

**NOTICE OF COMPLETION
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT**

and

ADOPTION OF A GENERAL PROJECT PLAN

**Richardson Olmsted Complex
Civic and Land Use Improvement Project**

Pursuant to the State Environmental Quality Review Act (“SEQRA”) (Article 8 of the New York State Environmental Conservation Law) and the regulations adopted pursuant thereto (6 NYCRR Part 617), a Draft Generic Environmental Impact Statement (“DGEIS”) has been prepared for the proposed Richardson Olmsted Complex Civic and Land Use Improvement Project (the “Project”), and copies thereof are available upon request to the offices of the lead agency as set forth below.

Project Location:

The Project Area encompasses approximately 91-acres of New York State Office of Mental Health (OMH)-owned land situated in the northwest portion of the City of Buffalo, Erie County, New York. It is comprised of many individual buildings including the former Buffalo State Asylum for the Insane (also referred to as the “Buffalo State Hospital”); the newer Buffalo Psychiatric Center; buildings leased by OMH tenants; and landscaped grounds, parking lots, and internal roadways/pathways. The Project Area is generally bounded to the north by Rockwell Road; the west by Rees Street; the south by Forest Avenue; and the east by Elmwood Avenue.

Project Description:

The proposed Project would involve expending State funds administered by ESDC to stabilize, rehabilitate, and reuse the historic buildings and grounds of the Richardson Olmsted Complex (“ROC”), consisting of a series of former Buffalo State Hospital buildings (designed by Henry Hobson Richardson) and grounds (designed by Frederick Law Olmsted and Calvert Vaux). These buildings and grounds are collectively designated as a National Historic Landmark (NHL) and are listed on the State and National Registers of Historic Places (S/NRHP). All ESDC funds for the Project are being provided to the Richardson Center Corporation (RCC), a not-for-profit corporation established to lead this effort.

Of the 91-acre facility, ±38 acres—including the NHL and S/NRHP-listed Buffalo State Hospital (480,000 square feet of vacant building space) and grounds—have been designated as “surplus” property by OMH and are available for redevelopment. The remaining ±53 acres of the site are expected to be retained by their current owner.

The Project would also involve the transfer of property from the State to RCC that was declared as “surplus” by OMH. This includes transfer of ±38 acres of land that contains the now-vacant Buffalo State Hospital buildings. Additionally, RCC has requested from the State the additional transfer of ±4.6 acres of land adjoining the “surplus” area, which comprises a portion of the original “South Lawn” area of the facility. An additional ±2.6 acres of land of of Rockwell Road may transfer to the RCC in the future.

All proposed efforts under the Project are an outgrowth of a Master Plan for the ROC prepared by the RCC, after the completion of a series of investigation, planning, and public/stakeholder coordination activities.

SEQRA Classification: Type I

Lead Agency: New York State Urban Development Corporation
d/b/a Empire State Development Corporation (ESDC)

Lead Agency Contact: Paul J. Tronolone, AICP
Senior Project Manager

The Executive Summary of the DGEIS, which describes the proposed project and its potential impacts is incorporated hereto and made part hereof.

PLEASE TAKE FURTHER NOTICE that ESDC, pursuant to Section 16(2) of the New York State Urban Development Corporation Act (Chapter 174, Section 1, Laws of 1968, as amended) (the "UDC Act"), has adopted a General Project Plan (“GPP”) with respect to the Richardson Olmsted Center Civic and Land Use Improvement Project, at the Directors' meeting held on December 16, 2010. The Corporation will file such Plan in the Office of the Erie County Clerk and the Clerk of the City of Buffalo.

The GPP describes in detail, the proposed Project referenced above and the proposed funding sources for its implementation. Of an initial budget of \$105.4 million for what is termed under the

ROC Master Plan as the “Core” Project, \$76.5 million is to be provided from the State of New York; \$17.3 million is to be financed through Federal/State tax credits for historic preservation activities; and \$11.6 million is to be derived through private development sources.

A Public Hearing will be held to solicit comments on the DGEIS and GPP pursuant to SEQRA and the UDC Act and other relevant statutes on **Thursday, January 6, 2011 at 6:00 pm at Burchfield Penney Art Center, 1300 Elmwood Avenue, Buffalo, NY.**

Copies of the DGEIS and GPP are available for inspection at the regional offices of ESDC at 95 Perry Street, Buffalo, NY 14203. A CD of the entire DGEIS/GPP and/or a paper copy of the executive summary of the DGEIS are available at no charge upon request. Paper copies of the complete DGEIS and GPP are available for purchase. Copies may be requested through the contact information provided below.

The DGEIS and GPP may also 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

Comments on the DGEIS and GPP may be made orally or submitted in writing at the Public Hearing or prior to the close of the comment period listed below. Written comments, whether received at or after the Public Hearing, will be afforded the same weight as oral testimony, and those wishing to submit lengthy or complex testimony are urged to do so in writing or by email. Written comments may be submitted by mail or email to:

Paul Tronolone
Empire State Development Corporation
95 Perry Street
Buffalo, NY 14203
716-284-2556 (phone); 716-284-2917 (fax)
ptronolone@empire.state.ny.us

COMMENTS MUST BE RECEIVED WITHIN 30 DAYS OF THE DATE OF THIS NOTICE (ON OR BEFORE 5:00 PM ON MONDAY, JANUARY 17, 2011).

This Notice, the DGEIS, and the GPP have been sent to:

- 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

Summary

The New York State Urban Development Corporation (UDC), d/b/a Empire State Development Corporation (ESDC), as Lead Agency, has prepared this Draft Generic Environmental Impact Statement (DGEIS) to assess the potential economic, social, and environmental effects of undertaking the proposed Richardson Olmsted Complex (ROC) Master Plan (also referred to as the Project). The Project is comprised of a collection of programs and activities involving the stabilization, rehabilitation, and adaptive reuse of the buildings and grounds of the historic Buffalo State Hospital located in the City of Buffalo, Erie County, New York. This DGEIS was prepared in accordance with the requirements of New York's State Environmental Quality Review Act (SEQRA) as prescribed by 6 NYCRR Part 617 State Environmental Quality Review [Statutory authority: Environmental Conservation Law Sections 3-0301(1)(b), 3-0301(2)(m) and 8-0113].

The purpose of the Project is to provide for the rehabilitation and reuse of the historically significant buildings to be acquired by the Richardson Center Corporation (RCC) (commonly referred to as Buildings 9, 10, 12, 13, 27, 38, 39, 40, 41, 42, 43, 44 and 45), landscape/grounds, and supporting infrastructure in a manner consistent with the ROC Master Plan. The public need for the Project is to provide for the rehabilitation of the historically significant and currently vacant and deteriorating Henry Hobson Richardson (Richardson)-designed Buffalo State Hospital buildings and the Calvert Vaux (Vaux) and Fredrick Law Olmsted (Olmsted)-designed grounds and provide the local community the opportunity for economic development. The Project would involve expending State funds administered by ESDC to undertake activities that are an outgrowth of the ROC Master Plan.

Location

The ROC encompasses approximately 91-acres of New York State (NYS) Office of Mental Health (OMH) owned land situated in the northwest portion of the City of Buffalo, Erie County, New York. The ROC is comprised of many individual buildings including the former Buffalo State Asylum for the Insane, also referred to as the "Buffalo State Hospital", the newer Buffalo Psychiatric Center (BPC), buildings leased by OMH tenants (e.g., Margaret A. Stutzman Addiction Treatment Center, Cudmore Heights Residential Care Center for Adults, Transitional Service, Inc., etc.), landscaped open space, surface parking

lots, and internal roadways and pathways. The ROC or "Project Area" is generally bounded to the north by Rockwell Road; the west by Rees Street; the south by Forest Avenue; and the east by Elmwood Avenue.

Portions of the ROC, including the Henry Hobson Richardson (Richardson)-designed Buffalo State Hospital and the Calvert Vaux (Vaux) and Frederick Law Olmsted (Olmsted)-designed grounds, which were previously used as a psychiatric treatment facility, are designated as a National Historic Landmark (NHL) and is on the State and National Registers of Historic Places (S/NRHP). NHL's are nationally significant historic places designated by the Secretary of the U.S. Department of Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States.

Approximately 38.2-acres of the ROC site, including the NHL listed Buffalo State Hospital (480,000 square feet of vacant building space) and grounds, have been designated as "surplus" property by OMH and are available for redevelopment (Of note, up to 7.2 acres of this land area may be declared surplus in the near future and would potentially be available for redevelopment.). The remaining 52.8 acres of the site are expected to be retained by their current owner, including:

- Buffalo Psychiatric Center (BPC). A total of 45.4 acres would be retained by OMH and utilized to provide services to adults with mental illness and for other uses. (Of note, up to 7.2 acres of this land area may be declared surplus in the near future and would potentially be available for redevelopment.)
- Buffalo State College (BSC). Approximately 2.5 acres is utilized by BSC, whose campus is located immediately north of the ROC, for surface parking, recreational fields, and a large maintenance facility.
- Burchfield Penney Art Gallery. The art gallery is located on 4.9 acres in the northeast corner of the ROC.

Initial RCC actions would focus activities on the surplus 38.2 acres of land with the possibility of an additional 4.6 acres of land along Forest Avenue. The additional acres of land are considered an integral component of visually linking the historic Forest Avenue entrance with the original Buffalo State Hospital. At a later date, the RCC may seek appropriate property rights to gain title or an easement to a 2.6-acre parcel of land along Rockwell Road in order to create a stronger visual connection to BSC on the northern side of the original Buffalo State Hospital.

The Project - Purpose and Public Need

The purpose of the Project is to provide for the rehabilitation and reuse of the historically significant buildings to be acquired by the Richardson Center Corporation (RCC) (commonly referred to as Buildings 9, 10, 12, 13, 27, 38, 39,

40, 41, 42, 43, 44 and 45), landscape/grounds, and supporting infrastructure in a manner consistent with the ROC Master Plan. The public need for the Project is to provide for the rehabilitation of the historically significant and currently vacant and deteriorating buildings and grounds and provide the local community the opportunity for economic development, including the facilitation of tourism and to strengthen neighborhood assets and direct economic development activity to the surrounding area.

The Project would involve expending State funds administered by ESDC to undertake activities that are an outgrowth of the ROC Master Plan, prepared by the RCC. The ROC Master Plan involves a program for the stabilization, rehabilitation, and adaptive reuse of the buildings comprising the former Buffalo State Hospital and the Olmsted and Vaux-designed grounds. The ROC Master Plan seeks ways to reuse the existing buildings and aspires to integrate additional facilities in a manner complimentary to the original spirit of the site.

This DGEIS addresses the potential impacts resulting from the full build-out of the ROC Master Plan, including the Core Project, Expanded Core Project, Full Reuse of All Historically Significant Structures (on the 38.2 acres of surplus land), and Development Landholding development stages. The four stages would comprise a maximum of 880,000 gross square feet (GSF) of new and redeveloped building space and also includes the prioritizing of landscape investments, stabilizing buildings, increasing public access, and creating a mixed-use destination centered around, and identified jointly with, the iconic towers of Building 45 (Administrative Building).

To implement the Project, the RCC and ESDC would undertake or cause to be undertaken the following three key actions.

- **Disposition of State-Owned Lands.** The disposition of designated NYS OMH-owned surplus lands and pending non-surplus lands, including the vacant Buffalo State Hospital and Olmsted and Vaux landscaped grounds located on the ROC site to the RCC. The RCC is seeking to gain title of the property through special legislation by the State of New York. Special legislation was identified as the most direct and expedient means of transferring the property from the State to the RCC. Consultation with the City of Buffalo will be required for modification or waiving its “reversionary rights” to the property¹.
- **Amendment to City of Buffalo Zoning Ordinance.** The Project would require an amendment to the City of Buffalo Zoning Ordinance to permit and support the new land uses anticipated in the ROC Master Plan. The

¹ Note: The City of Buffalo originally provided the land for use as Buffalo State Hospital with a provision that the land would revert back to the City upon ceasing such usage.

zoning change would include the rezoning of surplus lands from its current Dwelling District (R2) classification to the Community Business District (C2) classification or an equivalent classification to specifically permit uses anticipated under the ROC Master Plan. Review and approval of any future zoning amendment is under the sole purview of the City of Buffalo Common Council, through recommendation of the Buffalo Planning Board. Both entities are classified as "involved agencies" in this SEQRA review.

- Expenditure of State Funds for the Rehabilitation of ROC Buildings and Grounds. The State of New York has targeted \$76.5 million in funds to assist in undertaking efforts to advance the ROC Master Plan. In accordance with the requirements of the NYS UDC Act, ESDC would adopt and, if necessary, affirm the GPP to authorize funding 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. ESDC would enter into a grant agreement with the RCC to undertake/administer a program of expenditures of State funds, and as applicable, other public and private funds, for the rehabilitation of the ROC buildings, landscape/grounds, and supporting infrastructure in accordance with the GPP. The actions and spending plan authorized by the GPP would be an outgrowth of the ROC Master Plan to facilitate the master plan's overall goals, objectives, and recommendations. Of note, a portion of the targeted funds have been expended by the RCC for stabilization and planning activities. To date, the RCC has expended approximately \$1.9 million on planning and other preconstruction costs and obligated \$9.9 million for stabilization activities, of which \$1.4 million has been spent (Pellegrino-Faix 2010).

ROC Master Planning Process

In September 2009, the professional consulting firm Chan Krieger Sieniewicz concluded a nearly two-year-long master planning effort, and submitted to the RCC the ROC Master Plan. This document was issued to assess the ROC's buildings and site, adjacent neighborhoods and, with a public process, create a plan for long-term development of the historic buildings and grounds. The recommendations and guidance in the ROC Master Plan provide the RCC with a vision to implement and measures for sound stewardship. The ROC Master Plan can be viewed at:

<http://richardson-olmsted.com/documents.php>

Community Involvement as Part of the Master Planning Process

The RCC provided many avenues for community involvement through the master planning process. Open public meetings as well as numerous interviews and small group meetings were held during each aspect of the process. In addition, the RCC has maintained a website (<http://richardson-olmsted.com/>) that provides archived documents and reports, information about the ROC and

ongoing rehabilitation efforts, and is a forum for public comments and feedback.

Community Advisory Group

In an effort to include broad-based community involvement in the master planning process, a Community Advisory Group (CAG) was established. The CAG included representatives from the adjacent neighborhoods, business districts, cultural institutions, BPC, BSC, and the historic preservation community. The CAG had three main tasks:

- Advise the RCC regarding community values related to the ROC Master Plan.
- Facilitate the process of broad public engagement throughout the planning process. This included convening public meetings as well as routine CAG meetings.
- Review the ROC Master Plan work products as they were produced and provide feedback.

The CAG vision statement and meeting minutes can be viewed at:

<http://richardson-olmsted.com/community.php>

Public Meetings

The RCC held three public meetings as part of the ROC master planning process.

- *Public Meeting/Presentation No. 1, August 12, 2008.* This meeting at the Buffalo and Erie County Historical Society focused on planning and stabilization updates and an interactive community visioning session. During this open public meeting, attendees had a chance to comment on ideas presented by the master plan team. Public comments were collected in real-time utilizing a public participation voting system.
- *Public Meeting/Presentation No. 2, January 27, 2009.* This meeting in the Performing Arts Center at Rockwell Hall of BSC provided the public with project updates on rehabilitating and stabilizing the Buffalo State Hospital buildings, creating architecture and visitor centers and reviving the Olmsted-designed landscape.
- *Public Meeting/Presentation No. 3, July 14, 2009.* This meeting in the Performing Arts Center at Rockwell Hall of BSC was held to unveil the draft ROC Master Plan.

Additional information pertaining to these public meetings, including meeting summaries, can be viewed at:

<http://richardson-olmsted.com/communityPrev.php>

ROC Master Plan Goals and Objectives

In the early stages of the master planning effort, the RCC defined a series of goals and objectives to provide general guidance for development of the ROC Master Plan. These goals and objectives included the following:

GOAL 1: Rehabilitate the historic Richardson-designed buildings for a mix of public and private uses.

OBJECTIVES

- Stabilize buildings to prevent further deterioration pending future development.
- Rehabilitate buildings according to federal and state historic preservation standards, using the *Historic Structures Report* and *Cultural Landscape Report* as guidance.
- Focus internal rehabilitation efforts on Buildings 45, 44 and 10.

GOAL 2: Rehabilitate the landscape and improve site circulation, access and parking.

OBJECTIVES

- Rehabilitate the Olmsted-Vaux landscape utilizing recommendation from the *Cultural Landscape Report*.
- Create a new cohesive landscape plan for the site that serves contemporary uses and users.
- Reduce the amount of surface parking in the "South Lawn" by relocating spaces.
- Address the BPC parking needs within active portion of center.
- Relocate the BSC and BPC maintenance buildings (non-historic structures) to more suitable locations.
- Establish pedestrian and vehicular circulation through the site connecting BSC with area neighborhoods.
- Rationalize parking on site to meet requirements for new uses.

GOAL 3: Create a place for architectural, educational, cultural, residential, hospitality, and recreational activities for the benefit of the residents of and visitors to the Richardson Community, the Museum District, the Elmwood Village, and the entire Buffalo Niagara Region.

OBJECTIVES

- Create Architecture and Buffalo Visitor Centers that showcase the architecture and cultural amenities of Buffalo-Niagara and the bi-national regions.
- Encourage new uses that complement and support the Museum District. Create synergies with the BSC campus.
- Focusing on uses that improve the surrounding communities and become the foundation for neighborhood revitalization.
- Respect the needs and rights of the BPC patients and families.

GOAL 4: Create a campus that would succeed economically.

OBJECTIVES

- Use public dollars to leverage private investment.
- Place the highest development priority on the reuse of the historic buildings rather than on the construction of new facilities.
- Create a mixed-use, multi-purpose campus.
- Develop a reuse plan for the ROC that is economically self-sustaining.
- Focus on a tenant mix of public and private sector uses.

GOAL 5: Create an environmentally sound Richardson Olmsted Complex.

OBJECTIVES

- Apply sustainable design principles in ROC reuse.

Guiding Principles of the ROC Master Plan

The framework of the ROC Master Plan was built upon the following five principles.

1. Create a New Identity for "the ROC" through the Reuse of Existing Structures

The highest priority of the ROC Master Plan is the reuse of the historic structures and grounds. Revitalizing the complex can be accomplished by repurposing it as a mixed-use destination. The iconic towers of the Administration Building can serve as a unifying identity for a mix of uses within the buildings.

2. Rehabilitate the South Lawn

The ROC Master Plan places priority on the stabilization and rehabilitation of the lawn between the structure and its historic approach from Forest Avenue. Rehabilitation of the South Lawn requires removal of the invasive circulation and parking patterns that have eroded the continuity of the space over time.

Reinstating the loop road on the south side of the complex and heavily replanting the area will initiate the rehabilitation of the site.

3. Center Building 45

Reorienting the complex so that the back (or north side) of Building 45 can also become a 'front' accomplishes a number of important objectives: (1) it preserves the bucolic character of the South Lawn; (2) it allows for a greater intensity of use and access to the complex from the north without diminishing the importance of the historic south entrance; and (3) it diminishes the visual presence of the modern Strozzi Building when entering from the north.

4. Extend the Olmsted Parks System

The close proximity of Delaware Park offers a remarkable possibility to capture and extend Buffalo's open space system. Strengthening the connection between the ROC and Olmsted's network reestablishes a relationship that has been diminished over time, through new pedestrian and vehicular connections, open space interventions, and art.

5. Preserve Long-term Development Options

If any long range development at the north and northwest portion of the site does occur, it shall be used to enhance and complement the adjoining historic buildings and neighborhoods. Any new development will continue the existing land use ratios to provide major landscaped open space and complement the historic buildings in form and use.

New York State Funding Commitment

After years of calls from preservationists, prominent Buffalonians, and elected officials, in January 2006, then New York Governor George Pataki and the NYS Assembly announced how \$100 million in legislative appropriations, which had been appropriated two years earlier, would be divided among a number of cultural and architectural renewal projects in Buffalo, including the ROC. Of the \$100 million, \$16.5 million was used to build the new Burchfield Penney Art Center and \$7 million was allocated to a new Visitor Center for the recently-restored Darwin D. Martin House. The remaining \$76.5 million was dedicated to the rehabilitation of the ROC's buildings and surrounding landscape. These funds are being administered by ESDC both to provide for planning/administrative activities and for direct construction/rehabilitation efforts, as well as to leverage other public and private funds to realize a full program of rehabilitation and adaptive reuse of the buildings and grounds of the ROC.

SEQRA Process and Public Involvement

SEQRA establishes a process to systematically consider environmental factors early in the planning stages of actions that are directly undertaken, funded or approved by local, regional and state agencies. By incorporating environmental

review early in the planning stages, projects can be modified as needed to avoid adverse impacts on the environment.

Because the Project is based upon a conceptual development plan involving both well-defined elements and certain less-defined components that would be designed and developed in the future as part of subsequent phases, it was determined that a GEIS was the most appropriate way of addressing the environmental review for the Project. GEIS's are permitted under SEQRA to allow for a comprehensive review of possible scenarios in future, outlining potential future review activities as project components come on-line. This is done through establishing "thresholds" for review of future project components. These are discussed in Section 7.5 of this DGEIS.

In accordance with SEQRA, the ESDC has prepared this DGEIS to assess the potential impacts resulting from the Proposed Action. The SEQRA process included the following steps:

1. Establish Lead Agency. 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 Project and solicited lead agency status. No objections to ESDC serving as SEQRA lead agency were received within the required 30-day comment period ending August 1, 2008.
2. ROC Planning Process. The nearly two-year long master planning process involved identification and analysis of development constraints and considerations, vetting of alternative development schemes, and selection of various "phases" of future redevelopment. The master planning process included three open public meetings, seven Community Advisory Group meetings, and numerous agency and stakeholder meetings.
3. Determine Significance. In November 2009, ESDC made a Positive Declaration that identified that there may be one or more significant adverse environmental impacts resulting from the Project. The Positive Declaration required that an EIS be prepared.
4. Public Scoping Period. ESDC, as lead agency, initiated a public scoping process with the purpose of informing the community of the Project and to seek input on concerns/issues that should be addressed in the DGEIS. The public scoping process included a Public Scoping Comment Period and one Public Scoping Meeting. Federal, state, and local agencies and members of the public were encouraged to provide comments on issues that need to be addressed in the DGEIS. The primary purpose of the public scoping process was to focus the DGEIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant, non-significant, or unnecessary. In addition, the scoping process provided an opportunity for

early participation by involved agencies and the public in the review of the Project.

Prior to the initiation of the Public Scoping Comment Period, a Draft Scoping Report was made available to the public. The report provided a brief overview of the Project and a summary of those resources that would be evaluated in the DGEIS. The Draft Scoping Report was made available on the RCC website and hard-copies were made available for public review at ESDC's Buffalo office and the Central Branch and Crane Branch of the Buffalo and Erie County Public Library.

The Public Scoping Comment Period began on December 1, 2009, and concluded on Friday, January 15, 2010, for a total of 46 calendar days. A notification letter (i.e., Notice of Public Scoping Meeting and Intent to Prepare a Draft Generic Environmental Impact Statement) and a scoping meeting announcement postcard was mailed to over 500 federal, state, and local agencies and members of the public. A formal public notice was published in the ENB and *The Buffalo News* to announce the Public Scoping Comment Period and Public Scoping Meeting date and location. The Public Scoping Meeting was held on Thursday, December 17, 2009 (6:00 P.M.) at Rockwell Hall Auditorium, Buffalo State College, 1300 Elmwood Avenue, Buffalo, New York 14222. The scoping meeting was open to the general public and featured displays, fact sheets, a presentation, and ended with an open comment period. The Public Scoping Meeting was used to inform the public on the SEQRA process and the Project and to solicit comments from the public on the scope of the DGEIS.

A total of 61 people attended the Public Scoping Meeting, and at the conclusion of the 46-day scoping period the ESDC received a total of 15 verbal, written, and email comments from other agencies and the public. A large portion of comments received during the Public Scoping Comment Period focused on the content of the ROC Master Plan.

Based on comments received during the public scoping process, no change to the overall scope of assessments in the DGEIS was required. This was because the scope of the DGEIS already included an examination of those issues identified by the public including potential cultural, visual, land use, traffic and transportation, and hazardous material impacts. Certain comments received however, will be used to help refine and/or shape assessments in these categories.

The issues and concerns that were raised during the scoping process that will not be specifically addressed in the DGEIS include those comments regarding the content of the ROC Master Plan (i.e., except where such issues relate to a specific environmental assessment) and requests to specifically evaluate the impact of a potential fee-based parking management system.

While important, these comments were determined to be related to the previously conducted master planning process or the future operation and management of the ROC and not relevant or environmentally significant in regards to the scope of the DGEIS. Of note, the DGEIS includes a general examination of parking demand, parking requirements, and any potential direct or indirect parking impacts on- and off-site. If an adverse parking impact is experienced, applicable mitigation measures could be implemented. At this time no specific parking management plan has been developed for the ROC and the analysis of a fee-based system is speculative and not reasonably foreseeable at this time.

A summary of the comments received during the Public Scoping Period are included in the *Final Scoping Report for the Generic Environmental Impact Statement, Richardson Olmsted Complex Master Plan, Buffalo, New York, April 2010*.

5. Draft GEIS. This DGEIS was prepared and will be made available for public review and comment. The DGEIS documents the methodology, analysis, and findings associated with the proposed action. A minimum 30-day public review and comment period will be held following the acceptance of the DGEIS by the ESDC Board of Directors. All interested persons will be invited to the public hearing or may file written comments. All substantive comments will become part of the official record.
6. Final GEIS. The FGEIS will be completed after considering the public comments received on the DGEIS. The FGEIS will respond to all substantive comments received on the DGEIS and will include refinements, clarifications, and/or revisions to the DGEIS necessary to address such comments, if necessary.
7. Findings Statement. After a FGEIS has been accepted as complete, the Lead Agency and any involved agencies having jurisdiction for components of the project, will consider the relevant environmental impacts presented in the FGEIS, weigh and balance them with social, economic and other essential considerations, provide a rationale for the agency's decision, and certify that the SEQRA requirements have been met. In addition, the Lead Agency or other involved agencies may make findings statements that may include mitigation measures.

Scope of the DGEIS

This DGEIS evaluates the potential direct, indirect, short-term, and long-term impacts resulting from the Project on the human and natural environment. Resource areas examined in this DGEIS and potentially impacted include cultural resources, visual resources, land use and development policies, socioeconomics, traffic and transportation, hazardous materials, community services, utilities, air quality, noise, physical and ecological resources, public

safety, and construction impacts. The DGEIS also addresses potential cumulative impacts that may result from reasonably foreseeable projects in the region. This DGEIS addresses impacts based on full build-out of all four development stages of the ROC Master Plan, including the Core Project, Expanded Core Project, Full Reuse of All Historically Significant Structures, and Development Landholding phases and assumptions made regarding foreseeable reuse of the property. The assumptions were based on the ROC Master Plan, current property use, existing and proposed land use and zoning regulations, and the build-out time line and development mix.

Alternatives

The DGEIS evaluates the potential impacts resulting from the Project and a No-Build Alternative. The Project would be implemented in four stages (i.e., Core Project, Expanded Core Project, Full Reuse of All Historically Significant Structures, and Development Landholding) over a 20-year build-out period. At full build-out the Project would be comprised of a maximum of 880,000 gross square feet (GSF) of building space, including the reuse of approximately 480,000 GSF of existing building space and the construction of up to 400,000 GSF of new building space. In addition, the Project includes the stabilization of the historic Buffalo State Hospital buildings, the rehabilitation of the Olmsted and Vaux-designed hospital grounds, and the reconfiguration of the on-site vehicle and pedestrian circulation system and parking areas.

Under the No-Build Alternative, the historic buildings and grounds of the surplus lands would be retained by NYS and no transfer of surplus lands would occur. No reuse or redevelopment of the historic Buffalo State Hospital, its grounds, or new development in the northern parcels would occur under this alternative. The historic Buffalo State Hospital buildings would be left vacant and underutilized. Other alternatives were developed, evaluated, and eliminated during the ROC Master Plan planning process.

Summary of Potential Environmental Consequences

Cultural/Historic Resources

Implementation of the ROC Master Plan would not significantly impact properties included on, or eligible for, listing on the S/NRHP (i.e., Buffalo State Hospital buildings). Importantly, the implementation of the first three phases of the ROC Master Plan would be expected to have a beneficial impact. A conceptual design for a proposed addition to Building 45 and implementation of the proposed Development Landholding phase could result in impacts to the adjacent S/NRHP-listed historic properties and landscape. This would be the subject of subsequent rounds of review at the City and State levels in the future.

The ROC Master Plan identifies that any development in northwest corner of the surplus lands to be acquired by the RCC will be used to enhance and

complement the adjoining historic hospital buildings. New development will be compatible with the ROC Master Plan, and have a strong emphasis on green space with the built form dense and urban. The redevelopment of the ROC buildings and grounds to be acquired by the RCC will be completed in accordance with federal and state historic preservation standards. Consultation with the NYS Office of Parks Recreation and Historic Preservation (OPRHP) will be required after specific design and construction details are identified to make a determination if the implementation of the ROC Master Plan would result in a significant impact to the S/NRHP-listed historic properties and grounds and to develop measures to avoid, reduce, or mitigate any adverse effect on the historic property.

Archaeological Resources

The implementation of the ROC Master Plan would have the potential to impact archaeological resources, specifically in the northwest corner of the ROC where the Development Landholding phase would occur. Implementation of the first three phases of the ROC Master Plan would not be expected to have a significant impact on archaeological resources. There is the potential for archaeological impacts during ground disturbing activities associated with new construction, landscape stabilization, utility improvements, vehicle, pedestrian driveway, and parking area reconfiguration components of the Project. In turn, any future new development would be subject to public review by City of Buffalo agencies (e.g., Planning Board, Common Council).

Implementation of the ROC Master Plan would require further consultation with OPRHP regarding archaeological resources and additional investigations may be required prior to the start of any future work. In addition, any excavation or other type of ground disturbing activity would require a Phase 1B or other type of excavation-directed investigation in the location of that action to determine the potential extent of archeological resources and appropriate avoidance or treatment plans. Consultation with the OPRHP would identify potential impacts and to develop measures to avoid, reduce, or mitigate any adverse effect on the historic property.

Visual Resources

Implementation of the ROC Master Plan would not significantly impact visual resources at the ROC. Importantly, the implementation of the first three phases of the ROC Master Plan, including the Core Project, Expanded Core Project, and Full Reuse of All Historically Significant Structures, would be expected to have a beneficial impact. Implementation of the proposed Development Landholding phase could result in visual impacts on the adjacent S/NRHP-listed historic properties and landscape. Specifically, construction of the proposed Development Landholding phase would introduce up to 400,000 GSF of new building space into a portion of the ROC that have remained largely undeveloped throughout its history.

In addition, the ROC Master Plan also proposes constructing a structure at the north side of Building 45 that would serve as a new visitor entrance to the ROC and include space for modern public accommodations (e.g., ADA compliance, elevators, restrooms, etc.).

The RCC would consult the OPRHP after specific design and construction details are identified to make a determination if the implementation of the ROC Master Plan would result in a significant impact to the S/NRHP-listed historic properties and grounds and to develop measures to avoid, reduce, or mitigate any adverse effect on the historic property. In addition, public review of the visual effects of such future activities would be conducted as part of City of Buffalo site plan review of these project components.

Land Use and Development Policies

Land Use

The Project would not have a significant adverse impact on existing land use or adjacent uses surrounding the ROC. Implementation of the proposed Development Landholding phase would introduce new structures into the far northwest portion of the ROC, an area which has remained largely undeveloped throughout its history. The Project would result in the relocation of the BPC and BSC maintenance facilities. The RCC will need to work with the BSC and BPC to consider relocation options for these uses that will meet the long-term needs of both the RCC and its neighboring institutional partners.

Internal Circulation Network

The Project would not result in a significant adverse impact to the site's internal circulation network or access. Implementation of the ROC Master Plan would result in the development of an improved system of internal streets and pedestrian paths on the ROC, providing improved site circulation.

Parking

Currently, there are 687 dedicated off-street parking spaces used by the BPC (589 spaces) and Burchfield Penney (98 spaces). The full build-out of the ROC Master Plan would require a minimum of 1,002 additional off-street parking spaces for the Project. Additionally, both the BPC and Burchfield Penney Art Center would also require dedicated off-street parking for their operations at the ROC². Combined, it is assumed that a total number of parking spaces greater than the existing 1,600 ROC spaces would be required to meet future ROC needs, City of Buffalo's zoning laws, and to provide parking spaces for the BPC and Burchfield Penney Art Center.

² Currently there are 687 dedicated off street parking spaces used by the BPC (589 spaces) and Burchfield Penney (98 spaces).

At full build-out over 20 years, implementation of the Project would result in the net loss of 713 existing BSC surface parking spaces, assuming current requirements of the Buffalo Zoning Ordinance (which is presently undergoing a comprehensive revision) update. It would be expected that the demand for parking generated by the reuse of the Buffalo State Hospital combined with the loss of BSC parking and the demand generated by the BPC and BSC (i.e., staff and students) would generate significant demand for parking on the ROC and in the neighborhoods adjacent to it. However, the mixed-use characteristics of the Master Plan would somewhat temper these impacts, given that land uses vary in their peak demand period.

An assessment of potential parking impacts will need to be made following the development of a site parking plan, which should include a future parking demand and utilization analysis, detailed parking configuration designs, and a parking management plan to better understand the needs of the users being served at the ROC, particularly as they relate to site design priorities of the ROC Master Plan. Further, the RCC will need to work with the other entities located on-site or adjacent to it, including BSC and BPC, to ensure that future RCC activities and operations do not conflict with the parking needs of the BPC, BSC, and adjacent neighborhoods.

Socioeconomics

Implementation of the ROC Master Plan would not result in a significant adverse impact, and would be expected to have a beneficial impact on regional and local socioeconomic conditions including:

One-Time Construction Impacts

Based on the proposed program, estimated construction activity would generate an estimated total of 3,539 job years (direct, indirect, and induced) for the Western New York (WNY) region. Total construction employment for NYS, including WNY, is an estimated 3,693 job years over the 20-year construction period.

Total personal income earned by construction-related workers (direct, indirect, and induced) in the region is estimated to be \$170.7 million over the 20-year construction period. Personal income earned by total construction-related workers in NYS, including WNY, is an estimated \$183.1 million.

Tax revenue collected by localities, primarily City of Buffalo and Erie County as a result of construction-related activity and employment is estimated to be \$13.6 million and \$16.9 million by New York State.. These tax revenue estimates do not account for the potential use of the PILOT or other subsidy programs, which may reduce realized tax revenues.

Permanent Operational Impacts

The various activities of the permanent operations that may locate at the ROC would generate an estimated total of 866 jobs (direct, indirect, and induced) for the Western New York region. Total operations-related employment for New York State, including Western New York, is an estimated 893 jobs.

Total personal income earned by employees, (direct, indirect, and induced), at ROC operations in the region is estimated to be \$848.9 million over the 20-year period. Personal income earned by operations workers in New York State, including Western New York, is an estimated \$901.9 million.

Tax collections from operations-related activity and employment going to local governments in the City of Buffalo and Erie County, are estimated to be \$32.4 million over the 20-year period. Estimated total New York state tax revenues generated by permanent operations at the ROC are \$61.7 million. . These tax revenue estimates do not account for the potential use of the PILOT or other subsidy programs, which may reduce realized tax revenues.

Traffic and Transportation

Implementation of the Project would not be expected to result in a significant adverse impact to traffic or transportation facilities. Overall, traffic impacts resulting from full build-out of the Project are minor and do not create over-capacity, operating conditions at any intersection. Improvements were identified to mitigate the potential impact of the Project-generated traffic on the operations along Traffic Study Area roadways and intersections and include signal timing improvements the intersection of Elmwood Avenue with Iroquois, Elmwood Avenue with Forest Avenue, and Elmwood Avenue with Rockwell Road. Also, the Project would not be expected to adversely impact public transportation including Metro bus, Metro Link, pedestrian access, or bicycle access in the Traffic Study Area and in fact would expand and/or enhance these other transportation networks. The RCC will need to consult the City of Buffalo regarding future traffic conditions and to mitigate any potential traffic impacts.

Environmental Concerns

New on-site development and ground disturbing activities, associated with the Project, including the construction of an addition to Building 45, build-out of the Development Landholding phase (up to 400,000 GSF of building space), landscape activities, and reconfiguration of circulation paths and parking areas would not be expected to result in a significant adverse environmental management impact.

The ROC does include the BSC and BPC maintenance facilities which are currently utilized for vehicle maintenance and storage and plant operations. In addition, the facilities include fuel pumps and underground fuel storage tanks. Both of these facilities are proposed to be relocated and the land area redeveloped as new building space. There is the potential that previous

maintenance activities (e.g., vehicle maintenance) and the presence of underground fuel storage tanks at these facilities have resulted in environmental concerns (e.g., fuel, industrial cleaners, oil leaks, etc.) at this site. Redevelopment of maintenance facility area will require the removal of the underground storage tanks and environmental testing to determine the presence of environmental contamination and if the area is suitable for future reuse.

Also, there are a reported seven USTs located at the ROC property that are still active. The location of the active tanks will need to be considered in the future reuse of the property. Environmental testing of these areas will be required, and if applicable, the tanks removed and soil remediated prior to redevelopment. The removal, management, storage, and disposal of these materials would be conducted in accordance with applicable state and federal safety and environmental regulations.

Community Services

Full build-out of the ROC Master Plan would not result in a significant impact on hospitals and emergency services in the City of Buffalo. The BPC and OMH facilities are co-located on the ROC property. Implementation of the Project would result in the relocation of the BPC Maintenance Facility, relocation of the BPCs existing surface parking areas, reconfiguration of the existing ROC circulation system, and it could potentially result in traffic and short-term construction impacts on the BPCs operations. The RCC will consult with BPC and OMH to ensure that future RCC activities and operations do not conflict with and can be integrated (if appropriate) with both the short- and long-term needs of the BPCs staff, patients, and visitors and OMH operations.

Full build-out of the ROC Master Plan would not result in a significant impact on public and private elementary and secondary educational facilities located in the City of Buffalo. However, the BSC campus is located immediately adjacent to the northern boundary of the ROC. Implementation of the Project would result in the relocation of the BSC Maintenance Facility, relocation of BSC parking, and construction of the proposed East-West Address Road that would intersect and divert ROC traffic onto Rockwell Road, a private roadway utilized by BSC. The relocation of the BSC maintenance facility and BSC parking spaces would be expected to necessitate relocation costs (e.g., capital and land) and could potentially result in BSC parking and operational impacts. In addition, it would be expected that the implementation of the ROC Master Plan would result in short-term construction impacts. The RCC will need to consider relocation options for these uses such that the long-term needs of the BSC are satisfied. Also, the RCC will need to work with BSC to ensure that future RCC activities and operations do not conflict with and can be integrated (if appropriate) with both the short- and long-term needs of the college.

Utilities

Under the Project, it is assumed that the RCC would take ownership of the existing on-site utility infrastructure following transfer of the surplus NYS owned lands. The RCC would be responsible for the maintenance, upgrade, and operation of all on-site utility infrastructure located within the transferred lands. There is the potential for archaeological impacts during ground disturbing activities associated with the landscaping stabilization, utilities, vehicle and pedestrian driveway, and parking area reconfiguration components of the Project.

Implementation of the ROC Master Plan would require further consultation with OPRHP regarding archaeological resources and additional investigations may be required prior to the start of any future work. In addition, any excavation or other type of ground disturbing activity will require a Phase 1B or other type of excavation-directed investigation in the location of that action to determine the potential extent of archeological resources and appropriate avoidance or treatment plans.

Water Supply

Implementation of the Project would not be expected to have a significant impact on the regional water supply system. Upon full build-out, water demand would be expected to exceed existing demand. The existing municipal system is expected to have sufficient capacity to meet any future water supply demands resulting from implementation of ROC Master Plan. Upon disposition of the surplus ROC property, the RCC will need to consult with the City of Buffalo and Buffalo Water Authority to estimate the impact of development on the existing water system, including flow volume estimates; identify needed improvements to the water distribution system; and obtain all applicable local permits and approvals.

Wastewater

Implementation of the Project would not be expected to have a significant impact on the municipal wastewater system. Upon full build-out, the average daily volume of wastewater from the Project would be expected to increase above existing conditions. The Buffalo Sewer Authority would be expected to have the capacity within its existing system to meet any future wastewater flows resulting from the implementation of ROC Master Plan. Upon disposition of surplus NYS property, the RCC will need to estimate the impact of anticipated future development on the existing wastewater system; identify who is responsible for needed infrastructure improvements and what those improvements are; identify the ownership and management of installation infrastructure; and obtain all applicable local permits or approvals.

Stormwater

It is assumed that full build-out would result in the construction of new and reconfiguration of existing roadways, parking lots, and other impervious surface

areas. The majority of runoff from reuse would be generated from roof structures and paved surfaces. As a result, stormwater could contain trace levels of contaminants typically found in residential, office, and commercial developments, as well as pesticides and fertilizers used on maintained lawns and landscaped areas.

The RCC will consult with the City of Buffalo and BSA to ensure that any new stormwater infrastructure is designed and installed in accordance with all rules, terms, and conditions of the BSA. Future development will require site plan review, permitting, and adherence to applicable City stormwater and sewer policies and regulations. Potential capacity and infrastructure impacts will have to be examined as specific details become available.

Air Quality

The Project would result in increased vehicular traffic to and from the project area and may cause at key intersections elevated ground-level concentrations of carbon monoxide (CO) associated with vehicular exhaust. Using guidelines provided in the NYSDOT Environmental Procedures Manual (EPM) a screening analysis was conducted to determine whether the Project will require a quantitative CO intersection analysis. The results of the screening analysis indicated there would be no significant CO impacts as a result of the proposed Project, and mitigation would not be required.

Noise

Implementation of the ROC Master Plan would result in temporary noise increases from construction operations and delivery vehicles traveling to and from the ROC. Noise generated would be temporary and would occur during regular daytime working hours. Long-term activities associated with the Project (e.g., visitor center, commercial land use, etc.) are not expected to generate significant noise impacts both on-site and in the adjacent neighborhoods.

Physical and Ecological Resources

Implementation of the Project would not result in a significant impact to general ecology and wildlife.

Construction Impacts

Potential construction-related impacts associated with the Project would include site preparation (e.g., grading) which may increase sediment loadings in site runoff; disposal of any contaminated soils/fill and building materials (i.e., lead based paints and asbestos), and potential exposure to on-site workers; and temporary impacts to air quality and ambient noise levels. In addition, construction workers could also be exposed to hazardous situations typically associated with construction activities. Construction activities would not result in any significant impacts with the application of appropriate construction techniques, compliance with local and federal regulations, inspection and monitoring associated with permitting processes, and mitigation measures as

discussed below. Project construction would be expected to occur over the 20 year build-out period for the project

Cumulative Impacts

No long-term, significant adverse cumulative impacts are expected from implementation of the ROC Master Plan along with the other planned construction projects. Minor traffic and parking impacts would be expected due to the growth in traffic associated with both the implementation of the ROC Master Plan and growth of the BSC campus and student population. Specifically, construction of the East-West Address Road would require a curb cut onto and would direct site traffic onto Rockwell Road. Implementation of the Project would also result in the loss of BSC surface parking. It would be expected that the demand for parking generated by the reuse of the Buffalo State Hospital combined with the loss of BSC parking and the demand generated by the BPC and BSC (i.e., staff and students) would generate significant demand for parking on the ROC and in the neighborhoods adjacent to it.

An assessment of potential ROC and BSC parking impacts will need to be made following the development of a site parking plan which should include a future parking demand and utilization analysis, detailed parking configuration designs, and a parking management plan to better understand the needs of the users being served at the ROC and the BSC.

Construction activities associated with the implementation of the ROC Master Plan and development and renovation of the BSC campus would be expected to result in short-term cumulative construction impacts. Construction impacts could include localized and temporary impacts to sound levels, air quality, on-site parking, traffic, and visual impacts. The RCC will consult with BSC to develop measures to maintain Project Area, ROC, and BSC parking, vehicular, and pedestrian traffic and circulation. In addition, the RCC will coordinate with BSC and other entities co-located (e.g., BPC, OMH, and Burchfield Penney Art Center, etc.) at the ROC in advance of the start of construction activities.

The RCC will need to work with BSC to ensure that future development activities and operations do not conflict with and can be integrated (if appropriate) with one another's short- and long-term operational needs.