this issue is on-going.

7. **Wetlands Permitting**

In November, 2013, GCEDC submitted a joint permit application ("**JPA**") pursuant to Section 404 of the Clean Water Act, to the USACE, Buffalo District, (Department of the Army Application No. 2010-00964), and the NYSDEC, Region 8 (NYSDEC No. 8-1820-00020/00002), for activities within wetlands and waters of the United States in association with the development of the Project.

Aquatic resources were delineated at the Site in 2010 by Earth Dimensions, Inc., and a delineation report was completed on July 14, 2010. A Wetland Functional Assessment Report was completed in July, 2010 by Earth Dimensions, Inc. A STAMP Watershed Assessment was completed by CC Environment & Planning in 2010. A Stormwater Management Report including a preliminary analysis of the reroute of Tributary 3 was completed by Clark Patterson Lee in March, 2011. A Jurisdictional Determination letter for the STAMP Site was received from USACE on February 1, 2012, and a Stream Visual Assessment Report was completed by CC Environment & Planning in September, 2013.

Following submittal of the JPA, a regulatory review meeting was held at the USACE Buffalo District office to discuss the contents of the JPA and the permit review process. Following this meeting, a request for additional information ("**RAI**") was received by the GCEDC in February, 2014 and by the NYSDEC in a Notice of Incomplete Application letter dated March 21, 2014. On December 4, 2014, a regulatory review meeting was held in Batavia, NY to review preliminary responses to the RAI letters and to discuss the USACE public notice schedule.

In December, 2014, a Phase I response to the RAI was submitted to USACE and NYSDEC that included a description of modifications to the Project since first described in the November, 2013 JPA. Many of the modifications discussed such as the inclusion of parcels along the north end of Crosby Road, modifications to proposed utilities and modifications to the proposed Tributary 3 reroute facilitated meeting Project buildable area goals without significant increase to aquatic resource impact.

On June 19, 2015, the USACE issued a Public Notice (No. 2010-00964) describing the Site, unavoidable impacts and proposed mitigation as submitted in the November, 2013 JPA and as updated by the Phase I response to agency RAI's submitted in December, 2014.

Moving forward, items that require additional investigation and design include: (i) an analysis of potential secondary impacts associated with the reroute of Tributary 3, (ii) additional detail regarding location, design and implementation of stream enhancement measures, (iii) wetland restoration details including hydrology, grading plans and planting plans, (iv) additional detail regarding potential impacts to NLE Bat, (v) water/wastewater requirements and designs for SEQR update, and (vi) clarification of long-term ownership and management of the Site including stormwater and mitigation features. Each item identified above is progressing with continued design and development of the Project. It is anticipated that each remaining item will be

completed and submitted to USACE and NYSDEC by December, 2016. See, ***Appendix P***.

8. **Land Acquisition**

Following completion of the GEIS process, the GCEDC began acquiring the land associated with the Site. The first land purchase was completed on December 21, 2012. Since then, the GCEDC has purchased a total of twenty parcels consisting of 1,090.35 acres of real property. The following chart identifies each parcel purchased and the acreage:

TAX MAP #10.1-1	137.2
TAX MAP #10.-1-2	55.0
TAX MAP #10.-1-3 (PARCEL "B")	97.7
TAX MAP #10.-1-10	0.8
TAX MAP #10.-1-4.2	0.68
TAX MAP #10.1-4.12	1.9
TAX MAP #10-1-4.112	89.7
TAX MAP #10.1-5	1.31
TAX MAP #10.-1-7	1.03
TAX MAP #10.-1-8	0.9
TAX MAP #10.-1-13 (PARCEL "C" & "D")	73.1
TAX MAP #10.-1-15.11	145.8
TAX MAP #10.-1-32.12	49.1
TAX MAP #10.-1-32.21	40.3
TAX MAP #10.1-32.22	1.0
TAX MAP #10.1-32.22	4.8
TAX MAP #10.-1-41	87
TAX MAP #10.-1-42 (PARCEL "A")	102.9
TAX MAP #10-1-43.1	190.8
TAX MAP #10-1-43.1	9.33

9. **Archeological Investigations**

As a result of the JPA, the entire Project is subject to review under Section 106 of the National Historic Preservation Act. To date, four investigations have been completed in association with STAMP at the Site (see ***Appendix T***), and two investigations have been completed off-site for water and sewer (see ***Appendices I and J***) associated with the development of STAMP. In regards to Phase I investigations, Phase IA studies have been completed on twenty three parcels. Phase IB studies have been completed for the majority of the Site. Phase IA studies and reports were conducted in December, 2015 for the STAMP off-site sewer and water projects. See ***Appendix T*** for a complete summary of archeological investigations completed to date and status of on-going work.

Certain cultural resource investigations are necessary to facilitate construction of the 1366 Facility and STAMP Track I Infrastructure. In regards to Phase I

investigations, Phase IA studies need to be completed on six parcels. Priority investigations for Phase I include IB studies on eleven parcels, all houses along Crosby Road except for two parcels and on off-site water and sewer project areas. Phase II studies need to be completed at Archeological Site 5, and any parcel/site requiring additional study following Phase I investigations. Finally, Phase III studies will need to be completed at archeological sites 3 and 6, and on any other parcel/site identified from Phase II investigations. All field work related to these additional investigations have been completed and reports are being finalized for submittal and review by regulatory agencies.

The following cultural resource investigations in connection with the Project will be necessary for full Site development. In regards to Phase I investigations, Phase IB studies will need to be completed on seven parcels. Phase II studies will need to be completed at sites 1, 2, 8-22, 24 and 26 along with any parcel/site identified from Phase I investigations. Phase III studies will need to be completed on any parcel/site identified from Phase II investigations. See ***Appendix M*** for more information. A draft Programmatic Agreement among the GCEDC, the Advisory Council on Historic Preservation, USACE, USDOE, SHPO and the Nation is currently under development to guide future archeological investigations at the Site and is attached hereto as ***Appendix O***.

Figure 2-1
Town of Alabama/Genesee County Road Swap Map

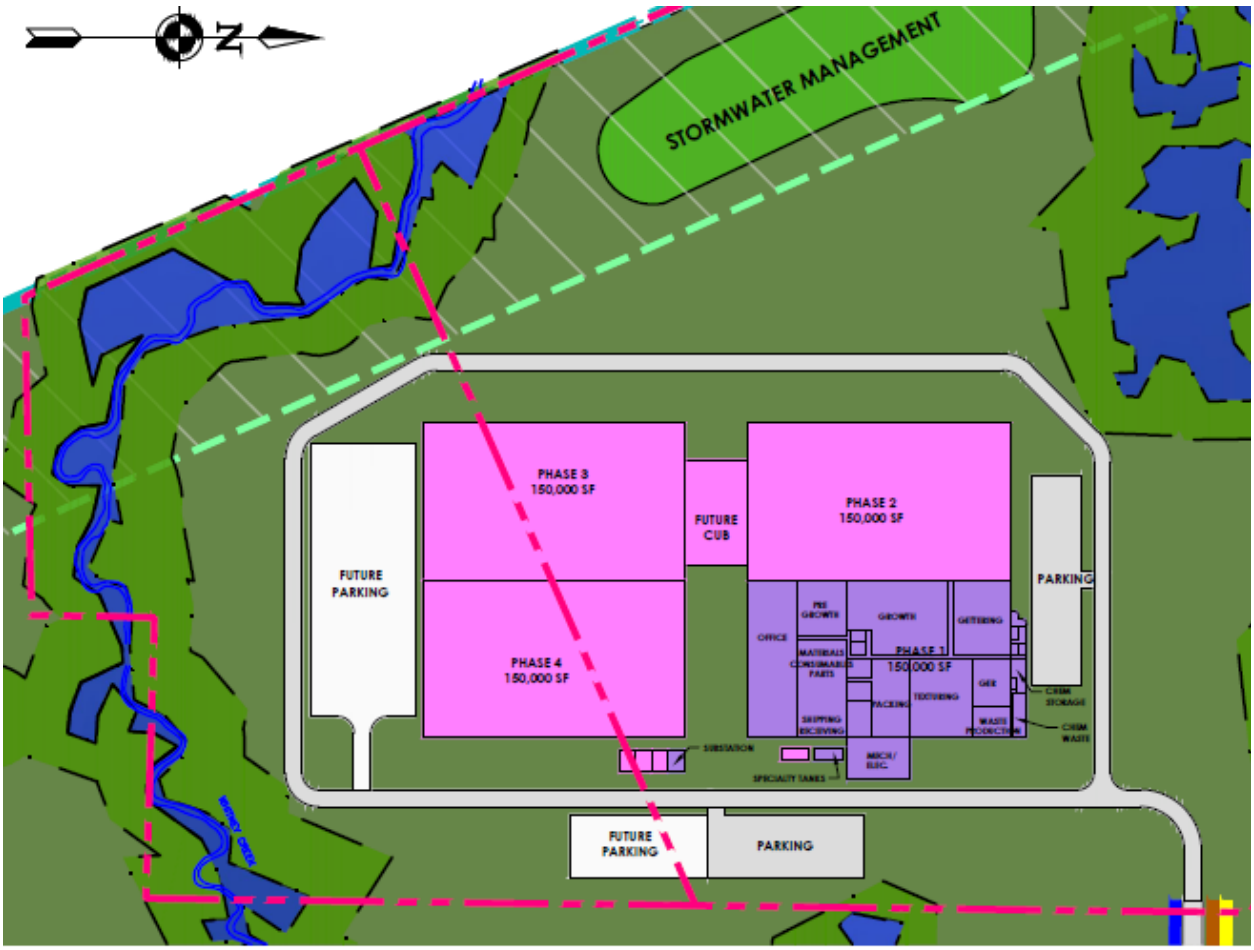
III. **1366 Technologies**

As mentioned earlier, STAMP has secured its first tenant for the Project, 1366 Technologies, which plans to construct a large scale commercial manufacturing facility that will use a proprietary manufacturing process for making silicon wafers, whereby they produce multi-crystalline silicon wafers for solar cells at substantially lower costs and with less waste than current processes. Since silicon wafers are the largest cost component in the manufacture of silicon photovoltaic ("**PV**") modules used in solar cells, this new process is anticipated to reduce the overall cost of solar power.

The 1366 Facility will be located in the southwest corner of the Site north of Judge Road, west of Crosby Road, east of the western boundary of STAMP (see ***Figure 1-2***), on a 105-acre site ("**1366 Parcels**") which includes 41.1 acres of buildable area. The 1366 Facility is proposed to be built-out in phases.[3] The first phase will be constructed on a 79.4-acre site with 30.2 acres of buildable area and will include an approximate 150,000+/- sf facility that will initially produce 250MW of silicon wafers annually, or enough to power 30,000 homes. The 1366 Facility would be quickly expanded over several years to allow for growth to 600,000+/- square feet to allow for 1 GW of silicon wafer production annually with up to 1,000 employees and approximately $700 million in total investment. ***Figure 3-1*** shows the proposed phasing of the 1366 Facility.

[3] It is important to understand that, at this point in time, 1366 Technologies' plans for the development of the 1366 parcels are conceptual in nature. The conceptual plans provided herein are expected to change and be refined as design work on the 1366 Facility progresses.

Figure 3-1: Phasing of 1366 Technologies Manufacturing Facility



The 1366 Facility will be constructed, in part, with loan guarantees from the USDOE. The Energy Policy Act of 2005 ("**EPAct 2005**") established a federal loan guarantee program for eligible energy projects that employ innovative technologies. Title XVII of EPAct 2005 authorizes the Secretary of Energy to make loan guarantees for a variety of types of projects, including those that ''avoid, reduce, or sequester air pollutants or anthropogenic emissions of greenhouse gases; and employ new or significantly improved technologies as compared to commercial technologies in service in the U.S. at the time the guarantee is issued." The two principal goals of the loan guarantee program are to encourage commercial use in the U.S. of new or significantly improved energy-related technologies and to achieve substantial environmental benefits. Rising energy prices and global climate change resulting from elevated greenhouse gases in the atmosphere provide further need for the accelerated commercial use of new and significantly improved energy technologies such as the multi-crystalline silicon wafers produced by 1366 Technologies.

A. About 1366 Technologies

1366 Technologies was started in 2007 with the backing of two of the premier venture capital firms in the U.S. In 2010, the company secured a second round of funding and added several important strategic partners to its investors including a key customer from Korea (one of the world's largest makers of solar panels), and from General Electric, one of the largest operators of photovoltaic solar plants in the U.S. 1366 Technologies has secured a broad base of investors from across the globe, which gives this company the support and insight to rapidly capture a significant share of the global wafer market. In addition, 1366 Technologies has no debt, a strong balance sheet, and will have more than 50% of its wafer production capacity in the first phase of the manufacturing plant contracted prior to breaking ground.

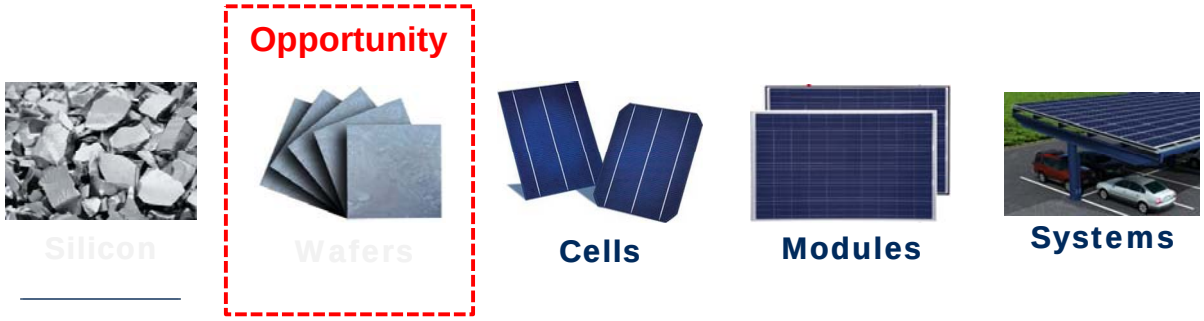
In addition to its financial backing and industrial partnerships, 1366 Technologies has extensive technical experience and talent from some of leading American universities, such as Massachusetts Institute of Technology, Stanford, Harvard, and Yale. Key members of their engineering team have more than twenty years of experience in the field of silicon photovoltaics.

In a deliberate attempt to decrease the scaling risk of a new technology, 1366 Technologies has already built a full demonstration facility with manufacturing scale equipment of the entire production process. Within this facility, the company has installed two functional production volume furnaces and three additional full 24/7 production scale furnaces, which provides a total annual volume capacity of 25 MW.

B. 1366 Technologies Direct Wafer™ Manufacturing Process

1366 Technologies aims to deliver solar at the cost of coal. The company combines breakthrough technology innovations with lean manufacturing processes to make high-performance silicon wafers, the building blocks of solar cells, at a fraction of today's cost. Since silicon wafers are the largest cost component in the manufacture of silicon photovoltaic modules used in solar cells, this new process is anticipated to reduce the overall cost of solar power.

Figure 3-2: Solar Supply Chain



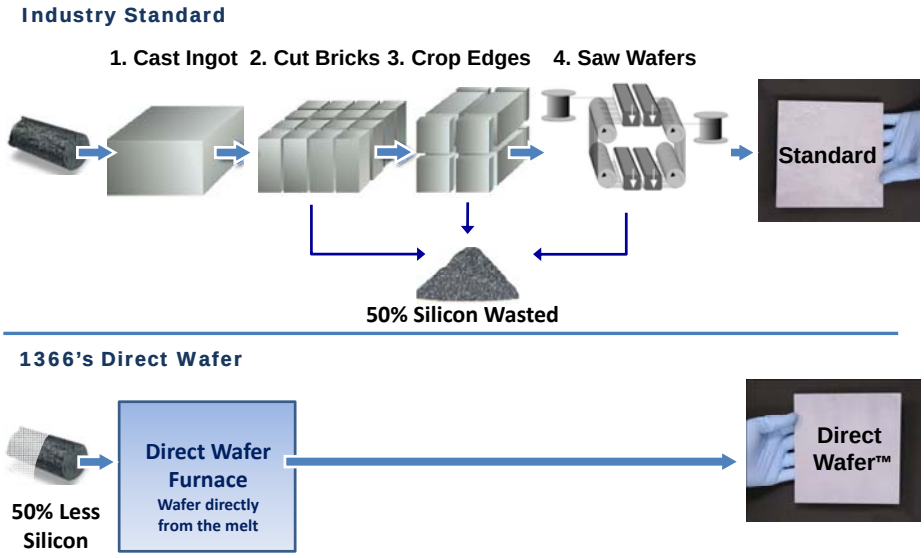
Today, silicon solar panel manufacturers use wafers made from a decades-old approach, long in need of reform. Conventional wafer manufacturing relies on a complex, multi-step, multi-machine process that takes days. To create wafers, manufacturers must first cast the raw silicon material into large blocks, called ingots. These ingots are cut into bricks, polished, and then sliced into wafers where nearly half of the raw material is wasted, ground into dust during the sawing process.

1366 has reinvented how these wafers are made and replaced the old method with a single-step – the Direct Wafer™ process. This advanced manufacturing technology reduces the cost of the wafer by 50% and eliminates steps, time and wasted material all while producing a high quality wafer. The standard wafer manufacturing process includes four major process steps (**Figure 3-3 Below**) that require 10+ machines to execute in a batch process that takes up to week to convert silicon into final wafers Cast Ingots, Cut Bricks, Crop Edges, and Saw Wafers. This cumbersome process 1) impose high operating costs (40% of module cost) from a multi-step, energy intensive process; 2) produce non-uniform wafers that limit cell efficiency; 3) waste over 50% of the silicon and 50% of the energy needed to make a wafer; and 4) increase the energy payback of a solar PV system by up to 35%.

Wafer manufacturing cost as a percentage of total module production cost is growing due to a lack of innovation in wafer manufacturing. As long as wafer production incurs the high expense of sawing and half of the high-value silicon is lost as kerf dramatic cost reductions in silicon modules and system the levelized cost of entry will be slower to materialize.

Figure 3-3:

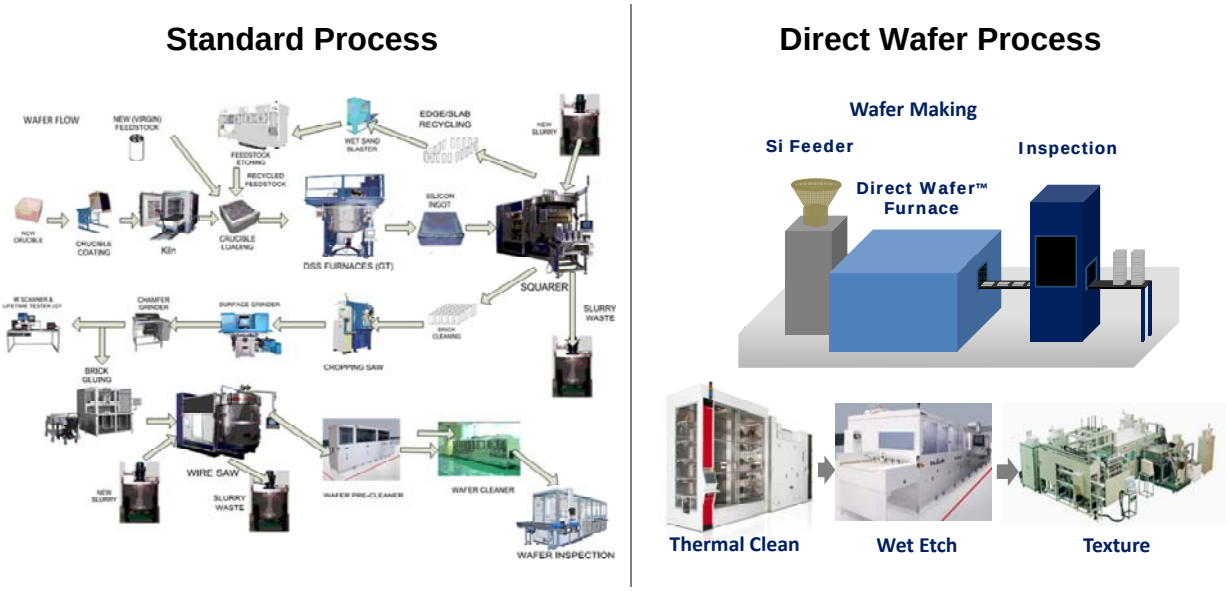
Standard Wafer Manufacturing Process vs Direct Wafer™ Process



The Direct Wafer™ technology delivers a simple, scalable process that produces standard 156mm size wafers at 50% of the cost, 80% of the capital, and 50% of the electricity of conventional casting and sawing processes. Direct Wafer™ requires a single machine for making silicon wafers directly from the melt every ~20 seconds that eliminates the 50% of silicon kerf loss and improves wafer quality. The standard process requires 10+ machines, takes approximately 1 week to convert silicon to wafers, and yields wide product variability.

1366 Technologies has executed commercial agreements with some of the leading solar cell manufacturers, including those based or located in Japan, Korea, China, Germany and Taiwan. These agreements have led to substantial off-take agreements for the initial 250MW volume and positioned the Company to expedite the upward scaling of production to 1GW.

Figure 3-4: Direct Wafer™ vs Standard Process Equipment

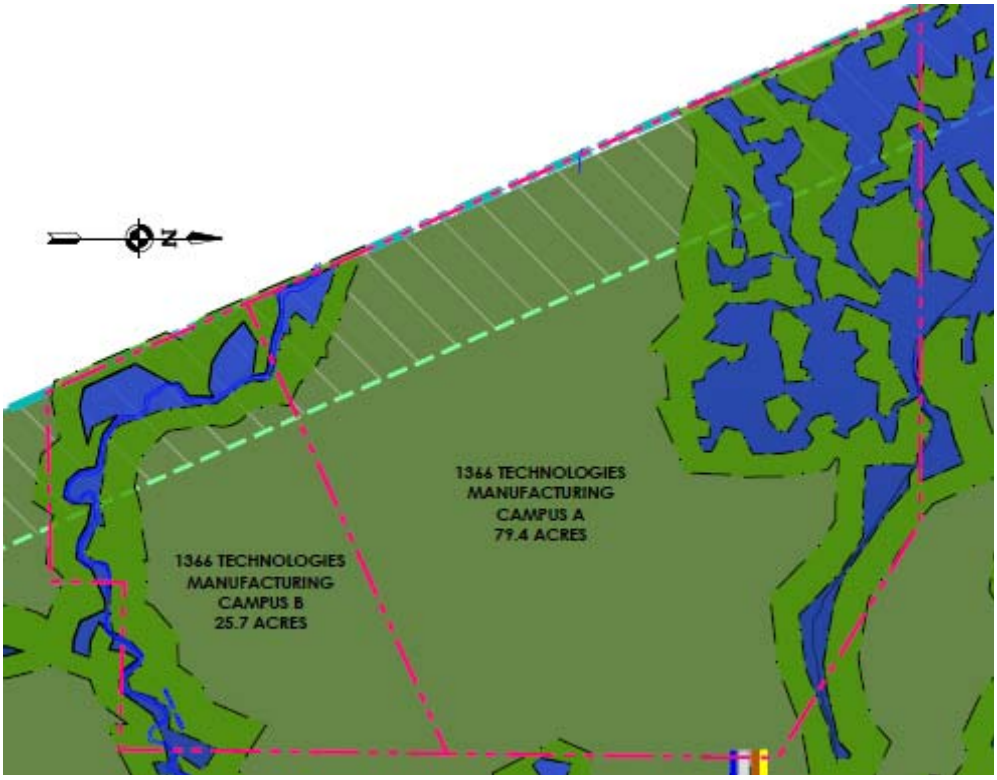


C. The Proposed 1366 Facility

The 1366 Facility will be located on a 105-acre Project Site within STAMP, located in the Town of Alabama, Genesee County, New York. The 1366 Parcels includes 41.4 acres of buildable area and are located north of Judge Road, west of Crosby Road, east of the western boundary of STAMP. (See ***Figure 3-5***).

The 1366 Facility is proposed to be built-out in phases. The first phase will be constructed in Campus A (see ***Figure 3-5***) and will include an approximate 150,000 sf facility that will initially produce 250MW of silicon wafers annually, or enough to power 30,000 homes. The 1366 Facility would be quickly expandable to allow for growth to approximately 600,000 sf to allow for 1GW of silicon wafer production annually on Campuses A and B with up to 1,000 employees and approximately $700 million in total investment. The initial phase of the 1366 Facility is anticipated to commence operation in 2017, with full project build out expected by 2021. ***Figure 3-6*** shows the layout of phase 1 of the 1366 Facility. ***Figure 3-1*** shows the proposed phasing of the 1366 Facility and ***Figure 3-5*** shows the 1366 Facility in the context of the Updated Master Plan for STAMP.

Figure 3-5: 1366 Parcels

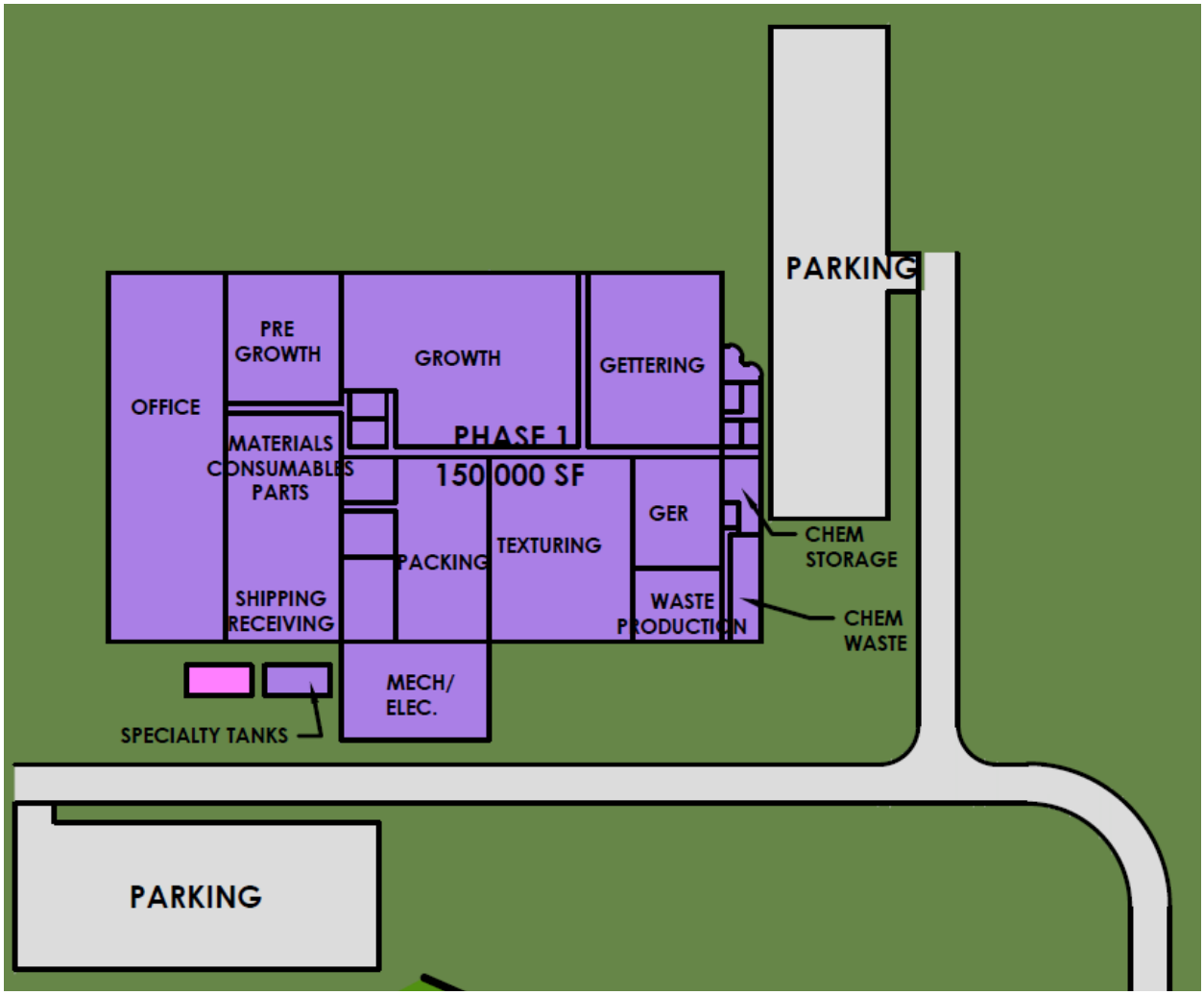


Other key design elements of the 1366 Facility include:

- Power: An electrical substation will be constructed north of the 1366 Parcels on land owned by the GCEDC (See ***Figure 4-1***). Additionally, there will be some utility improvements within the utility area consisting of sanitary sewer improvements, natural gas infrastructure and potential installation of power lines. The sanitary sewer improvements will include a new sanitary sewer pump station, including a new pump building, pumps, wet well, generator and new electric service. The natural gas infrastructure will include a new gas regulation station. The utility area may also have new power lines running through or around the utility area that will connect to the 1366 substation. Initially, a single 115 kilovolt (kV) line will provide for the 1366 Facility's electrical needs which will not exceed 8.5 MW. As the 1366 Facility expands towards 1GW of production, a 345 kv line running along the northern boundary of STAMP may be tapped to provide additional power (total power needs expected to be approximately 34 MW). The 1366 Facility will also include an emergency generator as a health and safety backup on the exterior of the building.
- HVAC: Primary cooling will be supplied by five 2,000 GPM cooling towers. This will provide cooling for the furnace equipment, and chilled water will be supplied by three 600 ton water cooled chillers. HVAC units will be placed on rooftops and

will consist of single zone air handling units. An industrial exhaust system will be provided to serve the exhaust needs of the manufacturing equipment.

Figure 3-6: Layout of Phase I of 1366 Technologies Manufacturing Facility



- Air Emission Scrubbing: A wet scrubber will be installed to treat Chlorine (Cl), Hydrogen Fluoride (HF), and Nitrogen Oxide (NOx) air pollutant emissions.
- Water and Wastewater treatment: The GCEDC will provide water and sewer service to the 1366 Facility through water and sewer works corporations. Initial water demand for the 1366 Facility is estimated at 200,000 gallons per day ("**GPD**") and will grow to approximately 800,000 GPD at full build out. Initial sewer demand is estimated at 150,000 GPD and will grow to approximately 600,000 GPD at full build out. A pH neutralization and fluoride abatement system will be installed by 1366 Technologies to process low and high concentration waste from wet chemical processes and scrubber discharge prior to discharge to the Medina WWTF.

- Natural gas: Natural gas will be extended to the manufacturing facility to support hot water boilers and Volatile Organic Compound ("**VOC**") abatement requirements.
- Site Characteristics:
    - Circulation and access roads or driveways will be constructed to support the transportation needs for the facility. The entrance and exit for all vehicles will be from Crosby Road where it will tie into the primary STAMP access road to/from Route 63/77.
    - Pedestrian walkways and parking lots will be located adjacent to the main building.
    - Exterior lighting of ingress and egress areas.
    - Excavation of the Project Site will be required to provide level ground for the concrete slab for the main building, the installation of underground utility lines from the perimeter of the site connecting with lines installed as part of the STAMP site infrastructure work, the construction of driveways and parking lots, and pervious landscaping some of which will be used for stormwater management.

A new access road connecting the 1366 Parcels to Crosby Road will be constructed by the GCEDC in conjunction with the construction of the 1366 Facility (see ***Figure 1-2***). Construction of this access road will require the demolition of an existing residential structure located on the Site which was acquired by the GCEDC. A pre-demolition survey of this property is attached hereto as ***Appendix G***.

IV. Contemplated Project Changes Since 2012

As noted above, since the completion of the GEIS process over four years ago, there have been a number of changes proposed to STAMP.

A. Master Plan Changes/Updates

1. Overview

Since the completion of the GEIS, there have been a number of changes developed to the GEIS Master Plan. These changes are reflected in the Updated Master Plan for STAMP (***Figure 1-2)***, which is very similar to the GEIS Master Plan and which maintains the campus like setting contemplated in the GEIS Master Plan. Specifically, the Updated Master Plan retains the large green buffer around the majority of the perimeter of the Site and preservation of natural features across the Site (see ***Figure 4-2***), with different zones of development across the Site (see ***Figure 1-2***), connected by internal walking/biking trails (see ***Figure 4-3***). In the Update Master Plan, more refinement has been added to the layout for the Fabs Complex (referred to as Main Manufacturing Campus on ***Figure 4-1***) and the 1366 Facility complex has been added to the campus in the southwest quadrant of the Site. Specific changes are described below under the following subcategories: (i) Changes to the Site Plan Layout; (ii) Changes to the TD Zoning Boundaries, Buffers and Regulations; and (iii) Timing and Other Changes to the GEIS Master Plan.

2. Changes to the Site Plan Layout

a. Reductions in Impacts to On-Site Aquatic Resources

Following completion of the GEIS, the GCEDC began significant coordination efforts with the USACE and NYSDEC in preparation for the submittal of a JPA for STAMP-related development activities within wetlands and waters of the United States. Based on pre-application guidance from the USACE and NYSDEC, a significant effort was made to refine the GEIS Master Plan to further reduce impacts to aquatic resources. At the time of the DGEIS, the Site was approximately 1,280 acres and included the John White Wildlife Management Area ("**John White WMA**"). There were 52 wetlands totaling approximately 122.00 acres delineated at the Site along with seven streams, ditches and drainage ways totaling approximately 33,900 linear feet. At the time of the issuance of the FGEIS, John White WMA was removed from the Project area leaving 47 wetlands totaling 106.22 acres on-Site. Wetland impacts associated with STAMP had been reduced from approximately 69 acres to approximately 9.50 acres. As a result of the GCEDC's further refinements reflected in the Updated Master Plan, wetland impacts have been further reduced to approximately 4.49 acres of federally regulated wetlands and 3.34 of isolated non-jurisdictional wetlands (total of 7.83 acres). The post-GEIS modifications reflected in the Updated Master Plan have also reduced stream corridor impacts from 9,595 linear feet to approximately 9,566 linear feet.

b. **Utility Runs**

Similar to incorporation of the residential properties along the northern end of Crosby Road, the existing 115 kV power line that traverses the Site (from northwest quadrant to southeast/central area of Site) must be relocated to the perimeter of the Site to allow for placement of the Fabs Complex while minimizing wetland impacts. See, ***Figure 1-2***, Updated Master Plan. Electric service to 1366 Technologies will be run from the existing line south of the Main Access Road to the proposed electric substation north of the 1366 Parcels. Also, as reflected on the 1366 Technologies Phase I Infrastructure Plan, natural gas and sewer will be brought into the Site along the future Bypass Road/connector road right-of-way. (***Figure 4-1***)

c. **Alignment of the Main Entrance/Realignment of Bypass Road**

The Main Access Road into the Site from Route 63/77 had a significant curve to the north in the GEIS Master Plan. In the Updated Master Plan, the alignment has been straightened somewhat to run more directly to Crosby Road. This shift minimizes wetland impacts (.23 acres) while allowing for a larger development footprint north of the Main Access Road on the west side of Crosby Road. See ***Appendix U.*** Nonetheless, a curve in the Main Access Road has been maintained to provide a more interesting visual context from the Main Access Road entrance looking towards the interior of the Site. See, ***Figure 4-6***.

In addition, updated plans call for the realignment of the Bypass Road and the connecting roadway to the Main Access Road where the connector road turns east at the Bypass Road. See, ***Figure 4-4***. This change will require the road to follow the terrain of the landscape, and be located on a flat route along the top of the ridge as opposed to on slanted terrain. This will reduce earthwork and soil disturbance at the Site. This change was also made with the intention of ensuring that the intersections at Route 63/77 and Lewiston Road meet standard engineering requirements. These realignments result in a small expansion of TD3 and slight reduction to TD1 and TD2. See, ***Figure 4-1***.

d. **Snowmobile and Walking Trails**

Consistent with the campus-like setting of the Site, the GCEDC contemplates a series of trails within STAMP for walking or biking between the different sections of the campus. This will reduce automobile dependency for workers on the campus. The initial plan for trails includes a trail contemplated for use by 1366 Technologies and a community connector trail between the TD3 Commercial and Retail Campus and the adjacent John White WMA as shown on ***Figure 4-3***. The GCEDC is also planning to maintain existing snowmobile access across the Site. The Town and the GCEDC are working to finalize the location of the snowmobile trails so that snowmobilers will have continued access through the Site.

3. Changes to the TD Zoning Boundaries, Buffers and Regulations

In marketing the Site to potential tenants over the last several years, a number of questions regarding various aspects of the TD zoning regulations adopted by the Town Board pursuant to the IZA have developed. The GCEDC has proposed modifications to the TD zoning regulations to clarify the Town Board's intent with regard to zoning for the Site. In addition, several refinements to the TD zoning regulations are currently being proposed to the Town Board by the GCEDC.

a. Clarifications Related to the 100-Foot Buffer Which Remains Zoned Agricultural-Residential

The TD zoning regulations create a 100-foot buffer of land around the perimeter of the Site for those portions of the Site zoned TD1 and TD2. The GCEDC seeks to amend the TD zoning regulations to clarify that the following uses are permitted in the 100-foot Agricultural Residential Buffer around the Site:

- Access drives and utility runs can cross
- Planning Board approved landscaping
- Signs

See, ***Figure 2***, Phase 1 Infrastructure Plan and ***Figure 3***, Refined Buildable Area Plan.

b. Clarifications Related to the 300-Foot TD District Buffer

The TD zoning regulations create a 300-foot buffer along any TD lot line abutting a Residential or Agricultural Residential District with the exception of property zoned TD3 (when added to the 100 foot ag-res buffer, this creates a total 400 foot buffer around the Site). The GCEDC seeks to amend the TD zoning regulations to clarify that the following uses are permitted in the 300-foot TD Buffer around the Site:

- Access drives and utility runs can cross
- Planning Board approved landscaping and walking trails
- Planning Board approved signs
- Fencing
- Approved utilities/utility related uses (includes substations and stormwater ponds; excludes solar panels).

See, ***Figure 4-1***, Phase 1 Infrastructure Plan and ***Figure 4-2***, Refined Buildable Area Plan.

c. Proposed Changes to 300-Foot TD District Buffer

The GCEDC is also proposing a few minor changes to the 300-foot TD District buffer. First, the GCEDC is proposing the elimination of the 300-foot buffer along the northern side of the Site which abuts agricultural lands and the 345 kV power lines corridor. See, ***Figure 4-2***. Elimination of the buffer in this area will give the GCEDC more flexibility in the siting of the Fabs Complex in the northwest quadrant of the Site

in an area which is already buffered from public rights of way by adjacent agricultural lands and utility infrastructure. The GCEDC is also proposing the elimination of the 300-foot buffer on the interior of the Site between TD1/TD2 and TD3. Finally, the GCEDC is proposing the elimination of the 300-foot buffer within TD2 for 500 linear feet on each side of the Main Access Road. This will allow some limited development at the entrance of the Site but still maintain the 100-foot Agricultural-Residential buffer along Route 63/77. See, ***Figure 4-2***, Refined Buildable Area Plan.

d. Other Proposed Zoning Changes

The GCEDC is proposing three other changes to the TD zoning regulations. First, the GCEDC proposes to "square off" the TD2 zoning district so it runs parallel to Route 63/77. See ***Figure 1-2***. This change will allow more flexibility in future development of the area east of the Fabs Complex while still maintaining a substantial TD2 buffer on the eastern side of the Site. In order to effectuate appropriate site control, the GCEDC is also proposing that the Town Board rezone those portions of the Site that have not yet been acquired by the GCEDC back to Agricultural Residential until such time as the GCEDC acquires such properties. See, ***Figure 4-1***, Phase 1 Infrastructure Plan and ***Figure 4-2***, Refined Buildable Area Plan. Finally, solar panels will be expressly allowed through a special use permit in TD1 and TD2.

e. Design Standards for STAMP

Design standards for buildings to be constructed at STAMP have been discussed between the Town and the GCEDC for several years. In the FGEIS, in response to a comment about design guidelines, the GCEDC noted an intent to form an Architectural Review Board that would develop design standards for the Site. In the IZA, the Town zoning regulations for the Site provide that any development within any TD shall conform to the Town of Alabama's Design Guidelines, a copy of which are attached hereto as ***Appendix W.***

Since the Town adopted its Design Guidelines for STAMP, the GCEDC has formed an Architectural Review Board comprised of a representative from GCEDC and an architect from GCEDC's engineering firm, Clark Patterson & Lee. The Director of the County Department of Planning is also serving on the Committee. In order to help the community understand what specific types of buildings may be constructed at STAMP consistent with the Town's design guidelines, the Committee has developed a series of photographic renderings with explanatory narrative for each of the three TD districts at the Site. See ***Appendix R*** attached hereto. The Committee and the Town have met to discuss the renderings and intend to continue to work together to develop more detailed standards for each of the TDs.

4. Timing and Other Changes to the GEIS Master Plan

a. Acceleration of the Installation of the Main Access Road

In the GEIS, it was contemplated that Crosby Road would serve as the initial main access point to the Site. The Main Access Road between the Site and Route 63/77 (referred to as Access Road #4 in the DGEIS) was planned to be constructed based on supplemental traffic analysis, as the Project approached 70% build out. In the Town Board Findings, the Town Board imposed, as additional mitigation, a requirement, that the Main Access Road be constructed prior to completion of the first development project at STAMP. Accordingly, the GCEDC is accelerating the construction of this Main Access Road which will be completed in conjunction with the development of the 1366 Facility. Further, as requested by the Town Board, all construction access to the Site for the 1366 Facility shall be via the Main Access Road. Design plans for the Main Access Road is included as ***Appendix U***.

b. The Residential Properties on the North End of Crosby Road

One of the most notable changes to the Updated Master Plan is the expansion of the footprint of the Site to include all of the residential properties in the north-central area of STAMP along Crosby Road all of which have been, or will be acquired by the GCEDC with the exception of one property located at the intersection of Crosby Road and Lewiston Road. These properties have been incorporated into the Site to maximize developable space for the Fabs Complex in the northwest quadrant of the Site while at the same time allowing the Fabs Complex to be shifted to the north and east to reduce wetland impacts. See, ***Figure 1-2***, Master Build Out Plan. The GCEDC has requested that the Town Board rezone these residential parcels to TD1.

c. Open Space

The GEIS Master Plan (***Figure 1-2***) provided that approximately 174.2 acres of the Site would be set aside as conservation lands including forested wetlands, emergent wetlands, streams in riparian areas, shrub wetlands, upland forests, shrub lands and small grass lands ("**Conservation Lands**"). Based on various revisions to the proposed wetland mitigation plan, the amount of lands on the Site that will be set aside as Conservation Lands is now approximately 400.1 acres. These lands will continue to be owned by the GCEDC until transfer to future STAMP tenants. It is the GCEDC's intention that all such lands will be deed restricted and or protected by conservation easement prior to transfer to help ensure long-term protection. A sample deed restriction utilized by the GCEDC to protect wetlands on another project is included as ***Appendix X***.

The GEIS Master Plan also provided that a total of approximately 640 acres of the Site would be maintained as open space inclusive of Conservation Lands. Based on some proposed revisions to protected buffer areas (detailed above) and inclusive of areas that are anticipated to be dedicated to stormwater management, the Updated

Master Plan continues to provides for a total of approximately 700 acres of open space and Conservation Lands. This number is considered a maximum development scenario under the Updated Master Plan. It is likely that tenants will utilize less than the full development areas of each development parcel. For instance, 1366 Technologies will have a substantial amount of open space on its 105 acres. See, ***Figure 3-1***. Thus, there will likely be more than 700 acres of open space within STAMP contributing to the campus like setting of the Site.

B. Demolition of the Houses Along Crosby Road

As a result of, the expansion of the footprint of the Site to include all of the residential properties in the north-central section of STAMP along Crosby Road, six additional existing houses on Crosby Road are now proposed for demolition following acquisition by the GCEDC. Specifically, the houses and supporting accessory structures located at 6561 Crosby Road, 6576 Crosby Road, 6590 Crosby Road, 6596 Crosby Road, 6608 Crosby Road, and 6620 Crosby Road are proposed for demolition. (Note: Only 6596 Crosby Road has not yet been acquired by the GCEDC.)

C. The Town Water Project

In order to extend water service to the Site, the GCEDC has entered into the IZA with the Town, which, among other things, commits the GCEDC to design and install the Town Water Project which has a currently estimated capital cost of $7,824,570 and will serve approximately 433 households in the Town. A map of the Town Water Project is attached hereto as ***Figure 4-6***.

While the installation of the Town Water Project was a contemplated component of the IZA during the GEIS process for STAMP, at the time, it was anticipated that the Town would undertake a separate environmental review for the Town Water Project. After discussion with the Town, the GCEDC has agreed to include the Town Water Project within the scope of this SEQR Update. A Phase 1A cultural resource report for the Town Water Project is attached hereto as ***Appendix I***. An off-site aquatic resource and ecology investigation is attached hereto as ***Appendix L***.

D. Water Service for STAMP

1. Increase Water Capacity to 12 million gallons per day ("MGD")

The GEIS for STAMP evaluated the impacts of approximately 3 MGD of water service for the Site. Following completion of the GEIS process, in conjunction with marketing the Site to Fabs, the GCEDC recognized the need to increase water capacity at the Site. It is estimated that the Fabs Complex as currently contemplated at STAMP would require approximately 12 MGD. Thus, in August of 2013, a Conceptual Water and Wastewater Alternatives Analysis and Recommendations Report was completed for STAMP ("**Water/Wastewater Report**"). See ***Appendix D***.

The Water/Wastewater Report provides a comprehensive analysis of various alternatives identified to provide up to 12 MGD of potable water supply, and manage up to 12 MGD of wastewater generated at STAMP. The objective of the Water/Wastewater Report was to provide the information necessary to make an informed decision and selection of preferred water supply and wastewater management alternatives by analyzing the advantages and disadvantages of various options. A letter with the NYSDEC's comments on the Water/Wastewater Report is attached hereto as ***Appendix F***.

2. **"Small" Water**

Initially, seven potential sources of potable water were identified and assessed. Based on preliminary evaluations involving, among other things, costs and regulatory challenges, three alternatives were eliminated. Conceptual designs were prepared for the four remaining alternatives including conveyance route schematics, pumping requirements and construction cost estimates. Detailed regulatory evaluations were also prepared. As a result of this evaluation, it was determined that a single source of water supply able to deliver 12 MGD to the Site was not readily available on a cost effective basis. Thus, the Water/Wastewater Report recommended obtaining up to 8 MGD from the Niagara County Water District ("**NCWD**") by running a new water supply trunk from the Genesee County/Niagara County line on Lewiston Road to the Site. For the additional 4 MGD, the Water/Wastewater Report recommended further evaluation of the NCWD to determine whether the additional 4 MGD could be cost effectively brought in from Niagara County or to obtain the additional 4 MGD from Genesee County. While Niagara County remains a viable option for up to 12 MGD to the Site, the costs associated with this option and productive discussions with Genesee County, have led the GCEDC to focus on Genesee County as the initial source of water to the Site consistent with the approach for up to 3 MGD and the analysis in the GEIS.

The proposed plan for "small" water is very similar to what was previously reviewed in the DGEIS as part of the SEQR review process. (See *Appendix N* of the DGEIS). Accordingly, initially, a portion of the water required for the Project will be provided to the Site via a new 12 inch transmission water main to be constructed along Judge Road and a portion of Route 63/77 between the Village of Oakfield and the Site ("**Judge Road Main**"). The Judge Road Main will be constructed in conjunction with the Town Water Project and will be owned and maintained by the Town. Per agreement with the County, the initial capacity of this source will be 200,000 GPD at a normal operating pressure of not less than 40 pounds per square inch. It is important to note that because the STAMP site is a designated "Priority Development Area" pursuant to the County's Smart Growth Plan, new lateral connections within the Site will not require review by the County.

In order to ensure the Project Site will receive the requisite amount of water necessary for Phase I of the build-out, the County has recently confirmed the ability to supply up to approximately 200,000 GPD through Oakfield and another approximately

800,000 GPD through the Town of Pembroke. Again, this is consistent with the approach analyzed in the GEIS/Findings.

3. "Big" Water

As noted above, the Water/Wastewater Report recommended obtaining 8 to 12 MGD from the NCWD by running a new water supply trunk from the Genesee County/Niagara County line on Lewiston Road to the Site. See ***Figure 4-8***. The report further recommended that the supply lines should be constructed with the pipeline capacity required to supply a full 12 MGD of water to the Site. While the Water/Wastewater Report noted that an increase beyond 8 MGD from Niagara County would involve substantial costs including pump station upgrades, additional water transmission costs, intake capacity improvements and treatment plant upgrades, sizing the pipeline capacity for the full 12 MGD would provide some cost savings in the future. However, based on discussions with NCWD, costs associated with sizing, operational impacts from same and improvements and demand contemplated within the NCWD system, GCEDC and NCWD have agreed to work together to develop a phased water supply plan that fits with contemplated funding availability. The GCEDC and NCWD envision multiple transmission mains over time along with phased on-Site storage and NCWD pumping and water treatment plant improvements. Initially, the GCEDC has requested an allocation of 1.0 MGD from NCWD. The GCEDC also engaged NCWD to perform a feasibility Master Planning study to provide STAMP with up to 13 MGD in phases. As specific plans remain conceptual at this point, bringing water from Niagara County is not being evaluated as part of this SEQR Update and no changes to the water thresholds established in the GEIS/Findings will be made at this time.

E. Sewer Service for STAMP

As noted above, the Water/Wastewater Report also provided a comprehensive analysis of various alternatives identified to manage up to 12 MGD of wastewater generated at STAMP. The wastewater options evaluated up to 1 MGD of sanitary sewer effluent, and 11 MGD of industrial process wastewater. Based on the information provided in the Water/Wastewater Report, the Village of Medina Wastewater Treatment Facility ("**Medina WWTF**") was selected as the preferred sanitary sewer effluent treatment alternative with the possibility of transporting and discharging up to 11 MGD of pre-treated process effluent to Lake Ontario for direct discharge. This option remains conceptual at this point and is not being evaluated as part of this SEQR Update.

After positive discussions between GCEDC and the Village of Medina, a memorandum of understanding ("**Medina MOU**") was developed between the parties for sanitary effluent treatment at the Medina WWTF. See ***Appendix H***. The Medina MOU outlines the process of analyzing potential discharge routes through the Village of Medina, analyzing potential capacity upgrades necessary at the Medina WWTF, and overall project responsibilities and implementation. The Medina WWTF is

approximately twelve miles north of the STAMP, and the route from the STAMP site to the Village of Medina has been established with input from the Village of Medina, Orleans County and the Town of Shelby. See ***Figure 4-7.***

Pursuant to the Medina MOU, the GCEDC was required to complete a detailed routing study evaluating the various routing options for the sewer line between the STAMP and the Medina WWTF. See ***Appendix H***. The GCEDC will also be responsible for reasonable engineering costs that the Village of Medina may incur in assisting with evaluating the conceptual options and plans for increasing treatment capacity at the Medina WWTF from 4.5 MGD to 7.0 MGD. Additionally, the GCEDC is responsible for project implementation including but not limited to evaluating, designing, permitting and construction of the sewer line. Further, the GCEDC, its successors or assigns, will own and be responsible for maintaining the sewer line. Finally, the GCEDC will be required to enter into a wastewater treatment service agreement with the Village of Medina.

Following the completion of the STAMP Offsite Sanitary Sewer Route Analysis (attached as ***Appendix J***), and based on several meetings between the GCEDC and the Village of Medina regarding the route alternatives, televising results from a close caption television survey of the current system located on West Avenue, and the flow monitoring results from tests conducted in dry weather and wet weather events, the preferred route within the Village of Medina is along West Avenue. See ***Figure 4-7***. The preferred route is the least costly alternative, and is also the least disruptive to the Village of Medina.

To date, the Village of Medina has reviewed the STAMP Offsite Sanitary Sewer Route Analysis, and agrees with the findings and preferred route. A Phase IA cultural resource investigation has been completed (attached as ***Appendix J***), which includes review of archeologically sensitive areas along the preferred route. Additionally, a preliminary investigation of aquatic and ecological resources including wetlands, streams, significant natural communities and wildlife has been conducted (attached as ***Appendix L***). The threshold for sewer will be revised to 2.5MGD, as this is the volume that the Medina WWTF can handle without significant upgrades to its treatment plant.

F. **The Northern Long Eared Bat**

The NLE Bat (*Myotis septentrionalis*) has recently been listed as a Threatened Species under State and Federal law. The NLE Bat predominantly occupies mature forest stands and woodlots; singular trees greater than 3" DBH are often used as roost trees during the summer. Development of the STAMP Site will require limited removal of trees greater than 3" DBH. The Site does not contain any known maternity roosts and is not located within 0.25 mile of a known hibernaculum according to a review of known sites listed at http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html as of April 29, 2016. However, potential impacts to the NLE Bat will be re-evaluated based on this species new listing as a Threatened Species.

Figure 4-1
1366 Technologies Phase 1 Infrastructure Plan

Figure 4-2
STAMP Refined Buildable Area

Figure 4-3
Snowmobile and Walking Trail System

Figure 4-4
Realigned Bypass Road

Figure 4-5
Utility Area Conceptual Plan

Figure 4-6
Map of Town Water Project

Figure 4-7
Map of Sewer Trunk from STAMP to Medina WWTF

Figure 4-8
Map of Conceptual Water Supply Trunk from the Genesee County/Niagara County Line to STAMP

V. **SEQR Update**

As noted in Chapter I, since the completion of the GEIS process more than four years ago, there have been a number of Project related developments including securing 1366 Technologies as the first tenant for STAMP. (See Chapters II and III). In addition, there have been a number of Project Changes. (See, Chapter IV). In light of the proposed 1366 Facility and the Project Changes, the GCEDC believes it is appropriate to conduct an updated environmental review of the Project to determine whether the 1366 Facility and/or the Project Changes will result in any significant adverse environmental impacts which were not addressed in the GEIS or the GCEDC Findings. Part 1 of a Full Environmental Assessment Form for the 1366 Facility and the Project Changes is attached hereto as ***Appendix S***.

Beginning in January, 2010, and pursuant to 6 N.Y.C.R.R. §617.10, a DGEIS was prepared by GCEDC, as Lead Agency for the Project. On April 14, 2011, the DGEIS was accepted as adequate for public review. Following the public comment period on the DGEIS, the FGEIS was issued by GCEDC on January 19, 2012. On March 1, 2012, the GCEDC Findings were issued setting forth a summary of the environmental impacts of STAMP as well as a summary of contemplated mitigation measures. The GCEDC Findings also provide:

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

In the event that GCEDC determines that:

1. the Future Project Uses would be carried out in conformance with the conditions and thresholds set forth in this Section 10, then no further SEQR compliance will be required;

2. the Future Project Uses would be carried out in conformance with the conditions and thresholds set forth in this Section 10, but are not addressed or are not adequately addressed in the DGEIS, the FGEIS or this Findings Statement, then an amended Findings Statement will be prepared;

3. the Future Project Uses are not addressed or are not adequately addressed in the DGEIS, the FGEIS or this Findings Statement, but the proposal does not exceed any of the conditions or thresholds set forth in this Section 10, or the proposal does exceed a threshold set

forth in this Section 10, but would not result in any potential significant adverse environmental impacts, then a Negative Declaration will be prepared pursuant to 6 N.Y.C.R.R. § 617.10(d)(3); or

4. the Future Project Uses are not addressed or are not adequately addressed in the DGEIS, the FGEIS or this Findings Statement for the Project and/or the proposed use would exceed the conditions or thresholds set forth in this Section 10 and may have one or more potential significant adverse environmental impacts, then a supplement to the FGEIS will be prepared.

The GCEDC has commissioned this Analysis to address the 1366 Facility as well as the Project Changes in relation to: (i) the DGEIS: (ii) the FGEIS; and (iii) the GCEDC Findings. In addition, it is noted that the following interested and involved agencies have been added since the issuance of the GCEDC Findings:

- The Village of Medina
- The Town of Shelby
- Orleans County
- The Village of Oakfield

The complete distribution list for interested and involved agencies is attached hereto as ***Appendix Q***.

VI. Analysis of Environmental Impacts

This section provides an analysis of the environmental impacts of the 1366 Facility and the Project Changes relative to the environmental impacts identified and analyzed in the DGEIS, the FGEIS and the GCEDC's Findings (collectively referred to herein as "**GEIS/Findings**"). Each subsection below begins with a summary of the environmental impacts identified and analyzed in the GEIS/Findings.

A. Impacts on Geology and Topography

1. Summary of Impacts Addressed in the GEIS/Findings

As discussed in the GEIS/Findings, the natural topography of the Site was identified as generally flat to moderately sloping landscape with steeper slopes associated with the banks of Whitney Creek. As further discussed, to achieve the required design grades, Site topography would be slightly altered. Nevertheless, the Site's natural topography would be largely maintained and utilized in order to provide enhanced minimization of the potential visual impacts that the Project may have on surrounding properties.

The GEIS/Findings also noted that it was anticipated that grading both on and off the Site would be balanced such that the amount of cut would be approximately equal to the amount of fill for any given component of the Project. Thus, the GEIS/Findings concluded that topography of the Site would not be significantly altered; there would not be any significant bedrock removal resulting from construction activities; and there would not be any significant removal of surficial geologic materials from Site development. It was, however, noted that implementation of the Project would result in local redistribution of some surficial geologic deposits on the Site consistent with future grading plans.

The GEIS/Findings also discussed the fact that soils within the targeted development areas of the Site did not present any unusual or unanticipated conditions for construction activities. During all phases of construction, topsoil would be segregated and stored for landscaping around the developed areas. Surficial soils would be affected by excavation and grading work done on the Project and within any potential off-site improvement areas. Native soils would be rearranged on the Site, and additional fill as needed would be brought to the Site to create a level surface for construction of buildings, roadways and parking lots within the development areas.

2. The 1366 Facility

Because the 1366 Parcels and surrounding area are generally flat, consistent with the analysis in the GEIS/Findings, construction of the 1366 Facility and related infrastructure improvements will not require major alterations to the natural topography of the 1366 Parcels. In order to meet required design specifications, such as for the concrete slab for the 1366 Facility, and for roadways and parking lots, some of the topography on the Site will require slight grading and redistribution of soil

material. Consistent with the GEIS/Findings, grading is anticipated to be balanced such that the amount of cut required by the development of the 1366 Facility and related infrastructure improvements will be approximately equal to the amount of fill required. In addition, the types of soils on the Site are not expected to present any unusual or unanticipated difficulties in the construction of the 1366 Facility and related infrastructure improvements. Accordingly, the impacts to geology and topography from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

3. **The Project Changes**

a. **Master Plan Changes/Updates**

(1) **Changes to the Site Plan Layout**

Generally, there are no material impacts to geology and topography associated with the changes to the site plan layout. The changes to the utility runs and the realignment of both the Main Access Road and Bypass Road will result in minor changes to grading plans on-Site as physical improvements are relocated. However, these changes will reduce earthwork and soil disturbance at the Site. Overall, these changes are minor and well within the scope of actions analyzed in the GEIS/Findings. Accordingly, the impacts to geology and topography from the changes to the site plan layout are adequately addressed in the GEIS/Findings.

(2) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

Adjustments to the zoning regulations may result in minor changes to grading plans on-Site as some boundaries and buffers are reduced and/or relocated. However, in terms of impacts to geology and topography, these changes are minor and well within the scope of actions analyzed in the GEIS/Findings. Accordingly, the impacts to geology and topography from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

(3) **Timing and Other Changes to the GEIS Master Plan**

The inclusion of the residential properties on the north end of Crosby Road will result in minor changes to grading plans on-Site as physical improvements are relocated. The increase in open space resulting from changes to the GEIS Master Plan will reduce earthwork on-Site. These changes are minor and well within the scope of actions analyzed in the GEIS/Findings. Accordingly, the impacts to geology and topography from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

There are no material impacts to geology and topography associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings. Following the completion of demolition, each house site will be appropriately re-graded with no anticipated changes to topography. To the extent any of the houses have basements, any subsurface improvements will be removed, and clean fill will be added to ensure level grading. Accordingly, the impacts to geology and topography from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

c. **The Town Water Project**

There are no material impacts to geology and topography associated with the Town Water Project that were not addressed in the GEIS/Findings. Installation of water related infrastructure will be along public roads via a combination of open cut method and directional drill method. These installations will result in temporary impacts to geography and topography that were analyzed in the GEIS/Findings. Accordingly, the impacts to geology and topography from the Town Water Project are adequately addressed in the GEIS/Findings.

d. **Water Service for STAMP**

There are no material impacts to geology and topography associated with water service for STAMP that were not addressed in the GEIS/Findings. As with the Town Water Project, on-Site installation of water related infrastructure will be along current and/or future roads via a combination of open cut method and directional drill method. These installations will result in temporary impacts that were analyzed in the GEIS/Findings. Accordingly, the impacts to geology and topography from water service for STAMP are adequately addressed in the GEIS/Findings.

e. **Sewer Service for STAMP**

There are no material impacts to geology and topography associated with sewer service for STAMP that were not addressed in the GEIS/Findings. Installation of sewer related infrastructure will be along public roads via a combination of open cut method and directional drill method. However, all installation routes will be re-graded to match original topography after infrastructure installation. Thus, these installations will result in temporary impacts that are consistent with impacts from other infrastructure installations that were analyzed in the GEIS/Findings.

B. <u>Impacts on Water Resources</u>

1. <u>Summary of Impacts Addressed in the GEIS/Findings</u>

As discussed in the GEIS/Findings, the water resources mapped on the Site included approximately 122 acres (reduced to 106.22 acres with the removal of the John

White WMA from the Site) of mixed wetland types and approximately 33,900 linear feet of streams, ditches and drainage ways. As further discussed, the Project was designed to avoid and/or minimize to the maximum extent possible adverse impacts to water resources, and although impacts would result from the Project, preservation of large amounts of wetlands and other water resources were provided to offset such impacts.

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

Design iterations associated with the GEIS Master Plan ultimately reduced potential wetland impacts from approximately 69 acres to 9.50 acres (impacts have been further reduced since the completion of the GEIS/Findings to 4.48 acres of federally regulated wetlands and 3.634 of low-quality, isolated, non-jurisdictional wetlands).

Per the GEIS/Findings, wetlands potentially impacted by the preferred alternative were listed by wetland identification number, along with the community type, total size, potential impact acres, preliminary jurisdiction and condition rating in Table 6-1 of the FGEIS. The GEIS/Findings concluded that with the possible exception of development of a recreational trail in adjacent areas, no wetlands or adjacent areas likely to be regulated by the NYSDEC under Article 24 of the Freshwater Wetland Act would be impacted.

The GEIS/Findings identified a number of mitigation measures to be employed relative to impacts to water resources. A minimum buffer of 100 feet would be established on either side of Whitney Creek to avoid impacts and allow for stream buffer enhancement opportunities. A second drainage corridor to the north of Whitney Creek (also referred to as Unnamed Stream No. 2) would be preserved along with a proposed conservation buffer. The Project would require that a third drainage way (Unnamed Stream No. 1) be re-routed into the second corridor (Unnamed Stream No. 2) to accommodate flow and provide hydrology to enhance and restore wetlands and streams in the protected corridor. Per the GEIS/Findings, a total of 24,304.89 linear feet of stream, ditches and drainage ways would be preserved and enhanced as a result of the Project and approximately 9,595 linear feet of ditches and drainage ways would be impacted as a result of the development at the Site.

The Stormwater Management Preliminary Report, attached as *Appendix E* to the DGEIS, evaluated the Project to full build-out and the stormwater runoff impacts that the development would have on and off the Site. The GEIS/Findings noted that at full build-out, the Project would translate into an increase in impervious surface areas of approximately 490 acres as compared to existing conditions. Impervious surfaces would generally be introduced in the forms of buildings, roads and parking lots. The GEIS/Findings also noted that the Project would provide significant benefits to existing

water resources including the enhancement and protection of approximately 97 acres of wetlands and 24,000 linear feet of streams and upland buffers, as well as offsite wetland stream and buffer mitigation in the southeastern portion of the Whitney Creek watershed, including wetland restoration, invasive species eradication/control, planting of native vegetation, establishment of forested stream buffers and the creation of legal mechanisms for permanent protection.

As explained in the GEIS/Findings, no groundwater would be withdrawn; excavations for buildings would not extend into the groundwater table; and no groundwater discharge would be associated with the Project. In addition, stormwater management for each specific use would be required to manage surface water flow and allow groundwater infiltration. Lastly, the GEIS/Findings explained that the storage of chemicals and petroleum would be done in strict accordance with applicable State and Federal regulations to ensure the avoidance of potential releases to groundwater and/or surface waters.

2. **The 1366 Facility**

Construction of the 1366 Facility and related infrastructure improvements will avoid any physical disturbance of surface water resources, including Whitney Creek and the three jurisdictional wetlands on the 1366 Parcels. Moreover, as noted in *Section IV.A.6.e* above, all of these surface waters present on the 1366 Parcels, plus a 100 foot buffer, will be deed restricted to prevent future development. Thus, the development of the 1366 Facility will not have any direct impacts to water resources and, in fact, will ensure long-term protection of these resources. However, construction will require the clearing and filling of portions of the Site which will expose un-vegetated soil to the elements. The primary potential impact is the potential for erosion and sedimentation due to stormwater passing through un-vegetated areas or construction areas with exposed soils, which could result in degradation of water quality in Whitney Creek and other surface waters in the area. Thus, consistent with the analysis in the DGEIS/Findings, the following BMPs will be employed to minimize impacts to streams and other water resources adjacent to the 1366 Parcels during construction and operation of the 1366 Facility and related infrastructure improvements:

- Silt fencing or similar measures will be installed surrounding excavated areas during construction to prevent the flow of sediment into Whitney Creek.

- At the conclusion of construction, all disturbed areas within the 1366 Parcels will be stabilized and seeded or mulched.

- Sediment traps or retention basins will be constructed where necessary to impound stormwater and allow for the settlement of suspended solids in order to minimize the potential for soil erosion.

- At the outlets of all constructed stormwater pipes, measures, such as the installation of rip-rap aprons, will be taken to dissipate the water's energy and minimize scouring of topsoil.

- No stream will be forded by construction equipment. If necessary, temporary bridges will be installed for transporting equipment and materials.

In addition, as required by the *New York Stormwater Management Design Manual* (January 2015), one or more point source treatment practices, such as rain gardens for roof drainage, bio-retention swales, or infiltration trenches for parking areas, and a variety of other practices, shall be incorporated into the design of the 1366 Facility.

In terms of groundwater impacts, construction and operation of the 1366 Facility and related infrastructure improvements will not require any groundwater to be withdrawn from below the surface. Potable water will be obtained through municipal sources. In addition, as discussed above, stormwater management techniques will be employed to manage surface water flow and allow groundwater infiltration. Lastly, the storage of chemicals and petroleum at the 1366 Facility and the 1366 Substation shall be done in strict accordance with applicable state and federal regulations to ensure the avoidance of potential releases of hazardous materials to groundwater and/or surface waters.

Finally, as provided for in the GEIS/Findings, a buffer of at least 100 feet will be established between any building or structure on the 1366 Parcels and Whitney Creek in order to maintain stream quality and current flows. Additionally, a 100 foot wide buffer will be established between any building or structure on the 1366 Parcels and the wetlands on Site. Accordingly, the impacts to surface waters from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

3. <u>The Project Changes</u>

a. Master Plan Changes/Updates

(1) Changes to the Site Plan Layout

The Updated Master Plan, ***Figure 1-2***, shows a reduction in wetland impacts as compared to the GEIS Master Plan. (See ***Figure 1-1***). See section *IV.A.2* for a detailed discussion regarding the reduction in wetland impacts. Nonetheless, it is noted that the realignment of the Main Access Road will have a small, 0.23 acre-impact to a federally jurisdictional wetland (Wetland 48). Wetland 48 is a 2.08-acre Palustrine Scrub shrub wetland, seasonally inundated and dominated by a dense community of gray dogwood (Cornus racemosa), honeysuckle (Lonicera tatarica), and green ash saplings (Fraxinus pennsylvanica). The wetland is surrounded by a Successional Old Field community.

A functions and values assessment conducted at the Site identified Wetland 48 within the medium to high quality category with interior portions of such ranked

wetlands higher quality and edges of these wetlands, adjacent to active agriculture, as medium quality. The 0.23-acre impact area is located at the southeastern edge of the wetland (Wetland 33). This impact is to a low/medium quality wetland. In addition, the Main Access Road will have small impacts (approximately 120 linear feet) to Tributary 3 and Tributary 5 for culvert installation and replacement, and temporary impacts to 0.01 acres of Wetland 36 during the widening of Crosby Road. The relocation of the Bypass Road will have a small impact upon an isolated, non-jurisdictional wetland. Even with these impacts, overall wetland impacts associated with the Project have been reduced. Further, the regulated aquatic resource impacts will be mitigated on-Site or by purchase of a credit from an approved In-Lieu Fee Mitigation Program. (No mitigation is required for the impact to the isolated, non-jurisdictional wetland). Accordingly, the impacts to water resources from the changes to the Site Plan layout are adequately addressed in the GEIS/Findings.

(2) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

There are no changes to the TD zoning boundaries, buffers or regulations that will impact water resources. Accordingly, the impacts to water resources from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

(3) **Timing and Other Changes to the GEIS Master Plan**

There are no changes in timing or other changes to the GEIS Master Plan that will impact water resources. Accordingly, the impacts to water resources from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

There are no material impacts to water resources associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings. These houses are not proximate to any water resources. Accordingly, the impacts to water resources from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

c. **The Town Water Project**

There are no material impacts to water resources associated with the Town Water Project that were not addressed in the GEIS/Findings. In terms any potential impact due to construction activities, directional drilling will be implemented on any stream or wetland crossing, and a SWPPP will discuss plans for any trenching and erosion control details. Accordingly, the impacts to water resources from the Town Water Project are adequately addressed in the GEIS/Findings.

d. **Water Service for STAMP**

There are no material impacts to water resources associated with water service for STAMP that were not addressed in the GEIS/Findings. On-Site roadway and utilities, including water service, are being analyzed together and are addressed in the section discussing the realignment of the Main Access Road.

The GEIS/Findings contemplated an initial volume of 1.0 MGD from Genesee County via existing water distribution systems in the Town of Pembroke and the Village of Oakfield. While the initial supply of water will be brought in from Oakfield rather than Pembroke, the source of the water supply - Genesee County - is the same as what was analyzed in the GEIS/Findings. Accordingly, the impacts to water resources from water service for STAMP are adequately addressed in the GEIS/Findings.

e. **Sewer Service for STAMP**

The sewer line to Medina will cross the Iroquois National Wildlife Refuge along the NY Route 63 public right-of-way. This area has large wetlands and several stream crossings. In order to ensure protection of water resources, the GCEDC will employ directional drilling methods. Based on existing soils conditions and the physical limitations with the directional drill equipment, each directional drill set up will be staged a maximum of approximately 1,000 feet. The force main will be installed by directional drill method between each staging area. Thus, the installation of the sewer main will have minimal temporary impacts to less than 0.5 acre of wetland and will not adversely impact water resources along the installation route. If anything, the routing of sewer lines to the Medina WWTF will be beneficial to local water resources by removing proposed treated discharges from nearby streams, including Whitney Creek, Tonawanda Creek, Oak Orchard Creek and/or other small tributaries in the area. To date, permit applications for construction activities in connection with sewer service have been filed, and are currently being processed by regulatory agencies. Although not directly analyzed in the GEIS/Findings, with the use of directional drilling techniques to protect water resources through the Wildlife Refuge, impacts to water resources are similar to impacts analyzed in the GEIS/Findings associated with the installation of other infrastructure. Accordingly, the impacts to water resources from sewer service for STAMP are adequately addressed in the GEIS/Findings.

C. **Impacts on Air Resources**

1. **Summary of Impacts Addressed in the GEIS/Findings**

As discussed in the GEIS/Findings, in general, existing air emissions in the Project area were primarily attributed to vehicular travel and farm operations. The GEIS/Findings explained that certain manufacturing to be conducted at the Site would result in air emissions and may require compliance with regulatory requirements as set forth by NYSDEC and the United States Environmental Protection Agency ("**USEPA**") pursuant to the Title V Facility Permit, State Facility Permit, and Air Facility Registration air programs. All manufacturing activities to be conducted at STAMP

would be subject to these permitting requirements as applicable. The GEIS/Findings established that each potential manufacturing facility located at STAMP would be anticipated to have actual emissions less than Major Source thresholds (*i.e.*, less than 100 tons per year ("**TPY**") of any single criteria pollutant) less than 10 TPY of a hazardous air pollutant and/or less than 25 TPY of combined hazardous air pollutants, and thus regulated under a State Facility Permit. Nevertheless, the GEIS/Findings concluded that facilities seeking to locate at the Site would need to satisfy the requirements of NYSDEC's *Guidelines for the Control of Toxic Ambient Air Contaminants (Air Guide-1)* (as applicable) in addition to all other permitting requirements.

2. **The 1366 Facility**

The 1366 Facility will require a State Facility Permit from NYSDEC, and therefore, must satisfy the requirements set forth in the GEIS/Findings including NYSDEC's Air Guide-1, which was developed to evaluate the short-term and annual impacts from sources of air emissions in the state. At full-build-out (1GW), the 1366 Facility is expected to generate the following quantities of air pollutants:

- Chlorine (Cl_2) produced during operation of the furnaces: 5.4 tons per year.
- Cl_2 produced from furnaces used for Phosphorous doping: 1.11 tons per year.
- Cl_2 produced from Reactive Ion Etching process: 0.0188 tons per year.
- Volatile organic compounds (VOC) produced during production process: 19.8 Isopropyl Alcohol (IPA) tons per year.
- Particular Matter: In testing of the manufacturing process, 65% of the solid material applied to the cartridges deposited on the cartridges, while 35% was overspray and could be emitted into the air. $PM_{2.5}$ produced during the manufacturing process: 0.78 tons per year; PM10 produced during the manufacturing process: 0.99 tons per year.
- NO_X produced during chemical etching: 21.7 tons per year.
- Hydrogen fluoride (HF) generated through volatilization of the silicon wafers: 7.83 tons per year.
- Tetrafluorosilane (SiF_4) produced from Reactive Ion Etching process: 0.0489 tons per year.
- Tetrachlorosilane ($SiCl_4$) produced from Reactive Ion Etching process: 0.02 tons per year.
- Fluorine (F_2) produced from Reactive Ion Etching: 0.0111 tons per year.
- Sulfur Hexafluoride (SF_6) produced from Reactive Ion Etching: 0.0568 tons per year.
- Sulfur Dioxide (SO_2) produced from Reactive Ion Etching: 2.63 tons per year.
- Sulfuric Acid (H_2SO_4) produced from Reactive Ion Etching: Negligible.
- Hydrogen Fluoride (HF) produced from Reactive Ion Etching: Negligible.
- Hydrogen Chloride (HCl) produced from Reactive Ion Etching: Negligible.
- Silicon Dioxide (SiO_2) produced from Reactive Ion Etching: Negligible.
- Nitrogen Dioxide (NO_2) produced from Reactive Ion Etching: 0.17 tons per year.
- Carbon Monoxide (CO) produced from Reactive Ion Etching: 0.17 tons per year.

1366 Technologies will adhere to the air permitting requirements of the State Air Permit and will include emission control equipment and air emission controls as a necessary function of its operations. These controls will minimize impacts to the surrounding environment, and also ensure safe and healthy working conditions for employees. The 1366 Facility will include the installation of various abatement systems designed to address the type of chemicals and gases that need to be controlled.

The 1366 Facility will include state-of-the-art emission control equipment as a necessary function of its operations, as determined by the State Air Permit. Air Emission Scrubbing will take the form of a wet scrubber installed to treat hazardous and environmental gas emissions from certain processes. Further, all equipment using hazardous gases is designed to fail into a safe state, preventing emissions. Enclosures for hazardous gases close off gas supply upon detection by safety sensors. Wet chemistry equipment and storage is designed with secondary containment equivalent to 110% of volume of chemistry within the tool or enclosure. Chemistry areas that are hazard classified will be designed to code to contain sprinkler runoff.

1366 Technologies contemplates a number of methods to control air emissions. Exhaust gases at the 1366 Facility will be diluted by nitrogen purge gas in the vacuum pump and sent through a natural gas fired burner to destroy the SF_6, SiF_4 and $SiCl_4$. The Cl_2 and F_2 will be converted to HCl and HF. Immediately following the burner is a water scrubber to dissolve the following products: Cl_2, HF, HCl, $SiCl_4$, SO_2, H_2SO_4 and SiO_2. The removal rate of the combined burner/wet scrubber will be >99% for all the compounds listed except for SF_6, which is >95% and SO_2, which is not targeted for removal, but will be significantly reduced. NO_2 and CO emissions are generated by the combustion of natural gas. Acceptable VOC abatement technologies include regenerative thermal oxidizers and catalytic thermal oxidizers. VOC abatement equipment shall remove VOC from the solvent exhaust stream to minimums levels required to conform to as yet undetermined environmental requirements. VOC abatement equipment will be located in the Mechanical/Electrical room and must provide for operational redundancy, including automatic switching of exhaust stream from the failed unit to the stand-by unit with shut down of up-stream processing and for switching back when repair/maintenance has been completed.

Overall emissions of air pollutants from the 1366 Facility will comply with the thresholds for air emissions set forth in the GEIS/Findings. Accordingly, the impacts to air resources from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

3. **The Project Changes**

a. **Master Plan Changes/Updates**

(1) **Changes to the Site Plan Layout**

The **site plan changes** do not result in larger developable areas or more building square footages. As discussed in Section *IV.A.6.e*, open space actually increases under the Updated Master Plan. Further, the building square footage threshold established in the GEIS/Findings (6,130,000 sf) has not changed**.** Accordingly, the impacts to **air** resources from the changes to the **site p**lan layout are adequately addressed in the GEIS/Findings.

(2) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

There are no changes to TD zoning boundaries, buffers or regulations that will impact air resources. As noted above, open space actually increases under the Updated Master Plan and the building square footage threshold established in the GEIS/Findings (6,130,000 sf) has not changed**.** Accordingly, the impacts to air resources from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

(3) **Timing and Other Changes to the GEIS Master Plan**

There are no changes to timing or other changes to the GEIS Master Plan that will impact air resources. There are no material impacts to air resources associated with the acceleration of the installation of the Main Access Road or any of the other changes to the GEIS Master Plan that were not addressed in the GEIS/Findings and will be below Major source thresholds. Accordingly, the impacts to air resources from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

There will be minor temporary impacts to air resources associated with the demolition of the houses along Crosby Road. These impacts will be minimized through the utilization of appropriate dust control measures including wetting of materials during demolition consistent with construction related impacts associated with the demolition of other structures on-Site addressed in the GEIS/Findings. Accordingly, the impacts to air resources from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

c. **The Town Water Project**

There are no material impacts to air resources associated with the Town Water Project that were not addressed in the GEIS/Findings. Accordingly, the impacts to air resources from the Town Water Project are adequately addressed in the GEIS/Findings.

d. **Water Service for STAMP**

There are no material impacts to air resources associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the impacts to air resources from water service for STAMP are adequately addressed in the GEIS/Findings.

e. **Sewer Service for STAMP**

There are no material impacts to air resources associated with sewer service for STAMP that were not addressed in the GEIS/Findings.

D. Impacts on Terrestrial and Aquatic Ecology

1. Summary of Impacts Addressed in the GEIS/Findings

As explained in the GEIS/Findings, there were twelve (12) ecological community types present at the Site which are common and well established throughout their range, as are the majority of plant and wildlife species identified at the Site. Eighteen (18) wildlife and plant species of concern were identified as potentially occurring at the STAMP Site. Surveys were conducted for these species. The GEIS/Findings noted that the northern harrier, listed as threatened in New York State, was documented at the Site on March 16, 2010. A pair of northern harriers were observed flying low over hedgerow and open field habitats and then traveling west toward the Nation property. No active northern harriers nesting sites were found at the Site. Based on multiple negative reproduction call playback sessions, and the absence of species during the remaining six-month investigation, it was determined that the Site is not used as a nesting location.

The GEIS/Findings also explained that the horned lark is a species of special concern in New York State. However, no active horned lark nesting sites were found during Site surveys. Nevertheless, it appeared that the agricultural fields located at the Site are sometimes utilized by the horned lark. The GEIS/Findings concluded that agricultural fields are abundant in the vicinity of the Site, providing abundant habitat for any species potentially displaced as a result of conversion of land use at the Site.

2. The 1366 Facility

Construction and operation of the 1366 Facility and related infrastructure improvements will be conducted in accordance with the goals and policies of the LTMP.

From an impacts perspective, the 1366 Facility will replace active agricultural fields with a high-technology manufacturing plant and supporting facilities, such as access roads and parking lots, utilities, etc. However, existing forested areas adjacent to the 1366 Parcels, such as the riparian forest adjacent to Whitney Creek, and wetland areas will be preserved along with a 100-foot buffer. Although limited tree cutting may be required on the 1366 Parcels, tree plantings of native species will be included as part

of the overall landscaping of the 1366 Parcels, leading to a net increase in the number of trees. Finally, GCEDC is proposing deed restrictions and/or conservation easements to further protect wetlands in accordance with the goals of the LTMP. This is being implemented relative to the 1366 Parcels even though the LTMP is still being developed. These restrictions will help to protect wetlands on the Site from being impacted by future development. A sample deed restriction, as used by the GCEDC in another project, is attached hereto as ***Appendix X***.

As discussed in *Section IV.G* above, the NLE Bat has recently been listed as a Threatened Species under State and Federal law. The NLE Bat predominantly occupies mature forest stands and woodlots; singular trees greater than 3" DBH are often used as roost trees during the summer.

Potential NLE Bat habitat is present at the Site. A field review of habitat suitable for the NLE Bat was conducted on November 20, 2015, taking into account areas of potential disturbance associated with construction planned for the 1366 Facility, including construction of the entry road, substation and utility area. Project activities require the removal of trees greater than 3" DBH along the first section of the proposed Main Access Road west of Route 63/77, where hedgerows are crossed by the access roads and utilities, and along Crosby Road on residential parcels.

Additional field review was conducted at the Site on May 25, 2016. A Phase 1 Summer Habitat Assessment was completed including data collection at a representative sample site located just west of the intersection of the Main Access Road. The sample site included widely-spaced residential trees phasing into early successional forest and hedgerows. Very few trees are ideally suited for summer bat habitat due to a paucity of trees with exfoliating bark and no suitable snags. Further, the Site is not near known maternity sites and the Site is not located within 0.25 mile of a known hibernaculum according to a review of known sites. [4]

To ensure that the 1366 Facility will not have any material impacts to the NLE Bat, any necessary tree removal will be scheduled outside of the pup season (June 1 – July 31) and, where possible, within the hibernation period (October 31 – March 31). The Site location and planned construction schedule put the Project within the category of "excepted from incidental taking prohibitions" in the final 4(d) rule. In this case, the determination is that activities "may affect" but are not likely to adversely affect and/or will not cause a prohibited taking. Thus, the development at the 1366 Parcels will not have an adverse impact upon the NLE Bat and the impacts to terrestrial and aquatic ecology from the construction and operation of the 1366 Facility are adequately addressed in the GEIS/Findings. Thus, the impacts to plants and animals from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

[4] http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html

3. **The Project Changes**

a. **Master Plan Changes/Updates**

(1) **Changes to the Site Plan Layout**

As discussed above in the water resources analysis, the changes to the site plan layout result in small impacts to aquatic ecology. However, the overall changes to the Site plan layout result in a net reduction in wetland and aquatic resource impacts from the scope of actions analyzed in the GEIS/Findings. Additionally, these changes do not result in larger developable areas or more building square footages. Accordingly, the impacts to terrestrial and aquatic ecology from the changes to the site plan layout are adequately addressed in the GEIS/Findings.

(2) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

There are no changes to the TD zoning boundaries, buffers or regulations that will impact terrestrial and aquatic ecology. As noted above, these changes do not result in larger developable areas or more building square footages and there has actually been a reduction in wetlands impacts on-Site. Accordingly, the impacts to terrestrial and aquatic ecology from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

(3) **Timing and Other Changes to the GEIS Master Plan**

Similar to the other Changes/Updates to the GEIS Master Plan, there are no changes in timing or other changes to the GEIS Master Plan that will impact terrestrial and aquatic ecology. Accordingly, the impacts to **terrestrial and aquatic ecology** from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

There are no material impacts to terrestrial and aquatic ecology associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings. Accordingly, the impacts to terrestrial and aquatic ecology from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

c. **The Town Water Project**

There are no material impacts to terrestrial and aquatic ecology associated with the Town Water Project that were not addressed in the GEIS/Findings (see ***Appendix L***). Any potential impacts to terrestrial and aquatic ecology due to construction activities in connection with the Town Water Project will be minor, and temporary in nature.

A desktop and field review were conducted in December 2015 and May 2016 in support of the development of an aquatic resource and ecology investigation report (***Appendix L***). The investigation report was used by project engineers to maximize avoidance of potential impacts to terrestrial and aquatic ecology along the route.

The majority of the water project area is upland consisting of previously disturbed areas including road shoulders, mowed lawn and mowed lawn with trees, cropland, excavated ditches, culverts, and brushy cleared land. A smaller portion of the project area, primarily at stream and wetland crossings, consists of intermittent and perennial streams and wetlands.

Based on consultation with USFWS and NYSDEC online resources, lists from recent projects in the vicinity, and the types of habitat and conditions present in the vicinity of the Project area, a review was conducted for the following species:

- bog turtle (*Clemmys muhlenbergii*)
- eastern massasauga (rattlesnake) (*Sistrurus catenatus catenatus*)
- Houghton's goldenrod (*Solidago houghtonii*)
- NLE Bat (*Myotis septentrionalis*)
- bald eagle (*Haliaeetus leucocephalus*), protected under the Bald and Golden Eagle Protection Act
- northern harrier (*Circus cyaneus*)

Other state-listed species that have been recorded in the general vicinity include pied-billed grebe (*podilymbus podiceps*), sedge wren (*Cistothorus platensis*), and Henslow's sparrow (*Ammodramus henslowii*). The necessary habitats and conditions that support these three species are not present within the limits of the project area. No "Critical habitats" as designated by natural resource agencies are identified within the vicinity of the project area.

A northern harrier was observed during field review of the Project area. No other listed species were observed. A field review of habitat suitable for the NLE Bat was conducted in November 2015 at the STAMP Site and May 2016 offsite along the Town Water Project Route. Project activities require the removal of approximately five trees greater than 3" DBH.. These trees are not near known maternity sites, nor within 0.25 mile of a known hibernaculum according to a review of known sites. [5]

[5] http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html

To ensure that the Town Water Project will not have any material impacts to the NLE Bat, any necessary tree removal will be scheduled outside of the pup season (June 1 – July 31) and, where possible, within the hibernation period (October 31 – March 31). The Site location and planned construction schedule put the Project within the category of "excepted from incidental taking prohibitions" in the final 4(d) rule. In this case, the determination is that activities "may affect" but are not likely to adversely affect and/or will not cause a prohibited taking. Thus, the development of the Town Water Project will not have an adverse impact upon the NLE Bat and the impacts to terrestrial and aquatic ecology from the construction of the Town Water Project are adequately addressed in the GEIS/Findings.

d. Water Service for STAMP

There are no material impacts to terrestrial and aquatic ecology associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the impacts to terrestrial and aquatic ecology from water service for STAMP are adequately addressed in the GEIS/Findings.

e. Sewer Service for STAMP

There are no material impacts to terrestrial and aquatic ecology associated with the sewer service for STAMP that were not addressed in the GEIS/Findings (see ***Appendix L***). Any potential impacts to terrestrial and aquatic ecology due to construction activities in connection with the sewer service for STAMP will be minor, and temporary in nature.

A desktop and field review were conducted in December 2015 and May 2016 in support of the development of an aquatic resource and ecology investigation report (***Appendix L***). The investigation report was used by project engineers to maximize avoidance of potential impacts to terrestrial and aquatic ecology along the route.

The majority of the sewer project area is upland consisting of previously disturbed areas including road shoulders, mowed lawn and mowed lawn with trees, cropland, excavated ditches, culverts, and brushy cleared land. A smaller portion of the project area, primarily at stream and wetland crossings and adjacent to federal-owned lands, consists of intermittent and perennial streams and wetlands (shallow emergent marsh, common reed marsh, shrub swamp, and red maple hardwood swamp). Ecological communities referenced above are designated in accordance with community descriptions in Edinger et al. 2014 *Ecological Communities of New York State* (http://www.dec.ny.gov/docs/wildlife_pdf/ecocomm2014.pdf).

The function of the wetlands and streams is generally impaired in the project area; fragmentation, lack of a vegetated buffer and an abundance of loose soil around drainages introduces sediment and increased water turbidity in wetlands and associated streams. Historic alterations, ongoing traffic disturbance, and proximity to roadways have had significant negative impacts on the condition and composition of wetland plant communities. Disturbance and impacts include evidence of historic

wetland drainage, fill, conversion of wetland types, fragmentation, and widespread dominance by invasive species. Investigation area wetlands are characteristic of highly disturbed systems. Many functions and services provided by less disturbed wetland systems have been degraded or lost.

One exception to this general characterization of aquatic resources within the sewer route is Oak Orchard Creek and the associated wetlands to the south of Oak Orchard Creek's intersection with Route 63. This wetland area is owned by USFWS (Iroquois National Wildlife Refuge) and is part of a large complex system that includes riparian, emergent, and forested wetlands. While evidence of disturbance exists, the system as a whole is high quality, federally protected, and linked to mapped significant natural communities and potential occurrence of rare, threatened, and endangered species. The sewer project will disturb only areas within and/or immediately adjacent to an existing New York State Department of Transportation ("**NYS DOT**") right-of-way. Wetlands within or adjacent to this proposed area of disturbance are fragmented edges of the larger system which is comprised of federal mapped palustrine forested (PFO), palustrine emergent (PEM), and palustrine scrub shrub (PSS) wetlands and Class 1 and Class 2 state-mapped wetlands.

Based on consultation with U.S. Fish and Wildlife Service ("**USFWS**") and NYSDEC online resources, lists from recent projects in the vicinity, and the types of habitat and conditions present in the vicinity of the project area, a review was conducted for the following species:

- bog turtle (*Clemmys muhlenbergii*)
- eastern massasauga (rattlesnake) (*Sistrurus catenatus catenatus*)
- Houghton's goldenrod (*Solidago houghtonii*)
- NLE Bat (*Myotis septentrionalis*)
- bald eagle (*Haliaeetus leucocephalus*), protected under the Bald and Golden Eagle Protection Act
- northern harrier (*Circus cyaneus*)

Other state-listed species that have been recorded in the general vicinity include pied-billed grebe (*podilymbus podiceps*), sedge wren (*Cistothorus platensis*), and Henslow's sparrow (*Ammodramus henslowii*). The necessary habitats and conditions that support these three species are not present within the limits of the project area. No "Critical habitats" as designated by natural resource agencies are identified within the vicinity of the project area.

NLE Bat habitat is present within and adjacent to the route of the sewer mains. A field review of habitat suitable for the NLE Bat was conducted in May 2016. Project activities require the removal of approximately five (5)trees greater than 3" DBH along

the sewer service route. No tree removal is anticipated within the portion of the route adjacent to Iroquois National Wildlife Refuge. These trees are not near known maternity sites, nor within 0.25 mile of a known hibernaculum according to a review of known sites. [6]

To ensure that sewer service for STAMP will not have any material impacts to the NLE Bat, any necessary tree removal will be scheduled outside of the pup season (June 1 – July 31) and, where possible, within the hibernation period (October 31 – March 31). The Site location and planned construction schedule put the project within the category of "excepted from incidental taking prohibitions" in the final 4(d) rule. In this case, the determination is that activities "may affect" but are not likely to adversely affect and/or will not cause a prohibited taking. Thus, the installation of sewer service for STAMP will not have an adverse impact upon the NLE Bat.

Further, as discussed in *Section VI.B.3.vi*, above, in order to ensure that the construction of the sewer line to Medina which will cross the Iroquois National Wildlife Refuge along the NY Route 63 public right-of-way, will not adversely impact the Refuge, the force main will be installed by directional drill method. Accordingly, there are no material impacts to terrestrial and aquatic ecology associated with sewer service for STAMP that were not addressed in the GEIS/Findings (*see* ***Appendix L and Section VI.B.3.vi***, above).

f. **The Northern Long Eared Bat**

As discussed above, the NLE Bat has recently been listed as a Threatened Species under State and Federal law and potential NLE Bat habitat is present at the Site and within the offsite utility Project areas. A field review of habitat suitable for the NLE Bat was conducted on November 20, 2015, taking into account areas of potential disturbance associated with construction planned for the 1366 Facility, including construction of the entry road, substation and utility area. Project activities require the removal of trees greater than 3" DBH along the first section of the proposed access road west of Route 77, where hedgerows are crossed by the access roads and utilities, and along Crosby Road on residential parcels.

Additional field review was conducted at the site on May 25, 2016. A Phase 1 Summer Habitat Assessment was completed including data collection at a representative sample sites on and offsite. Very few trees within project areas are ideally suited for summer bat habitat due to a paucity of trees with exfoliating bark and no suitable snags. Further, the Project area is not near known maternity sites and are not located within 0.25 mile of a known hibernaculum according to a review of known sites.[7]

To ensure that the future development activities will not have any material impacts to the NLE Bat, any necessary tree removal will be scheduled outside of the

[6] http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html
[7] http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html

pup season (June 1 – July 31) and, where possible, within the hibernation period (October 31 – March 31). The Project location and planned construction schedule put the Project within the category of "excepted from incidental taking prohibitions" in the final 4(d) rule. In this case, the determination is that activities "may affect" but are not likely to adversely affect and/or will not cause a prohibited taking. Thus, future development activities will not have an adverse impact upon the NLE Bat and the listing of the NLE Bat as a Threatened Species under State and Federal law will have no material impacts to terrestrial and aquatic ecology in conjunction with the Project.

E. Impacts on Technology Industry Health and Safety

1. Summary of Impacts Addressed in the GEIS/Findings

As discussed in the GEIS/Findings, the advanced manufacturing activities contemplated for the Site may include a wide range of manufacturing activities, each with its own unique requirements for process chemistry. Thus, the GEIS/Findings analyzed the potential environmental impacts associated with potential worker exposure and/or chemical releases. The GEIS/Findings noted that even though the specific chemicals used within facilities at STAMP would vary, each facility would tend to utilize similar categories of chemicals and maintain similar health and safety/best management practices. A detailed report titled "Industry Requirements and Environmental Health and Safety Impacts Report" was attached as *Appendix H* to the DGEIS.

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

The GEIS/Findings also noted that hazardous process chemicals would typically be delivered and stored and/or used in the following outdoor areas:

1) Bulk gas yard: The bulk gas yard would consist of steel tanks designed for storing cryogenic gases including argon, nitrogen, hydrogen, and oxygen. The tanks would be located within a fenced area on a concrete pad.

2) Emergency generator area: Emergency standby backup power would be provided by several diesel emergency engine generators also located in an outdoor yard area. Each generator typically

involves several thousand gallons of diesel fuel with secondary containment that consist of a rupture basin size for 125% of the primary storage tank. The storage and use of this volume diesel is regulated by the federal Spill Prevention Control and Countermeasure Rules and NYSDEC's regulations for the bulk storage of the petroleum and hazardous substances.

3) Bulk fuel oil storage area: Future industry tenants at the Site may also require bulk storage of fuel oil as a backup fuel supply for boiler systems.

The GEIS/Findings further explained that bulk chemical storage may include raw assets or concentrated acid waste. These materials would be stored in steel-lined tanks equipped with high level sensors and vented pollution control systems. Chemical storage rooms would also be located in facilities to store hazardous chemicals typically delivered to essential chemical storage and distribution rooms through a dock facility. Certain areas of the manufacturing process may also rely on bulk chemical delivery systems as opposed to container (*i.e.*, totes, 55-gallon drums, and bottles) transport and delivery of chemicals. From the chemical storage rooms, bulk chemicals would be pumped to the process areas through chemically resistant tubing inside clear secondary containment PVC piping. Secondary containment piping would be equipped with low point drains and leak detection.

The GEIS/Findings analysis noted that a wide variety of environmental and health and safety laws and regulations would guide the design, construction and operation of the advanced technology manufacturing facilities to be located at the Site. These include:

- All future manufacturing activities to be conducted at the Site shall be subject to the appropriate NYSDEC regulations including those requirements set forth in the Hazardous Substance Bulk Storage Program (6 N.Y.C.R.R. Parts 595-599) and Petroleum Bulk Storage Program (6 N.Y.C.R.R. Parts 612-614).

- All hazardous materials transferred to and from the Site shall only be transported in NYS DOT-approved containers by licensed transporters.

- The storage and use of any petroleum and hazardous substances at the Site shall be subject to the federal Spill Prevention Control and Countermeasure ("**SPCC**") rules.

- Facility system design and daily operations at the Site shall comply with all applicable Uniform Fire and Building Codes and a Site-specific Hazardous Material Management Plan shall be prepared and submitted to the AFD for approval prior to the issuance of any Certificates of Occupancy.

- All employees handling hazardous materials or wastes will be appropriately trained in accordance with applicable Occupational Safety and Health Act ("**OSHA**") and Resource Conservation and Recovery Act ("**RCRA**") regulations.

The GEIS/Findings concluded that no hazardous process chemicals would be stored at any locations at the Site without the user of such chemicals first providing a Hazardous Materials Inventory Statement to the AFD and other local emergency services agencies as part of a comprehensive safety emergency planning effort for the Project. All hazardous materials management practices and engineering controls for the advanced technology and manufacturing facilities to be located at the Site would be managed consistent with the requirements set forth above. Lastly, all nanotechnology manufacturing facilities to be located at the Site would comply at all times with applicable USEPA, OSHA and National Institute for Occupational Safety and Health ("**NIOSH**") requirements, as applicable.

2. **The 1366 Facility**

Several plans for chemical storage/ handling may be required for the 1366 Facility including:

- Small Quantity Generators or Large Quantity Generators permit from NYSDEC for hazardous waste.
- USEPA Hazardous Waste Registration with NYSDEC.
- Emergency Planning and Community Right-to-Know Act.
- SARA Title III Inventory Reporting.
- EPCRA Toxic Release Reporting (Form R).
- NYSDOT Hazmat Registration and Security Plan.
- Flammable storage and use permits from local fire departments.

The raw dry materials will be delivered to a receiving area within the main building and stored in an interior warehouse. Liquid chemicals will be delivered in totes or by tanker truck to a separate receiving area. The liquid chemicals will be stored internally or pumped into internal storage tanks. Bulk process chemicals will be housed in a "protected" chemical storage area identified as Chemical Waste and Chemical Storage. Storage will typically occur in either in either drum or tote (IBC) form.

1366 Technologies will provide a Hazardous Materials Inventory Statement and a 1366 Facility Specific Hazardous Materials Management Plan to the AFD. Additionally, all hazardous materials at the 1366 Facility will be transported, handled, stored and disposed of in accordance with:

- Applicable requirements set forth in the Hazardous Substance Bulk Storage Program and/or the Petroleum Bulk Storage Program.
- Applicable requirements set forth in all NYS DOT requirements.
- Applicable SPCC rules.
- Applicable requirements of the Uniform Fire and Building Codes.

- Applicable OSHA and/or RCRA regulations.

With regard to an emergency action plan, 1366 Technologies' emergency action plan will not be available until 1366 Technologies is ready to proceed with the site plan review process. This approach is consistent with the requirements set out in both the GCEDC Findings, the Town Board Findings and the Emergency Services Impact Analysis (***Appendix A***), and will ensure no impacts to emergency services that were not previously addressed in the GEIS/Findings. Accordingly, the impacts to public health from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

3. **The Project Changes**

a. **Master Plan Changes/Updates**

(1) **Changes to the Site Plan Layout**

There are no changes to the site plan layout that will impact technology industry health and safety. Accordingly, the impacts to technology industry health and safety from the changes to the Site Plan layout are adequately addressed in the GEIS/Findings.

(2) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

There are no changes to the TD zoning boundaries, buffers or regulations that will impact technology industry health and safety. Accordingly, the impacts to technology industry health and safety from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

(3) **Timing and Other Changes to the GEIS Master Plan**

There are no changes in timing or other changes to the GEIS Master Plan that will impact technology industry health and safety. Accordingly, the impacts to technology industry health and safety from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

There are no material impacts to health and safety associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings. All asbestos and other potentially hazardous materials, such as mercury thermostats, fluorescent lights or miscellaneous cleaners, will be removed from the structures prior to demolition, properly packaged and disposed of in accordance with applicable laws. Demolition contractors will employ wet methods and other engineering controls during demolition to minimize airborne particulate emissions. The GCEDC will comply with all applicable laws and will implement proper protocols during the demolition period

to minimize potential impacts from demolition activities. Accordingly, the impacts to health and safety from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

c. **The Town Water Project**

There are no material impacts to health and safety associated with the Town Water Project that were not addressed in the GEIS/Findings. Accordingly, the impacts to health and safety from the Town Water Project are adequately addressed in the GEIS/Findings.

d. **Water Service for STAMP**

There are no material impacts to health and safety associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the impacts to health and safety from water service for STAMP are adequately addressed in the GEIS/Findings.

e. **Sewer Service for STAMP**

There are no material impacts to health and safety associated with sewer service for STAMP that were not addressed in the GEIS/Findings.

F. Impacts on Traffic and Transportation

1. Summary of Impacts Addressed in the GEIS/Findings

As discussed in the DGEIS/Findings, roadways on and around the Site were classified as follows:

- Route 77 - Rural Minor Arterial/Major Collector
- Route 63/77 - Rural Minor Arterial
- Judge Road - Local Street
- Crosby Road - Local Street

In addition, Routes 63 and 77 were both designated as qualifying or access highways for larger dimension vehicles.

As further discussed in the GEIS/Findings, the GCEDC conducted a detailed Traffic Impact Study (attached as *Appendix I* to the DGEIS) to review and analyze the potential impacts to existing traffic conditions at three stages of Project development: (1) build-out of 1,000,000 sf; (2) 70% of full build-out or 4,200,000 sf; and, (3) full build-out of the Project or 6,130,000 sf. The following study intersections were reviewed and analyzed in the Traffic Impact Study:

- Route 63/New York Route 31/New York Route 31A
- Route 63/Blair Road/Main Street

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

The GEIS/Findings noted that Phase 1 of the Project would generate 403 and 402 new AM and PM peak hour trips, respectively, while full build-out of the Project (assumed in Year 2035) would generate approximately 2,034 and 2,749 new AM and PM peak hour trips, respectively. The 70% threshold would generate 1,424 and 1,924 new AM and PM peak hour trips, respectively.

The GEIS/Findings identified various improvements (typically traffic signals and turn lanes at intersections) to mitigate, to the maximum extent practicable, the Project's potential impact to existing traffic patterns and flows. Based on feedback from NYSDOT, alternative traffic controls, such as roundabouts, would be considered, and certain potentially impacted intersections would be monitored to determine when specific improvements should be installed. Per the GEIS/Findings, no traffic mitigation would be warranted prior to the completion of construction of Phase I or 1,000,000 sf on-Site.

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

The GEIS/Findings provided that traffic capacity improvements would be completed as needed at several off-site intersections including:

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

- Route 77/Ledge Road
- Route 77/Akron Road
- Route 77/I-90 Exit 48A

The GEIS/Findings concluded that the actual timing and necessity of these improvements would be confirmed after completion of the first 1,000,000 sf of development and subject to the review and approval of NYSDOT.

2. **The 1366 Facility**

Transportation access to the 1366 Parcels will be via an access road to Crosby Road (secondary access), with a main access to/from Route 63/77. At full build out (1 GW), the 1366 Facility will generate an average of 2,486 trips per day including 86 truck trips per day, and will operate 24 hours a day, 7 days a week. Generated trips will be spread out throughout the day, and peaks may not necessarily coincide with the morning and afternoon peak periods of the surrounding roadways. The highest anticipated peak hour trip generation resulting from full build out of the 1366 Facility is 959 trips in a peak hour.

For the initial phase of development of the 1366 Facility (250 MW), the 1366 Facility will generate an average of 622 trips per day including 22 truck trips per day. The highest anticipated peak hour for the initial phase is approximately 240 trips per hour. This volume is well below the 403 and 402 new AM and PM peak hour trips (respectively) projected for build-out of the first 1,000,000 sf at STAMP. Peak hour traffic from full build-out of the 1366 Facility to 1 GW exceeds the Phase I build-out projection, but is well below the 70% projected peak volumes of 1,424 and 1,924 new AM and PM peak hour trips (respectively) projected in the GEIS/Findings.

Based on these traffic estimates, the Phase I build out of 1366 Technologies will result in less traffic than the Phase I build out assumed in the GEIS, however, its full build out will be more than the Phase I GEIS build out. Full build out will still remain below the 70% threshold.

Nonetheless, an updated traffic impact analysis was conducted (***Appendix V***) because of the acceleration of the installation of the Main Access Road. Instead of utilizing two access point at either end of Crosby Road to enter the Site, the acceleration of the construction of the Main Access Road means that traffic entering the Site will be through a single entry point. An updated Traffic Impact Analysis based on the new entry point and the anticipated traffic from 1366 Technologies was performed, and concluded that a left turn lane on Route 63/ 77 to access the Site is warranted. Thus, a northbound left turn lane on Route 63/ 77 will be implemented. See, ***Appendix U***. This turn lane was identified as a necessary future improvement in the GEIS/Findings. Accordingly, with the installation of the northbound turn lane, the impacts to traffic and transportation from the construction and operation of the 1366 Facility are adequately addressed in the GEIS/Findings

3. **The Project Changes**

a. **Master Plan Changes/Updates**

(1) **Changes to the Site Plan Layout**

The realignment of the Bypass Road will improve traffic flow due to better intersection designs. The other changes to the site plan layout do not result in larger developable areas or more building square footages. Further, the building square footage threshold established in the GEIS/Findings (6,130,000 sf) has not changed. Accordingly, the impacts to traffic and transportation from the changes to the site plan layout are adequately addressed in the GEIS/Findings.

(2) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

There are no changes to the TD zoning boundaries, buffers or regulations that will impact traffic and transportation. Accordingly, the impacts to traffic and transportation from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

(3) **Timing and Other Changes to the GEIS Master Plan**

The acceleration of the installation of the Main Access Road will have an impact on traffic and transportation. Instead of utilizing two access point at either end of Crosby Road to enter the Site, the acceleration of the construction of the Main Access Road means that traffic entering the Site will be through a single entry point. An updated Traffic Impact Analysis (***Appendix V***) based on the new entry point and the anticipated traffic from 1366 Technologies was performed, and concluded that a left turn lane on Route 63/77 to access the Site is warranted. Thus, a northbound left turn lane on Route 63/77 will be implemented. See, ***Appendix U***. This turn lane was identified as a necessary future improvement in the GEIS/Findings. Accordingly, with the installation of the northbound turn lane, the impacts to traffic and transportation from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

There are no material impacts to traffic and transportation associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings. Simply put, the demolition of these houses will have no impact upon traffic and transportation. Accordingly, the impacts to traffic and transportation from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

c. **The Town Water Project**

The construction and excavation work associated with the installation of the water mains and related facilities will require the transportation of construction materials, including loads of water piping, gravel, topsoil and related construction materials. There will also be minor impacts because the water infrastructure will be installed within existing road right-of-ways requiring lane closures and traffic re-routing. These impacts will be minor and temporary and are within the scope of construction activities analyzed in the GEIS/Findings. Accordingly, the impacts to traffic and transportation from the Town Water Project are adequately addressed in the GEIS/Findings.

d. **Water Service for STAMP**

There are no material impacts to traffic and transportation associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the impacts to traffic and transportation from water service for STAMP are adequately addressed in the GEIS/Findings.

e. **Sewer Service for STAMP**

The construction and excavation work associated with the installation of the sewer mains and related facilities will require the transportation of construction materials, including loads of sewer piping, gravel, topsoil and related construction materials. There will also be minor impacts because the sewer infrastructure will be installed within existing road right-of-ways requiring lane closures and traffic re-routing. These impacts will be minor and temporary and are within the scope of construction activities analyzed in the GEIS/Findings.

G. **Impacts to Land Use and Zoning**

1. **Summary of Impacts Addressed in the GEIS/Findings**

As discussed in the GEIS/Findings, at the time that STAMP was proposed, the Site and surrounding lands largely consisted of agricultural lands, recreational and open spaces and a limited amount of large lot residential development. The southeast corner adjoining the Site was identified as part of the John White WMA with the lands of the Nation bordering the Site to the west. The GEIS/Findings explained that, as a result of the Project, the pattern of land use in the area surrounding the Site would be altered. The Project proposes modern-high technology manufacturing and ancillary uses utilizing approximately half (49%) of the acreage comprising the Site. The majority of the remaining acreage at the Site would be preserved for open space and the protection of environmentally sensitive resources (giving the Site its campus-like feel).

The GEIS/Findings also explained that implementation of the Project would alter the pattern of existing land uses, transforming primarily open space and subprime agricultural land into a modern, advanced technology campus. However, the existing

zoning ordinances did not accommodate the development of the Project since the vast majority of the Site was zoned A-R (Agricultural-Residential). Thus, in order to accommodate the Project, the GCEDC and the GGLDC proposed, and the Town agreed to, the following:

- Implementation of an IZA pursuant to which GCEDC/GGLDC, in exchange for providing certain public amenities to the Town (which will inure to the benefit of the community as a whole), will receive a re-zoning of the Site into the newly-created TDs in order to address the Project's unique needs.

- Amending the Comprehensive Plan for the Town to provide for the development of the Project consistent with the other planning goals of the Town, but accepting the vision of the Project's goal of developing a world-class high technology manufacturing center with a focus on renewable energy.

- Considering the adoption of one or more of the strategies found in the Farmland Protection Strategies Report ("**FPSR**") for the Town, which has been prepared with the goal of describing and consolidating the potential strategies for the Town to evaluate and consider in preserving farmland. FPSR is provided as one of the proposed mitigation measures for the potential loss of farmland associated with the development of the Site.

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

The GEIS/Findings noted that the TD's were designed to mitigate off-site impacts potentially associated with the development of the Site. The layout of the TD's were designed to maximize the benefits of the Site layout and incorporates smart design techniques to minimize the potential impacts of the Project. The GEIS/Findings also noted that the proposed TD's included a 300-foot buffer of open space along any district lot line abutting a Residential (R) or A-R District, with the exception of the property zoned TD3 in the northeast corner of the Site and that, in addition, a 300-foot buffer would be maintained between TD1 or TD2 with TD3. Lastly (again, with the exception of areas zoned TD3), a 100-foot buffer of land around the perimeter of the Site would remain zoned A-R or R and would be retained as additional open space buffer. Fencing, signs, landscaping, roads, access drives, utilities and utility-related uses would be permitted within all open spaces and buffers retained at the Site.

The GEIS/Findings also discussed the fact that in exchange for granting the zoning incentives, the GCEDC/GGLDC would provide certain amenities identified as priorities by the Town, which may include potable water, funding and acquiring real property nearer to the Hamlet for a new Town Hall, and encouraging broadband services to the Town.

2. **The 1366 Facility**

The construction of the 1366 Facility and related infrastructure improvements will convert existing croplands within a portion of the Site into a modern, high-technology manufacturing facility and related support infrastructure. The 1366 Parcels are approximately 105 acres in size. A large percentage of the 1366 Parcels will be preserved for open space, consisting of landscaping and protection of environmentally-sensitive resources. The entire Site has been rezoned by the Town Board to TD1 to accommodate the kinds of development (advanced high technology and research focused on renewable energy) envisioned for STAMP, such as the 1366 Facility. The 1366 Facility will be developed pursuant to and consistent with the TD1 requirements as established under the IZA with the Town. Specifically, the 1366 Facility is a permitted use (technology manufacturing), and will comply with all dimensional and physical requirements applicable to TD1 (See ***Appendix C***). Further, the 1366 Facility will comply with all zoning regulations in TD1 such as minimum lot size, maximum building height, maximum lot coverage, parking requirements and signage requirements. Accordingly, the impacts to land use and zoning from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

3. **The Project Changes**

a. **Master Plan Changes/Updates**

(1) **Changes to the Site Plan Layout**

In terms of changes to the site plan layout, the realignment of the Bypass Road and the connector road to the Main Access Road will have a small impact on land use and zoning. Specifically, TD3 will increase in size from approximately 72.3 acres to 89.4 while TD1 and TD2 will decrease in size. See ***Figure 4-1***. However, the density of the build out in each of the districts will not change. Accordingly, the impacts to land use and zoning from the changes to the site plan layout are adequately addressed in the GEIS/Findings.

(2) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

The changes to the TD zoning boundaries, buffers and regulations include buffer use clarifications, the elimination of the 300-foot buffer along the northern side of the Site, the elimination of the 300-foot buffer on the interior of the Site between TD1/TD2 and TD3, the elimination of the 300-foot buffer for 500 linear feet on each side of the Main Access Road and that this area be zoned TD2, and the addition of solar panels as a special use permit in TD1 and TD2.

In terms of the buffer use clarifications, all of the uses included in the clarifications were identified as permitted uses in the GEIS/Findings. Thus, there are no

impacts to land use and zoning from the buffer use clarifications that were not analyzed and addressed in the GEIS/Findings.

In terms of the elimination of the 300-foot buffer along the northern side of the Site, this area is already buffered from public rights-of-way by adjacent agricultural lands and utility infrastructure. Thus, there are no impacts to land use and zoning from the buffer use clarifications that were not analyzed and addressed in the GEIS/Findings.

In terms of the elimination of the 300-foot buffer on the interior of the Site between TD1/TD2 and TD3, this change creates the possibility of a minor visual impact to the Hamlet as buildings at the top of the ridgeline, which is within the buffer area, may be visible to the Hamlet. In order to address and mitigate this, the GCEDC is proposing new minimum setbacks from the Bypass Road, which has been relocated atop the ridgeline, to ensure that buildings are adequately setback from the ridgeline. ***Figure 4-4*** shows that the new setbacks along the Bypass Road are actually more restrictive than the current buffer, except for a very small area, approximately 1.3 acres, in the area where the Bypass Road meets Lewiston Road.

In terms of the elimination of the 300-foot buffer for 500 linear feet on each side of the Main Access Road, this too, will create visual impacts as structures associated with the Project are developed along Route 63/77. In order to mitigate this issue, the GCEDC and the Town have agreed to work together on revised design guidelines for this area to ensure the construction of high quality, attractive buildings.

In terms of adding solar panels as a special use permit in TD1 and TD2, this change will have no significant impact on land use or zoning, particularly because it is simply adding to the previously included cell towers and windmills as other uses by special use permits.

Based on the above analysis, the impacts to land use and zoning from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

(3) **Timing and Other Changes to the GEIS Master Plan**

There are no material impacts to land use and zoning associated with the acceleration of the installation of the Main Access Road. However, the addition of the residential houses on the north end of Crosby Road will result in an important but minor change to land use in the overall context of the Project. Specifically, these properties will be rezoned from A-R to TD1. With the exception of one property along Lewiston Road, all of the properties along Crosby have been/will be acquired and demolished. Additionally, the Updated Master Plan shows that buildings associated with the Fabs Complex will be setback approximately the same distance from the one remaining property that will not be acquired as buildings shown on the GEIS Master Plan. See, ***Figures 1-1 and 1-2***. Thus, there will be no impacts to these properties that were not addressed in the GEIS/Findings. At the request of the Town, a setback of

thirty (30) feet from Crosby Road for construction of new structures within the area to be rezoned will be established. Accordingly, the impacts to land use and zoning from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

The demolition of the houses along Crosby Road will result in permanent conversion of each of the six (6) parcels of land from residential use to technology manufacturing that were not addressed in the GEIS/Findings. This will result in an important but minor change to land use in the overall context of the Project. Accordingly, the impacts to land use and zoning from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

c. **The Town Water Project**

There are no material impacts to land use and zoning associated with the Town Water Project that were not addressed in the GEIS/Findings. It is, however noted, that the Town Water Project is being fully paid for by funds secured by the GCEDC per the terms of the IZA. This funding obligation was discussed extensively in the GEIS/Findings. Accordingly, the impacts to land use and zoning from the Town Water Project are adequately addressed in the GEIS/Findings.

d. **Water Service for STAMP**

There are no material impacts to land use and zoning associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the impacts to land use and zoning from water service for STAMP are adequately addressed in the GEIS/Findings.

e. **Sewer Service for STAMP**

There are no material impacts to land use and zoning associated with sewer service for STAMP.

H. <u>Impacts to Utilities</u>

1. <u>Summary of Impacts Addressed in the GEIS/Findings</u>

(1) **Water Services**

The Water Service Preliminary Report, which was attached as *Appendix N* to the DGEIS, evaluated the necessary improvements required to supply the required water services to STAMP. The analysis considered two (2) construction phases – Phase 1, and full build out scenarios. Phase 1 anticipated an assumed building development of 1.0 million sf with a water demand of 1 MGD. The GEIS/Findings noted that the availability of water resources and large diameter water mains were limited in the vicinity of the Site. Therefore, providing the high water demand necessary for the

Project would require the development of a network with multiple water resources, rather than one or two simple high volume connections. Several alternatives were considered in the DGEIS to provide water service that would meet the needs of the Project while minimizing the impact to existing water supply systems. The alternatives consisted of providing a supply system including new water mains and connections to existing water mains in the surrounding area, as well as on-Site storage tanks.

The Water Service Preliminary Report noted that a phased network approach would be required to satisfy the water supply needs of the Project while maintaining the current levels of water service to the various communities. The most practical sources of supply were identified as Genesee County via existing water distribution systems in the Town of Pembroke and the Village of Oakfield. The DGEIS noted that a Phase 1 water project consisting of the construction of a water main along Route 77 with a Pembroke connection, and the construction of a water main along Route 63 with an Oakfield connection, would be able to meet the demand for the Phase 1 development of the Project (1 MGD). In addition, the construction of an on-Site water storage tank would provide the required on-Site storage for fire flow and peak demands associated with Phase 1 of the Project.

(2) **Wastewater Facilities**

The Sewer Service & Wastewater Treatment Facility Preliminary Report, attached as *Appendix O* to the DGEIS, was prepared to evaluate the necessary improvements required to provide sanitary service to the Site. The GEIS/Findings explained that STAMP would generate a combination of conventional domestic wastewater and wastewater from the manufacturing process and process support systems. The preliminary report evaluated several alternatives to provide sanitary service to the Project, considering Phase 1 and full build-out. The GEIS/Findings determined that the construction of a wastewater treatment facility on the Site would be the most economical and feasible approach for addressing wastewater treatment resulting from the Project. (As discussed in *Section IV.F*, above, rather than construct an on-Site WWTP, a new force main will be constructed to connect STAMP to the Medina WWTF).

(3) **Electrical Power**

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

(4) **Natural Gas**

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

(5) **Telecommunications**

As discussed in the GEIS/Findings, existing fiber optic lines were identified as running close to the Site in two locations. One line was located at the Lewiston Road-Route 63/77 intersection near the northeast corner of the Site, and the other was located at the Judge Road-Route 63/77 intersection near the southeast corner of the Site.

2. **The 1366 Facility**

Although the plans for providing Phase 1 water and sewer for the Project have changed since the completion of the GEIS/Findings (see *Section IV.E and F* above), the utility needs for the 1366 Facility are well within the thresholds analyzed in the GEIS/Findings and which are currently available. Specifically, the GEIS/Findings analyzed obtaining up to 3 MGD of water from the County and 1366 Technologies' water consumption needs will not exceed 800,000 GPD. In terms of sewer, the Medina WWTF can handle approximately 1 MGD without any significant upgrades and 1366 Technologies' sewer needs will not exceed 600,000 GPD. Additionally, electric, gas and telecom infrastructure will be sufficient with the extensions to the Site identified in the GEIS/Findings, to meet the needs of the 1366 Facility. Accordingly, the impacts to utilities from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

3. **The Project Changes**

a. **Master Plan Changes/Updates**

(1) **Changes to the Site Plan Layout**

The changes to the site plan layout will not result in larger developable areas or more building square footages. While the utility rerouting portion of the site plan changes will have an impact upon the physical location of utility corridors, there are no impacts to utilities associated with the utility rerouting. Accordingly, the impacts to utilities from the changes to the site plan layout are adequately addressed in the GEIS/Findings.

(2) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

There are no changes to the TD zoning boundaries, buffers or regulations that will impact utilities. Accordingly, the impacts to utilities from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings

(3) **Timing and Other Changes to the GEIS Master Plan**

There are no changes to timing or other changes to the GEIS Master Plan that will impact utilities. Accordingly, the impacts to utilities from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

There are no material impacts to utilities associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings. Accordingly, the impacts to utilities from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

c. **The Town Water Project**

Adequate water volumes for the long-planned Town Water Project are available from Genesee County. The Town system and STAMP are being designed to provide at a minimum, 100,000 GPD for the Town, 150,000 GPD to Lamb Farms, and 200,000 GPD for the STAMP Site totaling 450,000 GPD. Supply needs significantly higher than 450,000 GPD will require construction of an additional transmission main to Pembroke, consistent with the analysis in the GEIS/Findings and as recently confirmed with Genesee County. Accordingly, the impacts to utilities from the Town Water Project are adequately addressed in the GEIS/Findings.

d. **Water Service for STAMP**

Consistent with the Water Service Preliminary Report, attached as *Appendix N* to the DGEIS, a phased approach to water supply is being applied at STAMP. Also, consistent with the Water Service Preliminary Report, water supply for Phase 1 of STAMP (1 MGD) will be supplied by Genesee County. Accordingly, the impacts to utilities from water service for STAMP are adequately addressed in the GEIS/Findings.

e. **Sewer Service for STAMP**

As detailed in ***Appendix J***, The Medina WWTF is currently permitted for 4.5 MGD of capacity while actual discharges average between 1.5 MGD and 2.2 MGD. A detailed peak flow analysis was undertaken which confirms that the Medina WWTF has capacity to accommodate an additional 1 MGD.

I. Impacts to Community Facilities

1. Summary of Impacts Addressed in the GEIS/Findings

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

As noted in the GEIS/Findings, with respect to fire and ambulatory services, technology manufacturing companies that locate at the Site would organize and maintain their own internal fire response capabilities. These systems would be fully coordinated with the emergency response providers for the Town of Alabama, Genesee County and the State of New York. The type of incidents requiring response from public fire protection agencies would be similar to those currently maintained by those agencies. Effective responses to the Site would necessitate that the technology manufacturing facilities themselves provide training to local responders so that

Site-specific and chemical-specific knowledge would be conveyed to the responders. Depending on the specific needs of the actual facilities located at STAMP, the GEIS/Findings noted that it would be possible that additional resources and/or training may be required.

The GEIS/Findings also noted that approximately 54,000 TPY of solid waste and 3,000 tons per year of hazardous waste were estimated at peak generation following full build-out of the Project. The GEIS/Findings concluded that this amount of solid waste could be readily managed by existing private contractors operating in the region without the specific need for any additional waste management facilities.

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

In terms of impacts to public recreational facilities, the GEIS/Findings noted that the removal of the John White WMA from the Site, coupled with the enhanced 500-foot buffer to exist between the Site and the John White WMA, avoided previous impacts

reviewed in the DGEIS. With respect to court services, the GEIS/Findings concluded that the activities at the Site would be largely manufacturing-related and subject to strict compliance with local, state and federal requirements.

2. **The 1366 Facility**

The 1366 Facility will maintain its own internal fire suppression system that will consist of wet sprinkler systems, foam fire suppression system, clean agent style fire suppression system, early suppression, fast response system, deflagration venting, smoke control, toxic/ flammable gas detection system, on-Site fire hydrants, and fire department hose valves. The AFD will not require additional resources to protect the 1366 Facility; however, periodic training will be provided to volunteers of the AFD and other pertinent county personnel regarding responding to any emergency calls from the 1366 Facility and chemical-specific aspects of the facility. This kind of coordination and training is routinely provided by technology manufacturing companies and is consistent with analysis provided in the GEIS/Findings.

In terms of waste generation, the 1366 Facility will not exceed volumes analyzed in the GEIS/Findings. In terms of impacts to public lands and recreation, for the reasons identified in the GEIS/Findings, the 1366 Facility will not have an impact upon open space or recreation. In terms of an emergency action plan, 1366 Technologies' emergency action plan will not be available until 1366 Technologies is ready to proceed with the site plan review process. This approach is consistent with the requirements set out in both the GCEDC Findings, the Town Board Findings and the Emergency Services Impact Analysis (***Appendix A***), and will ensure no impacts to emergency services that were not previously addressed in the GEIS/Findings.

Overall, the impacts to open space and recreation from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

3. **The Project Changes**

a. **Master Plan Changes/Updates**

(1) **Changes to the Site Plan Layout**

There are no changes to the site plan layout that will impact community facilities. The site plan changes do not result in larger developable areas or increased building square footages. In addition, as reiterated several times throughout this analysis, the Town will have no responsibility for maintaining any portion of the Site. Accordingly, the impacts to community facilities from the changes to the site plan layout are adequately addressed in the GEIS/Findings.

(2) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

There are no changes to the TD zoning boundaries, buffers or regulations that will impact community facilities. Accordingly, the impacts to community facilities from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

(3) **Timing and Other Changes to the GEIS Master Plan**

There are no changes to the TD zoning boundaries, buffers or regulations that will impact community facilities. Accordingly, the impacts to community facilities from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

There will be a relatively small volume of construction and demolition debris generated by the demolition of the houses along the north end Crosby Road and their supporting structures, but all construction and demolition waste will be properly disposed of at approved disposal facilities. In fact, construction and demolition debris can often be used as a substitute for clean cover at such facilities. Thus, the impacts to community facilities from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

c. **The Town Water Project**

There are no material impacts to community facilities associated with the Town Water Project that were not addressed in the GEIS/Findings. Accordingly, the impacts to community facilities from the Town Water Project are adequately addressed in the GEIS/Findings.

d. **Water Service for STAMP**

There are no material impacts to community facilities associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the impacts to community facilities from water service for STAMP are adequately addressed in the GEIS/Findings.

e. **Sewer Service for STAMP**

There are no material impacts to community facilities associated with sewer service for STAMP. The Medina WWTF is currently permitted for 4.5 MGD of capacity (see ***Appendix J***). Actual discharges average between 1.5 MGD and 2.2 MGD. A detailed peak flow analysis was undertaken to confirm that the Medina WWTF has the capacity to treat up to 1 MGD of wastewater from STAMP during peak periods. Flow monitoring for sections of the Village of Medina was implemented during the sanitary sewer route analysis. Several of the routing alternatives that were studied within the

Village of Medina rely on connections to existing gravity systems. Understanding the existing flow conditions and available pipe capacities for these options was deemed critical in determining the feasibility of these alternatives. The flow monitoring also provides an indication of the amount of inflow and infiltration (I/I) into the system by comparing flows during dry weather and wet weather periods.

As detailed in ***Appendix J***, flow monitoring was completed and full flow pipe capacity of connection points were evaluated. To complete the capacity analysis for the Village Alternatives, the existing peak wet weather flows determined by the flow monitoring, the average dry weather flow, the average daily flow, and the limiting pipe capacity in each alternative were plotted for each flow meter. The analysis shows that the Medina WWTF has adequate capacity to accommodate an additional 1 MGD.

In addition to confirming adequate capacity at the Medina WWTF for 1 MGD without any major upgrades, conversations with the Medina WWTF staff have revealed that they have not experienced any overflows within the past ten (10) to fifteen (15) years. In fact, the Village of Medina may be able to reduce flow to the Medina WWTF by implementing I/I reduction measures. An I/I study would investigate the sanitary sewer system for potential sources, including storm sewer connections, illegal private connections, and deteriorating manholes or pipe defects. The Village of Medina has identified three main streets that are primary targets for I/I reduction, including West Avenue, Park Avenue and Center Street.

Although not directly analyzed in the GEIS/Findings, impacts to utilities from sewer service are less than the impacts analyzed in the GEIS/Findings from the construction and operation of an on-Site WWTP. Accordingly, the impacts to utilities from sewer service for STAMP are adequately addressed in the GEIS/Findings.

J. Impacts to Community Character and Demographics

1. Aesthetics

a. Summary of Impacts Addressed in the GEIS/Findings

As discussed in the GEIS/Findings, the Project was designed in a low density campus setting, meaning that the development respected and complemented its natural landscape. Landscape buffers would surround the Project along property lines shared with existing houses, roads and the Hamlet in order to maintain existing view sheds as well as the rural character of the area surrounding the Project. In addition, the ridgeline that runs diagonally across the northeast quadrant of the Site in proximity to the Hamlet of Alabama was proposed to remain undeveloped to provide a visual separation between the Hamlet and the Project.

In terms of maintaining the visual character of the community, the Project was planned to visually integrate itself into the existing rural, agrarian setting in a comfortable and compatible manner as outlined in *Appendix R* of the DGEIS entitled *Visual Impact Assessment*. Larger technology manufacturing structures were located on

the lower western portion of the Site, while the small-scale supporting structures were located on the eastern portion of the Site to provide a scaled transition to neighboring farmland. The eastern portion of the Site would also be scaled to mirror the aesthetics of the Hamlet. As explained in the GEIS/Findings, both the undeveloped buffer zones to be located around the Site's perimeter and the campus-like setting of the Project would ensure that open spaces and environmentally sensitive locations are maintained. A 400-foot buffer would be maintained around the perimeter of the Site. Lastly, a minimum 500-foot buffer would be maintained along the Site's boundary adjoining the John White WMA.

The GEIS/Findings noted that the Project had been designed to integrate the manufacturing facilities into the existing community fabric. The GEIS/Findings concluded that the following specific design measures would minimize Project visibility:

- Cutting of trees and hedgerows shall be avoided to the maximum extent practicable.

- All trees on the Site shall be protected from disturbance to the maximum extent practicable to ensure the Site retains its rural character.

- All buildings shall be landscaped with indigenous plants adapted to the conditions found in the surrounding area.

- All exterior lighting shall be minimized and focused downward to the maximum extent practicable to avoid excessive night time light and glow about the Site.

- The design of specific buildings, structures, signs and general streetscape, in addition to building materials, shall be high quality and chosen to reflect a rural-agricultural vernacular of the surrounding area.

b. **The 1366 Facility**

The 1366 Facility and related infrastructure improvements will be designed and constructed in a low density setting consistent with the design philosophy of STAMP and will be constructed consistent with existing STAMP design guidelines (see ***Appendices R and T***). The required 400-foot buffer will be maintained along the western boundary of the 1366 Parcels to ensure adequate screening of the 1366 Facility from the lands of the Nation. Existing hedgerows on the Site will be maintained and will ensure that the 1366 Facility is not materially visible from any existing public rights of way. In addition, all exterior lighting for the 1366 Facility will be directed downward to minimize the amount of light that spills beyond the boundaries of the 1366 Parcels. Accordingly, the impacts to aesthetics from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

c. **The Project Changes**

(1) **Master Plan Changes/Updates**

(i) **Changes to the Site Plan Layout**

The Main Access Road into the Site from Route 63/77 had a significant curve to the north in the GEIS Master Plan. In the Updated Master Plan, the alignment has been straightened somewhat to run more directly to Crosby Road. Nonetheless, a curve in the Main Access Road has been maintained to provide a more interesting visual context from the Main Access Road entrance looking towards the interior of the Site. See, ***Figure 1-2***. Accordingly, the aesthetic impacts from the changes to the site plan layout are adequately addressed in the GEIS/Findings.

(ii) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

The elimination of the 300-foot buffer on the interior of the Site between TD1/TD2 and TD3, creates the possibility of a minor visual impact to the Hamlet as buildings at the top of the ridgeline, which is within the buffer area, may be visible to the Hamlet. In order to address and mitigate this, the GCEDC is proposing new minimum setbacks from the Bypass Road, which has been relocated atop the ridgeline, to ensure that buildings are adequately setback from the ridgeline. ***Figure 4-4*** shows that the new setbacks along the Bypass Road are actually more restrictive than the current buffer, except for a very small area, approximately 1.3 acres, in the area where the Bypass Road meets Lewiston Road.

The elimination of the 300-foot buffer for 500 linear feet on each side of the Main Access Road will create visual impacts as structures associated with the Project are developed along Route 63/77. In order to mitigate this issue, the GCEDC and the Town will work together on revised design guidelines for this area to ensure the construction of high quality, attractive buildings along Route 63/77. The GCEDC and the Planning Board met in June to discuss design guidelines and standards for each of the different TD districts. The discussions were positive, and will serve as a good framework for fleshing out additional more specific design guidelines/standards for STAMP.

(iii) **Timing and Other Changes to the GEIS Master Plan**

The incorporation of the residential properties at the north end of Crosby into the Project make it possible for buildings in TD1 to move closer to the Hamlet than was evaluated in the GEIS. In order to mitigate this issue, the GCEDC is proposing new setback of thirty (30) feet from this section of Crosby Road. In addition, in order to ensure that there are no visual impacts that were not addressed in the GEIS/Findings, if and when specific buildings are proposed in locations along the north end of Crosby Road closer to the Hamlet than what was evaluated in the GEIS, subsequent visual impact analysis would have to be completed at that time. Thus, there will be no

impacts to these properties that were not addressed in the GEIS/Findings. Accordingly, the impacts to aesthetics from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

(2) **Demolition of the Houses Along Crosby Road**

The demolition of the six residential structures along the north end of Crosby Road and their supporting structures will change the visual character of the area. However, the removal of these structures is considered a minor impact to aesthetics. In addition, these parcels will be incorporated into the Site and the TD Buffer and the Ag/Res Buffer will mitigate the visual impacts from the construction of new structures on these parcels consistent with the visual impact analysis in the GEIS/Findings. Accordingly, the impacts to aesthetics from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

(3) **The Town Water Project**

During installation of the water mains and related facilities, large equipment and materials will be located temporarily in proximity to the installation routes. All such impacts are short-term and limited and well within the scope of activities analyzed in the GEIS/Findings. Accordingly, the impacts to aesthetics from the Town Water Project are adequately addressed in the GEIS/Findings.

(4) **Water Service for STAMP**

There are no material impacts to aesthetics associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the impacts to aesthetics from water service for STAMP are adequately addressed in the GEIS/Findings.

(5) **Sewer Service for STAMP**

During installation of the force main and related facilities, large equipment and materials will be located temporarily in proximity to the installation routes. All such impacts are short-term and limited.

2. **Noise**

a. **Summary of Impacts Addressed in the GEIS/Findings**

As discussed in the GEIS/Findings, potential impacts during construction and operation of the Project to noise were assessed according to NYSDEC guidelines. Taking the NYSDEC guidelines into consideration, the GEIS/Findings established a noise limit at the STAMP boundary to an L_{EQ} of 65 dBa during the day and 45 dBa at night. NYSDEC guidelines state that noise sources should not increase levels above 65 dBa in non-industrial areas. The GEIS/Findings noted that the Site boundary requirement of 65 dBa during the day and 45 dBa at night would ensure that the 65 dBa level referenced by NYSDEC for non-industrial areas would not be exceeded. The

GEIS/Findings also noted that the resulting maximum Project level of 65 dBa generally would not exceed maximum existing average baseline noise levels documented within the vicinity of the Project, which ranged from 63 dBa to 73 dBa.

b. **The 1366 Facility**

Based on operations at 1366 Newton Massachusetts facility and other manufacturing facilities of a similar nature, the types of manufacturing operations that will occur at the 1366 Facility will not generate excessive noise. Nor will the 1366 Substation. Thus, it is anticipated that the 1366 Facility will not generate any noise in excess of the limits set forth in the GEIS/Findings. Accordingly, the impacts to noise from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

c. **The Project Changes**

(1) **Master Plan Changes/Updates**

(i) **Changes to the Site Plan Layout**

There are no changes to the site plan layout that will impact noise. Accordingly, the impacts to noise from the changes to the site plan layout are adequately addressed in the GEIS/Findings.

(ii) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

The changes to the TD zoning boundaries, buffers and regulations will bring some development closer to the STAMP boundary. However, there will be no changes to the noise limits set for the STAMP boundaries in the GEIS/Findings. Future uses within these areas that were previously undevelopable will have to comply with these noise limits. Accordingly, the impacts to noise from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

(iii) **Timing and Other Changes to the GEIS Master Plan**

Similar to the buffer changes, the incorporation of the residential properties on the north end of Crosby may allow development closer to the Hamlet. Future uses within this area will have to comply with the STAMP boundary noise limits. Accordingly, the impacts to noise from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

(2) **Demolition of the Houses Along Crosby Road**

It is anticipated that the demolition of the structures will temporarily generate noise that exceeds background levels. The intermittent noise associated with construction vehicles and equipment will be short-term and temporary in nature.

Demolition activities will be limited to daylight working hours, when noise sensitivity is typically lowest. Construction activities will comply with applicable noise ordinances and laws. Accordingly, the impacts to noise from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

(3) **The Town Water Project**

During installation of the water mains and related facilities, noise levels will temporarily increase during construction. All such impacts, which will take place during daylight working hours, when noise sensitivity is typically lowest, are well within the scope of construction activities analyzed in the GEIS/Findings. Accordingly, the impacts to noise from the Town Water Project are adequately addressed in the GEIS/Findings.

(4) **Water Service for STAMP**

There are no material impacts to noise associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the impacts to noise from water service for STAMP are adequately addressed in the GEIS/Findings.

(5) **Sewer Service for STAMP**

During installation of the force main and related facilities, noise levels will temporarily increase during construction. All such impacts, which will take place during daylight working hours, when noise sensitivity is typically lowest.

3. **Socioeconomics**

a. **Summary of Impacts Addressed in the GEIS/Findings**

As discussed in the GEIS/Findings, the Project may have the potential to induce growth within Town and the surrounding communities in a number of ways, including employment opportunities, housing and ancillary businesses.

(1) **Construction Workers Growth**

The GEIS/Findings discussed the fact that the development of the Project would result in a significant number of construction workers with seasonal employment being located at the Site. These workers would be involved in a number of general and specialized construction activities with various trades associated with the different specialized phases of the work. The construction phase for the Project was planned to continue over a period of approximately 15 years. It was anticipated that there would be an excess of available construction workers in the Buffalo-Batavia-Rochester regions, and that many of these workers would be drawn from the existing labor pool along with residents of Genesee County and Western New York. The construction trades workers would most likely patronize restaurants, hotels/motels, entertainment facilities and other service providers in the vicinity of the Site and surrounding communities. This would result in a temporary boost to the local economy.

(2) **Population Growth**

The GEIS/Findings discussed the fact that the Project would provide significant new and expanded employment opportunities to the Town and region. The Project was anticipated at full build-out to provide approximately 9,330 new, quality jobs. Many of these new jobs were expected to be filled by the existing population residing within an approximate 60-to-70 mile radius of the Site. Some jobs would be filled by professionals moving into the region. As a result, implementation of the Project would likely contribute to population growth in the Genesee County area, and as far east as Rochester and west as Buffalo.

(3) **New Housing**

The GEIS/Findings discussed the fact that the new jobs created by the Project would spur an increased demand for existing and new housing. In turn, the sale of such housing could create a gradual, increased school enrollment in those respective communities that create new housing over the planned development period. Throughout the community input process conducted for the Project, Town elected officials and citizens voiced considerable opposition to additional residential development in the Town proper.

The GEIS/Findings also discussed the fact that discussions with the Village of Oakfield and the Town of Batavia indicated that they would welcome an opportunity to expand their residential base. This would allow Oakfield and Batavia to accommodate residential demand generated by the Project, while allowing Project employees the opportunity to live in areas located near the Site. The Project's potential to induce growth within the Town of Batavia and the Village of Oakfield would be managed by the land use planning processes of those jurisdictions. New housing developments in those jurisdictions would need to be in compliance with local comprehensive plan and zoning ordinance requirements.

(4) **Ancillary/Secondary Growth**

The GEIS/Findings discussed the fact that the Project would likely induce some level of complimentary secondary growth, especially in the area of supply and support enterprises and other high-technology entities. This impact, however, was considered beneficial to the region and the State. The resultant secondary businesses would be complimentary to 1366 Technologies, and would not be concentrated in any one portion of the development schedule, or cause any significant growth inducing impacts by themselves.

Each secondary business located outside of the Site would need to be consistent with the local zoning or otherwise be approved on a local level, and each would be subject to its own SEQRA review process. Additional potential locations for secondary ancillary development included the City and Town of Batavia, and Erie, Niagara and Monroe Counties. The GEIS/Findings concluded that existing urban areas throughout

the Genesee, Erie, Niagara, and Monroe Counties could significantly benefit from the secondary growth resultant from the Project.

(5) **Water Induced Growth**

The GEIS/Findings discussed the fact that providing water supply to the Site would have the potential to cause an amount of induced growth in the surrounding region. However, the GEIS/Findings noted that the Town was already examining the cost and feasibility of providing public water to approximately 70% of the homes in the Town (a cost which is now being paid for by the GCEDC via the IZA). The GEIS/Findings also noted that Village of Oakfield and the Town of Pembroke were also planning water main projects in the vicinity of the Site.

(6) **Traffic Improvements**

The GEIS/Findings discussed the fact that anticipated traffic improvements required for the Project would not have the potential to induce growth. The traffic improvements recommended in Section 6 of the DGEIS and in the Traffic Impact Study were designed to act as mitigation measures only for the potential impacts of traffic resulting from the Project, as opposed to mechanisms by which induced growth could occur.

(7) **Economic Benefits**

As discussed in the GEIS/Findings, implementation of the Project was identified to have the potential to improve local and regional economics significantly. The creation of up to 9,330 direct new, high salary manufacturing related jobs at STAMP would have a substantial positive effect on local and regional socioeconomic indicators, such as educational levels and per capita personnel and household incomes, compared to the existing baseline demographic statistics and trends presented in Section 6.10.1 of the DGEIS. Other related socioeconomic indicators such as industrial employment, percentage of working age population employed, and a population age distribution which reflects better retention of working age young adults were also expected to exhibit substantial improvement in socioeconomic measures.

The GEIS/Findings also discussed the fact that by creating quality jobs focused on high technology advanced manufacturing and ancillary development, the Project would improve the demographic conditions of the local and regional communities. STAMP was designed to reverse the exodus of young college graduates in the 20-34 year old age range from the Genesee County community and western New York region and would serve to stabilize the demographic distribution and help retain intellectual capital produced locally, while maintaining the rural agricultural aesthetic of the Town.

b. **The 1366 Facility**

Based on the experiences of two similar developments in Oregon and in eastern New York, the STAMP GEIS anticipated that the overall development of the Project

would have positive effects on educational levels, per capita personal and household incomes, unemployment, industrial employment and percentage of working age population employed when compared to existing socioeconomic conditions. These effects may spur new or expanded programs of educational, cultural and community service institutions in the region. In addition to employment growth, the 1366 Facility will contribute to the overall population increases in the communities surrounding the Site. This growth is well within the thresholds considered in the GEIS/Findings for the Project. At full build-out and maximum production, the 1366 Facility will employ approximately 1,000 people.

The Town has expressed concern about the impacts of an enhanced payment in lieu of taxes ("**PILOT**") associated with Phase 1 of the 1366 Facility build out. Specifically, Phase 1 of the 1366 Facility will receive a full abatement on all property taxes for a period of 5 years followed by 50% tax equivalent payments in years 6 through 10. In 2012, prior to approving the IZA, the Town completed a fiscal impact analysis in order to better understand the potential fiscal impacts of the Project relative to Town finances (***Appendix C***). The analysis identifies potential increases associated with Town spending in certain areas including planning and code enforcement, infrastructure, administration, emergency services, highways and courts. However, the analysis explains that increases in spending will be offset by increased PILOT and tax revenues from the Project. While the analysis was based upon a standard PILOT for 1366 Technologies which provides for a graduated increase to full assessed value over 10 years (20% increase every two years; see, ***Appendix C***), the enhanced PILOT for Phase 1 of 1366 Technologies' build out will not significantly alter the fiscal impact analysis or the underlying assumptions. This is because the overall impact of the enhanced PILOT will only reduce a portion of PILOT/tax payments from 1366 Technologies to the Town (Phase 1 only). Moreover, the Town is working to establish a fee schedule that will be imposed on all projects to cover the Town's costs from project review through construction. Thus, as noted in the impact analysis, tax rates in the Town will decrease significantly as revenue from the Project increases over time, particularly as 1366 Technologies proceeds to expand to 1 GW (future phases of 1366 Facility are anticipated to be subject to standard a PILOT). Accordingly, the impacts to socioeconomics from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

c. The Project Changes

(1) Master Plan Changes/Updates

(i) Changes to the Site Plan Layout

There are no changes to the site plan layout that will impact socioeconomics. Accordingly, the impacts to socioeconomics from the changes to the site plan layout are adequately addressed in the GEIS/Findings.

(ii) Changes to the TD Zoning Boundaries, Buffers and Regulations

There are no changes to the TD zoning boundaries, buffers or regulations that will impact socioeconomics. Accordingly, the impacts to socioeconomics from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

(iii) Timing and Other Changes to the GEIS Master Plan

There are no changes in timing or other changes to the GEIS Master Plan that will impact socioeconomics. Accordingly, the impacts to socioeconomics from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

(2) Demolition of the Houses Along Crosby Road

The demolition of the six houses along the north end Crosby Road will remove a limited amount of residential development from the Town. This is a very minor impact to socioeconomics and consistent with impacts analyzed in the GEIS/Findings. Accordingly, the impacts to socioeconomics from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

(3) The Town Water Project

The Town Water Project is expected to have a positive socioeconomic benefit upon the Town by dramatically expanding the availability of public water to existing households within the Town. These benefits are consistent with and will build upon the socioeconomic benefits of the Project as a whole. Accordingly, the impacts to socioeconomics from the Town Water Project are adequately addressed in the GEIS/Findings.

(4) Water Service for STAMP

The provision of water services to STAMP are consistent with the socioeconomic analysis provided in the GEIS/Findings. Accordingly, the impacts to socioeconomics from water service for STAMP are adequately addressed in the GEIS/Findings.

(5) Sewer Service for STAMP

The provision of sewer services to STAMP is not inconsistent with the socioeconomic analysis provided in the GEIS/Findings.

K. Impacts on Historic and Archaeological Resources

1. Summary of Impacts Addressed in the GEIS/Findings

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

The GEIS/Findings indicated that as a result of the Phase 1A literature, research and sensitivity assessment, it was determined that about forty (40) acres, or 3% of the Site, was comprised of alluvial soils. In addition, the Site file search produced seventeen (17) areas within one mile of the Site and one area within the Site that indicated historical and archeological importance. Of the 17 areas within one mile and the one within the Site, there were thirteen (13) prehistoric areas, two (2) historic areas, and three (3) areas with no site file form. In addition, the historic maps reviewed indicated several areas with potential historic significance located within the Site. Thirteen (13) artifact clusters and several isolated find spots were identified at portions of the Site. The GEIS/Findings concluded that the Site is regarded as having a high degree of sensitivity for prehistoric sites, and a moderate-to-high degree of sensitivity for historic sites in undisturbed contexts, and, thus, a Phase IB field investigation of the Site needed to be conducted in coordination with SHPO and the Nation to mitigate adverse impacts.

2. The 1366 Facility

As detailed in *Section II.B.9* above, Phase IB studies have been completed on the 1366 Parcels and along any planned access roads and utility support areas for the 1366 Facility. As a result of the Phase IB work, five archeological sites of potential National Register eligibility, have been identified which could be impacted by the 1366 Facility. Phase II investigations were completed at all five locations. (See ***Appendix M***). Of these, two were identified as requiring further analysis (Archaeological Sites 3 and 6). Thus, a Phase III scope of work was proposed and approved by SHPO for both of these sites and field work was recently completed. No construction activities will take place in the vicinity of Archeological Sites 3 or 6 until the Phase III work is accepted as complete by SHPO.

It is also noted that a Programmatic Agreement between the GCEDC, USACE, SHPO and other stakeholders initiated by an application for Joint Permit made to USACE, is under development (see ***Appendix O***) and will stipulate measures to be taken as the Project moves forward to avoid, minimize and/or mitigate the potential adverse effect on cultural resources consistent with the GEIS/Findings. The 1366 Facility will comply with the stipulations of the Programmatic Agreement to the extent necessary, once it is finalized. Accordingly, the impacts to cultural resources from the

construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

3. **The Project Changes**

a. **Master Plan Changes/Updates**

(1) **Changes to the Site Plan Layout**

There are no changes to the site plan layout that will impact historic or archeological resources that will not be addressed through the programmatic agreement (***Appendix O***). Accordingly, the impacts to historic or archeological resources from the changes to the site plan layout are adequately addressed in the GEIS/Findings.

(2) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

There are no changes to the TD zoning boundaries, buffers or regulations that will impact historic or archeological resources that will not be addressed through the programmatic agreement (***Appendix O***). Accordingly, the impacts to historic or archeological resources from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

(3) **Timing and Other Changes to the GEIS Master Plan**

There are no changes in timing or other changes to the GEIS Master Plan that will impact historic or archeological resources that will not be addressed through the programmatic agreement (***Appendix O***). Accordingly, the impacts to historic or archeological resources from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

None of the six (6) houses along the north end of Crosby Road are historic. Moreover, prior to redevelopment of these parcels, the GCEDC will comply with the stipulations of the Programmatic Agreement. To date, Phase IB field investigations are complete for four of the six parcels. Additional survey work will be undertaken as necessary consistent with the requirements of the Programmatic Agreement once it is finalized. Accordingly, the impacts to historic or archeological resources from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

c. **The Town Water Project**

A Phase 1A Cultural Resource investigation was completed for the water route by Deuel Archaeology & CRM in December 2015 (see ***Appendix I***). It was recommended that a Phase 1B subsurface investigation, in the form of shovel testing be conducted for the archeologically sensitive areas. SHPO indicated in their February 25,

2016 letter, they concur with the Phase 1B testing recommendation and concluded they have no building/structural concerns. A specific scope for the Phase 1B investigation was developed by the GCEDC in consultation with SHPO. Phase 1B work is currently underway. Upon completion of the Phase 1B work, additional survey work, if required, will be undertaken as necessary consistent with the requirements of the Programmatic Agreement. Accordingly, the impacts to historic or archeological resources from the Town Water Project are adequately addressed in the GEIS/Findings.

d. **Water Service for STAMP**

There are no material impacts to historic or archeological resources associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the impacts to historic or archeological resources from water service for STAMP are adequately addressed in the GEIS/Findings.

e. **Sewer Service for STAMP**

A Phase 1A Cultural Resource investigation was completed for the sewer route by Deuel Archaeology & CRM in December 2015 (see ***Appendix J***). It was recommended that a Phase 1B subsurface investigation, in the form of shovel testing be conducted for the archeologically sensitive areas. SHPO indicated in their February 25, 2016 letter, they concur with the Phase 1B testing recommendation and concluded they have no building/structural concerns. A specific scope for the Phase 1B investigation has been developed by the GCEDC in consultation with SHPO. Phase 1B work is currently underway. Upon completion of the Phase 1B work, additional survey work, if required, will be undertaken as necessary consistent with the requirements of the Programmatic Agreement.

L. Impacts on Agricultural Resources

1. Summary of Impacts Addressed in the GEIS/Findings

As explained in the GEIS/Findings, full development of STAMP would result in a loss of agricultural use at the Site. The potential loss of future agriculture use of the Site represented less than 1% of the total crop land acres located in Genesee County (*i.e.*, 0.65%), and approximately 1.7% of total cropland acres located in Agricultural District No. 2. There were approximately 148,584.30 acres of crop land located in Genesee County, with approximately 120,365 acres of this total classified as prime farmland. Agricultural District No. 2 encompassed 55,143.18 acres of land located in the Towns of Alabama, Batavia, Elba, Oakfield and Pembroke.

As further noted in the GEIS/Findings, approximately 950 acres of the Site were being used for farming. The total area of prime farmland located within the Site was approximately 275 acres, representing 0.23% of the total prime farmland located in Genesee County and 0.49% of the total prime farmland acreage located in Agricultural District No. 2.

State law requires certification of compliance with §305(4) of the NYS Agriculture and Markets Law for projects encompassing the construction of water or sewer facilities within agricultural districts that serve non-farm structures. (See generally N.Y. Agric. & Mkts. Law §305(4) (McKinney 2016). Following the completion of the GEIS, the GCEDC received approval for STAMP from the NYS Department of Agriculture ("**NYS DOA**") in January, 2014. A letter of certification dated January 22, 2014 from the NYS DOA is attached as ***Appendix E***.

2. **The 1366 Facility**

The development of the 1366 Facility and related infrastructure improvements will displace active agriculture land on the Site with a modern, high-technology manufacturing facility that will consist of a main building and supporting facilities, such as access drives, parking lots, utilities and landscaping. However, the development of the agricultural lands on the 1366 Parcels was thoroughly analyzed in the GEIS/Findings. Accordingly, the impacts to plants and animals from the construction and operation of the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

3. **The Project Changes**

a. **Master Plan Changes/Updates**

(1) **Changes to the Site Plan Layout**

There are no changes to the site plan layout that will impact agricultural resources. The GEIS assumed all agricultural lands within the Project area would eventually be developed. Accordingly, the impacts to agricultural resources from the changes to the site plan layout are adequately addressed in the GEIS/Findings.

(2) **Changes to the TD Zoning Boundaries, Buffers and Regulations**

There are no changes to the TD zoning boundaries, buffers or regulations that will impact agricultural resources. The GEIS assumed all agricultural lands within the Project area would eventually be developed. Accordingly, the impacts to agricultural resources from the changes to the TD zoning boundaries, buffers and regulations are adequately addressed in the GEIS/Findings.

(3) **Timing and Other Changes to the GEIS Master Plan**

The incorporation of the residential properties on the north end of Crosby Road will not result in the addition of any new farmland to the Site. The GEIS assumed all agricultural lands within the Project area would eventually be developed. Accordingly, the impacts to agricultural resources from the timing and other changes to the GEIS Master Plan are adequately addressed in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

There are no material impacts to agricultural resources associated with the demolition of the houses along Crosby Road that were not addressed in the GEIS/Findings. Accordingly, the impacts to agricultural resources from the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

c. **The Town Water Project**

There are no material impacts to agricultural resources associated with the Town Water Project that were not addressed in the GEIS/Findings. In fact, the availability of public water for farming activities may prove to be a benefit to agricultural activities within the Town. In addition, the Project, which included the Town Water Project, has already received approval for STAMP from the NYS DOA in January, 2014 (***Appendix E)***. Accordingly, the impacts to agricultural resources from the Town Water Project are adequately addressed in the GEIS/Findings.

d. **Water Service for STAMP**

There are no material impacts to agricultural resources associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the impacts to agricultural resources from water service for STAMP are adequately addressed in the GEIS/Findings.

e. **Sewer Service for STAMP**

There are no material impacts to agricultural resources associated with sewer service for STAMP. Accordingly, the impacts to agricultural resources from sewer service for STAMP are adequately addressed in the GEIS/Findings. Nonetheless, GCEDC plans to coordinate with NYS DOA to ensure no further agency review is necessary in connection with construction of sewer service for STAMP as this aspect of the Project was unknown at the time that the GCEDC received its certification for the Project (***Appendix E***).

M. <u>Short Term Construction Impacts</u>

1. <u>Summary of Impacts Addressed in the GEIS/Findings</u>

As discussed in the GEIS/Findings, short-term unavoidable impacts would be created during the construction phases for the Project. These impacts would include increased noise and odor, as well as a short-term impact to air associated with demolition activities, soil disturbances and truck movement. Also, during the construction and demolition phases of the Project, construction personnel would be likely to encounter a number of physical hazards typically associated with commercial construction. However, as explained in the GEIS/Findings, all Project demolition and construction would take place within the boundaries of the Site. Thus, the general public's exposure to any Site hazards would be limited. Fencing, signs and barriers

would be utilized around the Site construction area and, where necessary, would delineate excavations and prevent the entry to the Site of unauthorized personnel. Appropriate signs would be posted to inform those entering the Site of potential construction hazards, and appropriate actions would be taken to protect those who do enter the Site. Additionally, the Project would minimize risks to construction personnel by fully complying with applicable OSHA and New York State Labor Law requirements.

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

2. **The 1366 Facility**

Construction of the 1366 Facility and related infrastructure improvements has the potential to result in air quality impacts that will generally consist of fugitive dust and mobile source emissions from construction vehicles and equipment. In addition, construction activities would involve the use of heavy machinery and vehicles that generally produce noise in excess of background noise levels. However, these activities would occur during daylight hours, when noise sensitivity is lowest. All of the construction related impacts associated with the 1366 Facility are well within the contemplated thresholds analyzed in the GEIS/Findings. Accordingly, the construction impacts from the 1366 Facility and related infrastructure improvements are adequately addressed in the GEIS/Findings.

3. **The Project Changes**

a. **Master Plan Changes/Updates**

There are no short-term construction related impacts associated with the Master Plan Changes/Updates that were not addressed in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

As analyzed in the GEIS/Findings, demolition of existing structures will result in short-term impacts to the environment. These impacts may include increased noise and odor, as well as a short-term impact to air associated with structure demolition, soil disturbances and truck movement. Also, during the demolition process, construction personnel are likely to encounter a number of physical hazards that are typically associated with commercial construction. However, as explained in the GEIS/Findings,

all construction and demolition will take place within the boundaries of the Site. Thus, the general public's exposure to any Site hazards will be limited. Additionally, the Project will minimize risks to construction personnel by fully complying with applicable OSHA and New York State Labor Law requirements. Accordingly, short-term construction related impacts associated with the demolition of the houses along Crosby Road are adequately addressed in the GEIS/Findings.

c. **The Town Water Project**

During installation of the water mains and related facilities, air and water quality may be temporarily impacted by construction activities and equipment. Noise levels will also temporarily increase during construction. All such impacts are well within the scope of construction activities analyzed in the GEIS/Findings. Accordingly, the short-term construction related impacts associated with the Town Water Project are adequately addressed in the GEIS/Findings.

d. **Water Service for STAMP**

There are no short-term construction related impacts associated with water service for STAMP that were not addressed in the GEIS/Findings. Accordingly, the short-term construction related impacts associated with water service for STAMP are adequately addressed in the GEIS/Findings.

e. **Sewer Service for STAMP**

During installation of the force main and related facilities, air and water quality may be temporarily impacted by construction activities and equipment. Noise levels will also temporarily increase during construction. The impacts will be temporary and insignificant.

N. Future Conditions and Thresholds

1. Summary of Conditions and Thresholds in the GEIS/Findings

The GEIS/Findings contain certain conditions and thresholds relative to future Project development. Any "Future Project Uses" which was defined as final designs for less-defined Project components, as well as any proposed changes to the more well-defined elements of the Project, and which do not exceed or that conform to these conditions and thresholds would be considered to have been addressed in the DGEIS and would not require any further review pursuant to SEQR.

The Future Conditions and Thresholds set forth in the GEIS/Findings are as follows:

- Maximum buildable site area: 599 acres.
- Maximum building square footage: 6,130,000 sf.
- Wetland impacts and mitigation requirements:

- Maximum wetland impacts: 9.50 acres.
- Minimum existing wetlands to be enhanced, restored, and protected: 112 acres.

- Zoning regulations - TD Zoning Regulations
- Traffic trip generation exceeding 70% of projected trips at project build-out as defined in the *Traffic Impact Analysis*: Maximum of 1,925 trips during the PM peak hour.
- Utility loads at Project build-out:
  - Water: 3,000,000 GPD
  - Sewer: 3,000,000 GPD
  - Electric Power: 185 MW
  - Natural Gas: 318,600 cubic feet per hour

Future Project Uses which exceed, or which do not conform to any of the conditions or thresholds listed above would not be considered to have been addressed by the GEIS process and would need to be evaluated for SEQR compliance (e.g., Amended Findings, Negative Declaration or Supplement to FGEIS).

2. **The 1366 Facility**

The 1366 Facility and related infrastructure improvements do not exceed any of the conditions and thresholds set forth in the GEIS/Findings. Specifically:

- The 1366 Facility and related infrastructure improvements will not cause an exceedance of the maximum buildable Site area established (618.18 acres);

- The 1366 Facility and related infrastructure improvements will not cause an exceedance of the maximum building square footage;

- The 1366 Facility and related infrastructure improvements will not cause an exceedance of wetland impacts examined in the GEIS/Findings;

- The 1366 Facility and related infrastructure improvements will be constructed in compliance with the zoning regulations established by the STAMP TD;

- The 1366 Facility and related infrastructure improvements will not cause traffic trip generation in exceedance of 70% of projected trips established in the GEIS/Findings; and

- The 1366 Facility and related infrastructure improvements will not cause an exceedance of any utility loads established for the Project in the GEIS/Findings.

Accordingly, the construction and operation of the 1366 Facility and related infrastructure improvements will be in conformance with the conditions and thresholds set forth in the GEIS/Findings.

3. **The Project Changes**

a. **Master Plan Changes/Updates**

None of the Master Plan Changes/Updates exceed any of the conditions and thresholds set forth in the GEIS/Findings. Accordingly, the Master Plan Updates/Changes will be in conformance with the conditions and thresholds set forth in the GEIS/Findings.

b. **Demolition of the Houses Along Crosby Road**

The demolition of the houses along Crosby Road will not exceed any of the conditions and thresholds set forth in the GEIS/Findings. Accordingly, the demolition of the houses along Crosby Road will be in conformance with the conditions and thresholds set forth in the GEIS/Findings.

c. **The Town Water Project**

The Town Water Project will not exceed any of the conditions and thresholds set forth in the GEIS/Findings. Accordingly, the Town Water Project will be in conformance with the conditions and thresholds set forth in the GEIS/Findings.

d. **Water Service for STAMP**

The water service for STAMP will not exceed any of the conditions and thresholds set forth in the GEIS/Findings. Accordingly, the water service for STAMP will be in conformance with the conditions and thresholds set forth in the GEIS/Findings.

e. **Sewer Service for STAMP**

The sewer service for STAMP, which will now be provided via a force main to the Medina WWTF rather than via an on-Site WWTP, although a different method that was contemplated in the GEIS/Findings, will not exceed any of the conditions and thresholds set forth in the GEIS/Findings. In fact, the threshold for sewer will be reduced from 3 MGD to 1 MGD, as this is the volume that the Medina WWTF can handle without significant upgrades to its treatment plant. Accordingly, the sewer service for STAMP will be in conformance with the conditions and thresholds set forth in the GEIS/Findings.

O. Incomplete GEIS/Findings Mitigation

1. Long Term Management Plan

As part of GCEDC's plan for mitigation to avoid and/or minimize any potential impacts to the terrestrial and aquatic ecologies, the GCEDC Findings required the preparation of a LTMP. The Town Board Findings required preparation of the LTMP prior to any site plan approvals for use in the review of future Site development. To date, the LTMP has not be finalized, and it is not anticipated that it will be complete prior to initial Site Plan approvals for the Project. In order to ensure that there are no adverse impacts associated with the development of the 1366 Parcels, the GCEDC has proposed deed restrictions and/or conservation easements to further protect Conservation Lands in accordance with the goals of the LTMP. This is being implemented relative to the 1366 Parcels even though the LTMP is still being developed. These restrictions will help to protect Conservation Lands on the Site from being impacted by future development. A sample deed restriction, as used by the GGLDC in another project, is attached hereto as ***Appendix X***. The GCEDC will also work closely with the Town, and will undertake site plan review for any component of the Project in accordance with the goals set forth by the LTMP. Accordingly, there will be no adverse impact due to the fact that the LTMP has not been completed.

2. Farmland Protection Plan

The GCEDC Findings and the Town Board Findings require the GCEDC to assist the Town with implementing one or more strategies in the FPSR. To date, a committee has been formed, and is in the early stages of development and exploration of options and programs as outlined in the DGEIS, the FPSR and other sources. The formation of this committee was identified as a protection strategy in the FPSR and thus, the Town has now implemented at least one protection strategy from the FPSR. Nonetheless, the GCEDC will continue to work with the Town to advance farmland protection in the Town.

3. Comprehensive Plan Update

As agreed upon in the IZA, the GCEDC is tasked with assisting the Town with updating its comprehensive plan. To date, the GCEDC has secured a grant on behalf of the Town in order to cover a portion of the cost for the update, which is anticipated to be completed in full in 2016. The need for a comprehensive plan update emerged from the Town's concerns about potential long-term development pressure from STAMP on the rest of the Town. The implementation of the first phase of the 1366 Facility will produce limited development pressure on the Town. Moreover, the Town has imposed a moratorium on the issuance of commercial building permits outside of the Site until the comprehensive plan update is complete. Thus, there will be no adverse impacts from moving forward with initial development at STAMP before the comprehensive plan update has been completed.

4. Design Guidelines

Design standards for buildings to be constructed at STAMP have been discussed between the Town and the GCEDC for several years. In the FGEIS, in response to a comment about design guidelines, the GCEDC noted an intent to form an Architectural Review Committee that would develop design standards for the Site. In the IZA, the Town zoning regulations for the Site provide that any development within any Technology District shall conform to the Town of Alabama's Design Guidelines, a copy of which are attached hereto as ***Appendix W.***

Since the Town adopted its Design Guidelines for STAMP, the GCEDC has formed an Architectural Review Board comprised of a representative from GCEDC and an architect from GCEDC's engineering firm, Clark Patterson & Lee. The Director of the County Department of Planning is also serving on the Committee. In order to help the community understand what specific types of buildings may be constructed at STAMP consistent with the Town's design guidelines, the Committee has developed a series of photographic renderings with explanatory narrative for each of the three TD districts at the Site. See ***Appendix R***. The Committee and the Town have met to discuss the renderings and intend to continue to work together to develop more detailed standards for each of the TDs. In order to ensure that there are no adverse impacts resulting from moving forward with initial development at STAMP prior to development of more specific design guidelines, the Town and the GCEDC have agreed to work closely with 1366 Technologies through the site plan review process to develop a site plan that is consistent with the goals that both the Town and the GCEDC seek to achieve through more specific design guidelines. For the 1366 Facility, particular attention will be paid to building materials visible from public rights of way and landscaping and screening measures.

P. Unavoidable Adverse Impacts

1. Summary of Impacts Addressed in the GEIS/Findings

As discussed in the GEIS/Findings, with respect to the Project, certain short-term and long-term unavoidable adverse impacts were identified. These included:

- Potential Short-term Unavoidable Impacts

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

- Potential Long-term Unavoidable Impacts

Certain long-term unavoidable impacts may result from the full build-out of the Project. Some of these impacts would be mitigated through the measures identified in these GEIS/Findings. Such impacts include:

o Loss of Property

The Project would represent a permanent impact on the use of land dedicated to the Project. However, over half of the total acreage would be set aside for the protection of the wetlands, surface waters, ecologically sensitive areas and recreation and open space areas that exist on the Site.

o Loss of Agricultural Use on Site

Despite the goal of maintaining as much open space as possible on the Site, once the Project is developed, the opportunities for future active farming on the Site would be lost on an incremental basis. The potential loss of future agricultural use at the Site represented less than 1% of the total cropland acres located in Genesee County, and approximately 1.7% of total cropland acres located in Ag District No. 2. In return for this minimal loss of cropland, the Project would create approximately 9,330 high-paying technology-related direct jobs at the Site and would become a significant net contributor to the local economy.

o Permanent Use of Energy

The full build-out of the Project would result in the Project utilizing on a permanent basis certain energy resources including electricity and natural gas. However, the estimated consumption was well within the capacity of the energy sources. In addition, the Project lies within the Niagara Hydro Power Zone which would provide a low-cost renewable source of energy for the Project.

o Altered Habitats for Non-Endangered Plant and Animal Species

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

o Impacts to Aquatic Resources

The full build-out of the Project would result in the unavoidable loss of wetland and associated headwater stream habitat, most of which was identified as low quality

due to degradation by past and current land use at the Site. Compensation for these impacts would be provided by implementation of a mitigation strategy that would enhance, restore, and protect wetlands and streams of equal or greater value on and off the Site. Any temporal loss of aquatic resource functions and services would be buffered by the ecological resilience of the surrounding watershed.

- Impacts to Existing Traffic Patterns

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

2. **The 1366 Facility**

The development of the 1366 Facility and related infrastructure improvements will result in several unavoidable adverse impacts including short-term unavoidable construction impacts, use of real property, loss of agricultural use on the Site, consumption of energy and the resources that go into making that energy, altered habitats on-Site, and impacts to existing traffic patterns. These impacts are consistent with the analysis of unavoidable adverse impacts in the GEIS/Findings. Accordingly, the development of the 1366 Facility and related infrastructure improvements will be carried out in conformance with the analysis of unavoidable adverse impacts set forth in the GEIS/Findings.

3. **The Project Changes**

a. **Master Plan Changes/Updates**

The Master Plan Changes/Updates will not result in any material changes to unavoidable adverse impacts as discussed in the GEIS/Findings. Accordingly, the Master Plan Updates/Changes will be in conformance with the analysis of unavoidable adverse impacts set forth in the GEIS/Findings

b. **Demolition of the Houses Along Crosby Road**

The demolition of the houses along Crosby Road will result in some unavoidable adverse impacts including short-term unavoidable construction impacts, use of real property and consumption of energy. These impacts are consistent with the analysis of unavoidable adverse impacts in the GEIS/Findings. Accordingly, the demolition of the houses along Crosby Road will be in conformance with the analysis of unavoidable adverse impacts set forth in the GEIS/Findings.

c. **The Town Water Project**

The installation of the Town Water Project will result in several unavoidable adverse impacts including short-term unavoidable construction impacts, use of real

property, impacts to water resources and consumption of energy and the resources that go into making that energy. These impacts are consistent with the analysis of unavoidable adverse impacts in the GEIS/Findings. Accordingly, the Town Water Project will be in conformance with the analysis of unavoidable adverse impacts set forth in the GEIS/Findings.

d. **Water Service for STAMP**

The consumption of water supplies for STAMP is consistent with the analysis of unavoidable adverse impacts in the GEIS/Findings. Accordingly, the water service for STAMP will be in conformance with the analysis of unavoidable adverse impacts set forth in the GEIS/Findings.

e. **Sewer Service for STAMP**

The installation of sewer service for STAMP will result in several unavoidable adverse impacts including short-term unavoidable construction impacts, use of real property, impacts to water resources and consumption of energy and the resources that go into making that energy. These impacts are consistent with the analysis of unavoidable adverse impacts in the GEIS/Findings. Accordingly, the sewer service for STAMP will be in conformance with the analysis of unavoidable adverse impacts set forth in the GEIS/Findings.

VII. **Conclusions**

A thorough analysis of the environmental impacts of the 1366 Facility and the Project Changes relative to the environmental impacts identified and analyzed in the GEIS/Findings demonstrate that:

1. The impacts associated with the construction and operation of the 1366 Facility and related infrastructure improvements have been adequately analyzed in the GEIS/Findings and will be carried out in conformance with the conditions and thresholds set forth in the GEIS/Findings.

2. The impacts associated with the Master Plan Changes/Updates have been adequately analyzed in the GEIS/Findings and will be carried out in conformance with the conditions and thresholds set forth in the GEIS/Findings.

3. The impacts associated with the Demolition of the Houses Along Crosby Road have been adequately analyzed in the GEIS/Findings and will be carried out in conformance with the conditions and thresholds set forth in the GEIS/Findings.

4. The impacts associated with the Town Water Project were not analyzed in the GEIS/Findings. However, there will be no significant adverse environmental impacts associated with the Town Water Project and the Town Water Project will be carried out in conformance with the conditions and thresholds set forth in the GEIS/Findings.

5. The impacts associated with the Water Service for STAMP have been adequately analyzed in the GEIS/Findings and will be carried out in conformance with the conditions and thresholds set forth in the GEIS/Findings.

6. The impacts associated with the Sewer Service for STAMP were not analyzed in the GEIS/Findings. However, there will be no significant adverse environmental impacts associated with providing sewer service for STAMP from the Medina WWTF and Sewer Service for STAMP will be carried out in conformance with the conditions and thresholds set forth in the GEIS/Findings.

7. The impacts associated with the listing of the NLE Bat as a threatened species were not analyzed in the GEIS/Findings. However, there will be no significant adverse impacts to the NLE Bat as a result of the Project and the listing of the NLE Bat as a Threatened Species under State and Federal law does not exceed any of the conditions and thresholds set forth in the GEIS/Findings.

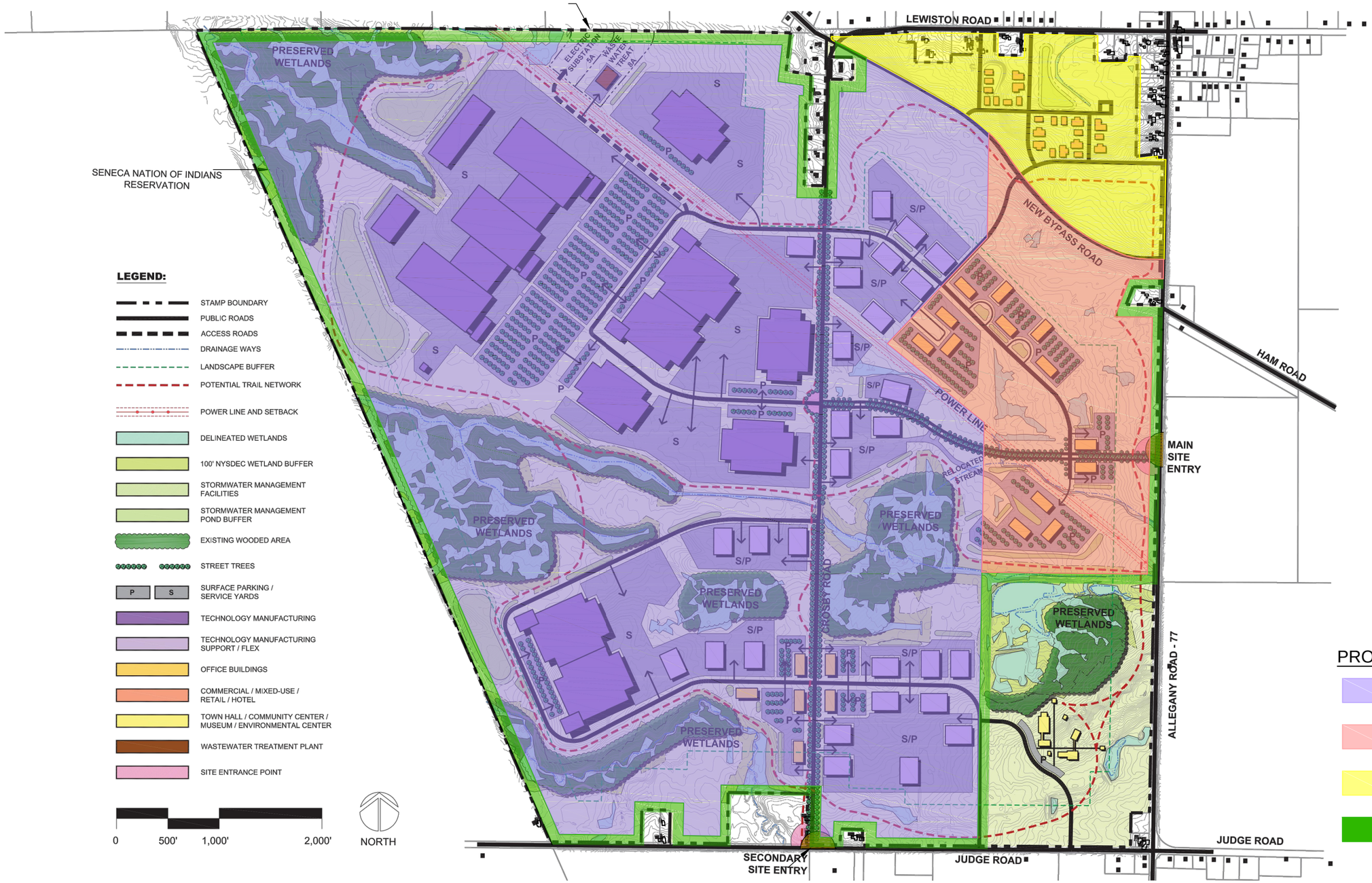


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FIGURE 1-1: PROPOSED ZONING MAP

WNY SCIENCE AND TECHNOLOGY ADVANCED MANUFACTURING PARK (STAMP)

JUNE 2014

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FIGURE 1-2: STAMP - UPDATED MASTER BUILD OUT PLAN

WNY SCIENCE AND TECHNOLOGY ADVANCED MANUFACTURING PARK (STAMP)

JUNE 23, 2016

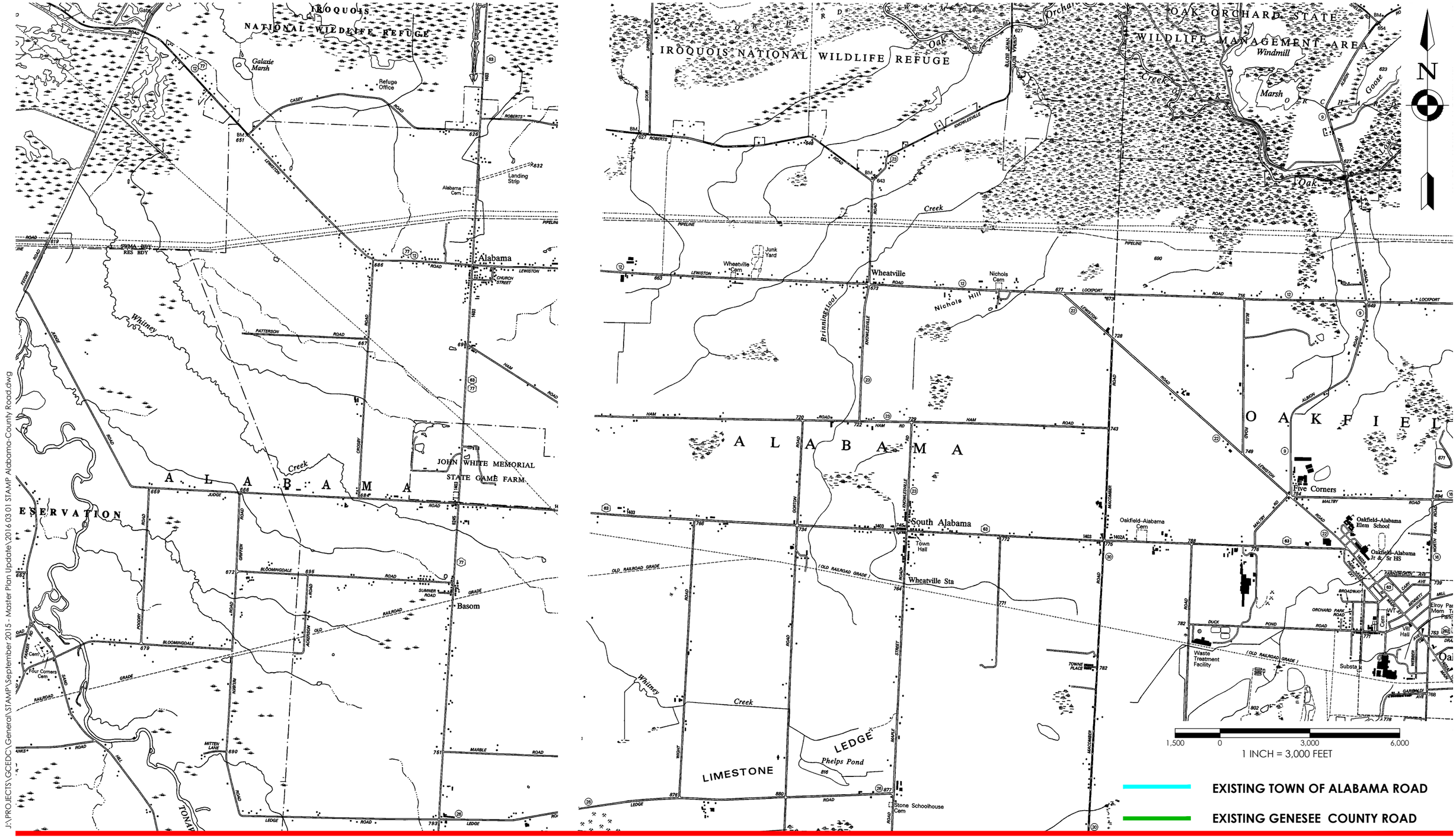

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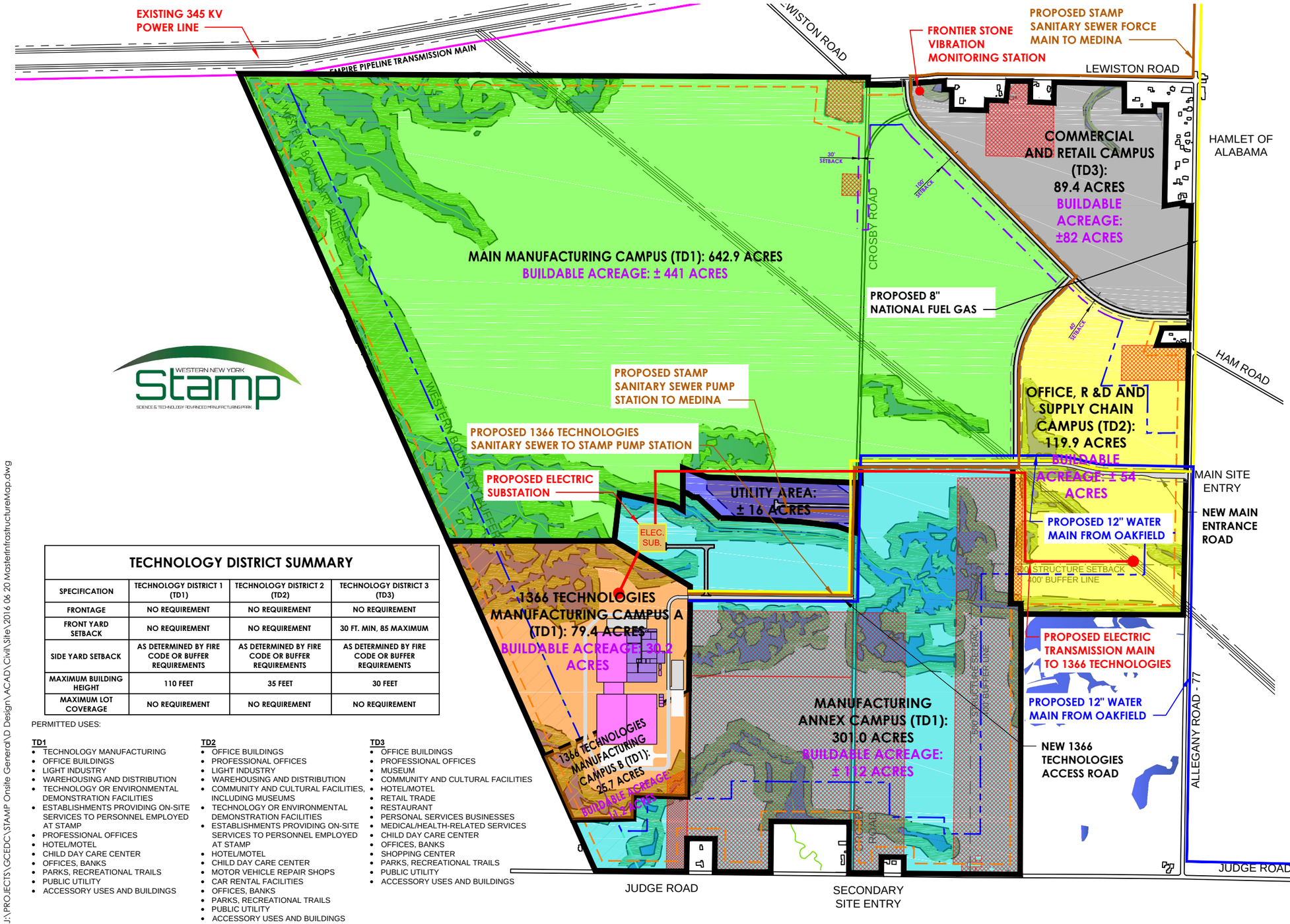
FIGURE 2-1: STAMP - TOWN OF ALABAMA/ GENESEE COUNTY ROAD SWAP

WNY SCIENCE AND TECHNOLOGY ADVANCED MANUFACTURING PARK (STAMP)

JUNE 20, 2016



LEGEND

- STAMP BOUNDARY
- WESTERN BOUNDARY BUFFER
- PUBLIC ROADS
- DRAINAGE WAYS
- 100' AG RESIDENTIAL BUFFER
- 300' OPEN SPACE BUFFER
- 500' STRUCTURE SETBACK
- ZONING SETBACK
- DELINEATED WETLANDS
- PROPOSED AQUATIC SOURCE MITIGATION
- STORMWATER MANGEMENT FACILITIES
- STREET TREES
- P S SURFACE PARKING / SERVICE YARDS
- TECHNOLOGY MANUFACTURING SUPPORT / FLEX BUILDINGS
- OFFICE BUILDINGS
- COMMERCIAL / MIXED USE / RETAIL
- SITE ENTRANCE POINT
- PROPERTY NOT CURRENTLY OWNED
- PROPOSED WATER SUPPLY
- PROPOSED SANITARY SEWER
- PROPOSED NATURAL GAS SUPPLY
- PROPOSED ELECTRIC SERVICE

TECHNOLOGY DISTRICT SUMMARY

SPECIFICATION	TECHNOLOGY DISTRICT 1 (TD1)	TECHNOLOGY DISTRICT 2 (TD2)	TECHNOLOGY DISTRICT 3 (TD3)
FRONTAGE	NO REQUIREMENT	NO REQUIREMENT	NO REQUIREMENT
FRONT YARD SETBACK	NO REQUIREMENT	NO REQUIREMENT	30 FT. MIN, 85 MAXIMUM
SIDE YARD SETBACK	AS DETERMINED BY FIRE CODE OR BUFFER REQUIREMENTS	AS DETERMINED BY FIRE CODE OR BUFFER REQUIREMENTS	AS DETERMINED BY FIRE CODE OR BUFFER REQUIREMENTS
MAXIMUM BUILDING HEIGHT	110 FEET	35 FEET	30 FEET
MAXIMUM LOT COVERAGE	NO REQUIREMENT	NO REQUIREMENT	NO REQUIREMENT

PERMITTED USES:

TD1
- TECHNOLOGY MANUFACTURING
- OFFICE BUILDINGS
- LIGHT INDUSTRY
- WAREHOUSING AND DISTRIBUTION
- TECHNOLOGY OR ENVIRONMENTAL DEMONSTRATION FACILITIES
- ESTABLISHMENTS PROVIDING ON-SITE SERVICES TO PERSONNEL EMPLOYED AT STAMP
- PROFESSIONAL OFFICES
- HOTEL/MOTEL
- CHILD DAY CARE CENTER
- OFFICES, BANKS
- PARKS, RECREATIONAL TRAILS
- PUBLIC UTILITY
- ACCESSORY USES AND BUILDINGS

TD2
- OFFICE BUILDINGS
- PROFESSIONAL OFFICES
- LIGHT INDUSTRY
- WAREHOUSING AND DISTRIBUTION
- COMMUNITY AND CULTURAL FACILITIES, INCLUDING MUSEUMS
- TECHNOLOGY OR ENVIRONMENTAL DEMONSTRATION FACILITIES
- ESTABLISHMENTS PROVIDING ON-SITE SERVICES TO PERSONNEL EMPLOYED AT STAMP
- HOTEL/MOTEL
- CHILD DAY CARE CENTER
- MOTOR VEHICLE REPAIR SHOPS
- CAR RENTAL FACILITIES
- OFFICES, BANKS
- PARKS, RECREATIONAL TRAILS
- PUBLIC UTILITY
- ACCESSORY USES AND BUILDINGS

TD3
- OFFICE BUILDINGS
- PROFESSIONAL OFFICES
- MUSEUM
- COMMUNITY AND CULTURAL FACILITIES
- HOTEL/MOTEL
- RETAIL TRADE
- RESTAURANT
- PERSONAL SERVICES BUSINESSES
- MEDICAL/HEALTH-RELATED SERVICES
- CHILD DAY CARE CENTER
- OFFICES, BANKS
- SHOPPING CENTER
- PARKS, RECREATIONAL TRAILS
- PUBLIC UTILITY
- ACCESSORY USES AND BUILDINGS

100 FOOT AG RESIDENTIAL BUFFER USES:
- ACCESS DRIVES AND UTILITY RUNS CAN CROSS
- APPROVED LANDSCAPING
- SIGNS

300 FOOT OPEN SPACE BUFFER USES:
- ANYTHING ALLOWED IN THE 100 FOOT AG RESIDENTIAL BUFFER
- FENCING
- UTILITIES/UTILITY RELATED USES (INCLUDES SUBSTATIONS, SOLAR PANELS AND STORM WATER PONDS)

J:\PROJECTS\GCEDC\STAMP Onsite General\D Design\ACAD\Civil\Site\2016 06 20 MasterInfrastructureMap.dwg

FIGURE 4-1: 1366 TECHNOLOGIES - PHASE 1 INFRASTRUCTURE PLAN

WNY SCIENCE AND TECHNOLOGY ADVANCED MANUFACTURING PARK (STAMP)

JUNE 7, 2016

FIGURE 4-2: STAMP - REFINED BUILDABLE AREA

WNY SCIENCE AND TECHNOLOGY ADVANCED MANUFACTURING PARK (STAMP)

JUNE 7, 2016

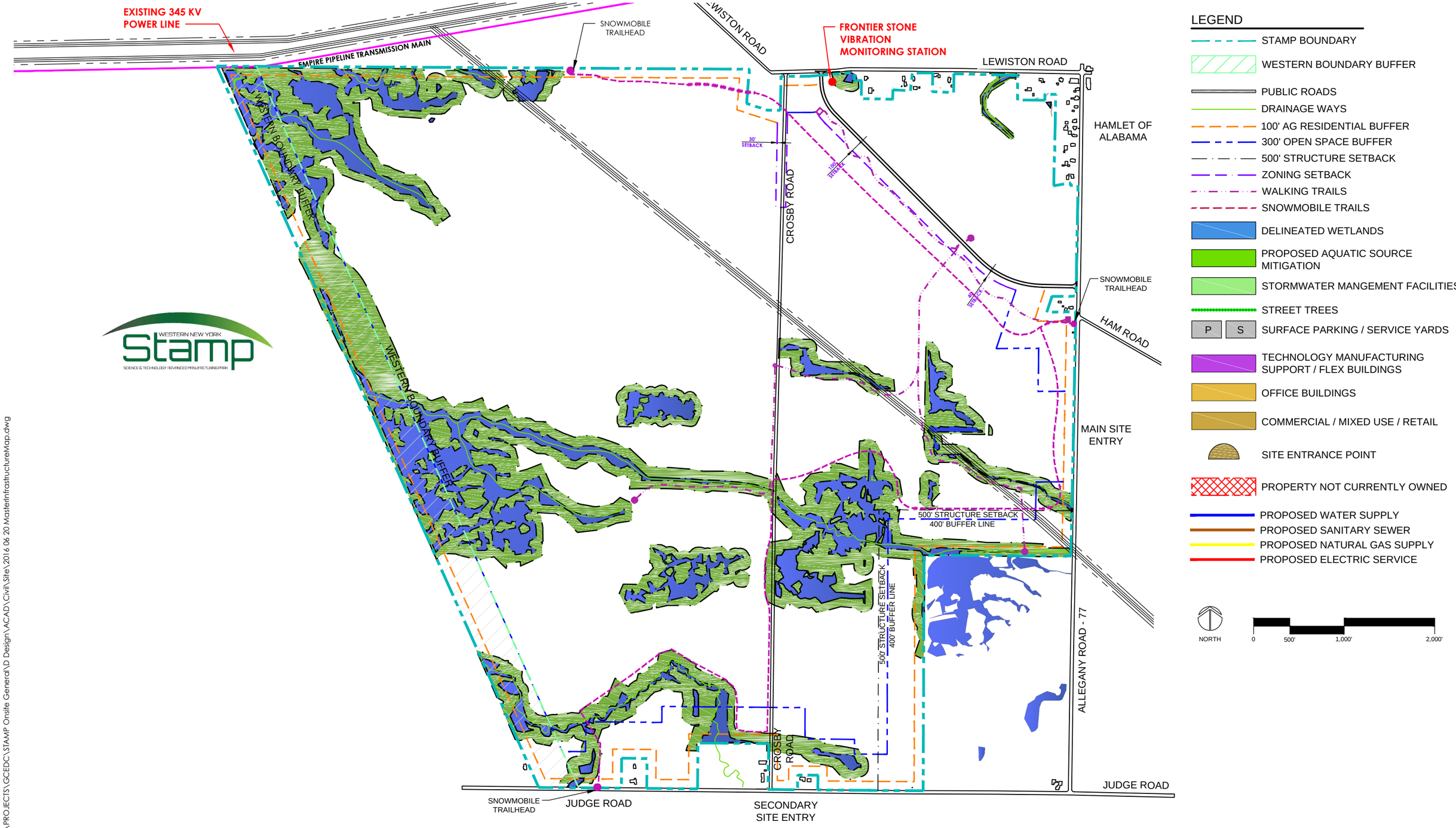


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FIGURE 4-3: STAMP - TRAIL NETWORK

WNY SCIENCE AND TECHNOLOGY ADVANCED MANUFACTURING PARK (STAMP)

JUNE 7, 2016

REVISIONS				
NO.	DATE	BY	CHKED	DESCRIPTION

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GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER

TOWN OF ALABAMA GENESEE COUNTY COUNTY NEW YORK STATE

DATE:	4/26/16
DRAWN:	ZLA
DESIGNED:	ARK
CHECKED:	TAC
SCALE:	1"=30'

WNY SCIENCE ADVANCE MANUFACTURING AND TECHNOLOGY PARK

FIGURE 4-4: STAMP - REALIGNED BYPASS ROAD

PROJECT NUMBER 12498.40

DRAWING NUMBER FIG 4-4

Referenced Drawings: None
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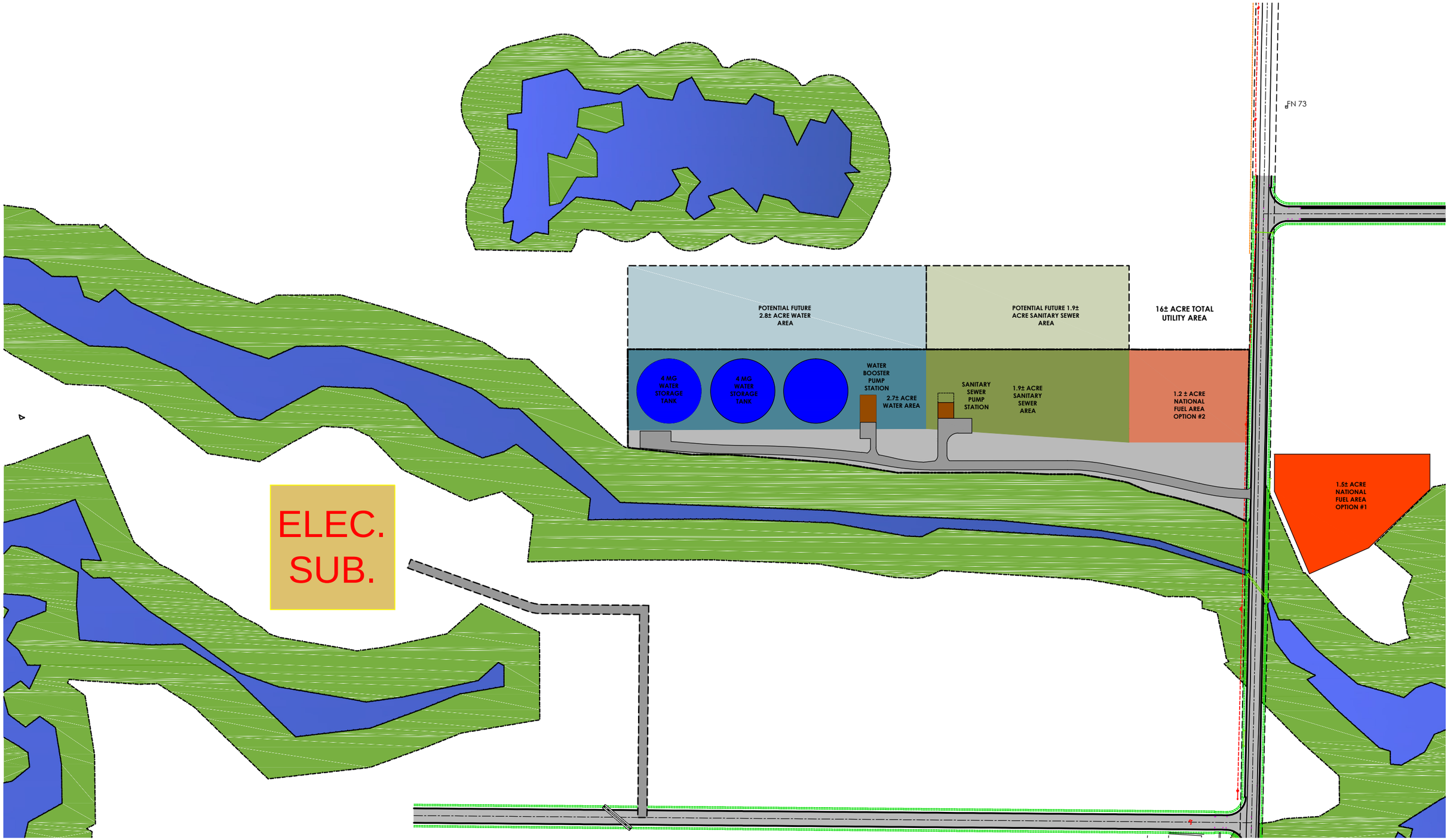
Date last plotted: 6/21/2016 4:12 PM
Plotted By: Andrew Kasa



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UTILITY PARCEL CONCEPT

FIGURE 4-5

PROJECT NUMBER 12498.40

DRAWING NUMBER FIG. 4-5

Referenced Drawings: STAMP Basemap.STAMP Design-Full Site-Option#1 STAMP Basemap CPL22x34 STAMP Design-Full Site-Option#1 STAMP Basemap CPL11x17 STAMP Design-Full Site-Option#1
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Plotted By: Andrew Kosa

Date last plotted: 6/20/2016 4:57 PM

Date last accessed: 6/3/2016 2:53 PM

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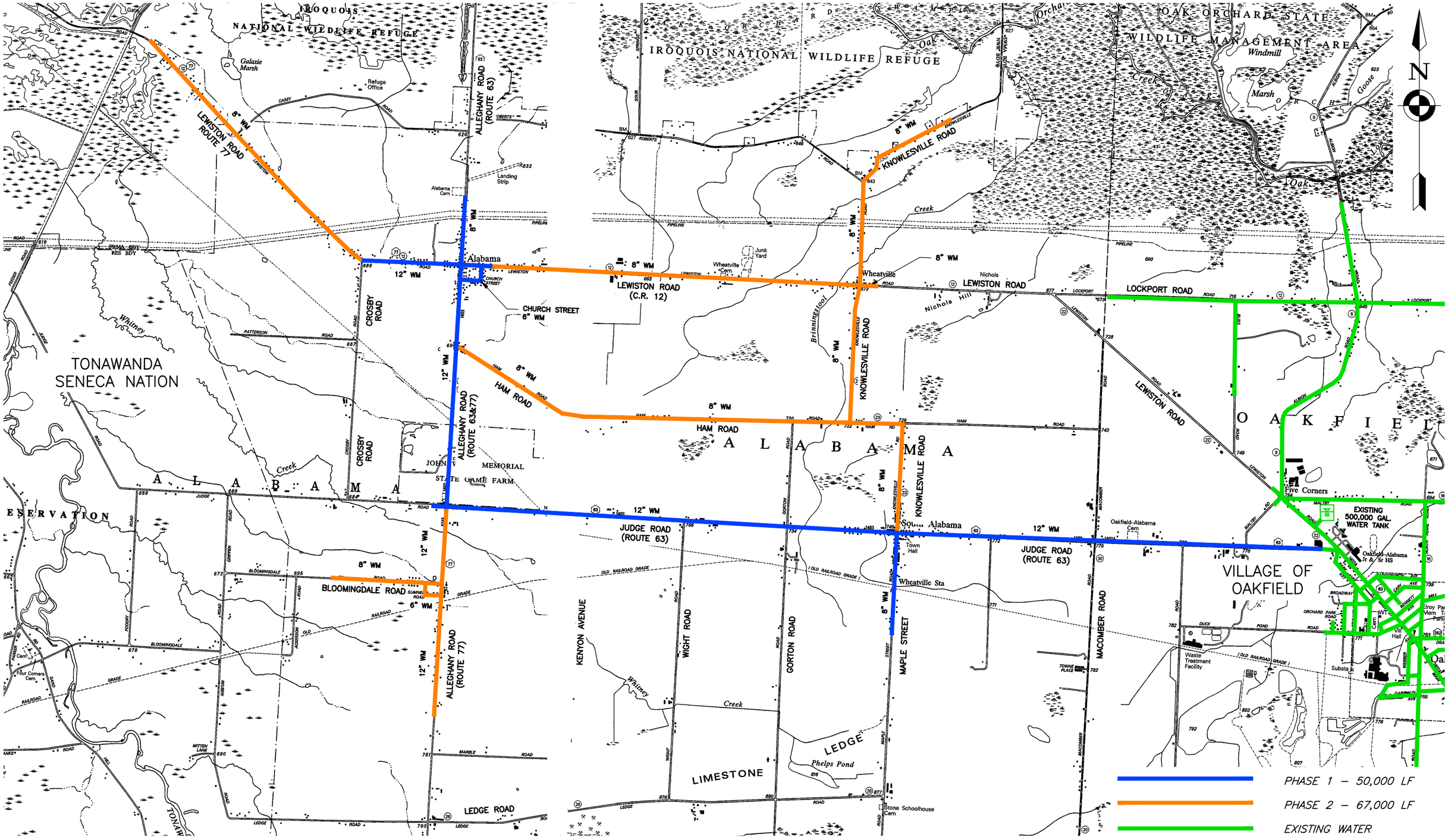

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TOWN OF ALABAMA GENESEE COUNTY NEW YORK STATE

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SCALE:	1"=3,000'

SCIENCE AND TECHNOLOGY ADVANCE MANUFACTURING PARK (STAMP)

TOWN OF ALABAMA WATER PROJECT PHASING

PROJECT NUMBER 12498.20

DRAWING NUMBER FIG-4-6

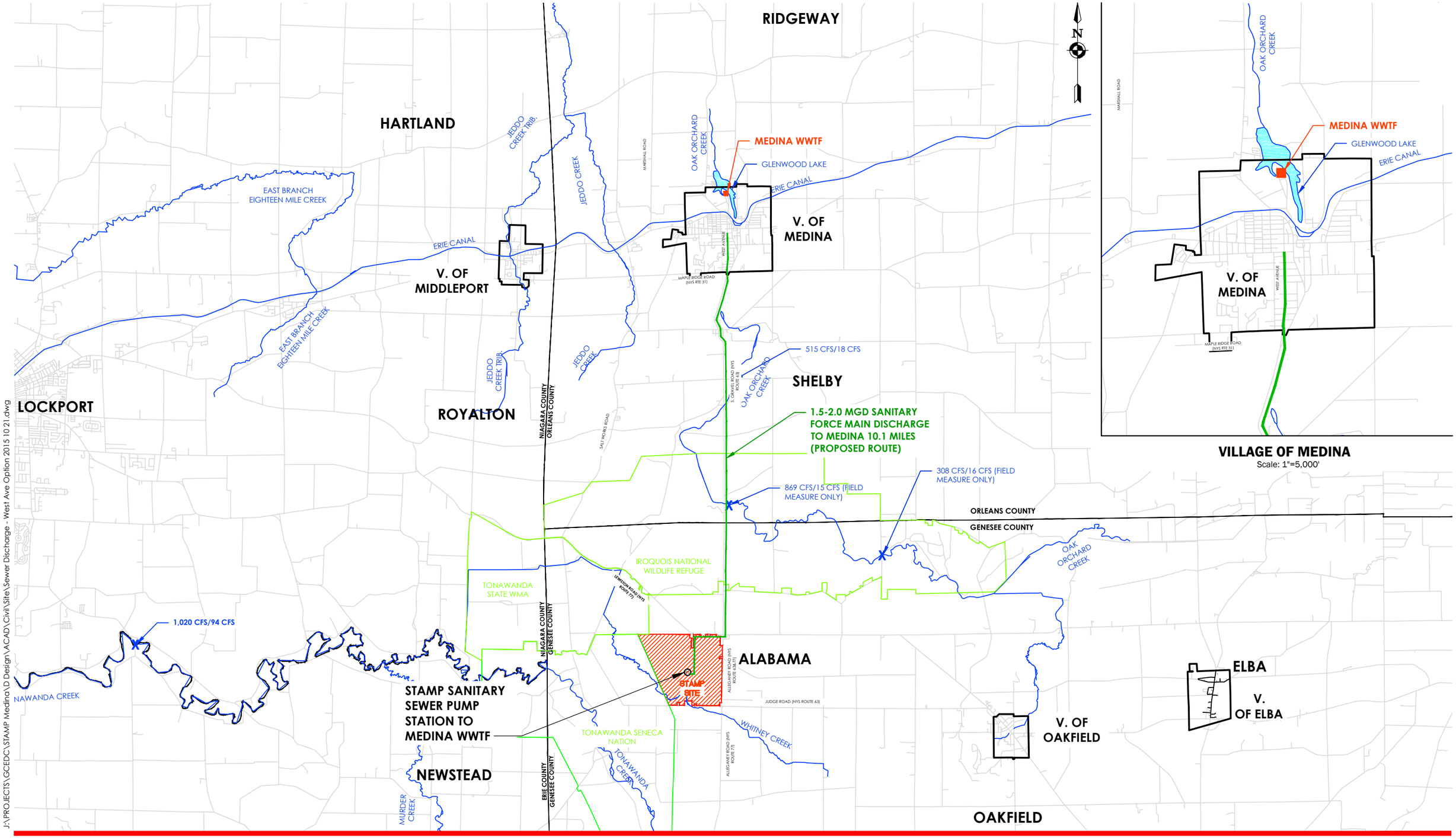
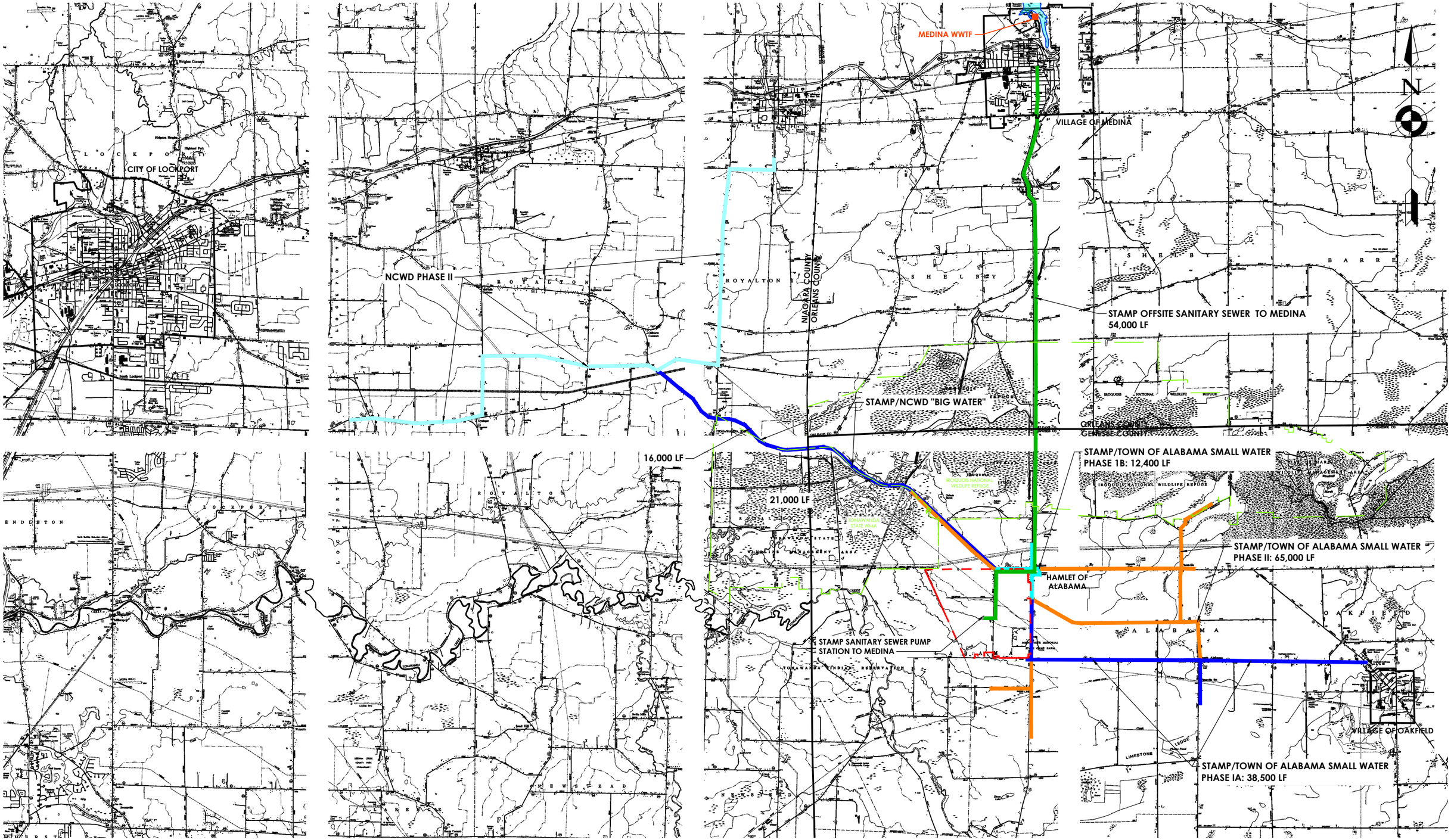


FIGURE 4-7: STAMP MEDINA OFFSITE SEWER FORCE MAIN ROUTE

WNY SCIENCE AND TECHNOLOGY ADVANCED MANUFACTURING PARK (STAMP)

JUNE 2016



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Referenced Drawings: None

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CHECKED:	TAC
SCALE:	1"=8,000'

WNY SCIENCE TECHNOLOGY AND ADVANCE MANUFACTURING PARK

FIGURE 4-8: OFFSITE INFRASTRUCTURE

PROJECT NUMBER 12498.00

DRAWING NUMBER FIG 4-8