

New York State Environmental Quality Review Act Full Environmental Assessment Form Revised Technical Addendum

**Project Name:
The Buffalo Bills - New Stadium Complex**

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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**”). See Project Plans attached as **Appendix 1**.

The Existing Stadium Complex includes an indoor Team practice facility, administrative offices, outside practice facilities, and surface parking areas for approximately 20,089 vehicles. Across Abbott Road, to the west of the Team surface parking lots, on approximately 160 acres of land, lies the State University of New York (“**SUNY**”) Erie Community College South Campus (“**ECC Campus**”), one of three campuses associated with the County’s two-year community college, which is chartered by SUNY. 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**”). See **Figure 1** below and **Appendix 1**. The New Stadium, with its location directly across from Abbott Road and the Existing 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**”).

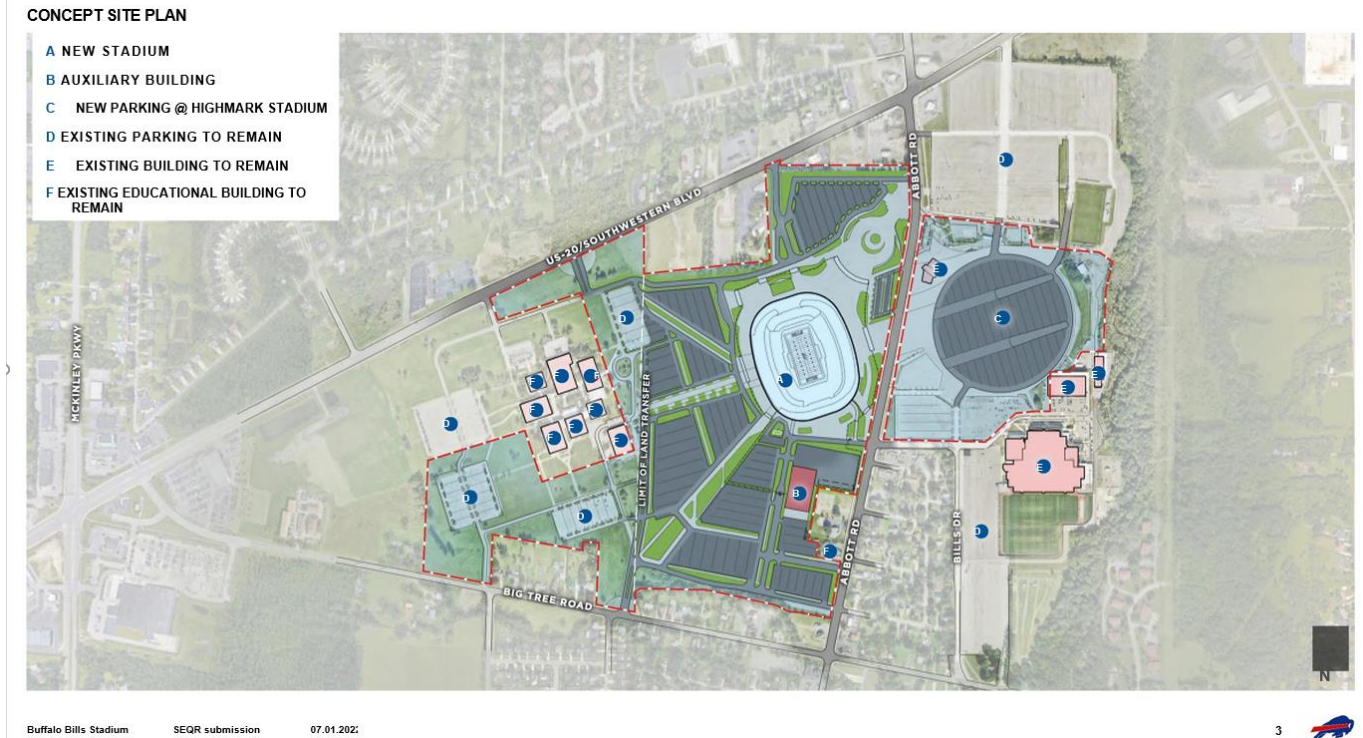


Figure 1

A. Project Background

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. Later renovations to add club/luxury sections reduced current seating capacity to 70,021 people. With staff and other attendees, approximately 73,300 people (ticketed fans, Team staff and vendors, and media) typically attend an NFL game at 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 has been an important part of Western New York for more than 61 years, having entered the American Football League in 1960. The Team brings pride, distinction, and a sense of community to Western New York.

The Team, ECSC, and the County (“**Parties**”) are parties to a Memorandum of Understanding (“**MOU**”) dated March 29, 2022. See **Appendix 2, at Exhibit A**. The MOU sets forth certain proposed actions planned by each of the Parties regarding the construction and operation of a New Stadium. The Parties intend that the New Stadium and its components will be constructed as a first-class facility that will be competitive based on objective metrics with other comparably-sized, publicly-financed and owned, multiuse, outdoor sports and community venue projects recently constructed both nationally and internationally. In addition, although designed and constructed primarily for use as the home field of the Team, the New Stadium will be

programmed as a multipurpose facility. 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. The fan seating will be a mixture of general seating, club seating, premium seat and suite offerings as well as standing room only and party decks. The New Stadium will be approximately 1.35M square feet (“sf”) and have eight to nine levels. 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

The New Stadium is designed to create a “football first” fan experience, focusing on fan proximity to the field of play and protection from some elements of the weather. The New Stadium is designed to harness the energy of the Buffalo fans, and create a uniquely Buffalo game day experience. The New Stadium will be designed to be ADA compliant and will meet all current NFL league requirements as well as all applicable New York State building code requirements. The New Stadium will include home and visiting team locker rooms, auxiliary locker rooms, and necessary support spaces, such as janitor closets, guest services, box office/ticketing, security, mechanical and electrical rooms, IT closets, first aid, command center, press/media facilities, laundry, trash, storage, and broadcast facilities. In addition to NFL events and other sporting events, the New Stadium will be designed to accommodate multi-purpose events such as concerts, community events and programs, as well as small scale gatherings and events, including, potentially, high school and/or college soccer matches. The New Stadium will have a mix of concessions, both cooking and non-cooking kitchens, restroom facilities and a retail store. The first-class fan experience at the New Stadium will include general spectator fixed seating, club and suite seating, loge seating, ADA compliant seating, and sufficient restrooms (including gender neutral restrooms).

The New Stadium will replace the nearly 50-year-old Existing Stadium with a new, intimate, reduced-capacity venue that will contain the amenities and features of a modern NFL stadium. The guest experience will be greatly enhanced with wider concourses, elevated food and beverage offerings, modern entertainment technologies,

and improved entry/egress provisions. Overall, the New Stadium will create a compact and intimate atmosphere that provides increased fan comfort and amenities while preserving the uniquely Buffalo outdoor game-day environment.

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 (Identified as “Parcel 1” on the “Land Transfer Plan” in **Figure 2** below and **Appendix 1**), as well as a 55.94 acre portion of the ECC Campus (SBL 161.00-5-1, Identified as “Parcel 2” on the “Land Transfer Plan” in **Figure 2** below and **Appendix 1**). No structures actively utilized by the ECC Campus for community college use or purposes will be demolished in connection with the Project.



Buffalo Bills Stadium SEOR submission 07.01.2022



Figure 2

The New Stadium has a north-northwest field orientation, which is ideal for football games and is favorable for sun, wind, and fan protection from the elements. The rotation of the New Stadium relative to Abbott Road will anchor the New Stadium Complex with a welcoming entry plaza on the New Stadium’s east sideline and a large plaza and prominent entry on the New Stadium’s north end. The New Stadium will be approximately 190’ at the highest point of its roof, 880’ long (north/south), and 730’ wide (east/west). While the New Stadium is taller by approximately 50’ as compared to the Existing Stadium’s field lights, its compact footprint is smaller than the Existing Stadium. With staff and other attendees, approximately 64,200 people (ticketed fans, Team staff and vendors, and media) are typically expected to attend an NFL game at the New Stadium Complex. Although there is a decrease in seating capacity associated

with the New Stadium, there will be an increase in square footage per ticket holder, and an increase in heated interior space, when comparing the New Stadium Complex to the Existing Stadium. This is specifically designed to increase fan comfort and enhance the Game Day experience.

It is anticipated that the new playing field will be a natural grass field. The grass field, as compared to the artificial turf at the Existing Stadium, is for purposes of enhanced player safety concerns, including the reduction of knee injury and concussion risks to players. Similar to the Existing Stadium, the playing field will be below grade. However, the main concourse that serves a large portion of the fans will be located at grade to create a more accessible and user-friendly entry experience. Patron amenities and building support spaces will wrap the perimeter of the main and upper concourses to provide wind and weather protection for patrons, and open views to the field.



Figure 3

The New Stadium’s exterior appearance will also be refined with a more architecturally unified and pleasing façade treatment. A rendering of the New Stadium (“**New Stadium Rendering**”) is included as **Figure 3** above and **Appendix 24**. A building envelope skin consisting of perforated metal, glass and brick masonry will wrap the New Stadium’s perimeter. The façade of the stadium is generally split into two horizontal curved bands of solid materials at its base, and perforated screens at the upper levels of the stadium. Primary exterior cladding materials include: perforated metal panels (approximately 43%), solid metal panels (approximately 25.5%), brick (approximately 19%), glass (approximately 9.5%), and concrete (approximately 1.5%).

The location of exterior glass has been strategically placed to maximize daylighting to key interior spaces at consolidated zones, is limited in height, and makes up just 10% of the overall exterior façade. Exterior glass is anticipated to be low-e and will not be highly reflective. In addition, where exterior glass is proposed, up to approximately 25% of the glass surface is located behind perforated metal panels. A lighting control system will turn off lights behind the glass when the space is not occupied, and will only be utilized when there are game days or special events at the New Stadium and will otherwise be turned off when not in use. A partial roof canopy will cover a portion of the seating bowl to provide weather protection and increased fan comfort. The canopy will also provide the means to discreetly locate field lighting and speakers while helping minimize their output outside of the New Stadium as compared to the Existing Stadium. By locating the field lights under the solid roof canopy, they will not project above the New Stadium and be exposed to direct views outside of the stadium like the Existing Stadium.

The New Stadium will incorporate several sustainability measures that are more environmentally sensitive than the Existing Stadium including newer electrical systems, water conservation measures, improved HVAC systems, and increased greenspaces. A Summary of Sustainable Design Elements dated September 20, 2022 prepared by Populous (“**Summary of Sustainable Design Elements**”) is annexed hereto as **Appendix 3**. Newer technologies that are more energy efficient than existing systems will be employed throughout the Site. LED video displays used in the seating bowl and concourses are more energy efficient than previously made models, thus using less electricity per square foot than the existing systems. More energy efficient LED lighting fixtures will be used, and a more extensive lighting control system will minimize the use of electricity and conserve energy when areas are unoccupied. The use of shielded LED light fixtures and the roof canopy will greatly diminish skyglow and provide a more wildlife-friendly environment.

Reduced water consumption toilet fixtures and flush valves will be used to decrease the amount of water used by the New Stadium during events as compared to the Existing Stadium, and also reduce the amount of sanitary waste volume created during events. Low water use landscape technology will be utilized throughout the Site. The New Stadium is expected to use approximately 135,000 gallons of water on game and event days (as compared to approximately 210,000 gallons used for game and event days at the Existing Stadium), and the New Stadium Complex is expected to use overall approximately 15 million gallons of water per year (as compared to approximately 20 million gallons per year for the Existing Stadium Complex). Higher-efficiency water heaters and pumping systems as compared to existing systems will be utilized for generating and distributing domestic hot water throughout the New Stadium. An improved building envelope using high performance glazing and increased exterior thermal insulation will reduce heating and cooling loads for interior spaces. Improved HVAC automated controls and use of higher efficiency equipment including the use of

airside economizers on all air handling systems will increase the New Stadium's energy efficiency and optimize its performance. The Building Management System will incorporate energy-saving schemes such as economizer optimization (based on both outdoor air dry bulb and enthalpy), demand-controlled ventilation, demand limiting to minimum electric demand charges, and occupancy setpoints to optimize energy efficiency for varying occupancy schedules in a transient stadium facility. The mechanical equipment will incorporate variable pumping and fan control schemes, supply air temperature reset, heating water temperature reset, energy recovery, and efficient electronically communicated and premium efficiency motors. The New Stadium Project will result in an increase of landscaped areas, improvements to the pedestrian experience and a reduction in the urban heat island effect. Bioswale retention areas will be used to treat and reduce the amount of storm water runoff. During demolition, the Existing Stadium's concrete structure will be ground up and recycled as fill material within its existing bowl area to reduce off-Site waste. Excavated clean and suitable soils may be reused off-Site, at the County's discretion, as a source of clean cover material and fill for other County projects. In addition, various elements are being considered for potential reuse and recycling. Many of the large boulders used as vehicle barriers around the site will be reused on the new site. Various other parts of the Existing Stadium will be evaluated for retention, reuse or recycling to try and minimize the need for off-site disposal.

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. This Auxiliary Building will house stadium operations and infrastructure functions adjacent to the Site's service entry that also connects to the Team's current operations on the east side of Abbott Road via One Bills Drive.

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. During the construction stage of the Project, events (including NFL events) will continue to be hosted at the Existing Stadium. Event day staff parking spaces and RV parking spaces will be unavailable during construction of the New Stadium due to their proximity to construction areas. During New Stadium construction, event day staff will be shuttled from off-site to and from the Existing Stadium to accommodate the temporary loss of event day parking capacity. RV parking spaces will be relocated within the Existing Stadium Complex. Construction staging will take place primarily west of Abbott Road, on SBLs 161.00-5-3.1 and 161.00-5-1, occupying the majority of those parcels within a fenced area. The northern portion of SBL 161.00-5-3.1 is anticipated to remain available for event parking during construction of the New Stadium.

The vast majority of construction work will be performed (approximately 85 to 90%) during standard daytime work hours (Monday to Friday 7:00 a.m. to 6:00 p.m.) when

noise sensitivity is lowest. After-hours and weekend work is largely reserved for any necessary make-up activities if there are delays as the construction process moves forward. Additionally, construction activities will be conducted in accordance with industry best practices including, among others: (1) all construction equipment will be properly maintained according to manufacturer's recommendations and fitted with efficient muffling devices; (2) construction equipment and/or activities typically known to be of annoyance (e.g., piling) will be limited, shut off when not in use, no idling, minimize drop heights of materials; etc. (3) re-route trucks to main roads where possible; (4) carry out additional noise studies or monitoring programs to verify and document noise levels; (5) investigate alternative construction equipment and/or coordinate noisier operations so they do not occur simultaneously; (6) install temporary noise barriers if necessary.

Active construction monitoring will be done throughout the construction period. Should complaints arise due to noise, a reactive plan will be implemented to address the issue. As detailed in the noise analysis, when a noise complaint is made to the County the following will occur:

- The County will record the noise complaint including the cause of noise, whether noise is constant or not, and the date and time the noise occurred.
- The County will inform the Contractor of noise complaints and provide the necessary information.
- The County will communicate with the Technician about the noise complaint.
- The Technician will review possible causes for complaints within 1 week of the reception of the complaint and provide initial suggestions on how to mitigate noise. If required, there will be a site visit where the Technician takes short-term sound level measurements. After the site visit, the Technician will provide suggestions on any necessary mitigation within 1 week.
- Once suggestions are made by the Technician, the Contractor will arrange for mitigation as appropriate.
- Once mitigation is in place the Technician will take further measurements to ensure that mitigation is effective and properly installed.
- The Technician will provide summary memo of mitigation results within a week of mitigation measurements.

Once construction of the New Stadium is complete, the Existing Stadium will be demolished. The footprint of the Existing Stadium will be filled, regraded, and then paved over and used for additional surface parking for the New Stadium. Demolition of the Existing Stadium, including completion of the subsequent parking facilities, is expected to last for approximately 8 months. During this demolition stage, all events will be hosted in the New Stadium. No existing parking spaces at the Existing Stadium Complex are expected to be made unavailable during the demolition of the Existing Stadium.

Final parking for the New Stadium will include approximately 10,500 spaces, consisting of approximately 9,566 spaces owned outright by ECSC as well as approximately 934 spaces on the remaining ECC Campus (SBLs 160.16-1-12 and 160.19-1-4.1) which will continue to be made available on event days as overflow parking. In addition to on-Site parking, there will continue to be a substantial inventory of off-Site parking available. Currently, it is estimated that there are approximately 8,600 parking spaces available off-Site on event days.

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.¹ ECSC will then lease the entire New Stadium Complex directly to the Team. The New Stadium Complex consists of approximately 242.54 acres of land within the property boundaries of SBLs: 161.00-5-3.1, 161.00-5-1, 161.00-5-16.1, 161.17-6-1, 161.17-13, 161.17-1-4.2, and 161.17-6-10. No educational building areas on the ECC Campus within the Town of Hamburg, will be part of the New Stadium Complex.

C. SEQRA

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. As such, none of the state or local government agencies involved in the Project may take action on the Project until a SEQRA process has been completed. Because of the size of the Project (physical alteration of more than 10 acres), the Project is a Type 1 action and a coordinated SEQRA review is required. Thus, 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 copy of the Lead Agency Notice, which includes, among other things, the Full Environmental Assessment Form Part 1 for the Project dated July 1, 2022, is annexed hereto as **Appendix 2**. The Lead Agency Notice requested that all interested and involved agencies accept and approve the designation of the Erie County Legislature as lead agency for the Project by signing and returning an acknowledgement form. Any agency that did not respond within thirty days of the date that the lead agency package was transmitted will be deemed to have consented to the Erie County Legislature acting as lead agency for the coordinated review, pursuant to and in accordance with SEQRA, for the Project. Of the forty listed interested and involved agencies, six agencies signed and submitted acknowledgement forms. As more than thirty days have passed since transmittal of the lead agency package and no agency has contested the Legislature’s

¹ It is anticipated that a cell tower currently on the ECC Campus will be relocated to another portion of the New Stadium Complex or other lands owned by the County, and the revenue stream generated will be retained by ECC.

lead agency status, the Legislature is established as the lead agency and pursuant to SEQRA is charged with making the SEQRA determination of significance for all interested and involved agencies.

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 scope of review of the Project ("**Public Scoping Comments**"), as well as responses to the Public Scoping Comments, are attached hereto as **Appendix 4**. A copy of the Technical Addendum dated October 14, 2022 ("**TA**") was released to the public on October 14, 2022 to provide additional Project details and an analysis of the potential environmental impacts related to the Project. In addition, a Public Hearing was held on October 27, 2022 to receive additional public input on the Project and the materials contained in the TA. All public comments received regarding the Project and the TA ("**TA Public Comments**"), as well as responses to the TA Public Comments, are attached hereto as **Appendix 22**.

II. Environmental Setting

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, an underutilized athletic field and lawned/vegetated areas. This portion of ECC Campus 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. An Alternatives Analysis ("**Alternatives Analysis**") is annexed hereto as **Appendix 5**. This included renovating the Existing Stadium Complex (multiple renovation options were evaluated), building the New Stadium (roofed, open air, and roof-ready were considered), selecting a new location in proximity to Downtown Buffalo ("**Downtown Alternative**"), and relocating the Bills to a new market. Preliminary evaluations were conducted to identify potential locations in the greater Buffalo region that could support a NFL stadium and game experience. Specifically, one of the Downtown Alternative sites, a 34-acre site located in the City of Buffalo's First Ward ("**South Park Site**") was considered by the Team as a potentially viable alternative. 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. To aid decision-makers and the public in understanding why a location adjacent to the Existing Stadium was selected over the Downtown Alternative, a more detailed discussion of the Downtown Alternative is

included in **Appendix 5**. This includes a discussion of the socioeconomic impacts of the Project in the proposed Orchard Park location in comparison to developing the New Stadium at the Downtown Alternative. It also includes information from an environmental site assessment of the Downtown Alternative.

A. The Existing Stadium Complex

i. General Description



Rich Stadium → Ralph Wilson Stadium → New Era Field → Buffalo Bills Stadium → Highmark Stadium

Figure 4

The Existing Stadium has cycled through many names and sponsorships over the past fifty years. The Existing Stadium opened in 1973 under the name of “Rich Stadium” and was known as such until the end of 1998. After that, the Existing Stadium was renamed “Ralph Wilson Stadium,” a name retained until 2016. Then it was then changed to “New Era Field.” In 2021, the Team signed a 10-year deal with Highmark Blue Cross Blue Shield to name the Existing Stadium “Highmark Stadium.”

The Existing Stadium Complex has housed the Team for nearly fifty years. From the first regular season game against the Jets in 1973, the Team has played 393, and counting, games in the Existing Stadium Complex. The Existing Stadium has been home to great games for the Team, world renowned tailgating events, family-friendly memories, and memorable NFL moments. The Existing Stadium Complex’s history is deeply rooted in the Western New York community. Since at least 1998, the Existing Stadium Complex has consisted of the portions of the Site that are both east and west of Abbott Road. The Existing Stadium Complex is approximately 186.6 acres and its address is One Bills Drive, Orchard Park, New York.

The Existing Stadium is currently an open air stadium with a maximum capacity of approximately 70,021 seats. The playing surface is made of AstroTurf and the field is

set 50 feet below ground level, while the top of the upper deck stands only 60 feet tall, excluding the lights, which are the tallest portion of the Existing Stadium, coming in at 140 feet tall. The Existing Stadium is 930 feet long and 830 feet wide. The highest point of the Existing Stadium is the field lights. The field lights project significantly above other portions of the Existing Stadium Complex, dominating its appearance during the day and particularly at night due to their exposed configuration. The concourses and pedestrian ramps are exposed and the various building additions over time form a very utilitarian and non-unified appearance. A Lighting Design Narrative dated September 29, 2022 prepared by KGM Architectural Lighting (“**Lighting Design Narrative**”) is hereto annexed as **Appendix 6**.

The Existing Stadium Complex currently has approximately 9,731 parking spaces on-Site that are available for game day operations, including dedicated ADA spots, team member parking, stadium staff, bus, limo and recreational vehicle parking, and preferred parking for ticket holders. Currently, the Team parking lots for the Existing Stadium Complex are located on both the western and eastern side of Abbott Road. 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.

When the Existing Stadium was first built, the original construction included locker rooms, staff spaces, field, the 100 level concourse (concessions, restrooms, and seating bowl), the 200 level concourse (seating ring and press box), the 300 level concourse (sideline seating), thirty-four sideline suites, an administration building (east of the end zone), a scoreboard (west end zone), entry gates nine and fencing. In the 1980s the Existing Stadium’s attic space on the 3rd floor of the administration building added sixteen luxury suites in the east end zone. In the 1990s there were three renovations of new constructions and upgrades to the west end zone, the 100 level concourse, the east end zone clubs, replacement of seats, upgrading the scoreboard and its control room, consisting of a field lighting upgrade, a stadium sound system upgrade, and a stadium water service upgrade. In the 2000s the AstroTurf was replaced, the scoreboards were upgraded, and ribbon board upgrades were installed. In the 2010s, the team’s flagship store was constructed, the field was replaced, and there were several upgrades to the Existing Stadium’s ancillary buildings and landscaping.

The Existing Stadium Complex is surrounded by public thoroughfares and means of egress including: Southwestern Boulevard to the north, Big Tree Road to the south, and Abbott Road generally through the middle of the Existing Stadium Complex.

Furthermore, a valley containing Smoke Creek, which flows north to south, borders the east side of the Existing Stadium Complex. The following parking lots are located east of Abbott Road: Lot 1, Lot 2, Lot 5, Lot 6, Lot 7, an Administrative lot, the M&T Bank lot and the Fieldhouse lot. See **Figure 5** below. Lot 4, the Team Member Lot, the Bus &

Limo Lot, the Camper Lot and Tailgate Village are located west of Abbott Road. See **Figure 5** below. The area in between the parking lots and the buildings consists of mowed lawn and Existing Stadium Complex support structures. The primary views of the Existing Stadium are from Abbott Road due to the mature tree lines surrounding the Existing Stadium Complex and the surrounding area.



Figure 5

The Existing Stadium is specifically built and designed for NFL dimensions and sight lines, along with football and team markings formed permanently in the turf, making it difficult for other sports to be played in the Existing Stadium. The Existing Stadium occasionally holds high school and college football games, concerts, and has held a National Hockey League game. The Existing Stadium has hosted some of the world’s greatest performers such as the Grateful Dead, Rolling Stones, Fleetwood Mac, Guns N’ Roses, Metallica, Billy Joel, NSYNC, and Beyoncé. In addition, portions of the Existing Stadium Complex are available to rent out to the public for events such as weddings, photo shoots, tailgating events, trade shows, team building activities, corporate meetings, receptions, seminars, parties, car shows, marching band rehearsals, and other

events of the like.

In addition to the Existing Stadium, the Existing Stadium Complex includes the Team practice facilities, administration offices, and Team store, which will remain to continue to support the Team's operations. The ADPRO Sports Training Center houses the two-story Team administrative office headquarters and Team training facilities, including the Team's indoor practice field, which is occasionally used for other events. Adjacent to the ADPRO Sports Training Center is the Team's outdoor practice fields.

Tailgating at a Team game is a Western New York pastime. Patrons tailgate in the parking lots of the Existing Stadium Complex and in off-site private lots, including the lots on the ECC Campus. Certain patrons tailgate even if they do not have tickets to the actual NFL game. Team parking lots open four hours before kick-off. Tailgating is a longstanding tradition that is a vital part of the game day experience. The Team's fan base is renowned in the NFL community for their dedication to the Team and the community.



Figure 6²

ii. Baseline Conditions

The topography of the Existing Stadium Complex site is relatively flat with a high point of 771 feet above mean sea level located in the northeast. The land gently slopes away from that high point to a low 730 feet on the western edge of the Existing Stadium Complex. A steep forested hillside extends from the Existing Stadium Complex to Smoke Creek, outside of the Existing Stadium Complex boundary. The Existing Stadium is partially below the ground surface, with the playing field around El. 720. A Geotechnical Engineering Assessment Report dated July 2022 prepared by McMahon &

² Picture credit: <https://www.gq.com/story/meet-pinto-ron-bills-mafia>

Mann Consulting Engineering and Geology, P.C. ("**Geotechnical Engineering Assessment Report**") is hereto annexed to as **Appendix 7**.

The majority of the soils at the Existing Stadium Complex are well drained and considered non-hydric, but a small portion of the Existing Stadium Complex is mapped as hydric soils, particularly the Ilion slit loam soil class. Fill soils, primarily composed of sand, silt, and shale stone fragments, were observed throughout the Existing Stadium Complex. The eastern portion of the Existing Stadium Complex is composed of hydric soils, most likely due to its proximity to Smoke Creek. See **Appendix 7** and the Ecological Review dated September 2022 prepared by CC Environment & Planning is annexed hereto as **Appendix 8**.

The Existing Stadium Complex is underlain by varying amounts of fill soil over glacial till. The glacial till is underlain by shale bedrock. The Existing Stadium Complex generally has 1-4 feet of previous disturbance with the depth of the fill varying from 2 to 4 feet under parking lots, upwards to 40 feet in some locations close the Existing Stadium, where the fill was placed to level the site during construction to accommodate the structure. The Existing Stadium Complex has glacial deposits in borings that consist primarily of sandy silt or silty sand with varying amounts of gravel and shale stone fragments, which indicated dense soil composites. The borings show that the top of the rock is getting deeper toward the east and Smoke Creek, and this is due to the creek eroding the rock to form the valley. See **Appendix 7**.

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. The tanks hold substances like gas, diesel, and kerosene/fuel oil. Additionally, there is waste cooking grease generated and stored on the northwest corner of the Existing Stadium, most likely from food concessions. A Phase 1 Environmental Site Assessment dated August 4, 2022 prepared by LaBella Associates, D.P.C. ("**Phase 1 Environmental Site Assessment**") is annexed hereto as **Appendix 9**.

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 Existing Stadium Complex contains soils with relatively high groundwater, which are not suitable for infiltration. Thus, the majority of the drainage at the Existing Stadium Complex is collected in an on-Site storm sewer and conveyed to Smoke Creek. 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. A Preliminary Stormwater Pollution Prevention Plan dated September 30, 2022 prepared by Pinewoods Engineering P.C. ("**SWPPP**") is annexed hereto as **Appendix 10**.

There is one waterbody that receives runoff from the Existing Stadium Complex, the South Branch of Smoke Creek located east of the Site, which flows in a north-westerly direction. The Existing Stadium Complex is located in Smoke Creek - Front Lake Erie sub-watershed, which is part of the Buffalo - Eighteenmile Creek watershed. The South Branch of Smoke Creek, denoted as Stream 2 in the Ecological Report, see **Appendix 8**, likely falls under both state and federal jurisdiction. According to New York State Department of Environmental Conservation (“**NYSDEC**”), Stream 2 is considered a Class C stream and is listed on the NYS Section 303(d) List of Impaired Waters. According to the United States Fish and Wildlife Services (“**USFWS**”), National Wetlands Inventory (“**NWI**”), and NYSDEC Environmental Resource Mapper this stream was identified by both state and federal maps.

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. Measurements made from drilling show that water levels dropped in borings made closer to the Existing Stadium, indicating that the Existing Stadium drainage system acts as a sink and locally depresses groundwater levels. The groundwater will likely coincide with the weathered rock layer at the New Stadium, likely a few feet deep, which is consistent with signs of shallow groundwater like slow drainage, and water flow in shallow drop inlets where the New Stadium is proposed.

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 New York State Environmental Resource Mapper³ does not include any significant natural communities or listed species on the Site or in its vicinity. USFWS flagged two species, the monarch butterfly and the northern long-eared bat (“**NELB**”). While the NELB is a federally listed threatened species, the USFWS has not indicated any known winter hibernacula within 5 miles of the Existing Stadium Complex or any NELB maternity roost trees within 1.5 miles of the Existing Stadium Complex. Furthermore, the monarch butterfly is a candidate species for a USFWS listing and is not currently listed. See **Appendix 8**.

The Existing Stadium Complex contains two 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

³ <https://gisservices.dec.ny.gov/gis/erm/>

Cemetery Site (USN-02921.000413). The Ellis Site is a village site that lies across the South Branch of Smoke Creek to the east of the Project Area. Two cemeteries are associated with the Ellis Site, located on knolls within the project area. The site was first noted by Frederick Houghton in 1909: "Houghton comments on two cemeteries associated with the Ellis Site and gives rough locational information for each, also noting that one had been destroyed and the other severely impacted as both locations were mined for gravel. Although there are still grave goods and human remains in the area, there had been considerable destruction of the cemeteries by the gravel mining on the property." A Phase 1A Archaeological Investigation and Progress Report (progress letter dated October 4, 2022) dated August 2022 prepared by Commonwealth Heritage Group, Inc. ("**Phase 1A Archaeological Investigation and Consultation Correspondence**") is annexed hereto as **Appendix 11**.

The Existing Stadium Complex is serviced by Erie County Water Authority ("**ECWA**"). The Existing Stadium Complex has a 16" Ductile Iron Pipe combined fire and domestic service. This service also supplies water for irrigation of the grass practice field. The service enters the water building located at the bend of One Bills Drive and inside splits into a 10" domestic and 10" fire service. Both services currently have backflow protection. The service is tapped off the existing 16" ECWA main located on Big Tree Road, is reduced down to a 12" main north of the service connection and continues up the east side of Abbott Road. A Water and Sanitary Sewer Report dated September 2022 prepared by Carmina Wood Design ("**Water and Sanitary Sewer Report**") is annexed hereto as **Appendix 12**. Based on flow test results provided by ECWA, it appears the pressure and flow is relatively low. From the public comments received at the Public Scoping Meeting on July 14, 2022, there appears to be a low pressure situation in the vicinity of the Existing Stadium Complex on game days. See **Appendix 4**.

The Existing Stadium Complex has three (3) 10" private sanitary mains located along the southeast portion of the complex. These private mains collect sewage from the Existing Stadium Complex and tie together into an 18" private main which conveys the flow north to the existing Site's 120' x 26' flow attenuation tank located along the northeast portion of the Existing Stadium Complex. This tank provides attenuation during peak flow events and is controlled by manual valves and 8" outlet pipe. The tank does have an 18" overflow pipe in the event that tank capacity is exceeded or the outlet pipe is plugged. The outlet pipe and the overflow pipe both connect to the 21" Erie County Sewer District ("**ECSD**") trunk line located along the west sides of Smoke Creek, behind the Existing Stadium. This main flows south towards Abbott Road. This main is located in ECSD #3 and ultimately discharges to the Southtowns Advanced Waste Water Treatment Plant. See **Appendix 12**.

Sanitary waste from the remainder of the Existing Stadium Complex (fieldhouse, training center, and operations building) is collected with a separate 8" lateral which also ties into the 21" trunk line, downstream of and separate from the attenuation tank.

Electric supply for the Existing Stadium Complex utilizes one 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 peak current utility electrical demand on both feeders is approximately 7,500 kWh for the Team's event days. An Electrical Demand Narrative dated October 5, 2022 prepared by ME Engineers is annexed hereto as **Appendix 13**.

The Existing Stadium Complex follows the relevant noise ordinances of the Town of Orchard Park and the Town of Hamburg. The Town of Orchard Park noise ordinance states that "the creation of any unreasonably loud, disturbing, and unnecessary noise is prohibited." Furthermore, "noise of such character, intensity, and duration as to be detrimental to the life or health of any individual is prohibited." The Town of Hamburg has a similar provision but refers to the prohibition of noise that is detrimental to life, health, or welfare of the inhabitants of the town as a public nuisance. Additionally, the Town of Hamburg states that all sleep-disturbing noises are prohibited, which are noises that occur that are unreasonably loud during the hours between 11:00 p.m. and 7:00 a.m. A WJHW Environmental Sound Study prepared by WJHW ("**WJHW Environmental Sound Study**") is annexed hereto as **Appendix 14** and a GHD Noise Impact Study prepared by GHD is annexed hereto as **Appendix 15**. See **Appendices 14** and **15**, respectively.

The Existing Stadium Complex field lights are mounted on freestanding posts 140 feet tall, which extend above the structure of the Existing Stadium making them visible to surrounding properties. These lights are unshielded, giving them a glary appearance. The upper concourse and ramps of the Existing Stadium Complex are open to the sky and surrounding parking lots, making them very visible from the exterior. Therefore, the lighting visible from the exterior of the Existing Stadium Complex is coming from these ramps and is not related to any exterior design expression. The parking lot post lights at the Existing Stadium Complex are very tall, creating more glare for neighboring properties and uneven illumination of parking lots. All of the above mentioned lighting is older technology and is less energy efficient than current lighting technologies. See **Appendix 6**.

iii. An Overview of Game Days

On game and event days, traffic management, police and public protection is provided by the Erie County Department of Public Works Division of Highways, the New York State Department of Transportation, the Orchard Park Police Department, the Town of

Hamburg Police Department, the Erie County Sheriff's Office, and the New York State Troopers. Fire protection and emergency medical services are provided by the Orchard Park Fire District EMS, the Orchard Park Fire District, and the Town of Hamburg Fire Chiefs Association. The Existing Stadium Complex follows a Traffic Management Plan on game and event days. A Traffic Management Plan dated October 12, 2022 prepared by Popli Design Group ("TMP") is annexed hereto as **Appendix 16**. Various agencies are involved in the preparation and implementation of the TMP to manage game day traffic with the goal of maximizing capacity of the adjacent roadways and protecting the high number of pedestrians in the vicinity of the Existing Stadium Complex. See TMP attached hereto as **Appendix 16**. The TMP is also used to inform the traveling public of potential traffic problems. The TMP is implemented five hours prior to an event at the Stadium, and game day utilizes both permanent Dynamic Messaging Signs and Portable Variable Messaging Signs in the vicinity of the Existing Stadium to suggest alternate and preferred routes to the Existing Stadium Complex. Once congestion and/or closures take place, the signs are adjusted as conditions merit.

There are several major roadways in the vicinity of the Existing Stadium Complex: California Road, Southwestern Boulevard, Milestrip Road, McKinley Parkway, Abbott Road, and Big Tree Road. According to the TMP, currently, on event days, certain roadways are converted to allow for more inbound lanes before games and additional outbound lanes after games. Pre-game, Abbott Road is closed to through traffic from Big Tree Road to Southwestern Boulevard starting approximately five hours before a game; Southwestern Boulevard is converted to three lanes of westbound traffic and two lanes for eastbound from California Road to Touchdown Drive; and Abbott Road is converted to three lanes of traffic southbound and one northbound from Milestrip Road to Southwestern Boulevard. Post-game, Abbott Road is closed to through traffic from Big Tree Road to Southwestern Boulevard until approximately one hour after a game; Southwestern Boulevard is converted to three lanes westbound and two lanes eastbound; and Abbott Road will be converted to three lanes of traffic northbound and one southbound from Southwestern Boulevard to Milestrip Road.

In addition, the stretch on Abbott Road from Big Tree Road to Southwestern Boulevard is shut down for pedestrian crossing during event days. Furthermore, before a game, the TMP calls for a pedestrian corridor within the rightmost northbound lane of Abbott Road from Southwestern Boulevard to Webster Road. After a game, there are lane restrictions on Abbott Road north of Southwestern Boulevard and on Big Tree Road to provide pedestrian corridors. After a game, the TMP calls for a pedestrian corridor within the right of way more northbound lane of Abbott Road from Southwestern Boulevard to Webster Road. Furthermore, according to the TMP, to improve pedestrian safety, Big Tree Road closes to westbound traffic at U.S. Rt. 219 starting at approximately halfway through the game/event. Big Tree Road is then converted into eastbound only traffic to the U.S. Rt. 219 interchange ramp. The TMP calls for use of channelizing devices such as cones or drums to delineate the eastbound traffic on the

eastbound shoulder and the travel lanes. The westbound shoulder is used for a pedestrian corridor. See **Appendix 16**.

The Niagara Frontier Transportation Authority (“**NFTA**”) operates public bus transportation in Erie and Niagara County, known as Metro Bus. NFTA operates Metro Bus routes in the vicinity of the Existing Stadium. There are currently three NFTA Metro Bus routes that lead to the vicinity of the Existing Stadium Complex, Route 14-Abbott, Route 16-South Park, and Route 72-Orchard Park Express. The majority of the event day traffic throughout the region is arriving and departing via I-90 north of the Existing Stadium Complex. Beginning in the 2022 season, NFTA is piloting game day services that would operate between several locations across Western New York to a passenger drop-off on Abbott Road. A Traffic Assessment dated October 2022 prepared by WSP USA, Inc. (“**Traffic Assessment**”) is annexed hereto as **Appendix 17**. NFTA is considering service pick-up and drop-off locations to include the Downtown Transit Center on Ellicott Street, Black Rock-Riverside Transit Hub, University Station Park and Ride, Thruway Mall, Athol Springs Transit Hub, Eastern Hills Mall, and McKinley Mall. NFTA buses will use Big Tree Road to Regional Drive as an ingress route, and drop off at Gate 1. This ingress route will give NFTA priority access for drop-off into the stadium area and give employees and fans a very close spot near their respective gate entry areas. Since new direct service was just started in September of 2022, to be conservative, ridership was not factored in the Traffic Assessment. See **Appendix 17**. However, preliminary results for the four home games on September 19, October 9, October 30 and November 13 show that 87, 170, 118, and 109 riders, respectively, utilized the service to the Existing Stadium, and 105, 158, 234, and 176 riders, respectively, utilized the service from the Existing Stadium. Additionally, riders utilized nearly all of NFTA’s pickup/drop-off locations for this service.

Traffic arriving or departing from the Existing Stadium Complex has to travel on Southwestern Boulevard, Abbott Road, or Big Tree Road to access the majority of the on-site and off-site parking lot locations. The current capacity for the highways around the Existing Stadium Complex is 11,000-16,500 vehicles per hour for arriving traffic and 12,00-18,000 vehicles per hour for departing traffic. For passenger vehicles, an occupancy of 2.8 persons per vehicle was assumed in the Traffic Assessment. See **Appendix 17**.

As detailed in the Traffic Assessment, pre- and post-event traffic patterns are very similar. Postgame, slightly more traffic can be seen using Southwestern Boulevard and Armor Duells Road to Rt. 219. The majority of traffic uses the roadways east of the Existing Stadium in both pre- and post-game conditions. Currently, Abbott Road, Southwestern Boulevard, and Big Tree Road handle the highest volume of traffic, most likely due to the accessible parking from these roadways. Pre-game conditions indicate a preference for drivers coming southbound on I-90 to use Rt. 219 and exit at either the Milestrip Road or 20A - Orchard Park exits. Milestrip Road handles traffic coming in

from Route 5, I-90, and Rt. 219, where it is then distributed to Abbott Road, Southwestern Boulevard, or McKinley Parkway. There is a large convergence of traffic at the intersection of McKinley Parkway, Southwestern Boulevard, and Big Tree Road. The vehicle breakdown was as follows for the Team's game days, specifically: personal vehicles (19,625), bus/motor coach vehicles (277), limo vehicles (70), and RV vehicles (177). As mentioned above, this breakdown did not factor in rideshare contributions and public transit. See **Appendix 17**.

Post-game conditions are relatively the same. Roadways on the eastern side of the Existing Stadium Complex still show higher volumes of traffic along Big Tree Road and Southwestern Boulevard, and even higher volumes on Rt. 219 than on I-90. Corridors that experience more post-game traffic than pre-game traffic include McKinley Parkway, South Park Avenue, Armor Duells Road, Union Road, Transit Road, Lake Avenue, and Webster Road. The maps from the Traffic Assessment suggest that travelers are more likely to find alternative routes after events than before. Eastbound traffic away from the Existing Stadium Complex is the highest directional volume, with eastbound Southwestern Boulevard, Big Tree Road, and Milestrip Road volumes combining for approximately 14,300 vehicle trips. See **Appendix 17**.

Existing on-Site parking lots are located on three sides of the Existing Stadium. Site constraints limit parking and access to/from the east due to Smoke Creek. **Figure 7** below shows the parking areas in the vicinity of the Existing Stadium. Primary on-Site parking is provided via Bills/owner-controlled parking facilities directly adjacent to the Existing Stadium and across Abbott Road, shown in the figure as Stadium Lots. On-Site parking facilities quantified do not include the administrative staff parking, which create trips that occur outside of peak traffic periods on event days. Additional parking is provided at the ECC Campus. This includes general parking for patrons along with a dedicated rideshare lot for Uber/Lyft pick-up and drop-offs. There are numerous secondary parking facilities that include sizable, defined, consistent formalized parking locations which are typically scattered within proximity around the owner-controlled parking. These secondary lots are available to the general public, although some do require advance reservations or have selected requirements for using. Lastly, a tertiary level of parking option is available, which includes private residence or property owner parking typically in front yards or in driveways.

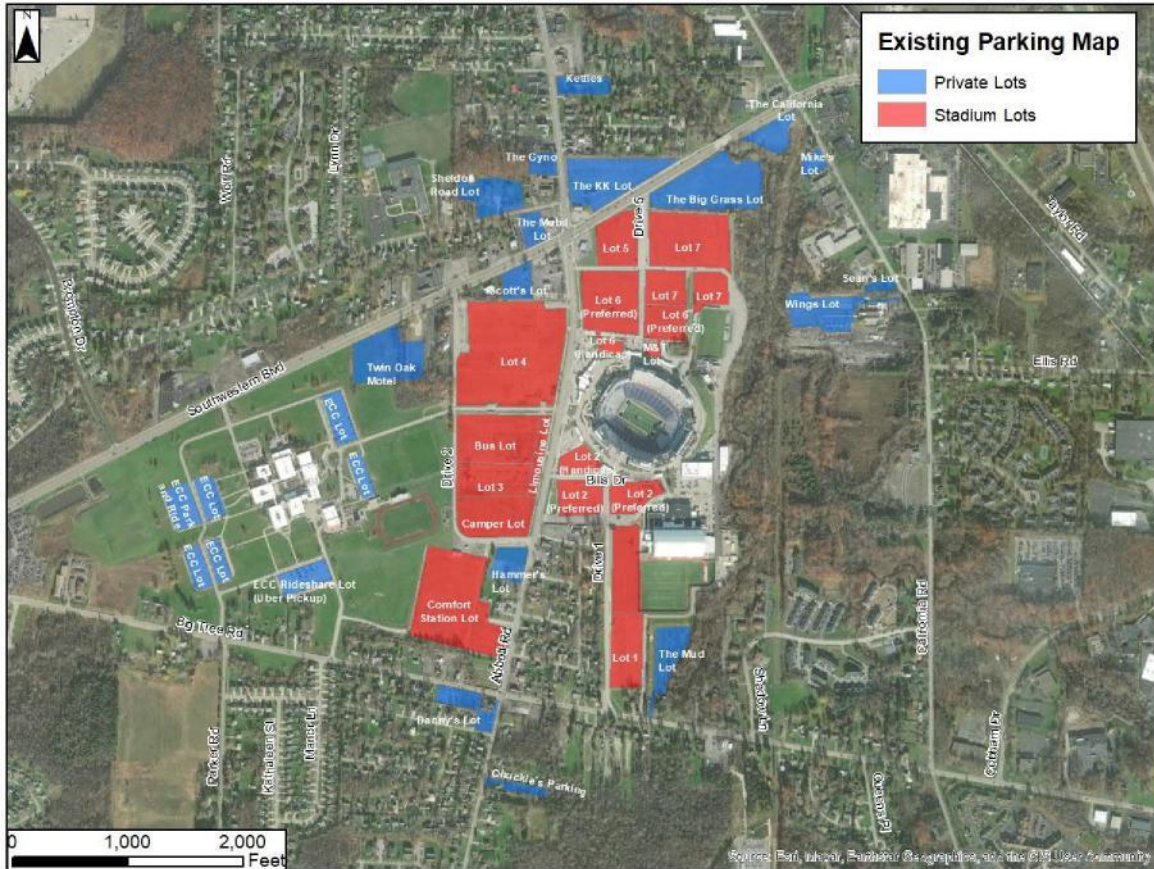


Figure 7

Of the 20,089 estimated available parking spaces, slightly more than half are located to the west of Abbott Road. Bills/owner-controlled and secondary lots were found to be highest to the east of Abbott Road. The concentration of parking at ECC Campus is fully located to the west of Abbott Road. Tertiary parking is balanced to the east and west of Abbott Road. See **Appendix 17**.

As shown in the WJHW Environmental Sound Study, 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. See **Appendix 14**.

Furthermore, as shown in the GHD Noise Impact Study sound levels around the Existing Stadium Complex were measured in the Noise Report from September 13, 2022 to September 20, 2022. GHD monitored the sound levels around the Existing Stadium for the ambient, dark-day sound level as well as the maximum sound levels during a regular season NFL game. The Existing Stadium Complex emitted an average of 75.25 dBA during a regular season NFL game. See **Appendix 15**.

The Existing Stadium Complex tends to emit food odors from tailgating activities and concessions.

During the Public Scoping Meeting, a number of neighbors testified about game day experience. Of the surveyed public comments, fans and neighbors noted concerns regarding the placement of portable toilets, the noise from event days, sidewalks, litter, and the lack of water pressure in the vicinity of the Site on game days. We note that responses to how these comments were incorporated into the scope of the SEQRA review for the Project are attached hereto. See **Appendix 4**.

B. ECC Campus

i. General Description



Figure 8

New York's State community college system was created after World War II when the New York Board of Regents envisioned a two-year technical community college system. The existing SUNY Erie opened in 1947 with a class of approximately 450 students. In 1950, the school's name changed to Erie County Technical Institute and later to Erie Community College in 1969. 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.

ECC Campus is a community college branch of SUNY Erie that offers more than 80 nationally accredited associate degree and certificate programs in the most high demand areas, including business, engineering, advanced manufacturing, health sciences, STEM, hospitality, and more. ECC Campus offers flexible scheduling options, catering to the working student. Some programs are offered partially or even fully online to fit the flexibility of the student's needs. ECC Campus offers seamless transfer opportunities to four-year public and private colleges and universities.

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 game days. Overall, the ECC Campus accounts for 1,648 spaces constructed and used by ECC (but available on game days for additional parking). The eastern portion of the ECC Campus (closest to the Existing Stadium Complex) is in the Town of Orchard Park. The western portion of the ECC Campus is in the Town of Hamburg.

The entire ECC Campus is surrounded by Big Tree Road to the south of the campus, Southwestern Boulevard to the north of the campus, and the Existing Stadium Complex to the east of the campus. 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. According to the Phase 1 Environmental Site Assessment (see **Appendix 9**), trees, debris, a dumpster, concrete, and general material storage was noted, stored, or generated on ECC Campus. There are four aboveground storage tanks and four underground storage tanks on the ECC's Campus. None of the tanks have any evidence of staining or release. The tanks hold substances like gas, diesel, and #2 fuel oil.

Enrollment at the ECC Campus has decreased by 37.29% in the past three years, which necessitates the need to eliminate redundancy of services among SUNY's campuses and to reduce operating costs in order to achieve fiscal stability. As noted above, the New Stadium Complex will include the Existing Stadium Complex, and an approximately 55.94 acre portion of the ECC Campus containing underutilized athletic fields, lawned/vegetated areas and a parking lot (Tax No. 161.00-5-1). See **Figure 2** above, and **Appendix 1**. 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

The ECC Campus is fairly level with elevations ranging from 758 feet above mean sea level to the north, to 772 feet above mean sea level in the south. According to the Geotechnical Engineering Assessment Report, fill soils primarily consisting of sand, silt, and shale stone fragments were observed in all the borings taken in proximity to the New Stadium footprint. The material underlying the fill is comprised of fine-grained native deposits overtop bedrock. See **Appendix 7**.

The ECC Campus is situated in the Erie-Ontario Lake Plain physiographic province, one of the two provinces in Erie County. Bedrock at the ECC Campus consists of sandstone and shale beds belonging to the Java and Westfalls Group. The native soils at the ECC Campus belong to the Darien-Remsen-Angola association. These soils formed in shaly glacial till deposits at the transition from lake plain to upland plateau, and are

deep and moderately deep, dominantly nearly level and gently sloping, medium textured, and somewhat poorly drained. See **Appendix 7**.

As detailed in the Ecological Report, there are several waterbodies present on the ECC Campus, Wetland 1, Wetland 2, Stream 1, Drainage Discharge 1, Drainage Discharge 2, and Drainage Area 3. Wetland 1 is located on the northwestern portion of the ECC Campus, within the only forest block on the ECC Campus. The current acreage of Wetland 1 is 0.55 acres. Wetland 1 is isolated with no hydrological connection and likely does not fall under federal or state jurisdiction. Wetland 2 is located in the southern portion of the ECC Campus, just north of Stream 1, and is part of the stormwater system for this portion of the ECC Campus. Wetland 2 is 0.074 acres and may have sufficient hydrological connection to fall under federal, but not state, jurisdiction.

Stream 1 is an unnamed tributary of Rush Creek located at the south end of the ECC Campus and conveys flows in a westerly direction to Rush Creek. Stream 1 appears to fall under both state and federal jurisdiction. Drainage Discharge 1 is a stormwater conveyance in the northwestern portion of the ECC Campus. Drainage Discharge 2 is a stormwater conveyance located within the southern portion of the ECC Campus, conveying stormwater from the Team parking lots on the eastern side of the ECC Campus. Drainage Discharge 3 is a stormwater conveyance just south of Drainage Discharge 2, on the south side of Team Member Drive. Drainage Discharge 4 is a stormwater conveyance immediately west of Drainage Discharges 2 and 3. See **Appendix 8**.

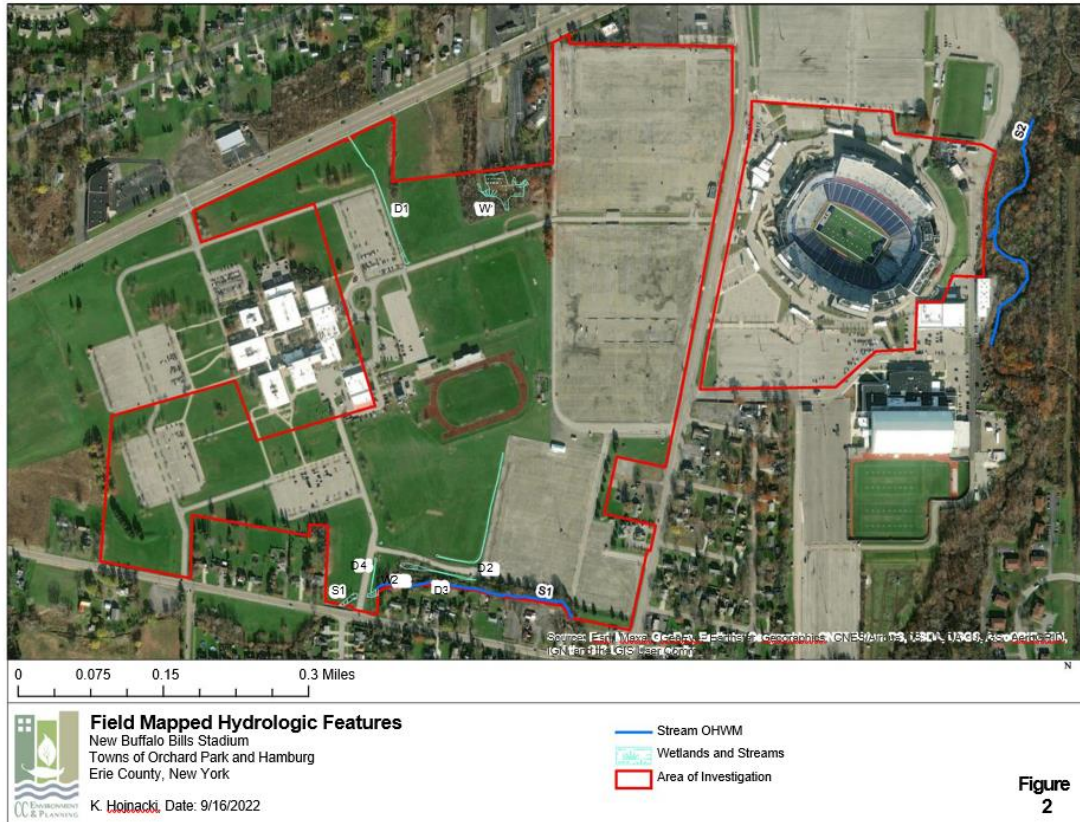


Figure 9

On the northeast side of the ECC Campus, stormwater runoff flows north and is intercepted in the storm sewer system within the Southwestern Boulevard right-of-way. Small portions of the drainage to the right-of-way are via onsite connected basin. The storm sewer system along Southwestern Boulevard conveys drainage east to the South Branch of Smoke Creek. Stormwater flows on the south-west side of the ECC Campus flow south-westerly and eventually reaches the Rush Creek tributary. The existing ECC Campus buildings and parking lots have storm sewer systems that convey drainage in a westerly direction to an existing stormwater management pond, which complies with current stormwater model development methodology standards. There is an existing stormwater pond on the ECC Campus that has an outlet that connects to a storm sewer system in Southwestern Boulevard that, at this end of the ECC Campus, conveys flows in a westerly direction to Rush Creek. Portions of runoff sheet drain offsite to the south, flow overland across properties to the south and are collected in the storm sewer system located in the Big Tree Road right-of-way which eventually discharges to Rush Creek.

Groundwater on the ECC Campus is, on average, approximately 4 feet deep but can range from between less than 1 foot to over 8 feet below ground. These values will fluctuate throughout the year. The direction of the hydraulic gradient is to the south or

southwest. 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. There are no critical environmental areas. The ECC Campus mainly consists of mowed lawn. A small portion of the ECC Campus is in natural cover including upland forest, floodplain forest, shrub swamp, shallow emergent marsh, intermittent stream, and ditch/artificial intermittent stream. No state-listed plant or animal species nor significant natural communities were identified by the NYSDEC Environmental Resource Mapper or Environmental Assessment Form (EAF). USFWS Information for Planning and Consultation (IPaC) identified two species as potentially present of the ECC Campus; NELB (*Myotis septentrionalis*; threatened) and monarch butterfly (*Danaus plexippus*; candidate). According to additional information provided by USFWS, there are no known NELB maternity roost trees within 1.5 miles or winter hibernacula within 5 miles of the Site (i.e., no on-site occupied habitat or designated critical habitat present).

Furthermore, a review of the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) files accessed through Cultural Resource Information (CRIS) did not identify any National-Register-listed properties within the ECC Campus.

C. Surrounding Neighborhoods of 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 and with a few residential properties. Many of these properties provide additional parking on game days in front yard or driveways, totaling approximately 3,000 parking spaces, according to the Traffic Assessment. See **Appendix 17**.

The Existing Stadium Complex is located in the Town of Orchard Park. The ECC Campus is located in both Orchard Park and the Town of Hamburg. The Orchard Park Comprehensive Plan describes the area surrounding the Existing Stadium Complex and the ECC Campus as “a variety of commercial and residential uses” and “older, more densely developed neighborhoods.” The Town of Orchard Park Intensive Level Survey of Historic Resources explained that there was a “building boom” after World War II that resulted in a return to the New England Cape Cod style of residential structures, and introduced the Ranch style home. It also states that “since the 1950s, several well-executed subdivisions of “neo-colonial” style residential structures have been

established.” During the late 1900s, a wide range of more modern architectural styles were utilized in residential construction in this area of Orchard Park.

The current Town of Hamburg Compressive Plan does not specifically address the Existing Stadium Complex. However, the Town is in the process of updating its comprehensive plan and it is expected that when finalized, the updated plan will address both the Existing Stadium Complex and the New Stadium.

A list of the neighborhoods surrounding the Project Area is provided in **Figure 10** below.

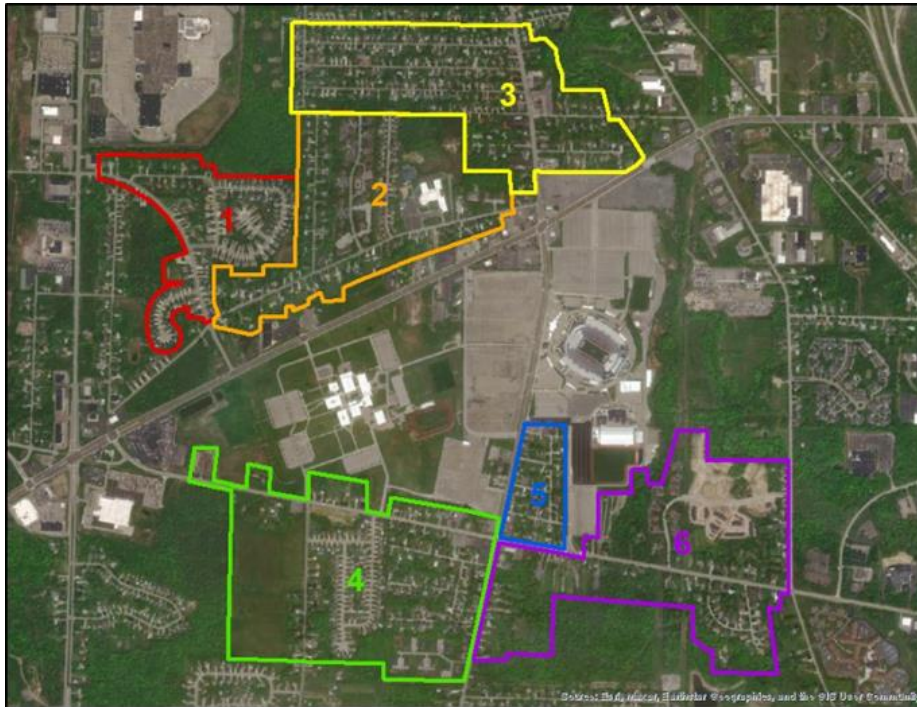


Figure 10

Neighborhood 1 is north of Southwestern Boulevard and northwest of the New Stadium and includes some of Sheldon Road which runs parallel and then intersects with Brompton Drive. The neighborhood is relatively new, with houses being built from the 1990s to the mid-2010s. The average lot size in Neighborhood 1 is 0.28 acres.

Neighborhood 2 consists of Sheldon Road which continues east and contains two dead end roads running perpendicular to Sheldon Road. Neighborhood 2 contains Post-World War II residential structures built in the 1950s and 1960s. Additionally there is an apartment complex and an elementary school in this neighborhood.

Neighborhood 3 is north of the Site and the Existing Stadium where Sheldon Road intersects with Abbott Road. This neighborhood also includes the two dead-end streets

on each side of Abbott Road, just north of Sheldon Road. The residential structures in this neighborhood were built between 1940 and 1970. The average lot size in Neighborhood 3 is 0.26 acres.

Neighborhood 4 consists of the few residential homes on Big Tree Road to the South of ECC Campus and the New Stadium. There is one residential structure on a 40-acre parcel that is listed as being built in 1825 and another residential structure on a two-acre parcel as being built in 1820. Most of the residential structures closer to Abbott Road were built Post-World War II, in the 1960s and 1970s. There is one apartment complex in Neighborhood 4, located further west towards Southwestern Boulevard that was built in 1976. Furthermore, south of Big Tree Road is a subdivision that was built in the 1990s. To the west of Abbott Road there are three dead end streets consists of residential lots that vary in style and age, ranging from 1900s-1990s. Additionally, there is an apartment complex built in 2016 in Neighborhood 4. The average lot size in Neighborhood 4 is 0.41 acres.

Neighborhood 5 is south of the Site, north of Big Tree Road, between Abbott Road and Bills Drive which consists of older residential structures that were built between the 1920s and the 1980s. This neighborhood is gated with openings to the Existing Stadium. The average lot size in Neighborhood 5 is 0.32 acres.

Neighborhood 6 runs along the east side of Abbott Road and Big Tree Road and contains lots that are larger than the surrounding neighborhoods. Neighborhood 6 consists of two apartment complexes, a minor subdivision, a mix of one-story ranch residential homes, and two-story residential structures. The homes in Neighborhood 6 range from the 1950s to the 1970s. The average lot size in Neighborhood 6 is 1.14 acres.

III. Analysis of Environmental Impacts

This section provides an analysis of the potential environmental impacts associated with the Project. For the convenience of the Lead Agency, as well as interested and involved agencies, the analysis has been organized based on Part 2 of the Full Environmental Assessment Form.

A. Impact on Land

As mentioned above, the New Stadium and surrounding parking lots and pedestrian walking connections will be constructed on a previously developed site, which is mainly comprised of the Existing Stadium Complex, Team parking lots, underutilized athletic fields and vegetated areas consisting of lawn/landscaped areas. On the Existing Stadium Complex, the Existing Stadium will be demolished and replaced with surface parking. In addition, the existing surface lots will be repaired and improved. Furthermore, the stormwater runoff generated will be managed and treated accordingly

prior to discharge. The storm water management system will provide treatment in accordance with NYSDEC criteria, and will reduce the peak runoff to Smoke Creek below existing rates. The methods being employed will provide water quality treatment to address specific pollutants, such as phosphorus. This treatment will greatly enhance the quality of the post construction discharge as compared to current conditions. The addition of improved drainage and parking lot runoff management will be a significant improvement to both the quantity and quality of stormwater runoff when compared to the Existing Stadium Complex's current conditions.

As noted above, the Existing Stadium Complex contains soils with relatively high groundwater levels. Groundwater is, on average, approximately 4 feet deep but can range from between less than 1 foot to over 8 feet below ground. In terms of construction over a shallow water table, in the vicinity of the New Stadium, the groundwater table is from 6 to 9 feet in depth. Additionally, construction work at the Existing Stadium Complex is limited to demolition of the already constructed Existing Stadium and rehabilitation of the existing parking lots. Thus, there will not be any significant construction activity on lands where the depth to the water table is less than 3 feet. Furthermore, the Project Area is fairly level with elevations ranging from 772 feet above mean sea level in the south, to 758 feet above mean sea level to the north. Thus, the Project does not involve construction on slopes of greater than 15%.

In terms of construction on land where bedrock is exposed, or generally within 5 feet of the ground surface, the average depth to bedrock at the Site is 7.8 feet and there are no bedrock outcroppings on the Site. The New Stadium, auxiliary building, and other support structures will be supported by spread footing bearings on either glacial till, weathered shale, or competent rock. The footing bearings on the till or weathered rock will be designed to exceed 6,000 to 8,000 pounds per square foot for the New Stadium. 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. The New Stadium Complex will involve the excavation and removal of more than 1,000 tons of natural material. Specifically, according to the Full Environmental Assessment Form ("FEAF"), dated July 1, 2022 and revised November 22, 2022, approximately 500,000 cubic yards (135,000 tons) of soil, gravel and shale will be removed over the course of six months to excavate the lower portions of the New Stadium. See **Appendix 25**. While this is a significant amount of material, most of this excavation is associated with construction of the playing field which, similar to the Existing Stadium, will be below grade. The main concourse will be located at grade to create a more accessible and user-friendly entry experience, while the rotation of the New Stadium relative to Abbott Road will create a welcoming entry plaza on the New Stadium's east sideline with a large plaza and prominent entry on the New Stadium's north end. Finally, it is also

noted that almost all of the excavated material will be reused and remain on the Site. During demolition, the Existing Stadium's concrete structure will be ground up and recycled as fill material within its existing bowl area to reduce off-Site waste. In addition, various elements are being considered for potential reuse and recycling. Many of the large boulders used as vehicular barriers around the site will be reused on the new site. Any metal and concrete materials not suitable for reuse on the Site will be recycled off-Site. Excavated clean and suitable soils may be reused off-Site, at the County's discretion, due to its need for clean fill for other County projects. Various other parts of the Existing Stadium will be evaluated for retention, reuse or recycling to try and minimize the need for off-site disposal.

The construction of the New Stadium and the demolition of the Existing Stadium will take place over several years. Stage 1 is an approximate 11-month period when the construction team will establish the fence site, relocate existing utilities within the New Stadium footprint, remove miscellaneous items within the New Stadium footprint, and commence the excavation and foundation work. Stage 2 is an approximate 12-month period when the construction team will do foundation work, setup the new utilities, begin installation of the structural steel of the New Stadium, and begin the concrete work. Stage 3 is an approximate 15-month period when the construction team will establish the final footprint of the New Stadium, complete the structural steel, and complete the mechanicals/electrical fit-out, and utilities.

Construction will be in controlled areas within the New Stadium Complex which is generally a sufficient distance from surrounding communities to minimize disturbance. While construction generally takes place Monday-Friday from 6 a.m. to 11 p.m.; Saturday from 7 a.m. to 6 p.m.; and Sundays from 8 a.m. to 5 p.m, it is anticipated that approximately 85 to 90% of the Project 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. As such, disturbance to surrounding communities should be minimal. After-hours and weekend work is largely reserved for any necessary make-up activities if there are delays as the construction process moves forward, therefore work is performed by select trades and not the entire workforce.

Demolition is expected to last for approximately 8 months. In order to ensure that the demolition of the Existing Stadium does not have an adverse impact on land, a comprehensive Demolition Mitigation Plan dated August 26, 2022 prepared by Gilbane and Turner ("**DMP**"), is annexed hereto as **Appendix 18**, will be implemented. In advance of the demolition of the Existing Stadium, investigations will be performed by qualified persons to identify any environmental concerns and 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, including stormwater protection. Demolition work will take place during daylight hours when noise sensitivity is at its lowest.

Furthermore, the Project will not result in increased erosion. The vast majority of the New Stadium Complex is already improved with impervious surfaces. Thus, while the SWPPP notes that the total area of disturbance for the Site is approximately 186 acres, there are only approximately 45 acres of new impervious surfaces being added. And, only approximately 31 acres of the existing Project Area is being treated by an existing stormwater management practice that generally meets the criteria in the New York State Stormwater Management Design Manual. Approximately 40 acres of the ECC Campus will be used for construction laydown, trade contractor parking, and storage. Pursuant to NYSDEC requirements, (“**SPDES Permit**”) and a SWPPP are required. As shown in **Appendix 10**, the SWPPP will include both permanent and temporary stormwater control measures that will minimize stormwater runoff during construction and operation of the Project. In addition, 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 fifty 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

As mentioned above, the Site is relatively flat and consists of a previously developed areas of the Existing Stadium Complex, including parking lots, a portion of the ECC Campus, and other various landscaped or grass covered areas. 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

The Project Area lies within the Lake Erie watershed, with two waterbodies receiving runoff from the Project. As mentioned above, of the two identified wetlands, Wetland 1 is located on the northwestern portion of the Project Area, within the only forest block on the Project Area. The current acreage of Wetland 1 is 0.55 acres. Wetland 1 is isolated with no hydrological connection and likely does not fall under federal or state jurisdiction. Wetland 2 is located in the southern portion of the Project Area, just north of Stream 1, and is part of the stormwater system for this portion of the Project Area. Wetland 2 is 0.074 acres and likely falls under federal, but not state, jurisdiction. Stream 1 is an unnamed tributary of Rush Creek located at the south end of the Project Area

and conveys flows in a westerly direction to Rush Creek. Stream 2 is the South Branch of Smoke Creek located along the eastern edge of the Project Area, outside of the Project Area. This creek conveys flows in a north-westerly direction. Both streams likely fall under both state and federal jurisdiction, both are considered Class C streams, and both are listed on the NYS Section 303(d) List of Impaired Waters. Drainage 1 is a stormwater drainage in the northwestern portion of the Project Area. Drainage 2 is located within the southern portion of the Project Area, conveying stormwater from the large parking lots to its east. Drainage 3 lies just south of Drainage 2, on the south side of Team Member Drive. Drainage 4 is immediately west of Drainages 2 and 3. The jurisdictional status of these drainages is less clear. Drainage 1 likely does not fall under federal or state jurisdiction, but Drainages 2-4 likely do, however, their ephemeral nature may make them non-jurisdictional.

The Project will not involve disturbance of Stream 1. Wetland 1 will be disturbed as it is located within an area that will be improved by an access road necessary for circulation around the New Stadium. However, Wetland 1 is isolated with no hydrological connection and likely does not fall under federal jurisdiction. Wetland 2 is a man-made basin created for the purposes of stormwater retention, and will be preserved and enhanced as part of the new stormwater management system for the New Stadium Complex. Drainage Discharge 1 will be paved over along the southern approximately 500 feet while the remaining 250 feet will be incorporated into a bioretention facility and wet pond. Impacts to Drainage Discharge 2 include the removal of approximately 590 linear feet in the northern portion for parking lot construction and expanding the southern portion (approximately 200 feet) to form a new stormwater bioretention facility. There are no proposed impacts to Drainage 4 and there are no proposed impacts to the mapped streams within the Project Area.

The continued use of Drainage 3/Wetland 2 for stormwater management will eliminate impacts to these features if they remain unaltered, including vegetation management. There are no proposed impacts to Drainage 4 and there are no proposed impacts to the mapped streams within the Project Area. A regulatory determination by the USACE and NYSDEC to confirm these aquatic habitats is required, and the County and the Team will work with the USACE and NYSDEC and will comply with all applicable state and federal requirements.

The Project will result in the creation of some new waterbodies. In addition to reducing the peak runoff to Smoke Creek below existing rates, the storm water management system for the New Stadium Complex will also provide treatment in accordance with NYSDEC criteria, unlike current conditions. The methods being employed will provide water quality treatment that addresses specific pollutants, such as phosphorus. This treatment will greatly enhance the quality of the post construction discharge as compared to current conditions. Specifically, a total of six bioretention facilities and two wet ponds are proposed to serve the New Stadium Complex to receive and treat

stormwater runoff from portions of the new parking areas. Two underground collection systems, including one to be constructed in the bowl of the Existing Stadium (before it is filled in and paved for additional parking) and one new storage system to be installed under the New Stadium, will be utilized to provide detention volume for runoff captured in the new stormwater management system. Overall, these new waterbodies and the accompanying stormwater management system will result in substantial improvements to current stormwater management practices at the Site. In fact, even though the Project will only result in a relatively small increase in impervious surfaces (approximately 45 acres), a detailed SWPPP has been prepared in accordance with the requirements for obtaining coverage under the New York State Department of Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities -GP-0-20-001 (“**SPDES Permit**”). The SWPPP documents the selection, design, installation, implementation, and maintenance of all erosion and sediment control measures and practices that will be used to meet the effluent limitations and post-construction requirements of the SPDES Permit. These effluent limitations are imposed to protect the waters of the State of New York from the adverse impacts of stormwater runoff.

The erosion and sediment control measures described in the SWPPP are in accordance with the New York State Standards and Specifications for Erosion and Sediment Control (Bluebook), dated November 2016. Fourteen temporary erosion and sediment control best management practices and eight best management procedures will be utilized during construction activities. The post-construction stormwater management practices have been designed to be in compliance with the performance criteria in the New York State Stormwater Management Design Manual, dated January 2015.

The proposed hydrology for the New Stadium Complex has been designed to closely match existing conditions on the ECC Campus and re-use existing storm conveyance infrastructure to the greatest extent possible. The use of NYSDEC green infrastructure techniques (such as preservation of buffers, and undisturbed areas, reduction of clearing and grading, etc.), where applicable, is used to reduce negative impacts to surrounding waterbodies. 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.

Additionally, 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. Further, construction activities present the possibility of silt laden runoff entering streams due to storm events. Runoff pollution affects the water quality of the small tributaries, ponds, or other receiving waters. Also, the potential for oil spills exists from construction vehicles, as risk to

common construction projects. As mentioned above, a SPDES Permit and a SWPPP are required. The SWPPP includes permanent and temporary stormwater control measures to minimize stormwater runoff during construction and operation of the Project. 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

As noted above, the Existing Stadium Complex contains soils with relatively high groundwater levels. On the ECC Campus and a portion of the parking lots of the Existing Stadium Complex, groundwater is, on average, approximately 4 feet deep but can range from between less than 1 foot to over 8 feet below ground. In the vicinity of the New Stadium, the groundwater table ranges from 6 to 9 feet in depth.

As water for the New Stadium Complex will be provided by the ECWA, the New Stadium Complex will not result in any new water supply wells, or create additional demand on supplies from existing water supply wells. Notably, peak water demand on event days for the New Stadium is actually expected to drop due to the updated infrastructure, including low water consumption toilet fixtures and flush valves, that will be installed along with the reduction in the capacity of the New Stadium. See **Appendices 3 and 12**. Further, the ECWA sources its water supply from Lake Erie rather than groundwater.

The Project will not require wastewater to be discharged to groundwater as the New Stadium Complex will utilize the existing public wastewater treatment facilities, specifically, Erie County Sewer District #3 which eventually flows into the Southtowns Advanced Wastewater Treatment Plant. The amount of sanitary waste anticipated is approximately 27,000-35,000 gallons per day, which represents a net decrease in wastewater resulting from the decreased capacity of the New Stadium. As detailed in the Water and Sanitary Sewer Report, the Southtowns Wastewater Treatment Plant has sufficient capacity to serve the Project. Accordingly, expansion of the district is not needed, existing sewer lines will serve the Project, and a line extension will not be necessary to serve the Project.

The New Stadium Complex will include appropriate storage cabinets for fertilizers and pesticides. Pesticides, liquid fertilizer, and fungicides will be used in similar product type, frequency, and processes to current practices for the Existing Stadium Complex. As the New Stadium Complex includes a grass field, there will be a corresponding

minor increase in the quantity used annually. Additionally, the Project will add two new aboveground diesel storage tanks to service two new backup generators, resulting in a minor increase in the quantity of diesel stored onsite. As noted above, the New Stadium Complex is serviced by a municipal water supply system rather than drawing water supply from groundwater. Additionally, the New Stadium Complex will not be located over an aquifer.

Construction work includes demolition of the Existing Stadium, rehabilitation of the existing parking lots, and construction of the New Stadium. During construction and excavation, the SWPPP and the SPDES Permit set forth various Best Management Procedures and controls that would limit impacts, including dewatering and monitoring. Additionally, a dewatering outlet will pass through a filter bag prior to discharge into the storm sewer. There is no record of spills within 2,000 ft of the Project Area, so dewatering operations will not pull contaminated water from any adjacent sites. Further, no petroleum or hazardous material storage will occur below the groundwater table during construction.

Overall, the Project is anticipated to reduce peak event day demand on water supply and wastewater infrastructure due to the reduction in seating capacity and updates to a fifty year old stadium. While the New Stadium Complex will require storage and use of fertilizers, fungicides, pesticides, and diesel, such storage will be in accordance with applicable federal, state, and local requirements and is consistent with existing conditions resulting from the Existing Stadium. 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. 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. Based on these facts, the Project will not have any significant adverse impacts on groundwater.

E. Impact 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.

In order to mitigate the net increase in impervious areas of approximately 45 acres, the New Stadium Complex will include significant improvements to onsite stormwater management systems that mirror existing drainage patterns, as set forth in the SWPPP. See **Appendix 10**. The SWPPP details that stormwater discharge will be managed through the installation/improvement of six bioretention facilities, the existing on-site storm sewer system, an underground detention chamber which will serve to attenuate

peak discharge rates, two wet ponds, the use of hydrodynamic water quality units, and the use of impervious cover reduction with soil restoration practices.

The New Stadium Complex will achieve an 18% reduction in peak stormwater runoff as compared to existing conditions by utilizing the above-referenced stormwater controls. As detailed in the SWPPP, all three receiving waterbodies (Rush Creek Tributary, Smoke Creek, and DOT Pond/Southwestern Boulevard) independently achieve net reductions in stormwater runoff.

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

The New Stadium Complex will not require any federal or state air emission permits and, in and of itself, will not be a significant source of greenhouse gas emissions. Events at the New Stadium, however, will continue to generate many thousands of vehicle trips which are an indirect source of air pollution. However, events at the Existing Stadium Complex already create many thousands of vehicle trips and 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. Specifically, maximum attendance at the New Stadium (including fans, staff, media and other attendees) will be approximately 64,195 while maximum attendance at the Existing Stadium Complex is approximately 73,297.

In addition to indirect air pollution from vehicles, the demolition of the Existing Stadium could result in fugitive dust emissions, however those time periods will generally be limited to the initial construction stage when excavation work takes place and during demolition of the Existing Stadium. In order to ensure that the demolition of the Existing Stadium does not have an adverse impact on air quality, a comprehensive DMP will be implemented. In advance of the demolition of the Existing Stadium, investigations will be performed by qualified persons to identify any environmental concerns at the Existing Stadium such as lead, or asbestos or other regulated materials. 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. Per the DMP, additional Project-specific mitigation plans will be implemented to ensure all contractors are aware and comply with all applicable requirements, and a comprehensive, site-specific safety and health plan that ensures access to the Site is restricted as required to trained and qualified personnel, and all demolition activities are undertaken in compliance with OSHA and NYS labor laws. The DMP calls for dust

control measures and the use of air monitoring devices at locations on the Existing Stadium's perimeter. Implementation of the DMP will help to ensure that any impacts to air quality from demolition activities will be minor and temporary in nature. Accordingly, the Project will not have any significant adverse impacts on air quality.

G. Impact on Plants and Animals.

As noted in the Environmental Setting sections above, the Site is largely developed. The Existing Stadium Complex houses the Existing Stadium, the one-story metal panel clad Commissary and Operations Buildings, the ADPRO Sports Training Center that houses the two-story Team administrative office headquarters and Team training facilities, including the Team's indoor practice field, an adjacent outdoor practice field, and numerous parking lots. The portion of the ECC Campus that will be incorporated into the New Stadium Complex is developed with parking lots, the underutilized athletic fields and other areas consisting of lawn/landscaped areas. As demonstrated in the Ecological Report, there are no significant natural habitats. Animal species present on the Site include typical suburban species such as foxes, coyotes, squirrels, rabbits, raccoons, woodchucks, chipmunks, rodents, deer, songbirds, crows, bats, raptors, frogs, and snakes.

On July 26, 2022, CC Environment & Planning conducted an online agency database review to determine if State- or federally-listed threatened or endangered species may be present within the Site. No state-listed plant or animal species nor significant ecological communities were identified by the NYSDEC Environmental Resource Mapper or Environmental Assessment Form Mapper. USFWS IPaC identified two species as potentially occurring within the Project site; NELB (*Myotis septentrionalis*; threatened) and monarch butterfly (*Danaus plexippus*; candidate). However, as provided in the Ecological Report, the monarch butterfly is a candidate species only. See **Appendix 7**. According to additional information provided by USFWS, there are no known NELB maternity roost trees within 1.5 miles or winter hibernacula within 5 miles of the Site (i.e., no on-site occupied habitat or designated critical habitat present). The NELB bat key within IPaC was consulted to determine the likelihood of potential "take" of the species. Based on the submission, USFWS determined that the Project "is not likely to result in unauthorized take of the northern long-eared bat." The Ecological Review recommended that any tree cutting occur during the bat's hibernation period (November 1 - April 14), if possible, to eliminate any potential direct impacts to bats utilizing the trees. See **Appendix 8**.

Potential impacts to wildlife, including birds and bats, from lighting at the New Stadium will be reduced as compared to the Existing Stadium. This is due to the integration of field lighting into the roof canopy, as opposed to projecting above the Existing Stadium on posts, the partial enclosure of the New Stadium as compared to the open upper concourse and ramps of the Existing Stadium, the use of newer technology

and lighting controls, LED light sources, warm color temperatures, and dark-sky compliant lighting. Further, the relocation of the New Stadium across the street will also reduce the impact of light on wildlife species potentially utilizing the Smoke Creek area to the east of the Existing Stadium Complex, especially during events. Moreover, as shown in the New Stadium Rendering, the façade of the stadium is generally split into two horizontal curved bands of solid materials at its base, and perforated screens at the upper levels of the stadium. See **Figure 3** above and **Appendix 24**. Primary exterior cladding materials include: perforated metal panels (approximately 43%), solid metal panels (approximately 25.5%), brick (approximately 19%), glass (approximately 9.5%), and concrete (approximately 1.5%). The location of exterior glass has been strategically placed to maximize daylighting to key interior spaces at consolidated zones, is limited in height, and makes up just 10% of the overall exterior façade. Exterior glass is anticipated to be low-e and will not be highly reflective. In addition, where exterior glass is proposed, up to approximately 25% of the glass surface is located behind perforated metal panels. A lighting control system will turn off lights behind the glass when the space is not occupied, which will further reduce the transparency of the glass during evening hours. This will help further reduce impacts upon songbird migration (since songbird typically migrate at night). The lighting system will only be utilized when there are game days (12 a year) or special events (limited occurrences) at the New Stadium and will otherwise be turned off when not in use.

In summary, as the vast majority of the Site is already developed and there are no significant natural habitat present, nor any threatened or endangered species, and due to the building materials, integration of field lighting into the roof canopy and use of newer technology and lighting controls, the Project will not have any significant adverse impacts on plants and animals.

H. Impact on Agricultural Resources

As stated above, the Site is relatively flat and been developed for many years. The Site has not been used for agriculture, since at least 1972, and is not considered prime farmland, and is not located in a New York State certified Agricultural District. Accordingly, the Project will not have any significant adverse impacts upon agriculture or agricultural uses.

I. Impact on Aesthetic Resources

The New Stadium will be approximately 190' at the highest point of its roof, 880' long, and 730' wide, and located in close proximity to the Existing Stadium. 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. A Viewshed Analysis dated October 2022 prepared by Populous (“**Viewshed Analysis**”) is annexed hereto as **Appendix 19**; and Before and After Photosimulations dated October 2022 prepared by Saratoga Associates (“**Photosimulations**”) are annexed hereto as **Appendix 20**.

As noted above, surrounding neighborhoods primarily consist of a variety of commercial and residential uses. The Viewshed Analysis and the Photosimulations demonstrate that the Existing Stadium is currently visible from certain portions of the surrounding neighborhoods, while the New Stadium closely mirrors its visibility due to relatively similar location and comparable heights. See **Appendix 19** and **Appendix 20**. 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. These are the same locations from which the Existing Stadium is most visible. While the New Stadium may be more visible from certain surrounding residential areas, as shown in **Figure 10** above and **Appendix 19**, that visibility is balanced by the unified aesthetic design of the New Stadium (see **Figure 3** above and **Appendix 24**), as well as the fact that the New Stadium will not have unshielded exterior lighting dominating the nighttime skyline, as the Existing Stadium does. The results and conclusions of the Viewshed Analysis are independently confirmed by the Photosimulations rendered by Saratoga Associates in connection with the Project. See **Appendix 20**. As depicted therein, 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.

Furthermore the Viewshed Analysis provides that a partial roof canopy will provide the means to discreetly locate field lighting and speakers within the New Stadium while helping minimize their output outside compared to the Existing Stadium. Specifically, by locating the field lights under the solid roof canopy, lighting will not project above the New Stadium and be exposed to direct views outside like the Existing Stadium.

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 Stadium Complex conditions. The main concourse that serves a large portion of the fans will be located at grade to create a more accessible and use-friendly entry experience. Patron amenities and building support spaces will wrap the perimeter of the main and upper concourses to provide wind and weather protection for patrons, and open views to the field. Multiple landscaped bioswales will be used to manage a portion of the stormwater runoff while also providing additional landscaped green infrastructure area.

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

In order to analyze potential impacts of the Project upon historic and archaeological resources, a draft Phase 1A Cultural Resource Investigation ("**Phase 1A**") has been undertaken at the Site. See **Appendix 11**. The purpose of the Phase 1A is to identify previously recorded archaeological resources that may be impacted by the proposed Project and to assess the likelihood that unrecorded resources may be present within the project area. The investigation includes documentary and historical map research, a site file and literature search, the examination of properties listed in the New York State and National Registers of Historic Places (S/NRHP), preparation of Indigenous and historic contexts of the Project Area, assessment of cultural resources sensitivity and past disturbances at the site, a walkover reconnaissance, and photographic documentation of field conditions. The Phase IA field reconnaissance was completed on July 12, 2022 and included field survey and photographic documentation of the setting (e.g., previous disturbances, structures, field conditions).

The Phase 1A documents that there are no buildings, archaeological sites or districts listed or nominated for inclusion on the State or National Register of Historic Places. There are four map documented structures (houses and barns that appear on maps as early as 1854). However, all four were demolished prior to the opening of the Existing Stadium.

Since the Existing Stadium was built between 1972-1973 and is now approximately fifty years old, the New York State Office of Parks, Recreation and Historic Preservation ("**OPRHP**") has requested an evaluation of the Existing Stadium for potential eligibility for the State and National Registers of Historic Places. A historic survey dated October 2022 was submitted to OPRHP that documents the significant modifications made to the original structure of the Existing Stadium since it was first constructed (the "**Historic Survey**"). See **Appendix 21**. The Historic Survey shows that the existing Stadium opened in 1973 with a seating capacity of approximately 80,000 people. In 1985, the attic space on the 3rd Floor of the Administration Building was renovated to add sixteen Luxury Suites in the East Endzone. In 1993, the West Endzone Suites were constructed adding twelve Luxury Suites to the north of the Scoreboard and twelve Luxury Suites to the south of the Scoreboard. In 1994, additional Luxury Suites were added and the Endzone Clubs were added on either side of the Administration Building. In 1999, as part of a lease renewal deal with the Team, significant renovations of the Existing Stadium were undertaken including: construction of four Sideline Clubs

at the 200 Level; construction of four Signature Restroom Towers; construction of second level to each East Endzone Club; construction of seventy-six Dugout Suites at the cusp of the 100 and 200 Level accessed via the 200 Level Sideline Clubs; replacement of 36,000 Stadium Seats; replacement of 6,800 Stadium Seats at Sideline Club sections with contoured heated seats; upgrades to the scoreboard and its control room; field lighting upgrades; sound system upgrades and water service upgrades. The addition of the Sideline Clubs and the Restroom Towers substantially changed the exterior appearance of the Existing Stadium. Numerous additional renovation and improvement projects have been undertaken over the last twenty years including the replacement of the original Astro Turf field. These various projects have also reduced the seating capacity of the Existing Stadium from approximately 80,000 people to just under 70,021 people.

In terms of archaeological resources, 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. In fact, there are two Indigenous cemeteries on the Site that were associated with the Ellis Site which is located about 600 feet west of the Site: Ellis Native American Cemetery Site (USN 02921.000412) and Benzinger House Ellis Village Cemetery (USN 02921.000413). The Ellis Site is a village site that lies across the South Branch of Smoke Creek to the east of the Site. The two cemeteries associated with the Ellis site are located on knolls within the Existing Stadium Complex. The two Indigenous cemeteries have both sustained significant damage from looters, gravel mining on the property, and the construction of the Existing Stadium and attendant infrastructure.

The Project Area also contains part of the Euro-American Sheldon Family Cemetery, which at least partially overlaps the Ellis Native American Cemetery Site. According to the local landmark plaque within the cemetery, the first recorded burial is from 1832. The most recent stone year is 1924. The recent groundhog disturbance in the fence line indicates that human remains are shallowly buried and potentially outside the modern boundary.

In order to ensure that there are no adverse impacts to archaeological resources, a standard Phase 1B shovel test pit survey is being conducted at a 15-meter interval on the lawn and landscaped areas on the ECC Campus, as these areas are in archaeologically sensitive terrain, have not been previously investigated, and have not been disturbed to a degree that would affect any archaeological resources that are present. Preliminary results from 456 shovel test pits (“STPs”) and three 50 cm x 50 cm (20 in x 20 in) deep tests, identified thirteen STP’s that were collected for additional analysis. See **Appendix 11**. Nation representatives were present on-Site when this shovel testing was performed.

In addition to the STPs, after the removal of the existing parking lots on the Existing Stadium Complex for construction of the New Stadium, a Phase IB 7.5-meter grid STPs around the cemeteries will be conducted. A construction monitor will be present for the removal of the parking lots, and any ground disturbances near the known areas of human burials. A project specific protocol for discovery of human remains will be developed to be used during all ground disturbing activities in the Project Area prior to any ground disturbance. In addition, a 50-foot sensitivity zone will be established around the Sheldon Family Cemetery to minimize the possibility that burials in the cemetery would be affected during the Project's construction. By letter dated November 22, 2022, OPRHP stated that it has no further comments regarding the Phase 1A and issued comments and recommendations on what should be included in a Phase 1B archaeological testing plan, which will be used to facilitate the identification of Indigenous cemeteries and archaeological sites, if any, on Site. See **Appendix 26**.

In accordance with Section 14.09 of the State Historic Preservation Act, a consultation process was initiated among Involved Agencies (Empire State Development, OPRHP, NYSDEC and the County). As part of this process, the region's three Indigenous Nations, the Seneca Nation of Indians, the Tonawanda Seneca Nation, and the Tuscarora Nation (collectively the "Interested Nations") were invited to participate by providing input into documentary research and to monitor on-Site investigations. In addition, Nation approval of Phase 1B protocols including protocols for discovery of human remains, will be sought. The Involved Agencies will enter into a Letter of Resolution ("**LOR**") documenting stipulations to be implemented to ensure protection and preservation of archaeological resources encountered. In addition, any archaeological resources recovered from the Site will be offered to the Nations. The Team and the Interested Nations have been invited to sign the LOR as Concurring Parties. A draft of the LOR has been prepared for review by the Involved Agencies and invited Concurring Parties and will be executed prior to construction of the Project. See **Appendix 23**. Based on the above, the Project will not have a substantial adverse impact upon historic or archaeological resources.

Based on the above, the Project will not have a substantial adverse impact upon historic or archaeological resources.

K. Impact on Open Space and Recreation

The New Stadium Complex will not result in a loss of recreational opportunities or a reduction in open space resources. As discussed in the Environmental Setting section above, the Existing Stadium Complex is presently used by members of the community for public recreation by hosting public events including NFL football games at the Existing Stadium Complex. The New Stadium Complex will not result in the loss of current or future recreational resources and, in fact, the New Stadium Complex will expand recreational opportunities as the New Stadium will replace the nearly fifty year

old Existing Stadium with a new, intimate, reduced capacity venue that will contain the amenities and features of a modern NFL stadium. The guest experience will be greatly enhanced with wider concourses, elevated food and beverage offerings, modern entertainment technologies, and improved entry/egress provisions. Further, the New Stadium will host other recreational events, like soccer games and concerts. In addition, portions of the New Stadium Complex will continue to be made available to rent out to the public for public and private events such as weddings, photo shoots, tailgating events, trade shows, team building activities, corporate meetings, receptions, seminars, parties, car shows, marching band rehearsals, and other events of the like. Further, the rotation of the New Stadium relative to Abbott Road will create a welcoming entry plaza on the New Stadium's east sideline with a large plaza and prominent entry on the New Stadium's north end that will be accessible for cyclists and pedestrian use.

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. ECC's long term plans call for consolidation and enhancement of athletic fields at its north campus.

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 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

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

As mentioned above, the Existing Stadium currently has approximately 9,950 parking spaces on-Site that are available for game day operations, including dedicated ADA spots, team member parking, stadium staff, bus, limo and recreational vehicle parking, and preferred parking for ticket holders. Additionally, there are off-Site parking facilities at the ECC Campus, west of the ECC buildings, that are utilized for game days. Currently, the parking lots for the Existing Stadium are located on both the western and eastern sides of Abbott Road. As mentioned in the Traffic Assessment, the New Stadium will be located within parking facilities for the Existing Stadium on the west side of Abbott Road, which will cause a reduction in the number of on-Site parking spaces located west of Abbott Road, but will also remain accessible by the same regional street network as the Existing Stadium. 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.

One new driveway connection is proposed along Southwestern Boulevard, east of the existing ECC Campus driveway. And two new driveway connections to Abbott Road, south of the New Stadium, will provide increased access opportunities to the new parking areas to the south of the New Stadium and the secure parking zone adjacent to the New Stadium. Additionally, a partial new internal roadway connection on the west side of the New Stadium parking lots will provide enhanced connectivity for ingress and egress to the proposed parking lots on the west side of the New Stadium.

As detailed above, the Existing Stadium Complex follows a TMP on game and event days. See **Appendix 16**. Various agencies are involved in the preparation and implementation of the TMP to manage game day traffic. The goal of any TMP is provide safe and efficient flow within a given area, to reduce vehicle/pedestrian conflicts, create a safer space for pedestrians, ease congestion and delays, and provide real time traffic data for motorists. 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. As part of the SEQRA review of the Project, the TMP was updated and, for the first time, reduced to writing. As noted in the TMP, traffic management for Game Day and other events is reviewed at the end of the Team's season to discuss any changes necessary for the coming year, and then again before a season starts (this is a new practice that will be implemented at the end of the 2022/2023 NFL season). It is anticipated that updates to the TMP will occur as operations are reviewed routinely to determine adjustments to the TMP, review physical conditions of pedestrian walkways, and determine options for improved roadway and pedestrian operations.

The New Stadium Complex is expected to result in impacts to roadway facilities, vehicle trips, parking, public transportation facilities, travel patterns, and pedestrian conditions that are consistent with those of the Existing Stadium, thus no significant change is expected to result from the Proposed Action.

i. Roadway Facilities

According to the Traffic Assessment, 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 the ECC Campus. This connecting driveway will provide additional vehicle access to the New Stadium Complex providing additional options for redistributing existing traffic on the west side of Abbott Road. 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

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, as identified in the Traffic Assessment, game attendees' travel patterns and behavior will largely resemble travel that of the Existing Stadium Complex. See **Appendix 17**. This includes a similar number of occupants per vehicle, how early attendees arrive before each game, how many attendees use other forms of transportation, and the approximate distribution of how many attendees park in secondary and tertiary parking lots versus park in Team-controlled parking spaces (future changes to parking parameters, including pricing, were not considered as part of the assessment). Game attendees' approach and departure orientation is estimated to be proportional to the number of parking spaces located to the east and west of Abbott Road. Parking spaces to the east would favor routing to and from the east, while those spaces on the west side of Abbott Road would favor routing to and from the west, and this distribution of traffic to and from these parking areas is expected to remain similar to what exists today.

The number of patrons attending the New Stadium Complex is expected to decrease by at least 7,000 (from approximately 70,000 to 63,000) which, according to the Traffic Assessment, results in a coinciding reduction of the demand for parking spaces of approximately 2,009 spaces. 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.

As detailed in the Traffic Assessment, consistent with the reduced demand for parking spaces, the reduced seating capacity will also result in a reduction in the number of trips generated by the New Stadium as well. Overall, based on the mode split assumptions and parking lot configurations, 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

As currently occurs for games at the Existing Stadium, it is anticipated that game attendees will utilize both Team-controlled parking facilities as well as private parking facilities within walking distance of the New Stadium. The Traffic Assessment indicates many of these parking areas will remain consistent with existing conditions. See **Figure 11** below for a breakdown of the New Stadium Complex parking.

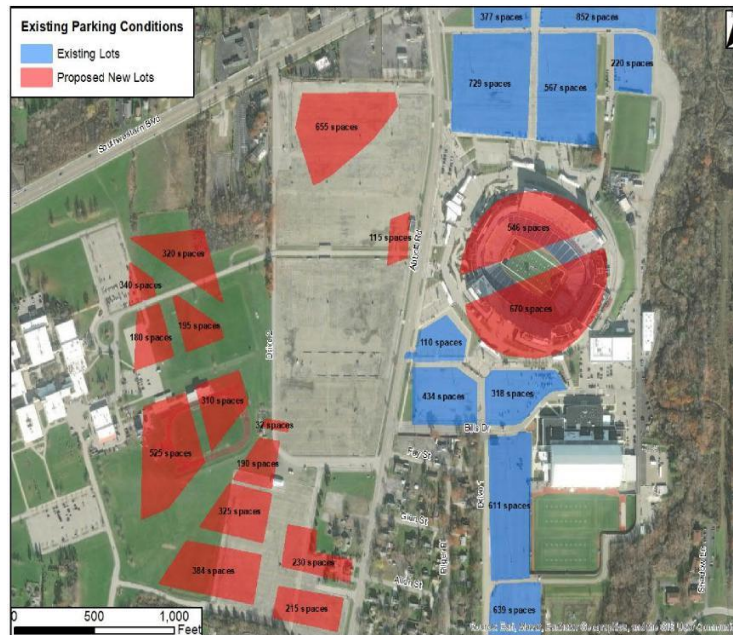


Figure 11

As detailed previously, and as provided in the Traffic Assessment, in addition to the Team/owner-controlled parking spaces, there are a number of secondary and tertiary parking options near the New Stadium Complex, including the ECC Campus and private lots, as well as nearby residents allowing patrons to park on their lawn. The Traffic Assessment estimates that the total number of these secondary or tertiary parking spaces is 10,138 with the Existing Stadium Complex and will be 10,040 with the New Stadium Complex. This minor difference in spaces is represented primarily due to an approximately 100 vehicle reduction in parking capacity at the ECC Campus lots where new circulator roads will be constructed as part of the New Stadium.

Between the Team/owner-controlled parking spaces, ECC Campus, and secondary and tertiary parking, the following represent estimates for total stadium-area parking: Existing Stadium Complex: 20,089 parking spaces; and New Stadium Complex: 20,022 parking spaces. See **Appendix 17**.

Although 20,022 spaces are proposed, estimated parking demand for the New Stadium is 18,080 spaces. The surplus in available spaces provides for additional flexibility in

terms of how patrons arrive at each game, variances in vehicle occupancy and differences in how patrons may travel to non-football events. This also allows for flexibility in parking during construction stages.

Proposed on-Site parking lots will surround all four sides of the New Stadium, as opposed to three sides at the Existing Stadium. This provides for more equal ingress and egress in all directions. 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. The New Stadium is proposed to have additional driveway access points with the overall number of driveways increasing to eleven from the existing eight locations. However, since the New Stadium retains the use of the existing parking lots on the east side of Abbott Road and utilizes new internal connections for the new parking lots on the west side of Abbott Road, the overall change in the location of the driveways relative to existing traffic patterns is minimal.

One new driveway connection is proposed along Southwestern Boulevard east of the existing ECC South Campus driveway. Two new driveway connections to Abbott Road south of the New Stadium will provide increased access opportunities to the new parking areas to the south of the New Stadium and the secure parking zone adjacent to the New Stadium. In addition, an enhanced connection to Big Tree Road from parking areas on the west side of Abbott Road is proposed. A partial new internal roadway connection on the west side of the New Stadium parking lots will provide enhanced connectivity for ingress and egress for the proposed parking lots on the west side of the New Stadium. The proposed partial roadway connection will also provide for the opportunity for redundancy in the operations in the event of a driveway closure or other need to reroute traffic from the various parking lots and would allow enhanced ingress/ egress with Big Tree Road and Southwestern Boulevard.

No new vehicular connections over Smoke Creek to the east are proposed. It is not anticipated that pedestrian access and traffic patterns will change significantly for those patrons who utilize parking off California Road to access the Site. 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

NFTA is not proposing any changes to existing 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. Locations NFTA has considered service pick-up

and drop-off include the Downtown Transit Center on Ellicott Street, Black Rock-Riverside Transit Hub, University Station Park and Ride, Thruway Mall, Athol Springs Transit Hub, Eastern Hills Mall, and McKinley Mall to a passenger drop-off on Abbott Road. Service to/from the Downtown Transit Hub on Ellicott Street is planned to include different service times to accommodate both employees and patrons. NFTA buses use Big Tree Road to Regional Drive as an ingress route, and drop-off at Gate 1. This ingress route gives NFTA priority access for drop-off into the Existing Stadium and drop-off employees and fans in close proximity to gate entry areas. Staff will enter at Employee Gate 1, while fans can enter at Toyota Gate 2. For egress, after last drop-off, buses remaining on-Site will be directed to stage and wait on Bills Drive along the guard rail to the right/north side of Bills Drive.

After the game starts (approximately 15-30 minutes after kickoff), and once pedestrian traffic and ingress is clear, the buses then move from Bills Drive and stage on the closed portion of Abbott Road facing south along the west side of Abbott Road. This is done with the assistance of the Sheriff team. After the game, the buses load on Abbott Road and egress via Big Tree Road back to Rt. 219.

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. Preliminary results for the four home games on September 19, October 9, October 30 and November 13 show that 87, 170, 118, and 109 riders, respectively, utilized the service to the Existing Stadium, and 105, 158, 234, and 176 riders, respectively, utilized the service from the Existing Stadium. Riders utilized nearly all of NFTA's pickup/drop-off locations for this service. Actual impact to travel patterns won't be fully understood until this pilot service is refined and operating on a regular game day service. As such, to be conservative, the Traffic Assessment has discounted public transit and it is not included in the mode split analysis in the Traffic Assessment. However, it is anticipated that this new direct service to the Site will continue on game days with the New Stadium.

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

v. Travel Patterns

Travel patterns and behavior will largely resemble travel behavior to the Existing Stadium, including a similar number of occupants per vehicle, attendee arrival and departure times, methods of transportation, and the approximate distribution between Team lots versus secondary and tertiary lots. 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, this distribution of parking areas located east and

west of Abbott Road is expected to remain similar to what exists today. This is supported by the operational exit plan in the TMP from the on-Site parking lot driveways which direct exiting vehicles in a one-way manner to the east or west depending on which side of Abbott Road the parking lot driveway is located on. As a result, one can estimate the potential change in arrival patterns based on the comparison of available parking spaces located to the east and west of Abbott Road.

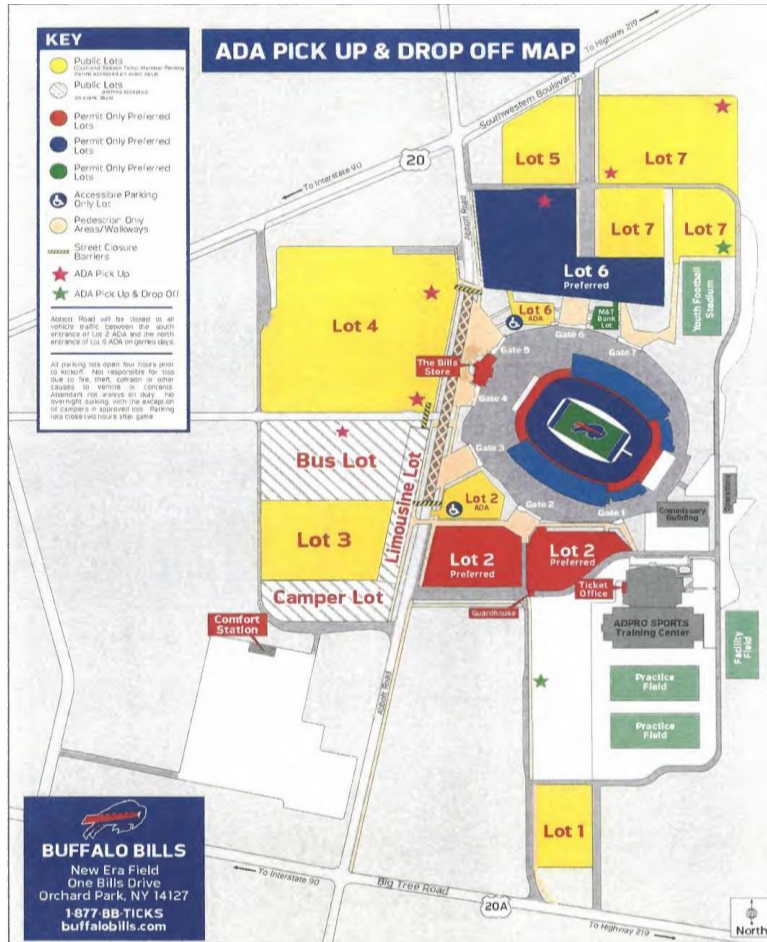


Figure 12

Volumes on the nine identified roadway segments in the Traffic Assessment are anticipated to be reduced slightly overall compared to existing volumes due to the reduction in seating capacity at the New Stadium. In addition, volumes are expected to shift more to an eastern orientation due to the increased number of parking spaces east of Abbott Road as part of the New Stadium (this includes the conversion of the Existing Stadium for new parking spaces). As indicated in the Traffic Assessment, traffic headed eastbound would remain the largest directional volume (consistent with current conditions) and increase slightly on Southwestern Boulevard, Milestrip Road, and Big Tree Road from a total of 14,300 to 14,645, an increase of only 345 vehicles. Westbound traffic along Milestrip Road and Southwestern Boulevard would be reduced. Traffic

headed northbound and southbound from the New Stadium would see slightly lower volumes as compared to existing and to the overall eastbound and westbound volumes. The slight 2% increase in eastbound traffic volumes on Southwestern Boulevard, Milestrip Road, and Big Tree Road is not expected to result in any impacts to existing game day traffic conditions. An updated TMP developed as part of the New Stadium will be used to better distribute traffic from parking areas amongst the new driveways if needed. 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, such as Parker Road, Brompton Drive, and Sheldon Road, as identified in the Traffic Assessment, 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. Annual review of the game day TMP for operational improvements will ensure that any unanticipated traffic-related issues along these roadways that arise after the New Stadium is operational are addressed.

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

vi. Pedestrian Conditions

As stated above, there are several pedestrian corridors implemented by the TMP due to the volume of pedestrian traffic on Abbott Road, Big Tree Road, and Southwestern Boulevard on game days. The TMP states for pre- and post-game traffic there is a pedestrian corridor using traffic cones within one of the lanes of Abbott road closest to the shoulder. Pre- and post-game, there are lane restrictions on Abbott Road north of Southwestern Boulevard to Webster Road, to provide a pedestrian corridor using traffic cones. Furthermore, as mentioned above there is a complete closure of Abbott Road at the north pedestrian crossing near Lot 6, and south pedestrian crossings near Lot 6 by providing a physical barrier to traffic to ensure pedestrian safety. Post-game, the westbound shoulder of Big Tree Road will be coned or drummed off to create a pedestrian corridor, and leave a buffer space between the pedestrian and vehicular traffic. Finally, the TMP references the use of manned traffic controllers (flaggers) to facilitate pedestrian movements to ensure pedestrian safety. As identified in the Traffic Assessment, even with the volume of pedestrian and vehicular traffic on game days, there have only been four vehicle-pedestrian accidents reported from 2017-2021 during daytime games. This is an indication that the TMP is effective at managing pedestrian safety in the vicinity of the Site on game days. The TMP will remain in place for the New Stadium and will be reviewed and updated as necessary.

According to the Traffic Assessment, the New Stadium will incorporate several new internal walkways west of Abbott Road to enhance pedestrian accommodations. Pedestrian walkways have been designed in a radial manner following line of sight approaches to the New Stadium. Internal walkways have also been located to limit potential conflicts between vehicles and pedestrians, directing pedestrians to dedicated walkways and away from vehicle drives, and will be appropriately lit. Existing sidewalks, pedestrian walkways and accommodations provided on-Site to the east of Abbott Road will remain and are detailed in the TMP. The closure of Abbott Road for pedestrian accommodation pre- and post-game as part of the TMP is planned to continue, along with the other measures detailed therein that have been highly effective in ensuring pedestrian safety. It is noted that during the public comment period on the Technical Addendum and supporting environmental reports, several commenters stated that they were concerned about sidewalks, guiderails, and other structures of the like not being implemented in the new stadium design. As detailed in the response to that comment, pedestrian safety is of the highest importance before and after a game. The Traffic Management Plan has been specifically designed to manage game day traffic with the goal of maximizing capacity of the adjacent roadways and protecting the high number of pedestrians in the vicinity of the Existing Stadium Complex. In order to maximize pedestrian safety, Abbott Road from Big Tree Road to Southwestern Boulevard is shut down for pedestrian crossing during event days. Furthermore, before a game, a pedestrian corridor is established within the rightmost northbound lane of Abbott Road from Southwestern Boulevard to Webster Road. After a game, there are lane restrictions on Abbott Road north of Southwestern Boulevard and on Big Tree Road to provide pedestrian corridors. After a game, a pedestrian corridor is established within the right of way of the northbound lane of Abbott Road from Southwestern Boulevard to Webster Road. Furthermore, Big Tree Road (Route 20A) closes to westbound traffic at U.S. Rt. 219 starting at approximately halfway through the game/event. Big Tree Road is then converted into eastbound only traffic to the U.S. Rt. 219 interchange ramp. The TMP calls for use of channelizing devices such as cones or drums to delineate the eastbound traffic on the eastbound shoulder and the travel lanes. The westbound shoulder is used for a pedestrian corridor. 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

During construction of the New Stadium, there are currently three estimated stages of construction occurring across three NFL seasons. During these three stages, there will be an overlap where the Existing Stadium will be operational while the New Stadium is constructed. As provided in the Traffic Assessment, based on guidance from the construction contractor/owner, the construction impact area will generally include portions of existing parking Lots 3 and 4, plus the RV parking area, the bus/motor coach parking area, and limo parking area. 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 stages will temporarily reduce the available number of on-Site parking spaces. As indicated in the Traffic Assessment, the third stage of construction will result in the largest impacts to the Team/owner-controlled and ECC Campus parking, reducing the total number of available spaces from 20,088 to 14,985, a difference of approximately 5,100 spaces, most of which includes the employee, RV and bus and limo parking. Team-controlled parking takes the main impact during construction along with some impact to ECC South Campus Lot 1. Due to the New Stadium's location to the west of Abbott Road, the parking space reductions are concentrated to the west of Abbott Road during the construction overlap period. With a reduction in Team-controlled parking spaces west of Abbott Road, most post-game departures during construction stages are anticipated to be similar to those of the Existing Stadium, except for the slight decrease in westbound departure routes along Milestrip Road and Southwestern Boulevard. Traffic headed eastbound, northbound, and southbound from the Site would remain similar to post-game patterns experienced with the Existing Stadium and continue to be lower in volume than the eastbound volumes. 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.

Site preparation, construction of the New Stadium, and demolition of the Existing Stadium will generate temporary construction related traffic for workers and product delivery and deconstruction. At peak, it is estimated that upwards of 1,000 to 1,200 construction workers are anticipated to travel to the Site. However, this peak would only occur for no more than a 10-month duration during the off-season.

Construction access points (site gates) will vary in location during the construction staging but will primarily use existing driveways along Abbott Road. The Site gates will be monitored for operations issues and will include a wheel wash station to minimize soil conveyance. Initial Stages I and II of construction will include one Site gate on Abbott Road across from One Bills Drive with a second from the ECC Campus (primary

access from Big Tree Road). During Stage III, additional Site gates will be in operation with a total of three on Abbott Road, the ECC Campus, and a northern Site gate off Southwestern Boulevard. Thus, during the most intensive portions of the construction the primary site access gates and the most number of gates will be located on Abbott Road. Final stage of construction access will utilize Site gates at the New Stadium Complex which will transition to the proposed final driveway locations as construction completes.

Construction vehicle parking and staging will be accommodated on-Site. No off-Site parking or use of local roadways for construction vehicle parking is anticipated during the construction duration. Limited soil cut and fill delivery activity is anticipated as soil storage locations will be provided on-Site and reuse of cut loads at the New Stadium is planned as fill at the Existing Stadium location. Oversize loads and any heavy equipment delivery would be required to follow local and state ordinances for obtaining roadway use permits and will follow the approved site access routing. This routing will utilize high functionally-classified State roadways, such as Southwestern Boulevard, Abbott Road and Milestrip Road to access the construction site. Material delivery and removal vehicles would be anticipated to and from the Site but would vary in their delivery times during the day and would generally be outside of the a.m. and p.m. peak traffic periods. 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.

Construction worker traffic using passenger vehicles constitutes the primary construction related traffic generated, and this traffic will occur outside the peak traffic period - starting earlier than morning peak, and shift change (if there is a second shift) occurring prior to afternoon peak period. According to traffic counts posted on the Greater Buffalo Niagara Regional Transportation Council's website, the a.m. and p.m. peak periods for Abbott Road between Southwestern Boulevard and Big Tree Road are 8-9 a.m. and 4-5 p.m. respectively. At peak, it is estimated that upwards of 1,000 to 1,200 construction workers could be anticipated to travel to the Site, however, this peak would only occur for no more than a 10-month duration during the NFL off-season. Construction related traffic will not increase traffic generation on a game day. Through the use of car-pooling and new transit options, the actual number of vehicles generated would be less than the number of workers. Traffic distribution patterns approaching the Site during construction will be similar to game-day conditions, and construction workers will approach the Site using Southwestern Boulevard, Abbott Road, and Big Tree Road. Due to the internal construction site configuration, the primary access gates will be those located on Abbott Road and it is anticipated that a majority of construction worker vehicles will utilize those gates to enter and exit the site. The access gate on the ECC Campus side will provide a secondary access point to the construction site for workers approaching from the southwest. The construction related traffic trips will be temporary, minor, and will conclude as the stages 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

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. Additionally, construction related traffic trips will be temporary and minor, and will 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.

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

N. Impact on Energy

As mentioned above, the Existing Stadium uses one incoming 35 kV service feeder from NYSEG, and is split into two feeders to service the Existing Stadium. 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 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 new dedicated 35 kV service feeds from NYSEG. The location of these two new feeders will be located within the Project Area and extended to the existing NYSEG substation within the public right of way. Final routing will be determined by NYSEG. The design intent is for these feeders to be from the same NYSEG substation but from different directions to increase the reliability of the electrical service to the New Stadium. If one feeder is not operational, the full load can be met from the other feeder. The utility peak demand for the New Stadium is anticipated to be between 9,500 and 11,000 kW, but 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. The estimated demand is based on a 3,000 ton chilled water plant that will cool the New Stadium's interior spaces, and other electrically powered equipment typically used in a modern NFL stadium. The source of electricity will be the Western New York power grid. The New Stadium Complex falls in the New York ISO regions A-E (upstate), which already uses 91% zero-emission energy for the

electrical grid. (See NYSIO Power Trends, <https://www.nyiso.com/documents/20142/31358819/PT-2022-Figure-12.jpg/d84f1757-6916-3094-6135-df9251b8fc15?t=1654547628544>). The New Stadium Complex will continue to draw from these renewable resources.

Although there is a decrease in seating capacity associated with the New Stadium, there will be an increase in square footage per ticket holder, and an increase in heated interior space, when comparing the New Stadium Complex to the Existing Stadium. This is specifically designed to increase fan comfort and enhance the Game Day experience. Even with the increase in heated interior space, because of the energy-efficient design of the New Stadium, the natural gas usage for the building, including space heating, cooking gas, and water heating, decreased by approximately 14% from existing conditions. However, overall, the natural gas usage will increase from 42,426 decatherms per year at the Existing Stadium Complex to 54,192 decatherms per year for the New Stadium Complex, an increase over existing conditions by 11,766 decatherms or approximately 27%. This increase in natural gas is attributable to the natural grass field, which requires heating through the use of underground boilers in winter. The natural grass field, as compared to the artificial turf at the Existing Stadium, is for purposes of enhanced player safety concerns, including the reduction of knee injury and concussion risks to players. To put this increase in some perspective, on an annual basis, the County's Rath Building utilizes approximately 11,422 decatherms per year. Thus, the increase in natural gas consumption associated with the Project is roughly equivalent to a large office building. Potential impacts from this increase in natural gas usage are mitigated by the more energy efficient design of the New Stadium. Specifically, regarding the HVAC system, a more robust insulated building envelope will be developed that will result in conserving electricity when heating and cooling the building. The improved building envelope will use high performance glazing and increased exterior thermal insulation to reduce heating and cooling loads for interior spaces. The partially open, shaped roofline gives the New Stadium an aerodynamic form as a way to help drive Lake Erie winds over the facility, rather than to swirl around inside the bowl, as it does in the Existing Stadium. Improved HVAC automated controls and use of higher efficiency equipment including the use of airside economizers on all air handling systems will increase the New Stadium's energy efficiency and optimize its performance.

As shown in the Summary of Sustainable Design (*see Appendix 3*), newer technologies that are more energy efficient than existing systems will be employed at the New Stadium and throughout the New Stadium Complex. LED video displays used in the seating bowl and concourses, as well as illuminated signs, are more energy efficient than previously available models, thus use less electricity power per square foot than what currently exists at the Existing Stadium. Energy efficient LED lighting fixtures will be used both in the New Stadium, including the playing field, and throughout the New Stadium Complex to reduce the electrical demand. A more extensive lighting

control system will be used to minimize the use of electricity and conserve energy when areas are unoccupied.

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. Construction activity will not occur on game days, thus the peak energy demand during the construction period will not increase from the existing demand. Additionally, 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 energy usage.

O. Impact on Noise, Odor and Light

The Project will have minor impacts to noise, odor and light.

i. Noise

As mentioned above, sound levels around the Existing Stadium Complex were measured in the GHD Noise Impact Study between September 13, 2022 to September 20, 2022. See **Appendix 15**. GHD monitored the sound levels around the Existing Stadium Complex and the ECC Campus for the ambient, dark-day sound level as well as the maximum sound levels during a regular season NFL game. Additionally, environmental noise modeling for concert and gameday events at the New Stadium is provided in the WJHW Environmental Sound Study. See **Appendix 14**.

(1) Existing Stadium

Ambient noise levels were collected for one week, between September 13 through September 20 to overlap with an NFL game on Monday September 19, and ensure the ambient levels were captured with and without elevated event noise. Four long term noise monitoring ("LTM") locations were chosen within the proposed New Stadium Complex. LTM1 is located in Parking Lot 4 along Southwestern Blvd, north of the proposed New Stadium. LTM2 is located in the East Parking Lot on Community College Drive, on the ECC Campus. LTM3 is located off Big Tree Road at the residential property line, southwest of the proposed New Stadium. LTM4 is located on One Bill Drive across from the gatehouse and at the residential property line. On typical non-game days the ambient noise levels were found to range at night from 42 decibel, A-weighted ("dBA") to 48 dBA, and for days leading up to events from 48 to 56 dBA. Ambient noise levels around the Existing Stadium during daytime hours ranged from 53 to 66 dBA, with occasional spikes due to unknown infrequent events, and largely remained the same for both event and non-event days.

During a regular season NFL game, the Existing Stadium Complex emitted an average of 75.25 dBA. Elevated sound levels were found at all four receptors and began with tailgating events and continued through the end of the game. The loudest events on game days includes tailgating (58-73 dBA), stadium crowd noise (58-72 dBA), stadium speaker noise (52-66 dBA) and occasional stadium fireworks at the LTM locations.

During concert events, the Existing Stadium speaker system levels range from 69 to 92 dBA at the four sensitive receptors.

(2) **New Stadium**

The New Stadium sound system will have 12-box VLA line arrays suspended around the stadium to be used during game days, and 2 electro voice line arrays for concerts, in addition to crowd/fan noise. See **Appendices 14** and **15**. The New Stadium will include a roof canopy, higher seating structures and a video board at the north end of the New Stadium, which will help to contain sound from concerts, football games and other events. The new sound system is being designed as a distributed system that will include more speakers operating at lower pressure levels while maintaining the same sound level at the seating areas since the sound needs to be thrown a shorter distance to the fans.

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. Because of the higher seating structures and location of the video board, the New Stadium will help to contain the sound within the venue. Additionally, it is anticipated that 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 and vegetation.

(3) **Construction**

As stated above, construction of the New Stadium is expected to begin in the Spring of 2023 and last for approximately thirty-four months, broken down by three stages. Demolition of the Existing Stadium, including completion of the subsequent parking facilities, is expected to last for approximately eight months. Equipment and activities associated construction of the New Stadium have the potential to produce intermittent 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. See **Appendix 15**. After-hours and weekend work is largely reserved for any necessary make-up activities if there are delays as the construction process moves forward, therefore work is performed by select trades and not the entire workforce. Any work performed outside the standard daytime work hours will be properly requested in advance, in compliance with applicable local ordinances.

The noise levels during each stage 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. Should complaints arise due to construction noise, a reactive noise monitoring plan will be implemented in addition to any noise mitigation measures, if required. Additionally, construction activities will be conducted in accordance with industry best practices including, among others: (1) all construction equipment should be properly maintained according to manufacturer's recommendations and fitted with efficient muffling devices; (2) construction equipment and/or activities typically known to be of annoyance (e.g., piling) will be limited, shut off when not in use, no idling, minimize drop heights of materials; etc. (3) re-route trucks to main roads where possible; (4) carry out additional noise studies or monitoring programs to verify and document noise levels; (5) investigate alternative construction equipment and/or coordinate noisier operations so they do not occur simultaneously; (6) install temporary noise barriers. See **Appendix 15**. 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. See **Appendix 15**. Moreover, active construction monitoring will be done throughout the construction period. Should complaints arise due to noise, a reactive plan will be implemented to address the issue. As detailed in the noise analysis, when a noise complaint is made to the County the following will occur:

- The County will record the noise complaint including the cause of noise, whether noise is constant or not, and the date and time the noise occurred.
- The County will inform the Contractor of noise complaints and provide the necessary information.
- The County will communicate with the Technician about the noise complaint.
- The Technician will review possible causes for complaints within 1 week of the reception of the complaint and provide initial suggestions on how to mitigate noise. If required, there will be a site visit where the Technician takes short-term

sound level measurements. After the site visit, the Technician will provide suggestions on any necessary mitigation within 1 week.

- Once suggestions are made by the Technician, the Contractor will arrange for mitigation as appropriate.
- Once mitigation is in place the Technician will take further measurements to ensure that mitigation is effective and properly installed.
- The Technician will provide summary memo of mitigation results within a week of mitigation measurements.

(4) **Conclusion**

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 stage 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

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

As stated above, 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. These lights are unshielded, giving them a glary appearance. The upper concourse and ramps of the Existing Stadium Complex are open to the sky and surrounding parking lots, making them very visible from the exterior. Therefore, the lighting that people see from the exterior of the Existing Stadium Complex is coming from these ramps and is not related to any exterior design expression. The parking lot post lights at the Existing Stadium Complex are very tall, creating more glare for neighboring properties and uneven illumination of parking lots. Illuminance readings were taken at night on September 1 and 16, 2022 at twenty locations along public roads and adjacent properties surrounding the Existing Stadium Complex and the ECC Campus to establish baseline conditions. Currently there are several locations where the spill illumination at the property line exceeds 1.0 footcandles. See **Appendix 6**.

The New Stadium Complex will use the minimal amount of lighting to provide the appropriate amount of light for pedestrian safety and to highlight focal points in a restrained manner. Lighting will be thoughtfully placed to be respectful of neighboring properties. Sky glow will be limited so that it is no greater than that coming from the Existing Stadium. The lighting design of the New Stadium will use a national lighting standard recommended by the Illuminating Engineering Society (“IES”), the recognized technical and educational authority on illumination, for pedestrian safety.

The plazas directly surrounding the New Stadium will have the most fan activity. A limited number of trees will be lit with in-grade uplights, which will be turned off after close of business to reduce any potential impacts to wildlife, including local bird and bat populations. Multihead post lights will be tucked amongst the trees to provide an overall wash of light to the walkways for pedestrian safety, and will emit light in a downward direction only.

To maintain minimal sky glow, Dark Sky compliant bollards will line pedestrian pathways to guide visitors to the New Stadium. At the west entry, a limited number of trees will be lit with in-grade uplights, which will be turned off after close of business to reduce potential impacts to local bird and bat populations. Dark Sky compliant post lights will be used to create an even wash of light in the parking lots and entry drives. These post lights will be shorter than the parking lot lights currently in use at the Existing Stadium. Optics and house side shields will be carefully chosen to ensure that light is only falling where needed for pedestrian safety in the parking lots and pathways, and not beyond. By doing so, there will be no light trespass (light spillage) onto neighboring areas.

Care will be taken at the edges of the property to prevent light spillage onto the neighboring areas. Well-shielded LED light sources and warm color temperatures will be used throughout the New Stadium Complex to minimize light pollution. Any lighting abutting residential properties shall not exceed 7,000 lumens per fixture. Additionally, calculations will be used in the final design process to ensure that the New Stadium Complex will have illuminance levels equal to or less than the Existing Stadium Complex.

The field lighting will be integrated into the architectural structure of the roof canopy, as opposed to projecting above the New Stadium on independent posts as with the Existing Stadium. As such, visibility of these lights from neighboring properties will be drastically reduced. The field lighting will limit the spill illumination to the surrounding neighborhoods and at the property line to 1.0 footcandles. The lighting design will limit the glare to a threshold of 40GR at motor intersections around the New Stadium Complex, which will be a reduction as compared to the Existing Stadium.

All of the above-mentioned lighting for the New Stadium Complex is energy efficient LED lighting. All façade and site lighting will be controlled via a time clock with the overall controls system. Well-shielded LED light sources will be used throughout site will help minimize skyglow, which can be disorienting to birds and bats. Warm color temperatures, which are proven to have the least impact on birds and bats, will be used throughout New Stadium Complex. The new lighting controls will allow for modifications and creation of multiple lighting scenes or scenarios, where appropriate fixture wattages will be selected with the surrounding environment and energy codes in mind. The new controls will also be used as described above to limit the number of lights that are on at night, to help protect the sleep-wake cycles and reproductive patterns of surrounding wildlife. Through these methods, the impacts on wildlife including birds and bats will be reduced as compared to the Existing Stadium. Further, the relocation of the New Stadium across the street and further from Smoke Creek will reduce the impact of light on species in the Smoke Creek area, especially during game days and special events.

Lighting on the construction site during work hours will be provided locally at lighting levels per OSHA Standards to maintain a safe work environment for all workers. As stated above, 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.). See **Appendix 15**. Lighting for any work performed outside work hours will be limited to Security Guard Booth areas, 24-hour Fire Department access, egress points, and emergency egress stairs per Building Department and Fire Department codes. Lighting on the exterior of the construction site will be provided to maintain continuity and construction worker safety at all sidewalks, roads/roadways, and parking lot areas per code and local standards.

Overall, the Project will add significant amounts of new lighting on the New Stadium and around the New Stadium Complex. However, 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

The construction of the New Stadium and the demolition of the Existing Stadium will take place over several years. Stage 1 is an approximate 11-month period when the construction team will establish the fence site, relocate existing utilities within the New Stadium footprint, remove miscellaneous items within the New Stadium footprint, and commence the excavation and foundation work. Stage 2 is an approximate 12-month period when the construction team will do foundation work, setup the new utilities, begin installation of the structural steel of the New Stadium, and begin the concrete

work. Stage 3 is an approximate 15-month period when the construction team will establish the final footprint of the New Stadium, complete the structural steel, do the mechanicals/electrical fit-out, and complete the utilities. Construction will be in controlled areas within the New Stadium Complex which is generally a sufficient distance from surrounding communities to minimize disturbance.

During the construction and demolition stages of the Project, construction personnel are likely to encounter a number of physical hazards that are typically associated with commercial construction. All Project construction will take place within the boundaries of the Project Area. Because it is located within the larger New Stadium Complex, the general public's exposure to any hazards will be limited. Additional fencing signs and barriers will be utilized around the Project Area construction area and, where necessary, will delineate excavations and prevent the entry to the Project Area of unauthorized personnel. Appropriate signs will be posted to inform those entering the Project Area of potential construction hazards and appropriate actions to be taken while on the Project Area. Additionally, the Project will minimize risks to construction personnel by fully complying with applicable OSHA and New York State Labor Law requirements. Thus, it is anticipated that the construction and demolition work associated with the Project will not have a significant impact on public health and safety.

Additionally, the DMP will be implemented prior to demolition of the Existing Stadium. See **Appendix 18**. At a minimum, the following protocols will be put in place to ensure the safety of the workers, the public and the environment: (1) in advance of demolition, investigations will be performed by qualified persons to identify any environmental concerns at the Existing Stadium; (2) any regulated materials such as asbestos, lead, or other materials of the like will be identified; (3) the Existing Stadium 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 (e.g., stormwater protection, air emissions/ dust, noise, etc.); (4) an operational plan will be made specifically for the Existing Stadium to denote any required practices, controls and/or other protective measures for specific work operations, dust and particulate control, construction vehicle equipment requirements and controls, regular site maintenance and perimeter management practices, and inspection and testing of materials; (5) the use of dust monitoring services; (6) the development of a site-specific safety and health plan to ensure access to the Existing Stadium is only accessible by trained and qualified personnel; and (7) all demolition activities shall be undertaken in compliance with OSHA and New York State labor laws.

As noted above, 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.

Further, as detailed above in the Impacts to Groundwater section, groundwater in the vicinity of the Site is not anticipated to be adversely impacted and does not serve as potable water for residents due to the robust municipal water supply, and no discharge to groundwater is anticipated. During construction and demolition, the Project would comply with the controls set forth in the SWPPP and the SPDES Permit. During the operations of the New Stadium Complex, employees are likely to encounter a number of physical and chemical hazards that are typically associated with the New Stadium Complex's operations. Due to the common use of commercial substances for cleaning purposes, maintenance activities, and other industrial uses, small working quantities of these hazardous substances will be appropriately secured and stored at the New Stadium Complex. Additionally, the Project will minimize risks to construction personnel by fully complying with applicable OSHA and New York State Labor Law requirements.

The ECC Campus includes areas for the handling of certain hazardous materials in connection with their ongoing educational mission, however, there are no active spills or remediation sites located on or immediately adjacent to the Site. Further, the Site is not subject to any institutional controls limiting the use of the Site.

No construction of, or modification to, any solid waste management facility will be necessary to accommodate the Project. While hazardous waste is not anticipated to be unearthed during construction or operation of the New Stadium Complex, any such materials (if unearthed) will be disposed of in accordance with all applicable federal, state, and local rules and regulations.

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 reduced seating capacity of the New Stadium, the design of the on-Site 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

As detailed above, public safety and emergency services are currently provided for game and event days at the Existing Stadium. Given the reduction in stadium seating, and relocating the New Stadium adjacent to and across the street from the Existing Stadium, there will be no material changes in the need for police, fire, or other emergency services in connection with the Project.

As detailed above, the Project includes the demolition of the Existing Stadium and construction of the New Stadium immediately west of Abbott Road, on portions of

current parking lots at the Existing Stadium Complex and a portion of the ECC Campus, containing underutilized and surplus athletic fields and lawned/vegetated areas. No SUNY structures on the ECC Campus will be demolished or otherwise directly impacted by the Project. 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. As such, the Project's land use components are essentially identical to the current land use pattern for the Existing Stadium Complex.

The Town of Hamburg Comprehensive Plan recommends that the ECC Campus located in Hamburg continue to be developed in accordance with the operation of the community college. However, the Town is in the process of updating its comprehensive plan and it is anticipated that the updated plan will address the New Stadium Complex. In addition, as noted above, no educational building areas on the ECC Campus within the Town of Hamburg, have been 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).

Furthermore, the Town of Orchard Park Comprehensive Plan recommends that the area around the Existing Stadium should be zoned commercial and/or industrial with the exception of the existing residences, and identifies the Existing Stadium as an asset to the quality of life of the Town's residents. While the Town of Orchard Park Comprehensive Plan does not provide for specific recommendations with respect to the Existing Stadium, it is clear that 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 Site has already been the home of the Buffalo Bills for the last fifty years. In that time, there has been some off-Site development to support the Existing Stadium Complex including adjacent bars, restaurants, and various types of commercial stores and lodging establishments. These businesses have used their proximity to the Existing Stadium as the basis for drawing in business and generating revenue. The introduction of the New Stadium across Abbott Road from the Existing Stadium Complex will continue to support these businesses but the Project is not expected to result in material ancillary development. Nonetheless, to the extent either the Towns of Orchard Park or Hamburg were to decide to make ancillary development a priority, this could certainly change. Additionally, the New Stadium will be located on a portion of ECC Campus with currently underutilized and surplus athletic fields on the ECC Campus, which has been determined by the ECC Board of Trustees to be no longer useful or required for community college use and purposes, 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 and the current conditions.

ii. Public Infrastructure

(1) Water

As stated above, the Existing Stadium Complex has a 16" Ductile Iron Pipe combined fire and domestic service. This service also supplies water for irrigation of the grass practice field. The service enters the water building located at the bend of One Bills Drive and inside splits into a 10" domestic and 10" fire service. Both services currently have backflow protection. The service is tapped off the existing 16" ECWA main located on Big Tree Road, is reduced down to a 12" main north of the service connection and continues up the east side of Abbott Road. Water to the Existing Stadium Complex is supplied by the ECWA District #17. The Existing Stadium Complex uses approximately 20 million gallons per year. On event days, the Existing Stadium uses approximately 210,000 gallons. There is relatively low water pressure and flow on game days around the vicinity of the Existing Stadium due to the influx of patrons. The existing football field is made of turf and not natural grass, using less water than a typical football field.

The New Stadium Complex is estimated to use approximately 15 million gallons of water per year. The New Stadium is estimated to use approximately 135,000 gallons on game days. Water to the New Stadium Complex will continue to be supplied by the ECWA, Districts #6 and #17, and there is sufficient capacity to serve the Project. The existing service to the fieldhouse, training center, and operations building will remain unchanged with the New Stadium Complex. Additionally, two new 16" combined fire and domestic services are proposed for the New Stadium Complex. The southerly connection would connect to the existing 12" ECWA main located on the east side of Abbott Road. The northerly connection would connect to the 36" ECWA main located on the north side of Southwestern Boulevard. Each of these connections will continue to a utility structure which will contain the meter and back flow devices. On event days, it is proposed that all water would only come off the 36" ECWA main and the valve on the redundant connection to the existing 12" service line would be closed to not draw water from the local mains that supply water to the surrounding area. Based on initial discussions with the ECWA, the primary water connection will occur on an existing transmission main separate from the mains used to service adjacent businesses and residences, alleviating water pressure issues on game days.

The combined services will split into separate fire and domestic services within these structures. The north and south services will connect to a form a domestic and fire loop around the New Stadium where the individual services to the Existing Stadium will tap off. In addition, private fire hydrants will be installed to provide fire protection. Given

the current flow and pressure information provided by ECWA, it is anticipated that booster pumps will be required for both the fire and domestic services. These booster pumps will most likely be located in the utility structure or within the New Stadium, following the meter and backflow devices.

It is anticipated that the new playing field will be grass in the New Stadium, thus these new services will also supply water for irrigation. In addition, as shown in the Sustainable Design Summary in **Appendix 3**, low water consumption toilet fixtures and flush valves will be used to reduce the amount of water used by the New Stadium. Low water use landscape technology will be utilized throughout the New Stadium Complex. Higher-efficiency water heaters and pumping systems will be utilized for generating and distributing domestic hot water throughout the New Stadium. According to the Water and Sanitary Sewer Report, 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 new water usage as a result of field irrigation, because the Project provides sustainable design elements and upgrades to a fifty year old stadium, annual water usage is expected to drop from approximately 20 million gallons per year at the Existing Stadium to approximately 15 million gallons per year at the New Stadium, a 25% reduction in overall water used at the New Stadium Complex. Additionally, connecting into the 36" ECWA main line, installing booster pumps, and closing the existing 12" service line to not draw water from the local mains that supply water to the surrounding area will provide relief to the low pressure and flow issues. Thus, there will be no significant adverse impacts on water usage.

(2) Sewer

The Water and Sanitary Sewer Report includes an evaluation of the existing and proposed sewer system, *see Appendix 12*. As stated above, there are three 10" private sanitary mains located along the southeast portion of the Existing Stadium. These private mains ultimately flow north to the existing 120' x 26' flow attenuation tank located along the northeast portion of the Existing Stadium Complex, which provides attenuation during peak flow events and is controlled by manual valves and an 8" outlet pipe. The tank also has an 18" overflow pipe. Both the outlet pipe and overflow pipe connect to a 21" ECSD #3 trunk line, which ultimately discharges to the Southtowns Advanced Waste Water Treatment Plant. The field house, training center and operations building is collected with a separate 8" lateral, which also ties into the 21" ECSD #3 trunk link, downstream of and separate from the attenuation tank.

The New Stadium Complex will generate approximately 27,000-35,000 gallons per day of liquid wastewater. The New Stadium Complex will continue discharge to the ECSD #3 and ultimately to the Southtowns Advanced Waste Water Treatment Plant, which has adequate capacity to serve the Project and no expansion of the district is needed.

All sanitary flows will be domestic in nature – sanitary wastewater from the cooling tower, bathrooms, locker room showers, team facilities, and cooking facilities – and void of any industrial, solid, hazardous, or toxic waste contamination. Peak flows will continue to be managed using on site retention that allows for a timed release within the capacity of the sewage infrastructure, including servicing the sewage treatment plant.

The existing 8” main that currently services the field house, training center and operations building will remain unchanged with New Stadium Complex. In addition, a proposed new sanitary sewer system for the New Stadium Complex is designed to collect the wastewater generated from the Project and convey it to a new private 18” gravity sewer main, which will convey sewage under Abbott Road to the existing attenuation tank. There will be a series of new collection points/laterals that vary in size from 8” to 10” along the west side of Abbott Road. The internal plumbing tributaries to these collection points may include pumping stations due to elevation issues. The existing attenuation tank will continue to be utilized and will connect to the existing 21” ECSD #3 trunk line at the current/existing connection point.

Flow monitoring is being done upstream and downstream of the attenuation connection point on the 21” ECSD #3 trunk line, and additional monitoring is being performed to confirm existing flow conditions and will be used to determine final design rates. The attenuation tank will also be evaluated for structural integrity and sizing and replaced as necessary. Additionally, as shown in the Summary of Sustainable Design Elements (*see Appendix 3*), low water consumption toilet fixtures and flush valves will be used to reduce the amount of sanitary waste drainage volume created during events.

According to the Water and Sanitary Sewer Report, 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. In addition, flow monitoring is being performed, the attenuation tank will be evaluated and replaced as necessary, and sustainable design elements and upgrades are being made to a fifty year old stadium. Thus, there will be no significant adverse impacts on the sewer system.

(3) **Telecommunications**

Existing telecommunications service to the Team Commissary Building, Operations Building, ADPRO Sports Training Center , Bills Store will be maintained. Existing service (phone and compressed data) to the Existing Stadium will be abandoned and new service (phone and compressed data) will be provisioned to the New Stadium and Ancillary Building from multiple vendors via underground conduit raceways as is standard practice with NFL Venues. The New Stadium and Ancillary Building’s

telecommunications and data systems will be connected to the Team training facility via underground conduit raceways. 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.⁴

iii. Conclusion

As detailed above, 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

As detailed above, the Team has been an important part of Western New York for more than sixty-one years, having entered the American Football League in 1960. The Team brings pride, distinction, and a sense of community to 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. See **Appendix 2 at Exhibit A**. The demolition of the Existing Stadium, a necessity due to the age of the structure, will be paired with the construction of the New Stadium - a brand new first-class, state of the art athletic facility for the Team on land that is immediately adjacent to the Existing Stadium. In addition to NFL events and other sporting events, the New Stadium will be designed to accommodate multi-purpose events such as concerts, community events and programs, as well as small scale gatherings and events. The New Stadium will have a mix of concessions, both cooking and non-cooking kitchens, restroom facilities and a retail store. Amenities will be included to create a first-class fan experience at the New Stadium, including general spectator fixed seating, club and suite seating, loge seating, ADA compliant seating, and sufficient restrooms (including gender neutral restrooms).

The New Stadium Complex is currently zoned in two classifications -- the ECC Campus portion located in the Town of Hamburg is zoned R3 (Town of Hamburg-Multifamily District), and the Existing Stadium Complex portion is zoned R1 (Town of Orchard Park-Residential). While the Project does not undergo local zoning authority review, the Project nevertheless remains consistent with the existing use of the Site, and does

⁴ It is anticipated that a cell tower currently on the ECC Campus will be relocated to another portion of the New Stadium Complex or other lands owned by the County, and the revenue stream generated will be retained by ECC.

not propose any new uses that would create inconsistencies with the underlying zoning classifications of the Site. Further, the New Stadium Complex will continue to support commercial businesses in the area - including bars, restaurants, various types of commercial stores and lodging establishments, and individual property owners who sell parking on their property. These businesses will continue to provide job opportunities for local residents, and continue to drive tourism to the Western New York region. Notably, the Project will prevent a dramatic reduction in revenue for local businesses.

As detailed in various sections above, including Impacts on Aesthetics, Noise, Odor, Lighting, and Traffic, the New Stadium Complex is not anticipated to create significant impacts to off-Site receptors, including the surrounding residential neighborhoods. Reference is made to those sections for Project details.

Overall, the Project is consistent with the longstanding usage of the Site to support Team operations in Western New York. While the location of the New Stadium will be across Abbott Road, the New Stadium design is a state of the art NFL facility that will improve upon many existing conditions, as detailed above. Further, the New Stadium will provide the community with a new home for Western New York's NFL Team. 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. Accordingly, the Project will not have a significant adverse impact on land use and zoning.

S. Cumulative/Growth Inducing Impacts

SEQR requires consideration of cumulative impacts from other simultaneous or subsequent actions that are included in any long-range plan of which the action under consideration is a part. Additionally, 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/sidewalks; and, (iii) the relocation of the ECC Cell Tower. At this point in time, it is unclear if any of these projects will be undertaken. In addition, none of these projects are sufficiently defined as to be able to analyze potential environmental impacts at this time. Accordingly, separate environmental reviews for these projects should they ever move forward are warranted under the circumstances. Further, each of these projects, if they ever move forward, will be subject to their own environmental impact analysis pursuant to SEQRA. Thus, not including these projects in the current SEQR process for the Project is no less protective of the environment. SEQR also requires consideration of both secondary and long-term effects of a Project on the surrounding community. In the case of the New Stadium Complex, the Site has

already been the home of the Buffalo Bills for the last fifty years. In that time, there has been some off-Site development to support the Existing Stadium Complex including adjacent bars, restaurants, and various types of commercial stores and lodging establishments have used their proximity to the Existing Stadium as the basis for drawing in business and generating revenue. In addition, many of the commercial and surrounding residential properties provide needed parking – approximately 2,000 spaces – on event days. The introduction of the New Stadium across Abbott Road from the Existing Stadium Complex will continue to support these businesses but studies have shown that the Project will not result in material ancillary development.

IV. Conclusion

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.

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