

## **Buffalo Bills New Stadium SEQR Information**

The new Buffalo Bills Stadium is the biggest construction project in Western New York history. Committed to becoming a more sustainable arena, the new stadium plans make numerous improvements including efforts to reduce its climate impact and enhance the communities where employees live and work with the addition of a Community Benefits Agreement (“CBA”).

The State Environmental Quality Review Act of the New York State Environmental Conservation Law, Part 617, Article 8<sup>1</sup>, requires that comprehensive plans follow a State Environmental Quality Review (“SEQR”) process before they are adopted.<sup>2</sup>

New York's SEQR requires all state and local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision-making. This means these agencies must assess the environmental significance of all actions they have discretion to approve, fund or directly undertake. When considering an action that has been the subject of a Final EIS, SEQR requires the agencies to balance the environmental impacts with social and economic factors when deciding to approve or undertake an "Action".

A public scoping meeting was previously held on July 14, 2022, to garner public input on the scope of the SEQR review for the project. On October 27, 2022, a public hearing was held at the Orchard Park Community Activity Center seeking public input on the Technical Addendum and draft EAF Parts 2 and 3. Following the public hearing, public comments were collected until November 2, 2022.

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[https://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=Ifb3e6cb0b5a011dda0a4e17826ebc834&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=Ifb3e6cb0b5a011dda0a4e17826ebc834&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))

<sup>2</sup> <http://rocklandgov.com/departments/planning/comprehensive-plan/state-environmental-quality-review-act-documents/>

On January 19<sup>th</sup>, 2023, the Erie County Legislature adopted a determination of significance (negative declaration) for the Bills Stadium Project. Granting a negative declaration under New York's State Environmental Quality Review Act, or SEQR, means Erie County and the Bills won't have to produce an Environmental Impact Statement, or EIS. It is not uncommon for more routine projects in Western New York and throughout New York State to determine that a full EIS is not necessary, thus avoiding this costly and time-consuming process. However, the decision to not conduct a full EIS generated some negative comment due to the size, scope and cost of the new stadium project which is reported to be the most expensive construction project in the history of the region.

The SEQR, or state environmental review process, led by Erie County as the Lead Agency found no significant environmental impacts that would prevent stadium construction. The team that produced the SEQR report was led by Erie County and overseen by Phillips Lytle LLP. Their job was to compare the current environmental impact of Highmark Stadium to a future stadium across Abbott Road. Since the new stadium will accommodate approximately 14% fewer spectators many environmental impacts such as from travel and transportation, water usage, waste generation, electrical usage, etc. will be reduced compared to the current stadium. No significant negative impacts were found for things like light pollution, storm runoff, aesthetics, traffic, utility demands, low-flow toilets, and an improved HVAC system.

In some cases, Phillips Lytle attorney Adam Walters said environmental improvements will be made, for example, he said water consumption is expected to be 25% less for the new stadium: "Because the old stadium was designed and built before we had environmental review statutes, the new stadium with its state-of-the-art design and sustainable practices will actually be an environmental improvement in many instances," Walters said.

Another example he said is that water runoff at the future stadium will be treated on-site before being discharged into Smokes Creek, where currently that is not the case. Water pressure in the surrounding neighborhood should also improve on gameday after neighbors revealed what the county said was a previously unknown impact. The new stadium will be tied directly into a water main.

Dan Castle, Erie County environment and planning commissioner, stated “We do not feel that there are any significant environmental impacts that would result based on the proposed action.”

**Below are links to the determination of significance and Final Environmental Assessment Form that were completed for the project:**

- [SEQRA Determination](#)
- [FEAF Part II](#)
- [FEAF Part III](#)

**[BUFFALO BILLS – PROPOSED NEW STADIUM – LEAD AGENCY PACKAGE](#)**