Executive Summary

I. Introduction

The Buffalo Bills ("**Team**"), Western New York's National Football League ("**NFL**") franchise team, is currently housed at Highmark Stadium ("**Existing Stadium**") located on the east side of Abbott Road between Big Tree Road and Southwestern Boulevard on an approximately 113.35 acre parcel of land in the Town of Orchard Park ("**Orchard Park**") in Erie County ("**County**"), New York. The Existing Stadium is part of a larger approximately 186.6 acre complex, comprised of SBLs 161.00-5-3.1, 161.00-5-16.1, 161.17-6-1, 161.17-6-3, 161.17-6-4.2, 161.17-6-10, that includes other Team facilities including surface parking lots on the west side of Abbott Road ("**Existing Stadium Complex**"). Across Abbott Road, on approximately 160 acres of land, lies the State University of New York ("**SUNY**") Erie Community College South Campus ("**ECC Campus**").

The Existing Stadium Complex is owned by the County and leased to the Erie County Stadium Corporation ("**ECSC**"), which, in turn, subleases the Existing Stadium Complex to the Team. A 2013 Master Lease for the Existing Stadium Complex expires on July 30, 2023, but can be extended on a year-to-year basis.

As the Existing Stadium approaches the end of its useful life, the Team is proposing to demolish the Existing Stadium, and to construct and operate a new stadium facility ("**New Stadium**"), on the west side of Abbott Road ("**Project**"). An approximately 55.94 acre section of the ECC Campus would be added to the Existing Stadium Complex to create an approximately 242.54 acre Team complex ("**New Stadium Complex**"). The New Stadium provides for the continued use of the ADPRO training facility, practice fields and offices that are part of the Existing Stadium Complex. In addition to the New Stadium Complex, certain parking areas and driveways on the ECC Campus have been included within the Project site for a total Project Site of approximately 284 acres of land ("**Project Area**" or "**Site**").

A. <u>Project Background</u>

Section I.A discusses the decades-long history of the Existing Stadium and the background of the Project. The Existing Stadium opened in 1973 as an 80,000+/- seat facility with 20,089 surface parking spaces in and around the Existing Stadium Complex. Although the Existing Stadium structure has undergone several rounds of capital improvements and upgrades over the years, it is approaching the end of its useful life, particularly in light of changes in NFL stadium requirements over the last 50 years.

The Team, ECSC, and the County ("**Parties**") are parties to a Memorandum of Understanding ("**MOU**") dated March 29, 2022. The MOU sets forth certain proposed actions planned by each of the Parties regarding the construction and operation of a New Stadium. Furthermore, there will be a Community Benefits Agreement ("**CBA**") to help ensure that the New Stadium will benefit not only the Team, but all segments of the local community including historically underserved communities within the County.

The New Stadium will be located adjacent to the Existing Stadium across Abbott Road with an open-air field and covered seating capacity of approximately 60,100, with finishes, amenities, and concourses comparable to recently constructed NFL stadiums. A new ancillary building of approximately 75,000 sf will be constructed on the Team Member Lot, for New Stadium maintenance, overflow, and staging purposes. The anticipated total project budget, including demolition of the Existing Stadium, infrastructure, and parking is $1.4B. ECSC will contribute $600M to the Project, and the County will contribute $250M. Finally, the Team will contribute the remainder of the Project budget and will bear the monetary risk related to any cost overruns beyond the $1.4B Project budget.

B. Detailed Project Description

Section I.B gives a detailed description of the Project, as well as its goals, objectives, and constraints. The New Stadium will be located on the Existing Stadium Complex portion of the Site west of Abbott Road, directly across from the Existing Stadium, as well as a 55.94 acre portion of the ECC Campus. No structures actively utilized by the ECC Campus for community college use or purposes will be demolished in connection with the Project. Along with the New Stadium, an approximately 75,000 sf auxiliary building, for maintenance, media, overflow and staging purposes, will be constructed south of the New Stadium.

Construction of the New Stadium is expected to begin in the Spring of 2023 and last for approximately 34 months with a targeted opening date in time for the 2026 NFL season. Once construction of the New Stadium is complete, the Existing Stadium will be demolished. No existing parking spaces at the Existing Stadium Complex are expected to be made unavailable during the demolition of the Existing Stadium. After construction of the New Stadium, the Project will include the transfer of fee title of the Existing Stadium Complex and approximately 55.94 acres of 4196 Abbott Road associated with the ECC Campus, all within the Town of Orchard Park, from the County to ECSC. ECSC will then lease the entire New Stadium Complex directly to the Team.

C. SEQRA

Section I.C details the SEQRA process undertaken for the Project. Under the State Environmental Quality Review Act ("**SEQRA**"), prior to an agency undertaking or approving a project, it must consider the potential environmental impacts of a proposed project. On July 1, 2022, Erie County ("**Legislature**"), declared its intent to act as lead agency and conduct a coordinated SEQRA review with all interested and involved agencies by circulating a Notice of Coordinated Review and Intent to Act as Lead Agency ("**Lead Agency Notice**"), which formally started the coordinated review process.

A Public Scoping Meeting was held on July 14, 2022, to collect public comments regarding the scope of review for the New Stadium Complex for SEQRA process purposes. All public comments received regarding the Project (**"Public Comments**"), as well as responses to the Public Comments. In addition, a Public Hearing will be held on October 27, 2022, at 6pm at the Orchard Park Community Activity Center, located at 4600 California Rd, Orchard Park, NY 14127, to receive additional public input on the Project and the materials contained herein.

II. Environmental Setting

Section II details the Project's setting, including an analysis of alternative sites for the Project. Land situated west of Abbott Road, across the street from the Existing Stadium, was selected by the Team as the Site for the New Stadium. This land includes a portion of the Existing Stadium Complex on the west side of Abbott Road, along with a portion of the ECC Campus currently containing the Team Member Lot, a underutilized athletic field and lawned/vegetated areas. This portion of ECC land has been determined by the ECC Board of Trustees to be no longer useful or required for community college use and purposes.

In considering the location for the New Stadium, several alternatives were evaluated by the Team over nearly a decade, from 2013 to 2022. In consideration of a myriad of factors including but not limited to existing Team facilities and infrastructure on and around the Existing Stadium Complex, difficulty of land acquisition, land use compatibility, timing implications, and cost, the Team decided to locate the New Stadium in close proximity to the Existing Stadium Complex.

A. The Existing Stadium Complex

i. General Description

Section II.A.i provides a general description of the Existing Stadium's history. The Existing Stadium Complex is approximately 186.6 acres and is an open air stadium with

a maximum capacity of approximately 70,021 seats. The Existing Stadium Complex currently has approximately 9,731 parking spaces on-Site that are available for game day operations. Additional parking is provided on the ECC Campus, as well as secondary and tertiary lots located around the Site that are available to the general public, which are privately owned by the surrounding neighborhood residents and businesses.

ii. Baseline Conditions

Section II.A.ii provides a summary of baseline conditions on the Site. There are nine aboveground storage tanks and one underground storage tank in the Existing Stadium Complex, located just north of the Commissary Building. None of the tanks have any evidence of staining or release.

There are mostly impervious surfaces on the Existing Stadium Complex consisting of the Existing Stadium, the parking lots, the additional buildings, sidewalks, sheds, patios, gravel, and driveways. The majority of the Existing Stadium Complex is not being treated by existing stormwater management practice. The Existing Stadium Complex is not located in a designated floodway, a 100-year floodplain, or a 500-year floodplain.

Groundwater is in or within a few feet of the weathered rock layer near the Existing Stadium Complex, approximately between El. 740 and 750. Groundwater generally flows downward toward Smoke Creek.

Ambient Air Quality Standards for Erie County indicate that air quality is in attainment for both Federal and State standards. Additionally, the traffic generated in the Existing Stadium Complex is not of quantity and type to significantly affect associated vehicle pollutants, such as lead and carbon monoxide.

There are no significant natural communities or listed species in the vicinity of the Existing Stadium Complex.

The Existing Stadium Complex contains two (2) Map Documented Structure (MDS) locations and a Native American cemetery location in close proximity to each other, the Benzinger House Ellis Village Cemetery ("**Ellis Site**") and Ellis Native American Cemetery Site (USN-02921.000413).

The Existing Stadium Complex is serviced by Erie County Water Authority ("**ECWA**"). Based on flow test results provided by ECWA, it appears the pressure and flow is relatively low. The Existing Stadium Complex has private sanitary mains located along the southeast portion of the complex. The final outlet main is located in ECSD #3 and ultimately discharges to the Southtowns Advanced Waste Water Treatment Plant.

Electric supply for the Existing Stadium Complex utilizes one (1) incoming 35 kV service feeder from New York State Electric and Gas (**NYSEG**), split into two feeders. Because there is only one incoming service feeder from a NYSEG substation, the full benefit of redundancy is not achieved which has caused problems with power supply in the past on event days.

The Existing Stadium Complex follows the relevant noise ordinances of the Town of Orchard Park and the Town of Hamburg. The Existing Stadium Complex field lights are mounted on freestanding posts which extend above the structure of the Existing Stadium Complex making them visible to surrounding properties.

iii. An Overview of Game Days

Section II.A.iii provides a summary of Site conditions on game days. The Existing Stadium Complex follows a Traffic Management Plan ("**TMP**") on game and event days. Existing on-Site parking lots are located on three sides of the Existing Stadium. The Niagara Frontier Transportation Authority ("**NFTA**") operates Metro Bus routes in the vicinity of the Existing Stadium. The majority of the event day traffic throughout the region is arriving and departing via I-90 north of the Existing Stadium Complex.

For a temporary concert setup at the Existing Stadium, sound levels at the residences 1,570 feet north of the Existing Stadium are predicted to be 85-90 dBA and the residences 560 feet south of the Existing Stadium are predicted to be 70 dBa. The sound levels from the Existing Stadium when measured at ECC, which is 2,430 feet west of the Existing Stadium, are estimated to be 75 dBA. The Existing Stadium Complex emitted an average of 75.25 dBA during a regular season NFL game. The Existing Stadium Complex tends to emit food odors from tailgating activities and concessions.

B. ECC Campus

i. General Description

Section II.B.i provides a summary of the ECC Campus. The ECC Campus is located at 4041 Southwestern Boulevard, Orchard Park, New York. ECC Campus opened in the fall of 1974, providing accessibility for those in the southern parts of the County.

The ECC Campus totals approximately 160 acres of land consisting of SBLs 161.00-5-1, 160.16-1-12, and 160.19-1-4.1. A portion of the ECC Campus contains surface parking lots that are used for the Existing Stadium on event days. The ECC Campus consists of parking, underutilized athletic fields with bleachers and commentary box, baseball diamonds, tennis courts, storage buildings, several instructional buildings, and a lineman school practice area. With respect to the approximate 55.94 acres of the ECC

Campus that will be included in the New Stadium Complex, the ECC Board of Trustees has found that this land is not useful or required for community college use or purposes.

ii. Baseline Conditions

Section II.B.ii provides a summary of baseline conditions of the ECC Campus. There are several waterbodies present on the ECC Campus. Stormwater runoff flows from the ECC Campus to the storm sewer system within the Southwestern Boulevard right-of-way, the Rush Creek tributary, an existing stormwater management pond, and the storm sewer system located in the Big Tree Road right-of-way which eventually discharges to Rush Creek. The ECC Campus is not located in a designated floodway, a 100-year floodplain, or a 500-year floodplain. In terms of habitat, the ECC Campus has typical suburban species such as foxes, coyotes, squirrels, rabbits, raccoons, woodchucks, chipmunks, rodents, deer, songbirds, crows, bats, raptors, frogs, and snakes. The ECC Campus mainly consists of mowed lawn.

C. Surrounding Neighborhoods of the Project Area

Section II.C provides a summary of the neighborhoods surrounding the Project Area. The major roads connecting the neighborhoods surrounding the Existing Stadium Complex and the ECC Campus include Southwestern Boulevard to the north, California Road to the east, Big Tree Road to the south, and Abbott Road running north and south with a majority of the Existing Stadium Complex to the east and a portion of the Existing Stadium Complex and the ECC Campus to the west. Along these roads are commercial properties, with a few residential properties.

III. Analysis of Environmental Impacts

Section III provides an analysis of the potential environmental impacts associated with the Project against the baseline condition of the Existing Stadium Complex.

A. Impact on Land

Section III.A provides an analysis of the potential environmental impacts associated with the Project on Land resources. The New Stadium and surrounding parking lots and pedestrian walking connections will be constructed on a previously developed site. The addition of improved drainage and parking lot runoff management will be a significant improvement when compared to the Existing Stadium Complex's current conditions. There will not be any significant construction activity on lands where the depth to the water table is less than 3 feet. The Project does not involve construction on slopes of greater than 15%. There will not be any blasting of bedrock necessary nor

construction over limestone bedrock which typically has caves, cracks and/or sinkholes that could expose the groundwater table.

The footprint of the New Stadium is smaller than the Existing Stadium. Almost all of the excavated material will be reused and remain on the Site, and any material not suitable for reuse on the Site will be recycled off-Site at the County's discretion due to its need for clean fill for other projects. The Project will not result in increased erosion. All required soil and erosion control measures during construction will be implemented. Furthermore, no state or federally mapped wetlands will be impacted by the construction of the New Stadium Complex.

Overall, the Project will involve significant amounts of construction lasting for several years. However, the Project essentially replaces the Existing Stadium, which has been operational for approximately 50 years, with a brand new, state of the art stadium on an adjacent, already developed parcel. Accordingly the Project will not have a significant adverse impact on land.

B. Impact on Geological Features

Section III.B provides an analysis of the potential environmental impacts associated with the Project on geological features. The Site houses no unique or unusual land forms on the Project Area (e.g. cliffs, dunes, minerals, fossils, or caves), nor are there any National Natural Landmarks at or around the New Stadium Complex. Accordingly, the Project will not have a significant adverse impact upon geological features.

C. Impact on Surface Water

Section III.C provides an analysis of the potential environmental impacts associated with the Project on surface waters. Overall, proposed improvements to the New Stadium Complex's drainage conditions have been designed to meet all State and Federal requirements and will result in significant improvements to stormwater management over current practices, which are intended to result in a beneficial impact on downstream drainage conditions as compared with existing conditions. There are no proposed impacts to the mapped streams within the Project Area. The Project will result in new impervious surfaces which will require stormwater management systems to properly handle stormwater flows and ensure proper management of such stormwater on Site. Soil and erosion control measures will be implemented so there are no inappropriate discharges of contaminants to surface waters during construction. Following site stabilization and construction of the Project, erosion and control measures will control the water quality and quantity of stormwater runoff.

Based on these facts, the Project will not have any significant adverse impacts on surface water.

D. Impact on Groundwater

Section III.D provides an analysis of the potential environmental impacts associated with the Project on groundwater resources. The New Stadium Complex will not result in any new water supply wells, or create additional demand on supplies from existing water supply wells. Overall, the Project is anticipated to reduce peak gameday demand on water supply and wastewater infrastructure, due to the reduction in seating capacity. While the New Stadium Complex will store and utilize fertilizers, fungicides, and pesticides, groundwater in the vicinity of the New Stadium Complex is not a source of potable drinking water due to the existing municipal water supply system. In addition, the SWPPP and SPDES Permit controls will be in place to limit any impacts from construction and excavation. Based on these facts, the Project will not have any significant adverse impacts on groundwater.

E. Impact on Flooding

Section III.E provides an analysis of the potential environmental impacts associated with the Project on flooding. As mentioned above, while there is a 100-year floodplain on the south end of the Project Area, the Project Area itself is not located in a designated floodway, a 100-year floodplain, and a 500-year floodplain. The New Stadium Complex will achieve net reductions in total runoff compared to peak runoff rates from existing conditions utilizing the above-referenced stormwater controls. Based on these facts, the Project will not have any significant adverse impacts on flooding or flooding conditions, and will result in a net benefit to existing flood conditions in the vicinity of the New Stadium Complex.

F. Impact on Air

Section III.F provides an analysis of the potential environmental impacts associated with the Project on air. Events at the New Stadium will have less seating capacity than the Existing Stadium, thereby reducing vehicle trips per event as compared to the Existing Stadium and thereby reducing indirect air pollution as compared to the Existing Stadium Complex. In addition to indirect air pollution from vehicles, the demolition of the Existing Stadium could result in fugitive dust emissions, however these would be temporary and only active during demolition activities. In order to ensure that the demolition of the Existing Stadium does not have an adverse impact on air quality, a comprehensive demolition mitigation plan ("**DMP**") will be implemented. Additionally, the Existing Stadium's demolition will adhere to all applicable federal, state, and local statutes, laws, codes, and ordinances, as well as industry standard

practices for responsible environmental controls. Accordingly, the Project will not have any significant adverse impacts on air quality.

G. Impact on Plants and Animals.

Section III.G provides an analysis of the potential environmental impacts associated with the Project on plants and animals. The Site is largely developed, and there are no significant natural habitats on the Site. As the vast majority of the Site is already developed and there are no significant natural habitat present, nor any threatened or endangered species, the Project will not have any significant adverse impacts on plants and animals.

H. Impact on Agricultural Resources

Section III.H provides an analysis of the potential environmental impacts associated with the Project on agricultural resources. The Site has not been used for agriculture, is not considered prime farmland, and is not located in a NYS certified Agricultural District. Accordingly, the Project will not have any significant adverse impacts upon agriculture or agricultural uses.

I. Impact on Aesthetic Resources

Section III.I provides an analysis of the potential environmental impacts associated with the Project on aesthetic resources. While the New Stadium's compact footprint is smaller than the Existing Stadium by approximately 50' in length and 100' in width, its roof canopy could extend approximately 50' higher than adjacent grade as compared to the Existing Stadium's field lights. Nevertheless, the nearest officially designated and publicly accessible federal, state, or local scenic or aesthetic resource (Woodlawn Beach State Park) is located approximately 5 miles from the New Stadium Complex, and the New Stadium will not be visible from this resource. The location where the difference in stadium height will be most noticeable is when walking or driving along Abbott Road and on the ECC Campus where the New Stadium's architecture and appearance can be appreciated. In addition, the new parking areas servicing the New Stadium Complex will have improved paved pedestrian pathways and landscaping consisting of trees, shrubs and groundcover as compared to the existing conditions. A landscaped bioswale will be used to manage a portion of the stormwater runoff while also providing additional landscaped surface area.

The New Stadium will be substantially screened by existing vegetation from surrounding neighborhoods and other locations, including major roadways. While the New Stadium will be visible from Chestnut Ridge Park, such visibility is consistent with the skyline view of the Existing Stadium and City of Buffalo currently available to visitors.

Generally, due to topography and mature trees, even with the New Stadium's increased height, views from adjacent vantage points, particularly surrounding residential neighborhoods, are not adversely altered. Given the New Stadium's notable separation from the residential properties and the presence of existing trees in the surrounding area, the Project will not create a significant adverse aesthetic impact.

J. Impact on Historic and Archaeological Resources

Section III.J provides an analysis of the potential environmental impacts associated with the Project on historic and archaeological resources. There are no buildings, archeological sites or districts listed or nominated for inclusion on the State or National Register of Historic Places on the Site. The Existing Stadium was built between 1972-1973 and is now approximately 50 years old, however, significant modifications have been made to the original structure of the Existing Stadium since it was first constructed.

The Site is located on the historic homelands of several Indigenous Nations, including the Seneca, Erie, and Wenro, and Neutral. Thus, the area is considered sensitive for precontact cultural resources. A consultation process between the Seneca Nation of Indians, the Tuscarora Nation and the Tonawanda Seneca Nation, Empire State Development, OPRHP and NYSDEC has been initiated. It is anticipated that the consulting parties will enter into a Memorandum of Understanding or Letter of Resolution documenting protocols to be implemented to ensure protection and preservation of archeological resources. In addition, any archeological resources recovered from the Site will be offered to the Nations. Based on the above, the Project will not have a substantial adverse impact upon historic or archeological resources.

K. Impact on Open Space and Recreation

Section III.K provides an analysis of the potential environmental impacts associated with the Project on open space and recreation resources. The New Stadium Complex will not result in a loss of recreational opportunities or a reduction in open space resources. With respect to the underutilized athletic fields on the ECC Campus, the ECC Board of Trustees has determined the ECC Campus land containing the athletic fields is no longer necessary for community college use or purposes. In terms of off-Site recreational resources, the closest is the California Road Recreational Area which is 1.5 miles away and will be unaffected by the Project. The nearest state park is the Woodlawn Beach State Park which is approximately 5 miles away and, also, will be unaffected by the Project. Accordingly, the Project will not have a substantial adverse impact upon open spaces or recreation.

L. Impact on Critical Environmental Areas

Section III.L provides an analysis of the potential environmental impacts associated with the Project on critical environmental areas. There are no Critical Environmental Areas as described in subdivision 6 NYCRR 617.14(g) on the Site or in proximity to the Site. Accordingly, the Project will not have any significant adverse impacts upon Critical Environmental Areas.

M. Impact on Transportation

Section III.M provides an analysis of the potential environmental impacts associated with the Project on transportation. Overall, the New Stadium will feature approximately 10,000 parking spaces controlled by the Buffalo Bills, similar to the approximately 9,950 spaces currently controlled with the Existing Stadium Site. Importantly, the New Stadium's location, west of Abbott Road, will allow for patrons and vehicles to enter and exit more equally in all directions as compared to the Existing Stadium, which constrained on the east side by Smoke Creek. Further, new driveways will offer additional ingress and egress opportunities for parking areas, alleviating some traffic existing traffic conditions for the New Stadium Complex.

The existing operations as detailed in the TMP to accommodate and manage game day traffic and pedestrian operations resulting from the New Stadium Complex will remain similar as to what is done today with the Existing Stadium Complex. The New Stadium Complex is expected to result in impacts to roadway facilities, vehicle trips, parking, public transportation facilities, travel patterns, and pedestrian conditions consistent with those of the Existing Stadium.

i. Roadway Facilities

Section III.M.i provides an analysis of the potential environmental impacts associated with the Project on roadway facilities. As the New Stadium will be located on the west side of Abbott Road (across from the Existing Stadium), the same existing regional street network will be used by patrons of the New Stadium. Notably, an additional driveway will provide a new connection between Southwestern Boulevard and Big Tree Road, adjacent to ECC Campus. Given the reduced seating capacity of the New Stadium, no increase to traffic volumes on the existing regional street network are anticipated.

Accordingly, the New Stadium Complex will not have a significant adverse impact on roadway facilities as compared to existing conditions.

ii. Vehicle Trips

Section III.M.ii provides an analysis of the potential environmental impacts associated with the Project on vehicle trips. Game day traffic volumes and parking demand will be reduced as compared to existing conditions as a result of the reduction in the number of attendees due to the reduced seating capacity of the New Stadium. Furthermore, game attendees' travel patterns and behavior will largely resemble travel that of the Existing Stadium Complex. Overall, the New Stadium is projected to generate approximately 2,000 fewer vehicle trips than the Existing Stadium. Accordingly, the New Stadium Complex will not have a significant adverse impact on vehicle trips.

iii. Parking Facilities

Section III.M.iii provides an analysis of the potential environmental impacts associated with the Project on parking facilities. The New Stadium Complex is expected to incorporate expedited parking validation processes that will help to move pre-game traffic queues for parking areas more expeditiously. Currently, 20,089 spaces are proposed for the New Stadium Complex. The identified demand for parking spaces at the New Stadium Complex is 18,080. During post-game operations, parking lot driveways are anticipated to retain their existing directional exit patterns to support traffic flow.

Accordingly, the New Stadium Complex will not have a significant adverse impact on parking facilities as compared to existing conditions.

iv. Public Transportation Facilities

Section III.M.iv provides an analysis of the potential environmental impacts associated with the Project on public transportation facilities. NFTA is not proposing any changes to service along Route 14, Route 16, or Route 72 due to the Project. Beginning during the 2022 season, NFTA is piloting game day service that would operate between several locations across Western New York to a passenger drop-off on Abbott Road. This pilot service is in its initial phase as of the 2022 season and is subject to change throughout the season based on conditions and ridership. It is anticipated that this new direct service to the Site will continue with the New Stadium.

Accordingly, the New Stadium Complex will not have a significant adverse impact on public transportation facilities.

v. Travel Patterns

Section III.M.v provides an analysis of the potential environmental impacts associated with the Project on travel patterns. Patrons parking in lots to the north and south of the Site will likely continue to equally approach/depart the Site from/to the west and east while patrons parking to the west will likely continue to approach/depart from/to the west and patrons parking to the east will likely continue to approach/depart from/to the east. New/modified internal roadways and access driveways will provide the flexibility needed to allow adjustments to the TMP based on actual operational experience with the New Stadium, and the TMP will be updated regularly.

Game day use of local streets is expected to remain similar to existing conditions, and potentially experience reduced traffic volumes due to reduced seating capacity at the New Stadium. In addition, the increase in the total number of anticipated parking spaces to the east of Abbott Road is anticipated to reduce the potential for cut-thru traffic on these roadways which are all located to the west of Abbott Road.

Accordingly, the New Stadium Complex will not have a significant adverse impact on travel patterns, as compared to baseline conditions.

vi. Pedestrian Conditions

Section III.M.vi provides an analysis of the potential environmental impacts associated with the Project on pedestrian conditions. The New Stadium will incorporate several new internal walkways west of Abbott Road to enhance pedestrian accommodations. Existing pedestrian walkways and accommodations provided on-Site to the east of Abbott Road will remain. The closure of Abbott Road for pedestrian accommodation pre- and post-game as part of the TMP is planned to continue. Many pedestrian conditions beyond the Site that exist under conditions associated with the Existing Stadium will continue and can be addressed under an updated TMP for the New Stadium, which can identify temporary and/or permanent pedestrian improvements for game days.

Accordingly, the New Stadium Complex will not have a significant adverse impact on pedestrian conditions.

vii. Construction Implications

Section III.M.vii provides an analysis of the potential environmental impacts associated with the Project on traffic due to construction. All construction site impacts to parking spaces will occur to either Team/owner-controlled parking lots or ECC Campus parking spaces. No changes to secondary or tertiary parking is anticipated as part of the New Stadium construction. The construction phases will temporarily reduce the

available number of on-Site parking spaces, most of which includes the employee, RV and bus and limo parking. During construction, temporary shuttling will occur to transport staff between the Site and remote parking lots. This will help to reduce the demand for on-Site parking during construction.

Construction vehicle parking and staging will be all accommodated on-Site. No off-Site parking or use of local roadways for parking is anticipated during the construction duration. Construction deliveries will be scheduled to avoid peak traffic times as much as possible. Delivery routes will be identified to minimize impacts to travel on adjacent roadways. The addition of these vehicles would result in negligible impacts to the operations of the roadways due to the available off-peak capacity of the network of roadways near the Site. The construction related traffic trips will be temporary, minor, and will conclude as the phases of construction are completed.

Overall, the addition of construction worker vehicles would result in negligible impacts to the operations of the roadways due to the available off-peak capacity of the network of roadways near the Site.

viii. Conclusion

Section III.M.viii provides a summary of the potential environmental impacts associated with the Project on traffic. The Project is expected to result in traffic volume and flow, parking, and pedestrian conditions that are similar to those of the Existing Stadium. This, combined with the reduced seating capacity and features included in the New Stadium, is not expected to result in significant adverse impacts to the transportation network above and beyond those experienced with the Existing Stadium.

Thus, the New Stadium Complex will not have a significant adverse impact on transportation, as compared to baseline conditions.

N. Impact on Energy

Section III.N provides an analysis of the potential environmental impacts associated with the Project on energy. The Existing Stadium uses one (1) incoming 35 kV service feeder from NYSEG, and is split into two feeders to service the Existing Stadium. The current peak utility electrical demand from the Existing Stadium on both feeders totals approximately 7,500 kW for event days. The New Stadium Complex will require two (2) new dedicated 35 kV service feeds from NYSEG. The utility peak demand for the New Stadium is anticipated to be between 9,500 and 11,000 kW, and expansion of the electrical grid is not anticipated to be necessary. The increased electrical load is due to the increased area of the building and increased amount of technology, equipment, and amenities in a modern NFL stadium. Newer technologies that are more energy efficient

than existing systems will be employed at the New Stadium and throughout the New Stadium Complex.

During construction of the New Stadium, the energy demand associated with construction activities will be less than the Existing Stadium's game day peak load. The New Stadium will not be operated concurrently with the Existing Stadium, thus there is no overlap of stadium operational electrical use.

As such, there will be no significant adverse impacts on the electrical grid.

O. Impact on Noise, Odor and Light

Section III.O provides an analysis of the potential environmental impacts associated with the Project on noise, odor, and light.

i. Noise

Section III.O.i provides a detailed analysis of the potential environmental impacts associated with the Project on noise.

1. Existing Stadium

Section III.O.i.1 provides a detailed analysis of the existing environmental impacts associated with the Existing Stadium on noise.

2. New Stadium

Section III.O.i.2 provides a detailed analysis of the potential environmental impacts associated with the Project on noise. For game day events the New Stadium speaker system levels are expected to result in similar community sound level impact as compared to the Existing Stadium speaker system.

For concert events, the New Stadium speaker system levels are expected to result in a significantly lower community sound level impact reducing the overall sound level impact by 8 to 11 dBA. A small area approximately 4,110 feet from the New Stadium (at Lynwood Ave. and Brookview Terrace) could see an increase in sound level of approximately 3 dBA due to the location of the New Stadium. However, this location is nearly a mile from the New Stadium and will likely be shielded by intermittent buildings.

3. Construction

Section III.O.i.3 provides a detailed analysis of the potential environmental impacts associated with the construction of the Project on noise. Equipment and activities associated construction of the New Stadium have the potential to produce noise emissions in the vicinity of the New Stadium above the documented baseline limits, and changes to ambient noise levels and vibrations have the potential to impact existing sensitive receptors. It is anticipated that approximately 85 to 90% of the construction work will be performed during standard daytime work hours (Monday to Friday 7:00 a.m. to 6:00 p.m.) when noise sensitivity is lowest.

The noise levels during each phase of construction at the point of reception are predicted to be within the noise limits in the Federal Transit Administration's Transit Noise and Vibration Impact Assessment Guide ("**FTA**") at the worst-case receptor locations. Active construction monitoring will be done throughout the construction period on an as needed basis. Additionally, where construction work is adjacent to residential areas and in proximity to the grade separation work sites, it will be determined whether there is a need to further reduce noise effects if persistent complaints arise, and additional mitigation measures will be implemented where appropriate.

4. Conclusion

Section III.O.i.4 provides a summary of the potential environmental impacts associated with the Project on noise. Overall, during construction of the New Stadium, the Project will include increased noise levels within the New Stadium Complex and the surrounding area. However, the construction phase is temporary and short-term relative to the entire life cycle of the Project, most activities will be limited to daytime construction hours, construction activities will be within the FTA construction noise guideline limit of 80 dBA at the worst-case receptor locations, and best practices and noise mitigating controls will be utilized where feasible. Additionally, the Project will replace the existing sound system with an enhanced system that will improve the fan experience, and will reduce sound levels on concert events, and sound levels on game days will be similar to existing conditions. Accordingly, there will be no significant adverse impacts to noise.

ii. Odor

Section III.O.ii provides a detailed analysis of the potential environmental impacts associated with the Project on odor. As mentioned above, the Existing Stadium Complex tends to emit food odors from tailgating activities and concessions. These same activities are expected to continue with the New Stadium. Thus, there will be no significant adverse impacts to odor.

iii. Light

Section III.O.iii provides a detailed analysis of the potential environmental impacts associated with the Project on Light. Overall, the Project will replace the existing lighting with modern lighting specifically designed to limit light impacts to adjoining properties, roadways and wildlife during construction and operation of the New Stadium, and improve lighting for pedestrian safety throughout the New Stadium Complex. Accordingly, there will be no significant adverse impacts to light.

P. Impact on Human Health

Section III.P provides a detailed analysis of the potential environmental impacts associated with the Project on Human Health. Construction will be located within the larger New Stadium Complex, accordingly, the general public's exposure to any hazards will be limited. While certain hazardous materials will be stored on-Site, such storage will be in accordance with applicable federal, state, and local requirements and is consistent with existing conditions resulting from the Existing Stadium. Additionally, the Project will minimize risks to construction personnel by fully complying with applicable OSHA and New York State Labor Law requirements.

No construction of, or modification to, any solid waste management facility will be necessary to accommodate the Project. As detailed in the Impact on Traffic section, supra, vehicle flow both on and off site is expected to improve from existing conditions, with increased efficiencies resulting from the design of the onsite parking and access driveways, with a corresponding increase in vehicular and pedestrian safety.

Accordingly, the Project will not have any significant adverse impact to human health.

Q. Consistency with Community Plans

i. Land Use Components & Development Goals

Section III.Q.i provides a detailed analysis of the potential environmental impacts associated with the Project on land use and development goals. No portion of the ECC Campus in the Town of Hamburg will be incorporated into the New Stadium Complex and the existing parking lots on the ECC Campus located in the Town of Hamburg will continue to service ECC going forward, while also servicing the New Stadium Complex on event days (as they currently service the Existing Stadium). The Town of Orchard Park Comprehensive Plan contemplates continued use of the Existing Stadium Complex for operations by the Team, and establishes the importance of the Team and a stadium on the Existing Stadium Complex to the Comprehensive Plan of the Town. The New Stadium will be located on currently underutilized athletic fields on the ECC Campus, and will otherwise occupy the footprint of parking lots that predominantly

service the Existing Stadium. Thus, the Project is consistent with the overall development visions and goals of the Towns of Orchard Park and Hamburg.

ii. Public Infrastructure

1. Water

Section III.Q.ii.1 provides a detailed analysis of the potential environmental impacts associated with the Project on public water infrastructure. It is expected that the New Stadium Complex will see a reduction in peak water usage on event days due to the new infrastructure and reduced capacity of the New Stadium. While there will be an increase in water usage as a result of the field irrigation, the Project also provides sustainable design elements and upgrades to a 50 year old stadium that will help to offset the new water usage. Thus, there will be no significant adverse impacts on water usage.

2. Sewer

Section III.Q.ii.2 provides a detailed analysis of the potential environmental impacts associated with the Project on public sewer infrastructure. It is expected that the New Stadium Complex will see a reduction in peak sanitary sewer discharge to the attenuation tank system on event days given the reduction in capacity of the New Stadium. Thus, there will be no significant adverse impacts on the sewer system.

3. Telecommunications

Section III.Q.ii.3 provides a detailed analysis of the potential environmental impacts associated with the Project on telecommunications infrastructure. Cellular DAS and a separate public responder DAS will be provided in the New Stadium, in concert with a venue provided spectator Wi-Fi deployment equal to that provided at new or recently renovated NFL venues. Thus, there will be no significant adverse impacts on telecommunications service.

iii. Conclusion

Section III.Q.iii provides a summary of the potential environmental impacts associated with the Project on land use, development goals, and public infrastructure. The New Stadium Complex's land use components are essentially identical to the current land use pattern for the Existing Stadium Complex, and the Project is consistent with the overall development visions and goals of the Towns of Orchard Park and Hamburg. Additionally, no new or expanded public infrastructure is required for the Project. Thus, the Project will not have any significant adverse impact to community plans.

R. Consistency with Community Character

Section III.R provides a detailed analysis of the potential environmental impacts associated with the Project on community character. Overall, the Project is consistent with the longstanding usage of the Site to support Team operations in Western New York. The Team is a vital part of the community character and the Project keeps the Team in Buffalo, at a minimum, for the duration of the entire 30-year term of the New Stadium lease. While the location and design of the New Stadium differ from the Existing Stadium, these differences are anticipated to mitigate existing conditions and provide the community with a new home for Western New York's NFL football franchise. Accordingly, the Project will not have a significant adverse impact on land use and zoning.

S. Cumulative/Growth Inducing Impacts

Section III.S provides a detailed analysis of the potential environmental impacts associated with the Project on community character. There are several projects that may take place in future years that are related to the Project, including: (i) potential improvements to mass transit routes and or other public transportation improvements to better serve the New Stadium Complex; (ii) bicycle paths/trails and/or additional off-site pedestrian walkways; and, (iii) the relocation of the ECC Cell Tower. At this point in time, none of these projects are sufficiently defined as to be included in the current SEQR process for the Project.

The introduction of the New Stadium across Abbott Road from the Existing Stadium Complex will continue to support existing businesses but studies have shown that the Project will not result in material ancillary development.

IV. Conclusion

Section IV provides a conclusion summarizing the potential environmental impacts associated with the Project. A number of temporary and/or minor environmental impacts have been identified in connection with the New Stadium Complex when compared to existing baseline conditions. However, a thorough analysis of these potential impacts reveals that where necessary, such impacts have been mitigated to the greatest extent possible by the design of the Project and that none of these impacts will be significant. Accordingly, it is respectfully submitted that it is appropriate that the lead agency issues a negative declaration for the Project.