

December 1, 2009

**NEW YORK STATE URBAN DEVELOPMENT CORPORATION
d/b/a EMPIRE STATE DEVELOPMENT CORPORATION**

**NOTICE OF PUBLIC SCOPING MEETING AND INTENT TO PREPARE A
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT**

**Richardson Olmsted Complex Master Plan
400 Forest Avenue
Buffalo, New York**

Deadline for Comments on Draft Scoping Report: January 15, 2010

Notice is hereby given pursuant to the New York State Environmental Quality Review Act (SEQRA), codified in Article 8 of the Environmental Conservation Law, and its implementing regulations (6 NYCRR Part 617), that the New York State Urban Development Corporation d/b/a Empire State Development Corporation (“ESDC”), intends to prepare a Draft Generic Environmental Impact Statement (“DGEIS”) for the proposed Richardson Olmsted Complex (“ROC”) Master Plan in the City of Buffalo, Erie County, New York. By notice dated July 1, 2008, ESDC circulated to potentially involved and interested agencies a completed Part 1 of an Environmental Assessment Form (EAF) on the Proposed Action and solicited lead agency status for purposes of SEQRA documentation. No objections to ESDC serving as SEQRA lead agency were received within a required 30-day comment period ending on August 1, 2008.

The Proposed Action would involve expending State funds administered by ESDC to undertake activities that are an outgrowth of the ROC Master Plan, prepared under the auspices of the Richardson Center Corporation (“RCC”), a not for profit 501(c)(3) organization established in 2006 to spearhead an effort to plan and undertake activities to realize new uses for the ROC.

The Master Plan involves a program for the stabilization, rehabilitation, and adaptive reuse of the H.H. Richardson designed buildings and the Frederick Law Olmsted designed grounds comprising the former Buffalo State Asylum for the Insane located in the City of Buffalo. Previously used as a portion of a psychiatric treatment facility administered by the New York State Office of Mental Health (“OMH”), the buildings/grounds targeted under the Proposed Action—comprising approximately 43-acre area and over 487,000 square feet of vacant building space— 38.2 acres have now been classified by OMH as surplus facilities and an agreement with OMH has been reached to transfer the remaining 4.8 acres. Now referred to as the ROC, the property is designated as a National Historic Landmark and is on the State and National Registers of Historic Places. The Master Plan seeks ways to reuse the existing H.H. Richardson designed buildings and aspires to integrate additional facilities in a manner complimentary to the original spirit of the site.

The State of New York has targeted \$76.5 million in funds to assist in undertaking efforts to advance the Master Plan; ESDC would adopt and approve a General Project Plan (“GPP”) to authorize funding of activities to further these objectives. The GPP would be subject to public review and approval by the ESDC Board of Directors and review/approval of the NYS Public Authorities Control Board approval. Other potential discretionary activities under the Proposed Action would include, but not be limited to: disposition of surplus lands comprising the ROC by various state agencies to the RCC; and re-zoning of such lands to permit and support new land uses proposed under the ROC Master Plan.

ESDC has determined the Proposed Action to be a Type I action under the implementing regulations for SEQRA as follows: Part 617.4(b) (v) states the following actions are Type I if they are to be directly undertaken, funded or approved by a State agency:

- **Part 617.4 (b) (6):** Activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds; or the expansion of existing nonresidential facilities by more than 50 percent of any of the following thresholds:
 - A project or action that involves the physical alteration of 10 acres; and
 - In a city, town or village having a population of more than 150,000 persons, a facility with more than 240,000 square feet of gross floor area.
- **Part 617.4(b) (9):** any Unlisted action (unless the action is designed for the preservation of the facility or site) occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district or prehistoric site that is listed on the National Register of Historic Places, or that has been proposed by the New York State Board on Historic Preservation for a recommendation to the State Historic Preservation Officer (SHPO) for nomination for inclusion in the National Register.

After considering the actions contemplated in the ROC Master Plan and reviewing the Environmental Assessment Form (“EAF”) prepared for the Proposed Action and the criteria for determining significance in the SEQRA regulations (6 NYCRR 617.7(c)), ESDC finds that the Proposed Action may have a potential significant effect on the environment based on the following findings, and therefore a DGEIS will be prepared. The findings conclude that the Proposed Action may have an effect on:

- Cultural and Historic resources;
- Land use;
- Urban design and visual resources;
- Neighborhood character;
- Traffic and transportation; and
- May result in construction impacts.

A **Public Scoping Meeting** has been scheduled to obtain comments on the proposed scope of analyses for the DGEIS outlined in the Draft Scoping Document, which is attached to this notice. The meeting will be held on:

Thursday, December 17, 2009

6:00 P.M.

**Rockwell Hall Auditorium
Buffalo State College
1300 Elmwood Avenue
Buffalo, New York 14222**

The Full EAF, Draft Scoping Document and ROC Master Plan may be downloaded from the Project web site, <http://www.richardson-olmsted.com>, or may be reviewed during normal business hours at the following branches of the Buffalo & Erie County Public Library:

Central Branch

**1 Lafayette Square
Buffalo, NY 14203-1887**

Crane Branch

**633 Elmwood Avenue
Buffalo, NY 14222**

Copies of the Draft Scoping Document may be requested through the contact information provided below.

Comments on the draft scope of analyses may be presented by any interested group, agency, or individual at the public scoping meeting or submitted in writing to:

Paul Tronolone

Empire State Development Corporation

**95 Perry Street
Buffalo, NY 14203
(716) 284-2556
(716) 284-2917 fax**

ptronolone@empire.state.ny.us

WRITTEN COMMENTS ON THE DRAFT SCOPING DOCUMENT WILL BE ACCEPTED UNTIL 5:00 P.M. ON FRIDAY, JANUARY 15, 2010.

This notice and the draft scoping report have been sent to the following involved or interested parties:

- Hon. Charles Schumer, U.S. Senator, New York
- Hon. Kirsten Gillibrand, U.S. Senator, New York
- Hon. Brian Higgins, Congressman, 27th District
- Hon. Antoine Thompson New York State Senator, 60th District
- Hon. Sam Hoyt, New York State Assemblyman, 144th District
- New York State Historic Preservation Office
- Dormitory Authority State of New York
- New York State Office of General Services
- NYS Department of Transportation – Region 5
- NYS Dept. of Environmental Conservation - Region 9
- NYS Office of Alcoholism and Substance Abuse Services
- NYS Office of Mental Health
- Buffalo Psychiatric Center
- Buffalo State College
- Hon. Chris Collins, Erie County Executive
- Erie County Legislature (c/o Clerk of Legislature)
- Hon. Maria Whyte, Erie County Legislator, District 6
- Erie County Department of Planning & Environment
- Erie County Department of Health
- Erie County Department of Public Works
- Erie County Industrial Development Agency
- Hon. Byron Brown, City of Buffalo Mayor
- Buffalo Common Council (c/o City Clerk)
- Hon. Joseph Golombek, Buffalo Common Councilman, North District
- Buffalo Planning Board
- Buffalo Preservation Board
- Buffalo Zoning Board of Appeals
- Buffalo Office of Strategic Planning
- Buffalo Dept. of Permits, Inspections, & Economic Development
- Buffalo Dept. Public Works, Parks, & Streets
- Buffalo Fire Department
- Buffalo Police Department
- Buffalo Sewer Authority
- Jelly Bean Junction Childcare Center
- Transitional Services, Inc.
- WNY Federal Credit Union
- Buffalo Olmsted Parks Conservancy
- Burchfield Penney Art Center
- Campaign for Greater Buffalo
- Preservation Buffalo Niagara