



## ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

333 WEST WASHINGTON STREET, SUITE 130, SYRACUSE, NY 13202

PHONE: 315.435.3770 • FAX: 315.435.3669 • ONGOVED.COM

### Meeting Agenda July 13, 2021

#### 8:00 AM Call to Order the Meeting of the Agency

- A. Approval of Minutes-June 8, 2021
- B. Treasurer's Report
- C. Payment of Bills
- D. Conflict of Interest

#### Action Items

1. **Ultra Dairy Expansion –Wastewater Treatment Plant (3101-21-11H) Initial Meeting**  
Ultra Dairy, LLC, located in the Town of Dewitt is proposing to construct a wastewater treatment facility with a tanker wash. This project will involve capital expenditures of approximately \$6.4 million and will create a total of 10 new full time jobs. The applicant is requesting exemptions from certain sales and use taxes, real property taxes and real estate transfer taxes.

##### Agency Action Requested:

- a. A Resolution of the Board to authorize a Public Hearing

**Representative:** Jim Gosier, Counsel, Byrne Dairy

2. **Roth Steel Amendment**

##### Agency Action Requested:

- a. Resolution of the Board authorizing the Executive Director to execute an Amendment to the Brownfield Site Cleanup Agreement in connection with the 800 Hiawatha Boulevard West Site.

**Representative:** Jeff Davis, Agency Counsel, Barclay Damon

3. **Consideration of Acceptance of the Final Supplemental Generic Environment Impact Study.**

##### Agency Action Requested:

- a. Resolution of the Board determining the Final Supplemental Generic Environmental Impact Statement Complete and authorizing the Chairman, Executive Director and Legal Counsel to take all necessary steps to comply with publication, notification and filings of the State Environmental Quality Review Act

**Representative:** Jeff Davis, Agency Counsel, Barclay Damon

4. **OCIDA Special Board Meeting to be held Tuesday, July 27, 2021.**

#### Adjourn

# **SUBJECT TO BOARD APPROVAL**

Onondaga County Industrial Development Agency  
Regular Meeting Minutes  
June 8, 2021

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, June 8, 2021 via Zoom Teleconference.

Patrick Hogan called the meeting to order at 8:00 am with the following:

**PRESENT:**

Patrick Hogan  
Janice Herzog  
Victor Ianno  
Steve Morgan  
Susan Stanczyk  
Kevin Ryan  
Fanny Villarreal

**ABSENT:**

Sue Stanczyk  
Kevin Ryan

**ALSO PRESENT:**

Robert Petrovich, Executive Director  
Nancy Lowery, Secretary  
Nate Stevens, Treasurer  
Karen Doster, Recording Secretary, Agency  
Rebecca Shiroff, Office of Economic Development  
Daniel Bonsangue, Office of Economic Development  
Jeff Davis, Barclay Damon Law Firm  
Amanda Fitzgerald, Barclay Damon Law Firm  
James Trasher, CHA Consulting  
Wendy Loughnot, Ranalli Super DC, LLC

(Patrick Hogan shared information as to how the meeting will be conducted in light of COVID-19.)

APPROVAL OF REGULAR MEETING MINUTES – APRIL 29, 2021, May 6, 2021, May 11, 2021

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved the regular meeting minutes of April 29, 2021, May 6, 2021 and May 11, 2021 meetings. Fanny Villarreal abstained. Motion was carried.

## TREASURER'S REPORT

Nate Stevens gave a brief review of the Treasurer's Report for the month of May 2021.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the Treasurer's Report for the month of May 2021. Motion was carried.

## PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #457.

Patrick Hogan asked if we are up to date on all payments. Nate Stevens stated yes.

Upon a motion Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved the Payment of Bills Schedule #457 for \$1,263, 213, PILOT payments to the City of Syracuse for \$411.36, Onondaga County for \$1,220.36, Town of Dewitt for \$140.76, East Syracuse Minoa School District for \$747.66 and Syracuse Central School District for \$1489.21. Motion was carried.

## CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest was emailed to Board Members present to sign off.

## RANALLI SUPER DC, LLC (3101-21-10A) INITIAL MEETING

James Trasher stated he is from CHA representing Ranalli Super DC, LLC and their affiliates. He stated Wendy Loughnot from Costello Cooney and Fearon is present as well. (He did a screen share of the proposed project). He stated they are in the approval process with the Town of Lysander for the construction and they are going through the complete master plan. He stated it is 1,007,500 square feet (building) and located on the intersection of 690 and Hencle Boulevard. He stated it is zoned industrial. He stated there are 3 parcels being combined into one as part of the project. He stated they are before the Board today with the first phase of the project which is the construction of 364,000 square feet for United Auto Supply to open and add new lines of

service to their auto warehouse distribution facility. He stated e-commerce, manufacturing lines are looking to come into the facility and based on current warehousing they can't accept those. He stated they want to go to a larger scale for trucks and heavy highway type vehicles and the expansion would allow for that. He stated they are working with the State DOT on curb cuts and cleared the site with State Historic Preservation Office. He stated they have been working with the DEC and did wetland delineations. He stated their plan is to have SEQR completed with the Town of Lysander and approvals by their July meeting. He stated they are requesting mortgage recording tax, sales tax and a PILOT. He stated the initial phase shown in the application of this project would create approximately 125 new jobs in the area. He stated they believe it is a benefit. He stated United Auto Supply is a local business that started 50 plus years ago. He stated it has grown, is now around the northeast and it is good to keep a local business owner in the area. He stated this is their next step in growth.

Wendy Lougnot stated we are in the midst of the approvals through the Town and SEQR should be completed in the next month.

Jeff Davis asked if the Town is doing a coordinated SEQR review. James Trasher stated yes.

Jeff Davis asked if the SEQR review is on the 1 million square feet or just Phase 1 for the 354,000 square feet. James Trasher stated the review is on the 1 million square feet.

Janice Herzog stated it was mentioned United Auto Supply might include a new manufacturing line and asked what that would be. She asked if they currently manufacture items or just a distributor. James Trasher stated they are just a distributor. He stated they use heavy highway freight liner trucks and things like that and they currently don't have breaks, mufflers systems and pipes for those. He stated there are things based on the size of the distribution that manufacturers want them to distribute but they don't currently have capacity in their warehouse so this would allow them to bring on new lines and expand their offerings from a warehouse distribution stand point.

Janice Herzog asked if they are manufacturing them at the facility and just distributing new manufacturing lines. James Trasher stated yes.

Janice Herzog stated in the EAF it talks about potential leases. She stated it reads additional phases will be constructed as demand is necessary to serve the needs of United Auto Supply or potential leases. She asked if that would be individuals or companies that United Auto Supply would lease to in that space. James Trasher stated yes potentially. Wendy Lougnot stated the expectation is that United Auto Supply will utilize the entire 364,000 square feet. She stated as additional phases are added, there is potential to lease out to other entities but they are just keeping that open at this point because they don't know what the exact needs will be for additional space down the road.

Amanda Fitzgerald stated those portions are not included in this part of the project.

Janice Herzog asked if the next phases would come before the Board if there was a plan to lease to another entity. She asked would it be discussed at that point. Amanda Fitzgerald stated yes.

Fanny Villarreal stated in the application it says they are planning to hire 50 associates for the warehouse and asked if those are full time. James Trasher stated they are full time plus. He stated currently they run two shifts every day except Christmas and Thanksgiving. He stated there would be management and warehouse level full time positions. He stated they're all FTEs.

Patrick Hogan stated Ranalli has a large warehouse on the near west side of the city and they make a real effort to engage in the immigrant community as far as hiring laborers. He stated they are great for the community and very invested in those neighborhoods. He stated they don't just put a warehouse up and forget about the neighborhood and they do a great job as far as neighborhood engagement goes.

Patrick Hogan asked where they are in the planning process. James Trasher stated in terms of the approval process it is appropriately zoned industrial, so they are in front of the planning board for site plan approval. He stated it is a by right and no variances are needed. He stated they have a planning board meeting this Thursday if any of the board members would like to attend. He stated in full transparency some of the neighbors in the area are in opposition to the project. He stated not every project is going to be looked at 100% favorable. He stated in the Town of Lysander it is the last zoned industrial piece. He stated Ranalli Super DC, LLC purchased all the industrially zone land and they are just completing the SEQR process. He stated their hope was to have it completed on June 10 but they are still waiting final comments

on the traffic impact study from the County and State DOT. He stated once they get those letters that the proposed mitigation for the project is acceptable, SEQR should be wrapped up with a negative declaration. He stated by July 13 when they have a public hearing, SEQR should be completed and should have site plan approval from the Town of Lysander.

Janice Herzog stated in the application it is listed that all phases have a completion date of 2025 and asked what the completion date for the first phase is. James Trasher stated the end of next year with site work starting this year. He stated with building costs and the allocation of steel right now it is tough to get steel. He stated once it is priced appropriately and available they will start construction of Phase 1. He stated the game plan is end of 2022 to have the first phase operational.

Janice Herzog asked if the land was already purchased and was anything there like agriculture. James Trasher stated the field was farmed by CNY Crops for years as a leased piece of land. He stated it is not in an ag district and was farmed by the Melvins. He stated it was 40 acres used to plant soy beans or corn.

Victor Ianno asked if this was part of the overall master plan of Radisson to put industrial and commercial stuff out in the back. He stated this is just filling out the project that was originally planned. James Trasher stated yes and the Town of Lysander had the property industrial zoned and has been that way for 20 plus years with no one coming in but based on the development of the area it is now ready for development. He stated with conversations with Bob Wicks, of the Planning Board, it is perfectly set up for this type of development.

Victor Ianno stated it is a home run for the entire community. He stated Ranalli is a local business and could easily be lured away and he is investing here more and more all the time. He stated good project and congratulations.

Pat Hogan asked what the hourly wage is. James Trasher stated starting pay for warehouse is about \$20 an hour. Nate Stevens stated there is a detailed chart in the meeting packet.

Upon a motion by Victor Ianno, seconded by Fanny Villarreal, the OCIDA Board approved a resolution to hold a public hearing for the Ranalli Super DC, LLC project. Motion was carried.

## SCHEDULE OCIDA BOARD SPECIAL MEETING

Jeff Davis stated the special meeting of the board will be for consideration of the Final Supplemental GEIS for the White Pine site. He stated we will put this as a holding date. He stated the comment period is still open until the 11<sup>th</sup>. He stated we have received several comments. He stated the public hearing was held last week and there are comments that need to be responded to. He stated the working group will meet to discuss those. He stated we will put this on as a meeting to discuss the Final Supplemental GEIS.

## OCIDA JULY BOARD MEETING SCHEDULE UPDATE

The July 20, 2021 meeting is being moved to July 13, 2021.

Robert Petrovich stated he originally thought staff would be out of town that week at a conference but the conference is not happening so he would like to move the meeting up back to the originally anticipated date of the second Tuesday of the month.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board adjourned the meeting at 8:28 am. Motion was carried.

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Nancy Lowery, Secretary



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 333 WASHINGTON STREET, SUITE 130, SYRACUSE, NY 13202  
 PHONE: 315.435.3770 • FAX: 315.435.3669

June 30, 2021

Revenue / Expense / Income	Current Period	Current YTD	2021 Budget Amount	Current YTD Change to Budget
Operating Revenue	30	1,017,021	1,646,000	(628,979)
Administrative Expense	48,658	236,828	1,008,000	(771,172)
Operating/Program Exp.	17,259	288,911	638,000	(349,089)
Net Ordinary Income	(65,887)	491,282	-	491,282

Current Assets	Current YTD	Prior YTD
Total Cash	3,878,424	4,820,460
Less Pass Through Received	161,407	34,779
Available Cash	3,717,018	4,785,681
Receivables (less pass through rec.)	279,520	971,664
Grant Reimbursements	-	268,733
Total	3,996,538	6,026,078

Reserve for Contracts	
County Operations 2021	771,172
333 W. Washington St 2021 Rent	50,015
OBG WPCP CO #4 Additional Studies	418,947
JMT 800 Hiawatha Engineering	11,816
Barclay Damon WPCP Options	50,000
Total	1,301,951

Receivables	
0-120 days	57,496
> 120 days	222,024
Total	279,520

# Onondaga County Industrial Development Agency

## Profit and Loss

June 2021

	TOTAL
Income	
501 Non-Operating Revenue	
2401 Interest Income	29.53
<b>Total 501 Non-Operating Revenue</b>	<b>29.53</b>
534 Pilot & Pass Thru Revenue	
529 PILOT Income	161,406.80
<b>Total 534 Pilot &amp; Pass Thru Revenue</b>	<b>161,406.80</b>
<b>Total Income</b>	<b>\$161,436.33</b>
GROSS PROFIT	<b>\$161,436.33</b>
Expenses	
6400 Operating Expense	
6404 Audit	14,000.00
6407 Administrative Expense	48,658.09
6408 Meeting Expenses	270.94
6409 Conference Attendance	1,354.16
6410 Office Expense	303.85
<b>Total 6400 Operating Expense</b>	<b>64,587.04</b>
6440 Legal Fees	
6445 Special Counsel	
6445.01 Blue Rock BS&K	320.00
<b>Total 6445 Special Counsel</b>	<b>320.00</b>
6450 Barclay Damon	
6460 IDA General Legal	337.50
<b>Total 6450 Barclay Damon</b>	<b>337.50</b>
<b>Total 6440 Legal Fees</b>	<b>657.50</b>
6500 Agency Program Expenses	
6510 White Pine Commerce Park	
6510.7 WPCP Marketing	657.12
<b>Total 6510 White Pine Commerce Park</b>	<b>657.12</b>
6530 800 Hiawatha Blvd. West	
6530.3 Engineering	14.95
<b>Total 6530 800 Hiawatha Blvd. West</b>	<b>14.95</b>
<b>Total 6500 Agency Program Expenses</b>	<b>672.07</b>
6600 Non-Operating Expenses	
6605 Pilot & Pass Thru Expenses	
6605.2 PILOT Expense	161,406.80
<b>Total 6605 Pilot &amp; Pass Thru Expenses</b>	<b>161,406.80</b>
<b>Total 6600 Non-Operating Expenses</b>	<b>161,406.80</b>
<b>Total Expenses</b>	<b>\$227,323.41</b>
NET OPERATING INCOME	<b>\$ -65,887.08</b>
NET INCOME	<b>\$ -65,887.08</b>

# Onondaga County Industrial Development Agency

## Balance Sheet

As of June 30, 2021

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
200 Cash	0.00
200.1 Cash - M & T Checking	2,993,966.87
200.2 Cash - M & T Money Maker Savings	890,365.41
200.4 Destiny USA Restricted Cash	-8,957.82
210 Petty Cash	50.00
<b>Total 200 Cash</b>	<b>3,875,424.46</b>
<b>Total Bank Accounts</b>	<b>\$3,875,424.46</b>
Accounts Receivable	
380 Accounts Rec.	
380.6 A/R Fees, Lease & PILOT	57,495.99
<b>Total 380 Accounts Rec.</b>	<b>57,495.99</b>
<b>Total Accounts Receivable</b>	<b>\$57,495.99</b>
Other Current Assets	
391 Long Tern Receivable	222,024.00
<b>Total Other Current Assets</b>	<b>\$222,024.00</b>
<b>Total Current Assets</b>	<b>\$4,154,944.45</b>

# Onondaga County Industrial Development Agency

## Balance Sheet As of June 30, 2021

	TOTAL
Fixed Assets	
100 Land	
101 White Pines Commerce Park	3,305,401.50
101.1 WPCP GEIS	
101.101 CHA GEIS 1	267,452.05
101.102 CHA GEIS 2	219,439.36
101.104 GEIS Reg Plan Board Overview	19,797.74
<b>Total 101.1 WPCP GEIS</b>	<b>506,689.15</b>
101.2 WPCP Legal	69,774.25
101.3 Engineering Services	52,675.00
101.301 Temporary Access	4,055.44
101.4 Environmental/Demo Services	10,318.98
<b>Total 101.3 Engineering Services</b>	<b>67,049.42</b>
101.5 Land Acquisition Costs	
101.501 Land Purchases	1,160,063.57
101.502 Closing Costs	3,168.14
<b>Total 101.5 Land Acquisition Costs</b>	<b>1,163,231.71</b>
<b>Total 101 White Pines Commerce Park</b>	<b>5,112,146.03</b>
106 North Salina Properties	0.00
106.1 435 North Salina	17,083.55
106.3 435 North Salina Building	634,421.53
<b>Total 106 North Salina Properties</b>	<b>651,505.08</b>
107 800 Hiawatha	604,840.42
<b>Total 100 Land</b>	<b>6,368,491.53</b>
104 Machinery & Equipment	
104.1 Office Furniture	1,429.00
104.2 Equipment	1,432.40
<b>Total 104 Machinery &amp; Equipment</b>	<b>2,861.40</b>
211 A/D Office Furniture	-2,862.00
213 A/D Buildings	-81,335.00
<b>Total Fixed Assets</b>	<b>\$6,287,155.93</b>
Other Assets	
240 Blue Sky Redevelopment	1,641.76
<b>Total Other Assets</b>	<b>\$1,641.76</b>
<b>TOTAL ASSETS</b>	<b>\$10,443,742.14</b>

# Onondaga County Industrial Development Agency

Balance Sheet  
As of June 30, 2021

	TOTAL
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Other Current Liabilities	
600 Accounts Payable	0.00
600.1 Due to Related Party - OED	236,828.28
600.206 Mileage Reimbursement	92.34
600.208 BlueRock Energy Agreement Deposit	25,000.00
600.209 Syracuse Rail Overpayment	500.00
<b>Total 600 Accounts Payable</b>	<b>262,420.62</b>
601 PILOT and Pass Thru Payable	
603 PILOT Pass Thru	8,018.69
604 Other Pass Thrus	74,063.70
<b>Total 601 PILOT and Pass Thru Payable</b>	<b>82,082.39</b>
631 Due to Other Governments	
631.1 Towns	
631.105 Camillus	-20.00
631.12 Dewitt	-281.52
<b>Total 631.1 Towns</b>	<b>-301.52</b>
631.3 Schools	
631.305 Baldwinsville	1.00
631.315 East Syracuse-Minoa	-1,495.32
631.325 Jamesville-Dewitt	26.64
631.356 Syracuse	69,293.46
631.36 West Genesee	-0.01
<b>Total 631.3 Schools</b>	<b>67,825.77</b>
631.4 Onondaga County	47,377.54
631.5 City of Syracuse	38,493.92
<b>Total 631 Due to Other Governments</b>	<b>153,395.71</b>
<b>Total Other Current Liabilities</b>	<b>\$497,898.72</b>
<b>Total Current Liabilities</b>	<b>\$497,898.72</b>
<b>Total Liabilities</b>	<b>\$497,898.72</b>
Equity	
3900 Equity Unreserved	6,735,894.07
3901 Equity-Investment Fixed Assets	2,345,838.63
463 Reserve For Contracts	1,301,950.91
465 Equity - Unreserved	-929,121.91

# Onondaga County Industrial Development Agency

## Balance Sheet

As of June 30, 2021

	TOTAL
Net Income	491,281.72
<b>Total Equity</b>	<b>\$9,945,843.42</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$10,443,742.14</b>

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
PAYMENT OF BILL - SCHEDULE #458  
July 13, 2021**

**GENERAL EXPENSES**

1.	<u>RAMBOLL AMERICAS ENGINEERING SOLUTIONS, INC.</u> Inv#1940005855, 1940006482 & 1940006878, WPCP Engineering	\$	82,091.32
2.	<u>PARK STRATEGIES, LLC</u> Inv#16584779, June 2021 Consulting	\$	2,500.00
3.	<u>TJMG PROPERTIES, LLC</u> Inv#1337-0521, 8739 Burnet House Shutdown	\$	235.05
4.	<u>BARCLAY DAMON LLP</u> Inv#5115116, 5122302 & 5127004, General Legal thru 5-31-21	\$	1,797.95
5.	<u>BOND, SCHOENECK &amp; KING, PLLC</u> Inv#19872370, BlueRock Legal thru 5-31-21	\$	2,518.75
6.	<u>ONONDAGA CIVIC DEVELOPMENT CORP.</u> Inv#1115 & 1116, 2nd Quarter 2021 Rent & Office Machine	\$	15,323.81
7.	<u>JMT OF NEW YORK, INC.</u> Inv#27-102753, Roth Brownfield Cleanup	\$	1,582.50
8.	<u>COMMISSIONER OF FINANCE</u> 2021 Taxes; 435 N. Salina & Roth	\$	1,658.59
9.	<u>ADVANCE MEDIA NEW YORK</u> Public Hearing Notices; Treyjat LOSO & WPCP SEQR	\$	447.60
10.	<u>OCWA</u> Inv#25306218, Final Bill 8739 Burnet Road	\$	28.49
11.	<u>FEDEX</u> Inv#7-403-22689, Shipping	\$	22.31

Schedule #458  
page 2

12. <u>BARCLAY DAMON</u>	\$ <u>50,000.00</u>
WPCP Options Agreement 3rd Payment	
<b>TOTAL</b>	<b>\$ 158,206.37</b>

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
PAYMENT OF BILL - SCHEDULE #458  
July 13, 2021**

**PILOT Payments**

1.	<u>CITY OF SYRACUSE</u>	\$	39,316.64
	2021 Syracuse Apartments & 2nd Q 2021 COR IH PILOT Payments		
2.	<u>ONONDAGA COUNTY</u>	\$	49,818.26
	2021 Syracuse Apartments & 2nd Q 2021 COR IH PILOT Payments		
3.	<u>SYRACUSE CSD</u>	\$	72,271.90
	2021 Syracuse Apartments & 2nd Q 2021 COR IH PILOT Payments		
	<b>TOTAL</b>	<b>\$</b>	<b>161,406.80</b>

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
RESERVE FOR CONTRACTS  
6/30/2021**

	<b>CONTRACT</b>	<b>TOTAL</b>	<b>PORTION</b>	<b>BALANCE</b>
<b>DESCRIPTION</b>	<b>TERM</b>	<b>CONTRACT</b>	<b>PAID</b>	<b>OUTSTANDING</b>
ONONDAGA COUNTY OED 2021	1-1-21-12-31-21	\$1,008,000.00	\$236,828.28	\$771,171.72
333 W. WASHINGTON ST 2021 RENT	1-1-21-12-31-21	\$65,000.00	\$14,984.58	\$50,015.42
OBG WPCP CO #4 ADDITIONAL STUDIES	11-30-18-12-31-21	\$800,000.00	\$381,052.63	\$418,947.37
JMT 800 HIAWATHA ENGINEERING	2/13/19-12-31-21	\$25,000.00	\$13,183.60	\$11,816.40
BARCLAY DAMON WPCP OPTIONS	11/30/20-12-31-21	\$200,000.00	\$150,000.00	\$50,000.00
		\$2,098,000.00	\$796,049.09	\$1,301,950.91

**ACCOUNTS RECEIVABLE  
6/30/2021**

AGENCY FEES RECEIVABLE		\$57,496.00
ACCOUNTS RECEIVABLE GENERAL		\$0.00
QUASI-EQUITY LOAN RECEIVABLE		\$0.00
GRANTS RECEIVABLE		\$0.00
LONG TERM RECEIVABLE		\$222,024.00
<b>TOTAL</b>		<b>\$279,520.00</b>

# Onondaga County Industrial Development Agency Draft



## Project Summary

6/30/2021

<b>1. Project</b>	<b>Ultra Dairy, LLC (Wastewater 2021 Expansion)</b>	<b>2. Project Number</b>	<b>3101-21-11H</b>
<b>3. Location</b>	Dewitt	<b>4. School District</b>	ESM
<b>5. Tax Parcel(s)</b>	042.-13-05.1	<b>6. Project Type</b>	Expansion
		<b>Village</b>	-

<b>7. Total Project Cost</b>	\$	<b>6,420,859.00</b>	<b>8. Total Jobs</b>	223
Land	\$	-	8A. Job Retention	213
Site Work	\$	-	8B: Job Creation	10
Building	\$	3,609,704	(Next 5 Years)	
Furniture & Fixtures	\$	-		
Equipment	\$	2,137,301		
Equipment Subject to NYS Production Exemption	\$	-		
Engineering/Architecture Fees	\$	129,000		
Financial Charges	\$	-		
Legal Fees	\$	-		
Other	\$	544,854		

### Cost Benefit Analysis

### Ultra Dairy, LLC (Wastewater 2021 Expansion)

Fiscal Impact (\$)

<b>Estimated Abatement Cost</b>	<b>\$433,677</b>
Sales Tax Abatement	\$180,000
Mortgage Recording Tax Abatement	\$0
Real Property Tax Relief	\$253,677
<b>New Investment</b>	<b>\$12,378,733</b>
PILOT Payments	\$221,664
Project Wages (10 years)	\$7,047,738
Construction Wages	\$870,600
Employee Benefits (10 years)	\$563,819
Project Capital Investment	\$3,609,704
Agency Fees	\$65,209

**Benefit:Cost Ratio**

**28.54 :1**

### Project Description

Ultra Dairy is proposing to construct a wastewater feature at their existing facility in th Town of Dewitt.

# Ultra Dairy, LLC (Wastewater 2021 Expansion)

6/29/2021

A) PILOTS Estimate Table Worksheet

for 10 years

OCIDA estimate of current market value					\$	8,850,000
Projected investment					\$	3,609,704
OCIDA estimate of increase in value					\$	1,202,031
OCIDA estimated value after project is completed					\$	10,052,031
Taxes that would have been collected if the project did not occur					\$	4,661,977
Scheduled PILOT payments					\$	4,883,640

PILOT YEAR (Town and County)	PILOT Year (School District)	Exemption %	Onondaga County	Dewitt	ESM	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
2022	2021-2022	NA	\$ 35,238	\$ 32,570	\$ 173,075	\$ 240,883	\$ 268,580	
2023	2022-2023	NA	\$ 39,101	\$ 36,141	\$ 192,047	\$ 267,288	\$ 295,539	
2024	2023-2024	100%	\$ 45,549	\$ 42,100	\$ 223,713	\$ 311,361	\$ 354,772	\$ 43,411
2025	2024-2025	90%	\$ 53,315	\$ 49,328	\$ 261,814	\$ 364,457	\$ 404,309	\$ 39,851
2026	2025-2026	80%	\$ 56,288	\$ 52,128	\$ 276,371	\$ 384,787	\$ 420,919	\$ 36,132
2027	2026-2027	70%	\$ 59,358	\$ 55,020	\$ 291,406	\$ 405,784	\$ 438,032	\$ 32,248
2028	2027-2028	60%	\$ 62,529	\$ 58,008	\$ 306,931	\$ 427,468	\$ 455,662	\$ 28,194
2029	2028-2029	50%	\$ 65,803	\$ 61,092	\$ 322,961	\$ 449,856	\$ 473,821	\$ 23,965
2030	2029-2030	40%	\$ 69,183	\$ 64,277	\$ 339,509	\$ 472,969	\$ 492,524	\$ 19,555
2031	2030-2031	30%	\$ 72,672	\$ 67,565	\$ 356,590	\$ 496,826	\$ 511,786	\$ 14,960
2032	2031-2032	20%	\$ 76,272	\$ 70,958	\$ 374,219	\$ 521,449	\$ 531,622	\$ 10,173
2033	2032-2033	10%	\$ 79,059	\$ 73,602	\$ 387,849	\$ 540,510	\$ 545,698	\$ 5,188
<b>TOTAL</b>			<b>\$ 714,367</b>	<b>\$ 662,790</b>	<b>\$ 3,506,483</b>	<b>\$ 4,883,640</b>	<b>\$ 5,193,264</b>	<b>\$ 253,677</b>

	Year					
	2021	2022	2023	2024	2025	2026
Jobs						
Current/Actuals						
Creation Goals		20	5			
Total Employment Goals	247	267	272	272	272	272

This PILOT Schedule replaces all previous PILOT schedules regarding the associated parcels



## ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPLICATION FOR BENEFITS

1. Fill in all blanks using “none”, “not applicable” or “not available”. If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency at 315-435-3770.
2. If providing an estimate put “(est.)” after the figure or answer. If more space is needed to answer any specific question, attach a separate sheet.
3. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents. (ST-60, PILOT Agreement)
4. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nate Stevens at [nstevens@ongov.net](mailto:nstevens@ongov.net). **An Application will not be considered by the Agency until the Application fee has been received.**
5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the Project, which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>.
6. Please note the Public Officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant is of the opinion that there are elements of the Project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.
7. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the agency, all administrative and legal fees as stated in Section VI of the Application.
8. A complete application consists of the following 9 items:
  - This Application
  - Local Access Agreement
  - Employment Plan
  - Conflict of Interest
  - A feasibility statement indicating the need for the requested benefits
  - Description of project, Site Plans/Sketches, and Maps
  - NYS Full Environmental Assessment Form
  - A check payable to the Agency in the amount of \$1,000
  - A check payable to Barclay Damon LLP in the amount of \$2,500
9. This Application was adopted by the OCIDA Board on November 19, 2019.

**It is the policy of the Agency that any project receiving benefits from the Onondaga County Industrial Development Agency will utilize 100% local contractors and local labor for the construction period of the project unless a waiver is granted in writing by the Agency.**

**Return to:**

Onondaga County Industrial Development Agency  
Attn: Nate Stevens  
333 W. Washington Street, Suite 130  
Syracuse, NY 13202  
Phone: 315-435-3770 | Fax: 315-435-3669  
[nstevens@ongov.net](mailto:nstevens@ongov.net)

**Section I: Applicant Information**

Please answer all questions. Use “None”, “Not Applicable” and “See Attached” where necessary.

**A) Applicant information-company receiving benefits:**

Applicant Name: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Website: \_\_\_\_\_ E-mail: \_\_\_\_\_

Federal ID#: \_\_\_\_\_ NAICS: \_\_\_\_\_

State and Year of Incorporation/Organization: \_\_\_\_\_

Will a Real Estate Holding Company be utilized to own the Project property/ facility?  Yes  No

What is the name of the Real Estate Holding Company: \_\_\_\_\_

Federal ID#: \_\_\_\_\_

State and Year of Incorporation/Organization: \_\_\_\_\_

List of stockholders, members, or partners of Real Estate Holding Company:

\_\_\_\_\_

**B) Individual Completing Application:**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

**C) Company Contact (if different from individual completing application):**

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**D) Company Counsel:**

Name of Attorney: \_\_\_\_\_  
Firm Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**E) Business Organization (check appropriate category):**

- Corporation                       Partnership  
 Public Corporation               Joint Venture  
 Sole Proprietorship               Limited Liability Company

Others (please specify): \_\_\_\_\_  
Year Established: \_\_\_\_\_  
State in which Organization is established: \_\_\_\_\_

**F) List all stockholders, members, or partners with % of ownership greater than 5% :**

Name	% of ownership
_____	_____
_____	_____
_____	_____
_____	_____

**G) Applicant Business Description:**

Please attach a description of your company's background, products, customers, goods and services.

Estimated % of sales within Onondaga County: \_\_\_\_\_

Estimated % of sales outside Onondaga County but within New York State: \_\_\_\_\_

Estimated % of sales outside New York State but within the U.S.: \_\_\_\_\_

Estimated % of sales outside the U.S.: \_\_\_\_\_

(\*Percentage to equal 100%)

**H)** What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Onondaga County. Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation including estimated percentages of local purchases. Please attach this information.

**I) Applicant History:** If the answer to any of the following is "Yes", please explain below. If necessary, attach additional information.

1. Is the company or management of the Company now a plaintiff or defendant in any civil or criminal litigation?  Yes  No
2. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)?  Yes  No
3. Has any person listed in Section I ever been in receivership or declared bankruptcy?  Yes  No

Please attach any explanations:

**J)** Has the Project Beneficiary received assistance from OCIDA, SIDA, New York State or the Onondaga Civic Development Corporation in the past? If yes please attach an explanation and please give year, project name, description of benefits and address of project.

Yes  No

## Section II: Project Information

A) Project Location: Location where the investment will take place. If company is moving, the new location should be entered here and the current location should be in Section I.

Address: \_\_\_\_\_

Legal Address (if different): \_\_\_\_\_

City: \_\_\_\_\_ Village/Town: \_\_\_\_\_

Zip Code: \_\_\_\_\_ School District: \_\_\_\_\_

Tax Map Parcel ID(s): \_\_\_\_\_

Current Assessed Value: \_\_\_\_\_ Sq. Footage of Existing Building: \_\_\_\_\_

Census Tract: \_\_\_\_\_

B) Type (Check all that apply):

- |  |   |
|--|---|
| <input type="checkbox"/> New construction                          | <input type="checkbox"/> Purchase of machinery and/or equipment |
| <input type="checkbox"/> Expansion/Addition to current facilities  | <input type="checkbox"/> Brownfield/Remediated Brownfield       |
| <input type="checkbox"/> Renovation of existing facility           | <input type="checkbox"/> LEED Certification                     |
| <input type="checkbox"/> Acquisition of existing facility/property | <input type="checkbox"/> Other:                                 |
| <input type="checkbox"/> Demolition and Construction               |   |

C) Please attach a summary of how this project will help your business grow. Will it set the company up for revenue growth? Will it mitigate cost? Will it provide more flexibility?

D) Description of Project: Please provide a detailed narrative of the proposed Project. This narrative should include, but is not limited to:

- (i) the size of the Project in square feet and a breakdown of square footage per each intended use;
- (ii) the size of the lot upon which the Project sits or is to be constructed;
- (iii) the current use of the site and the intended use of the site upon completion of the Project;
- (iv) the principal products to be produced and/or the principal activities that will occur on the Project site; and
- (v) an indication as to why the Applicant is undertaking the Project and the need for the requested benefits. **Please separately attach the description and any copies of site plans, sketches or maps.**

E) Select Project Type for all end users at Project site (you may check more than one):

\*\*Please check any and all end users as identified below

- |   |  |
|---|--|
| <input type="checkbox"/> Industrial                       | <input type="checkbox"/> Bank Office                     |
| <input type="checkbox"/> Acquisition of Existing Facility | <input type="checkbox"/> Retail                          |
| <input type="checkbox"/> Housing                          | <input type="checkbox"/> Mixed Use                       |
| <input type="checkbox"/> Equipment Purchase               | <input type="checkbox"/> Facility for Aging              |
| <input type="checkbox"/> Multi-Tenant                     | <input type="checkbox"/> Civic Facility (not for profit) |
| <input type="checkbox"/> Commercial                       | <input type="checkbox"/> Other _____                     |

F) For the Agency to consider this Project, please provide the following information:

1. Does the project consist of new construction or expansion or substantial renovation of an existing facility?  
 Yes       No
2. Will the project create new employment opportunities or retain existing jobs that may otherwise be lost?  
 Yes       No
3. Does the project beneficiary serve a customer base primarily outside of Onondaga County?  
 Yes       No

G) Will the completion of the Project result in the removal of an industrial or manufacturing plant of the company from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the company located within the state? Please explain if you answer “Yes” by attaching a response.

- Yes       No

H) Please attach a description of any compelling circumstances the Agency should be aware of while reviewing this application.

I) Environmental Information

1. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms:
  - a. <http://www.dec.ny.gov/permits/6191.html>
2. Have any environmental issues been identified on the property?  
 Yes       No  
If yes, please attach an explanation.

## Section III: Construction

### A) Project Costs and Finances

Description of Costs	Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure (should be less than or equal to total budget amount)
Land Acquisition			
Site Work/Demo			
Building Construction & Renovation			
Furniture & Fixtures			
Equipment			
Equipment Subject to NYS Production Sales Tax			
Engineering/Architect			
Financial Charges			
Legal			
Other			
Management/Developer Fees			
<b>Total Project Cost</b>			

**Note: Do not include OCIDA fees, OCIDA application fees or OCIDA legal fees as part of the Total Project Cost. You may attach a separate chart if needed.**

B) TOTAL Capital Costs \$ \_\_\_\_\_

Project refinancing: estimated amount  
(for refinancing of existing debt only) \$ \_\_\_\_\_

Sources of Funds for Project Costs:

1. Bank Financing \$ \_\_\_\_\_
2. Equity (excluding equity that is attributed to grants/tax credits) \$ \_\_\_\_\_
3. Tax Exempt Bond Issuance (if applicable) \$ \_\_\_\_\_
4. Taxable Bond Issuance (if applicable) \$ \_\_\_\_\_

5. Public Sources (Include sum total of all state and federal grants and tax credits) \$ \_\_\_\_\_

-Identify each state and federal grant/credit:

\_\_\_\_\_ \$ \_\_\_\_\_  
 \_\_\_\_\_ \$ \_\_\_\_\_  
 \_\_\_\_\_ \$ \_\_\_\_\_

6. Total Sources of Funds for Project Costs \$ \_\_\_\_\_

C) Employment and Payroll Information

\*Full Time Equivalent (FTE) is defined as one employee working no less than 40 hours per week or two or more employees together working a total of 40 hours per week.

1. Are there people currently employed at the project site?  
 Yes     No    If yes, provide number of FTE jobs at the facility: \_\_\_\_\_

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	
Estimate the number of construction jobs to be created by this Project:	
Estimate the average length of construction jobs to be created (months):	
Current annual payroll at facility:	
Average annual growth rate of wages:	
Please list, if any, benefits that will be available to either full and/or part time employees:	
Average annual benefit paid by the company (\$ or % salary) per FTE job:	
Average growth rate of benefit cost:	
Amount or percent of wage employees pay for benefits:	
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	

D) New Employment Benefits

- i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, third, fourth and fifth years after the Project is completed. Jobs should be listed by title of category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. Do not include construction workers.
- ii. Feel free to include additional information or a substitute chart if you think additional material would add clarity.

Current & Planned Full Time Occupations (Job Titles)	Salary (Annual or Hourly)	Current Number of FTEs	Estimated Number of FTE Jobs added each year after project				
			Year 1	Year 2	Year 3	Year 4	Year 5
<b>Job Creation Subtotal</b>							

For purposes of completing the chart, please list the job titles that will be increasing in number. If possible, please attach a brief description that outlines what each job entails.

If you prefer, you may attach a job chart of your own that outlines the job growth projections regarding the project.

E) Financial Assistance sought (estimated values):

- Real Property Tax Abatement (PILOT): \_\_\_\_\_
- Mortgage Recording Tax Exemption (.75% of amount mortgaged): \_\_\_\_\_
- Sales and Use Tax Exemption (4% Local, 4% State): \_\_\_\_\_
- Tax Exempt Bond Financing (Amount Requested): \_\_\_\_\_
- Taxable Bond Financing (Amount Requested): \_\_\_\_\_

F) Mortgage Recording Tax Exemption Benefit Calculator: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): \$ \_\_\_\_\_

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above, multiplied by .0075): \$ \_\_\_\_\_

G) Sales and Use Tax Benefit Calculator: Gross amount of costs for goods and services that are subject to State and local Sales and US tax – said amount to benefit from the Agency’s Sales and Use Tax exemption benefit:

\$ \_\_\_\_\_

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above) (This should match the amount in section “E” on this page, this calculation only exists to help you with your estimate):

\$ \_\_\_\_\_

## Section IV: Estimate of Real Property Tax Abatement Benefits

Section IV of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application prior to the completed application being provided to the OCIDA Board.

### A) PILOTS Estimate Table Worksheet

OCIDA estimate of current value	
New construction and renovation costs	
OCIDA estimate of increase in value	
OCIDA estimated value of completed project	
OCIDA estimate of taxes that would have been collected if the project did not occur	
Scheduled PILOT payments	

PILOT Year	Exemption %	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100						
2	90						
3	80						
4	70						
5	60						
6	50						
7	40						
8	30						
9	20						
10	10						
<b>TOTAL</b>							

Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff

## Section V: Local Access Policy Agreement

In absence of a waiver permitting otherwise, every project seeking the assistance of the Onondaga County Industrial Development Agency (Agency) must use local general contractors, sub-contractors, and labor for one-hundred percent (100%) of the construction of new, expanded, or renovated facilities. The project’s construction or project manager need not be a local company.

**Noncompliance may result in the revocation and/or recapture of all benefits extended to the project by the Agency. Local Labor is defined as laborers permanently residing in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins, and Wayne. Local (General/Sub) Contractor is defined as a contractor operating a permanent office in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins and Wayne. The Agency may determine on a case-by-case basis to waive the Local Access Policy for a project or for a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services or other compelling circumstances exist. The procedure to address a local labor waiver can be found in the OCIDA handbook, which is available upon request.**

Prior to issuance of any NYS Tax & Finance ST-60 forms, the Applicant must submit a **Contractor Status Report to the Agency.**

In consideration of the extension of financial assistance by the Agency \_\_\_\_\_ (the Company) understands the Local Access Policy and agrees to complete Appendix C of the Agency’s application at the time of the application to the Agency and as part of a request to extend the valid date of the Agency’s tax-exempt certificate for the Project. The Company understands that an Agency tax-exempt certificate is typically valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands that any request for a waiver to this policy must be submitted in writing and approved by the Agency.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of \_\_\_\_\_(date).

Company: \_\_\_\_\_

Representative for Contract: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Project Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

General Contractor: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Authorized Representative: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_

## Section VI: Agency Fee Schedule

**Payment Terms:**

Application & Processing Fee (payable at the time of application):	\$1,000
Legal Deposit (payable at the time of application):	\$2,500
Agency Fee for Bond Projects:	Payable at Closing
Agency and Legal Fees for all other projects:	Due and Payable at Inducement

**\* A sales tax certificate (ST-60) will not be issued until the Agency Fee is Paid in Full**

**Agency Fees:** The project cost is the Total Project Cost from section III A

<u>Benefit Sought</u>	<u>Fee Charged</u>
Mortgage Recording Tax and/or Sales Tax exemptions:	0.01 X the project cost
Additional Fee for PILOT Agreement Projects:	0.0025 X the project cost
Fee for bond financing, refinancing & refunding:	0.0025 X the project cost

Note: For Manufacturing Projects under \$10 million the fee is reduced by: 0.0025 X the project cost

**Agency Legal Fees:** The project cost is the Total Project Cost from section III A

Fee for first \$20 million:	0.0025 of the project cost
Fee for expenses above \$20 million:	0.00125 of the project cost

In addition to the foregoing, Applicants are responsible for payment of all costs and expenses incurred by OCIDA in connection with application or Project including without limitation publication, copying costs, SEQRA compliance and fees and costs to OCIDA’s attorneys, engineers, and consultants. OCIDA reserves the right to require a deposit to cover anticipated costs. Application fees are payable at time application/request is submitted. All fees are non-refundable. Applicants for bond transactions are responsible for payment of a Bond Issuance Charge payable to the State of New York. Applicants are also responsible for payment of post-closing fees and costs associated with the appointment of additional agents.

OCIDA reserves the right to modify this schedule at any time and assess fees and charges in connection with other transactions such as grants of easement or lease or sale of OCIDA-owned property.

## Section VII: Recapture of Tax Abatement/Exemptions

**Information to be Provided by Companies:** Each Company agrees that to receive benefits from the Agency it must, whenever requested by the Agency or required under applicable statutes or project documents, provide and certify or cause to be provided and certified such information concerning the Company, its finances, its employees and other topics which shall, from time to time, be necessary or appropriate, including but not limited to, such information as to enable the Agency to make any reports required by law or governmental regulation.

**Recapture of Benefits:** It is the policy of the Agency to recapture the value of a PILOT, any sales and use tax exemption, and mortgage recording tax exemption in accordance with the Laws of the State and the provisions contained herein. Before receiving benefits, the Company must attest in writing to its understanding of, and agreement to, the recapture provisions contained in State Law and herein. To the extent permitted by State law, the recapture provisions contained herein may be modified from time to time by the Agency at its sole discretion.

**Recapture of a PILOT, Sales Tax and the Mortgage Recording Tax Exemptions:** If the number of full time equivalent jobs to be maintained or created in connection with a project falls below 75% of the number projected in the Company's application to the Agency, or if there are material violations of the project agreements, then the value of the property tax, sales and use tax and mortgage recording tax benefits extended to the project by the Agency may be subject to recapture. When deciding whether or not to recapture benefits and the amount of such recapture, the Agency may consider the potential future benefit of the business to the community.

**Recapture Payment:** The recapture payment paid by the Company to the Agency shall be determined (1) by the difference between any PILOT payments made by the Company and the property taxes that would have been paid by the Company if the property were not under the supervision, jurisdiction or control of the Agency, (2) the value of any mortgage recording tax exemption, if awarded to the Company and (3) the amount of sales and use tax that would have been paid if an exemption was not granted.

**Recapture of the PILOT, Sales Tax or Mortgage Recording Tax:** The Recapture Schedule for a Payment in Lieu of Tax Agreement, Sales Tax or the Mortgage Recording Tax is as follows:

Time from Project Completion	Tax Savings Recaptured
1 Year	80%
2 Years	60%
3 Years	40%
4 Years	20%
5 Years	10%

**Distribution of the Recapture Payment:** Any funds recaptured as a result of the recapture payment shall be distributed to the affected taxing jurisdictions in the same proportion as if the payments were paid or owed by the Company on the date of recapture.

**Additional Conditions for the Recapture of Sales and Use Tax:** As of April 1, 2013, New York State law requires Industrial Development Agencies to recapture sales tax benefits where:

- A project is not entitled to receive the benefits;
  - Exemptions received exceed the amount authorized by the Agency;
  - Exemptions are claimed by the Project for unauthorized property or services; or
  - A project fails to use property in the manner required by its IDA agreements.
1. **Distribution of Sales and Use Tax.** Project operators must cooperate with the Agency in its effort to recapture all sales and use tax benefits received by the Company by promptly paying the recapture amount as determined by the Agency. The amount to be recaptured will be dictated by State Law or this UTEP Policy, whichever ever may be applicable. The Agency shall remit the recaptured sales and use tax benefits to the State within 30 days of receipt.
  2. **Compliance Report.** Annually, the Agency will file an annual compliance report with the State of New York detailing its recapture terms and its activities to recapture benefits, including any attempt to recapture benefits from an Agency project.

**A “Full Time Permanent Employee” shall mean**

1. A full time, permanent, private sector employee on the Company’s payroll, who has worked at the project location for a minimum of thirty hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by Company to other employees with comparable rank, duties and hours; or
2. Up to three part time, permanent, private-sector employees on Company’s payroll, who have worked at the project location for a combined minimum of thirty hours per week for not less than four consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by Company to other employees with comparable rank, duties and hours.

**I have read the foregoing and agree to comply with all the terms and conditions contained therein as well as policies of the Onondaga County Industrial Agency.**

Name of Applicant Company \_\_\_\_\_

Signature of Officer or Authorized Representative: \_\_\_\_\_

Name & Title of Officer or Authorized Representative: \_\_\_\_\_

Date: \_\_\_\_\_

## Section VIII: Employment Plan

**Jobs Listings:** In accordance with §858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Business Services and with the administrative entity of the service delivery area created by the Workforce Innovation and Opportunity Act of 2014 in which the Project is located. In Onondaga County, please contact CNY Works. Additionally, the applicant is encouraged to review the services provided by JOBSPlus! for candidate matching services.

Are the employees of your company currently covered by a collective bargaining agreement?

Yes       No

If yes, name and location: \_\_\_\_\_

Is the labor pool in Onondaga County and/or the CNY Economic Development Region adequate to fill new positions?

Yes       No

Enter Company Name in three (3) places below and sign by an authorized company officer:

In consideration of the benefits provided by the Onondaga County Industrial Development Agency (OCIDA), \_\_\_\_\_, project beneficiary, also agrees to report to OCIDA on the number of new employment opportunities created in connection with industrial or commercial projects financed by the proceeds of such benefits to be listed with the New York State Department of Labor Business Services and CNY Works.

\_\_\_\_\_, project beneficiary, also agrees to report to OCIDA on or before March 1 of each year the status of employment opportunities filed with the New York State Department of Labor Business Services, including the number of new employment opportunities created, the number listed, and the number filled for the year ending the prior December 31.

\_\_\_\_\_, project beneficiary, further agrees that, to the extent practicable and feasible, and subject to the requirements of any existing collective bargaining agreement, the project beneficiary shall fill at least 10% of new employment opportunities with persons eligible for service under the Workforce Innovation and Opportunity Act of 2014.

Name of Applicant Company: \_\_\_\_\_

Signature of Officer or Authorized Representative: \_\_\_\_\_

Name & Title of Officer or Authorized Representative: \_\_\_\_\_

Date: \_\_\_\_\_

NYS Department of Labor:

Roy Jewell

Associate Business Service Representative

450 South Salina Street, Syracuse, NY 13202 315-479-3362

[roy.jewell@labor.ny.gov](mailto:roy.jewell@labor.ny.gov)

[www.labor.ny.gov](http://www.labor.ny.gov)

CNY Works

Chris Kennedy

Business Development Specialist

960 James Street, Syracuse, NY 13203

315-477-6974

[ckennedy@cnyworks.com](mailto:ckennedy@cnyworks.com)

[www.cnyworks.com](http://www.cnyworks.com)

Section IX: Conflict of Interest

Agency Board Members

- 1. Patrick Hogan
- 2. Steve Morgan
- 3. Victor Ianno
- 4. Sue Stanczyk
- 5. Kevin Ryan
- 6. Janice Herzog
- 7. Fanny Villarreal

Agency Officers/Staff

- 1. Robert M. Petrovich
- 2. Nathaniel Stevens
- 3. Nancy Lowery
- 4. Karen Doster
- 5. Chris Cox

Agency Legal Counsel & Auditor

- 1. Jeffrey Davis, Esq., Barclay Damon LLP
- 2. Amanda Mirabito, Esq., Barclay Damon LLP
- 3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

The Applicant has received from the Agency a list of members, officers and staff of the Agency. To the best of my knowledge, no member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

Name of Applicant Company \_\_\_\_\_

Signature of Officer or Authorized Representative: \_\_\_\_\_

Name & Title of Officer or Authorized Representative: \_\_\_\_\_

Date: \_\_\_\_\_

## Section X: Representations, Certifications, and Indemnification

\_\_\_\_\_ (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the \_\_\_\_\_ (title) of \_\_\_\_\_ (name of corporation or other entity) named in the attached Application (the “Applicant”), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

- A. First Consideration for Employment:** In accordance with §858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in WIA programs who shall be referred by the CNY Works for new employment opportunities created as a result of the Project.
- B. Other NYS Facilities:** In accordance with §862 (1) of the New York General Municipal Law, the Applicant understands and agrees that projects which will result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant within the state is ineligible for Agency Financial Assistance, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or is reasonably necessary.
- C. Annual Sales Tax Filings:** In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D. Outstanding Bonds:** The Applicant understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the project that is requested by the Comptroller of the State of New York.
- E. Employment Reports:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant agrees to file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, “Employment Reports”) that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, with said report being an agenda item subject to the open

meetings law.

**F. Absence of Conflicts of Interest:** The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect in any transaction contemplated by this Application, except as hereinafter described in Section X.

**G. Compliance:** The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

**H.** The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the Agency. (1) No funds of the Agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

**I.** The Applicant confirms and acknowledges that the owner, occupant or operator receiving financial assistance for the proposed Project is in substantial compliance with applicable local, state, and federal tax, worker protection and environmental laws, rules and regulations.

**J.** The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement in the Project.

**K.** The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

**L.** The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statement contained herein not misleading.

- M. The OCIDA has the right to request and inspect supporting documentation regarding attestations made on this application.
- N. **Hold Harmless Agreement:** Applicant hereby releases Onondaga County Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax-exemptions and other assistance requested therein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all cause of action and attorney's fees and any other expenses incurred in defending any suits or action which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the process of the Application, including attorney's fees, if any.

Name of Applicant Company \_\_\_\_\_

Signature of Officer or Authorized Representative: \_\_\_\_\_

Name & Title of Officer or Authorized Representative: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF NEW YORK )

COUNTY OF ONONDAGA )ss.;

\_\_\_\_\_, being first duly sworn, deposes and says:

1. That I am the \_\_\_\_\_ (Corporate Officer) of \_\_\_\_\_ (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this \_\_\_\_\_ day of \_\_, 20\_\_\_\_.

\_\_\_\_\_

(Notary Public)

End of Application

**Statement in Support of the Application of Ultra Dairy, LLC for  
Economic Benefits from The Onondaga County Industrial Development Agency**

**Section I (G):**

Ultra Dairy, LLC (“Ultra”) was formed in 2003 as part of the Byrne Dairy family of companies. Ultra produces high quality dairy and non-dairy food products utilizing Ultra High Temperature (UHT) technology that results in extended shelf life (ESL) and aseptic products. Ultra produces a variety of milk, cream and non-dairy products having shelf lives from 70 – 180 days for ESL products and 365 days for aseptic products. Ultra ships 92% of its finished products out of New York State for wholesale and retail sale.

**Section I (H):**

As a processor of milk and cream products, Ultra’s biggest raw material by far is milk and cream, much of it from local farms. Ultra works with family farms throughout Central New York and the Finger Lakes regions. Six of the largest farms Ultra works with are located in Onondaga County. As of May 31, 2021, Ultra had purchased nearly \$57 million in milk and cream in 2021. Examples of local vendors and raw material suppliers are as follows:

<u>Vendor</u>	<u>Location</u>	<u>Material/Service</u>	<u>Spend YTD (as of 5/31/21)</u>
Various Farms	Varies	Raw Milk/Cream	\$56,800,000
Sweeteners Plus	Lakeville, NY	Sweeteners	\$ 2,833,000
Packaging Corp. Of America	Solvay, NY	Corrugate	\$ 2,551,000
CHEP	Liverpool, NY	Pallets	\$ 1,082,000

**Section I (J):**

Since 2003, Ultra has been a party to a Payment in Lieu of Taxes (PILOT) Agreement with the Onondaga County Industrial Development Agency (OCIDA). Additionally, Ultra has requested and received exemptions from the NYS Mortgage Recording tax from OCIDA as part of its credit facilities with its lenders.

**Section II(C):**

See Section II(D) below.

**Section II (D):**

Ultra is situated on 22 +/- acres of land in the Town of Dewitt bounded by Fly Road on the West and I-481 on the East. Ultra is proposing to expand its existing 160,000 sq. ft. facility by adding a 6,500 sf wastewater treatment facility.

The processing of dairy products results in naturally occurring oils and fats combining with process wastewater. This wastewater must be treated and further processed to remove the fats and oils so that to the greatest extent possible, only properly treated wastewater is introduced into municipal sewer systems.

The existing wastewater treatment facility at Ultra Dairy is approaching its operational capacity. A new system must be built and commissioned before Ultra can expand its processing and filling capabilities.

Onondaga County is in the process of constructing a force main sewer along the south side of Benedict Road at the Project Site. The new wastewater treatment facility will discharge into this new sewer, thereby relieving stress on the existing, overburdened sewer system. It is anticipated that Ultra Dairy's wastewater treatment facility and the new force main will be operational in the Spring of 2022.

This project will involve capital expenditures of approximately \$6.4 million and will create a total of 10 new full time jobs. It is also anticipated that approximately 40 construction jobs will be created. Construction and equipment installation will take approximately 6 – 8 months.

Economic benefits from OCIDA in the forms of real property tax abatement (PILOT) and Sale and Use Tax exemptions are extremely important to the viability of the proposed project. A PILOT Agreement will provide Ultra with a steady and predictable vehicle for the payment its share of local services. Additionally, Ultra anticipates that it will expend approximately \$1.5 million on goods, materials and services that would otherwise be subject to state and local sales taxes. Exemptions from these taxes will allow Ultra to invest more of its own money into the project.

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
<p>i. Coastal Resources.</p> <p><i>i.</i> Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

\_\_\_\_\_

\_\_\_\_\_

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? \_\_\_\_\_

b. What police or other public protection forces serve the project site?  
\_\_\_\_\_

c. Which fire protection and emergency medical services serve the project site?  
\_\_\_\_\_

d. What parks serve the project site?  
\_\_\_\_\_  
\_\_\_\_\_

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
\_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source.  
 \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  
 \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will line extension within an existing district be necessary to serve the project?  Yes  No

 If Yes:
 

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:
 

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:
 

- i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)
- ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_
- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_
- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_
- Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

---

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:
 

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_
- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_
- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

---

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:
 

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No
- ii. In addition to emissions as calculated in the application, the project will generate:
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
  - \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

*i.* Estimate methane generation in tons/year (metric): \_\_\_\_\_

*ii.* Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

*i.* When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

*ii.* For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_

*iii.* Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

*iv.* Does the proposed action include any shared use parking?  Yes  No

*v.* If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

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*vi.* Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

*vii.* Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

*viii.* Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

*i.* Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

*ii.* Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

*iii.* Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

<p><i>i.</i> During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p><i>ii.</i> During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
---	--

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>n.. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul>	

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

---

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
\_\_\_\_\_

---

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  

- Dam height: \_\_\_\_\_ feet
- Dam length: \_\_\_\_\_ feet
- Surface area: \_\_\_\_\_ acres
- Volume impounded: \_\_\_\_\_ gallons OR acre-feet

ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

---

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  

- If yes, cite sources/documentation: \_\_\_\_\_

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_

---

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_

---

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database      Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database      Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

---

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_%

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

---

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100 year Floodplain?  Yes  No

k. Is the project site in the 500 year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
	<input type="checkbox"/> Yes <input type="checkbox"/> No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_

NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)  
**FINAL SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT**

# WHITE PINE COMMERCE PARK

5171 Route 31 Town of Clay, NY 13041

## Lead Agency: Onondaga County Industrial Development Agency

<https://www.ongoved.com>

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**July 2021**

**Acceptance by the Lead Agency: July 13, 2021**



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## 1.0 EXECUTIVE SUMMARY

### 1.1 Project Location and Description

The Onondaga County Industrial Development Agency (“OCIDA”) proposes to expand its modern industrial park at the White Pine Commerce Park (“Park”), formerly known as the Clay Business Park. The Park is located northeast of the intersection of NYS Route 31 and Caughdenoy Road in the Town of Clay, Onondaga County, New York. The Park is approximately 7 miles north of the City of Syracuse.

The Park was created to be capable of supporting a mix of industrial and/or commercial uses with related office space, advanced state-of-the-art research, large- or small-scale manufacturing, assembly, warehousing, data management, material processing and distribution facilities in a campus-like setting.

OCIDA has devoted substantial time and effort into developing the Park, with a particular focus on development that will bring high-tech facilities and high paying jobs to Onondaga County. More recently OCIDA has focused its efforts on the semiconductor industry. These efforts have been unsuccessful to date as it has become apparent that a larger geographic footprint is necessary in order to support this type of industry and associated investment required by the tenants.

OCIDA, as Project Sponsor, proposes to expand the Park to approximately 1,250± acres (the “Project” or “Action”). OCIDA currently owns approximately 648± acres, has another 282± acres under contract, and would acquire approximately 320± additional acres. The acreage to be acquired are parcels contiguous to the current Park, and are generally located along Route 31, and along the east and west sides of Burnet Road. OCIDA would acquire the additional parcels through purchase agreements with existing landowners or, if necessary, pursuant to the Eminent Domain Procedure Law (“EDPL”), to avoid fragmented parcels that would hinder future development.

### 1.2 Project Overview and History

This Final Supplemental Generic Environmental Impact Statement (“Final SGEIS”) is a supplement to the 2013 Final Generic Environmental Impact Statement that was completed (“2013 FGEIS”) and OCIDA’s issuance of a Findings Statement that concluded that development of the then existing 340±-acre Park avoided or minimized adverse environmental impacts to the maximum extent practicable, and incorporated mitigation measures that were considered practicable.

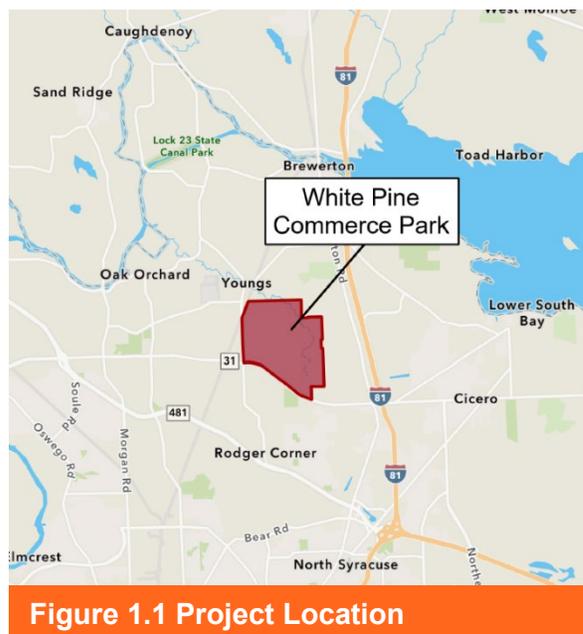


Figure 1.1 Project Location

## 1.3 Project Purpose and Need

The Project purpose is to expand the Park to enable OCIDA to market the Park to a larger, more diverse mix of potential industrial and commercial developers by making the Project site more attractive to a broader scope of industries, particularly the semiconductor industry, bringing high tech and high paying jobs to Onondaga County.

This Final SGEIS, which incorporates by reference the Draft Supplemental Generic Environmental Impact Statement (“Draft SGEIS”), identifies, evaluates, and addresses various impact thresholds, permit criteria, and mitigation measures anticipated for the expanded Park, including those attributes associated with large-scale semiconductor industrial development. By addressing these issues in a generic EIS format, the State Environmental Quality Review Act (“SEQRA”) process defines a set of threshold conditions or criteria under which potential future actions and development will be undertaken or approved, including any subsequent SEQRA compliance requirements.

## 1.4 Proposed Development

The 2013 FGEIS detailed a preferred development scenario, which anticipated a full build-out of approximately 2.0 to 2.5 million square feet of industrial development and assumed that the Project would be developed in several phases. Given the lack of any specific tenant and uncertain timing for development of future phases, this Final SGEIS considers the potential impacts associated with the development of the Park, including the expanded area, while providing for further evaluation, as necessary, when a conceptual plan for a specific development is available.

The development evaluated in this Final SGEIS contemplates OCIDA’s focus on developing the Park with a tenant or tenants in the semiconductor industry. This may translate into a buildout encompassing approximately 4.0 million square feet of industrial development at the Park. This would equate to approximately 400 acres of surface disturbance (temporary and permanent) within the Park developed in a campus like setting that would be sited to avoid regulated wetland areas and would limit the height of structures to no more than 160 feet. This anticipated development is expected to bring approximately 4,000 jobs covering three shifts that operate 24/7 year-round.

## 1.5 Project Alternatives

As part of its prior environmental review of the Park, which culminated in the 2013 FGEIS and 2013 Findings Statement, OCIDA considered a number of alternatives, including a no action alternative, alternative sites, alternative uses and technologies, alternative scale, timing and magnitude of development, and alternative site design and layout. *See* 2012 Draft GEIS, Section 2.0. This analysis, including the lack of other viable locations within the County to accommodate the intended scale of the Park, and OCIDA’s already substantial investment in the Park, confirm that the proposed Project, namely, the expansion of the Park to approximately 1,250± acres, is the preferred alternative.

Beginning in 1991, OCIDA considered several locations for the development of an Industrial Park, including conducting a Feasibility Study at that time. Then, as part of OCIDA’s prior environmental

review of the Park, OCIDA again considered alternatives, specifically alternative locations. Ultimately, it was concluded in 2013 that the Park was the preferred location.

OCIDA adopted the 2013 FGEIS and issued a Findings Statement which concluded, among other things, that the Park was the preferred location for the project. As a result, the Park was created to be capable of supporting a mix of industrial and/or small commercial uses with related office space, advanced state-of-the-art research, large- or small-scale manufacturing, assembly, warehousing, data management, material processing and distribution facilities in a campus like setting. This background served the basis for the alternatives analysis in the Draft SGEIS and this Final SGEIS.

In the Draft SGEIS, OCIDA revisited its prior alternatives analysis and evaluated the following alternatives: no action (Alternative 1); considering the Park as it was originally proposed in the 2013 FGEIS (Alternative 2); utilizing a smaller expanded area – less than the approximately 1,250± acres (Alternative 3); and considering a different location to site the Park (Alternative 4). Based on this analysis, the proposed Project was deemed preferred. More specifically, expansion of the existing Park was deemed preferred over restarting a new park at an alternative location.

First and foremost, the Park already exists and represents a substantial footprint of prime developable land that is appropriately zoned for industrial development. To start anew would effectively render the existing Park unusable as OCIDA's long-standing efforts to develop the Park as intended in 2013 have proved unsuccessful. Further, after looking at alternative sites for the last 20 years, OCIDA has determined that there are no other viable locations in Onondaga County that meet the stated purpose of the Project, which is to bring high-tech facilities and high paying jobs to Onondaga County in furtherance of OCIDA's mission.

The expanded Park can accommodate large-scale industrial tenants that cannot easily locate elsewhere in Onondaga County due to their size and space requirements and need for suitable infrastructure. To OCIDA's knowledge, there are no other sites in Onondaga County to accommodate a developer from the semiconductor industry that contain sufficient land acreage and proximate to the necessary electric, gas, water and wastewater infrastructure.

Key aspects of the Park include the following:

- National Grid's Clay Substation is located adjacent to the Park on the west side of Caughdenoy Road. This existing substation is a major hub for high-voltage bulk power transmission and the estimated Project demand of 500 MVA is within the levels that National Grid has indicated can be provided.
- The Oak Orchard Wastewater Treatment Plant is located approximately 2.5 miles west of the Park and can accommodate the estimated sanitary sewer discharges from potential development of the expanded Park.
- The Park is bisected by a 54-inch water main Onondaga County Water Authority ("OCWA") has indicated that there is sufficient public water service to meet the expanded Park's estimated water demand.
- NYS Route 31, which is a principal arterial west of Interstate-81, is located adjacent to the Park. This provides a crucial transportation network to service prospective tenants.

- An existing CSX rail line crosses the northwestern corner of the Park generally in a northeast/southwest direction.

## 1.6 Supplemental Environmental Review

OCIDA prepared a Full Environmental Assessment Form (“FEAF”) for the Project to supplement its prior SEQRA review of the Park. On December 8, 2020, based on an examination of the FEAF, the criteria contained in 6 NYCRR §617.7(c), and its knowledge of the area surrounding the Project site, OCIDA adopted a resolution classifying the Project as a Type I action, declared its intent to act as lead agency for the purpose of conducting a coordinated environmental review, determined that the Project has the potential to result in at least one significant adverse impact, and issued a positive declaration for the Project. Additionally, OCIDA determined that the Project represents a significant change from the Park’s current footprint and that there exists other changes in circumstances from those previously evaluated in the 2013 FGEIS. As a result, OCIDA concluded that the preparation of a Supplemental GEIS (“SGEIS”) is necessary to adequately identify and evaluate potential significant adverse impacts associated with the Project that are not addressed or are inadequately addressed in the 2013 FGEIS. To that end, OCIDA adopted and issued a Notice of Intent to Serve as Lead Agency and Prepare a Draft SGEIS (“Notice of Intent”) for the Project, which was subsequently filed and distributed in accordance with SEQRA.

OCIDA received concurrence from the Onondaga County Water Authority (“OCWA”) and from the New York State Department of Environmental Conservation (“NYSDEC”) for OCIDA to act as the Lead Agency. All other identified Involved Agencies did not object to OCIDA’s lead agency declaration.

OCIDA then caused the Draft SGEIS to be prepared in accordance with 6 NYCRR 617.9, as applicable to a supplemental assessment. On May 6, 2021, OCIDA adopted the Draft SGEIS as complete for the purposes of commencement of public review and set a June 11, 2021 deadline for the receipt of public comments. On that same day, OCIDA adopted a Public Hearing Resolution which provided notice that a public hearing concerning the Draft SGEIS would be held virtually on May 24, 2021 at 6:00pm in accordance with the modifications to Article 7 of the Public Officers Law (the “Open Meetings Law”) as modified by New York Governor Andrew Cuomo’s Executive Order 202.1.

In total, there were 74 comments received from the general public on the Draft SGEIS, some of which were duplicates, for a total of 64 commenters, some in support of the Project and others opposed, which includes three comments from local elected officials. In addition, comments were received from two state agencies.

This Final SGEIS has been prepared by OCIDA and addresses the potential impacts of the expansion of the existing Park on environmental resources, including land use and zoning; community character; transportation; utilities and community services; topography, geology and soils; water resources including floodplains and wetlands; air resources; ecological resources including endangered and threatened species; cultural and archeological resources; visual character and noise.

Consistent with SEQRA, this Final SGEIS will be followed by a SEQRA Findings Statement from OCIDA. This Final SGEIS responds to all substantive comments received on the Draft SGEIS.

## 2.0 INTRODUCTION AND PROJECT DESCRIPTION

### 2.1 Project Description

The Onondaga County Industrial Development Agency (“OCIDA”) proposes to expand its existing White Pine Commerce Park (“Park”), formerly known as the Clay Business Park. The Park is located northeast of the intersection of NYS Route 31 and CR 49 (Caughdenoy Road) in the Town of Clay, Onondaga County, New York. It was created to be capable of supporting a mix of industrial and/or commercial uses with related office space, advanced state-of-the-art research, large- or small-scale manufacturing, assembly, warehousing, data management, material processing and distribution facilities in a campus-like setting.

OCIDA has devoted substantial time and effort into determining the highest and best use of the Park, with a particular focus on site attributes that will bring high-tech facilities and high paying jobs to Onondaga County. More recently OCIDA has focused its efforts on the semiconductor industry. These efforts have been unsuccessful to date as it has become apparent that a larger geographic footprint is necessary in order to support this type of industry and the associated investment required by the tenant(s).

OCIDA, as Project Sponsor, proposes to expand the Park to approximately 1,250± acres (the “Project” or “Action”). OCIDA currently owns approximately 648± acres, has another 282± acres under contract, and would acquire approximately 320± additional acres. The acreage to be acquired are parcels contiguous to the current Park, and are generally located along Route 31, and along the east and west sides of Burnet Road. OCIDA would acquire the additional parcels through purchase agreements with existing landowners or, if necessary, pursuant to the Eminent Domain Procedure Law (“EDPL”), to avoid fragmented parcels that would hinder future development.

### 2.2 Project Overview and History

In 1991, OCIDA and the Syracuse Chamber of Commerce commissioned an Industrial Park Feasibility Study to identify potential candidate sites for locating industrial businesses in Onondaga County. The feasibility study identified two primary candidate locations for large-scale industrial uses, one in the Town of Lysander north of NYS Route 31 and one in the Town of Clay along NYS Route 31 and Caughdenoy Road. The Lysander site was considered less suitable of the two sites due in part to the presence of substantial wetlands and hydric soil conditions. The Clay site was therefore chosen by OCIDA as the more feasible location for development.

OCIDA acquired seven properties that comprised the then-existing approximately 340± acre Park site along Caughdenoy Road. OCIDA then completed an environmental review under the State Environmental Quality Review Act (“SEQRA”) of the Park and any adjoining routes, rights-of-way and areas needed to support the project at that time, including existing and proposed infrastructure and improvements. That review culminated in preparation of a Final Generic Environmental Impact Statement (“2013 FGEIS”) and OCIDA’s issuance of a Findings Statement that concluded that the creation and potential future development of the then existing approximately 340± acre Park avoided or minimized

adverse environmental impacts to the maximum extent practicable, and incorporated mitigation measures that were considered practicable.

OCIDA thereafter invested considerable resources in marketing the Park for development. Certain prospective tenants expressed interest in the approximate 340± acre Park over the years but the relatively small size of the current Park was seen as a limiting factor by some. As a result, the Park remains undeveloped. Nevertheless, the Park has many favorable characteristics, including, but not limited to, its proximity to critical utilities and infrastructure, which makes it a very suitable location for large-scale tenants.

The Draft Supplemental Generic Environmental Impact Statement (“Draft SGEIS”) was prepared consistent with SEQRA (Article 8 of the Environmental Conservation Law Part 617 of Title 6 of the New York Code of Rules and Regulations). In New York State, most projects of this nature and activities proposed by a state agency or unit of local government, and all discretionary approvals and permits from a state agency or unit of local government, require an environmental impact assessment of a proposed action before such action may be approved, undertaken or funded. SEQRA requires the sponsoring or approving governmental body, in this case OCIDA, acting as SEQRA Lead Agency, to identify, evaluate, and mitigate, to the maximum extent practicable, significant environmental impacts associated with the proposed action. For SEQRA purposes, the term “Project site” used in this document is defined as any location where project facilities and infrastructure will or might be constructed. The Project site includes an expanded Park consisting of approximately 1250± acres and any adjoining routes, rights-of-way and areas needed to support the Project or Project-related mitigation, including existing or proposed infrastructure and improvements. “Off-site” is defined as any portion of the study areas being assessed for potential impacts that are not on or encompassed by the Project site. Because OCIDA previously prepared the 2013 FGEIS for the Park, the Draft SGEIS evaluated the expanded development footprint of the Park and other changes in circumstances that have the potential to result in any new, previously undisclosed, or unevaluated significant adverse impacts.

## 2.3 Project Purpose and Need

The Project purpose is to expand the Park to enable OCIDA to market the Park to a larger, more diverse mix of potential industrial and commercial developers by making the Project site more attractive to a broader scope of industries, particularly the semiconductor industry, and bringing high tech and high paying jobs to Onondaga County.

The Draft SGEIS identifies, evaluates and addresses various impact thresholds, permit criteria and mitigation measures anticipated for the expanded Park, including those attributes associated with large-scale semiconductor industrial development. By addressing these issues in a Generic EIS format, the SEQRA process will define a set of threshold conditions or criteria under which potential future actions and development will be undertaken or approved, including any subsequent SEQRA compliance requirements.

## 2.4 Project Location and Setting

The Park is located at the northeastern corner of the intersection of NYS Route 31 and Caughdenoy Road in the Town of Clay, Onondaga County, NY. The Park is approximately 7 miles north of the City of Syracuse. Figure 2.1 depicts the Project Location.

The Park is accessible from major nearby interstates. This includes Interstate 81 (I-81) via Exit 30 at NYS Route 31 in Cicero, approximately 2.2 miles east of the Project site. The I-81/I-481/NYS Route 481 interchange is four miles southeast of the project. The NYS Route 481/NYS Route 31 interchange is approximately 3.5 miles west of the Park. The New York State Thruway (I-90) is about 6.5 miles south of the Park. Syracuse Hancock International Airport is about 5 miles south of the Park located along the I-81 corridor.

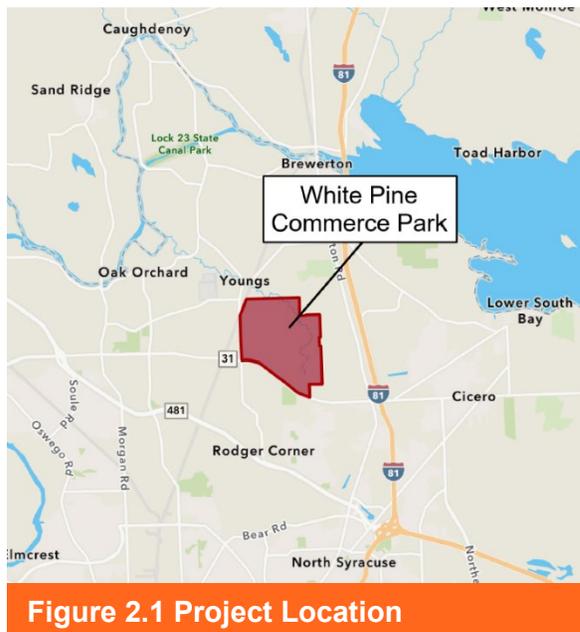


Figure 2.1 Project Location

The Park is located in the eastern portion of the Town of Clay, adjacent to the Town of Clay/Town of Cicero boundary. The Town of Clay is a northern suburb of the City of Syracuse. Clay is the largest town in Onondaga County occupying approximately 48 square miles with a 2019 Census population of 59,250 people. The population of the Town has remained largely unchanged over the past two decades decreasing 0.84% since 1990. The area surrounding the Park is sparsely populated with relatively low-density residential development mostly along Caughdenoy Road and Verplank Road west of the Park, Mud Mill Road north of the Park and Burnet Road within and near the eastern boundary of the Park. I-81 is located a little more than one mile to the east of the site.

Residential and commercial development in northern suburbs of Onondaga County is likely to continue, according to the most recent studies conducted by the Town of Clay, the Syracuse-Onondaga County Planning Agency (“SOCPA”), and the Syracuse Metropolitan Transportation Council (“SMTC”). These studies include a corridor study conducted in 2010 by the SMTC titled *Clay-Cicero Route 31 Transportation Study*, the *Town of Clay Northern Land Use Study* prepared in 2013, and the *2010 Development Guide for Onondaga County*. New residential development has occurred south and east of the Park, primarily along the NYS Route 31 corridor in the Town of Cicero. The Town of Cicero had a 2019 population of 30,721 people, a decrease of 2.89% since 2010.

The SOCPA, SMTC, and Town of Clay studies assume future growth in the project area and account for future industrial use of the Park.

## 2.5 Proposed Development

The 2013 FGEIS detailed a preferred development scenario, which anticipated a full build-out of approximately 2.0 to 2.5 million square feet of industrial development and assumed that the Park would be developed in several phases over the course of perhaps 10 to 15 years. Specifically, the 2013 FGEIS considered a full build out scenario of the Park in three development areas. Given the lack of any specific tenant and uncertain timing for development of future phases, the Draft SGEIS considers the potential impacts associated with the development of the Park, including the expanded area, while providing for further evaluation, as necessary, when a conceptual plan for a specific development is available.

The development evaluated in this Final SGEIS contemplates OCIDA's focus on developing the expanded Park with a tenant or tenants in the semiconductor industry. This may translate into a buildout encompassing approximately 4.0 million square feet of industrial development at the Park. This would equate to approximately 400 acres of surface disturbance (temporary and permanent) within the Park developed in a campus like setting that would be sited to avoid regulated wetland areas and would limit the height of structures to no more than 160 feet. This anticipated development is expected to bring approximately 4,000 jobs covering three shifts that operate 24/7 year-round.

Based on a review of similar types of facilities being developed in other areas of the country, and given existing site conditions and the Project purpose, the buildout would likely include the following:

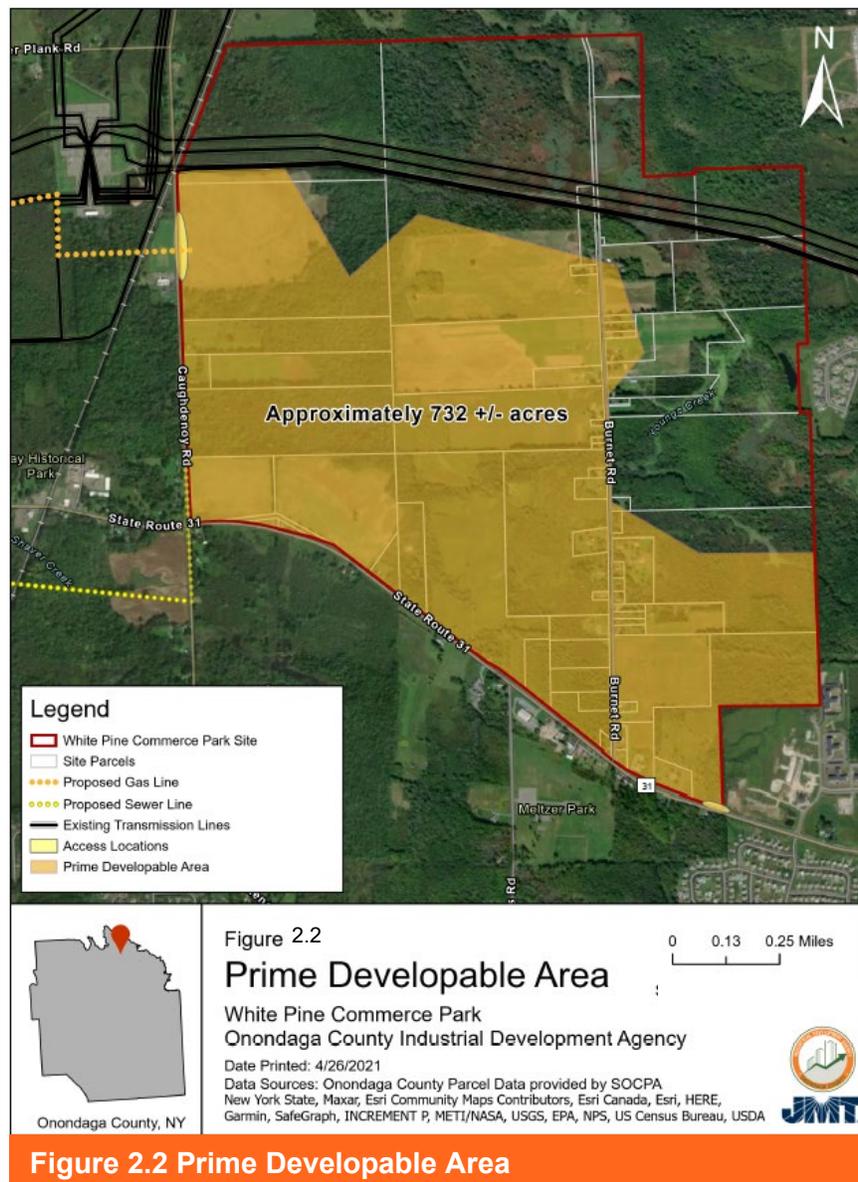
- A combined total of approximately 4.0 million square feet (SF) of buildings in a campus like setting made up of the type of uses identified in the 2013 FGEIS (manufacturing, laboratory, R&D, fabrication, warehousing, office, support, utility, waste, service yards, energy, water treatment);
- Approximately 50 acres of paved area for parking (which may include parking garages), loading, internal road circulation and/or shipping/receiving areas;
- Two (2) access roads entering the Project site from NYS Route 31 and Caughdenoy Road;
- Approximately seven miles of new sanitary sewer line from the Oak Orchard WWTP to service the surrounding sewer district, including the Park;
- Approximately four miles of new gas lines to the Park
- Approximately 5,000 linear feet of underground electric lines to the Park
- Areas undeveloped and set aside for greenspace, wetland preservation, conservation, and if necessary, mitigation;
- Additional areas for:
  - Stormwater management
  - Truck scales and security guard stations
  - Fuel storage
  - Employee amenities, trails and open space
  - Landscaping, security fencing, signage, earthen berms and vegetated buffers.

Project development will include site infrastructure consisting of internal roads, drainage culverts, waterlines, sewer and wastewater systems, electric, natural gas, stormwater management systems, lighting, landscaped areas, earthen berms and areas maintained as undeveloped natural buffers. It is anticipated that areas owned by OCIDA that are north of existing New York Power Authority ("NYPA") and National Grid transmission lines will not be developed to avoid actual or potential wetland areas. Upland areas alongside these wetlands may be suitable as possible wetland mitigation areas, if necessary,

for potential impacts that cannot be avoided or minimized by a future specific development, which is not covered by this Final SGEIS.

The development of the Park will occur south of the National Grid/NYPA transmission lines and avoid most of the eastern portion of the Project site due to the likely existence of wetlands and wetland buffer areas. This area includes approximately 732± total acres of prime developable land within the Park. This area has been identified as the prime developable area due to the anticipated absence of wetland features, the generally flat topography, and the access to the surrounding transportation network and potential access points along NYS Route 31 and Caughdenoy Road. The prime developable area within the Project site is also positioned away from the overhead transmission lines, which run across the northern portion of the Project site. The proposed gas line and sewer connection would also tie directly into this portion of the Project site with limited, if any, impacts to wetlands or other natural features anticipated.

Figure 2.2 depicts the Prime Developable Area.



## 3.0 PERMITTING AND SEQRA PROCESS

### 3.1 State Environmental Quality Review Act

Pursuant to regulations promulgated under SEQRA, all state, regional, and local government agencies are to consider potential environmental impacts equally with social and economic factors during preliminary stages of proposed development actions. The Lead Agency and other Involved Agencies must assess the environmental significance of all actions they have discretion to approve, fund, or directly undertake.

Under SEQRA, a Generic Environmental Impact Statement (“GEIS”) can be prepared in place of a more conventional site-specific EIS when a proposed action is at a conceptual stage of development and timing or project design is uncertain, thus making the identification or extent of certain specific impacts impractical. A “generic” EIS is less specific than a conventional EIS and can be based on conceptual information until more detailed information on tenants, uses and site design become known. It is appropriate to conduct an environmental review of the Project as a GEIS because the Project’s development scenario offers a reasonable prediction of anticipated development while preserving flexibility to accommodate various industrial uses, buildings and facilities, scales of development and site design.

The SEQRA process provides guidance on the preparation of a GEIS and the coordinated review of subsequent actions. According to 6 NYCRR Part 617.10(c) of SEQRA:

*“Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site specific impacts, that were not adequately addressed or analyzed in the generic EIS.”*

The Draft SGEIS identifies, evaluates and provides information on avoiding, minimizing, and mitigating potential environmental impacts resulting from development of the Park as defined in the Draft SGEIS. The Draft SGEIS establishes a set of conditions and thresholds describing the site, project components and environmental impacts potentially associated with the Project site’s development. Future development proposals for the Park are expected to be generally consistent with the scale and distribution of facilities as discussed in the Draft SGEIS and with SEQRA Findings that will be prepared subsequent to the Draft SGEIS.

Future actions that fall within the range of impacts evaluated in the Draft SGEIS are not expected to require further SEQRA review. By identifying baseline environmental conditions and certain impact thresholds, the SGEIS process may facilitate development of the project by allowing for quicker approval of future actions associated with development of the Park that are consistent with the SGEIS and SEQRA Findings. If subsequent proposed actions are not addressed or not adequately addressed in the Draft SGEIS and the subsequent actions will not result in any significant environmental impacts, then SEQRA requires only that a Negative Declaration be prepared. In the event that subsequent proposed actions are

adequately addressed in the SGEIS, but not adequately addressed in the Findings Statement, an amended Findings Statement will be prepared.

However, if any components associated with future development of the Park do not fall within the set of conditions and criteria defined or anticipated by the Draft SGEIS, another supplement to the Final SGEIS may need to be prepared to further evaluate and identify mitigation of significant adverse environmental impacts associated with specific development proposals that are inconsistent with this SGEIS.

SEQRA requires a supplement to the Final GEIS (a Supplemental EIS) if:

*“...the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.”*

As future development is proposed for the Park, the Lead Agency established at that time under SEQRA for each proposed action will be responsible for evaluating the guidance contained at 6 NYCRR Part 617.10 regarding the need for further SEQRA compliance measures.

## 3.2 Chronology of Previous Environmental Reviews

In 2012, OCIDA undertook an environmental review of the Park. As part of the prior environmental review for the Park, on March 6, 2012, OCIDA established itself as the Lead Agency under SEQRA and assumed the responsibilities for conducting the coordinated environmental review. OCIDA determined that the project was a Type 1 action requiring preparation of an EIS. As specific tenants and uses within the Park were unknown at that time, OCIDA prepared a GEIS to analyze potential environmental impacts of the project. OCIDA coordinated the SEQRA review for the Park with the other involved agencies.

At the time the GEIS was prepared, the Park was envisioned to consist of a mix of industrial uses that may include office, research, manufacturing, assembly, warehousing, data management, material processing and distribution facilities in a campus-like setting. OCIDA intended to develop the Park for advanced manufacturing and state-of-the-art industrial uses to facilitate the creation of high-paying employment opportunities in Onondaga County.

A draft scoping document was prepared and made available for comment. Following a public comment period, OCIDA issued a Final Scoping Document which identified potential impacts and anticipated impacts to be addressed in the GEIS.

A Draft GEIS (“DGEIS”) was prepared and accepted as complete on September 20, 2012 and made available for public comment. The DGEIS evaluated the potential impacts of the proposed multi-use industrial park, envisioning a certain setting which included, but was not limited to:

- The Park would encompass a certain footprint, accommodating approximately 2 million sq. ft. of multi-use space without adverse impact.
- The Park would accommodate uses such as manufacturing, research and development, warehousing, assembly, office, distribution facilities, associated parking, and other on-site support buildings and structures.

- The Park would maintain greenspace to protect wetlands and avoid impacts.
- Anticipated installation of underground utilities and infrastructure for on-site use (i.e. gas and electric utilities, water and sewer infrastructure).
- Off-site improvements such as highway and road improvements, wastewater treatment infrastructure improvements, and water supply infrastructure improvements.
- Tenants would obtain site or facility-specific permits, such as air permits and non-sanitary sewer discharge permits, as necessary for facility-specific operations.

A Public Hearing on the DGEIS was held on October 16, 2012, and the public comment period ended on October 29, 2012. Subsequently, a Final GEIS (“FGEIS”) was prepared by OCIDA and accepted as complete on September 10, 2013 (“2013 FGEIS”). OCIDA thereafter issued its Findings Statement on October 8, 2013. OCIDA concluded that the action avoided or minimized adverse environmental impacts to the maximum extent practicable, and incorporated mitigation measures that were considered practicable.

### 3.3 Chronology of Current SEQRA Process

OCIDA prepared a Full Environmental Assessment Form (“FEAF”) for the Project to supplement its prior SEQRA review of the Park. On December 8, 2020, based on an examination of the FEAF, the criteria contained in 6 NYCRR §617.7(c), and its knowledge of the area surrounding the Project site, OCIDA adopted a resolution classifying the Project as a Type I action, declared its intent to act as lead agency for the purpose of conducting a coordinated environmental review, determined that the Project has the potential to result in at least one significant adverse impact, and issued a positive declaration for the Project. Additionally, OCIDA determined that the Project represents a significant change from the Park’s current footprint and that there exists other changes in circumstances from those previously evaluated in the 2013 FGEIS. As a result, OCIDA concluded that the preparation of a SGEIS is necessary to adequately identify and evaluate potential significant adverse impacts associated with the Project that are not addressed or are inadequately addressed in the 2013 FGEIS. To that end, OCIDA adopted and issued a Notice of Intent to Serve as Lead Agency and Prepare a Draft SGEIS (“Notice of Intent”) for the Project, which was subsequently filed and distributed in accordance with SEQRA.

The FEAF provided a description of the Project, identified agencies that have potential permitting and approval jurisdiction over the Project, and identified potential environmental impacts. The Project (or Proposed Action) remains classified as a Type 1 Action for the purposes of this supplemental environmental review because the Project (Part 617.4.(b)(7)).

A copy of the FEAF and the Notice of Intent are found in Appendix A.

OCIDA received concurrence from the Onondaga County Water Authority (“OCWA”) and from the New York State Department of Environmental Conservation (“NYSDEC”) for OCIDA to act as the Lead Agency for the purpose of conducting a coordinated environmental review of the Project under SEQRA for the proposed expansion of the Park. All other identified Involved Agencies did not object to OCIDA’s

lead agency declaration within the statutory time period. A copy of the lead agency correspondence is found in Appendix A.

The list of Involved and Interested Agencies identified for the Project is provided as follows:

- Onondaga County Department of Transportation (“OC DOT”)
- Onondaga County Department of Health (“OCDOH”)
- Onondaga County Department of Water Environment Protection (“OCDWEP”)
- Onondaga County Water Authority
- Onondaga County Industrial Development Agency
- Syracuse Metropolitan Transportation Council (“SMTC”)
- New York State Department of Transportation (“NYSDOT”)
- New York State Department of Environmental Conservation (“NYSDEC”)
- New York State Office of Parks, Recreation and Historic Preservation (“NYS OPRHP”)
- United States Army Corps of Engineers (“USACE”)
- United States Fish and Wildlife Service (“USFWS”)
- Town of Clay Town Board
- Town of Clay
- Town of Clay Zoning Board of Appeals
- Town of Clay Planning Department
- Syracuse Onondaga County Planning Agency
- Town of Cicero

Additional agencies and stakeholder organizations that may participate in the review process include, but are not limited to:

- New York Power Authority (“NYPA”)
- National Grid
- CSX Rail
- New York Empire State Development

### **3.4 Draft GEIS Preparation**

The Draft SGEIS was prepared in accordance with 6 NYCRR 617.9, as applicable to a supplemental assessment. As such, it presents a focused assessment of potentially significant adverse impacts associated with the Project and changes in circumstances that have occurred since the 2013 FGEIS and Findings Statement. The 2013 FGEIS was appended by reference.

### **3.5 Public Comment and Review**

On May 6, 2021, OCIDA adopted the Draft SGEIS as complete for the purposes of commencement of public review and set a June 11, 2021 deadline for the receipt of public comments. On that same day, OCIDA adopted a Public Hearing Resolution which provided notice that a public hearing concerning the Draft SGEIS would be held virtually on May 24, 2021 at 6:00pm in accordance with the modifications to Article 7 of the Public Officers Law (the “Open Meetings Law”) as modified by New York Governor Andrew Cuomo’s Executive Order 202.1. Although SEQRA does not require that a public hearing be

held on a draft environmental impact statement (*see* 6 N.Y.C.R.R. § 617), OCIDA determined to hold a public hearing to promote public input.

OCIDA's Notice that the Draft SGEIS was accepted as complete for purposes of commencement of public review and Notice of Public Hearing was published in the NYSDEC's Environmental Notice Bulletin on May 12, 2021 as well as in the Syracuse Post Standard on May 9, 2021.

The Draft SGEIS was made available for review at OCIDA's offices located at 333 West Washington St., Suite 130, Syracuse, New York 13202 and at the Town of Clay Town Hall located at 4401 Route 31, Clay, NY 13041. The Draft SGEIS was also posted to OCIDA's website at: <https://www.ongoved.com/ocida/project-documents/> and was made available from OCIDA upon request.

Comments on the Draft SGEIS were accepted in writing, either by first class mail or electronic mail, or as part of the May 24, 2021 Public Hearing. In total, there were 74 comments received from the general public on the Draft SGEIS, some of which were duplicates, from a total of 64 commenters, some in support of the Project and others opposed, which includes three comments from local elected officials (*see* Section 6.1.2). In addition, comments were received from two state agencies (*see* Section 6.1.1).

Pertinent SEQRA documentation is provided in Appendix A.

### 3.6 FSGEIS and Findings Statement

Subsequent to the Draft SGEIS and as required by SEQRA, this Final SGEIS has been prepared by OCIDA. Consistent with SEQRA requirements this Final SGEIS will be followed by a SEQRA Findings Statement from OCIDA. This Final SGEIS responds to all substantive comments received on the Draft SGEIS.

The Draft and Final SGEIS address the potential impacts of the expansion of the existing Park on environmental resources, including land use and zoning; community character; transportation; utilities and community services; topography, geology and soils; water resources including floodplains and wetlands; air resources; ecological resources including endangered and threatened species; cultural and archeological resources; visual character and noise.

This Final SGEIS incorporates by reference the entire Draft SGEIS and its Appendices. Any recent changes in either the proposed action or new information on the project as a result of comments received are noted as responses to comments in Chapter 4. Chapter 5 of this Final SGEIS summarizes comments received on the Draft SGEIS and responds to all substantive comments received during the comment period. SEQRA documentation is provided in Appendix A of this Final SGEIS. Appendix B includes a transcript of the Public Hearing held on May 24, 2021. Appendix C includes all correspondence and comments received during the public comment period.

Subsequent to this Final SGEIS OCIDA will prepare a Findings Statement consistent with SEQRA requirements. The Findings Statement will include information summarizing potential project impacts and mitigation measures to avoid or reduce adverse impacts. The Findings Statement will complete the SEQRA process.

## 4.0 FUTURE ACTIONS

As Lead Agency, OCIDA assumed the responsibility to prepare this Final SGEIS and conduct coordinated environmental reviews of the Project among all Involved and Interested Agencies as identified above. Subsequent to this Final SGEIS, OCIDA will prepare a SEQRA Findings Statement which will conclude the SEQRA process.

Future actions that fall within the range of parameters and impacts evaluated in the Draft and Final SGEIS are not expected to require further SEQRA review. By identifying baseline environmental conditions and certain impact thresholds, the SGEIS process may facilitate development of a specific development project by allowing for quicker approval of future actions associated with development of the Park that are consistent with the 2013 FGEIS and Final SGEIS and SEQRA Findings Statements.

If subsequent proposed actions are not addressed or not adequately addressed in the 2013 FGEIS and Final SGEIS and the subsequent actions will not result in any significant environmental impacts, then SEQRA requires only that a Negative Declaration be prepared. In the event that subsequent proposed actions are adequately addressed in the 2013 FGEIS and Final SGEIS, but not adequately addressed in the Findings Statement, an amended Findings Statement will be prepared.

However, if any components of a proposed development project do not fall within the set of parameters or conditions, and potential impacts are significantly different in nature or severity from those anticipated by the 2013 FGEIS and Final SGEIS, a supplement to the Final SGEIS (a Supplemental project specific EIS) will be prepared to further evaluate and identify mitigation of significant adverse environmental impacts associated with specific development proposals that are beyond the scope of the 2013 FGEIS and Final SGEIS. This may require additional technical analyses and agency coordination focused only on those issues.

SEQRA requires a supplement to the Final Generic EIS (a Supplemental EIS) if:

*“...the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.”*

For parties proposing future development at the White Pine Commerce Park, a determination must be made as to whether or not the impacts associated with the proposal have been adequately addressed by the Final SGEIS. If the need for supplemental action is determined to be required under SEQRA, the Lead Agency will be responsible for carrying out the requirements of 6 NYCRR Part 617.10 requirements. This will require the Lead Agency to interpret the Statement of Findings prepared under this Final SGEIS for the Project site, as it specifically relates to the development project(s) being proposed. As with all Type I actions, and for coordinated review of Unlisted Actions involving more than one agency under SEQRA, a Lead Agency must be established prior to a Determination of Significance.

Upon completion of this Final SGEIS, Part 617.11 requires that each Involved Agency, including the Lead Agency, prepare a written SEQRA Findings Statement (SEQRA Findings) – before any action can be taken on the project including funding or permitting. The Findings will include information on

commitments to mitigation measures and a final determination as to the project's impact on the environment.

As noted in the Draft SGEIS, the potential future development of the Project site is anticipated to require specific approvals and permits during various stages of planning, design, and site development. Many permits and approvals to be issued by Involved Agencies, such as highway work permits from State or County DOTs, will be sought after actual site development plans have been prepared and advanced to the point that specific industrial tenant requirements and project components become known. Project reviews, approvals and permits which may be sought from various agencies include, but are not limited to the following:

- NYSDEC Air Permit (type depending on future tenant(s))
- NYSDEC Threatened & Endangered Species
- NYSDEC Freshwater Wetlands
- NYSDEC 401 Water Quality Certification
- U.S.A.C.E. Section 404 (Waters of the United States)
- Discharge to Surface Water (NYSPDES) 6NYCRR Part 750
- General Permit for Stormwater Discharge from Construction Activity SPDES GP-0-10-001
- Multi-Sector General Permit for Stormwater Discharge Associated with Industrial Activity SPDES GP-0-06-002
- NYSDOT Highway Work Permit (I-81 & NYS Route 31)
- Onondaga County Planning Referral GML 239m
- Onondaga County Department of Water Environment Protection Industrial Waste Discharge Permit
- County Highway Department Work Permit
- County Highway Department Curb Cut Approval
- Town of Clay Subdivision Adjustment (Section 230-28F)
- Town of Clay Planned Development District (PDD) / Zone Change
- Town of Clay Site Plan Review & Approval (Section 230-26)
- Town of Clay Industrial Performance Standard Variance (Section 230-17)
- Town of Clay Accessory Special Permit
- Town of Clay Building Permit
- Town of Clay Certificate of Occupancy
- Town of Clay Demolition Permit

## 5.0 REVISIONS AND CORRECTIONS TO THE DRAFT SGEIS

The following information has been updated since the release of the Draft SGEIS:

### 5.1 Community Character

To further expand upon Section 3.2 Community Character from the Draft SGEIS:

The Park area is either within or adjacent to Census Tracts 113, 102, 112.41, 112.42, and 103.01. According to 2019 American Community Survey (ACS) 5-Year Estimates Census Data the total population within all five Census Tracts combined is approximately 23,334. The racial makeup of the tracts is approximately 96.6% White, 3.3% Black or African American, 1.7% American Indian and Alaska Native, and 1.0% Asian. The average median income within the tracts is \$81,934 with 6.6% of the population below the poverty level.<sup>1</sup>

Based on the Department of Environmental Conservation's Office of Environmental Justice ("OEJ") Potential Environmental Justice Area ("PEJA")<sup>2</sup> map it is not likely that environmental justice communities exist within or near the Park (see Figure 5.1). The PEJA's data is based on data from the 2014-2018 5-year American Community Survey ("ACS"), conducted by the US Census Bureau. The Federal EPA Environmental Justice Screening and Mapping Tool - Version 2020 (EJSCREEN)<sup>3</sup> also indicated low potential for environmental justice communities near the Park (see Figure 5.2).

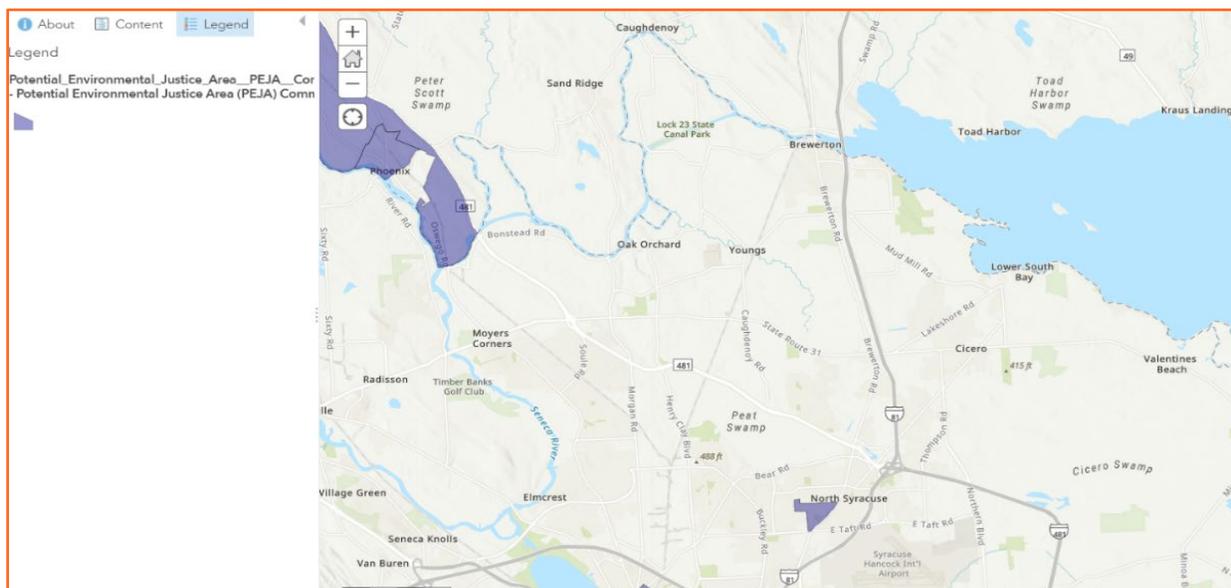


Figure 5.1 – PEJA Map Results

<sup>1</sup> United States Census Bureau, American Community Survey (ACS) 5-Year Estimates.

<sup>2</sup> Department of Environmental Conservation. <https://www.dec.ny.gov/public/911.html>

<sup>3</sup> United States Environmental Protection Agency. [EJSCREEN: Environmental Justice Screening and Mapping Tool](https://www.epa.gov/ej/ej-screening-and-mapping-tool)  
[US EPA](https://www.epa.gov/ej/ej-screening-and-mapping-tool)

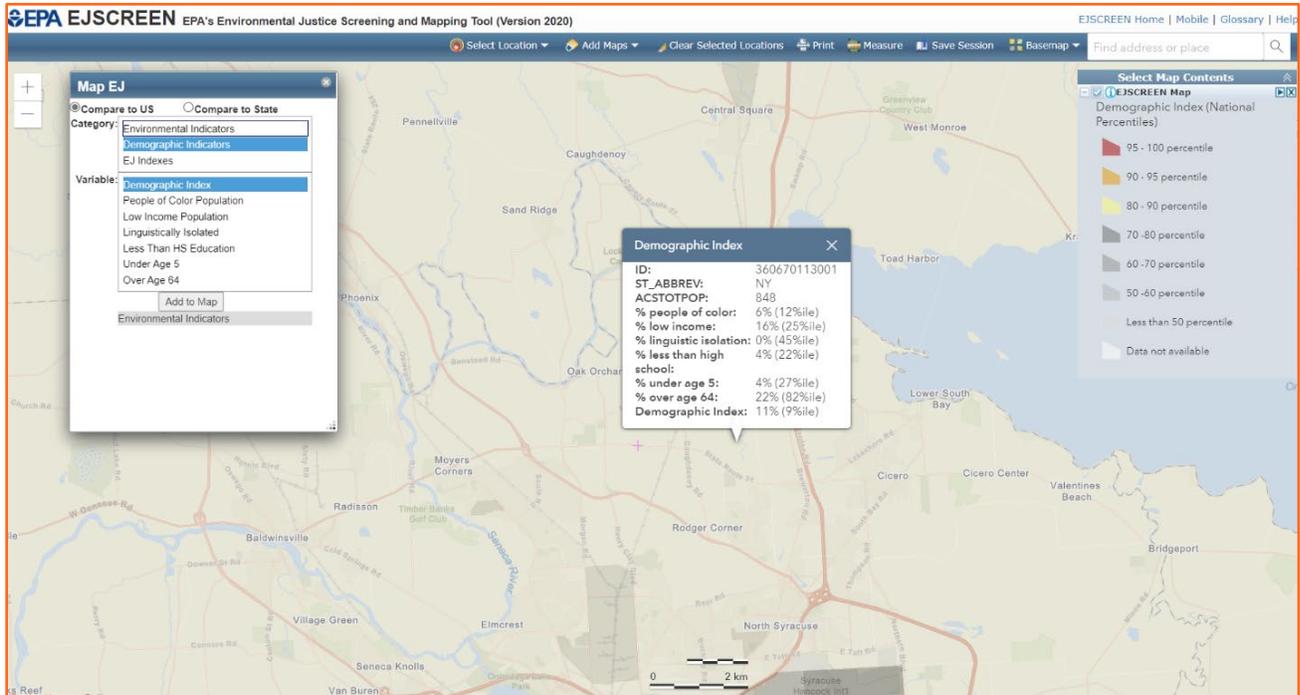


Figure 5.2 – EJSCREEN Map

## 5.2 Transportation

To further expand upon Section 4.3 Transportation from the Draft SGEIS:

The majority of the proposed transportation improvements can be constructed within the existing highway boundary and lie within previously disturbed area. Temporary and permanent easements will be acquired by the owning agency for those areas outside the highway boundary by negotiated agreements or pursuant to the EDPL, as necessary.

Roadway improvements to mitigate the proposed Park cause negligible to minor impacts. The roadway improvements area of potential effects are considered, and their impacts are addressed for each individual resource area within their respective sections in the Draft SGEIS, 3.0 Environmental Setting and 4.0 Potential Environmental Impacts and Mitigation.

Any temporary impacts will be mitigated through proper construction and best management practices. Disturbed areas will be re-graded and reseeded to pre-construction conditions. Overhead utility lines and poles will be relocated prior to construction.

During the preliminary review of the I-81 / I-481 northern interchange (Interchange 29 in Cicero) improvements that are proposed as part of the Interstate 81 (I-81) Viaduct Project, it was determined that the intent of the interchange improvements was to reconstruct the interchange to direct I-81 traffic to the new I-81 (former I-481). The I-81 / I-481 interchange would not affect our transportation study outcomes, therefore was not included in the transportation study area for this Project.

## 5.3 Recreation

To further expand upon Section 4.4 Utilities & Community Services from the Draft SGEIS:

### *Parks and Recreation Facilities*

Publicly available data was reviewed to determine if there were any parks or recreational facilities on or in the vicinity of the Park. Although no parks or recreational facilities were identified, there appears to be a snowmobile trail that crosses the Park.

According to the New York State Snowmobile Association (“NYSSA”) Snowmobile Webmap<sup>4</sup>, there is an existing snowmobile trail that intersects the northern portion of the Park. The trail is named C7L and is maintained by Snow Owls, Inc. It is anticipated that the trail would not be impacted by development at the Park as it runs along the power line corridor in the northern portion of the Park and is outside of the Prime Developable Area. If a future tenant proposes a site plan that would impact the snowmobile trail, mitigation or realignment of the trail will be coordinated with the Snow Owls, Inc. at that time.

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<sup>4</sup> The New York State Snowmobile Association. NYSSA Snowmobile Map ([cgis-solutions.com](http://cgis-solutions.com))

## 6.0 SUBSTANTIVE PUBLIC COMMENT AND LEAD AGENCY RESPONSES

### 6.1 Agency Comments Summary

Two State agencies provided comment letters on the Draft SGEIS. Comments were provided by:

- New York State Office of Parks, Recreation and Historic Preservation (SHPO)
- State of New York Department of Transportation Region 3, Syracuse, NY

These agency letters are provided in Appendix C of this Final SGEIS. Agency comments have been summarized below by resource topic. Comments may not appear in their original context or sequence in which they were provided, but are provided verbatim where possible or otherwise noted.

#### New York State Office of Parks Recreation & Historic Preservation (OPRHP)

*Comment 1: OPRHP understands that the Onondaga County Industrial Development Agency does not currently own the entirety of the proposed 1,250-acre White Pine Commerce Park, and that acquisition of the land and development of the Park will take place gradually over time. Based on these circumstances, OPRHP's preferred approach is to review and provide comments tailored to specific development plans, when the conceptual site plans are available.*

Response: Comment noted.

#### New York State Department of Transportation (NYSDOT)

*Comment 1: NYSDOT is reviewing the Traffic Impact Study to ensure that it meets NYSDOT's requirements and provides all the information NYSDOT needs to determine traffic impacts to the State Highway System. Mitigation will be required to address traffic impacts, and all required mitigation must be reflected in site plans prior to approval.*

Response: Comment noted. *See also NYSDOT Comment 7.*

*Comment 2: A highway work permit will be required for any work within the State Right-of-Way (ROW) along NYS Route 31. The plans that are prepared toward permit issuance must show our ROW boundary. The final project plans must reflect mitigation as may be determined by the Department. The applicant should coordinate with NYSDOT during plan preparation to ensure that the design meets Department standards and requirements. A consultant inspector may be required for this work.*

Response: Comment noted.

*Comment 3: Utility installation within the State ROW will require a utility permit. If feasible, all steps to avoid open cutting a state highway for the water/sewer installation shall be*

*progressed. The plans that are prepared toward permit issuance must show our ROW boundary.*

Response: Comment noted.

**Comment 4:** *The applicant must provide NYSDOT a copy of the Storm Water Pollution Prevention Plan (SWPPP) for review. No additional stormwater flow into the State's ROW shall be permitted.*

Response: Comment noted.

**Comment 5:** *The applicant must submit a photometric lighting plan to the NYSDOT. No glare or spillover onto the State ROW will be permitted.*

Response: Comment noted.

**Comment 6:** *While NYSDOT staff is still finalizing the review comments, but we don't anticipate any major significant issues that will prohibit the development from progressing forward as a project. Having said that, we have determined that additional improvements will be required to offset impacts from the proposed White Pine Commerce Park. There are several feasible improvement options being analyzed within NYSDOT that can address these operational and safety impacts. Once we complete our review, you will be notified of all our comments and recommendations.*

Response: The TIS (See Draft SGEIS, Appendix B) developed as part of the Draft SGEIS evaluates and recognizes the potential operational and safety impact to the transportation network from the Project. The TIS makes recommendations for traffic operations and safety improvements to mitigate for the Park development within the transportation network and, where appropriate proposes crash reduction measures, which includes recommendations at high crash locations. OCIDA will work with NYSDOT to adopt final traffic improvement measures to mitigate the potential operational and safety impacts.

**Comment 7:** *We've concluded that, as written, the TIS appropriately documents the study area. Within the study area, the TIS offers proposed mitigation for the impacts of the trips generated by the potential development. NYSDOT will follow up with location-specific comments relating to the details of mitigation within the study area. On that point, it is anticipated that additional coordination and communication will take place as this project develops further, to arrive at the specific details of the mitigation. That said, NYSDOT agrees that the TIS is appropriate based upon the information presented.*

Response: Comment noted.

## 6.2 Public Comments

Comments were received from 31 individuals during the Public Hearing that was held virtually on May 24, 2021. The complete transcript of the Public Hearing including verbal comments from attendees are provided in Appendix B of this Final SGEIS. Written public comments are provided in Appendix C of this Final SGEIS.

In total, there were 74 comments received from the general public on the Draft SGEIS, some of which were duplicates, for a total of 64 commenters from the general public, some in support of the Project and others opposed, which included three (3) comments from local elected officials.

**SUMMARY OF PUBLIC COMMENTS SUBMITTED TO OCIDA**  
**WHITE PINE COMMERCE PARK DRAFT SUPPLEMENTAL GENERIC**  
**ENVIRONMENTAL IMPACT STATEMENT**

**Purpose and Need**

- 1. General statements were made in overall opposition to the project, including that the project is not needed.*

Response: As detailed in the Draft SGEIS, OCIDA, as Project Sponsor, proposes to expand its business park known as White Pine Commerce Park to approximately 1,250± acres. The expanded Park will be capable of supporting a mix of industrial and/or commercial uses that may include industrially related office, research, manufacturing, assembly, warehousing, data management, material processing and distribution facilities in a campus-like setting.

Based on OCIDA's concerted efforts to market the Park since the 2013 GEIS, it became evident that the existing Park was too small to attract a broader scope of industries such as the semiconductor industry, which require a large campus setting with greenspace and ample buffering from environmental receptors and would bring high tech and high paying jobs to Onondaga County. As a result, the proposed expanded footprint of the Park will allow OCIDA to market the Park to a larger, more diverse mix of industries than it had previously and facilitate OCIDA's main objective in originally developing the Park.

- 2. The potential business growth associated with the project, and the employment opportunities it provides, will mean an increase of residential construction jobs, along with associated tax revenue generation.*

Response: Comment noted. This is one of OCIDA's long-term objectives in developing the Park and why this Project is so important to Onondaga County.

- 3. Advanced manufacturing could transform the local economy. This could attract new direct investment and new jobs. Attracting this size and scale of investment would put the area back on the international map, and would offer opportunity for downstream spin-off technology jobs. There will also be potential benefits of collaborations between academic and private sector in research and workforce development.*

Response: Comment noted. Development of the Park has the potential to result in numerous benefits for Onondaga County which is why this Project is so important.

- 4. Several commenters stated that the Project has the potential to attract new jobs, including good paying supply-chain jobs, including construction jobs, who work with the prospective tenants, and be an overall positive economic driver for the region.*

Response: Comment noted. This is one of OCIDA's long-term objectives in developing the Park and why this Project is so important to Onondaga County.

**5. *The project has been explored for many years and will not come to fruition. It is a pipe dream. There is money being spent for an unknown buyer or tenant.***

Response: OCIDA recognizes that the Park has yet to be developed. This is not, however, because it is a pipe dream. Rather, based on its concerted efforts to develop the Park and secure tenants, OCIDA has determined that the existing Park footprint is inadequate to successfully market the Park to a larger, more diverse mix of potential industrial and commercial developers. This is the exact reason why OCIDA is pursuing this Project to expand the Park. An expanded Park will be capable of supporting a mix of industrial and/or commercial uses with related office space, advanced state-of-the-art research, large- or small-scale manufacturing, assembly, warehousing, data management, material processing and distribution facilities in a campus-like setting that the existing Park footprint is not able to support.

**6. *The local community does not want the project, as evidenced by the petition currently circulating, and growing number of Facebook group members.***

Response: OCIDA recognizes that there has been opposition to the Project and has thoroughly considered the concerns that have been raised and have addressed them as part of its environmental review under SEQRA. Indeed, all of the concerns that were raised during the comment period for the Draft SGEIS have been evaluated and addressed in this responsiveness summary. Further, OCIDA did not receive a copy of any petition opposed to the Project either during the public hearing or the public comment period.

OCIDA would note that while there have been members of the public that have expressed their opposition to the Project, there have also been members of the public in support of the Project.

**7. *Job creation can occur without displacing people and destroying a community.***

Response: While job creation can occur in other contexts, the type of job creation anticipated for the expanded Park is significant. OCIDA diligently tried to develop the Park as originally sized and was unsuccessful. In order to successfully develop the Park and bring the economic benefits sought by OCIDA's mission, the Park needs to be expanded to generate much needed tax revenue, create several thousand jobs and further economic development in the area.

As detailed in the Draft SGEIS, OCIDA explored a number of other alternatives that would avoid the potential need to acquire lands pursuant to Eminent Domain Procedure Law ("EDPL") to further expand the lands owned by OCIDA to support future development. However, each of these alternatives were deemed inappropriate as they did not adequately meet the purpose or need of this Project. *See Alternatives of the Draft SGEIS, Ch. 2.*

OCIDA does not take its power of eminent domain lightly. OCIDA's preference has always been and remains to come to agreements with landowners whose property is needed for the Project whereby the landowner is fully compensated for their home and any disruption to their lives that moving may cause. Eminent domain will only be used as a last resort.

Furthermore, the Draft SGEIS details the Project's consistency with the community character, including OCIDA's plans to work with the Town of Clay Town Board and/or Planning Board to identify specific issues or areas of concern and develop specific measures to address or alleviate such concerns to ensure the objectives of the Project are achieved while also minimizing or mitigating development related impacts on the surrounding community.

**8. *General statements were made concerning providing tax breaks to the developer. The taxpayers cannot afford to provide a tax benefit to the developers of the site. This is an inappropriate use of tax dollars.***

Response: Comment noted. The comment raises an issue that is outside the scope of OCIDA's environmental review of the Project under SEQRA. *See* 6 NYCRR § 617.1(b), (c) ("The basic purpose of SEQRA is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes of State, regional and local government agencies at the earliest possible time. To accomplish this goal, SEQRA requires that all agencies determine whether the actions they directly undertake, fund or approve may have a significant impact on the environment[.]"); *see, generally*, N.Y. Env. Conserv. Law Art. 8.

**9. *The project may generate high tech jobs but it will not support the current residents. The high tech jobs are not sustainable. There are not enough locally trained employees.***

Response: Future development of the Park is expected to significantly benefit Onondaga County and its residents. As in other locations in New York (*e.g.*, GlobalFoundries and Cree), the targeted semiconductor industry will create a marketplace for high-tech, high-paying jobs. It is anticipated that future tenants will draw from current residents that have the requisite experience when hiring. Additional labor will be imported as necessary as the commenter is correct that there are currently not enough locally trained employees. However, the goal is to bring a long-term tenant to the Park that will continue to provide ample employment opportunities for the foreseeable future. Further, it is anticipated that future tenants will partner with local colleges and engineering programs to train qualified workers.

In addition to these short- and long-term employment opportunities and benefits, development of the Park is anticipated to further benefit Onondaga County residents. The development of the expanded Park or any surrounding areas that develop as a result of development at the Park could create positive cumulative impacts and economic spin-off. This could include an increase in employment opportunities, increases in local discretionary spending providing additional sales tax revenues to State and local governments, demand for new goods and service support businesses, and further diversify the tax base of the Town of Clay and Onondaga County. The Luther Forest campus for GlobalFoundries in Malta, New York is a prime example.

**10. *The buildings will likely be abandoned in the future. Manufacturing in New York is not sustainable. While there is a shortage of chips now, that may not be the case in the near future. There are concerns that if the buildings are abandoned, who will own them and be responsible for their upkeep, and who will own the land.***

Response: Chips are an essential part of everything that we do in the modern era. As technology has advanced, semiconductor chips have spread from computers and cars to toothbrushes and tumble dryers.

Today, demand for chips is continuing to outstrip supply and there is a severe global chip shortage. The need and demand for chips, particularly in the United States, are extremely strong and are only expected to increase over time.

Just last year, then President Trump signed into law the Creating Helpful Incentives to Produce Semiconductors for America Act (CHIPS for America Act), a bipartisan piece of legislation that would invest tens of billions of dollars in semiconductor manufacturing incentives and research initiatives over the next 5-10 years to strengthen and sustain American leadership in chip technology, which is essential to our country's economy and national security.

More recently, on February 24, 2021, President Biden signed Executive Order 14017, directing a whole-of-government approach to assessing vulnerabilities in, and strengthening the resilience of, critical supply chains, including the supply of chips. And, on June 8, 2021, the U.S. Senate adopted a major piece of legislation, known as the "U.S. Innovation and Competition Act," that would direct \$52 billion in emergency spending toward domestic semiconductor chip manufacturing in furtherance of its goal to incentivize U.S. manufacturing of the chips, which currently are primarily produced overseas. The Biden Administration views the current chip shortages plaguing the global economy as a national security issue.

In short, there is long-term demand for chips and the Park, once expanded to sufficient size, is uniquely situated to site a tenant in the semiconductor industry. *See* Response to Alternatives Comment 1. Furthermore, semiconductor manufacturers have proven stable and sustainable in other locations in upstate New York including Cree in Marcy, NY and GlobalFoundries in Malta, NY. GlobalFoundries has invested \$15 billion in upstate New York development in the last decade and recently announced they are relocating their headquarters from California to Malta, NY.

It is anticipated OCIDA will own the properties that make up the White Pine Commerce Park. Once a developer is proposed, OCIDA will work with the developer to create a leasing agreement that will identify maintenance responsibilities for the property and the buildings located in the Park.

***11. The site is essentially shovel ready, and is nationally recognized, having available electrical capacity, access to water, highway access, broadband, and the ability to host the a high tech facility with minimal impacts.***

Response: Comment noted.

***12. The project will have ancillary benefits such as bringing in high school age and college age kids to fill currently vacant restaurant positions.***

Response: Comment noted.

***13. There is no proof that a facility of this kind will benefit the area in which it is located.***

Response: For many years, OCIDA has devoted substantial time and effort into developing the Park, with a particular focus on development that will bring high-tech facilities and high paying jobs to Onondaga County. This includes, more recently, the possibility of a tenant in the semiconductor industry. OCIDA's

efforts have looked at the potential benefit of such a facility to Onondaga County and has concluded that, if the Park is expanded and can attract a tenant from the semiconductor industry, that the benefit to Onondaga County in terms of tax revenue and high paying jobs is significant. For example, the economic impact of GlobalFoundries on Saratoga County NY from 2010 to 2019 includes (i) the number of employers increasing 12.2%, (ii) the number of people working in the County increasing 21.9%, and (iii) the per capita income of County residents rising 48.7% (Federal Reserve Economic Data (“FRED”). At the time they issue their SEQRA findings statement, OCIDA will weigh and balance this anticipated social and economic benefit with the potential environmental impacts.

***14. OCIDA’s mission statement does not belong in the EIS, as it has no bearing on environmental impact, and does not justify harming the environment by converting the properties into industrial property, displacing neighborhoods and destroying the rural character of the area.***

Response: OCIDA respectfully disagrees. OCIDA’s mission is pertinent to the purpose and need of the Project. *See also* Response to Purpose and Need Comment No. 7.

***15. There is no specific plan. The EIS is vague.***

Response: Comment noted. As this is a generic environmental review, there are no specific site plans or development concepts proposed for the Park. SEQRA does not require final site plans within a generic EIS. Instead under SEQRA, a generic EIS should contain enough detail on size, location, and elements of the proposal to understand the proposed action and the associated impacts, and to determine the effectiveness of any proposed alternatives or mitigation. Because potential future site-specific actions following a generic EIS are often speculative or unknown, potential impacts of those future uses are often best discussed in terms of hypothetical scenarios and do not include or evaluate specific site plans or site layouts as was done within the Draft SGEIS. *See* 6 NYCRR § 617.10.

Once a specific development is proposed for the Park, it will require site plan review and approval from the Town of Clay Planning Board and will be subject to any other Town of Clay land use and zoning regulations. Any specific site plan will be evaluated for consistency with this Final SGEIS and SEQRA will be complied with at that time.

***16. The EIS did not identify what tax breaks or financing options that OCIDA will offer the tenant or tenants in the semiconductor industry. OCIDA should provide estimates for the stimulus provided to the local economy in comparison to the tax abatements they are prepared to offer.***

Response: *See* Response to Purpose and Need Comment No. 8.

***17. History has shown there are high environmental consequences to overbuilding in virgin, or green, territories. There will future costs in correcting environmental mistakes.***

Response: OCIDA has considered other alternative locations and determined that the Park is the preferred alternative. OCIDA takes its responsibility very seriously and has thoroughly evaluated the potential for

significant adverse environmental impacts from future development of the Park. As part of this evaluation, including the 2013 FGEIS and the Draft SGEIS, OCIDA looked at ways to avoid, minimize and mitigate environmental impacts to the maximum extent practicable. Impacts and mitigation for individual resource areas are addressed within Chapter 4.0 of the Draft SGEIS. Irreversible and irremediable commitment of resources are discussed in detail in Chapter 8.0. Future development of the Park, including any construction and operation, will be required to comply with all local, state, and federal environmental laws and regulations. All applicable permits and approvals will be obtained prior to commencement of development. Any potential adverse environmental impacts would be minimized through best management practices and any potential long-term environmental consequences would be avoided by adhering to the approved permits and plans for the Park.

***18. Comments were made regarding funding the project with tax dollars with no guarantee that the project will materialize. Also, is the project dependent on Federal monies, and whether it will go through with Federal monies. Will OCIDA be offering PILOT agreements or other funding?***

Response: See Response to Purpose and Need Comments 8 & 15. Funds used by OCIDA, to-date, for the Project are for the purpose of expanding the footprint of the Park to make it attractive to future development. This is part and parcel of OCIDA's mission to stimulate economic development, growth, and general prosperity for the people of Onondaga County by using available incentives, rights, and powers in an efficient and cooperative manner. The goal is to benefit Onondaga County by bringing high-tech facilities and high-paying jobs to Onondaga County. It is anticipated that there will be government incentives and funding to support development at the Park when a specific development is proposed.

***19. Complex manufacturing drives innovation and technology enabling safer healthcare, sustainable agriculture, electronic vehicles and transportation, solar production, storage, and low power devices that enable a sustainable planet. The U.S. is taking steps to become a leader in technology fabrication. Chips are critical for supply chain stability and national security.***

Response: Comment noted.

***20. Semiconductors and microcontrollers are major core components of drones that assist first responders. The components are needed for this expanding business, and it is positive to build out the capability locally. The project will attract talent into the region that will support other local high technology businesses.***

Response: Comment noted.

***21. The significant assets National Grid already has near the site make it uniquely suitable for the development of high tech manufacturing.***

Response: Comment noted.

***22. The size, location and capabilities of the regional workforce, area colleges and local manufacturing base make the site highly competitive with other regions of the country.***

Response: Comment noted.

***23. “Reshoring” or bringing back this type of manufacturing will support a number of industries, including the auto industry and the phone industry, which are hurting now.***

Response: Comment noted.

***24. Often members of building and construction trade industries must travel to where the construction is, outside the county and out of state. Having high tech manufacturing here is game changing.***

Response: Comment noted.

***25. Hundreds of jobs will be created through each phase of construction of the site, which will also make it possible for construction and other trades to recruit apprentices, and provide opportunities to learn trades that will lead to lifelong careers.***

Response: Comment noted.

***26. Semiconductor and advanced manufacturing is sustainable, when you think that 3,000 microchips are needed for the average car.***

Response: Comment noted.

***27. The advanced manufacturing facilities in Onondaga County, and the jobs they have generated, has demonstrated the potential benefits of bringing advanced manufacturing to the White Pine site. It will attract talent to the area, which will enhance employee retention due to a better climate for professionals and their families and improved service at the Syracuse airport.***

Response: Comment noted.

## **Land Use/Zoning**

***1. Several commenters made statements there is no room in the Town of Clay to accommodate the facility, along with additional residences for employees. The Town of Clay is crowded.***

Response: There is sufficient room in the Town of Clay to accommodate development of the Park. As detailed in the Draft SGEIS, residential and commercial development in northern suburbs of Onondaga County is likely to continue, according to the most recent studies conducted by the Town of Clay, the Syracuse-Onondaga County Planning Agency (“SOCPA”), and the Syracuse Metropolitan Transportation Council (“SMTC”). These studies include a corridor study conducted in 2010 by the SMTC titled Clay-Cicero Route 31 Transportation Study, the Town of Clay Northern Land Use Study prepared in 2013, and the 2010 Development Guide for Onondaga County. New residential development has occurred south and east of the Park, primarily along the NYS Route 31 corridor in the Town of Cicero. The population of the

Town of Clay has remained largely unchanged over the past two decades decreasing 0.84% since 1990. Additionally, the Town of Cicero had a 2019 population of 30,721 people, a decrease of 2.89% since 2010. The SOCPA, SMTCA, and Town of Clay studies assume future growth in the project area and account for future industrial use of the Park. *See Draft SGEIS, Section 4.1.*

Additionally, SOCPA is currently updating the County's Comprehensive Plan and expects to finalize the plan later this year. Based on information obtained from SOCPA on April 7, 2021, the Comprehensive Plan will promote new opportunities to strengthen communities and options near the Park, including the creation of town centers, enhanced transit and transportation options, and complete neighborhood concepts. Once a future tenant is identified for the Park, the County Comprehensive Plan will be reviewed to identify any goals or objectives from the Plan that should be considered for implementation into the future development of the Park

- 2. Comments were made regarding naming the park White Pine Commerce Park. It should not carry this name.***

Response: Comment noted.

- 3. Concerns were raised that there are no updated site plan or concept drawings.***

Response: *See* Response to Purpose and Need Comment 15.

- 4. The northern area of the Town of Clay should not be a manufacturing hub.***

Response: Comment noted. However, as detailed in the Draft SGEIS, the Park is a prime location for development given its size (including a significant area of prime developable land) and proximity to key utility services and transportation corridors. *See also* Response to Alternative Comment 1.

- 5. There is a solar field in the area.***

Response: Comment noted. The comment does not identify any specific solar field. The closest existing solar field is approximately 2 miles away and not anticipated to have any cumulative impacts.

- 6. Questions were presented regarding the status of the proposed rezoning from Agricultural to Industrial. Given the investment of time, effort and money into the project, OCIDA must have received assurances that rezoning would be approved. What is the status of the project if rezoning is not approved?***

Response: OCIDA has not received any such assurances, which would be premature given the ongoing environmental review under SEQRA. As stated in the Draft SGEIS, Section 4.1 Land Use & Zoning, page 4.1, *"In furtherance of the Project, OCIDA will pursue approval by the Town of Clay Town Board of either a zone change to I-2 for the portion of the Park that is not zoned I-2 or a PDD that encompasses the entire Park footprint to allow the type of uses OCIDA seeks for the Park."*

7. *Concerns were expressed that blanket zoning provisions provide notice to future developers regarding a town's desired land use patterns, but they do not allow for public input regarding the full range of impacts a proposed project may have on the community, which is a necessary and important part of the environmental review process.*

Response: Some form of zone change, as discussed in the Draft SGEIS, will be required. Once that process commences, it is anticipated that there will be sufficient opportunity for public input and review through the Town of Clay process as outlined in its Zoning Code for either a Planned Development District (“PDD”) or a zone change. Furthermore, public input has been considered as part of this SGEIS.

9. *A commenter noted that the residential properties that have been or will be acquired by OCIDA through voluntary purchase agreements or pursuant to EDPL will be rezoned, which will require SEQRA review through the Town of Clay.*

Response: All property acquisitions by OCIDA have or will comply with SEQRA. Any rezoning deemed necessary, or alternatively the development of a PDD, will be covered by OCIDA’s coordinated environmental review of the Project as the Town of Clay is an Involved Agency and has agreed to OCIDA’s role as lead agency. To that end, any rezoning or approval of a PDD by the Town of Clay will require the Clay Town Board to issue its own Findings Statement under SEQRA.

## **Community Character**

1. *Construction will permanently alter the natural farm land, woods and wetlands. The resources are irretrievable.*

Response: OCIDA recognizes that development of the Park will result in certain irretrievable and irreversible impacts. These were evaluated in the 2013 FGEIS and again in Section 8.1 of the Draft SGEIS. The irreversible commitment of physical resources will include the conversion of approximately 400-acres of the expanded Park to building footprint and additional support facilities in support of potential advanced manufacturing uses.

As explained in Chapter 8.0, the prime developable area of the Park generally consists of fields, shrub land, and some woodland areas. There are no designated agricultural districts within the Park. Residential properties may also comprise the developable area. Consistent with New York State and federal wetland policies, OCIDA’s goal for future development is to avoid, to the extent practicable, development within regulated wetland areas. A portion of the site is unencumbered by regulated wetland areas, which facilitates achievement of this goal. If wetland encroachments are necessary, minimization of impacts will be the next priority. Encroachments will require permits from the New York State Department of Environmental Conservation (“NYSDEC”) and U.S. Army Corps of Engineers (“USACE”). Permit issuance would require the replacement of wetland functions through wetland creation (on-site north of the power lines) and/or purchase of wetland credits (a wetland mitigation credit is a unit of trade used to offset ecological losses that occur in areas regulated by the USACE). *See also* Draft SGEIS Section 4.0 (detailing mitigation for each specific environmental resource).

**2. *Neighborhoods and developments have grown up around project area since it was originally conceived and while it has sat idle. The community character has changed.***

Response: Comment noted. This was one of the changes in circumstances since the 2013 FGEIS that was evaluated in the Draft SGEIS. See Draft SGEIS, Section 1.2.3. The area surrounding the Park and community character of the Park as it exists now was detailed in Sections 3.1 and 3.2.

**3. *The community will not remain intact. The project will permanently impact the character of the area.***

Response: To avoid or minimize potential adverse impacts to the extent practicable, the potential future development of the expanded Park will occur subject to the design features, conditions, and mitigation measures required by the Town of Clay Town and Planning Boards in accordance with the requirements of the Zoning Code. In conjunction with either a zone change or PDD approval process, OCIDA and/or the future tenant will work with the Town Board and/or Planning Board to identify specific issues or areas of concern and develop specific measures to address or alleviate such concerns to ensure the objectives of the Project are achieved while also minimizing or mitigating development related impacts on the surrounding community. See Draft SGEIS, Sections 3.2, 4.2.

**4. *Section 3.2 Community Character inadequately addresses the population demographics and does not adequately include describe patterns of population concentration.***

Response: The general population density of the surrounding area was detailed as follows

[The Town of] Clay is the largest town in Onondaga County occupying approximately 48 square miles with a 2019 Census population of 59,250 people. The population of the Town has remained largely unchanged over the past two decades decreasing 0.84% since 1990. The area surrounding the Park is sparsely populated with relatively low-density residential development mostly along Caughdenoy Road and Verplank Road west of the Park, Mud Mill Road north of the Park and Burnet Road within and near the eastern boundary of the Park.

See Draft SGEIS, Section 1.1.4. This has been supplemented with additional population demographics in the Final SGEIS. See Final SGEIS, Section 5.1.

**5. *Section 4.2.1, Community Character impacts, mentions that 3 dozen residential properties will be acquired and that homeowners will need to relocate. A development time frame needs to be prepared.***

Response: See Response to Purpose and Need Comment 15. Once a specific tenant or tenants and a specific proposal is presented to develop the Park, a development timeframe will be prepared. At this juncture, it is OCIDA's hope that once the Park is expanded and can accommodate a high-tech tenant in the semiconductor industry, that its long-standing efforts will be successful and development will be able to proceed in a relatively quick timeframe.

6. *Section 4.2.2, Community Character mitigation, contains no discussion about why the homes need to be acquired, what the land will be used for, when this will take place, or any other alternatives that may preserve Burnett Road. Furthermore, the DGEIS does not address all closing costs, relocation, or buyers' cost for a new home. It is entirely unreasonable for people who are involuntarily displaced to shoulder such costs. This is not mitigation.*

Response: Comment noted. The mitigation section is not intended to address these topics. The need for the land is discussed throughout the Draft SGEIS. *See, e.g.*, Draft SGEIS, Section 1.1.3, 1.1.5 and 1.2.2. Alternatives are discussed in Section 2.0, specifically Alternative 2 (the Park as it was originally proposed in the 2013 FGEIS, Alternative 3 (utilizing a smaller expanded area) and Alternative 4 (considering a different location to site the Park). *See* Draft SGEIS, Section 2.0.

OCIDA's preference has always been and remains to come to an agreement with any landowner whose property is needed for the Project whereby the landowner is sufficiently compensated for their property and the need to move. *See also* Response to Eminent Domain Comment 1. To the extent eminent domain is pursued, any and all property acquired pursuant to the eminent domain process will be valued at its highest and best use at the time of any such taking consistent with the obligation to pay just compensation pursuant to the Eminent Domain Procedure Law and United States and New York Constitutions. *See also* Response to Eminent Domain Comment 8.

## Alternatives

1. *Several comments were made suggesting alternative locations should be explored for the Commerce Park, including further west down Route 31, properties south of Route 31, north of the utility easement, and areas generally outside the Town of Clay, away from surrounding populated residential areas in Cicero.*

Response: SEQRA requires that an environmental impact statement include "a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor." 6 NYCRR § 617.9(b)(5)(v). "The purpose of requiring inclusion of reasonable alternatives to a proposed project is to aid the public and governmental bodies in assessing the relative costs and benefits of the proposal." *See Webster Assoc. v. Town of Webster*, 59 N.Y.2d 220, 228 (1983). To be meaningful, such an assessment must be based on an awareness of all reasonable options other than the proposed action. The degree of detail with which each alternative must be discussed will, of course, vary with the circumstances and nature of each proposal." *Id.*; *see also Webster Assoc. v. Town of Webster*, 59 N.Y.2d 220, 228 (1983). The regulations direct that an EIS be "analytical," but that it need not be "encyclopedic." 6 NYCRR § 617.9(b)(1).

Here, as part of its prior environmental review of the Park, which culminated in a Final Environmental Impact Statement ("FEIS") and Findings Statement in 2013, OCIDA considered a number of alternatives, including a no action alternative, alternative sites, alternative uses and technologies, alternative scale, timing and magnitude of development, and alternative site design and layout. *See* 2012 Draft GEIS, Section 2.0.

Beginning in 1991, OCIDA considered several locations for the development of an Industrial Park, including conducting a Feasibility Study at that time. Then, as part of OCIDA's prior SEQRA review of the Park, OCIDA again considered alternatives, specifically alternative locations. Ultimately, it was concluded in 2013 that the Park was the preferred location.

As explained in the Draft GEIS, as adopted in the 2013 FGEIS,

The Clay Business Park site is somewhat unique from these and other industrial and business park locations in Onondaga County. As a relatively large, highly developable site that is zoned for large-scale industrial uses, the Clay Business Park provides a setting for advanced manufacturing that may require large amounts of electricity and rail for its operations. These uses cannot be easily accommodated by other sites in the region. (Section 2.2.1).

The Draft GEIS, as adopted in the 2013 FGEIS, further concluded that:

The Clay Business Park property affords sufficient space to develop large-scale industrial uses in excess of two million square feet, and is unique in this respect. The site is conducive to industry due to its location adjacent to the existing CSX rail line and access from NYS Route 31 with interstate access available to the east (I-81) and west (I-481). The site can accommodate large-scale electrical and water demand. Because other locations cannot readily accommodate large-scale industrial use the OCIDA is moving forward with planned development of the site to make it "shovel ready" for industrial tenants and has dismissed other locations from consideration as not meeting these same attributes and requirements. (Section 2.2.1).

Ultimately, OCIDA adopted the 2013 FGEIS and issued a Findings Statement which concluded, among other things, that the Park was the preferred location for the project. As a result, the Park was created to be capable of supporting a mix of industrial and/or small commercial uses with related office space, advances state-of-the-art research, large- or small-scale manufacturing, assembly, warehousing, data management, material processing and distribution facilities in a campus like setting. This background served the basis for the alternatives analysis in the Draft SGEIS.

The purpose of the Draft SGEIS was to evaluate the potential impacts of expanding the geographic footprint of the Park to make it an attractive and viable site that will bring high-tech facilities and high paying jobs to Onondaga County. In the Draft SGEIS, therefore, OCIDA revisited its prior alternatives analysis and evaluated the following:

1. No-action alternative (Draft SGEIS, Section 2.2) – The no action alternative would result in the Park remaining open space and potential habitat for common wildlife that is inaccessible and unutilized by the community until it is sold for other purposes. This alternative would avoid the potential need for to acquire lands pursuant to the EDPL to further expand the lands owned by OCIDA to support future development.
2. The Park as Considered in 2013 (Draft SGEIS, Section 2.3) – This alternative would keep the size of the Park to 340± acres, which is roughly 911± acres smaller than the currently proposed 1,250± acre expanded Project site.

3. Smaller Expansion (Draft SGEIS, Section 2.4) – A smaller expansion alternative, would allow for development on only a portion of the Project site, potentially keeping the remainder of the site in its current state, as vacant, undeveloped land or residential homes, and could reduce, or potentially avoid, the potential need to use EDPL to acquire lands.
4. Alternative Location (Draft SGEIS, Section 2.5) – Creation of a new Park at a different location, which would effectively leave the existing Park vacant as is and thus resulting in either no development at that site or a smaller development footprint.

Based on this analysis, the proposed Project was deemed preferred. More specifically, expansion of the existing Park was deemed preferred over restarting a new park at an alternative location.

First and foremost, the Park already exists and represents a substantial footprint of prime developable land that is appropriately zoned for industrial development. To start anew would effectively render the existing Park unusable as OCIDA's long-standing efforts to develop the Park as intended in 2013 have proved fruitless. Further, after looking at alternative sites for the last 20 years, OCIDA has determined that there are no other viable locations in Onondaga County that meet the stated purpose of the Project, which is to bring high-tech facilities and high paying jobs to Onondaga County in furtherance of OCIDA's mission. None of these previously considered alternative locations or those raised in the comments would be able to accommodate the large-scale industrial use the Park is promoting due to size limitations and proximity to services and necessary infrastructure.

Unlike other park locations, the expanded Park can accommodate large-scale industrial tenants that cannot easily locate elsewhere in Onondaga County due to their size and space requirements and need for suitable infrastructure. To OCIDA's knowledge, there are no other sites in Onondaga County to accommodate a developer from the semiconductor industry that contain sufficient land acreage and proximate to the necessary electric, gas, water and wastewater infrastructure.

Key aspects of the Park include the following:

- National Grid's Clay Substation is located adjacent to the Park on the west side of Caughdenoy Road. This existing substation is a major hub for high-voltage bulk power transmission and the estimated Project demand of 500 MVA is within the levels that National Grid has indicated can be provided. *See* Draft SGEIS, Section 4.4.1 & Appendix C.
- The Oak Orchard Wastewater Treatment Plant is located approximately 2.5 miles west of the Park and can accommodate the estimated sanitary sewer discharges from potential development of the expanded Park. *See* Draft SGEIS, Section 4.4.1.
- The Park is bisected by a 54-inch water main OCWA has indicated that there is sufficient public water service to meet the expanded Park's estimated water demand. *See* Draft SGEIS, Section 4.4.1 & Appendix C.

- NYS Route 31, which is a principal arterial west of Interstate-81, is located adjacent to the Park. This provides a crucial transportation network to service prospective tenants.
- An existing CSX rail line crosses the northwestern corner of the Park generally in a northeast/southwest direction.

The points coupled together with the lack of other viable locations within the County to accommodate the intended scale of the Park, and OCIDA's already substantial investment in the Park, confirm that other alternative sites are neither preferred nor viable.

Notably, local development plans have consistently identified the Park as a location for industrial development expansion including the *Town of Clay Northern Land Use Study* (2013) and the *Development Guide for Onondaga County* (2010).

- 2. There are many abandoned properties or vacant properties (such as Great Northern Mall and Shoppingtown Mall), and other existing locations with available infrastructure, throughout the County that are available to develop that were not explored.***

Response: See Response to Alternatives Comment 1.

- 3. All the presented proposed alternatives, and additional alternatives such as an 800-900 acre alternative, were not adequately analyzed. There was no justification for each alternative, justification was without logic, and based on irrelevant factors.***

Response: The Draft SGEIS considered a smaller expansion alternative, which alternative would allow for development on only a portion of the Project site, potentially keeping the remainder of the site in its current state, as vacant, undeveloped land or residential homes, and could reduce, or potentially avoid, the potential need to use the EDPL to acquire lands. See Draft SGEIS, Section 2.4. This alternative was fully evaluated. Specifically, it compared the potential impacts to the Project and also discussed limitations of the alternative. Ultimately, it concluded that the "smaller expansion alternative does not maximize the development potential of the Park and does not expand options for avoiding and mitigating potential adverse environmental impacts" and is therefore "not an acceptable option." See also Response to Alternatives Comment 1.

- 4. There are smaller alternatives that don't involve eminent domain that can be done. OCIDA can exercise the smaller alternatives, it simply doesn't want to.***

Response: See Response to Alternatives Comments 1 & 3. OCIDA did consider a smaller development alternative in both the 2013 FGEIS and in the Draft SGEIS. In both instances, it was determined that the smaller expansion alternative does not maximize the development potential of the Park and does not expand options for avoiding and mitigating potential adverse environmental impacts. See Draft SGEIS, Section 2.4.

- 5. *It is inappropriate in an environmental impact statement to weigh economic impacts, particularly in the alternatives sections 2.1, 2.2. The definition of ‘environment’ in 6 NYCRR § 617.2 does not include economic impact.***

Response: Alternatives sections 2.1 and 2.2 do not purport to weigh the economic benefit of the Project but merely notes the economic impact of certain alternatives vis-à-vis the Project. As detailed in the SEQR Handbook (p. 147):

It is not the intention of SEQR for environmental factors to be the sole consideration in agency decision-making. The purpose of SEQR is to ensure that the environmental impacts of an action are weighed and balanced with social, economic, and other considerations so that a suitable balance of social, economic, and environmental factors may be incorporated in the planning and decision-making processes of state, regional, and local agencies.

In accordance with SEQRA, after this Final SGEIS is completed, OCIDA will weigh both economic impacts as well as any adverse environmental impacts that have not been avoided, minimized or mitigated.

- 6. *The alternative of building the utility substation at another location was not analyzed.***

Response: The National Grid electrical substation already exists, which is one of the reasons why the Park is an ideal location for the semi-conductor industry. Building an alternative substation is not an appropriate alternative based on the purpose and need of this Project.

To the extent that the commenter meant to imply that other locations were suitable for future development because OCIDA could explore building another substation elsewhere, such an alternative is outside of OCIDA’s jurisdiction or control. OCIDA does not build, own, or maintain power substations. Moreover, OCIDA would note that a key factor in locating a substation is location in proximity to existing transmission lines and, here the existing National Grid substation is in close proximity to the NYPA and National Grid transmission lines.

- 7. *The OCIDA’s current level of investment should not be used as a reason for preference of a certain alternative.***

Response: The alternatives analysis and selection of the preferred alternative is based on the comparison of potential environmental impacts and existence of any limitations as enumerated in Section 2 of the Draft SGEIS. OCIDA’s current level of investment was not used as a criterion for comparing alternatives to identify a preferred alternative for this Project.

- 8. *The fact that technical studies are becoming outdated should not be a basis for preference of one alternative over another (p. ES4).***

Response: Comment noted. The No Action Alternative was fully evaluated in the Draft SGEIS Section 2.2 wherein it was determined not to be preferred. As detailed therein, the no action alternative would adversely affect Onondaga County’s ability to remain competitive in attracting large-scale industries to Central New York and would preclude potentially beneficial economic impacts associated with the Project, including an increase in employment opportunities and enhanced tax revenues. Also, as

previously disclosed in the 2013 FGEIS (Draft Section 2.1), current investment in the site may be lost with the no action alternative, as site conditions change over time. The no action alternative would also preclude a comprehensive plan of development that includes measures to avoid and minimize impacts to ecological resources versus potential piecemeal, and uncoordinated separate developments that would not consider the larger area that the Park encompasses. OCIDA also is not relying on the age of any technical studies as a criterion for comparing alternatives to identify a preferred alternative for this Project.

***9. Brownfield alternatives were not suggested in the EIS. Brownfield alternatives should be analyzed.***

Response: See Response to Alternatives Comment 1. There are no brownfield sites within Onondaga County that would be appropriate for this Project. The current brownfields within Onondaga County do not offer the needed acreage, utility capacities, or transportation connectivity to adequately accommodate the proposed development.

***10. A comprehensive plan for the area would be ideal, with development, forever wild, and educational/nature park alternatives to be equally considered.***

Response: Comment noted. The whole purpose of the Project is to facilitate a comprehensive plan of development that includes measures to avoid and minimize impacts to ecological resources versus potential piecemeal, and uncoordinated separate developments that would not consider the larger area that the Park encompasses and also incorporate greenspace and other preservation areas as appropriate and feasible.

***11. The wetlands will remain undisturbed/undeveloped regardless of the size of the development. A smaller sized park will not necessarily cause greater wetlands disturbance. Decreasing the size of the park will not circumvent the need for NYSDEC and U. S. Army Corps of Engineers wetlands regulations.***

Response: See Response to Alternative Comment 4, Community Character Comment 1. A smaller sized Park could result in greater wetland disturbance as the developable area would be smaller. As a result, the acreage needed for development could encroach on resources, such as wetlands, which would otherwise be avoided through a larger sized park footprint. The need for NYSDEC and USACE permits would be determined once a conceptual plan for a specific development is available, regardless of the size of the Park.

***12. The greenspace and buffering from environmental receptors are also a function of NYSDEC/USACE regulations as well as local planning and zoning ordinances (2.3.3).***

Response: Comment noted.

***13. Alternatives to acquiring the property through eminent domain have never been discussed.***

Response: In the first instance, eminent domain is not a foregone conclusion. See Response to Eminent Domain Comment 1. Irrespective, the Draft SGEIS does consider alternatives that would not require

eminent domain, including the No-Action Alternative (Section 2.2), the Park as Considered in the 2013 FGEIS (Section 2.3), a smaller expansion (Section 2.4) and development at another location (Section 2.5).

***14. The alternative of transmitting the power from the substation to downstate should be explored.***

Response: See Response to Alternatives Comment 6.

***15. A comment was made that a thorough review of all the alternatives has been done.***

Response: Comment noted.

## **Ecological Resources**

***1. There were general statements that the Park would cause contamination of ecological resources, and that the environmental impacts were not considered adequately.***

Response: Comment noted. Potential environmental impacts, including to air, water and land resources were evaluated in the Draft SGEIS. Impacts on water resources are evaluated in section 4.6, air resources in section 4.7, and ecological resources in section 4.8.

***2. There were general statements that the increase in cars and trucks as a result of the development would cause contamination of land.***

Response: See Response to Ecological Resources Comment 1; Response to Air Resources Comment 2; Response to Water Resources Comment 2.

***3. Comments were made that the pollution generated from advanced manufacturing facilities that would eventually be located at the Park would impact watersheds, rivers, and other water bodies, including the Oneida Lake Watershed.***

Response: See Response to Ecological Resources Comment 1, Response to Water Resources Comment 1. The impact analysis and potential mitigation measures detailed in the Draft SGEIS, specifically Section 4.6, include measures to prevent adverse impacts on local water resources, including the Oneida Lake Watershed.

Potential air and solid waste impacts are also addressed. See Draft SGEIS, Sections 4.7, 10.0. While a modern industrial park may create air emissions as well as solid and hazardous waste associated with vehicles and/or manufacturing processes, environmental laws and regulations at the federal, state, and local level are in place to minimize these risks during Park construction and operation.

All future industrial development will be subject to applicable air emission permitting under NYSDEC. Facilities locating within the Park will also have to meet air emission permit requirements designed to meet the National Ambient Air Quality Standards (“NAAQS”) and comply with all applicable regulatory requirements. See Draft SGEIS, Section 4.7. For purposes of minimizing Greenhouse Gas (“GHG”) emissions, future tenants will be encouraged to promote green infrastructure and energy efficiency (Section 9.0) and, to the extent feasible, use renewable forms of energy to power operations.

Solid waste management will be consistent with goals established by the Onondaga County Resource Recovery Agency (“OCRRA”). *See* Draft SGEIS, Section 10.1. It is anticipated that a Project site developer will institute measures to reduce solid waste generation, reuse materials (where possible), and institute recycling measures. These “best-management” practices are cost-effective alternatives to offsite disposal. Future development and operations within the Park will also be required to comply with Chapter 194 of the Town’s Solid Waste Code.

Additionally, hazardous waste that is generated, treated, and stored by the Park will be controlled by permits and regulations administered by NYSDEC and U.S. Environmental Protection Agency (“USEPA”), under the Resource Conservation and Recovery Act (“RCRA”). *See* Draft SGEIS, Section 10.2. Off-site disposal of hazardous waste would be coordinated with a licensed hazardous waste hauler and one or more permitted treatment/disposal facilities.

***4. General concerns were expressed regarding the adequacy of the identification of wetlands and the assessment of impacts to the wetlands. Mitigation cannot be determined because the developer is unknown. Wetlands have not been field verified.***

Response: *See* Response to Purpose and Need Comment 15. Wetlands were identified using published maps widely used and relied upon by state and federal agencies, including NYSDEC. Additional information from prior wetlands delineations were included in the 2013 FGEIS. Due to the expectation that development will occur within the Prime Developable Area, impacts to wetlands are not anticipated. Once there is a specific development proposal, field reconnaissance, and if necessary, delineation, based on a conceptual plan for a specific development, will confirm the regulated status of wetland areas potentially impacted, if any and mitigation will be addressed as need be.

***5. There are sensitive receptors in the community, such as children, nursing homes, churches, and parks, that will be impacted by the air pollution and water pollution that have not been mentioned.***

Response: Potentially sensitive receptors within 2,500 feet of the project were identified. *See* Draft SGEIS, Section 4.12. *See also* Response to Air Resources Comments 1 & 2, Response to Water Resources Comments 1 & 2.

***6. General comments were expressed that the environmental impacts of road improvements, including widening, were not adequately addressed.***

Response: The roadway improvements area of potential effects are considered, and their impacts are addressed for each individual resource area within their respective sections in the Draft SGEIS, 3.0 Environmental Setting and 4.0 Potential Environmental Impacts and Mitigation. This approach adequately satisfies SEQRA. A specific example of where the proposed roadway improvements’ potential environmental impacts were considered and described is within Section 3.6.2 Surface Water under Proposed Utility Line Routes and Roadway Improvements.

**7. *Semiconductor plants are sensitive to seismic shocks. Very large buildings built in wetlands or muddy terrain will shift or sink. An example is Cicero High School.***

Response: The expectation is that development will occur within the Prime Developable Area, accordingly OCIDA does not anticipate large buildings will be constructed in a wetland. Further, the expanded Park is in a seismically stable zone. The United States Geological Survey (“USGS”) produced a 2014 Seismic Hazard Map for New York State showing the site within a zone that has a 2% probability of exceeding a spectral acceleration (*i.e.*, ground movement) of 8-10% gravity. This seismic risk zone is the second lowest of six zones in the State. There is an existing geotechnical report for the site that included an evaluation of soil types. It is fully expected that any future developer will consider the soil types and seismic risk probability during their foundation design. *See* Draft SGEIS, Section 3.5.

**8. *The water bodies referenced in the EIS- Young’s Creek, Oneida River Basin, Oneida River basin tributaries- are not classified correctly.***

Response: The water bodies referenced in the Draft SGEIS were identified using both the New York Stream Classification Map (*see* Draft SGEIS, Fig. 3.6) and the NYSDEC Environmental Resource Mapper, which correlate with 6 CRR-NY X B 14 899. In the northern portion of the Site, Youngs Creek was identified as a tributary to Oneida River and has a classification of C (6 CRR-NY 899-10). The other classified streams on site were identified as tributaries to Oneida River as well and are also class C waters (6 CRR-NY 899-10).

**9. *Groundwater displacement from construction was not addressed.***

Response: Groundwater impacts from construction were addressed. *See* Draft SGEIS, Section 4.6.1. As discussed, shallow groundwater conditions will be considered during the site design/construction and may require engineering controls or mitigation. This was also indicated in the 2013 FGEIS. Potable water at the Park will be derived from an existing OCWA waterline and groundwater will not be needed. Therefore, future site operations are not anticipated to impact long-term groundwater quantity. Furthermore, it is anticipated that standard best engineering practices will be employed by any future tenant(s) to minimize any changes to existing topography and vegetative cover, which will minimize any related impacts to drainage and water quality.

**10. *Concerns were raised that environmental impacts to neighborhoods outside of the Burnet Road residents were not considered.***

Response: Impacts to sensitive receptors/resources and the surrounding neighborhoods, including residences located near the Park were evaluated for each resource area as required by SEQRA. Additionally, in conjunction with either a zone change or PDD approval process, OCIDA and/or a future tenant will work with the Town Board and/or Planning Board to identify specific issues or areas of concern and develop specific measures to address or alleviate such concerns to ensure the objectives of the Project are achieved while also minimizing or mitigating development related impacts on the surrounding community. *See* Draft SGEIS, Section 4.2.

***11. The EIS states that 626 acres are prime agricultural land. Prime agricultural land should not be used for industrial purposes.***

Response: Comment noted. No designated Agricultural Districts exist on the project site and the closest Agricultural District is approximately one-mile northwest (Onondaga County Agricultural Districts, 20192). Although the property currently has only limited agricultural use, future development as a business park/manufacturing site will reduce the availability of suitable agricultural soils.

***12. Costs associated with cleanup and land recovery have not been built into the analysis. Greenfields should be valued higher than the cost to revert it to its natural state.***

Response: Comment noted. See Response to Purpose and Need Comment 8.

***13. The EIS does not identify where the existing habitat tracts are located and whether they are restricted to wetlands or whether they are in other locations within the park (2.3.2).***

Response: See Response to Purpose and Need Comment 15. It is impracticable to predict the locations of the habitat tracts that will be maintained or retained until a conceptual plan for a specific development is available. Once a conceptual plan is developed, as need be, the habitat tracts will be identified and will include both wetland and non-wetland areas of the Park.

***14. The wetlands will remain undisturbed/undeveloped regardless of the size of the development. A smaller sized park will not necessarily cause greater wetlands disturbance. Decreasing the size of the park will not circumvent the need for NYSDEC and U. S. Army Corps of Engineers wetlands regulations.***

Response: See Response to Alternatives Comment 11. If a specific development proposal is made that will impact wetlands on the Project site, the project sponsor will be required to comply with applicable state and federal laws and regulations pertaining to wetlands.

***15. Section 3.8.1 states that actual boundaries of the NWI wetlands may differ from the time the imagery maps were created and provides reasons for the discrepancies, however, the reasons do not adequately discuss ecological succession and its importance, and does not address impacts to those areas.***

Response: See Response to Purpose and Need Comment 15. The Draft SGEIS included a wetlands evaluation for the expanded Park area of the Project site that consisted of an review of state and federal agency resource information maps, soils descriptions, aerial photos, and a delineation report prepared by Terrestrial Environmental Specialists, Inc. ("TES") in 2013. This provided an understanding of the potential nature and extent of wetlands on the Project site. At the time that there is a specific development proposal for the Park, field reconnaissance, including a wetland delineation and soil samples may be necessary to determine the presence of any wetlands, their precise wetland boundaries, and whether there is any connection to a jurisdictional waterway. See Draft SGEIS, Sections 3.8.1 and 4.8.1. Ecological succession is inferred.

***16. General statements were made that there are threatened and endangered species, or habitat or those species present on the site. Mitigation of those impacts are not discussed.***

Response: Mitigation of impacts on threatened and endangered species and/or habitat is discussed in Section 4.8.4 of the Draft SGEIS. Section 4.8.4 identifies specific measures for those species that were previously identified as being in the vicinity of the Park, as well as those species which have potential habitat within the Park or in its vicinity.

***17. There is no concrete plan, therefore the mitigation described addressing the environmental impacts of a project this size on the air, water, wildlife and ecosystem is inadequate.***

Response: See Response to Purpose and Need Comment 15.

***18. Since there is no concrete plan, there is no identification of responsibilities when irreversible environmental impacts take place.***

Response: Comment noted. See also Response to Purpose and Need Comment 15.

***19. Surveys of rare, threatened and endangered plants and wildlife should be required prior to development.***

Response: There are no critical environmental areas or significant natural communities within or in the vicinity of the project area. Based on the available resources reviewed, there are no threatened and endangered animal species identified by the NYSDEC New York Natural Heritage Program (“NYNHP”) and U.S. Fish and Wildlife Service (“USFWS”) known to inhabit or frequent the Project site. See Draft SGEIS, Section 4.8.4.

Future site development activities, including utility line construction and roadway improvements, will be monitored for any occurrence of the identified potential threatened, endangered, or species of special concern, including the Sedge wren, Eastern massasauga, Indiana bat, Osprey, and Sharp-shinned hawk to ensure that construction activities will avoid any direct harm to these listed species. Additionally, the following USFWS recommendations, which restrict and/or prohibit incompatible construction practices will be followed, if any potential habitat/species is recognized through site reconnaissance. Additional coordination with NYSDEC will also be made prior to the commencement of development activities for concurrence and further guidance, as wildlife/habitat survey(s) may be required (i.e., a grassland breeding bird survey). See Draft SGEIS, Section 4.8.4.

***20. There is no post-development monitoring efforts identified to ensure wetlands and floodplains are not impacted and that mitigation is not required. Post-development monitoring should be made public.***

Response: Due to the expectation that future development will occur in the Prime Developable Area, impacts to wetlands are not anticipated. To the extent that a specific development proposal is made, post-development monitoring will be considered and required if need be, in consultation with the NYSDEC and project-related permitting. See also Response to Community Character Comment 1, Ecological Resources Comment 4.

There are no FEMA mapped floodplains within the Park. *See also* Response to Stormwater/Drainage/Flooding Comment 5.

### **Stormwater/Drainage/Flooding**

***1. Stormwater impacts were not adequately addressed. Stormwater volume and pollutant loads are not identified.***

Response: It is anticipated that coverage under State Pollutant Discharge Elimination System (“SPDES”) General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 (“SPDES Construction GP”) would be required. The Stormwater Pollution Prevention Plan (“SWPPP”) would identify best practices and standards for erosion and sediment control incorporating engineering standards developed by the NYSDEC (2016). These practices may include engineering controls, such as silt fences, hay bales, geofabric installation, stormwater retention, stabilized construction entrances, check dams, and infiltration basins. A stormwater modeling and analysis component of the SWPPP would also be required to reflect pre- and post-construction conditions and would include volume calculations. *See* Draft SGEIS, Section 4.6.3.

*See also* Response to Purpose and Need Comment 15.

***2. The entire site should be included in the MS4. It is currently not included.***

Response: The entire site is not included in a designated Municipal Separate Storm Sewer Systems (MS4). *See* Draft SGEIS, Section 3.6.3. Although the Town of Clay and the Town of Cicero are both designated MS4s, the Site is not located within either of the designated MS4 boundaries. *See* NYSDEC Stormwater Interactive Map (<https://gisservices.dec.ny.gov/gis/stormwater/>; accessed June 15, 2021). The MS4 boundaries are immediately south and east of the site.

As part of the SPDES Construction GP and SWPPP, which is an anticipated requirement of future development at the Park, a MS4 SWPPP Acceptance Form from the Town of Clay and/or Town of Cicero may be required, depending on the off-site locations of the stormwater discharges.

***3. The impacts to neighborhoods from the many acres of paved surfaces was not addressed.***

Response: Stormwater impacts, and potential mitigation measures were addressed. *See* Draft SGEIS, Section 4.6.3. Onsite impervious surfaces will be addressed through an anticipated SPDES Construction General Permit and associated SWPPP. All stormwater will be appropriately managed to ensure any off-site discharge is properly managed and does not negatively impact neighboring properties.

***4. Stormwater impacts to the receiving waters of Young’s Creek, Oneida River, Oneida Lake and Lake Ontario are not addressed.***

Response: *See* Response to Stormwater/Drainage/Floodplain Comment 1. Any potential impacts to the receiving waters would be addressed in the SWPPP. *See* Draft SGEIS, Section 4.6.3.

**5. Floodplains must be delineated.**

Response: As detailed in Section 3.6 of the Draft SGEIS, there are no FEMA mapped floodplains or Special Flood Hazard Areas within the Park. The Park lies entirely within FEMA flood zone X, which is an area of minimal flood hazard. A copy of the Federal Emergency Management Area (“FEMA”) Floodplain Changes in Onondaga County (2016) Map from the Syracuse-Onondaga County Planning Agency was reviewed and is included as Appendix A of the Draft SGEIS. The map depicts the floodplain boundaries referenced throughout the document.

**Solid and Hazardous Waste**

**1. Concerns were raised on how water waste and solid waste will be handled and where it will be disposed. Will it stay in the County or be shipped elsewhere?**

Response: It is anticipated that wastewater would be handled by the Oak Orchard Waste Water Treatment Plant (“WWTP”). Future operations would most likely include one or more wastewater treatment facilities on site at the Park that would provide pretreatment of wastewater prior to discharge into local sewers. See Draft SGEIS, Section 4.4.1.

Additionally, management and disposal of solid waste will be consistent with the goals established by OCRRA in its September 2016 Solid Waste Management Plan Update. See Draft SGEIS, Section 10.0. It is anticipated that the Town of Clay will incorporate solid waste management requirements (including reuse and recycling measures) into any zoning and land use approvals issued to a future tenant. These “best-management” practices are cost effective alternatives to offsite disposal. It is anticipated that local haulers will provide adequate services to the Park, as is currently being provided to other businesses and industrial users in the County. At this time, it is unknown as to where the future hauler would transport the waste material, as a hauler has not yet been selected.

**2. Concerns were expressed about the potential hazardous materials that are used to manufacture the chips in a semiconductor facility. Do those materials include: hydrochloric acid, metals (arsenic, cadmium, lead), volatile solvents (methyl chloroform, toluene, benzene, acetone, trichloroethylene), toxic gases (arsine)?**

Response: See Response to Purpose and Need Comment 15, Solid and Hazardous Waste Comment 1.

Various types of hazardous materials may be produced a result of the potential manufacturing activities that could take place at the proposed expanded Park. Hazardous waste could be in solid, liquid or gaseous forms and is considered hazardous because of its physical characteristics or the process that generated the waste. Potential waste streams may include solvent wastes, isopropyl alcohol, acids, hydrogen fluoride, ethylene glycol, chlorine, wastewater sludge, metal slurries, and metal plating wastes.

Generation of waste products has the potential to create a small to moderate impact if not handled properly and in accordance with State and Federal regulations. However, any such impacts will be mitigated through the use of engineering controls, staff training, best-management practices, and regulatory compliance with State/Federal permits, laws and regulations will be instituted. Hazardous waste that is generated, treated, and stored is controlled by permits and regulations administered by NYSDEC and USEPA, under the RCRA. Off-site disposal of hazardous waste would be coordinated with a licensed hazardous waste hauler

and one or more permitted treatment/disposal facilities. Permitted facilities in New York State that accept hazardous waste include Chemical Waste Management - Model City (Niagara County) and Durez Corporation (Niagara County). Alternatively, hazardous waste may be transported out-of-state using private vendors.

**3. *There were general comments and concerns regarding the negative impacts of solid and/or hazarded waste that is generated from the Park. Who will have responsibility for clean ups?***

Response: *See* Response to Ecological Resources Comment 3. With respect to potential spills, federal and state law require the spiller, or responsible party, to notify government agencies and to contain, clean up, and dispose of any spilled/contaminated material in order to correct any environmental damage. NYSDEC can provide additional resources to local agencies during emergencies and will remain involved if continued cleanup of the environment is required. Continued cleanup is the responsibility of the spiller and is required if contamination and environmental damage remain after the initial containment and recovery.

## **Water Resources**

**1. *There were general statements that the Park would cause contamination of water and that the environmental impacts were not considered adequately.***

Response: Comment noted. Potential environmental impacts to water resources were evaluated in the Draft SGEIS in Section 4.6.

The location and extent of any temporary or permanent measures to address or control surface water will be determined at the engineering design phase of tenant development. Implementation of these measures may require authorization under a United States Army Corp of Engineers (USACE) Nationwide Permit, which would likely be determined during and/or after the engineering design phase. Any other local, state, and/or federal regulatory requirements would also be determined at that time.

Maintaining vegetated buffer areas and re-vegetating disturbed areas as soon as practicable along the periphery of the Park and internally alongside wetlands and other surface features will help control stormwater runoff and fugitive dust from moving off-site. *See* Draft SGEIS, Section 4.7.

In compliance with State water quality and stormwater management regulations, future development will require a complete detailed Erosion and Sediment Control and Stormwater Pollution Prevention Plan prior to any construction. *See* Draft SGEIS, Section 6.1.

**2. *There were general statements that the increase in cars and trucks as a result of the development would cause contamination of water.***

Response: *See* Response to Comment Ecological Resources 1. Impacts resulting from vehicles were assessed on water resources in the Draft SGEIS. Prior to any construction activities, a SWPPP and SPDES Construction Permit with provisions to address potential concerns associated with accidental spills or leaks from construction equipment will be prepared. Included will be controls for vehicle refueling, maintenance, equipment inspections, spill response, and storage of petroleum products. *See* Draft SGEIS, Section 4.6.

**3. *The acreage of planned or estimated impervious surfaces needs to be stated (4.6.2).***

Response: See Response to Purpose and Need Comment 15. The estimated impervious surface acreage at the Park cannot be determined, as a conceptual plan for a specific development does not currently exist. The acreage of planned impervious surface will be analyzed once a development has been proposed and a conceptual site plan is made available.

**4. *The statement in Section 4.6.2, “because surface water drainage is primarily influenced by slope and soil properties, and these two factors will be largely unchanged from the original conditions following site development, no significant impacts to surface water are expected” is misleading. Surficial permeability (soil/ground cover, pavement, or other improvements such as roofs and landscaped/hardscaped areas) is the predominant factor. Slope determines velocity with determines flow (Volume/Time).***

Response: New York State stormwater design standards require the post development rate of runoff (volume/time) to be less than or equal to the pre-development runoff rate at each discrete discharge point. The development plans will have to meet the New York State standards to obtain permits and to be consistent with the Draft SGEIS with respect to potential environmental impacts. Some amount of natural ground cover will be replaced by impervious surfaces (e.g. roads, parking lots and building roofs). Stormwater detention features (ponds) are used to offset the increase in the rate of runoff from impervious surfaces. Any development that falls into a defined industrial category will also be required to obtain coverage under the New York State multi-sector general permit or obtain a site specific SPDES discharge permit. These permits place limits on specific contaminants in runoff discharges to surface waters.

The location and extent of any temporary or permanent measures to address or control surface water will be determined at the engineering design phase of tenant development. Implementation of these measures may require authorization under a United States Army Corp of Engineers (USACE) Nationwide Permit, which would likely be determined during and/or after the engineering design phase. Any other local, state, and/or federal regulatory requirements would also be determined at that time. See Draft SGEIS, Section 4.6.

Maintaining vegetated buffer areas and re-vegetating disturbed areas as soon as practicable along the periphery of the Park and internally alongside wetlands and other surface features will help control stormwater runoff and fugitive dust from moving off-site. See Draft SGEIS, Section 4.7.

In compliance with State water quality and stormwater management regulations, future development will require a complete detailed Erosion and Sediment Control and Stormwater Pollution Prevention Plan prior to any construction. See Draft SGEIS, Section 6.1.

**5. *General concerns were raised about the adequacy of the assessment of water resources at the site, including the wetland inventory, classification of streams.***

Response: The Draft SGEIS in conjunction with the 2013 FGEIS adequately evaluates impacts on water resources for the Park. See Draft SGEIS, Sections 3.6 and 4.6. See also Response to Water Resources Comment 1, Ecological Resources, Comments 4 & 15.

**6. *The EIS does not address a plan to prevent pollution, including from leaking underground storage tanks, from impacting water resources.***

Response: Section 4.6 of the Draft SGEIS addresses pollution prevention. As discussed in that section, it is anticipated that there will be a SWPPP and SPDES Construction Permit to address potential concerns associated with accidental spills or leaks from construction equipment. Included will be controls for vehicle refueling, maintenance, equipment inspections, spill response, as well as storage of petroleum products. A Spill Prevention Control and Countermeasures (“SPCC”) Plan and/or a NYSDEC Petroleum Bulk Storage (“PBS”) Registration may also be required if site development and/or operations are deemed regulated. The SPCC Plan would address the potential for minor accidental spills or leaks from construction equipment as well as any on-site PBS tanks or containers. The plan would also include provisions for inspections, secondary containment, equipment refueling practices, and spill response.

**7. *The EIS does not address the potential new use or the additional use of groundwater, and the potential for the project to introduce contaminants to the groundwater.***

Response: It is not expected that on site groundwater will be used as a water source, since an on-site OCWA water main can serve the Park. See Draft SGEIS, Section 4.6.1. However, potential development at the expanded Park could create up to 4,000 jobs, which could increase demand for housing, and require new residential construction spread throughout the Syracuse Metropolitan Statistical Area for future employees. Additional drinking water supplies, some of which may be from groundwater sources, are likely. This could present a relatively small, localized impact on groundwater availability, which was evaluated. See Draft SGEIS, Section 4.6.1. See also Response to Water Resources, Comment 1.

**8. *The EIS does not quantify the increase in pollution to soil and water. This must be made public prior to project approval.***

Response: See Response to Purpose and Need Comment 15. Once there is a specific development proposal for the Park, the existence and exact quantification of potential impacts will be quantified and made public in accordance with local and state permitting requirements.

## **Air Resources and Climate**

**1. *General statements were made regarding impacts to air and air contamination from the manufacturing, including air impacts from construction.***

Response: Comment noted. The potential impacts to air resources from construction and operation of future development are addressed in Section 4.7 of the Draft SGEIS.

**2. *There were general statements that the increase in cars and trucks as a result of the development would cause contamination of air.***

Response: See Response to Air Resources Comment 1. Potential impacts from vehicles on air resources were evaluated in the Draft SGEIS. While increases in traffic volumes are anticipated from the Park development, the mitigation (road and intersection improvements) proposed in the Draft SGEIS will allow traffic flow to be maintained with minimal change in corridor travel time speeds or delays (queuing of vehicles) at signalized intersections within the studied transportation network. The mitigation proposed for

the Project site will allow for vehicular flow at lower emission levels compared to a congested transportation network that has not had the proposed transportation mitigation implemented. *See* Draft SGEIS, Section 4.7.

**3. *There is no business or tenant. It is impossible to issue an air permit without a business or tenant. The project however, may require a permit.***

Response: The commenter is correct that an air permit may be required for future development of the Park. As noted in the 2013 FGEIS and section 4.7 of the Draft SGEIS, all future industrial development will be subject to applicable air emission permitting under the regulatory oversight of the NYSDEC. As this is a generic EIS, the commenter is correct that there is no current business or tenant for the Park. Once there is a specific development proposal for the Park, OCIDA will require that the proposed developer secure a NYSDEC air permit, as necessary in accordance with applicable statutes and regulations. The purpose of NYSDEC's air permit program is to "maintain a reasonable degree of purity of the air resources of the state, which shall be consistent with the public health and welfare and the public enjoyment thereof, the industrial development of the state, the propagation and protection of flora and fauna, and the protection of physical property and other resources, and to that end to require the use of all available practical and reasonable methods to prevent and control air pollution." It is anticipated that as part of any required air permitting that NYSDEC will impose, as appropriate, permit conditions to implement emission control equipment and other operating parameter and conditions, which any prospective tenant will be required to abide by to meet the program objectives.

**4. *How much greenhouse gas ("GHG") will be directly and/or indirectly produced due to this development?***

Response: *See* Response to Purpose and Need Comment 15. Based on the representative GHG emission estimates for a generic semiconductor manufacturing operation, GHG emissions from the expanded Park were detailed in the Draft SGEIS. As detailed in Section 4.7.2, GHG emissions from future development could include the following:

- Direct GHG emissions associated with natural gas and fuel oil combustion in boilers, thermal incinerators and other miscellaneous natural gas-fired sources
- Carbon dioxide emissions from the oxidation of volatile organic compounds (VOCs) from the expected use of liquid chemicals
- Specialty gases used in the manufacturing process, including fluorinated and chlorinated GHGs.
- Indirect (upstream) GHG emissions from the import of natural gas and fuel oil

Potential direct annual GHG emissions at the expanded Park could range from 150,000 metric tons carbon dioxide equivalent (MTCO<sub>2e</sub>) to 350,000 MTCO<sub>2e</sub>. Approximately 10-15% of these GHG emissions are expected to result from the use of specialty gases including nitrogen trifluoride and sulfur hexafluoride, which have 20-year global warming potentials (GWP) of 12,800 and 16,300, respectively. Indirect (upstream) potential annual GHG emissions from the import of fossil fuels could range from 150,000 MTCO<sub>2e</sub> to 250,000 MTCO<sub>2e</sub>.

In general, OCIDA will take a proactive approach to addressing sustainability, climate change and GHG

Reduction and seek to reduce GHG emissions. This approach may include the following:

- Working with future developers to develop process improvements, including those that reduce GHG emissions by eliminating the use of the GHGs with higher Global Warming Potential (GWPs)
- Promoting goals to improve energy efficiency and reduce electricity consumption
- Implementing co-pollutant reduction measures (air emission controls)
- Promoting the use of a vehicle fleet that includes hybrid and electric vehicles.

**5. *A comment expressed concerns that ammonia may be used in chip manufacturing, and if so, how it impacts air emissions, and how those impacts will be mitigated?***

Response: Comment noted. The potential for ammonia and mitigation options is discussed in the Draft SGEIS at Section 4.7.3. It is anticipated that ammonia will be addressed as part of any NYSDEC-issued air permit for future development.

**6. *The climate in New York is not suited to advanced manufacturing, other states are more suitable which is why they are choosing to locate elsewhere.***

Response: Comment noted. New York State has been and continues to be at the forefront of advanced manufacturing. The State has a long history of advanced manufacturing companies. Advanced manufacturing companies continue to locate, operate and expand in the State due to its workforce and utility infrastructure. Indeed, high tech industries have recently chosen to develop manufacturing capacity in upstate New York including Cree in Marcy, NY and GlobalFoundries in Malta, NY. GlobalFoundries has invested \$15 billion in upstate New York development in the last decade and recently announced they are relocating their headquarters from California to Malta.

**7. *There were general comments that the project is not in conformance with the latest trends to “go green”, including NY State and Federal regulatory mandates and climate change policies.***

Response: Climate change, specifically the Climate Leadership and Community Protection Act (“CLCPA”), is addressed in the Draft SGEIS at Section 3.7.2 and 4.7.2. All future industrial development will be subject to applicable air emission permitting under NYSDEC. Such an application will be required to be submitted to NYSDEC who will, in turn, review the application in accordance with all applicable state and federal laws, and impose appropriate permit conditions. NYSDEC will also undertake a review of the potential development’s GHG emissions under the CLCPA.

With respect to “green” building design, there are no New York State or Federal initiatives that mandate the application of green building practices or technologies. Rather, there are minimum energy efficiency standards set for design. Section 9 of the Draft SGEIS specifically identifies and references New York State Energy Research and Development Authority (“NYSERDA”), New York State Executive Order 111, Energy Star, OCIDA Promotions and Incentives, and Leadership in Energy and Environmental Design (“USGBC”) as applicable Federal, State, and Local entities with initiatives that promote and reward energy efficiency and “green” building opportunities. It also specifically discusses the benefit of implementation of energy efficient technologies relative to the manufacturing sector as well as industry partnership

challenges and achievements that are targeted for manufacturing. Rewards and recognition are available for manufacturers that achieve their energy reduction and environmental improvement goals.

## Cultural Resources

1. *Concern was raised that numerous NYS Museum and SHPO identified archaeological sites located within one mile of the project site and area of utility improvements.*

Response: Impacts on cultural resources as well as mitigation measures are fully discussed in Section 4.9 of the Draft SGEIS. As disclosed in Section 4.9, State Historic Preservation Office (“SHPO”) is an involved agency and OCIDA will follow their recommendations with regard to any further evaluation of cultural and archeological resources.

## Eminent Domain

1. *There were several comments against the potential use of eminent domain for the purposes of acquiring land for a private purposes.*

Response: Comment noted. Eminent domain will only be used as a last resort and its exercise will be pursuant to the New York Eminent Domain Procedure Law. OCIDA’s preference has always been and remains to come to an agreement with any landowner whose property is needed for the Project whereby the landowner is fully compensated for whatever property is acquired. See Response to Purpose and Need Comment 8.

2. *There were several comments against the potential use of eminent domain for the purposes of acquiring land without a clear project or proposed developer in mind.*

Response: See Response to Eminent Domain Comment 1.

3. *Residents of Burnet Road expressed no desire to move from their homes. The threat of eminent domain is generally being abused, including to motivate residents to sell below market value.*

Response: See Response to Eminent Domain Comment 1.

4. *OCIDA is an independent public benefit corporation that does not have the authority to use eminent domain.*

Response: Comment noted. Industrial Development Agencies in general, and OCIDA in particular, possesses the power of eminent domain pursuant to General Municipal Law (“GML”) §§ 852, 858, and 895. Specifically, GML § 858(4) authorizes industrial development agencies,

...to acquire by purchase, grant, lease, gift, **pursuant to the provisions of the eminent domain procedure law**, or otherwise and to use, real property or rights or easement therein necessary for its corporate purposes... (emphasis added)

Numerous judicial decisions have confirmed industrial development agencies' power of eminent domain. *See, e.g., Kaufmann's Carousel, Inc. v City of Syracuse Indus. Dev Agency*, 301 A.D.2d 292, 299 (4th Dep't. 2002), *lv denied* 99 NY2d 508 (2003); *Matter of Northeast Parent & Child Soc'y v. City of Schenectady Indus. Dev. Agency*, 114 A.D.2d 741,742 (3rd Dep't. 1985). *See also* Response to Purpose and Need Comment 8.

**5. *Why is eminent domain necessary since there is enough room to buffer the proposed site from the neighbors?***

Response: The expanded footprint is necessary to accomplish the stated purpose of the Project. *See* Draft SGEIS, Section 1.1.1, 1.1.2, & 1.1.3. There is insufficient room to buffer the anticipated development of the site from the residents of Burnet Road. Even if future development could be achieved without expanding the Park to include the residences on Burnet Road, it would likely result in significant environmental impacts (*e.g.*, visual and noise) to the remaining residents and would reduce the size of open greenspace incorporated into any development design and potentially cause greater wetlands disturbance.

Eminent domain will only be used as a last resort and its exercise will be pursuant to the New York Eminent Domain Procedure Law. OCIDA's preference has always been and remains to come to an agreement with any landowner whose property is needed for the Project whereby the landowner is fully compensated for whatever property is acquired. *See also* Response to Purpose and Need Comment 8.

**6. *General questions and comments were made regarding the procedures and regulatory requirements, including timing, under Eminent Domain Procedure Law.***

Response: Eminent domain will only be used as a last resort and its exercise will be pursuant to the New York Eminent Domain Procedure Law. OCIDA's preference has always been and remains to come to an agreement with any landowner whose property is needed for the Project whereby the landowner is fully compensated for whatever property is acquired. *See also* Response to Purpose and Need Comment 8.

**7. *A question was raised whether OCIDA is acquiring the Burnet Road residences only for purposes of acquiring Burnett Road as an access road.***

Response: OCIDA is acquiring the residences on Burnet Road in order to expand the Park. Until such time as there is a specific tenant or tenants, the actual development of the Park, including location of access roads, etc., has not been determined.

**8. *Greenfields should be valued higher than the cost to revert it to its natural state.***

Response: Any and all property acquired pursuant to the eminent domain process will be valued at its highest and best use at the time of any such taking consistent with the obligation to pay just compensation pursuant to the Eminent Domain Procedure Law and United States and New York Constitutions. *See also* Response to Purpose and Need Comment 8.

**9. *Concerns were raised regarding taxpayer obligations to pay legal fees and possible settlements should the residents decide to litigate.***

Response: Comment noted. Any such litigation is governed by the provisions of the Eminent Domain Procedure Law. *See also* Response to Purpose and Need Comment 8.

***10. One commenter expressed their opinion that eminent domain would trigger SEQRA.***

Response: Comment noted. Pursuant to the Eminent Domain Procedure Law and SEQRA, SEQRA will apply if, and when, OCIDA must exercise its eminent domain authority. As such, this SEQRA review of the Park expansion considers the potential environmental impacts of that possible future action by OCIDA.

**Transportation**

***1. General statements were made that the area cannot handle the increased traffic associated with the project.***

Response: The Traffic Impact Study (TIS) describes and analyzes both the existing and future traffic conditions with a buildout of the Park based on potential development assumptions. See Draft SGEIS, Appendix B. The TIS also makes recommendations for traffic operations and safety improvements to mitigate for the Park development within the transportation network. With appropriate mitigation, selected and implemented in consultation with the New York State Department of Transportation (“NYSDOT”), it is anticipated that the area can accommodate the increased traffic anticipated from future development of the Park. See Draft SGEIS, Section 4.3.

***2. Questions and general comments were raised regarding who is going to fund the road improvements.***

Response: See Response to Purpose and Need Comments 8 & 15.

***3. Route 31 is not capable of handling the anticipated traffic. Route 31, 11 and 81 are currently unsafe. Improvements are needed to Route 81 and Route 481.***

Response: The TIS addresses existing traffic conditions as well as future conditions with a buildout of the Park based on potential development assumptions. The TIS makes recommendations for traffic operations and safety improvements to mitigate for the Park development within the transportation network and, where appropriate proposes crash reduction measures, which includes recommendations at high crash locations. OCIDA will work with NYSDOT to adopt final traffic improvement measures to mitigate the potential operational and safety impacts. See Draft SGEIS, Appendix B.

***4. The traffic study is inadequate because the developer is unknown. The traffic study is based only on assumptions and is therefore inadequate.***

Response: See Response to Purpose and Need Comment 15. The TIS was developed using assumptions based on a potential built development scenario for the Park site, and an assessment of specific traffic impacts providing mitigation to satisfy those traffic impacts.

***5. The details of the traffic study are not provided. The commercial corridor on Route 11 is not addressed. It does not address which homes or properties will be taken for road widening. There is no commensurate transportation improvement plan.***

Response: The details are provided in the TIS. See Draft SGEIS, Appendix B. A discussion of the potential for property acquisitions related to transportation improvements is included in the Final SGEIS. See Final SGEIS, Section 5.2.

**6. *The traffic study should be presented in terms that the public can understand.***

Response: Comment noted. The TIS (Draft SGEIS Appendix B) was prepared in accordance with NYSDOT requirements. Sections 3.3 and 4.3 of the Draft SGEIS summarize the findings of the Traffic Impact Study in layman's terms to facilitate the public's understanding of potential traffic impacts.

**7. *The projected dates for failure of Route 31, Route 11, Interstate 81 ramps and Route 481 interchange are inaccurate. They will fail sooner with the project development.***

Response: The Traffic Impact Study describes and analyzes both the existing and future traffic conditions with a buildout of the Park. The potential development assumptions and scenario used a 'worst case' approach to growing traffic volumes, even in the midst of the pandemic with overall traffic volumes less than in past years' traffic counts. Growth rates were based on historical volume and trends and were agreed to be 0.75% per year.

Following its review, NYSDOT confirmed that the TIS meets its requirements and appropriately documents the study area. See NYSDOT Comment 7.

**8. *Concerns were raised regarding prolonged construction vehicle traffic on Caughdenoy Road between Route 481 exit and Route 31. Impacts to the Country Meadow and Coachman's Crossing developments are not addressed.***

Response: Comment noted. This concern was evaluated in the TIS (Draft SGEIS Appendix B) and mitigation proposed. As detailed therein, construction traffic would be scheduled outside peak travel times where feasible and would determine work zone traffic control and/or detour routes around the proposed work zones for site, utility, and transportation improvements.

Impacts of future developments were reviewed and those that have been approved to move forward or are in construction have been shown in the TIS.

**9. *Concerns were raised that the traffic study did not fully evaluate the impacts all along Route 31, only the intersections. Widening would impact the households along the entire route, not just the intersections.***

Response: See Response to Transportation Comment 7. The TIS does in fact describe the traffic flow effects along NYS Route 31 between the signalized intersections using Travel Speeds. See Draft SGEIS, Appendix B, Section 5.6 and Table 4. Use of travel speeds is an industry method of determining traffic flow changes. The improvement recommendations described in the TIS do not include widening of NYS Route 31 west of NYS Route 11.

**10. *Concerns were raised regarding evaluation of traffic increases in the building of the facility, and then the impacts of the traffic during operation.***

Response: See Response to Transportation Comment 1.

***11. The traffic study was completed in 2012 and is needs to be updated. There has been considerable development since that study was completed.***

Response: The TIS (Draft SGEIS, Appendix B) was provided as part of OCIDA's supplemental environmental review of the Project. Year 2021 existing traffic volumes are provided within the study area as part of the Traffic Impact Study. *See also* Response to Transportation Comment 1 and 8.

***12. Specific improvements were not identified, such as: will Route 31, Caughdenoy Road and Mudmill Road be 5 lanes; what will change at the Route 481 northbound exit; will it consider a Route 481 South on ramp.***

Response: The TIS (Draft SGEIS, Appendix B) discusses the menu of transportation mitigation that combined makes recommendations for traffic operations and safety improvements to mitigate for the Park development within the transportation network. *See also* Response to Transportation Comment 1.

## **Utilities and Community Services**

***1. A concern was raised as to whether the police department is able to provide the additional services needed due to this project.***

Response: Facility security is addressed in Section 4.4.2 of the Draft SGEIS. Future tenants of the Park are expected to provide security and basic emergency preparedness programs for their own facilities. As such, and as further detailed in the 2013 FGEIS and Draft SGEIS, development of the expanded Park is not anticipated to create a burden on the provision of police, fire, and emergency services.

***2. The current infrastructure, including sanitary sewers, and water supply, cannot support the project. The infrastructure also cannot support the sudden population growth associated with the new employees.***

Response: The utility companies serving the area have indicated that they have the necessary capacity to meet the demands of the proposed development. *See* Draft SGEIS, Section 4.4.1. Correspondence provided by the utility companies was included in Appendix C of the Draft SGEIS.

***3. The projected increased enrollment at Cicero North Syracuse School District of 1.6% is conservative. The current buildings are at over-capacity now. The taxpayers of Clay, Cicero and North Syracuse should not have to make up any necessary tax increases to accommodate the enlarged enrollment base. The analysis of the impacts on schools is unrealistic, and does not mention impacts to other schools***

Response: Comment noted. The impact of population growth and school enrollment due to the proposed development is addressed in Sections 4.4 and 7.1 of the Draft SGEIS. The estimated increase in student population the North Syracuse Central School District is approximately 1.6%. This estimate assumed that the increase in the student population would be proportional to the increase in the number of households and that the households are evenly distributed throughout the Syracuse MSA. *See also* Response to Purpose and Need Comment 8.

**4. Concerns were raised regarding who is paying for the new natural gas lines.**

Response: See Response to Purpose and Need Comments 8 & 15. Once there is a specific development proposal and a new natural gas line is authorized to proceed, responsibility for the cost of construction will be determined.

**5. Comments were raised that the impacts on drinking water were not adequately addressed. Will the facility have priority in receiving water supply during a drought or restricted use periods?**

Response: No impacts to drinking water are anticipated. The expanded Park's estimated water demand is within the levels OCWA has indicated it can provide, and would not adversely impact the availability or capacity of the local public water supply in the surrounding area.

Future development will not have priority in receiving water supply.

**6. Who will be responsible for making the determination whether wastewater pre-treatment is required and at what limits? Concerns were raised regarding whether a wastewater treatment plant will be on site.**

Response: Industrial wastewater pre-treatment may be required on-site by the OCWEP prior to discharge to the Oak Orchard WWTP, if the wastewater strength from the expanded Park exceeds the limits established for discharge to the municipal sanitary sewer system. It is expected that future operations will include one or more wastewater treatment facilities that will provide pretreatment of wastewater prior to discharge into local sewers. See Draft SGEIS, Section 4.4.1.

**7. There will be significant impacts to Meltzer Park. Impacts to Meltzer Park are inadequately identified.**

Response: The Visual Impact Assessment located in the Draft SGEIS, Appendix D, includes Meltzer Park as a potential viewpoint. As discussed in the VIA, during leaf-off seasons Meltzer Park will have potential views of the Park. See Draft SGEIS, Appx. D, p. 13. The view is likely to increase with more vertical structures. However, these views are expected to be partial views that are screened to some degree by either topography or vegetation rather than unobstructed views.

**8. What is the quantity of water that will be used daily, and will this effect lake levels. Will the water usage impact residents along the Oneida River or Oneida Lake.**

Response: See Response to Purpose and Need Comment 15, Response to Utilities and Community Services Comment 5. The expanded Park's estimated water demand of 5 MGD is within the levels OCWA has indicated it can provide, and therefore future development of the Park would not adversely impact the availability or capacity of the local public water supply in the surrounding area. No mitigation would be required.

**9. Will the development affect the power lines near or on the site?**

Response: See Response to Purpose and Need Comment 15. It is anticipated that future development will avoid and not impact the power lines that are located on or in the vicinity of the Park.

## **Human Health**

- 1. There are sensitive receptors in the community, such as children, nursing homes, churches that will be impacted by the air pollution, water pollution that have not been mentioned.*

Response: Potentially sensitive receptors within 2,500 feet of the project were identified in Section 4.12 (Human Health) of the Draft SGEIS, which is greater distance than required by the SEQRA process (*i.e.* 1,500 feet). The section addressed the potential impacts of pollution, increased traffic and noise to sensitive receptors in the community and mitigation measures during construction and operation.

- 2. Workers at semiconductor facilities have a higher incidence of health problems, such as cancer and miscarriages. This was not addressed.*

Response: Comment noted. *See* Response to Purpose and Need Comment 8. Nevertheless, OCIDA notes that the Occupational Safety and Health Administration (“OSHA”), which is part of the United States Department of Labor, governs the safe and healthful working conditions for workers in the United States. Under the provisions of the Occupational Safety and Health Act of 1970 (“OSHA”), employers must provide a workplace free from recognized hazards. Employers must comply with all OSHA worker safety standards. Typical preventive measures include safety training, establishment of work procedures, providing personal protective clothing (as necessary), internal audits, medical monitoring of staff, and OSHA reporting of any accidents. It is anticipated that any prospective tenant for the Park will comply with all health and safety laws and regulations, including OSHA’s worker safety standards.

## **Noise**

- 1. Commenters made statements and expressed general concerns regarding noise associated with the project.*

Response: Potential noise impacts were evaluated. *See* Draft SGEIS, Section 4.11.1. To estimate potential noise levels, a noise impact assessment was performed, in accordance with NYSDEC guidance. Based on a potential development and a conceptual footprint over the prime developable area, a noise impact assessment found that:

- Operation of the Park is not anticipated to increase sound levels above current daytime levels at surrounding property lines or sensitive receptors.
- Operation of the Park may increase sound levels above current nighttime levels at surrounding property lines or sensitive receptors by up to 4.4 decibels, which per NYSDEC guidance, is considered “unnoticed to tolerable.”
- Temporary and intermittent construction activities at nearby receptor property lines has the potential to increase sound levels by more than 10 decibels.

Further, future Park tenants will not be permitted to exceed applicable noise thresholds established in Section 152-4 of the Clay Town Code.

Various options to mitigate noise, which can be incorporated into the various phases of site development to reduce potential noise impacts, are detailed in the Draft SGEIS.

## **Visual Impacts**

### ***1. General comments were made regarding impacts to the views of the site.***

Response: The Draft SGEIS included an evaluation of potential visual impacts. *See* Draft SGEIS, Section 4.10. Specifically, it considered the prior Visual Impact Assessment (“VIA”) prepared in 2000 for a previous industrial scenario at the Park by Integrated Site, Landscape Architects, P.C., but its assumptions and conclusions remain valid. It then included an updated VIA due to the expansion of the Park and the issuance of the 2019 New York State Department of Environmental Conservation’s Program Policy DEP-00-2 “Assessing and Mitigating Visual and Aesthetic Impacts.” *See* Draft SGEIS, Section 4.10 & Appendix D. The updated assessment included a review of previously identified sensitive receptors, identification of new receptors as defined by the 2019 NYS Policy, assessment of views from those locations, and identification of mitigation strategies for potentially impacted locations. In total, the updated VIA identified a total of 52 sensitive receptor locations that could potentially be impacted by development of the Park. Of those 52 locations, 34 were identified in the previous assessment and 18 were additional locations identified within a 5-mile radius of the Park.

Based on the VIA, it was concluded that all publicly accessible locations identified based upon the DEP 2019 policy category list would have their view to the Park screened based upon their distance from the site, the relatively flat topography, and the presence of forested areas or patches between the location and the site. Five private or local resources were identified as having partially screened views to the Park and two locations, including the Caughdenoy Road power substation, were determined to have open views to the Park:

Various mitigation options were evaluated, including but not limited to the construction and placement of earthen berms, the use of native plant material, forested buffers, context sensitivity, camouflage/disguise, low profile and consolidation, as well as efficient site lighting and engineering design for site entrances. Mitigation was also considered for lighting impacts.

Once a development is proposed for the Park, it is anticipated that the developer will work with the County and local agencies during the site development process to identify the best strategies to mitigate any potential visual impacts from the proposed development.

### ***2. The visual impact of the development was inadequate. A facility of this size, such as the Amazon warehouse in Clay, will have much more of a visual impact. The building is too large a scale for the area.***

Response: *See* Response to Visual Comment 1. The VIA was prepared utilizing a suggested development footprint that maximized the site conditions both horizontally and vertically. This approach was followed to offer an accurate analysis that identified the most visual impacts until a more refined development footprint could be determined once there is a specific tenant or tenants proposed for the Park. *See* Draft SGEIS, Section 4.10

## **Open Space**

- 1. Section 4.2.2 indicates that development will not result in the loss of public open space. This is a greenfield project. Please define open space.*

Response: The NYSDEC Environmental Assessment Form (“EAF”) Workbook defines open space as “[l]and left in a natural state for conservation, recreation, scenic, or possibly agricultural purposes devoted to the preservation of distinctive ecological, physical, visual, architectural, historic, geologic or botanic sites.” The existing Park and proposed expanded areas do not qualify.

## **Energy**

- 1. The New York State Energy Code was not taken into consideration in the EIS.*

Response: The Draft SGEIS does consider the New York State Energy Code in Section 9.3. There, the New York State Energy Code is referenced as the State Energy Conservation Construction Code (“SECCC”). Currently, the 2020 Energy Conservation Construction Code of New York State is recognized. This code is an integrated and custom code adaptation of the International Energy Conservation Code (“IECC”).

## **Other**

- 1. The EIS does not fully address the impacts of the vibrations from the CSX railway on semiconductor fabrication, which are sensitive to vibrations.*

Response: The comment is beyond the scope of the Draft SGEIS. It is anticipated that any future tenant will consider the potential impacts of vibrations from the CSX railway based on its expected operations and proposed footprint within the Park.

- 2. The EIS does not address the need for development of a rail spur into the facility or whether the anticipated tenants will generate additional rail frequency.*

Response: See Response to Purpose and Need Comment 15. A rail spur is not currently anticipated. Once there is a specific development proposal for the Park, if a tenant proposes a rail spur, it will be separately evaluated under SEQRA.

## **Environmental Assessment Form**

- 1. The Burnet Road area is zoned residential/agricultural. The proper zoning is not in place for this type of project. The project is inconsistent with zoning. The zoning protects the residents and should be respected. Question 17.c. of the EAF should reflect a “moderate to large impact.”*

Response: Comment noted. Because the purpose of the EAF is to assist in making a determination of significance under SEQRA, any perceived mistake in the characterization of a potential adverse impact to zoning is irrelevant. OCIDA issued a Positive Declaration and Notice of Intent to prepare a Supplemental GEIS on December 8, 2021 and in the Draft SGEIS, potential adverse environmental impacts to land use and zoning was fully evaluated. See Draft SGEIS, Sections 3.1, 4.1.

**2. *Questions 18.1.a. and 18.1.c. of the EAF should reflect a “moderate to large impact may occur” due to the elimination of the entire community of Burnet Road.***

Response: Comment noted. Because the purpose of the EAF is to assist in making a determination of significance under SEQRA, any perceived mistake in the characterization of a potential adverse impact to zoning is irrelevant. OCIDA issued a Positive Declaration and Notice of Intent to prepare a Supplemental GEIS on December 8, 2021 and in the Draft SGEIS, potential adverse environmental impacts to community character was fully evaluated. See Draft SGEIS, Sections 3.2, 4.2.

**3. *General comments were expressed regarding impacts to the wildlife and the adequacy of the analysis with respect to wildlife. The habitat will be permanently altered. Question 7.g. of the EAF should be checked ‘moderate to large impact.’***

Response: As described in the section 4.8.3 of the Draft SGEIS, although vegetative loss would temporarily disrupt the common wildlife species that inhabit the Site, it is anticipated the transient wildlife in these areas would adapt during future site development and following project completion, either by relocating to suitable areas in other areas on site or to surrounding areas. There is no substantial critical habitat loss anticipated as a result of potential development at the Park. Specific impacts and mitigation measures are fully discussed in section 4.8.3 and include maintaining existing habitat tracts. As such, EAF question 7.g is correctly answered for the Park, as it is currently proposed.

Further, because the purpose of the EAF is to assist in making a determination of significance under SEQRA, any perceived mistake in the characterization of a potential adverse impact to zoning is irrelevant. OCIDA issued a Positive Declaration and Notice of Intent to prepare a Supplemental GEIS on December 8, 2021 and in the Draft SGEIS, potential adverse environmental impacts to wildlife was fully evaluated. See Draft SGEIS, Sections 3.8, 4.8.

**4. *EAF Question 7.g., “the proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site” should be checked “moderate to large impact” as the local wildlife will be significantly impacted.***

Response: See Response to EAF Comment 3.

**5. *EAF Question 11.a., “the proposed action may result in an impairment of natural functions or ecosystems services provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat” should be checked “moderate to large impact.” The section appears to be omitted because of the technical classification of open space resources, but this site effectively acts as open space. This should be treated as a valuable, protected resource. Likewise, 11.b., 11.c., and 11.d. should be checked “moderate to large impact” for like reasons.***

Response: See Response to Open Space Comment 1. Further, because the purpose of the EAF is to assist in making a determination of significance under SEQRA, any perceived mistake in the characterization of a potential adverse impact to zoning is irrelevant. OCIDA issued a Positive Declaration and Notice of Intent to prepare a Supplemental GEIS on December 8, 2021 and in the Draft SGEIS, potential adverse environmental impacts to ecological resources was fully evaluated. See Draft SGEIS, Sections 3.8, 4.8.

6. *EAF Question E.1.c., “is the project site presently used by members of the community for public recreation?” should be checked “yes” as there are many people who use Burnet Road, the paths to the woods and under the power lines for bike riding, ATV use, golf carts, tractors, walking, cross country skiing, ice skating. There is a snowmobile trail running east-west through the northern part of the property (rail C7L, NYSSA). There are bird watchers and nature enthusiasts. Likewise, Question E.2.q. should be checked “yes” as the area is used by hunters.*

Response: Comment noted. See Final SGEIS, Section 5.3.

7. *Questions E2 of the EAF, “does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?” is wrongly checked “no.” The EIS references previously-identified above-ground historic resources located within the expanded park area, with one being eligible for listing on the NRHP. Also, there several historic homes from the 1800’s which should not be demolished.*

Response: Because the purpose of the EAF is to assist in making a determination of significance under SEQRA, any perceived mistake in the characterization of a potential adverse impact to zoning is irrelevant. OCIDA issued a Positive Declaration and Notice of Intent to prepare a Supplemental GEIS on December 8, 2021 and in the Draft SGEIS, potential adverse environmental impacts to historic and archaeological resources was fully evaluated. See Draft SGEIS, Sections 3.9, 4.9.

8. *Questions 3.c. of the EAF, “the proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body” should be checked “moderate to large impact may occur.”*

Response: As detailed in the Draft SGEIS, the development of the Park will likely begin south of the NYPA/National Grid transmission lines to avoid potential wetlands and state wetland adjacent areas to the maximum extent practicable, which are situated in the eastern portion of the Project site. This area includes approximately 732± total acres of prime developable land within the Park and has been identified as the prime developable area due to the anticipated absence of wetlands features, the generally flat topography, and the access to the surrounding transportation network and potential access points along NYS Route 31 and Caughdeny Road.

Further, because the purpose of the EAF is to assist in making a determination of significance under SEQRA, any perceived mistake in the characterization of a potential adverse impact to zoning is irrelevant. OCIDA issued a Positive Declaration and Notice of Intent to prepare a Supplemental GEIS on December 8, 2021 and in the Draft SGEIS, potential adverse environmental impacts to ecological and water resources was fully evaluated. See Draft SGEIS, Sections 3.6, 3.8, 4.6, 4.8.

## **Procedural**

- 1. The analysis to similar facilities in the EIS is not adequate. The assumptions used for facilities in other locations is not an accurate comparison.***

Response: As this is a generic environmental review, there are no specific site plans or development concepts proposed for the Park. Despite this, OCIDA sought to as closely as possible consider the potential environmental impacts of the Project. It therefore took its stated goal to develop the expanded Park in order to enable OCIDA to better market the Project site in a more targeted manner to the semiconductor industry and used that to identify facilities in that industry in other locations. This included GlobalFoundries and Cree, both in New York State. These facilities were then evaluated in order to approximate the potential impacts of future development of the Park.

- 2. The Town of Clay, DEC, or DOT, not OCIDA, should have been Lead Agency particularly due to traffic and environmental impacts.***

Response: OCIDA acted as lead agency for the original GEIS in 2013. Following issuance of its resolution on December 8, 2020 to issue a Positive Declaration and Notice of Intent to Prepare a Supplemental Generic Environmental Impact Statement, OCIDA noticed its intent to assume the role of Lead Agency for the purpose of conducting a coordinated environmental review under SEQRA for the Project. See 6 NYCRR § 617.6.

OCIDA's notice was sent to all involved and interested agencies, including the Town of Clay, NYSDEC and NYSDOT. No agency objected to OCIDA serving as lead agency. This, however, does not mean that the Town of Clay, NYSDEC and NYSDOT have no involvement in the environmental review of the Project. All involved agencies retain whatever jurisdiction they have over the Project, are encouraged to participate in the SEQRA process and must make their own findings under SEQRA.

- 3. A commenter questioned why there was a negative declaration.***

Response: There was no negative declaration issued for the Project. To the contrary, OCIDA issued a Positive Declaration and Notice of Intent to Prepare a Supplemental Generic Environmental Impact Statement on December 8, 2020.

- 4. General comments were made regarding the adequacy of the public comment period and mechanisms for public comment. The public hearing should have been in-person, given the size and importance of the project. COVID restrictions are lifting. The 30-day comment period is not enough time to address all the issues.***

Response: SEQRA requires only that a thirty (30) day comment period be held on a draft environmental impact statement. 6 NYCRR § 617.9(a)(3). Here, OCIDA provided for longer than thirty (30) days. Counting from the date of the OCIDA resolution accepting the Draft SGEIS as complete for purposes of public comment and when the Draft SGEIS was made publically available, the comment period was for 43 days and also included a public hearing. The public hearing was held in accordance with modifications to Article 7 of the Public Officers Law (the "Open Meetings Law"), as modified by

New York Governor Andrew Cuomo’s Executive Order 202.1, as extended in response to the COVID-19 pandemic.

- 5. Comments were made that the project is shrouded in secrecy. The process was not transparent. The community has been allowed no involvement in the decision making process for the expansion. The public is not being told that the project will be 4 million square feet and 50 acres of paved area.***

Response: OCIDA has been fully transparent with respect to its proposal to expand the Park and this environmental review has been conducted in accordance with SEQRA’s requirements for public notice and participation as well as the Open Meetings Law. The Draft SGEIS specifically evaluates the potential development to include “[a] combined total of approximately 4.0 million square feet (SF) of buildings in a campus like setting” and “[a]pproximately 50 acres of paved area for parking[.]” See Draft SGEIS, Section 1.1.5.

- 6. OCIDA and Onondaga County has a financial interest in the project revenues which presents a conflict of interest relative to OCIDA serving as the Lead Agency. Questions were raised regarding whether a conflict of interest exists, or if SEQRA allows OCIDA to review and edit the EIS to its own liking. The environmental review is biased in favor of the project.***

Response: SEQRA contemplates, and actually requires, that an agency consider the environmental impacts of actions they directly undertake. Indeed, “[t]he basic purpose of SEQR is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes of state, regional and local government agencies at the earliest possible time. 6 NYCRR § 617.1(c). There is no conflict of interest. OCIDA has taken its obligations under SEQRA seriously and required the preparation of the Draft SGEIS to fully assess the potential for significant adverse environmental impacts and to ensure that any such impacts can be avoided, minimized or mitigated to the maximum extent practicable. OCIDA will ultimately weigh and balance this assessment of environmental considerations with social, economic and other essential considerations.

- 7. OCIDA is required to perform a Programmatic EIS to consider the impacts within the context of a greater regional plan. NEPA prohibits segmentation.***

Response: National Environmental Protection Act (“NEPA”) does not apply to the Project. See Response to Procedural/SEQRA Compliance Comment 11.

- 8. Cumulative impacts are not adequately addressed as required by the criteria set for the in 6 NYCRR § 617.7(c). Mitigation does not adequately address all cumulative impacts.***

Response: Part 617.7(c) details the criteria by which a lead agency determines significance. Here, OCIDA issued a Positive Declaration and Notice of Intent to prepare a Supplemental GEIS on December 8, 2020 and in the Draft SGEIS, cumulative impacts were fully evaluated. See Draft SGEIS, Section 5.1. Further, avoidance, minimization and mitigation were discussed for each environmental resource. See, generally, Draft SGEIS, Section 4.0.

- 9. Questions were raised regarding the source and derivation of certain figures used throughout the EIS, including: the need for and derivation of 1253 acres, was this based on comparative projects; derivation of the 732 acre developable footprint, particularly with no currently proposed site plan; derivation of 4,000 employees.**

Response: The size of the Park and spacing requirements of potential structures that may be located in the Park were generated based upon similar facilities operating in New York and in other parts of the country. The Park location and size also considered the surrounding areas' land uses, transportation network and access points, natural and environmental features, and setback requirements for noise, vibration, and visual aesthetics for both the internal site development as well as existing features like the rail line, overhead power transmission lines, surrounding roadways, and adjacent residential communities.

The prime developable area footprint included the area that best avoided impacts to the previously mentioned existing conditions and environmental features at and near the Park.

- 10. Comments were made regarding whether the environmental review process has generally complied with the requirements under SEQRA, including timing, public notice and review. All residents in the Towns of Clay and Cicero should have been notified about the project.**

Response: OCIDA has fully complied with SEQRA's requirements for public notice and review. The Notice of Completion of the Draft SGEIS and Public Hearing were published in the NYSDEC Environmental Notice Bulletin on May 12, 2021, noticed in the Post Standard on May 9, 2021 and also posted to OCIDA's website at [Project Documents - Onondaga County Office of Economic Development \(ongoved.com\)](https://www.ongoved.com/ocida/project-documents/). See 6 NYCRR § 617.12(c). Further, the Draft SGEIS was made available for review at OCIDA's offices located at 333 West Washington St., Suite 130, Syracuse, New York 13202 and at the Town of Clay Town Hall located at 4401 Route 31, Clay, NY 13041. The Draft SGEIS was also posted to OCIDA's website at: <https://www.ongoved.com/ocida/project-documents/> and was made available from OCIDA upon request.

- 11. The impact on future generations have not been considered.**

Response: It is unclear what the comment is referring to relative to future generations. The impacts of the future development of the Park have been included within the various resource analyses done. See, generally, Draft SGEIS, Sections 3.0 and 4.0. The environmental review also considered growth inducing impacts as well as the irreversible and irretrievable commitment of physical resources. See Draft SGEIS, Sections 7.0 and 8.0

- 12. The commenters in support of the project do not reside in the area or live near it. The public hearing had invited business owners reading from prepared scripts on the economic impact, in favor of the project, but did not speak about the environmental impact of the project.**

Response: Comment noted. The transcript and record of comments received during the public comment period speak for themselves.

***13. Analysis of economic factors should not be included in an environmental impact statement. The definition of ‘environment’ in 6 NYCRR § 617.2 does not include economic impact.***

Response: See Response to Alternatives Comment 5.

**General**

***1. There were general comments on the overall thoroughness of the environmental impact review given a project of this size and magnitude.***

Response: OCIDA environmental review of the Park has been extensive. Originally culminating in a FGEIS in 2013 that evaluated the OCIDA has now conducted a supplemental environmental review that consider the delta of environmental impacts associated with an expanded footprint. Combined, OCIDA environmental review evaluates a broad spectrum of environmental resources and includes, where appropriate supporting studies and reports. All of this was premised on the generic nature of the Draft SGEIS. See 6 NYCRR § 617.10. See Response to Purpose and Need Comment 15.

***2. Statements were made concerning whether the project adequately complies with state and Federal regulatory standards relating to environmental justice.***

Response: It is unclear what standards the commenter is referencing. OCIDA has evaluated whether there are any environmental justice communities in the vicinity of the Park. Specifically, OCIDA reviewed the NYSDEC’s Environmental Justice (“EJ”) Potential Environmental Justice Area (“PEJA”) maps as well as the United States Environmental Protection Agency’s Environmental Justice Screening and Mapping Tool - Version 2020 (“EJSCREEN”). The PEJA's data is based on data from the 2014-2018 5-year American Community Survey (“ACS”), conducted by the US Census Bureau. The EPA’s EJSCREEN is an environmental justice mapping and screening tool that provides EPA with a nationally consistent dataset and approach for combining environmental and demographic indicators.

This review of both screening tools did not reveal any potential environmental justice area communities within proximity to the Park. See also Final SGEIS, Section 5.1.

***3. The approval of individual SEQRA resolutions with respect to properties on Burnet Road constitutes segmentation.***

Response: Segmentation is “the division of the environmental review of an action such that various activities or stages are addressed under this Part as though they were independent, unrelated activities, needing individual determinations of significance.” 6 NYCRR § 617.2(ah). Part 617.3(g) states that “[a]ctions commonly consist of a set of activities or steps” and that it is contrary to the intent of SEQRA to segment an action. As such, if a lead agency believes that a segmented review is warranted, “it must clearly state in its determination of significance, and any subsequent EIS, the supporting reasons and must demonstrate that such review is clearly no less protective of the environment.” 6 NYCRR § 617.3(g)(1). The reason for this rule is that if a proposal is broken into enough pieces, each piece may not seem significant, although the impact from the sum of the pieces might be significant.

New York State Department of Environmental Conservation’s SEQRA Handbook provides the test for segmentation, which consists of a series of questions for the lead agency to consider, including :<sup>5</sup> *purpose, time, location, impacts, ownership, common plan, utility and inducement.*

Here, there is no segmentation because there was no identified purchaser or specific plan for development at the time the SEQRA review was conducted such that the acquisition was not a separate part of a set of activities or steps’ in a single action or project. *See Matter of GM Components Holdings, LLC v. Town of Lockport Indus. Dev. Agency*, 112 A.D.3d 1351 (4th Dep’t 2013) (“[a]lthough LIDA considered only the impact of the acquisition and not the impact of potential development,” that limited review did not constitute segmentation because although LIDA intends to sell the property to a potential developer, there was no identified purchaser or specific plan for development at the time the SEQRA review was conducted, and thus the acquisition is not a separate part of a set of activities or steps’ in a single action or project.”).

**4. *More public meetings should be held. The residents want to meet with the County Executive in public.***

Response: Per the SEQRA Handbook, “[h]earings under SEQR are optional” and there is no requirement for public meetings. Per the regulations (6 NYCRR § 617.9(a)(4)),

In determining whether or not to hold a SEQR hearing, the lead agency will consider: the degree of interest in the action shown by the public or involved agencies; whether substantive or significant adverse environmental impacts have been identified; the adequacy of the mitigation measures and alternatives proposed; and the extent to which a public hearing can aid the agency decision-making processes by providing a forum for, or an efficient mechanism for the collection of, public comment.

Here, although not required, OCIDA opted to hold a public hearing on May 24, 2021. The purpose of the public hearing was to accept comments on the Draft SGEIS, not a question and answer session. Among the over 70 participants, there were 31 individuals that elected to provide verbal comments during the public hearing. All who asked to speak were allowed to comment. No one was denied the opportunity to speak.

OCIDA would note that outside of this SEQRA process, the County Executive did hold an in-person public outreach meeting concerning the Project on June 27, 2021.

**5. *Commenters made general comments/questions regarding how property values would be impacted. How would they be and were those impacts considered?***

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<sup>5</sup> These factors, and the SEQRA Handbook in general, have been repeatedly referenced and cited by courts interpreting SEQRA’s provisions. *See e.g., Scott v. City of Buffalo*, 16 Misc. 3d 259 (Sup. Ct. Erie County 2006) (relying on NYSDEC’s test for segmentation); *Scott v. City of Buffalo*, 20 Misc. 3d 1135(A) (Sup. Ct. Erie County, July 3, 2008) (unpublished) (“To evaluate these types of [segmentation] claims, Courts generally rely on the relevant factors identified by the [NYSDEC] in the SEQR[A] Handbook.”); *see generally David’s Lane – Pondview Preservation Ass’n v. Planning Bd.*, 216 A.D.2d 389 (2nd Dep’t 1995) (citing NYSDEC’s SEQRA Handbook as one basis for upholding a Village’s negative declaration); *Matter of Association for Protection of Adirondacks Inc. v. Town Bd. of Town of Tupper Lake*, 17 Misc. 3d 1122(a) (Sup. Ct. Franklin County, Nov. 2, 2007) (unpublished) (“The SEQRA Handbook promulgated by the [NYS]DEC, whether in draft form or not, is a basic source material for agencies to use in interpreting SEQR[A].”).

Response: *See* Response to Purpose and Need Comment 8. Based on the experience with GlobalFoundries in Malta, New York, property values are anticipated to increase.

6. *The DSGEIS describes the area as “prime developable land” due to the anticipated absence of wetland features, flat topography and the access to the surrounding transportation network and potential access points along NYS Rt. 31 and Caughdenoy Road, but the “prime developable land” used in this context does not address impacts on other physical conditions such as “existing patterns of population concentration, distribution, or growth, and existing community or neighborhood character.”*

Response: The entire Draft SGEIS evaluates the potential impacts of developing the prime developable area. This includes potential impacts to community character, population growth, etc. *See, e.g.,* Draft SGEIS, Sections 3.0, 4.0 & 7.0.

7. *Commenter expressed general concern about how information, data, figures, etc. are developed in a GEIS.*

Response: OCIDA retained an environmental consultant to prepare the Draft SGEIS. The information, data and figures it used and compiled are discussed within the document and, where applicable, source information is noted. In many cases, publicly available information or other information maintained by a state or local agency was used. Examples for historic and archaeological resources include the statewide inventory of archaeological resources records, maintained by the New York State Museum and the New York Office of Parks, Recreation and Historic Preservation, and the New York State Cultural Resource Information System (NYS CRIS). *See* Draft SGEIS, Sections 3.9 & 3.9.1. In other instances, data was collected. For example, day-time ambient sound level data was collected at five representative locations around the Project site on Thursday, April 8, 2021, and April 27, 2021. *See* Draft SGEIS, Section 3.11.4 & Figure 3.11-1.

8. *A commenter concurred that by addressing the issues of various impact thresholds, permit criteria and mitigation measures anticipated for the expanded Park, including those attributes associated with large-scale semiconductor industrial development, in a Generic EIS format, the SEQRA process will define a set of threshold conditions or criteria under which potential future actions and development will be undertaken or approved, including any subsequent SEQRA compliance requirements.*

Response: Comments noted.

# APPENDIX A

## SEQRA Documentation



**WHITE PINE COMMERCE PARK**

**SEQRA RESOLUTION**

A regular meeting of the Onondaga County Industrial Development Agency (the "Agency") was convened in public session, remotely by conference call or similar service pursuant to New York State Executive Order 202.79 on December 8, 2020, at 8:00 a.m., local time.

The meeting was called to order by the (Vice) Chairman of the Agency and, upon roll being called, the following members of the Agency were:

**PRESENT:** Patrick Hogan  
Janice Herzog  
Victor Ianno  
Steve Morgan  
Susan Stanczyk  
Kevin Ryan

**ABSENT:** Fanny Villarreal

**ALSO PRESENT:** Robert M. Petrovich, Executive Director  
Jeffrey W. Davis, Esq., Agency Counsel  
Amanda M. Mirabito, Esq., Agency Counsel

The following resolution was offered by Susan Stanczyk, seconded by Janice Herzog, to wit:

**RESOLUTION CLASSIFYING A CERTAIN PROJECT AS A TYPE I ACTION,  
ISSUING A POSITIVE DECLARATION, AND DECLARING THE INTENT OF THE  
ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO BE LEAD  
AGENCY FOR THE PREPARATION OF A SUPPLEMENTAL GENERIC  
ENVIRONMENTAL IMPACT STATEMENT PURSUANT TO THE STATE  
ENVIRONMENTAL QUALITY REVIEW ACT**

WHEREAS, Onondaga County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act"), Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975 of the State of New York, as amended (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing

economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Agency currently owns White Pine Commerce Park ("Park") located northeast of the intersection of NYS Route 31 and Caughdenoy Road in the Town of Clay, Onondaga County, New York; and

WHEREAS, in an effort to transform the Park into a modern industrial park for advanced manufacturing and state-of-the-art industrial uses, the Agency previously performed a thorough environmental review of the Park and its anticipated environmental impacts pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), which included, but was not limited to, the following: (1) classifying the Park project as a Type 1 action; (2) acting as Lead Agency for the purpose of a coordinated environmental review; (3) conducting necessary studies and holding required hearings in connection with the preparation of a Generic Environmental Impact Statement ("GEIS") to address anticipated potential impacts associated with the proposed multi-use industrial park; (4) preparation of a subsequent Final GEIS ("FGEIS") that incorporated the DGEIS by reference and included responses to public comments received; and (5) preparation and issuance by the Agency of a Findings Statement in October of 2013 that (a) concluded the project avoided or minimized adverse environmental impacts to the maximum extent practicable, (b) incorporated mitigation measures that were considered practicable, and (c) identified certain impact thresholds that, if exceeded, may require supplemental determinations of their significance and/or impact evaluation, and possibly mitigation measures in addition to those identified; and

WHEREAS, since 2013, the Agency has attempted to market the Park for development around the country to potential manufacturing and industrial users, but those efforts have been unsuccessful and the Park remains vacant; and

WHEREAS, through its marketing efforts and communications with desired tenants around the country, the Agency has determined that the Park is not geographically large enough and must be expanded significantly to be considered an attractive, viable location for prospective large- and small-scale manufacturing and industrial developers; and

WHEREAS, to improve the Agency's ability to market the Park to a larger, more diverse mix of large- and small-scale industrial, manufacturing, and commercial users, the Agency proposes to expand the existing Park to approximately 1,253 acres by acquiring approximately 800 additional acres to the north and east of the existing Park footprint, with such additional acreage comprised of certain parcels contiguous to the current Park, and which are generally located along

NYS Route 31 and the east and west sides of Burnett Road (the "Project" or "Action"); and

WHEREAS, pursuant to SEQRA, the Agency is required to make a determination whether the "action" (as said quoted term is defined in SEQRA) to be taken by the Agency may have a "significant impact on the environment" (as said quoted term is utilized in SEQRA) and the preliminary agreement of the Agency to undertake the Project constitutes such an action; and

WHEREAS, pursuant to SEQRA (6 N.Y.C.R.R. § 617.9(7)(i)), the Agency recognizes the proposed Project represents a significant change from the Park's current footprint that presents changed circumstances from those evaluated by the Agency under its prior SEQRA review in 2013; and

WHEREAS, the Agency has prepared and completed a Full Environmental Assessment Form (the "FEAF") to aid in determining whether undertaking the Project requires a supplemental GEIS; and

WHEREAS, the Agency has not approved the Project; and

**NOW, THEREFORE**, be it resolved by the members of the Onondaga County Industrial Development Agency as follows:

(1) Based upon an examination of the FEAF prepared for the Project, the criteria contained in 6 NYCRR §617.7(c), and based further upon the Agency's knowledge of the area surrounding the Project, and such further investigation of the Project and its potential significant environmental impacts as the Agency has deemed appropriate, the Agency makes the following findings and determinations with respect to the Project pursuant to SEQRA:

(A) The Project consists of the components described above in the seventh WHEREAS clause of this resolution.

(B) The Project constitutes a "Type I Action" (as said quoted term is defined in SEQRA).

(C) Based on its review and evaluation of the FEAF for the Project, a copy of which is attached hereto as Exhibit A, the Agency hereby determines that the Project represents a significant change from the Park's current footprint and will result in changed circumstances from those previously evaluated by the Agency in the DGEIS/FGEIS, and the Agency hereby determines that the preparation of a Supplemental GEIS ("SGEIS") is necessary to adequately identify and evaluate potential significant adverse impacts associated with the Project that are not addressed or are inadequately addressed in the existing DGEIS/FGEIS.

(D) The Agency therefore determines that the Project requires that a supplement to the FGEIS be prepared, and, therefore, a Notice of Intent to prepare a

supplemental GEIS (i.e., a positive declaration) shall be issued, a copy of which is attached hereto as Exhibit B.

(E) As a consequence of the foregoing, the Agency hereby declares its intent to act as "Lead Agency" (as said term is defined in SEQRA) with respect to a coordinated agency review of the Project pursuant to SEQRA, including the preparation of a SGEIS, as explained in the Notice of Intent attached hereto as Exhibit B.

(F) The Agency's counsel shall arrange for publication and distribution of this determination and notice of intent to be "Lead Agency" and is hereby authorized to take such actions as are necessary and appropriate to assist the Agency in fulfilling the requirements under SEQRA for the Project.

(2) A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

(3) This Resolution shall take effect immediately

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Patrick Hogan	X		
Janice Herzog	X		
Victor Ianno	X		
Steve Morgan	X		
Susan Stanczyk	X		
Kevin Ryan	X		
Fanny Villarreal			X

The Resolution was thereupon declared duly adopted.

STATE OF NEW YORK            )  
  ) SS.:  
COUNTY OF ONONDAGA        )

I, the undersigned Secretary of the Onondaga County Industrial Development Agency, DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Onondaga County Industrial Development Agency (the "Agency") held on December 8, 2020, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 8th day of December, 2020.

  
Secretary

(S E A L)

**EXHIBIT A**

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: White Pine Commerce Park (formerly known as the Clay Business Park)		
Project Location (describe, and attach a general location map): 5171 Route 31, Town of Clay, NY 13041		
Brief Description of Proposed Action (include purpose or need): The Onondaga County Industrial Development Agency (OCIDA) proposes to expand its White Pine Commerce Park (the Park) in the Town of Clay, Onondaga County, NY. The project site is approximately 1,250 acres, of which the County currently owns 450 acres. The expanded Park will be capable of supporting a mix of industrial and/or commercial uses that may include industrially related office, research, manufacturing, assembly, warehousing, data management, material processing and distribution facilities in a campus-like setting. The purpose of the proposed expansion will enable OCIDA to market the Park to a larger, more diverse mix of potential developers, allowing development of the site for advanced forms of manufacturing and state-of-the-art industrial uses to facilitate the creation of high-paying employment opportunities in Onondaga County. The Park has many important attributes that make it particularly well suited to large-scale industrial and/or commercial use. The Park is accessible from major nearby interstates and State and County highways. This includes Interstate 81 (I-81) via Exit 30 at NYS Route 31 in Cicero, approximately 2.2 miles east of the project site. The I-81 interchange at Bartell Road (Exit 31) is approximately 3 miles north of the site, and the Interstate 81/481 interchange is 4 miles to the southeast. The I-481/NYS Route 31 interchange is approximately 3.5 miles west of the Park. The New York State Thruway (I-90) is about 6.5 miles south of the Park. Syracuse Hancock International Airport is about 5 miles south of the Park along the I-81 corridor.		
Name of Applicant/Sponsor: Onondaga County Industrial Development Agency (OCIDA)		Telephone: (315) 435-3770
		E-Mail: economicdevelopment@ongov.net
Address: 333 W Washington St #130		
City/PO: Syracuse	State: New York	Zip Code: 13202
Project Contact (if not same as sponsor; give name and title/role): Robert M. Petrovich – Executive Director		Telephone: (315) 435-3770
		E-Mail: robertpetrovich@ongov.net
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	see attachment	tbd
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	see attachment	tbd
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	see attachment	tbd
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	see attachment	tbd
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	see attachment	tbd
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	see attachment	tbd
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	see attachment	tbd
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	see attachment	tbd
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

A portion of the site is zoned Residential Agricultural District (RA-100), another portion is zoned Industrial 2 (I-2), and a small portion of the site zoned as One Family Residential (R-15). The Project is consistent with the intended uses in the community development plan. Some rezoning will be needed.

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,

i. What is the proposed new zoning for the site? I-2 Industrial 2

**C.4. Existing community services.**

a. In what school district is the project site located? North Syracuse Central School District

b. What police or other public protection forces serve the project site?  
Onondaga County Sheriff's Department

c. Which fire protection and emergency medical services serve the project site?  
Clay Volunteer Fire Dept (VFD), Meyers Corner FD, Brewerton Fire District, North Syracuse FD, Caughdenoy VFD, Emergency Medical -NAVAC & NOVA

d. What parks serve the project site?  
Two Town of Clay parks are located within one mile of the project site. These include Meltzer Park and the Clay Historical Park.

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? OCIDA proposes to develop a modern industrial and commercial park on the County's White Pine Commerce Park consisting of industrial and commercial uses that may include office, research, manufacturing, warehouse, assembly, or distribution facilities.

b. a. Total acreage of the site of the proposed action? 1,253+/- acres  
b. Total acreage to be physically disturbed? TBD acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 646 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 178 Units: 800 acres

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated 2
- Anticipated commencement date of phase I (including demolition) TBD month \_\_\_\_\_ year
- Anticipated completion date of final phase TBD month \_\_\_\_\_ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

Phase I may include development of manufacturing facilities on a portion of the property. Phase II is envisioned as primarily research and development activities on a smaller portion of the property.

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,  
 i. Total number of structures 15 - 30  
 ii. Dimensions (in feet) of largest proposed structure: 40' - 70' height; 1250'-1500' width; and 1250'-1500' length  
 iii. Approximate extent of building space to be heated or cooled: 4 - 5 million square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,  
 i. Purpose of the impoundment: stormwater management  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: stormwater  
 iii. If other than water, identify the type of impounded/contained liquids and their source.  
 \_\_\_\_\_  
 iv. Approximate size of the proposed impoundment. Volume: TBD million gallons; surface area: TBD acres  
 v. Dimensions of the proposed dam or impounding structure: TBD height; TBD length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  
TBD

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:  
 i. What is the purpose of the excavation or dredging? \_\_\_\_\_  
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
 • Volume (specify tons or cubic yards): \_\_\_\_\_  
 • Over what duration of time? \_\_\_\_\_  
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
 \_\_\_\_\_  
 iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 v. What is the total area to be dredged or excavated? \_\_\_\_\_ TBD acres  
 vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ TBD acres  
 vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ TBD feet  
 viii. Will the excavation require blasting?  Yes  No  
 ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
Conduct excavations and restoration consistent with regulatory permit requirements and guidance.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:  
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Potentially NYSDEC Class C Stream No. 899-10 (Tributaries of Oneida River); NYSDEC Wetlands BRE-11 & BRE-14; and onsite NWI mapped wetlands.

*ii.* Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres: \_\_\_\_\_  
Specific impacts will be determined by site plan development; potential impacts could include placement of fill or structures for outfall locations.

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*iii.* Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

*iv.* Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

*v.* Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_  
 TBD

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*c.* Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

*i.* Total anticipated water usage/demand per day: \_\_\_\_\_ TBD gallons/day

*ii.* Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: Town of Clay UWD / Onondaga County Water Authority (line owned by Metropolitan Water Board)
- Does the existing public water supply have capacity to serve the proposal? TBD  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

*iii.* Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: TBD
- Source(s) of supply for the district: \_\_\_\_\_

*iv.* Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

*v.* If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

*vi.* If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

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*d.* Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

*i.* Total anticipated liquid waste generation per day: \_\_\_\_\_ TBD gallons/day

*ii.* Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_  
Sanitary wastewater, potentially industrial associated with future industrial processes. Nature and volume of liquid waste to be generated are to be determined.

*iii.* Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: Oak Orchard Wastewater Treatment Plant
- Name of district: Onondaga County Consolidated Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? TBD. Limiting factor may be  Yes  No
- Is the project site in the existing district? BOD not volume.  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 Installation of dual and parallel 6-inch and 12-inch diameter PVC force mains for a total of approximately 4.3 miles. Necessary improvements to the existing OOWT Plant to accommodate the project are being evaluated.

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: OCIDA  
 • Date application submitted or anticipated: TBD  
 • What is the receiving water for the wastewater discharge? Oneida River

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or TBD acres (impervious surface)  
 \_\_\_\_\_ Square feet or 1253 acres (parcel size)  
 ii. Describe types of new point sources. Ditches, pipes, curbs, gutters, detention pond outfalls, etc.

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
Onsite stormwater management facility and/or offsite discharge to tributaries of Oneida River.

• If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
Oneida River

• Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
Delivery and employee vehicles.  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
Potentially power generation.  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
Site tenant activity may produce process emissions. Certain facilities may require back-up power generation.

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • TBD Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • TBD Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • TBD Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • TBD Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • TBD Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)  
 • TBD Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_  
 10 to 30 trucks/peak hour (approximately 2% to 5% of vehicle trips/hr for 870,000 SF logistics, warehousing, and/or shipping & receiving space)

iii. Parking spaces: Existing \_\_\_\_\_ 0 \_\_\_\_\_ Proposed \_\_\_\_\_ >500 \_\_\_\_\_ Net increase/decrease \_\_\_\_\_ >500 \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: Caughdenoy Road/NYS Route 31 improvements; right-in driveway on NYS Route 31; widen Caughdenoy Road; signal timing adjustments, I-81 ramps

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
 TBD

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):  
National Grid

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 AM - 7 PM _____</li> <li>• Saturday: _____ 7 AM - 7 PM _____</li> <li>• Sunday: _____ N/A _____</li> <li>• Holidays: _____ N/A _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 24 hours/day _____</li> <li>• Saturday: _____ 24 hours/day _____</li> <li>• Sunday: _____ 24 hours/day _____</li> <li>• Holidays: _____ 24 hours/day _____</li> </ul>
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 Noise generated from construction (M-F 7am-7pm) and site operations (24/7) are expected to contribute to sound levels within the Town of Clay Code. There is a potential for project noise to exceed ambient noise levels. Site layout will mitigate operational noise levels to the greatest extent possible.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: Onsite tree removal is proposed as part of the site development. Site layout and the possible implementation of berms will mitigate this.

---

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 Light sources could include pole-mounted and/or building-mounted. Luminaries which are dark-sky friendly, high-efficiency LED lights with cut off shields to provide uniform and energy conscious illumination to walkways and parking lots will be implemented to the greatest extent possible.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: Onsite tree removal is proposed as part of site development.

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored Petroleum, miscellaneous chemicals needed to support manufacturing and research & development.  
 ii. Volume(s) TBD per unit time (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities:  
 Tanks and containers that are compliant with regulations. Secondary containment structures, as warranted.

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):

---

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: TBD tons per day (unit of time)  
 • Operation : 20-30 tons per day (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: Onsite recycling will be provided and privately hauled to recycling facility.  
 • Operation: Onsite recycling will be provided and privately hauled to recycling facility.  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: Solid waste will be handled by a private contractor or municipality.  
 • Operation: Solid waste will be handled by a private contractor or municipality.

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 TBD  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 Manufacturing, laboratory chemicals.  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 Re-use and recycle, whenever possible.  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 TBD  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 The site is bounded by highway commercial uses to the south, industrial uses to the west, residential agricultural use to the north, and commercial, residential, and undeveloped lands to the east.

b. Land uses and covertypes on the project site. Values provided are estimates.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	5	200 to 250	+ 195 to 245
• Forested	] 750 combined	] 500 to 550 combined	] - 200 to 250 combined
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)	20	0	- 20
• Surface water features (lakes, ponds, streams, rivers, etc.)	10	20 to 30	+ 10 to 20
• Wetlands (freshwater or tidal)	469	469	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____	N/A	N/A	N/A

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
The Cottages at Garden Grove is a nursing home located approximately 200 ft. east of the site at 5460 Meltzer Ct. in Cicero; Grace Evangelical Covenant Church is located at 5300 NY-31 in Clay, and ~200 ft. south of the proposed project site. The church runs a pre-school program.

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): Spill No. 2005446  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
Not applicable  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
\_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 10-15 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Niagara silt loam, 0 to 4% slopes	41.56 %
Collamer silt loam, 2 to 6% slopes	26.95 %
Hilton loam, 3 to 8% slopes	5.9 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 4.5 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ 5 % of site  
 Moderately Well Drained: \_\_\_\_\_ 42 % of site  
 Poorly Drained \_\_\_\_\_ 53 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 98.46 % of site  
 10-15%: \_\_\_\_\_ 0.92 % of site  
 15% or greater: \_\_\_\_\_ 0.62 % of site

g. Are there any unique geologic features on the project site?  Yes  No  
If Yes, describe: \_\_\_\_\_  
\_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 899-10 Classification C
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size 453 acres
- Wetland No. (if regulated by DEC) BRE-14, BRE-11

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
\_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
If Yes:  
i. Name of aquifer: \_\_\_\_\_

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <table style="width: 100%; border: none;"> <tr> <td style="border-bottom: 1px solid black; width: 33%;">eastern chipmunk</td> <td style="border-bottom: 1px solid black; width: 33%;">white-tailed deer</td> <td style="border-bottom: 1px solid black; width: 33%;">nuthatch</td> </tr> <tr> <td style="border-bottom: 1px solid black;">eastern gray squirrel</td> <td style="border-bottom: 1px solid black;">wood thrush</td> <td style="border-bottom: 1px solid black;">ruffed grouse</td> </tr> <tr> <td style="border-bottom: 1px solid black;">tufted titmouse</td> <td style="border-bottom: 1px solid black;">raccoon</td> <td style="border-bottom: 1px solid black;">other common birds &amp; small mammals.</td> </tr> </table>	eastern chipmunk	white-tailed deer	nuthatch	eastern gray squirrel	wood thrush	ruffed grouse	tufted titmouse	raccoon	other common birds & small mammals.	
eastern chipmunk	white-tailed deer	nuthatch								
eastern gray squirrel	wood thrush	ruffed grouse								
tufted titmouse	raccoon	other common birds & small mammals.								
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>										
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>Sedge Wren, Indiana Bat      Further consultation with NYNHP is needed due to age of the previous studies.</p>										
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____ Further consultation with NYNHP is needed due to age of the previous studies.</p>										
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p>										
<b>E.3. Designated Public Resources On or Near Project Site</b>										
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>										
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? Approx. 1/2 of Project site (626 +/-ac) soils are rated as prime farmland or farmland of statewide significance.</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): <u>USDA Web Soil Survey</u></p>										
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark:      <input type="checkbox"/> Biological Community      <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p>										
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>										

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: \_\_\_\_\_

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

---

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

---

g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

---

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: \_\_\_\_\_

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_

iii. Distance between project and resource: \_\_\_\_\_ miles.

---

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name OCIDA Date 12/8/20

Signature [Handwritten Signature] Title EXECUTIVE DIRECTOR

**PRINT FORM**

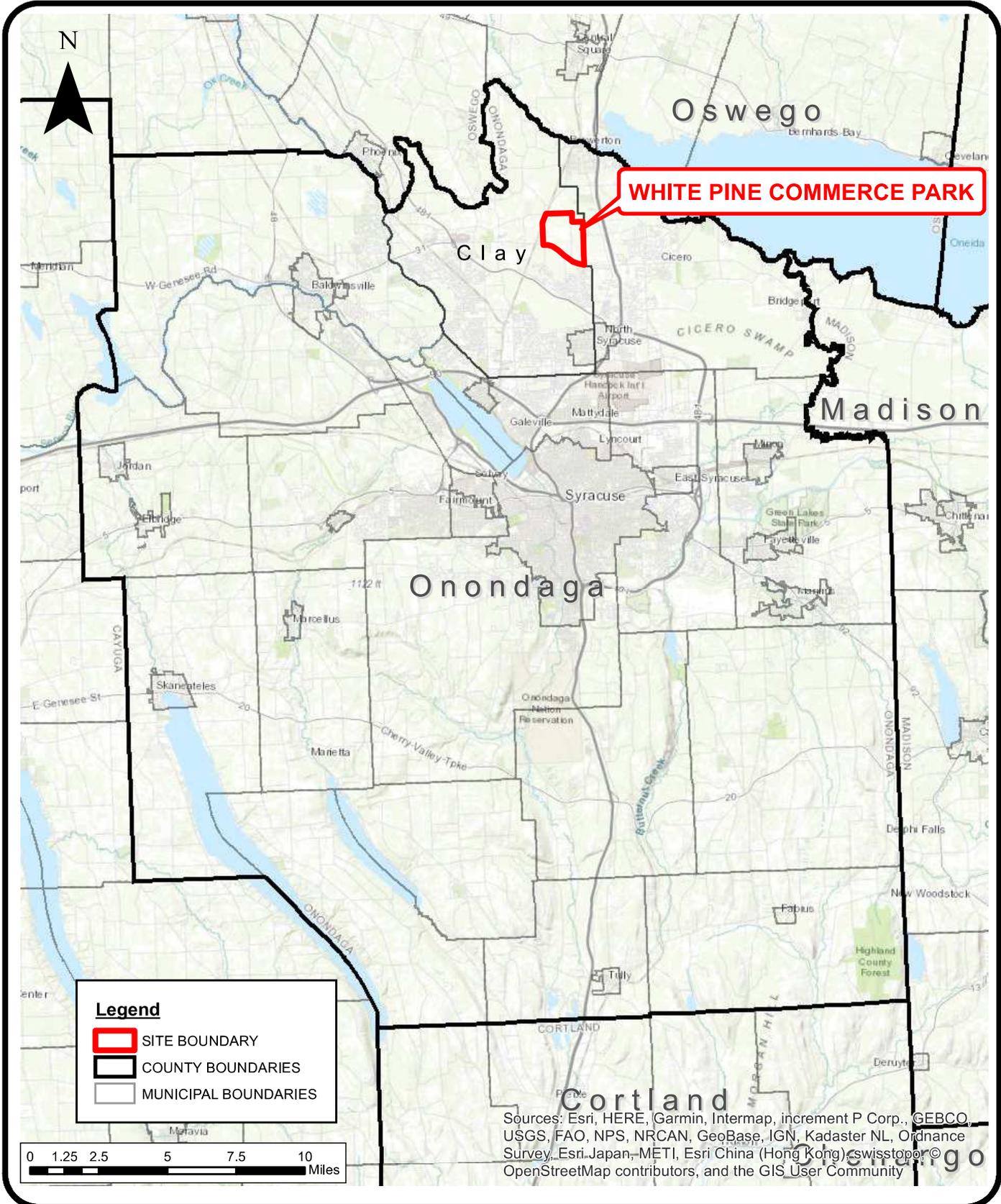
## ATTACHMENT

### WHITE PINE COMMERCE PARK

#### SEQRA EAF Part 1.B - Government Approvals, Funding, Sponsorship

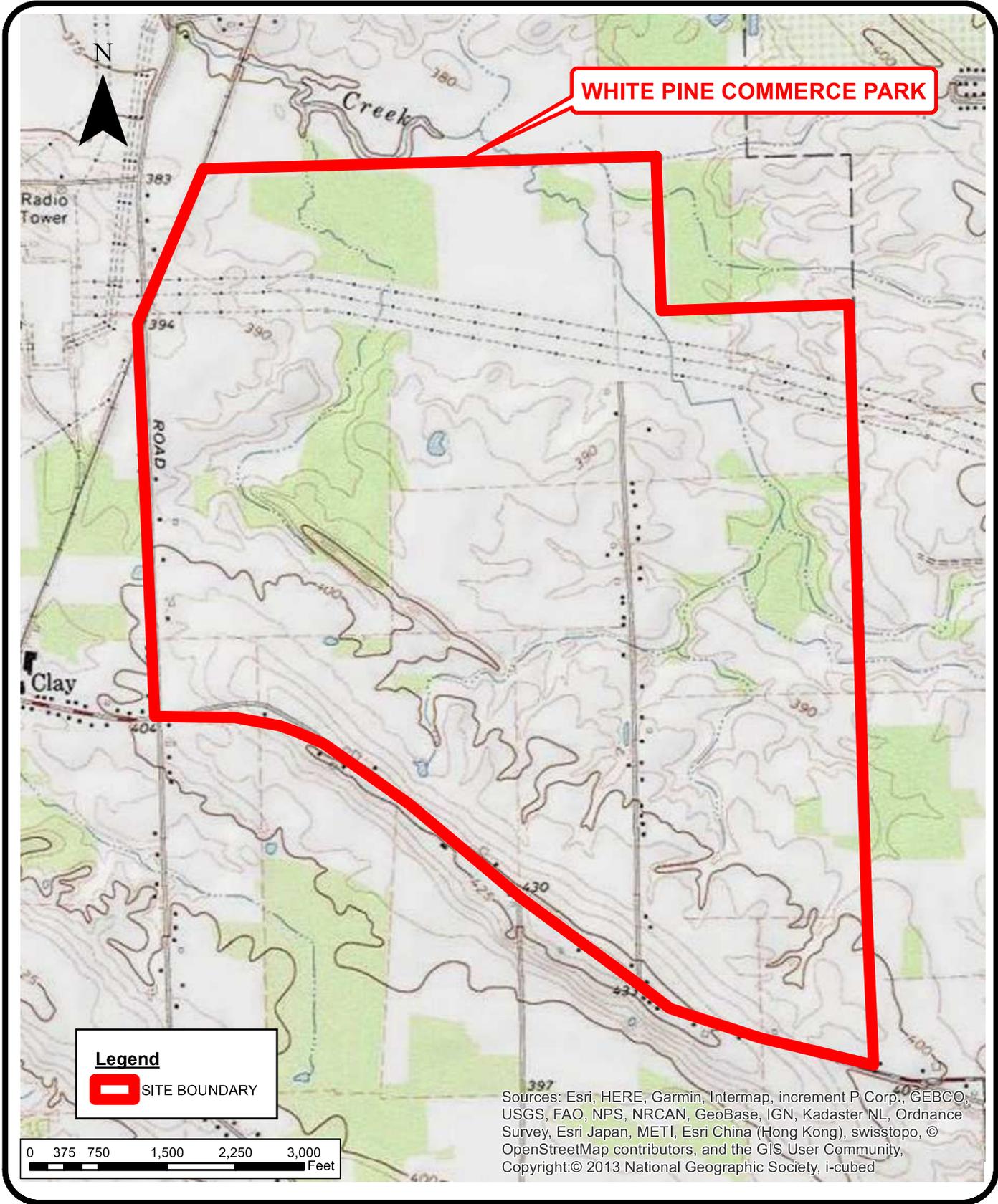
Below is a list of agencies and permits/approvals that are or may be required for the future development of White Pine Commerce Park.

- Onondaga County Department of Transportation (OC DOT) - highway improvement, resignaling, right-of-way work permit, curb cuts
- Onondaga County Department of Health (OCDOH) - sewer design approval
- Onondaga County Department of Water Environment Protection (OCDWEP) - sewer infrastructure
- Onondaga County Metropolitan Water Board- water supply approval
- Onondaga County Industrial Development Agency – eminent domain
- Syracuse Metropolitan Transportation Council (SMTC) - traffic review
- New York State Department of Transportation (NYSDOT) - highway improvement, resignaling
- New York State Department of Environmental Conservation (NYSDEC)- stormwater, SPDES, SPDES General Permit, air, freshwater wetland, endangered species, 401 water quality certification
- New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP) – historical/archaeological resource review
- United States Army Corps of Engineers (USACE) - wetland permit, Nationwide permit
- United States Fish and Wildlife Service (USFWS) - endangered species
- Town of Clay Town Board – zone change
- Town of Clay – subdivision, site plan
- Town of Clay Zoning Board of Appeals- zoning variance, special permit
- Town of Clay Planning Department- Building permit, inspection and certificate of occupancy, SWPPP approval, MS4 approval
- Syracuse Onondaga County Planning Agency – GML 239-m review



19 British American Blvd., Latham, New York 12110  
 P: (518) 782-0882 F: (518) 782-0973 www.jmt.com

REGIONAL MAP  
*OCIDA*  
 WHITE PINE COMMERCE PARK  
 TOWNS OF CLAY & CICERO ONONDAGA CO., NY

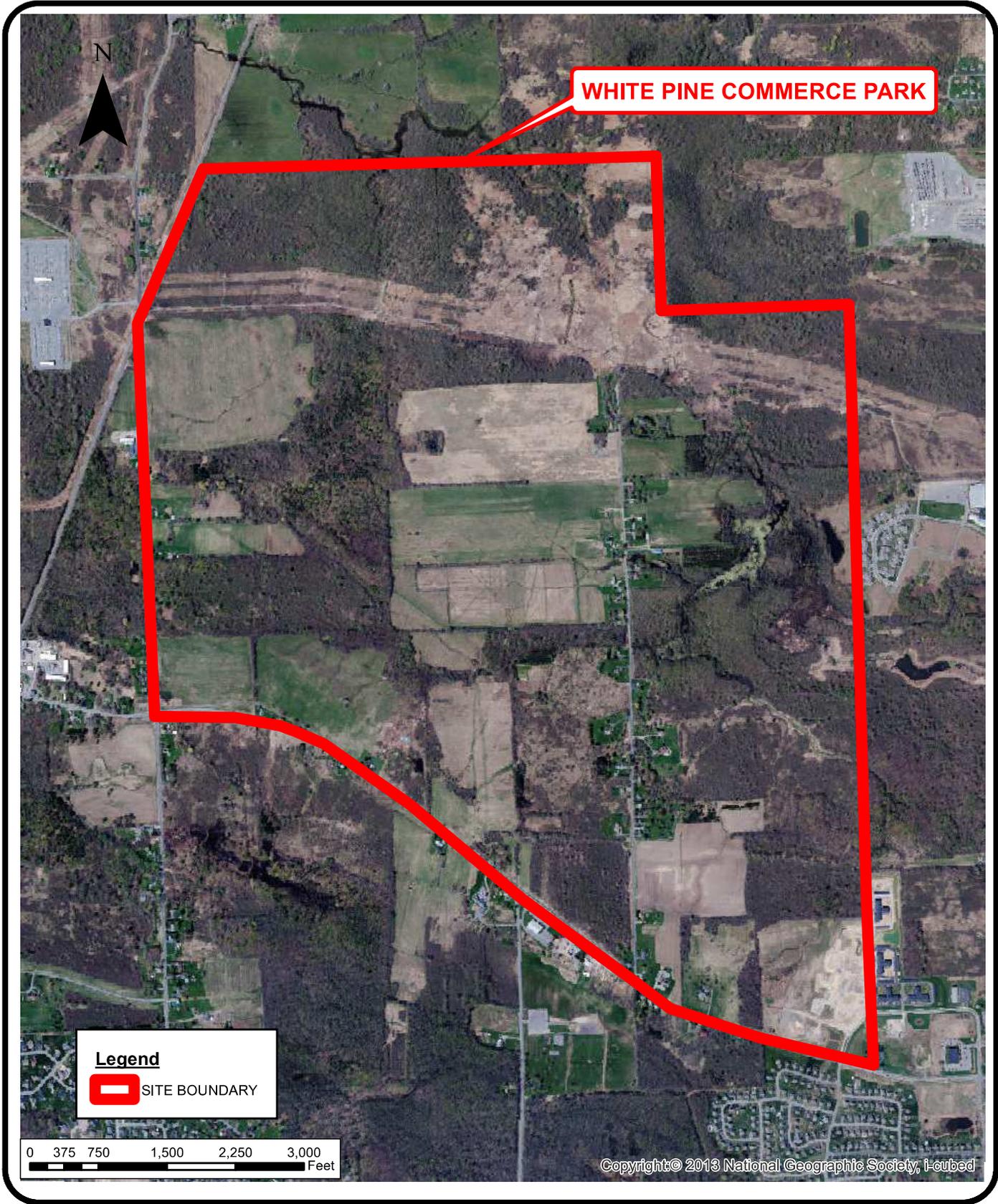


19 British American Blvd., Latham, New York 12110  
 P: (518) 782-0882 F: (518) 782-0973 www.jmt.com

SITE LOCATION MAP  
 OCIDA  
 WHITE PINE COMMERCE PARK

TOWNS OF CLAY & CICERO

ONONDAGA CO., NY



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 OCIDA  
 WHITE PINE COMMERCE PARK

TOWNS OF CLAY & CICERO

ONONDAGA CO., NY

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]

Project :   
 Date :

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**  
The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)  NO  YES  
*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**  
The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)  NO  YES  
*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input checked="" type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

**4. Impact on groundwater**  NO  YES

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)  
*If "Yes", answer questions a - h. If "No", move on to Section 5.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**5. Impact on Flooding**  NO  YES

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)  
*If "Yes", answer questions a - g. If "No", move on to Section 6.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
		Although the proposed action will not include a state regulated air emission source, the future build-out of the park may.	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: <u>No significant natural communities are present per NYSDEC EAF Mapper.</u>	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ <u>Greater than 10 acres of forest or grassland will be converted per proposed site conditions.</u>	E1b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**9. Impact on Aesthetic Resources**  
 The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)  
*If "Yes", answer questions a - g. If "No", go to Section 10.*

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**10. Impact on Historic and Archeological Resources**  
 The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)  
*If "Yes", answer questions a - e. If "No", go to Section 11.*

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: <u>NYS Museum</u>	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: There are numerous NYS Museum and SHPO identified archaeological sites located within one mile of the project site and/or potential utility improvements.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b>			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b>			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**  
 The proposed action may result in a change to existing transportation systems.  NO  YES  
 (See Part 1. D.2.j)  
*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**  
 The proposed action may cause an increase in the use of any form of energy.  NO  YES  
 (See Part 1. D.2.k)  
*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**15. Impact on Noise, Odor, and Light**  
 The proposed action may result in an increase in noise, odors, or outdoor lighting.  NO  YES  
 (See Part 1. D.2.m., n., and o.)  
*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)  
*If "Yes", answer questions a - m. If "No", go to Section 17.*

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**

Project : Date : 

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See the attached Notice of Intent to Serve as Lead Agency and Prepare a Draft Supplemental Generic Environmental Impact Statement for reasons supporting this determination.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:  Type 1  Unlisted

Identify portions of EAF completed for this Project:  Part 1  Part 2  Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information  
Additional information concerning the proposed project.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
**Onondaga County Industrial Development Agency** as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: **Proposed White Pine Commerce Park Expansion**

Name of Lead Agency: **Onondaga County Industrial Development Agency**

Name of Responsible Officer in Lead Agency: **Robert Petrovich**

Title of Responsible Officer: **Executive Director**

Signature of Responsible Officer in Lead Agency:



Date: **12/8/20**

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person: Robert Petrovich, Onondaga County Industrial Development Agency

Address: 333 East Washington Street

Telephone Number: 315-435-3770

E-mail: economicdevelopment@ongov.net

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**EXHIBIT B**

**NOTICE OF INTENT TO SERVE AS LEAD AGENCY AND PREPARE A DRAFT  
SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT**

**Project: White Pine Commerce Park  
(formerly known as Clay Business Park)**

**5171 Route 31**

**Town of Clay, New York**

**December 8, 2020**

This notice is provided pursuant to the State Environmental Quality Review Act (“SEQRA”), Article 8 of the Environmental Conservation Law and the regulations adopted thereunder at 6 NYCRR Part 617.

The creation of the White Pine Commerce Park was previously determined to be a Type 1 Action under SEQRA and, because the action was found to potentially have a significant impact on the environment, the Onondaga County Industrial Development Agency (“OCIDA”), as lead agency, issued a positive declaration and required the preparation of a Draft Generic Environmental Impact Statement (“DGEIS”). Thereafter, in September 2013, OCIDA issued a Final GEIS (“FGEIS”) for the White Pine Commerce Park and issued its Findings Statement certifying that the requirements of SEQRA had been met and the White Pine Commerce Park was “[c]onsistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable[.]”

Project changes are now being proposed to the White Pine Commerce Park and there have been certain changes in circumstances since the 2013 GEIS and Findings Statement. OCIDA has, therefore, determined that it should resume its status as lead agency for the environmental review of these changes to the proposed Action and changed circumstances as described herein and that a Supplemental Generic Environmental Impact Statement will be prepared.

**SEQRA DESIGNATION:** Type 1 Action

**PROJECT DESCRIPTION:** OCIDA, as Project Sponsor, proposes to expand its business park known as the White Pine Commerce Park (“Park”) to approximately 1,253± acres (the “Project” or “Action”). The White Pine Commerce Park is located northeast of the intersection of NYS Route 31 and Caughdenoy Road in the Town of Clay, Onondaga County, New York. OCIDA currently owns approximately 450± acres and would acquire approximately 800± additional acres

to the east of the existing Park. The acreage to be acquired are parcels contiguous to the current Park, and are generally located along Route 31, and along the east and west sides of Burnett Road.

The Project purpose is to enable OCIDA to market the Project to a larger, more diverse mix of potential industrial and commercial developers by making the site more attractive to a broader scope of industries. The expanded Park will be capable of supporting a mix of industrial and/or commercial uses with related office space, advanced state-of-the-art research, large- or small-scale manufacturing, assembly, warehousing, data management, material processing and distribution facilities in a campus-like setting. The expansion will provide an expanded and improved “shovel ready” facility, demonstrating to industrial and commercial prospects that governmental approvals needed for the infrastructure development and construction have already been secured, or can be readily secured within certain thresholds or permit criteria.

### ***Prior SEQRA Review***

In 2012, OCIDA undertook an environmental review of the original Park. As part of the prior environmental review for the Park, on March 6, 2012, OCIDA established itself as the Lead Agency and assumed the responsibilities for conducting the coordinated environmental review. OCIDA determined that the project was a Type 1 action requiring preparation of an Environmental Impact Statement (“EIS”). As specific tenants and uses within the Park were unknown at that time, OCIDA prepared a GEIS to analyze potential environmental impacts of the project. OCIDA coordinated the SEQRA review for the Park with the other involved agencies.

A draft scoping document was prepared and made available for comment. Following a public comment period, OCIDA issued a Final Scoping Document which identified potential impacts and anticipated impacts to be addressed in the GEIS.

A DGEIS was then prepared, subject to public comment, and accepted as complete on September 20, 2012. The DGEIS evaluated the potential impacts of the proposed multi-use industrial park, envisioning a certain setting which included, but was not limited to:

- The Park would encompass a certain footprint, accommodating approximately 2 million sq. ft. of multi-use space without adverse impact.
- The Park would accommodate uses such as manufacturing, research and development, warehousing, assembly, office, warehousing, distribution facilities, associated parking, and other on-site support buildings and structures.
- The Park would maintain greenspace to protect wetlands.
- Anticipated installation of underground utilities and infrastructure for on-site use (i.e. gas and electric utilities, water and sewer infrastructure).
- Off-site improvements such as highway and road improvements, wastewater treatment infrastructure improvements, and water supply infrastructure improvements.
- Tenants would obtain site or facility-specific permits, such as air permits and non-sanitary sewer discharge permits, as necessary for facility-specific operations.

A Public Hearing on the DGEIS was held on October 16, 2012, and the public comment period ended on October 29, 2012. Subsequently, a FGEIS was prepared by OCIDA and accepted as complete on September 10, 2013. The FGEIS incorporated the DGEIS by reference and responded to all substantive comments received on the DGEIS. Both the DGEIS and FGEIS addressed the potential impacts of the envisioned White Pine Commerce Park on environmental resources including: land use and zoning; community character; transportation; utilities and community services; topography, geology and soils; water resources; air resources; ecological resources; cultural and archeological resources; visual and noise resources.

OCIDA thereafter issued its Findings Statement on October 8, 2013. The preferred development scenario from the alternatives evaluated in the DGEIS envisioned a certain development footprint within the Park that avoided construction north of the power lines, with accommodation of approximately 2-2.5 million sq. ft. of industrial development consisting of approximately 46 acres of buildings, approximately 6 acres of support facilities and approximately 58 acres of parking and roads or related infrastructure. The project would encompass or disturb approximately 182 acres, and off-site improvement impacts were evaluated and included road or intersection improvement on Route 31 and Caughdenoy Road, as well as improvements to the sanitary sewer infrastructure.

OCIDA concluded that the action avoided or minimized adverse environmental impacts to the maximum extent practicable, and incorporated mitigation measures that were considered practicable. The Findings Statement also identified certain thresholds for future tenant-specific site use proposals and determined that if there were environmental conditions or impact thresholds that would be exceeded by the proposed tenant-specific use, a supplemental determination of significance or impact evaluation, along with additional mitigation measures beyond those thresholds identified in the DGEIS and FGEIS would be required.

## **REASON FOR POSITIVE DECLARATION AND PREPARATION OF A SUPPLEMENTAL GEIS**

Pursuant 6 N.Y.C.R.R. § 617.9(7)(i), the Project Sponsor finds that a SGEIS is necessary due to changes proposed for the Park that are not adequately addressed in the prior DGEIS and FGEIS, as well as certain changes in circumstances since 2013. Project changes include, but are not limited to, an expansion of the geographic footprint of the Park to approximately 1253 ± acres, physical and/or environmental conditions that will be altered in furtherance of the Action, an expanded scope of potential uses that may be possible at the site, and the potential use by OCIDA of eminent domain, as necessary, to secure the land necessary for the Project.

## **SUMMARY OF POTENTIAL ADVERSE IMPACTS TO BE ADDRESSED IN SUPPLEMENTAL GEIS.**

Potential impacts associated with the proposed action are identified in the Full Environmental Assessment Form. These impacts, which may be reasonably expected to result from the Project, have been compared to the criteria for determining significance identified in 6 N.Y.C.R.R. § 617.7(c)(1) and in accordance with 6 N.Y.C.R.R. § 617.7(c)(2) and (3). The discussion of

potentially significant adverse impacts and mitigation includes the following topics outlined below. For each impact category, appropriate mitigation measures will be identified and evaluated to determine how best to address potential adverse impacts associated with future development.

### ***Zoning and Land Use***

The Park is located in the Town of Clay's Industrial 2 (I-2) zoning district, but the Project includes incorporating lands located in the Residential Agricultural District (RA-100) and one Family Residential (R-15) zoning district. This will require a zone change from the Town of Clay to permit the types of industrial uses necessary for OCIDA to effectively market the expanded Park. The anticipated zoning change will be evaluated in the context of surrounding land use conditions and relevant local plans and laws.

### ***Community Character***

Changes in community character and in local or regional demographics that could result from the Project will be explored. Changes in demographic and socioeconomic conditions resulting from the additional build-out of the site (due to a possible influx of new residents, for example) could have implications on local community services such as schools, police, fire, emergency services as well as taxes, property values, housing, and other community facilities.

### ***Transportation***

Potential impacts on transportation systems and local road networks due to expansion and development of the Park, particularly from increased vehicular traffic along NYS Route 31, will be reviewed. NYS Route 31 through the Towns of Clay and Cicero have experienced rapid development and increased traffic in recent years, and further increases are likely with or without the Project, based on recent corridor studies. The impact on traffic conditions along the NYS Route 31 corridor and intersections will be evaluated for existing, no-build and phased levels of Project build-out. Mitigation measures will be evaluated and will be determined following consultation with the NYSDOT and Onondaga County DOT.

### ***Energy and Utilities***

The FGEIS determined that with the exception of the lack of sanitary sewer and natural gas infrastructure for the Park, other utilities are anticipated to have sufficient capacity and be easily accessed to provide service to the Park. The expanded Project is anticipated to include an electrical substation within the Park. The SGEIS will analyze the available utilities and potential utility demands, and include verification from personal communications or other documentation from service providers regarding the ability of existing utilities to support the Project. Utility service thresholds, limits on capacities, or potential upgrades will be identified based upon information from providers as well as any related potential impacts and necessary mitigation.

### ***Topography, Geology, Soils and Groundwater***

Impacts on natural features found on site, including topography, geologic features, groundwater and soils, will be identified and evaluated, and mitigation measures to avoid significant adverse impacts will be discussed. Subsurface soil, groundwater and bedrock conditions and how they relate to potential development of the site will be discussed based in part on past geotechnical investigations conducted in the former 2013 Project area. Silt/clay soils and shallow groundwater exist in portions of the 2013 Project area. These conditions may extend into the expanded site and could affect the design of building foundations and stormwater control features. In local areas that do not currently have municipal water service, the Project could increase demand on groundwater supplies if new or expanded residential development occurs to accommodate a larger workforce.

The expanded Project encompasses a greater amount of land having agricultural value. The SGEIS will address potential reduction in acreage of prime agricultural land.

### ***Water Resources***

With the expansion of the Project area, the number and size of potentially impacted wetlands and natural water bodies has increased. The expanded site encompasses 17 National Wetland Inventory (NWI) mapped wetlands and two state-regulated wetlands. Classified waterbodies present onsite are tributaries to Oneida River. These surface waters are Class C, and are not considered protected; however, any disturbance would require prior approval from the United States Army Corps of Engineers (USACE) and/or the New York State Department of Environmental Conservation (NYSDEC).

Potential impacts to state and federal wetlands will be identified, and efforts to avoid or minimize the extent of adverse impacts will be discussed with consideration of physical layout alternatives. Mitigation measures associated with the potential loss of wetlands will be established following consultation with the NYSDEC and USACE. It is assumed that any loss of wetlands will be mitigated both on and off-site through wetland restoration, creation, and enhancement. The area north of the existing electric transmission line right-of-way is thought to be a potentially viable area for on-site mitigation given the presence of State regulated wetlands. Other locations will be considered for mitigation.

Potential impacts to water resources include impacts resulting from stormwater runoff. These impacts will be minimized with appropriate erosion and sediment controls during construction and permanent stormwater management features in the final buildout. The SGEIS will discuss soil conservation practices, stockpiling, re-vegetation and other best management practices to protect water quality in streams and wetlands and protect vegetation and natural habitats.

### ***Air Resources***

The expansion of the Project site is intended to accommodate larger and more diverse commercial and industrial uses. The determination of potential adverse impacts on air quality from Project will

depend on the types of industrial uses and emissions generated by tenants. Future tenants will need to obtain specific state and federal air quality permits according to the nature of the operations they conduct. State and federal air permits impose requirements for control devices to meet applicable air quality standards and impose limits on allowable emissions.

The expanded Project is anticipated to accommodate a larger workforce, which will create a larger amount of local vehicular traffic. The potential changes in traffic conditions in the area may have implications for air quality if reduced levels of service at intersections along the NYS Route 31 corridor are projected. Traffic mitigation measures are anticipated to accommodate increased traffic levels. Although improved traffic flow will reduce potential vehicular emissions, mobile source emissions will be assessed and evaluated as appropriate.

### ***Climate Change***

The impacts from greenhouse gas emissions due to construction and potential site uses will be identified and analyzed in light of New York State's recently enacted Climate Leadership and Community Protection Act ("CLCPA"). Potential impacts will be identified, and mitigation measures considered to avoid or minimize the Action's impacts on climate change. The impacts will also be compared against the Onondaga County Climate Action Plan (updated 2017).

### ***Human Health***

Potential human health impacts from the Project will be considered. Potential impacts include dust generation during construction and air emissions during the operational phases of the Project. Sensitive receptors (a nursing home and a preschool) exist within 1500 feet of the expanded Project area. The anticipated increase in manufacturing, assembly and related high-tech industries contemplated under the expanded Project may generate greater volumes of solid waste and potentially hazardous waste. Anticipated waste volumes and regional disposal capacity will be evaluated.

### ***Ecological Resources***

Ecological impacts resulting from the Project are expected to be limited as a result of avoiding significant ecological resources onsite and along the proposed sewer line and road improvement areas to the extent practicable. Nevertheless, impacts from the Project may occur and mitigation necessary to reduce adverse impacts to ecological resources will be described.

As the New York Natural Heritage Program ("NYNHP") recommends a new assessment of a project area after one year from the date of the original findings to account for any new or updated information, it will be necessary to consult with NYNHP and United States Fish and Wildlife Service ("USFWS") to evaluate the potential impacts of the Project on rare, threatened, and endangered species. Consultation with the agencies will identify previously reported species on and in the vicinity of the Project, and determine if additional field investigations may be warranted

to confirm the presence or absence or current use of potential habitat for identified species. The SGEIS will assess potential Project impacts and identify appropriate mitigation as necessary.

The loss of forest and grasslands are considered irreversible ecological impacts. The larger project footprint increases the acreage of land clearance; thus, creating a larger impact on ecological resources. These impacts will also be considered and discussed in the SGEIS.

### ***Cultural and Archeological Resources***

Project impacts on cultural and archeological resources, including along the proposed sewer line and in areas of potential road improvements will be determined in consultation with NYS Office of Parks, Recreation and Historic Preservation (“OPRHP”) / State Preservation Officer (“SHPO”) under the New York State Historic Preservation Act. Particular emphasis will be on potential effects on resources listed on or eligible for inclusion on the State and National Register of Historic Places. The SGEIS will identify potential impacts and discuss appropriate mitigation measures. Mitigation may include resource avoidance, documentation, and/or removal.

Consultation with NYS OPRHP / SHPO will also be warranted for concurrence regarding the prior archaeological/cultural resources survey report and if additional investigations and/or studies are deemed necessary.

### ***Visual***

The appearance of the planned development differs from the existing natural landscape of the area. Potential visual impacts associated with the Project will be described in general terms relative to anticipated changes in visual character and views of the site once development occurs. Mitigation alternatives to mitigate potentially adverse visual impacts on receptors and the NYS Route 31 corridor will be addressed according to levels of practicability and screening effectiveness. Impacts and mitigation will consider lighting and the maintenance or establishment of natural or other visual buffers and screening. More specific measures that can be implemented to mitigate specific visual aspects of the Project will be discussed and determined during the Town’s Site Plan review and approval process once specific development is proposed.

### ***Noise, Odor, and Light***

Potential noise impacts associated with the Project will be considered for both construction and operation of industrial uses. Impacts and mitigation measures to reduce adverse impacts on the nearby receptors will be described for both short-term and long-term periods. Best management construction practices to control noise generation will be identified. Mitigation may include recommendations for the location of staging areas, limits on hours of construction activity and establishing a complaint resolution process. The Project will be discussed in terms of compliance with current Town of Clay noise regulations. The nature of noise generated by the Project depends on the types of industrial activities conducted by future tenants. However, estimations of noise

levels, distances to sensitive receptors, and sources of noise based on the current proposed development scenario will be addressed and appropriate mitigation measures discussed.

The SGEIS will address any potential impacts on odor, although there are no anticipated significant impacts on odor at this time.

Site lighting for buildings, roads, parking, and utility areas will comply with Chapter 140 of the Town of Clay Code. Mitigation of potential off-site impacts from lighting will consider the placement of lighting and the types of fixtures to be used as recommended by the Illuminating Engineering Society of North America (IESNA) to reduce the potential for light pollution to the greatest extent practicable.

### **REASONS SUPPORTING THIS LEAD AGENCY DETERMINATION**

OCIDA, as the Project sponsor and the agency most familiar with the Project area and potential future use of the land, has the broadest governmental powers for investigation of the impact of the proposed changes to the Action and the greatest capability for providing a thorough environmental assessment of the Action as presented.

**NOTICE**  
**STATE ENVIRONMENTAL QUALITY REVIEW ACT**  
**LEAD AGENCY DESIGNATION**  
**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

**December 9, 2020**

This notice is provided pursuant to the State Environmental Quality Review Act (“SEQRA”), Article 8 of the Environmental Conservation Law and the regulations adopted thereunder at 6 NYCRR Part 617. The Onondaga County Industrial Development Agency (“OCIDA”) intends to assume the role of Lead Agency for the purpose of conducting a coordinated environmental review under SEQRA for the following action .

**Project Name:** Proposed Expansion of the White Pine Commerce Park

**Project Address:** 5171 Route 31, Town of Clay, Onondaga County New York

**Description of Action:** OCIDA, as Project Sponsor, proposes to expand its business park known as White Pine Commerce Park to approximately 1,253± acres (the “Project”). White Pine Commerce Park (the “Park”) is located at the northeast of the intersection of NYS Route 31 and Caughdenoy Road. OCIDA currently owns approximately 450± acres and would acquire approximately 800± additional acres to the east of the existing Park. The expanded Park will be capable of supporting a mix of industrial and/or commercial uses that may include industrially related office, research, manufacturing, assembly, warehousing, data management, material processing and distribution facilities in a campus-like setting.

Based on its review of the Full Environmental Assessment Form (“FEAF”) prepared for the Project, and its knowledge of the Project generally, OCIDA has determined that the Project constitutes a Type I action as defined under SEQRA. As a recipient of this notice, your agency has been identified as one of the potentially involved agencies for the Project. Since the Lead Agency must be designated by agreement among the involved agencies, OCIDA requests your agreement regarding its assumption of the SEQRA Lead Agency role for this project.

**Within 30 days of the date of this notice, please notify OCIDA in writing at the address below of your agreement to OCIDA acting as lead agency and provide any comments or questions you may have concerning the Project. A lead agency consent form is found below.**

Robert Petrovich, Executive Director  
Onondaga County Industrial Development Agency  
333 West Washington St., Suite 130  
Syracuse, New York 13202  
Email: economicdevelopment@ongov.net

Phone: (315) 435-3770  
Fax: (315) 435-3669

A complete copy of the FEAF, including OCIDA's Notice of Intent to Prepare a Supplemental Generic Environmental Impact Statement is enclosed herein. If no response is received within the 30 days of the date of this notice, it shall be assumed that your agency has no objection to OCIDA acting as Lead Agency and no specific concerns about the Project.

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**SEQRA LEAD AGENCY DESIGNATION**

**Project: White Pine Commerce Park**  
**(formerly known as Clay Business Park)**  
**5171 Route 31**  
**Town of Clay, New York**

The undersigned, on behalf of \_\_\_\_\_,  
concurs with the designation of the Onondaga County Industrial Development Agency as lead  
agency for the coordinated environmental review of the White Pine Commerce Park Expansion  
Project.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Mailing List:**

Damian M. Ulatowski, Supervisor  
Town of Clay  
4401 State Route 31  
Clay, New York 13041

Edward Wisnowski, Chairman  
Town of Clay Zoning Board of Appeals  
4401 State Route 31  
Clay, NY 13041

Russ Mitchell, Chairman  
Town of Clay Planning Board  
4401 State Route 31  
Clay, New York 13041

Matthew Marko, Regional Director  
New York State Department of Environmental Conservation  
615 Erie Boulevard West  
Syracuse, New York 13204-2400

Basil Seggos, Commissioner  
New York State Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233

Martin E. Voss, Commissioner  
Onondaga County Department of Transportation  
John H. Mulroy Civic Center  
421 Montgomery Street, 11th Floor  
Syracuse, New York 13202

J. Ryan McMahon, II, County Executive  
John H. Mulroy Civic Center  
421 Montgomery Street, 14th Floor  
Syracuse, New York 13202

Dan Kwasnowski, Planning Director  
Syracuse-Onondaga County Planning Agency  
John H. Mulroy Civic Center  
421 Montgomery Street, 11th Floor  
Syracuse, New York 13202

Frank M. Mento, P.E., Commissioner  
Onondaga County Water Environment Protection  
650 Hiawatha Boulevard  
Syracuse, New York 13204

Marie Therese Dominguez, Commissioner  
New York State Department of Transportation  
50 Wolf Road  
Albany, NY 12232

David P. Smith, P.E., Regional Director  
New York State Department of Transportation  
State Office Building  
333 E. Washington Street  
Syracuse, NY 13202

New York State Office of Parks, Recreation  
& Historic Preservation  
Erik Kulleseid, Commissioner  
625 Broadway  
Albany NY 12207

Onondaga County Metropolitan Water Board  
Terence Mannion, Esq., Acting Chairman  
4170 Route 31  
Clay, NY 13041-8739

U.S. Army Corps of Engineers  
Lt. Col. Eli Adams, Commander  
Buffalo District  
1776 Niagara Street  
Buffalo, NY 14207

U.S. Fish & Wildlife Service  
New York Field Office  
3817 Luker Road  
Cortland, NY 13045

U.S. Fish & Wildlife Service  
Northeast Region  
300 Westgate Center Dr.  
Hadley, MA 01035

Indu Gupta, M.D., MPH  
Commissioner of Health  
Onondaga County Department of Health  
Bureau of Public Health Engineering  
421 Montgomery Street, 12th Floor  
Syracuse, NY 13202

James D'Agostino, Director  
Syracuse Metropolitan Transportation Council  
126 North Salina Street  
100 Clinton Square, Suite 100



**Mailing List:**

Bill Meyer, Supervisor  
Town of Cicero  
8236 Brewerton Road  
Cicero, NY 13039



200 Northern Concourse  
PO Box 4949  
Syracuse, NY 13221-4949

**Central New York's Water Authority**  
[www.ocwa.org](http://www.ocwa.org)

Phone: 315-455-7061  
Fax: 315-455-6649

December 16, 2020

Robert Petrovich, Executive Director  
Onondaga County Industrial Development Agency  
333 West Washington Street, Suite 130  
Syracuse, New York 13202

Subject: White Pine Commerce Park  
SEQRA Lead Agency Designation

Dear Mr. Petrovich:

OCWA's concurrence with designating the Onondaga County Industrial Development Agency as the lead agency for the coordinated environmental review of the White Pine Commerce Park Expansion Project is attached.

One item of note, since January 1, 2017, OCWA has assumed the operation, maintenance and capital improvements related to the Onondaga County Metropolitan Water Agency. Accordingly, water related inquiries and requests should be directed to OCWA.

Should you have any questions or require information related to water service for the White Pine Commerce Park or OCWA in general, please don't hesitate to contact me directly. My office phone number is 315-455-7061 extension 3114 and my email address is [mehooker@ocwa.org](mailto:mehooker@ocwa.org).

Thank you,

  
Michael E. Hooker  
Executive Director

cc: Geoffrey G. Miller, P.E., BCEE,  
Deputy Executive Director/COO

Phone: (315) 435-3770  
Fax: (315) 435-3669

A complete copy of the FEAF, including OCIDA's Notice of Intent to Prepare a Supplemental Generic Environmental Impact Statement is enclosed herein. If no response is received within the 30 days of the date of this notice, it shall be assumed that your agency has no objection to OCIDA acting as Lead Agency and no specific concerns about the Project.

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**SEQRA LEAD AGENCY DESIGNATION**

**Project: White Pine Commerce Park  
(formerly known as Clay Business Park)  
5171 Route 31  
Town of Clay, New York**

The undersigned, on behalf of \_\_\_\_\_ the Onondaga County Water Authority \_\_\_\_\_, concurs with the designation of the Onondaga County Industrial Development Agency as lead agency for the coordinated environmental review of the White Pine Commerce Park Expansion Project.

By:  \_\_\_\_\_

Title: Executive Director

Date: December 16, 2020

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 7  
615 Erie Boulevard West, Syracuse, NY 13204-2400  
P: (315) 426-7438 | F: (315) 426-7425  
www.dec.ny.gov

Onondaga County Industrial Development Agency  
333 West Washington St., Suite 130  
Syracuse, NY 13202  
[economicdevelopment@ongov.net](mailto:economicdevelopment@ongov.net)

March 5, 2021

**RE: White Pine Commerce Park, Response to SEQRA Lead Agency Coordination  
5171 Route 31, Town of Clay, Onondaga County**

Dear Mr. Petrovich:

The New York State Department of Environmental Conservation (DEC) received the submitted information for the above referenced project on January 8, 2021. This information was received by the Department on January 8, 2021. According to the provided materials, OCIDA, as the project sponsor, proposes to expand its existing 450 acres business park to approximately 1,253 acres to support a mix of industrial and/or commercial businesses. DEC has no objections to OCIDA continuing as lead agency and offers the following to be considered in addition to the impacts that were identified in the 2013 Final Generic Environmental Impact Statement.

## **PROTECTION OF WATERS**

Eight tributaries of Oneida River and Youngs Creek (NYS Water Index#: ONT-66-11-14-4-1A, ONT-66-11-14-2-1, ONT-66-11-14-1C, ONT-66-11-14-2, ONT-66-11-14-1B, ONT-66-11-14, ONT-66-11-14-4, ONT-66-11-14-4-1), all Class C streams, are located within close proximity to the identified project location. These natural resources should be preserved to the best extent possible. An Article 15, Protection of Waters, is required for excavating or placing fill in navigable waters of the state, below the mean high water level, including adjacent and contiguous marshes and wetlands. In New York State, applicants for a Federal license or permit for activities that may result in a discharge into waters of the United States are required to apply for and obtain a Water Quality Certification (WQC) from DEC indicating that the proposed activity will comply with New York State water quality standards. A WQC from DEC is most commonly required when a project also requires a permit from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act for the placement of fill in waters of the United States. Therefore, any of these impacts should be considered in your environmental review and incorporated into the design. Upon application to DEC, the project sponsor must provide a full delineation of all streams, and should include, but not limited to; stream width at Ordinary High Water Level (OHWL), colored photographs, a determination of its' navigability, any proposed tree cutting along the stream corridor, and any fill or ground disturbance within 50 feet from OHWL.

The project sponsor will be responsible for ensuring that any work shall not pollute any stream or waterbody, as it pertains to New York State's water quality standards program, which includes federal (U.S. EPA) oversight. Care shall be taken to stabilize any disturbed areas promptly after any construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

## **FRESHWATER WETLANDS**

Your project/site is near or within two Regulated Freshwater Wetlands; BRE-11, a Class III wetland, and BRE-14, a Class II Wetland. Under the Freshwater Wetlands Act, DEC regulates activities in freshwater wetlands and in their 100 foot adjacent areas. DEC regulates such activities to prevent impairment of wetland benefits and functions. Therefore, DEC recommends that any impacts to both the Freshwater



Wetland and/or 100 foot adjacent area be considered in your environmental review, and strict avoidance incorporated into your design. In addition, a full delineation, and wetland report should be completed. Once completed, please contact our Bureau of Ecosystem Health, to have the delineation verified, at (607) 753-3095, ext. 206.

Please also contact your town officials and the United States Army Corps of Engineers Auburn Field Office, at (315) 255-8090, for anything they might require.

### **STATE-LISTED SPECIES**

DEC has reviewed the State's Natural Heritage records. We have determined that the site is located within or near record(s) for the following State-listed species: Sedge Wren (*Cistothorus platensis*), Threatened, and Indiana Bat (*Myotis sodalis*), Endangered. Please be aware, pursuant to Article 11, Title 5, Section 535 of the Environmental Conservation Law, Threatened and Endangered Species, an "Incidental Take" Permit may be required from the DEC for any project if it is determined that a take of a threatened or endangered species will occur. Regarding the Sedge Wren, DEC will require that a grassland breeding bird survey be conducted. DEC will review the results of this survey in order to determine the need for an incidental take permit. Regarding the Indiana Bat, to avoid adverse impacts, any project plans for construction activities on these parcels must specify that cutting of any and all known roost trees be avoided, and clearing of other trees must occur from October 31 through March 31. For more information on avoiding impacts to state-listed species referenced above, please contact Tom Bell with DEC's Region 7 Division of Wildlife at (607) 753-3095, ext. 243.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

### **CULTURAL RESOURCES**

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is not located within an area considered to be sensitive with regard to archaeological resources. For more information, please visit the New York State Office of Historic Preservation website at <http://www.nysparks.com/shpo/>.

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Applicants proposing complex, multi-residential, commercial or industrial projects are strongly encouraged to schedule a pre-application conference. This meeting with DEC allows the applicant to clarify project objectives and obtain DEC's recommendations. Such feedback can improve the project environmentally and shorten the application procedure. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. Applications may be downloaded from our website at <https://www.dec.ny.gov/permits/6222.html>.

### **State Pollutant Discharge Elimination System (SPDES)**

If the project will disturb greater than one acre of soil, a SPDES General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-0-20-001 (Stormwater Permit) will be required. The project is located within the Town of Clay, which is a regulated Municipal Separate Storm Sewer System (MS4) community. Therefore, the Stormwater Pollution Prevention Plan (SWPPP) must be reviewed and accepted by the MS4 prior to obtaining stormwater permit coverage. In addition to the MS4 review, DEC

retains its authority to complete a SWPPP review of the project. Please notify DEC when the SWPPP for this project has been completed and is available for review.

The proposed commerce park will most likely be serviced by the Oak Orchard Wastewater Treatment plant (WWTP). Depending on the estimated organic loads the facility (s) will produce, a pretreatment system should be considered. Many industrial developments typically have higher levels of total suspended solids and/or metals, and existing conditions at the treatment plant may not accommodate these increases. In addition to pretreatment, an upgrade to the WWTP should be considered to handle not only the increase in organic loads, but the increase in hydraulic loading.

Proposed new outfalls were mentioned in the FEAF. Once available, DEC will need to review any new outfalls, as any discharges of wastewater will require a SPDES permit, and proper justification as to why the discharges cannot be sent to the Oak Orchard WWTP.

With regards to any proposed sewer extensions, DEC strongly recommends being a co-reviewer along with Onondaga County Department of Health for any and all approvals for the installation of the force mains. Lastly, the groundwater elevation has been noted as 3 feet, and thus any dewatering action should be reviewed by DEC.

**These determinations are typically good for one year, therefore as plans progress please contact DEC to ensure your compliance with Environmental Conservation Law (ECL).** Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,



Trendern Choe  
Division of Environmental Permits, Region 7  
Telephone No. (315) 426-7445

Cc: Matthew Marko – R7 Director  
T. Vigneault, V. Ellis, M. Kazmierski – R7 DOW  
T. Bell – R7 Wildlife  
T. Toukatly – R7 BEH  
E. Tracy – R7 RPA  
Town Supervisor

**From:** [dec.sm.NaturalHeritage](mailto:dec.sm.NaturalHeritage)  
**To:** [Carroll, Alexandra](mailto:Carroll, Alexandra)  
**Subject:** [EXTERNAL] RE: Info Request  
**Date:** Tuesday, March 30, 2021 5:22:44 PM

---

I see. We can review the project site, but it's worth mentioning that for listed animals such as sedge wren and Indiana bat, we cannot divulge detailed information. We can report the distance from the project site and whether or not it is a breeding or nonbreeding location (for birds) and summer or winter location (for bats). And, you would still need to follow up with NYSDEC Regional Permits staff for additional guidance or permit considerations for any listed species.

We do provide more detailed information for unlisted species and significant natural communities, should there happen to be any.

I will keep this request in our queue for review.

Sincerely,  
Heidi

---

**From:** Carroll, Alexandra <ACarroll@jmt.com>  
**Sent:** Tuesday, March 30, 2021 5:06 PM  
**To:** dec.sm.NaturalHeritage <NaturalHeritage@dec.ny.gov>  
**Subject:** RE: Info Request

Heidi,

Thank you for your email. I did use the EAF Mapper tool and USFWS IPaC tool and found that the project location could impact two species: Sedge wren and Indiana bat. I was hoping to gain more information on the *known occurrences* of these species as neither tool provides that information.

Thanks again,  
Alexandra

JMT of New York, Inc.  
An Employee-Owned Company

Alexandra Carroll, GISP  
Associate  
Special Projects  
D. (518) 218-5925

 Please consider the environment before printing this e-mail

---

**From:** dec.sm.NaturalHeritage <[NaturalHeritage@dec.ny.gov](mailto:NaturalHeritage@dec.ny.gov)>  
**Sent:** Tuesday, March 30, 2021 4:25 PM

**To:** Carroll, Alexandra <[ACarroll@jmt.com](mailto:ACarroll@jmt.com)>

**Subject:** [EXTERNAL] RE: Info Request

Alexandra,

Thank you for contacting the NY Natural Heritage Program.

In your request you mention SEQR review. You can use the [EAF Mapper](#), a NYSDEC online tool, to obtain the information you need. The EAF Mapper is the most efficient way to obtain answers to questions on the EAF. The EAF Mapper will automatically answer many of the EAF questions, including those regarding rare and endangered species (the tool provides specific species names) and significant natural communities. And when you use the EAF Mapper to fill in your EAF, submitting a project screening request to NY Natural Heritage is not necessary.

Due to the volume of requests we are receiving, our turn-around time is currently longer than usual, at about 5-6 weeks response time from submission date. If you use the EAF Mapper in the meantime and are able to get what you need regarding rare and endangered species and significant natural communities, please let me know and I will remove this request from our queue.

Sincerely,

***Heidi Krahling, Environmental Review Specialist***

(she/her)

NY Natural Heritage Program

625 Broadway, 5th Floor

Albany, NY 12233-4757

[www.nynhp.org](http://www.nynhp.org)

---

**From:** Carroll, Alexandra <[ACarroll@jmt.com](mailto:ACarroll@jmt.com)>

**Sent:** Friday, March 26, 2021 2:39 PM

**To:** dec.sm.NaturalHeritage <[NaturalHeritage@dec.ny.gov](mailto:NaturalHeritage@dec.ny.gov)>

**Subject:** Info Request

**Importance:** High

Dear Information Services:

JMT of New York, Inc. is preparing SEQR-related documents for a Draft Generic Environmental Impact Statement (DGEIS) for a proposed manufacturing site bound by NY-31 to the south and Caughdenoy Road to the west in Towns of Clay and Cicero, Onondaga County, New York.

The attached Site Location Map depicts the project boundaries.

Please review the project area for the presence of endangered, threatened, or special concern wildlife species, rare plant, animal or natural community occurrences, or other significant habitats.

If you should have any questions or require additional information, please contact me at [acarroll@jmt.com](mailto:acarroll@jmt.com) or (518) 218-5925.

Kind regards,  
Alexandra

JMT of New York, Inc.  
An Employee-Owned Company

Alexandra Carroll, GISP  
Associate  
Special Projects

19 British American Boulevard  
Latham, New York 12110  
D. (518) 218-5925  
[acarroll@jmt.com](mailto:acarroll@jmt.com)



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JMT 50th Anniversary



This message is intended for the use of the individual or entity to which it is addressed and may contain information that is confidential, privileged and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent of the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender immediately and delete it from your system.

Thank You.



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New York Ecological Services Field Office  
3817 Luker Road  
Cortland, NY 13045-9385

Phone: (607) 753-9334 Fax: (607) 753-9699

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

In Reply Refer To:

April 13, 2021

Consultation Code: 05E1NY00-2021-SLI-2254

Event Code: 05E1NY00-2021-E-07085

Project Name: White Pine SGEIS

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the Services wind

energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New York Ecological Services Field Office**

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

## Project Summary

Consultation Code: 05E1NY00-2021-SLI-2254

Event Code: 05E1NY00-2021-E-07085

Project Name: White Pine SGEIS

Project Type: DEVELOPMENT

Project Description: Development of Supplemental Generic Environmental Impact Statement

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.188826750000004,-76.15214390820285,14z>



Counties: Onondaga County, New York

## Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

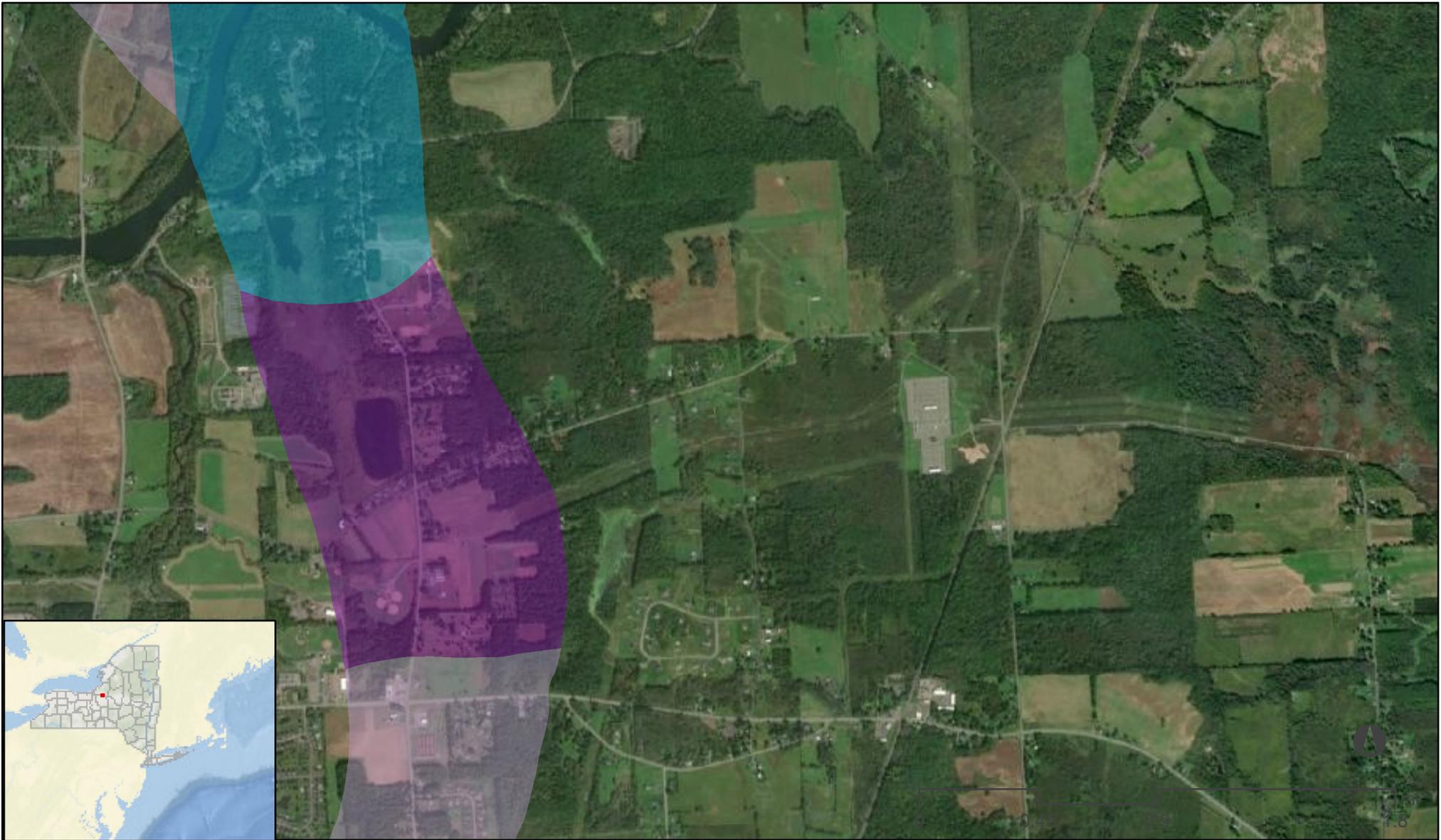
NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered

## Reptiles

NAME	STATUS
Eastern Massasauga (=rattlesnake) <i>Sistrurus catenatus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2202">https://ecos.fws.gov/ecp/species/2202</a>	Threatened

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



 <all other values>

 Unconfined, High Yield

 Confined, No Overlying Surficial Aquifer

 Kame, Outwash or Alluvium

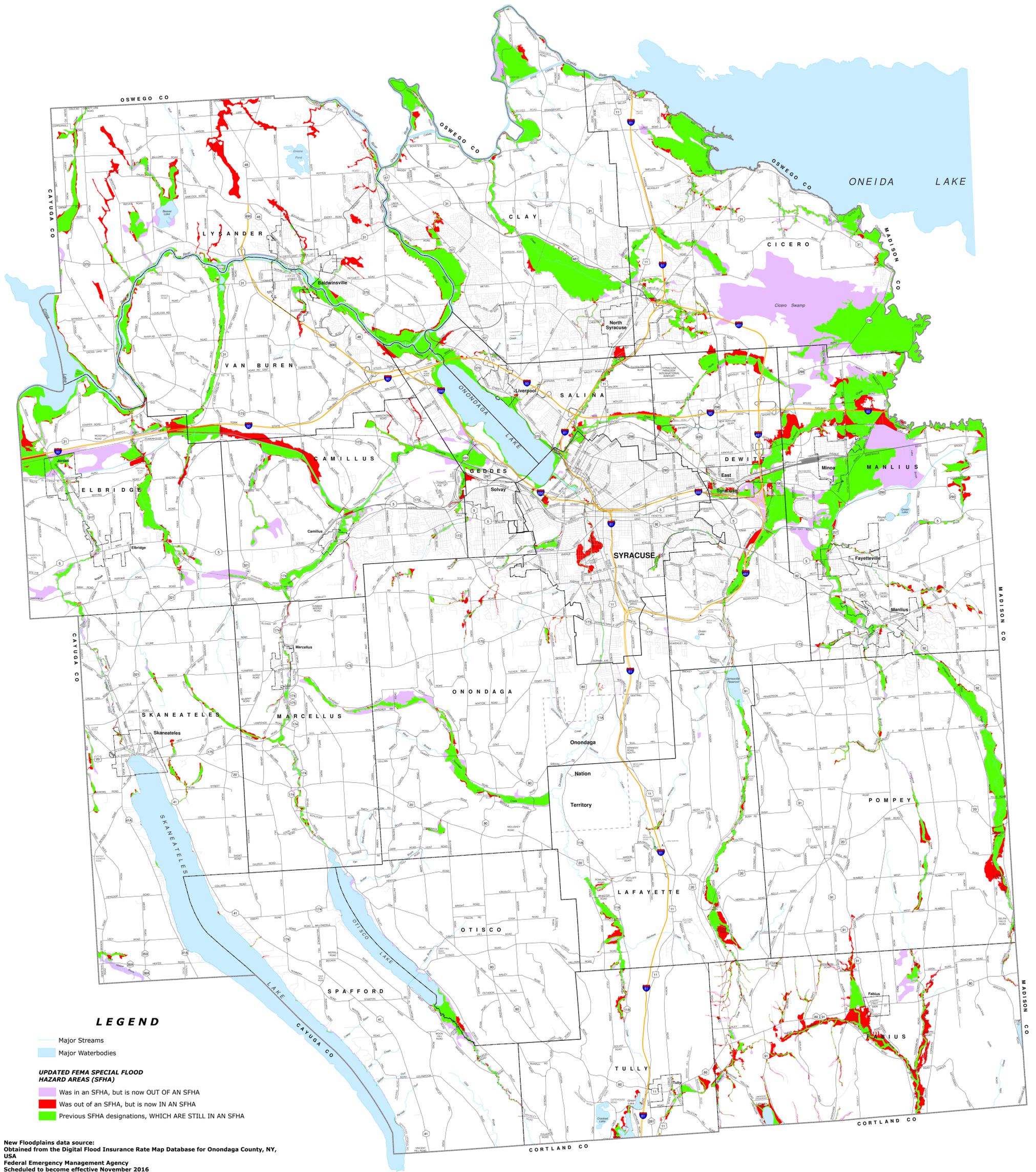
 Primary Aquifer Region

 Unconfined, Mid Yield

 Confined, Unknown Depth and Thickness

 Moraine

# FEMA Floodplain Changes in Onondaga County (2016)



## LEGEND

- Major Streams
- Major Waterbodies
- UPDATED FEMA SPECIAL FLOOD HAZARD AREAS (SFHA)**
- Was in an SFHA, but is now OUT OF AN SFHA
- Was out of an SFHA, but is now IN AN SFHA
- Previous SFHA designations, WHICH ARE STILL IN AN SFHA

New Floodplains data source:  
 Obtained from the Digital Flood Insurance Rate Map Database for Onondaga County, NY, USA  
 Federal Emergency Management Agency  
 Scheduled to become effective November 2016

Previous Floodplain data source:  
 Provided by the Federal Emergency Management Agency from Flood Insurance Maps  
 June 1982 - August 1984

**Disclaimer:**  
**THIS IS NOT AN OFFICIAL FEMA MAP.**  
 This map is intended for general planning purposes only. It should not be used to determine if a property is located in a SFHA. To determine if a property is located in a SFHA, refer to the FEMA Flood Insurance Rate Maps.

The hardcopy FIRM and the accompanying FISs are the official designation of SFHAs and Base Flood Elevations (BFEs) for the NFIP. For the purposes of the NFIP, changes to the flood risk information published by FEMA may only be performed by FEMA and through the mechanisms established in the NFIP regulation (44 CFR Parts 59-78). These digital data are produced in conjunction with the hardcopy FIRMs and generally match the hardcopy map exactly. However the hardcopy flood maps and flood profiles are the authoritative documents for the NFIP.



0 1 2 3 4 5 Miles

NOTE: This map was created by the Syracuse-Onondaga County Planning Agency (SOCPA) GIS division using existing (1980's) and preliminary (2016) FEMA floodplain data.

20-03861-001 - Project Eagle - 1 | Prelim Supplement Scope.docx | Flood Maps | FEMA.gov | FEMA Flood Map Service Center | City of Syracuse - Onondaga Co... | Not secure | fshost.com/onondaga/Default.aspx

SYRACUSE-ONONDAGA COUNTY G.I.S. ON THE WEB

J. RYAN McMAHON, II, COUNTY EXECUTIVE | BEN WALSH, MAYOR

Table of Contents

- Basemaps
- Legend
- Layers
  - County Sanitary District
  - School Districts
  - NYS Assembly Districts
  - NYS Senate Districts
  - Syracuse Common Council Districts
  - Syracuse Wards
  - Natural Resources
    - Floodplains
    - Parks
    - Soils
    - DEC Wetlands
    - Federal Wetlands
  - County Maintained Wastewater Infrastructure

Address Search  
Parcel Search  
Measure  
Go To  
Feature Select  
Print

1:72,224

Environmental Qu...pdf

Type here to search

3:40 PM 1/28/2021

No floodplains identified.

20-03861 - White Pine Develop... | 20-03861 - White Pine Develop... | Question 3 - Impacts on Surface | Environmental Resource Mapper

gisservices.dec.ny.gov/gis/erm/

Services News Government Local

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

### Environmental Resource Mapper

Base Map: Topographical Using this map

Search

Tools

Layers and Legend

- All Layers
- Unique Geological Features
- Waterbody Classifications for Rivers/Streams
- Waterbody Classifications for Lakes

Other Wetland Layers

Reference Layers

Tell Me More...

Need A Permit?

Contacts

Agencies Services App Directory Counties Events Programs

12:07 PM 12/1/2020

20-03861 - White Pine Develop... | 20-03861 - White Pine Develop... | Question 3 - Impacts on Surface | Environmental Resource Mapper

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

### Environmental Resource Mapper

Base Map: Topographical Using this map

Search

Tools

Layers and Legend

- State Regulated Freshwater Wetlands (Outside of the Adirondack Park)
- State Regulated Wetland Checkzone
- Significant Natural Communities
- Natural Communities Near This Location

Other Wetland Layers

Reference Layers

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12:09 PM 12/1/2020

20-03861 - White Pine Develop... x 20-03861 - White Pine Develop... x Question 3 - Impacts on Surface x Environmental Resource Mapper x

gisservices.dec.ny.gov/gis/erm/

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

### Environmental Resource Mapper

Base Map: Topographical Using this map

Search

Tools

Layers and Legend

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12:09 PM 12/1/2020

20-03861 - White Pine Develop... x 20-03861 - White Pine Develop... x Question 3 - Impacts on Surface x Environmental Resource Mapper x

gisservices.dec.ny.gov/gis/erm/

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

### Environmental Resource Mapper

Base Map: Topographical Using this map

Search

Tools

Layers and Legend

Other Wetland Layers

- National Wetlands Inventory
  - Estuarine and Marine Deepwater
  - Estuarine and Marine Wetland
  - Freshwater Emergent Wetland
  - Freshwater Forested/Shrub Wetland
  - Freshwater Pond

Reference Layers

Tell Me More...

Need A Permit?

Contacts

Agencies Services App Directory Counties Events Programs

12:10 PM 12/1/2020

**WHITE PINE COMMERCE PARK**

**SEQRA RESOLUTION**

A special meeting of the Onondaga County Industrial Development Agency was convened in public session, remotely by conference call or similar service pursuant to New York State Executive Order 202.97 on May 6, 2021, at 10:45 a.m., local time.

The meeting was called to order by the (Vice) Chairman of the Agency and, upon roll being called, the following members of the Agency were:

**PRESENT:** Patrick Hogan  
Janice Herzog  
Steve Morgan  
Susan Stanczyk  
Kevin Ryan

**ABSENT:** Victor Ianno  
Fanny Villarreal

**ALSO PRESENT:** Robert M. Petrovich, Executive Director  
Jeffrey W. Davis, Esq., Agency Counsel  
Amanda M. Fitzgerald, Esq., Agency Counsel

The following resolution was offered by Janice Herzog, seconded by Steve Morgan, to wit:

**RESOLUTION DETERMINING PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT THAT THE DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT PREPARED FOR THE PROPOSED EXPANSION OF THE WHITE PINE COMMERCE PARK PROJECT IS ADEQUATE FOR COMMENCEMENT OF PUBLIC REVIEW**

WHEREAS, Onondaga County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York,

constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act"), Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975 of the State of New York, as amended (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Agency currently owns White Pine Commerce Park ("Park") located northeast of the intersection of NYS Route 31 and Caughdenoy Road in the Town of Clay, Onondaga County, New York; and

WHEREAS, in an effort to transform the Park into a modern industrial park for advanced manufacturing and state-of-the-art industrial uses, the Agency previously performed a thorough environmental review of the Park and its anticipated environmental impacts pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), which included, but was not limited to, the following: (1) classifying the Park project as a Type 1 action; (2) acting as Lead Agency for the purpose of a coordinated environmental review; (3) conducting necessary studies and holding required hearings in connection with the preparation of a Generic Environmental Impact Statement ("GEIS") to address anticipated potential impacts associated with the proposed multi-use industrial park; (4) preparation of a subsequent Final GEIS ("FGEIS") that incorporated the DGEIS by reference and included responses to public comments received; and (5) preparation and issuance by the Agency of a Findings Statement in October of 2013 that (a) concluded the project avoided or minimized adverse environmental impacts to the maximum extent practicable, (b) incorporated mitigation measures that were considered practicable, and (c) identified certain impact thresholds that, if exceeded, may require supplemental determinations of their significance and/or impact evaluation, and possibly mitigation measures in addition to those identified; and

WHEREAS, the Park was created to be capable of supporting a mix of industrial and/or commercial uses with related office space, advanced state-of-the-art research, large- or small-scale manufacturing, assembly, warehousing, data management, material processing and distribution facilities in a campus-like setting; and

WHEREAS, since 2013, the Agency has attempted to market the Park for development around the country to potential manufacturing and industrial users, but those efforts have been unsuccessful and the Park remains vacant; and

WHEREAS, through its marketing efforts and communications with desired tenants around the country, the Agency has determined the Park is not large enough and must be expanded significantly to be considered an attractive, viable location for prospective large- and small-scale manufacturing and industrial developers; and

WHEREAS, the Agency has devoted substantial time and effort into determining the highest and best use of the Park, with a particular focus on site attributes that will bring high-tech facilities and high paying jobs to Onondaga County; and

WHEREAS, the Agency has focused its efforts on the semiconductor industry, and those efforts have been unsuccessful to date as it has become apparent that a larger geographic footprint is necessary in order to support this type of industry and the associated investment required by a prospective tenant(s); and

WHEREAS, the Agency, as Project Sponsor, proposes to expand the Park to approximately 1,250± acres (the “Project” or “Action”), of which the Agency currently owns approximately 648± acres, has another 282± acres under contract, and would acquire approximately 320± additional acres, with such additional acreage consisting of parcels contiguous to the current Park and generally located along NYS Route 31 and along the east and west sides of Burnet Road, and which will be acquired by the Agency through purchase agreements with existing landowners or, if necessary, pursuant to the Eminent Domain Procedure Law (“EDPL”), to avoid fragmented parcels that would hinder future development; and

WHEREAS, pursuant to SEQRA, the Agency is required to make a determination whether the “action” (as said quoted term is defined in SEQRA) to be taken by the Agency may have a “significant impact on the environment” (as said quoted term is utilized in SEQRA) and the preliminary agreement of the Agency to undertake the Project constitutes such an action; and

WHEREAS, pursuant to SEQRA (6 NYCRR § 617.9(7)(i)), the Agency recognizes the proposed Project represents a significant change from the Park’s current footprint that presents changed circumstances from those evaluated by the Agency under its prior SEQRA review in 2013; and

WHEREAS, the Agency prepared and completed a Full Environmental Assessment Form (the “FEAF”) to aid in determining whether undertaking the Project may have a significant adverse impact upon the environment; and

WHEREAS, pursuant to a resolution adopted on December 8, 2020, the Agency determined that the Project was a Type I action, issued a positive declaration, declared its intent to act as “lead agency” (as said quoted term is defined in SEQRA), and resolved that a Supplemental Generic Environmental Impact Statement (“SGEIS”) will be prepared; and

WHEREAS, pursuant to SEQRA, the Agency notified each identified “involved agency” (as said quoted term is defined in SEQRA) of its intent to act as lead agency concerning the coordinated environmental review of the Project; and

WHEREAS, no involved agency objected to the Agency acting as lead agency; and

WHEREAS, the Agency, with the assistance of its consultants, has prepared a Draft SGEIS; and

WHEREAS, the Agency has completed its preliminary review of the Draft SGEIS and has analyzed the Draft SGEIS for compliance with the applicable SEQRA regulations;

**NOW, THEREFORE,** be it resolved by the members of the Onondaga County Industrial Development Agency as follows:

- (1) The Agency hereby confirms its status as lead agency concerning the coordinated environmental review of the Project.
- (2) Based upon an examination of the Draft SGEIS prepared for the Project, the criteria contained in 6 NYCRR Part 617, including §617.9, and based further upon the Agency’s knowledge of the area surrounding the Project, and such further investigation of the Project and its potential significant environmental impacts as the Agency has deemed appropriate, the Agency determines and finds that the Draft SGEIS, dated May 6, 2021, is complete for commencement of the public review pursuant to SEQRA.
- (3) The Agency hereby adopts a Notice of Completion of Draft SGEIS and Notice of Public Hearing (the “Notice of Completion”) concerning the Project, which is attached hereto as Exhibit A.
- (4) The public comment period concerning the Draft SGEIS shall commence upon the filing and circulation of a notice of completion pursuant to the requirements of SEQRA, and such public comment period shall remain open until June 11, 2021.
- (5) The Agency shall arrange for filing and distribution of the Notice of Completion and Draft SGEIS pursuant to the requirements of SEQRA.

- (6) Copies of the Draft SGEIS and Notice of Completion, as well as a copy of this Resolution, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours, and a copy shall also be made available for public review at the Town of Clay Town Hall, 4401 Route 31, Clay, NY 13041.
- (7) This Resolution shall take effect immediately

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Patrick Hogan	x		
Janice Herzog	x		
Victor Ianno			x
Steve Morgan	x		
Susan Stanczyk	x		
Kevin Ryan	x		
Fanny Villarreal			x

The foregoing resolution was thereupon declared duly adopted.

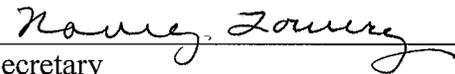
STATE OF NEW YORK            )  
  ) SS.:  
COUNTY OF ONONDAGA        )

I, the undersigned Secretary of the Onondaga County Industrial Development Agency, DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Onondaga County Industrial Development Agency (the "Agency") held on May 6, 2021, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this \_\_\_\_ day of May, 2021.

  
Secretary

(S E A L)

**EXHIBIT A**

**STATE ENVIRONMENTAL QUALITY REVIEW  
NOTICE OF COMPLETION OF DRAFT SUPPLEMENTAL GENERIC  
ENVIRONMENTAL IMPACT STATEMENT AND  
NOTICE OF SEQRA HEARING**

**Date:** May 6, 2021

**Lead agency:** Onondaga County Industrial Development Agency (OCIDA)

**Address:** Robert Petrovich, Executive Director  
Onondaga County Industrial Development Agency  
333 West Washington St., Suite 130  
Syracuse, New York 13202

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8, State Environmental Quality Review Act of the Environmental Conservation Law.

A Draft Supplemental Generic Environmental Impact Statement (“GEIS”) has been completed and accepted for the proposed action described below. Comments are requested and will be accepted by OCIDA until June 11, 2021 in writing to the address above, or via email to: [economicdevelopment@ongov.net](mailto:economicdevelopment@ongov.net). A public hearing on the Draft Supplemental GEIS will be held virtually on May 24, 2021 at 6:00 p.m. Anyone wishing to be heard may participate in the hearing using the information below.

Webcast public hearing information:

Topic: OCIDA White Pine Draft Supplemental GEIS 2021 Public Hearing  
Time: May 24, 2021 6:00 pm Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81266706416?pwd=cDI0S05nVXpzcW9VMUIKOGZscHNEQT09>

Meeting ID: 812 6670 6416

Passcode: XBF8bW

One tap mobile

+19294362866,,81266706416#,,,,\*058990# US (New York)

Dial by your location

+1 929 436 2866 US (New York)

Meeting ID: 812 6670 6416

Passcode: 058990

Find your local number: <https://us02web.zoom.us/u/kemOKIg0tq>

**Name of Action & Location of Action:**

White Pine Commerce Park (formerly known as Clay Business Park)  
5171 Route 31  
Town of Clay, New York

**Description of Action:**

OCIDA, as Project Sponsor, proposes to expand its existing White Pine Commerce Park (“Park”), formerly known as the Clay Business Park, to approximately 1,250± acres (the “Project”). The Park is located northeast of the intersection of NYS Route 31 and Caughdenoy Road in the Town of Clay, Onondaga County, New York. OCIDA currently owns approximately 648± acres, has another 282± acres under contract, and would acquire approximately 320± additional acres through purchase agreements with existing landowners or, if necessary, pursuant to the Eminent Domain Procedure Law to avoid fragmented parcels that would hinder future development. The Project purpose is to expand the Park to enable OCIDA to market the Park to a larger, more diverse mix of potential industrial and commercial developers, by making the site more attractive to a broader scope of industries, particularly the semiconductor industry, and bringing high tech and high paying jobs to Onondaga County.

OCIDA originally created the Park in 2013. At that time, OCIDA determined the creation of the Park was a Type 1 Action under SEQRA and it had the potential for at least one significant adverse environmental impact. OCIDA subsequently issued a positive declaration and required the preparation of a Draft Generic Environmental Impact Statement (“DGEIS”). In September 2013, OCIDA adopted a Final GEIS (“FGEIS”) for the Park. It subsequently issued its Findings Statement certifying that the requirements of SEQRA had been met and the Park was “[c]onsistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable[.]”

The scope of the Project and changes in circumstances since OCIDA’s 2013 SEQRA review warrant further review under SEQRA. OCIDA has prepared the Draft Supplemental GEIS to evaluate Project changes that have occurred since 2013.

**Potential Environmental Impacts**

Potential impacts associated with the proposed Project are identified in the Full Environmental Assessment Form, evaluated in the Draft Supplemental GEIS, and include the following: zoning and land use; community character; transportation and traffic; energy and utilities; topography, geology, soils and groundwater; water resources; air resources; climate change; human health; ecological resources; cultural and archaeological resources; visual resources; and noise, odor and light. These impacts, which may be reasonably expected to result from the Project, have been compared to the criteria for determining significance identified in 6 N.Y.C.R.R. § 617.7(c)(1) and in accordance with 6 N.Y.C.R.R. § 617.7(c)(2) and (3).

The Draft Supplemental GEIS is available for review at the following:

- OCIDA's website at: <https://www.ongoved.com/ocida/project-documents/>.
- Onondaga County Industrial Development Agency  
Attn: Robert Petrovich, Executive Director  
333 West Washington St., Suite 130  
Syracuse, New York 13202  
(315) 435-3770
- Town of Clay Town Hall  
4401 Route 31  
Clay, NY 13041  
(315) 652-3800

A copy of the Draft Supplemental GEIS may also be obtained from OCIDA upon request.

Involved and Interested Agencies:

Damian M. Ulatowski, Supervisor  
Town of Clay  
4401 State Route 31  
Clay, New York 13041

Edward Wisnowski, Chairman  
Town of Clay Zoning Board of Appeals  
4401 State Route 31  
Clay, NY 13041

Russ Mitchell, Chairman  
Town of Clay Planning Board  
4401 State Route 31  
Clay, New York 13041

Matthew Marko, Regional Director  
New York State Department of Environmental Conservation  
615 Erie Boulevard West  
Syracuse, New York 13204-2400

Basil Seggos, Commissioner  
New York State Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233

Martin E. Voss, Commissioner  
Onondaga County Department of Transportation  
John H. Mulroy Civic Center  
421 Montgomery Street, 11th Floor  
Syracuse, New York 13202

J. Ryan McMahon, II, County Executive  
John H. Mulroy Civic Center  
421 Montgomery Street, 14th Floor  
Syracuse, New York 13202

Dan Kwasnowski, Planning Director  
Syracuse-Onondaga County Planning Agency  
John H. Mulroy Civic Center  
421 Montgomery Street, 11th Floor  
Syracuse, New York 13202

Frank M. Mento, P.E., Commissioner  
Onondaga County Water Environment Protection  
650 Hiawatha Boulevard  
Syracuse, New York 13204

Marie Therese Dominguez, Commissioner  
New York State Department of Transportation  
50 Wolf Road  
Albany, NY 12232

David P. Smith, P.E., Regional Director  
New York State Department of Transportation  
State Office Building  
333 E. Washington Street  
Syracuse, NY 13202

New York State Office of Parks, Recreation  
& Historic Preservation  
Erik Kulleseid, Commissioner  
625 Broadway  
Albany NY 12207

Onondaga County Water Authority  
Michael Hooker, Executive Director  
200 Northern Concourse  
North Syracuse, NY 13212

U.S. Army Corps of Engineers  
Lt. Col. Eli Adams, Commander  
Buffalo District  
1776 Niagara Street  
Buffalo, NY 14207

U.S. Fish & Wildlife Service  
New York Field Office  
3817 Luker Road  
Cortland, NY 13045

U.S. Fish & Wildlife Service  
Northeast Region  
300 Westgate Center Dr.  
Hadley, MA 01035

Indu Gupta, M.D., MPH  
Commissioner of Health

Onondaga County Department of Health  
Bureau of Public Health Engineering  
421 Montgomery Street, 12th Floor  
Syracuse, NY 13202

James D'Agostino, Director  
Syracuse Metropolitan Transportation Council  
126 North Salina Street  
100 Clinton Square, Suite 100

Bill Meyer, Supervisor  
Town of Cicero  
8236 Brewerton Road  
Cicero, NY 13039

## **WHITE PINE COMMERCE PARK**

### **PUBLIC HEARING RESOLUTION**

A special meeting of the Onondaga County Industrial Development Agency was convened in public session, remotely by conference call or similar service pursuant to New York State Executive Order 202.105 on May 6, 2021, at 10:45 a.m., local time.

The meeting was called to order by the Chairman of the Agency and, upon roll being called, the following members of the Agency were:

**PRESENT:** Patrick Hogan  
Janice Herzog  
Steve Morgan  
Susan Stanczyk  
Kevin Ryan

**ABSENT:** Victor Ianno  
Fanny Villarreal

**ALSO PRESENT:** Robert M. Petrovich, Executive Director  
Jeffrey W. Davis, Esq., Agency Counsel  
Amanda M. Fitzgerald, Esq., Agency Counsel

The following resolution was offered by Susan Stanczyk, seconded by Janice Herzog, to wit:

#### **RESOLUTION AUTHORIZING A PUBLIC HEARING IN CONNECTION WITH THE DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT PREPARED FOR THE PROPOSED EXPANSION OF THE WHITE PINE COMMERCE PARK PROJECT**

WHEREAS, Onondaga County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act"), Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975 of the State of New York, as amended, constituting Section 895 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of

the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Agency currently owns White Pine Commerce Park (“Park”) located northeast of the intersection of NYS Route 31 and Caughdenoy Road in the Town of Clay, Onondaga County, New York; and

WHEREAS, in an effort to transform the Park into a modern industrial park for advanced manufacturing and state-of-the-art industrial uses, the Agency previously performed a thorough environmental review of the Park and its anticipated environmental impacts pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “SEQRA”), which included, but was not limited to, the following: (1) classifying the Park project as a Type 1 action; (2) acting as Lead Agency for the purpose of a coordinated environmental review; (3) conducting necessary studies and holding required hearings in connection with the preparation of a Generic Environmental Impact Statement (“GEIS”) to address anticipated potential impacts associated with the proposed multi-use industrial park; (4) preparation of a subsequent Final GEIS (“FGEIS”) that incorporated the DGEIS by reference and included responses to public comments received; and (5) preparation and issuance by the Agency of a Findings Statement in October of 2013 that (a) concluded the project avoided or minimized adverse environmental impacts to the maximum extent practicable, (b) incorporated mitigation measures that were considered practicable, and (c) identified certain impact thresholds that, if exceeded, may require supplemental determinations of their significance and/or impact evaluation, and possibly mitigation measures in addition to those identified; and

WHEREAS, through its marketing efforts and communications with desired tenants around the country, the Agency has determined the Park is not large enough and must be expanded significantly to be considered an attractive, viable location for prospective large- and small-scale manufacturing and industrial developers; and

WHEREAS, the Agency, as Project Sponsor, proposes to expand the Park to approximately 1,250± acres (the “Project” or “Action”), of which the Agency currently owns approximately 648± acres, has another approximately 282± acres under contract, and would acquire approximately 320± additional acres, with such additional acreage consisting of parcels contiguous to the Park and generally located along NYS Route 31 and along the east and west sides of Burnet Road, and which will be acquired by the Agency through purchase agreements with existing landowners or, if necessary, pursuant to the Eminent Domain Procedure Law (“EDPL”), to avoid fragmented parcels that would hinder future development; and

WHEREAS, pursuant to a resolution adopted on December 8, 2020, the Agency determined that the Project was a Type I action, issued a positive declaration, declared its intent to act as “lead agency” (as said quoted term is defined in SEQRA), and resolved that a Supplemental Generic Environmental Impact Statement (“SGEIS”) will be prepared; and

WHEREAS, pursuant to SEQRA, the Agency notified each identified “involved agency” (as said quoted term is defined in SEQRA) of its intent to act as lead agency concerning the coordinated environmental review of the Project; and

WHEREAS, no involved agency objected to the Agency acting as lead agency; and

WHEREAS, the Agency, with the assistance of its consultants, has prepared a Draft SGEIS; and

WHEREAS, the Agency has completed its preliminary review of the Draft SGEIS and has analyzed the Draft SGEIS for compliance with the applicable SEQRA regulations;

WHEREAS, the Agency deemed the Draft SGEIS complete for commencement of public review pursuant to SEQRA on May 6, 2021;

WHEREAS, pursuant to 6 NYCRR §617.9, any approval of the Project contained herein is contingent upon a determination by the members of the Agency to proceed with the Project following satisfaction of the public hearing and notice requirements and other procedural requirements that relate to the Project and the New York State Environmental Quality Review Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

- (1) Pursuant to 6 NYCRR §617.9, the Agency shall hold a public hearing concerning the Draft SGEIS on May 24, 2021 at 6:00 p.m., which hearing shall be held remotely in accordance with the modifications to Article 7 of the Public Officers Law (the “Open Meetings Law”) as modified by New York Governor Andrew Cuomo’s Executive Order 202.1.
- (2) This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Patrick Hogan	x			
Janice Herzog	x			
Victor Ianno			x	
Steve Morgan	x			
Susan Stanczyk	x			
Kevin Ryan	x			
Fanny Villarreal			x	

The Resolution was thereupon declared duly adopted.

STATE OF NEW YORK )

COUNTY OF ONONDAGA ) SS.:  
)

I, the undersigned Secretary of the Onondaga County Industrial Development Agency, DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Onondaga County Industrial Development Agency (the "Agency") held on May 6, 2021, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as modified by New York State Executive Order 202.105, such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this \_\_\_\_ day of May, 2021.

  
Secretary

(S E A L)

# **APPENDIX B**

## **May 24, 2021 Public Hearing Transcript**



1 5-24-2021 - SEQRA Hearing

2 NEW YORK STATE

3 ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

4  
5 STATE ENVIRONMENTAL QUALITY REVIEW

6 NOTICE OF COMPLETION OF DRAFT SUPPLEMENTAL

7 GENERIC ENVIRONMENTAL IMPACT STATEMENT

8 NOTICE OF SEQRA HEARING

9  
10  
11 DATE: May 24, 2021 at 6:05 p.m.

12 VENUE: Zoom Remote Connection

13 MODERATOR: JEFF DAVIS, COUNSEL FOR OCIDA

14  
15  
16  
17  
18  
19  
20 Reported by Annette Lainson

1 5-24-2021 - SEQRA Hearing

2 APPEARANCES:

3 ROB SIMPSON

JEFF RUBIN

4 LUKE MURPHY

BUD LOURA

5 RANDY WOLKEN

MAUREEN MATTHEW

6 ALBERTO BIANCHETTI

MARY SNYDER

7 MIMTCH LATIMER

MIKE NASH

8

ERIK SMITH

ANDY BREWER

9

DARLENE PIPER

10 HANNAH HENLEY

CRAIG MARCA

GREG LANCETTE

11 JIM MASON

MARY M. THOMPSON

12 RAY RUDOLPH

JOHN W. DAN

13 RICK SHORT

DAVID

WILHITE

14 LIDIA PIERCE

RYAN PLESKACH

15

BARBARA O'BRIEN

MICHELLE NUZZO

16

ANNETTE CAPRIA

GARY MACE

17

KEVIN J. MEAKER

18 RENEE CORDELL

KEVIN SCHWAB

19 CODY KELLY

20

21

22

23

24

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5-24-2021, SEQRA Hearing

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2 (The meeting commenced at 6:05 p.m.)

3 MR. DAVIS: Good evening everyone.

4 Again my name is Jeff Davis, counsel for OCIDA. I  
5 will be moderating tonight's public hearing  
6 concerning the draft environmental impact statement  
7 of the proposed expansion of the White Pine Commerce  
8 Park. If you would like to comment please enter your  
9 name in the chat function here on Zoom. There's a  
10 button at the bottom that says chat. We're getting  
11 people that would like to speak. If you're on your  
12 phone, please hit star nine and that will raise your  
13 hand so that we know that you're on the phone and  
14 you'd like.

15 This public comment hearing is being  
16 held in conjunction with the following project,  
17 OCIDA, is project sponsor, proposes to expand its  
18 existing White Pine Commerce Park, to approximately  
19 1,250 plus or minus acres. The Park is located  
20 northeast of the intersection of NYS Route 31 and  
21 Caughdenoy Road in the Town of Clay, Onondaga County,  
22 New York. OCIDA currently owns approximately six  
23 hundred and forty- eight acres, has another  
24 approximately two hundred and eighty two acres under  
25 contract. And will require approximately three



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2 Meetings law, as modified by New York Governor Andrew  
3 Cuomo's executive order 202.1 as extended in response  
4 to the COVID 19 pandemic. A copy of a recording of  
5 tonight's public hearing will be available at OCIDA's  
6 website. Pursuant to NYCRR part 621.8 OCIDA  
7 published notice of the availability of the draft  
8 supplemental G.E.I.S. and this public hearing in the  
9 D.E.C.'s environmental notice bulletin on May 12,  
10 2021.

11 Notice of the availability of the  
12 draft supplemental G.E.I.S. and this public hearing  
13 was also published in the Syracuse Post Standard on  
14 May 9, 2021. OCIDA is ... as lead agency for the  
15 purpose of conducting this coordinated environmental  
16 review of the public park expansion pursuant to the  
17 State Environmental Quality Review Act. The public  
18 hearing is being held in furtherance of a SEQRA  
19 process and is intended solely for members of the  
20 public to provide comments on the draft supplemental  
21 G.E.I.S. for the record which will be incorporated  
22 into the final supplemental G.E.I.S. to be prepared  
23 by a OCIDA.

24 Please understand that this evening is  
25 not a question and answer session. This session is



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2 comments as each comment or category -- category of  
3 comments if they're the same will be addressed in the  
4 final G.E.I.S.. In addition, all comments may be  
5 submitted in writing. Written comments may be  
6 accepted by the agency until June 11th, 2021 and may  
7 be submitted to Robert Petrovich, Executive Director  
8 of OCIDA at 333 West Washington Street, suite 130  
9 Syracuse, New York or via email to the economic  
10 development at ongov.net email address. Same weight  
11 and consideration will be given to written comments  
12 as those expressed this evening in this hearing.

13 A few more housekeeping items before  
14 we get started. For those attending through the Zoom  
15 link, you will all remain muted until it is your turn  
16 to speak. Again, please type your name into the chat  
17 function so that we know that you wish to speak. I  
18 will announce the name of the speaker as well as the  
19 next speaker in line, so that the speakers know that  
20 they're on-deck and prepared so we can move things  
21 forward promptly. If someone does not respond  
22 timely, when I -- when we call their name, we will  
23 move on to the next person. For those attending via  
24 phone that wish to speak, you either again press star  
25 nine to raise your hand, and then when we call your

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2 name or telephone number, because it'll be by number,  
3 you will unmute yourself by using star six. We will  
4 call out the phone number and ask you to unmute  
5 again. And I'll repeat those directions when they  
6 get to a phone person. Again, please state, say your  
7 full name and spell your name for the court reporter  
8 so that we can get an accurate transcript of  
9 tonight's meeting.

10 With that, I have a list of folks who  
11 were logged into the queue and put their name in  
12 first. So we'll run through that list of folks to  
13 start this off. And the first person in the queue  
14 this evening is Mr. Rob Simpson. The person that is  
15 up next would be Jeff Rubin.

16 So I ask Rob Simpson to please come  
17 off mute and provide your comments. Bear with us  
18 Rob, we'll get to that button to ask you to come off  
19 mute in just a second.

20 MR. SIMPSON: Thank you. Thank you,  
21 Jeff. Thank you to OCIDA for holding this public  
22 hearing. Thanks to everyone for joining. I just  
23 want to start off by saying in my eighteen years in  
24 economic development in Upstate New York, the  
25 opportunity that the marketplace is providing to our

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2 region right now is one that I have never seen  
3 before. It's one that I'm incredibly excited about  
4 and it's one that I think our region needs to  
5 position itself to capture. We know that there are a  
6 handful of very significant and very exciting  
7 potential investments that are being considered by  
8 global technology companies around the world. And  
9 for years and years, our region has talked about a  
10 complete and total transformation of our Central New  
11 York economy. By positioning the White Pine Commerce  
12 Park to attract one of these perspective large scale  
13 investments, we have the -- we have the possibility  
14 of creating and attracting not only new direct  
15 investment, but new jobs. Those jobs would be  
16 directed by an employer who might come and choose to  
17 locate at White Pine, but also a litany of indirect  
18 jobs.

19 Supply chain jobs, small businesses  
20 who have the, would have the ability to work with a  
21 prospective tenant if we're successful in landing one  
22 in the park, thousands and thousands of good paying  
23 construction jobs, something that our community cares  
24 a lot of. And also all of the potential supply chain  
25 benefits that follow investments on the order of

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2 magnitude that those that our region is chasing.  
3 This would be nothing short of a complete and total  
4 transformation of essentially our economy from a  
5 postindustrial one to one that is anchored in  
6 technology, in innovation, in advanced manufacturing.  
7 And it's an incredibly exciting time.

8 One thing I would say about the size  
9 and scale of the investments that are out there in  
10 the marketplace today, they would do a number of  
11 things that I think are critically important. First  
12 and foremost, positioning ourselves to attract one of  
13 those investments would put Syracuse back on the  
14 international map.

15 Second, we will draw a significant  
16 amount of additional attention which allows us to be  
17 more competitive from an economic development  
18 standpoint. It would serve as a beacon to attract  
19 people and talent from across the country and around  
20 the world to choose Central New York to locate. And  
21 -- and it would also offer us the opportunity for  
22 downstream spin off technology jobs in high tech  
23 startups and others that we could support throughout  
24 our technology ecosystem.

25 Put simply, this is a once in a

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2 lifetime opportunity for us to create an asset in the  
3 White Pine Commerce Park making position in Central  
4 New York for one of the largest economic development  
5 investments that is out there in the market. On  
6 behalf of the two thousand members of CenterState  
7 CEO I want to thank the county for their leadership  
8 role and I want to offer our unequivocal support for  
9 this project. Thank you.

10 MR. DAVIS: Thank you. Then next will  
11 be Jeff Rubin and on-deck after that will be Luke  
12 Murphy.

13 MR. RUBIN: Thank you. Thank you,  
14 Jeff. My name is Jeff Rubin, J-E-F-F R-U-B-I-N, the  
15 founder and CEO of Sidearm Sports as well as a  
16 professor of practice at the School of Information  
17 Studies at Syracuse University.

18 I want to talk about this project and  
19 the impact it will have and by doing that, I want to  
20 talk about Sidearm Sports. When we have non-tech  
21 jobs, we fill those on average it takes us two weeks  
22 to fill non tech jobs. Those can be inproject  
23 management, sales etcetera. Our tech jobs are taking  
24 four plus months to fill on average. And this is  
25 getting worse as the pandemic ends. We're in the

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2 midst of what I'm calling the great migration, where  
3 there are promises of remote jobs, which means  
4 companies like us in Central New York are no longer  
5 competing with just other companies in Syracuse for  
6 tech jobs, we are competing with companies all over  
7 the country.

8 These companies -- these companies are  
9 promising remote work for at least a year, and then  
10 potential relocation. We've made great strides in  
11 Central New York and in Onondaga County on creating  
12 and growing tech companies, but we're nowhere close  
13 to where we need to be. The opportunity we're  
14 discussing today, as Rob Simpson said, has the  
15 ability to put our county on the map as a tech  
16 destination. It has the opportunity not just to add  
17 thousands of jobs, but has the ability to add jobs to  
18 tech companies like Sidearm Sports. So on behalf of  
19 Sidearm Sports, I urge your approval of this  
20 environmental impact statement. Thank you.

21 MR. DAVIS: Thank you. Again, anybody  
22 that wishes to speak, please put your name in the  
23 chat function. We will collect your name. Luke  
24 Murphy is up to speak and will be asked to unmute  
25 after Luke will be Bud Loura.

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2 MR. MURPHY: Hello everyone, my name

3 is Luke Murphy L-U-K-E M-U-R-P-H-Y. I'm in charge of

4 the Research Department at Inficon and we directly

5 deal with this industry. I think as Rob and Jeff

6 said we're in a unique situation here to basically

7 change the course of Syracuse for the rest of my

8 lifetime, my kids' lifetimes. I mean, being

9 fortunate enough to have traveled the world, I've

10 seen what the semiconductor fabs can do. And it's

11 just an immense amount of people that come in high

12 paying jobs, right that then go off and buy houses or

13 build houses and all the supply chain things that go

14 with that. And I think that this is something that

15 is a once in a lifetime opportunity, right. I mean

16 this is going to attract people, it's going to keep

17 Syracuse relevant. On a personal note, I mean I'm

18 born and raised in Liverpool right in the village, I

19 remember the heydays of when the Lockheed Martin

20 parking lot was full. And I feel this has, this has

21 the game changer ability to do that to the Syracuse,

22 New York area in general. And I urge the committee

23 to approve this. I will say also my colleague, Ann

24 is on the line, I don't know if she has anything else

25 to add. But thank you again and I urge the committee

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2 to approve this.

3 MR. DAVIS: Thank you, Luke. Next up  
4 is Bud Loura, and on-deck will be Randy Wolken.

5 MR. LOURA: Hello everybody, Bud  
6 Loura, B-U-D L-O-U-R-A. I own a restaurant  
7 consulting company in Central New York. I work with  
8 about a hundred and twenty five to hundred and thirty  
9 of your, all your favorite local restaurant owners.  
10 As everyone knows, that industry has probably been  
11 hit the hardest in the last fifteen months. I've  
12 spoke to them after speaking to Nancy and some of the  
13 people in charge of this project and they are  
14 overwhelmed with the positivity, the opportunity.  
15 Bringing in tech jobs, jobs that pay significant, the  
16 ancillary benefits of that will be really hit the  
17 restaurants extra as you know now, a lot of  
18 restaurant owners are missing employees. They're  
19 understaffed. This can bring in high school kids,  
20 kids going to college, a whole new brand, and group  
21 of people that can be employed. The businesses that  
22 can come in will add revenue to all of these local  
23 restaurants. I've got already commitments from forty  
24 five to fifty that would be more than willing to  
25 endorse this project one hundred percent. We see it

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2 as positive. We hope to do and, and anything that's  
3 needed in the process, we'd be available to help. So  
4 again we, we endorse this fully, and we appreciate  
5 the opportunity to speak. Thank you.

6 MR. DAVIS: Thank you for your  
7 comments. Again, Randy Wolken and on-deck from Randy  
8 it will be, just a second, Maureen Matthews.

9 MR. WOLKEN: Good evening, my name is  
10 Randy Wolken, W-O-L-K-E-N. And I'm President CEO of  
11 MACNY the Manufacturers Association. We represent  
12 over three hundred manufacturing and industrial  
13 companies in a twenty six county region. And this is  
14 a fantastic opportunity to expand and grow our  
15 advanced manufacturing base. I want to thank the  
16 County Executive and his team OCIDA, and beyond for  
17 developing this absolutely outstanding opportunity  
18 and we fully support the expansion of the White Pine  
19 Commerce Park.

20 As mentioned by others already on  
21 this, at this event, there is a spectacular  
22 opportunity to grow really unseen for decades in this  
23 region. Not only will it grow the base of  
24 opportunity, it will help existing companies expand.  
25 And that is really the opportunity. So we fully

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2 support this effort, by hoping it will go forward,  
3 and we're -- appreciate the opportunity to make this  
4 comment. Thanks.

5 MR. DAVIS: Thank you for your  
6 comment. Maureen Matthews is up now, and on-deck  
7 will be Alberto Bianchetti, Bianchetti. Maureen,  
8 just bear with us, we'll ask you to unmute in just a  
9 second. Maureen, we need to locate your screen name  
10 to ask you to unmute just, just a moment.

11 MS. MATTHEWS: I'm Maureen Matthews,  
12 M-A-T-T-H-E-W-S. I'm a resident of Burnett Road,  
13 and I'm in jeopardy of losing my home. And I want to  
14 know what was the basis for the review on such a  
15 large parcel, for example, who or what business did  
16 you mirror? Are there other structures in upstate  
17 New York that are four million square feet on one  
18 point nine, that's an estimate square miles? Did  
19 you mirror a business in another state? Did you  
20 mirror a business in another country? I have  
21 concerns of the business pulling out as with Pfizer  
22 in Connecticut and Foxconn in Wisconsin. I am  
23 deeply concerned and opposed to a mega development.

24 MR. DAVIS: Thank you, Maureen. Next  
25 up is Alberto, and on-deck will be Mary Snyder.

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2 MR. BIANCHETTI: Good evening, my name  
3 is Alberto Bianchetti, A-L-B-E-R-T-O B as in boy, I-  
4 A-N-C-H-E-T-T-I. I'm National Grid's regional  
5 director of customer and community engagement for  
6 Central New York. National Grid has a long history  
7 of supporting economic development throughout New  
8 York State, including significant support for  
9 projects in Onondaga County. The goal of that  
10 support is to be a -- a partner in the vitality of  
11 communities we serve both by sustaining economic  
12 activity and helping it grow. That effort benefits  
13 all customers of National Grid and all residents by  
14 increasing the utilization of assets we have built to  
15 date, and those we will need to develop in the  
16 future. Because of the significant assets National  
17 Grid already has near the White Pine site, we believe  
18 that White Pine is uniquely suitable for the  
19 development of a high tech manufacturing facility  
20 where the availability and reliability of  
21 competitively priced energy utility service is a high  
22 priority.

23 Other attributes such as its potential  
24 size, location, and the capabilities of the regional  
25 workforce, area colleges and the local manufacturing

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2 base, also make the site highly competitive with  
3 locations in the south and southwest regions of the  
4 country. The potential for massive investment by a  
5 high tech facility has the chance to be  
6 transformational to the region for a generation,  
7 bringing with it significant economic multiplier  
8 effects and well-paying jobs. National Grid has  
9 similarly supported sites in Saratoga, Oneida and  
10 Genesee counties that have already seen impactful  
11 plans and investments by computer chips and high tech  
12 facilities. For these reasons we support the  
13 development of the White Pine site with the  
14 confidence that its build out will be done in  
15 accordance with the environmental and regulatory  
16 expectations of all governing authorities. And the  
17 belief that its success will benefit Onondaga County  
18 and the region as a whole. Thank you.

19 MR. DAVIS: Thank you. Next up is  
20 Mary Snyder, you'll be asked to unmute in just a  
21 second. And on-deck is Mitch Latimer.

22 MS. SNYDER: Thank you for the  
23 opportunity to speak tonight. I am Mary Snyder,  
24 that's spelled M-A-R-Y S-N-Y-D-E-R. I'm general  
25 counsel with S.R.C. in North Syracuse, and I'm here

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2 representing S.R.C. Our organization responds to  
3 rapid requests from the US military board for troop  
4 protective material. And weekly we receive briefings  
5 on the status of procurements that support those  
6 government contracts. And one of the items that most  
7 concerns us is semiconductors. Because of the  
8 limited availability right now in the United States,  
9 we are constantly concerned that we may not be able  
10 to deliver the troop protective material within the  
11 government's required timeframes. And so it's our  
12 belief that the -- the community in Central New York  
13 can either be hurt by this shortage or over the long  
14 term could be helped by the shortage.

15 So -- so we believe this is a growing  
16 important industry and we'd like to see it develop  
17 here in Upstate New York and be part of our  
18 technology infrastructure here. So we think this  
19 would be an important development. Speed is very,  
20 very critical in the industry, and the organizations  
21 that will be interested in relocating here will need  
22 to move quickly and the G.E.I.S. statement will  
23 G.E.I.S. plan will support that speed. So we -- we  
24 endorse the proposal and thank you for the  
25 opportunity to speak tonight.

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2 MR. DAVIS: Thank you for your  
3 comments. Next up is Mitch Latimer, on-deck is Mike  
4 Nash.

5 MR. LATIMER: Good evening everyone,  
6 my name is Mitch Latimer, M-I-T-C-H L-A-T-I-M-E-R. I  
7 just wanted to say that as a resident of Liverpool, I  
8 am in support of this project. To put this site  
9 ahead of the rest that we hear about coming to the  
10 area. I feel that if we don't come together as a  
11 community, we might not see an opportunity like this  
12 again in our lifetime. For years people of Central  
13 New York have talked about businesses like the Nestle  
14 Plant, the Carrier Corporation leaving New York along  
15 with them left the families that work there looking  
16 for similar jobs, in other areas and other states.  
17 It's time for in Central New York to get business  
18 back -- businesses back like the Amazon is not far  
19 from the White Pine site. Businesses like these are  
20 offering job opportunities to thousands of people.  
21 Let's make Central New York a destination to live and  
22 work for our families and our friends. Thank you to  
23 the County Exec Ryan McMahon and OCIDA for bringing  
24 opportunities like this to our area.

25 MR. DAVIS: Thank you for the

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2 comments. Next up is Mike Nash, and on-deck will be  
3 Erik Smith.

4 MR. NASH: Thank you, appreciate you  
5 having me. My name is Mike Nash, M-I-K-E N-A-S-H.  
6 I'm the President of KS&R in our we are a local  
7 market research firm, consulting agency here in  
8 Syracuse, New York. We specialize in technology  
9 clients. We do work for a number of semiconductor  
10 chip fab manufacturers. I think that's the way the  
11 economy is rolling right now. I think this  
12 opportunity is, is a positive one for many of the  
13 reasons stated earlier. And I would just add the  
14 whole idea of reshoring or, or onshoring back with  
15 this type of manufacturing will support a number of  
16 industries that were probably not even aware of  
17 today.

18 I think the auto industry is hurting  
19 right now because of some of the chip manufacturing,  
20 like the phone industries are going to start hurting  
21 as well. And I think the more that we can put back  
22 into the United States, particularly Syracuse,  
23 Onondaga County area, the better. And we will highly  
24 support this opportunity to continue to build this  
25 technology ecosystem. And the ... between the Amazon

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2 build out between Route 91 between this particular  
3 parcel here, I think we have a great momentum moving  
4 here that, that can all come together in a positive  
5 way. So we support this board. Thank you.

6 MR. DAVIS: Thank you for the comment.  
7 Next up is Erik Smith and on-deck is Andy Breuer.

8 MR. SMITH: Thank you. This is Erik  
9 Smith E-R-I-K S-M-I-T-H and I'm the president and CEO  
10 of Saab Incorporated headquartered in Syracuse. Saab  
11 is a US aerospace and defense company, and we use a  
12 significant amount of advanced semiconductor  
13 components in manufacturing systems and subsystems  
14 for delivery around the world. While I can't speak to  
15 the specifics of the challenging land issues before  
16 you today, I can tell you that overall, I believe  
17 this project has the potential for exciting economic  
18 growth for our community.

19 I also see a specific benefit for  
20 Saab. This project will provide a local supplier and  
21 partnership opportunity for key components within our  
22 domestic and global supply chain. Having a local  
23 trusted supplier to improve our market opportunities,  
24 and will reduce the time to market for our products.  
25 If successful, this project will help the region

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2 attract directly relevant talent and improve the  
3 competitiveness of the greater Syracuse area in  
4 recruiting that talent. Landing a large high tech  
5 company at White Pine will undoubtedly cause  
6 additional companies to look seriously at Syracuse,  
7 just as Saab did when we decided to make Syracuse our  
8 home base.

9 So I was committed to Syracuse. We  
10 moved our US headquarters here in 2019. And we see  
11 the value in a grow -- in growing this high tech  
12 ecosystem that drives economic value for all  
13 industries locally. Just like at Saab you can expect  
14 the jobs associated with this project to be good  
15 paying high tech jobs. That means more restaurant  
16 patrons, more sales for retail, our customers across  
17 our service industries, and it means more revenue  
18 back into our local economy and more opportunities  
19 for our citizens. I know there are many  
20 considerations to weigh when considering a project of  
21 this magnitude. I'm truly not an expert in most of  
22 them. However I can assure you that should you  
23 approve this project, it will significantly grow our  
24 local economy now and signal to other high tech  
25 companies like Saab that Syracuse is a great place

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2 for a company to call home. I strongly support this  
3 project. Thank you for your time.

4 MR. DAVIS: Thank you for your  
5 comment. Next up is Andy Breuer, and on-deck is  
6 Darlene Piper.

7 MR. BREUER: Good evening, Andy  
8 Breuer, B-R-E-U-E-R. I'm president of Huber Breuer  
9 Construction Company, we're on the south side of the  
10 city of Syracuse. However we work throughout the  
11 county and throughout Central New York. In my role,  
12 I represent hundreds of union and non-union  
13 tradesmen, who would all benefit from the  
14 construction of a high end precision manufacturing  
15 facility at this site. And in my role, I not only  
16 rep the construction industry, but I also overlap  
17 often with the design, the engineering and the real  
18 estate development community. One thing that all of  
19 these sectors have in common is the better we all do  
20 our jobs, the faster we work ourselves out of work.  
21 There were very few new construction starts during  
22 the pandemic. So as a community, we should be  
23 embracing every opportunity to bring  
24 tangible development, new employment, and especially  
25 precision manufacturing jobs back to Central New

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2 York.

3 In addition to the direct benefit of  
4 constructing a new facility or new infrastructure at  
5 White Pine, there's the indirect benefit that comes  
6 from a significant influx of new workforce, for  
7 instance, new housing opportunities. It goes without  
8 saying the county has dedicated years of preparation  
9 to position the White Pine site for these major  
10 opportunities and you know, the cost of doing  
11 business in New York State remains tremendously high.  
12 It's often a detractor to corporate investment in our  
13 state and in our region. This site is a  
14 differentiator. It makes our region competitive and  
15 attractive to corporate investment, to have a major  
16 three hundred acre plus site and essentially shovel  
17 ready for high tech development is a tremendous asset  
18 and opportunity for the Central New York Community.

19 A new high tech development at White  
20 Pine would result in a continuity of employment for  
21 the construction, construction sector, would result  
22 in new tax revenue for our local government to result  
23 in a local multiplier effect of employee payroll and  
24 support services that would cycle throughout our  
25 local economy. So I urge ... to embrace this

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2 opportunity to approve the environmental impact  
3 statement so that the county can continue to attract  
4 quality job growth and development at this site.  
5 Thank you very much to the OCIDA Board.

6 MR. DAVIS: Thank you for the comment.  
7 Next up is Darlene Piper, on-deck is Hannah Henley.  
8 And anybody that wishes to speak, please put your  
9 name in the chat function. Thank you

10 MS. PIPER: Hi, my name's Darlene  
11 Piper, can you hear me?

12 MR. DAVIS: Yes, I can.

13 MS. PIPER: Okay. Because that's my  
14 problem with this meeting. My name is Darlene Piper  
15 D-A-R-L-E-N-E P-I-P-E-R. It's on a Zoom call, I'm  
16 using my daughter's computer because we don't have it  
17 at home. Governor Cuomo had these setup so they,  
18 there's no in person meetings. However times have  
19 changed very rapidly, and I believe this meeting  
20 should have been public in a public place, and  
21 meeting face to face. I am the thirteenth speaker,  
22 and I've noticed one other person is opposed to this  
23 project, and I would gather then a lot of that is due  
24 to the fact of the ability to do a zoom meeting.

25 I would also like this board to stop

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2 referring to this park as White Pines Development or  
3 Park or whatever it's referred to, it is not, now  
4 it's now pretty white pines and will be destroyed and  
5 replaced with fifty acres of parking lot and not to  
6 mention a huge building. I don't believe you are  
7 informing the residents of Cicero and Clay of what's  
8 going to be in this park, in this development.  
9 Everybody's talking about the potential of all these  
10 great jobs and all this things that will happen. I  
11 think the development and the money is going to be in  
12 building it. And then you pray and hope somebody is  
13 going to move in. But that's not a guarantee. Look  
14 at Foxconn in Wisconsin, they left. Where is  
15 Carrier, they left. Where is Miller and G.E., and  
16 Chrysler, they all left. That's what I feel is going  
17 to happen here, they're going to leave, and then  
18 we're left with this huge monstrosity of a complex  
19 that no one knows what to do with.

20 There are other areas that you do not  
21 need to use Burnett Road. You can make a smaller  
22 complex, you can go to one of those abandoned places  
23 and use that instead of wrecking and ruining a place  
24 that already has beautiful water. And that's the  
25 other issue I have is how it's going stream right

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2 into Oneida River and then Oneida Lake. And you're  
3 going to tell me that all those protections will be  
4 in place. And I don't believe they will. So I  
5 oppose this project, vehemently. Thank you.

6 MR. DAVIS: Thank you for your  
7 comment. Next up is Hannah Henley, and on-deck is  
8 Craig Marcinkowski on the phone

9 MS. HENLEY: Okay. Good evening  
10 everyone, my name is Hannah Henley and I've worked at  
11 Inficon in east Syracuse for the past eleven years.  
12 Currently I'm in the role of V.P. marketing at  
13 Inficon. I came to Central New York by way of  
14 Clarkson University. But to be honest, it was  
15 completely by chance. Originally from New Hampshire  
16 when I received the job offer from Inficon, I was  
17 really skeptical about my long term career growth  
18 opportunities in Syracuse. I did make the decision  
19 to come to the region because I was intrigued by the  
20 technology Inficon develops and its global footprint.  
21 But I thought I could only stay for a couple of  
22 years. I've been really fortunate to grow in my  
23 career here at Inficon, but I've seen so many people,  
24 colleagues and classmates have to go elsewhere.

25 Recruiting and retaining tech talent

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2           is a challenge for Inficon.  There was someone that  
3           mentioned several months trying to fill a position,  
4           some positions at Inficon we've spent several years  
5           trying to fill.  We serve the semiconductor market  
6           with sensors and software for smarter manufacturing.  
7           Chip makers are mine and Inficon's customers.  We  
8           have firsthand experience with the type of jobs such  
9           complex manufacturing requires.  It really is from  
10          the technician level to PhD scientists.  It takes  
11          the full gamut to run the fab.  They're the world's  
12          innovators and their chips drive technology that  
13          enable safer healthcare, sustainable agriculture,  
14          electric vehicles and transportation, solar  
15          production and storage and the future of low power  
16          devices and batteries that will enable a more  
17          sustainable planet.

18                                In addition, I also want to comment on  
19          a unique experience that I have.  The majority of my  
20          time at Inficon has been serving foreign customer  
21          demand for our technology, where they're building  
22          leading fabs.  These are built primarily in Korea,  
23          Taiwan and China.  This is the first time in my  
24          working career I've seen the U.S. take the steps to  
25          again become a leader in I.T. fabrication.  I think

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2 it would be an immense sense of pride for our region  
3 to support the semiconductor innovation. In  
4 addition, these types of chips are critical for our  
5 supply chain stability and even national security. We  
6 have an opportunity to steer the future of this  
7 industry and drive a brighter future for our local  
8 economy. And I offer mine and Inficon's support of  
9 the project. Thank you.

10 MR. DAVIS: Thank you for the comment.  
11 Next up is Craig Marcinkowski and on-deck is Greg  
12 Lancette.

13 MR. MARCINKOWSKI: Craig  
14 Marcinkowski, Senior Vice President Fotokite, M-A-R-  
15 C-I-N-K-O-W-S-K-I. We're a local tech startup. We  
16 make drones, and we make them for first responders.  
17 We came out of the genius New York program in 2018.  
18 We're Swiss based, but ninety percent of our business  
19 is in North America. We recently just moved one  
20 hundred percent of our production of these systems to  
21 Upstate New York. That's something you really  
22 wouldn't have thought five years ago, pretty much he  
23 always said all drones will be made in China, and  
24 there's been a big shift happening. We'll -- we'll  
25 hopefully if we continue to execute on our plan be

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2 the most flown system for public safety within two  
3 years. We're flown every day in the United States  
4 today, and we're flown around the globe, we're  
5 shipping all the systems out of here.

6 We're about to double in size over the  
7 next year as we close our series B round of funding  
8 in the next month. And we're really excited to be in  
9 Central New York and growing here. We're also  
10 extremely supportive of this project, because  
11 semiconductors, microcontrollers are major core  
12 components of our systems and of our new systems  
13 going forward that fly every day, helping first  
14 responders save lives. And we are like everyone  
15 experiencing lots of thanks in that space. We're  
16 spending large amounts of capital to secure  
17 components so we can build. So we're incredibly  
18 supportive of what's happening with this project,  
19 building out this capability here locally.  
20 Additionally, we're going to be doubling our  
21 workforce here over the next twelve months. And the  
22 talent that's going to be coming into the region as  
23 we continue to grow as part of this project is  
24 exactly what we're looking for. So we give  
25 unwavering support behind this project, and, and urge

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2 swift approval of the G.E.I.S. for the site.

3 MR. DAVIS: Thank you for the comment.

4 Next up is Greg Lancette and on-deck is Jim Mason.

5 MR. LANCETTE: Good evening, my name  
6 is Greg Lancette, L-A-N-C-E-T-T-E. I am the  
7 President of the Central and Northern New York  
8 Building and Construction Trades Council. We have an  
9 opportunity in Onondaga County as many others have  
10 spoken, on the potential game changing that would be  
11 multigenerational if the site was selected for some  
12 of this fabrication and the leading technology that  
13 comes with that. You know, a large portion of the  
14 fifty six hundred members that belong to the Building  
15 Trades Council, they actually have to travel to where  
16 the construction is. And I ask that this project  
17 continue to move forward by expanding the White Pines  
18 Business Park. Many of our members have been working  
19 at IBM Fishkill, Global Foundries in Malta, which is  
20 Saratoga County, of course, Quincy, SUNY, I.T. and  
21 Cree and neighboring counties, and even some of them  
22 travel as far as Phoenix, Arizona to work on Intel  
23 facilities when they are being built and renovated.

24 So I would like to thank Jeff, OCIDA  
25 and everyone else facilitating this necessary and

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2 appreciated function of good government. And I do  
3 encourage that we keep moving the ball forward.  
4 We're on four decades now with this parcel that has  
5 been intended and well positioned for very good  
6 growth for our industry and also for our region. So  
7 thank you. The Building Trades Council does support  
8 moving forward with this project. Thank you,  
9 everybody.

10 MR. DAVIS: Thank you for the comment.  
11 Next up is Jim Mason and on-deck is Mary M. Thompson.

12 MR. MASON: Good afternoon, I'm Jim  
13 Mason, M-A-S-O-N. I'm the Business Manager for  
14 the North Atlantic States Regional Council of  
15 Carpenters and the President of Local two seven  
16 seven. I represent roughly twenty seven hundred  
17 members in Central New York. To echo on top of what  
18 Greg has said speaking with the building trades, this  
19 project's estimated to bring four thousand good  
20 paying jobs into our area. In addition to this will  
21 be the hundreds of jobs created through each phase of  
22 construction on the site. This will make it possible  
23 for us and other trades to recruit new apprentices in  
24 our programs and give the opportunity to young people  
25 that may not intend to go to college the chance to

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2 learn a trade that will lead to a lifelong career.

3 And for this reason we support this project.

4 MR. DAVIS: Thank you for the comment.

5 Next up is Mary M. Thompson. On-deck is Ray Rudolph

6 and John W. Danforth.

7 MS. THOMPSON: Thank you. Good

8 evening, my name is Mary Thompson, T-H-O-M-P-S-O-N.

9 I'm the Executive Director of the Home Builders and

10 Remodelers of Central New York. And on behalf of the

11 businesses who are members of our association, I'm

12 here to offer our support for the development of the

13 project and the jobs that it will bring to our

14 region. When a community is given a growth

15 opportunity like this obviously it improves

16 residential construction. Homes are where jobs go at

17 night. So I'd like to offer a few statistics to help

18 you better understand the ripple effect in our

19 economy of the high tech manufacturing jobs that will

20 bring our -- bring to our community through the

21 growth of the residential construction industry.

22 The estimated one year impact of

23 building one hundred single family homes in a typical

24 local area include twenty eight point seven million

25 dollars in local income, three point six million in

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2           taxes and other revenues for local governments, and  
3           three hundred and ninety-four local jobs.  The  
4           additional annually reoccurring impacts of building  
5           one hundred single family homes in a typical local  
6           area are four point one million in local income, one  
7           million in local taxes and sixty-nine local jobs.  
8           Those are ongoing annual local impacts that result  
9           from new homes becoming occupied and the occupants  
10          paying taxes and otherwise participating in the local  
11          economy year after year.

12                                   The estimated one-year impact of  
13          building a hundred rental apartments eleven point  
14          seven million in local income, two point two in taxes  
15          for local government,  a hundred and sixty one local  
16          jobs.  And again, that reoccurring annual impact of a  
17          hundred apartments, two point six million in local  
18          income, five hundred and three thousand in taxes for  
19          local governments and forty-four local jobs.  The  
20          estimated impact of one million dollars spent on  
21          residential remodeling in a typical area eight  
22          hundred and forty one thousand in local income,  
23          seventy-seven thousand in taxes for local governments  
24          and thirty-one local jobs.

25                                   So as you can see, the ripple effect

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2 of a project like this for residential construction  
3 on local income taxes and jobs is enormous. The  
4 businesses in the residential construction industry  
5 stand ready to build, improve and maintain the  
6 housing staff for our neighbors in Central New York  
7 and to help our region grow and prosper with the  
8 economic development growth that this project would  
9 bring if it moves forward. We fully support it.  
10 Thank you for your time.

11 MR. DAVIS: Thank you for the comment.  
12 Again, if you'd like to make a statement, please  
13 enter your name in the chat function. If you're on  
14 the phone, please hit star nine to raise your hand.  
15 We're collecting those phone raise, folks that are  
16 raising their hands. We are seeing you. So again  
17 next up is Ray Rudolph. And it says John W.  
18 Dansworth, and on-deck is Rick Short.

19 MR. RUDOLPH: Thank you very much, Mr.  
20 Davis. Again, it's Ray Rudolph, R-U-D-O-L-P-H. I'm  
21 a member of the Board of Directors of John W.  
22 Dansworth Company, a large mechanical construction  
23 company in Dewitt. Why is this project important to  
24 us as a company, as some of the trades folks spoke  
25 to, it's going to create a lot of short-term jobs,

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2 but that's not our primary motivation. We may get  
3 some of the work, we may not get some of the work but  
4 in the short term, the bigger play for us, and the  
5 play that personally I -- I think is most important  
6 is the fact that this project could, can transform an  
7 economy I've seen it in the Capital District, I've  
8 seen it in the other geographies other speakers have  
9 spoken about. It's more of the long term play the  
10 fact that advanced manufacturing is no longer a fad.

11 There was certainly a concern when it  
12 first popped onto the scene in the states that that  
13 it was in fact sustainable. It's proven to be  
14 sustainable. And it appears as the gentleman from  
15 National Grid so aptly pointed out a link in the  
16 chain from advanced manufacturing, Buffalo,  
17 Rochester, this project in Syracuse, Cree and Utica,  
18 global foundries in the Albany area, it creates even  
19 more sustainability in that type of manufacturing.

20 I mean, if there's any question,  
21 there's three thousand microchips in the average car  
22 that's produced in America now. And a lot of people  
23 probably don't even know there's a chip, you know.  
24 So when you think that three thousand is needed for  
25 the car you're driving around, it's pretty -- pretty

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2 astounding number. Beyond the impact of John W.  
3 Danforth is personal to me. I am a native of Central  
4 New York. When we drove 90 as a kid, Carrier and  
5 G.E. parking lots were full, you go west to Kodak,  
6 that was full, Griffis was full. It wasn't a  
7 question of whether my dad was going to work. It was  
8 where he was going to work. A project like this will  
9 in conjunction with the other projects going on along  
10 the 90, a project like this is going to provide the  
11 glue along the 90 to put all our families in a  
12 position to be able to say that once again. Thank  
13 you very much for your time, and we as a company very  
14 much endorse the advancement of this project.

15 MR. DAVIS: Thank you for your  
16 comment. Next up is Rick Short, on-deck is David  
17 Wilhite.

18 MR. SHORT: Thank you very much. My  
19 name is Rick Short, R-I-C-K S-H-O-R-T. I am a  
20 corporate associate, Associate Vice President at the  
21 Indium Corporation, in the Utica, New York area.  
22 Indium Corporation supplies and services some of the  
23 world's leading technology companies names like  
24 Intel, Apple. Our more than one thousand employees  
25 manufacture electronics assembly materials and supply

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2 them worldwide. A major semiconductor investment  
3 envisioned for the White Pine site has the potential  
4 to be very beneficial to our company and to our  
5 region. Just as we see in the SUNY poly campus  
6 development in Marcy, New York our customers and  
7 potential customers are moving next door to our  
8 global headquarters and several of our Central New  
9 York factories. We've benefited from your  
10 construction workers traveling from the Syracuse area  
11 to build our Quad C SUNY poly facilities out here in  
12 Oneida County. These two international high tech  
13 manufacturing companies are now in the process of  
14 changing our economy. Cree Wolfspeed currently  
15 building and soon to be equipping the world's largest  
16 silicon carbon device manufacturing facility to  
17 support the exploding electric vehicle market.

18 They're already hiring and training  
19 their staff ... just secured the position directly  
20 out of Marbella Community College with Cree WolfSpeed  
21 And ... has recently begun shipping power modules  
22 that use advanced stem technology to reduce  
23 electricity consumption by over thirty percent.

24 Unlike the previous speakers, our  
25 business doesn't expect to see improvement in our

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2 county. We do see improvement from the investment  
3 similar to what you're talking about that have  
4 happened in Oneida County. We enjoy new sales to  
5 newly located customers, enhance service levels  
6 provided by nearby major customers, enhanced training  
7 and education opportunities which is produced by a  
8 critical mass of STEM professionals moving into our  
9 area, an improved vendor base increased material  
10 availability. Reduced lead times, better service,  
11 existing vendors benefiting from this as well.  
12 Enhanced talent relocating to our area including  
13 spouses, improved ease of attracting talent, options  
14 for spouses to work when we bring talent into the  
15 area, enhanced employee retention due to better  
16 climate for professionals and families and improved  
17 service at Syracuse Airport.

18 For our community, here's what's  
19 happened. My real estate development friends told me  
20 that there is not one single loft apartment left  
21 available for rent in the city of Utica. And my  
22 personal realtor tells me they can sell my house the  
23 same day I list it, whether it's in the city or the  
24 suburbs. I'm sure that you'll enjoy many of the same  
25 benefits. Thank you very much.

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2 MR. DAVIS: Thank you for the comment.

3 Next up is David Wilhite, and on-deck is Lydia  
4 Pierce.

5 MR. WILHITE: A good -- goodevening,  
6 everyone. So we have the Endless Frontier bill on  
7 the Senate floor, you know a hundred billion dollar  
8 bill, I think it may have been reduced to twenty nine  
9 billion to bring jobs, you know, potentially into the  
10 State of New York. There's a lot of funding out  
11 there you know, for this -- for this project. And  
12 you know, I'm all about you know, economic  
13 development and economic prosperity of Onondaga  
14 County and Syracuse. But what I do have a problem  
15 with is the use of eminent domain to make it  
16 possible. I live right across the street from  
17 Maureen Matthews, who was just on, Darlene Piper  
18 spoke as well. And, you know, there's thirty five  
19 plus residents on Burnett Road, who are going to be  
20 displaced because of this. Some of these folks you  
21 know, their husband built the house. They don't have  
22 anywhere else to go and, you know, built the house  
23 back in the sixties, you know. Some of these folks  
24 just don't have the financial, you know, fortitude to  
25 take this kind of impact.

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2 What I ask OCIDA to do is look at the  
3 alternatives. To see if there's other alternatives  
4 that we can approach like, the land south of State  
5 Route 31. Has anyone talked about potentially  
6 building a bridge and developing the land south of  
7 31. I mean it doesn't have to be extremely  
8 contiguous. I know it would, it would probably be  
9 better if it was, but there are other alternatives  
10 and move north of the easement. Just, let's just  
11 look, you know, do we need twelve hundred and fifty  
12 three acres. Do we need to displace Burnett road to  
13 make this possible. And, you know, has a medium  
14 sized project in the you know, realm of eight hundred  
15 to nine hundred acres been explored. And you know,  
16 there's four hundred acres of surface disturbance  
17 talked about in the GIS, you know, four hundred  
18 million square foot industrial area under roof. You  
19 know, is that in one location, or is there a lot of  
20 different facilities spread out over that twelve  
21 hundred and fifty three acres? Do we even have a  
22 site plan?

23 And, you know, the, I think Darlene  
24 Piper spoke about the environmental impacts. It's  
25 definitely going to go into Young's Creek, Oneida

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2           River and Oneida Lake, we need to look at those  
3           impacts.  And, you know, it's definitely going to be  
4           an MS4, they're going to have to include that, the  
5           whole park in the MS4.  And, you know, I think this  
6           should go through all the environmental comment  
7           process before eminent domain is claimed on Burnett  
8           Road and the Nazarene church with which they spelled  
9           out specifically in the GIS.  And thanks, Jeff,  
10          appreciate -- appreciate the opportunity to speak.  
11          You know, I really do want the best thing for the  
12          community.  I just want to look at different  
13          alternatives.  Thank you.

14                               MR. DAVIS:  Thank you for your  
15          comments.  Next up is Lydia Pierce, and on-deck is  
16          Ryan Pleskach.

17                               MS. PIERCE:  Hi, I'm Lydia Pierce.  
18          Can you guys hear me?

19                               MR. DAVIS:  Yes, I can.

20                               MS. PIERCE:  Okay.  I've lived in ...  
21          since '77.  I have systematically seen Onondaga  
22          County destroy the Town of Clay.  I lived there from  
23          1981 to 2018.  And left because of the stuff that  
24          goes up, that's going on there now, that has gone on  
25          there in the past.  I am against this project, not

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2           because it's a chip manufacturer or it's high tech or  
3           whatever. It's just -- it's the town -- in the Town  
4           of Clay there's just -- it's not a good place to put  
5           it. There's too much stuff there already. There's,  
6           there's, there's no more room in that town. I invite  
7           everybody that's spoken previously on this call, I'm  
8           talking about the professional people. Why don't you  
9           move to the Town of Clay and let them put a  
10          semiconductor factory next to you. And you've -- you  
11          would see how fast you would oppose it. I live far  
12          away from -- from there now in Central Square area,  
13          because it's peaceful. But it -- this is going to  
14          impact me because I live in the Oneida Lake  
15          watershed. So I feel that they need to find another  
16          place to put this. Thanks for letting me comment.

17                                   MR. DAVIS: Thank you for your  
18          comment. Next up is Ryan Pleskach, and on-deck is  
19          Barb O'Brien.

20                                   MR. PLESKACH: Good evening, thank you  
21          for, for hosting this call. And thank you for  
22          allowing me the opportunity to comment. My name is  
23          Ryan Pleskach, I'm currently a Town Councilor in the  
24          Town of Clay. While you know, the town does not have  
25          a lot of --.

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2 MR. DAVIS: Ryan, could you please  
3 spell your last name?

4 MR. PLESKACH: Sure. P-L-E-S-K-A-C-H.

5 MR. DAVIS: Thank you.

6 MR. PLESKACH: Sure. So as I was  
7 saying, I'm currently a Town Councilor for the Town  
8 of Clay. And I just want state that you know,  
9 overall, generally, in favor of the project.  
10 There's, there's a lot of details to -- to be  
11 released and for -- for us to get into the weeds and  
12 understand more of what the actual impacts are long  
13 term. However, overall, I am generally in favor of  
14 the project, but I would also like to caution the  
15 county as one commenter did a couple ago. I'm not in  
16 favor of using eminent domain for the purpose of a,  
17 you know, a private company building this chip  
18 manufacturing facility. It's not necessarily the  
19 same thing as eminent domain being used to, to build  
20 a tunnel or an on-ramp or some kind of general public  
21 use project. Long term I understand that there are,  
22 you know, several downstream public, you know,  
23 impacts however, I'm generally against the use of  
24 eminent domain, as I understand the facts to be in  
25 this current -- current situation. Thanks for your

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2 time.

3 MR. DAVIS: Thank you for your  
4 comment. Next up is Barb O'Brien, and on-deck is  
5 Michelle Nuzzo.

6 MS. O'BRIEN: Barbara O'Brien, B-A-R-  
7 B-A-R-A O'Brien, O-B-R-I-E-N. Did you get my name?

8 MR. DAVIS: Yes, I did.

9 MS. O'BRIEN: Okay. The financial  
10 problems that we're all going to face are bad enough.  
11 I'm a -- I'm a landowner, homeowner here in Clay on  
12 Burnett Road, plus the emotional ones the homeowners  
13 will face must be considered, they really must. By  
14 you, even though many, many of us don't want to move  
15 period. The contamination the so-called Park may  
16 cause in -- is to the air, the air we breathe the  
17 water, the land, from the cars, the additional trucks  
18 and the general excrement from the Park will be  
19 great. And our country, the USA is trying very hard  
20 to go green, this park will have the opposite effect.  
21 And don't you care as you make money and then try to  
22 impress your fellow politicians at this expense of  
23 the present and the future generation.

24 This whole project needs some caring  
25 and consideration and people to help this area that

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2                    know what they're doing. We should be staying green  
3                    and not trying to go brown or gray like the concrete  
4                    that's going to be poured all over this beautiful  
5                    land. I just don't think it's fair. And I don't  
6                    understand why you can't go west, away from the  
7                    populated areas of Cicero. And the high traffic  
8                    areas that are already down there. Go away from it,  
9                    head West. You have to cross Caughdenoy Road. Well,  
10                   here you're taking Burnett. So you can certainly  
11                   build a bridge. And I know as far as Niagara Mohawk  
12                   goes to their wires they just installed. I don't  
13                   know how many tons of wire, it's going to split this  
14                   whole Park right in half. I don't understand why  
15                   they put that right straight down the middle of this  
16                   old development that they're talking about. But  
17                   thank you very much for your time. And I hope it  
18                   doesn't go through. And I'm sorry, I don't  
19                   understand why you can't put it someplace else  
20                   instead of in this area that is populated. I just  
21                   don't understand that. Thank you.

22                                   MR. DAVIS: Thank you for your  
23                   comment. Next up is Michelle Nuzzo, on-deck Annette  
24                   Capria.

25                                   MS. NUZZO: Can you hear me?

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2 MR. DAVIS: Yes, I can.

3 MS. NUZZO: Okay. My name is Michelle  
4 Nuzzo. I live on Burnett Road you know, the road  
5 that's wanted for what's been a pipe dream project  
6 for over twenty years now. The first thing I'd like  
7 to know is, have any of you on the board, and I know  
8 you can't answer this, but think about this please.  
9 Have any of you that's on the board, or those that  
10 support this project, have any of you been  
11 threatened with eminent domain? Have any of you had  
12 to live with the uncertainty of losing your home? I  
13 like you, I'd like to ask you, how would you feel if  
14 you were in our shoes? See this doesn't affect any  
15 of you, because most of you, I'm sure don't even live  
16 in this area. But if this were in your area, how  
17 would you feel?

18 I'm asking for you to take a good hard  
19 look at White Pine, and explore your four alternative  
20 options, because the community does not want this  
21 here. We have over thirteen hundred signatures on  
22 our petition, and the number is still growing. We  
23 have over five hundred people on our community group  
24 that are opposed to this project, and that number is  
25 still growing. Maybe this would have been a great

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2 idea many years ago before neighborhoods and  
3 developments were built surrounding White Pine.

4 Have any of you actually driven out  
5 here and seen how close the homes are? Have you seen  
6 all the signs in people's yards opposing this? Has it  
7 struck you that it's not just about having enough  
8 land? Maybe New York just does not have the best  
9 climate hence why Samsung went to Texas and not New  
10 York just recently.

11 I'd also like to point out our road is  
12 being falsely advertised as if OCIDA already owns it  
13 to attract a buyer. This is absolutely mind  
14 boggling. The county is spending unknown money here  
15 and you aren't any better prepared today than you  
16 were twenty years ago, despite your name change for  
17 White Pine. This area cannot handle traffic for a  
18 project that's three times the size of New York State  
19 Fair. The wetlands have to be reassessed. You're  
20 talking about projects or you I'm sorry, you're  
21 talking about properties without taking properties  
22 without a clear project in mind. At this time, I'm  
23 requesting to see an updated site plan concept  
24 drawings. Why is taking Burnett Road in the plans. I  
25 would like this laid out and I would like this sent

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2 to our attorney Neil Gingold.

3 Corporations are being prioritized  
4 over human beings. You can create jobs without  
5 displacing people from their homes and destroying a  
6 community in the process. We oppose development that  
7 would force dozens of families out of their homes and  
8 affect hundreds of acres of farmland, woods and  
9 natural wetlands. We support development that allows  
10 our community to remain intact. That's all I have.  
11 Thank you for your time.

12 MR. DAVIS: Thank you for your  
13 comment. Next up is in Annette Capria. On-deck is  
14 Gary Mace.

15 MS. CAPRIA: Annette Capria, A-N-N-E-  
16 T-T-E C-A-P-R-I-A. I'm very opposed to this.  
17 What's currently been built there can't support the  
18 traffic that we already have. That ten years ago or  
19 twenty years ago when they started to decide to build  
20 this, we didn't have all of this other development.  
21 I'm not sure how many of you try to drive through  
22 this road at this point. It's getting quite  
23 difficult. And when I moved to this area while I was  
24 born in this area, and I stayed in this area, because  
25 it was the Town of Clay. Not the city of Clay. I

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2 don't think that the environmental impact is being  
3 considered. And with over, with all the other  
4 signatures, it seems to me that people are pretty  
5 happy with the way of living as it sets. I don't  
6 agree with this at all. And displacing people out  
7 of their homes, their lifelong homes. And with all  
8 these people being so happy with their lives as it  
9 is, I don't understand why they can't find another  
10 site that would be much more suitable.

11 It just doesn't make any sense to me.  
12 You can just drive around Onondaga County and there's  
13 so many abandoned properties. It's ridiculous. It's  
14 unbelievable. And now you want to put something in  
15 the middle of this residential area that doesn't  
16 belong there and we cannot support it. We can't  
17 support it traffic-wise. And I mean, how about the  
18 police department? Do we have enough on, on the force to  
19 handle it. Those are questions that I just don't see  
20 getting answered. Thank you.

21 MR. DAVIS: Thank you for your  
22 comments. Next up is Gary Mace. And we currently  
23 have no other speakers who've identified they'd like  
24 to speak.

25 MR. MACE: Hi, can you hear me?

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2 MR. DAVIS: Yes, I can.

3 MR. MACE: Hi, my name is Gary Mace,  
4 M-A-C-E. I am a resident that's down the street from  
5 this location. My backyard backs up to Caughdenoy  
6 Road. I've been hearing a lot of business owners out  
7 there that are loving the idea. And I agree, I mean,  
8 this is a great opportunity for New York State,  
9 Syracuse. The problem is, is that all these business  
10 owners, yes, they're business owners, they're not the  
11 common, everyday resident in the area where this  
12 would impact. I've got a lot of concerns. We've had  
13 mentioned of our traffic and the infrastructure  
14 around here to be able to support this type of a -- a  
15 venture. We've got problems now that haven't been  
16 addressed. Who is going to take care of that? Who's  
17 going to foot the bill? Great, you're going to have  
18 more residents in here. Our taxes. Who's going to  
19 pay for the road improvements? Who's going to take  
20 care of the traffic? Are they going to widen  
21 Caughdenoy Road out here to four lanes so people can  
22 get off 481 to go down the street to this mammoth  
23 factory? Route 31 is not capable of handling this  
24 type of traffic.

25 We have a spur over there with 81 and

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2 31 and Route 11. We've been dealing with a problem  
3 with this for years, the state hasn't come in, the  
4 town hasn't come in, nobody's come in to resolve this  
5 issue. I work for the local school district, school  
6 bus driver. Anybody traveled through those areas at  
7 peak time trying to get kids through there safely?  
8 These things, I don't see how they're going to be  
9 resolved without the common person in these  
10 neighborhoods, in the local area is going to be  
11 footing the bill because you know, the state isn't  
12 going to step up and take it. And even if the state  
13 does, we're going to pay for it anyways.

14 On top of that, these tax benefits  
15 that these companies get when they come into the  
16 areas who pays for that? We do. So yes, you're  
17 going bring in high tech people possibly, that  
18 doesn't support the local people that live here now.  
19 Because the local people here now you ... Not  
20 everybody can go and swing a hammer or cement. These  
21 are very --

22 MR. DAVIS: Twenty seconds.

23 MR. MACE: -- these are very  
24 specialized jobs that aren't going to sustain the  
25 area. There's a lot of issues that need to be

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2 addressed. I support bringing the stuff in, not in  
3 this area. We just don't have the infrastructure for  
4 it. Thank you.

5 MR. DAVIS: Thank you for your  
6 comment. We have two more speakers who identified  
7 they'd like to speak. We have Kevin Meaker up now,  
8 and on-deck would be Renee Cordell.

9 MR. MEAKER: Kevin J. Meaker, Town of  
10 Clay. Also Town councilor in the Town of Clay. Can  
11 you hear me, sir?

12 MR. DAVIS: Yes, I can.

13 MR. MEAKER: Thank you. I'd like to  
14 say first, that I'm opposed to using eminent domain  
15 in regards to this projects, number one. And number  
16 two, I would like to say that there is a much needed  
17 -- need for improvements to the infrastructure of  
18 Route 481 and 81 in regards to this project. Thank  
19 you for your time.

20 MR. DAVIS: Thank you for your  
21 comment. Next up is Renee Cordell.

22 MS. CORDELL: Hello, can you hear me?

23 MR. DAVIS: Yes, I can.

24 MS. CORDELL: Okay. It's Renee  
25 Cordell, R-E-N-E-E C-O-R-D-E-L-L. I'm strongly

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2 opposed to this mega development. I looked through  
3 the GEIS this afternoon. I read through it pretty  
4 carefully. There's four alternatives that are  
5 listed. And a bunch of them happen to say like no  
6 project or a smaller project. And basically they say  
7 they can't, they don't want to do that because they  
8 basically just don't want to. They want to attract  
9 that big fish. And unfortunately, to do that, they  
10 need to take people's properties and it spells right  
11 in there that that's what they want to do. Eminent  
12 domain. It's unnecessary. There's other things they  
13 can do, they just don't want to.

14 Also a big issue to me, as I have  
15 lived in Clay my entire life and I have my children  
16 here. They go to school locally, and I am extremely  
17 concerned about the hazardous materials that are used  
18 to make these chips in a semiconductor factory. I  
19 don't want, I live pretty close to where it will be.  
20 And I don't want the pollution going into the air  
21 that I, me and my children breathe. There are parks  
22 located around there nursing homes, churches, all  
23 these people will be affected by air pollution, water  
24 pollution, but nobody's mentioning that. We're only  
25 talking about jobs, and probably an abandoned

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2 building down the road. That's all.

3 MR. DAVIS: Thank you for your  
4 comment. We have nobody currently in the queue. If  
5 you have not spoken and you would like to speak,  
6 please put your name in the chat function. If you're  
7 on the phone, please raise your hand. Next up is  
8 Kevin Schwab.

9 MR. SCHWAB: Hi, thank you for the  
10 opportunity to say a few words. My name is Kevin  
11 Schwab, K-E-V-I-N S-C-H-W-A-B. I'm with Center  
12 State CEO. And I did want to just say a couple of  
13 words about the site itself. We have a unique  
14 opportunity here that a number of people have spoken  
15 to already. And frankly, there are lots of reasons  
16 to be excited about that opportunity and the impact  
17 it has on this region, and what it could really mean  
18 for our economy going forward. But the site itself  
19 is the reason for that. This is a nationally  
20 recognized site that really has few peers in terms of  
21 its suitability for the types of high tech  
22 development that are being discussed here today. The  
23 site is essentially shovel ready, it has tremendous  
24 electric capacity, great access to water, close  
25 highway access, excellent broadband, and in protected

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2 communications capabilities.

3 It has really got the ability to host  
4 a major high tech facility with relatively minimal  
5 impacts. And the types of things that are discussed  
6 relative to road improvements near the site, or the  
7 addition of sewer lines are things that can readily  
8 be done in a project like this, particularly given  
9 the impact that it can have on our community. It is  
10 exactly the type of project that's contemplated when  
11 you have an asset like this, it can have really  
12 tremendous benefits for our community, while having  
13 very minimal requirements in terms of what would have  
14 to be done to make it fully ready.

15 MR. DAVIS: Thank you for your  
16 comment. At this time, we have no new speakers that  
17 have identified that they would like to speak. And  
18 we'll keep it open just for a few more minutes. And  
19 remind everyone that written comments will be  
20 accepted by the agency until June 11, 2021. May be  
21 submitted to Robert Petrovitch, Executive Director of  
22 OCIDA at 333 West Washington Street, Suite 130,  
23 Syracuse, New York, code 13202. Or you can email  
24 comments economic development at ongov.net. Written  
25 comments carry the same weight as comments expressed

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2 this evening. In all comments, whether expressed  
3 this evening or in writing are addressed in the  
4 final, a generic environmental impact statement.  
5 Somebody else just came on just give us a moment.  
6 Cody Kelly up to speak.

7 MR. KELLY: Hi, can you hear me?

8 MR. DAVIS: Yes, I can

9 MR. KELLY: Okay. My name is Cody  
10 Kelly, C-O-D-Y K-E-L-L-Y. I am the Onondaga County  
11 legislator representing the 14th district. I also  
12 happen to be a resident of Burnett Road. I would  
13 like to first echo the concerns of my neighbors and  
14 some of the other members of the community with  
15 regards to the use of eminent domain on Burnett Road  
16 homeowners and assembling the White Pines property.  
17 One other area that I'd like to address that I  
18 haven't heard substantially covered yet, is  
19 enrollment in the Cicero North Syracuse School  
20 District. I was able to read through the report, and  
21 this was mentioned, albeit very briefly. And I  
22 believe that more data should be presented to fully  
23 communicate the point of projected enrollment in a  
24 future where the White Pine project becomes reality.

25 I am a 2009, graduate of CNS High

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2 School, which is just a few miles down the road. And  
3 I know when I was there, that building was  
4 essentially bursting at the seams. So I have  
5 concerns about what that building would be able to  
6 handle with any increase in enrollment going forward.  
7 Like we've all mentioned, this project could be a  
8 serious economic boom in the community. And I  
9 believe an estimate of a one point six percent  
10 increase could be very conservative, which is why I'd  
11 be interested to see further data on that point. My  
12 concern there is that I would not want to see a  
13 future where the local taxpayer and the Town of Clay  
14 Town of Cicero and Town of North Syracuse are  
15 responsible to make up any necessary tax increases to  
16 accommodate what an enlarged enrollment base could  
17 look like. So thank you for having this hearing.  
18 And that's all.

19 MR. DAVIS: Thank you for your  
20 comment. Anybody else, new speakers that would like  
21 to speak? No one in the chat room. No one raising  
22 their hand currently. Give it one more minute and  
23 ... comes on we'll close to hearing. And again,  
24 accept written comment until June 11. All right.  
25 I'd like to thank everybody for participating this

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2 evening and providing your public comment. Again  
3 written comment will be accepted until June 11, 2021.  
4 And all the information available for written comment  
5 is on the OCIDA website. You can also email to  
6 economic development at ongovnet. Thank you,  
7 everyone. We appreciate your comments. Good evening.

8 (The hearing concluded at 7:24 p.m.)  
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1 5-24-2021 - SEQRA Hearing

2 STATE OF NEW YORK

3 I, ANNETTE LAINSON, do hereby certify that the foregoing  
4 was reported by me, in the cause, at the time and place,  
5 as stated in the caption hereto, at Page 1 hereof; that  
6 the foregoing typewritten transcription consisting of  
7 pages 1 through 59, is a true record of all proceedings  
8 had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto  
10 subscribed my name, this the 28th day of May, 2021.

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13 ANNETTE LAINSON, Reporter

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# APPENDIX C

## Correspondence and Comments Received





**Parks, Recreation,  
and Historic Preservation**

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**ERIK KULLESEID**  
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May 27, 2021

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Ste 520  
Philadelphia, PA 19103

Re: DEC  
White Pine Commerce Park  
NYS Route 31, Town of Clay, Onondaga County, NY  
21PR03336

Dear Abby Heller:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (5NYCRR Part 617).

We have reviewed the Draft Supplemental Generic Environmental Impact Statement. OPRHP understands that the Onondaga County Industrial Development Agency does not currently own the entirety of the proposed 1,250-acre White Pine Commerce Park, and that acquisition of the land and development of the Park will take place gradually over time. Based on these circumstances, OPRHP's preferred approach is to review and provide comments tailored to specific development plans, when the conceptual site plans are available.

If further correspondence is required regarding this project, please refer to the OPRHP Project Review (PR) number noted above. If you have any questions, please contact me via email.

Sincerely,

Tim Lloyd, Ph.D.  
Scientist - Archaeology  
timothy.lloyd@parks.ny.gov

via e-mail only



June 11, 2021

Mr. Robert Petrovich, Executive Director  
Onondaga County Industrial Development Agency  
333 West Washington St., Suite 130  
Syracuse, NY 13202  
[economicdevelopment@ongov.net](mailto:economicdevelopment@ongov.net)

Dear Mr. Petrovich:

RE: SEQR LEAD AGENCY DESIGNATION  
WHITE PINE COMMERCE PARK EXPANSION  
PROJECT, 5171 NYS ROUTE 31  
TOWN OF CLAY, ONONDAGA COUNTY

The New York State Department of Transportation (NYSDOT) has received the Generic Environmental Impact Statement (GEIS) regarding the proposed White Pine Commerce Park Expansion Project (formerly known as the Clay Business Park) in the Town of Clay.

NYSDOT staff is still reviewing the Traffic Impact Study (TIS) provided to ensure the study meets our requirements and provides all the information we need to determine traffic impacts to the State Highway System. Mitigation will be required to address traffic impacts. All required mitigation must be reflected in site plans prior to NYSDOT's approval. We will provide further comments as we complete the review. Considering the size of the proposed development, NYSDOT expects substantial mitigation will be required on the State Highway System.

The following comments are being carried forward from our previous letter. These comments will need to be addressed as the site plan is developed:

1. A highway work permit will be required for any work within the State Right-of-Way (ROW) along NYS Route 31. The plans that are prepared toward permit issuance must show our ROW boundary. The final project plans must reflect mitigation as may be determined by the Department. The applicant should coordinate with NYSDOT during plan preparation to ensure that the design meets Department standards and requirements. A consultant inspector may be required for this work.
2. Utility installation within the State ROW will require a utility permit. If feasible, all steps to avoid open cutting a state highway for the water/sewer installation shall be progressed. The plans that are prepared toward permit issuance must show our ROW boundary.

Mr. Robert Petrovich  
June 11, 2021  
Page 2

3. The applicant must provide NYSDOT a copy of the Storm Water Pollution Prevention Plan (SWPPP) for review. No additional stormwater flow into the State's ROW shall be permitted.
4. The applicant must submit a photometric lighting plan to the NYSDOT. No glare or spillover onto the State ROW will be permitted.

If you or the applicant have any questions pertaining to the permit process, please contact Jeff Deep, Assistant Regional Permit Engineer, at [Jeffrey.Deep@dot.ny.gov](mailto:Jeffrey.Deep@dot.ny.gov) or (315) 428-3233.

Very truly yours,

MARK FRECHETTE, P.E.  
Director, Planning and Program Management Group

By



Julie Baldwin  
Senior Transportation Analyst

JAB:MF:cm



July 8, 2021

Ms. Christina M. Minkler, Vice President  
JMT of New York, Inc.  
307 South Townsend Street  
Syracuse, NY 13202

Dear Ms. Minkler:

RE: WHITE PINE COMMERCE PARK TIS  
5171 NYS ROUTE 31, TOWN OF CLAY  
ONONDAGA COUNTY

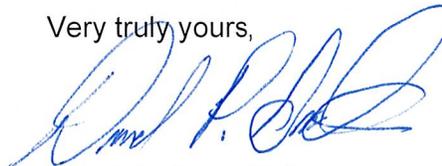
The New York State Department of Transportation (NYSDOT) has received the traffic impact study (TIS) by JMT as part of the environmental review of Onondaga County Industrial Development Agency's proposed expansion of the existing White Pine Commerce Park (Project) in the Town of Clay.

NYSDOT staff is still finalizing the review comments, but we don't anticipate any major significant issues that will prohibit the development from progressing forward as a project. Having said that, we have determined that additional improvements will be required to offset impacts from the proposed White Pine Commerce Park.

There are several feasible improvement options being analyzed within NYSDOT that can address these operational and safety impacts. Once we complete our review, you will be notified of all our comments and recommendations.

We look forward to working with you on this project. If you have any questions, please contact Scott Bates at (315) 428-4385.

Very truly yours,



David P. Smith, P.E.  
Regional Director

cc: Scott Bates, Assistant Regional Traffic Engineer  
Brian J. Donnelly, Deputy County Executive, Onondaga County

**From:** "Smith, David (DOT)" <[David.Smith@dot.ny.gov](mailto:David.Smith@dot.ny.gov)>  
**Date:** July 9, 2021 at 12:05:58 PM EDT  
**To:** Brian Donnelly <[BrianDonnelly@ongov.net](mailto:BrianDonnelly@ongov.net)>  
**Subject:** White Pine Commerce Park TIS

**NOTICE:** This email originated from outside of Onondaga County's email system. Use **caution** with links and attachments.

Brian,

As a follow up to my July 8<sup>th</sup> letter regarding the proposed subject development, I wanted to further clarify NYSDOT's analysis of the TIS.

We've concluded that, as written, the TIS appropriately documents the study area. Within the study area, the TIS offers proposed mitigation for the impacts of the trips generated by the potential development. NYSDOT will follow up with location-specific comments relating to the details of mitigation within the study area. On that point, it is anticipated that additional coordination and communication will take place as this project develops further, to arrive at the specific details of the mitigation. That said, NYSDOT agrees that the TIS is appropriate based upon the information presented.

Please feel free to call me if you have questions.

Dave

**David P Smith, P.E.**

Regional Director

**New York State Department of Transportation, Central New York Region**

333 East Washington St

(315) 428-4351 | [david.smith@dot.ny.gov](mailto:david.smith@dot.ny.gov)

[www.dot.ny.gov](http://www.dot.ny.gov)



**Notice of SEQRA Public Hearing White Pine Commerce Park - Demand for an In- Person meeting, Not a Zoom**

Moe Moe Libmatt &lt;mattdicket@yahoo.com&gt;

Sat 5/8/2021 10:36 AM

To: ED - Web 1 <economicdevelopment@ongov.net>; County Executive <CountyExecutive@ongov.net>; bfmay6 <bfmay6@yahoo.com>; jjrowley@aol.com <jjrowley@aol.com>; Tim Burtis <tburtis@hotmail.com>; Judith Tassone <tassone@twcny.rr.com>; debjcody@gmail.com <debjcody@gmail.com>; Julie Abbott-Kenan <julieabbottkenan@gmail.com>; Mary Kuhn <MaryKuhn@ongov.net>; Chris Ryan <cjryan1123@yahoo.com>; peggychase2013@twcny.rr.com <peggychase2013@twcny.rr.com>; kevinholmquist@reagan.com <kevinholmquist@reagan.com>; lmcbrid1@twcny.rr.com <lmcbrid1@twcny.rr.com>; dknappmb@aol.com <dknappmb@aol.com>; kenbushjr@gmail.com <kenbushjr@gmail.com>; ckell1251@gmail.com <ckell1251@gmail.com>; wtkinne@gmail.com <wtkinne@gmail.com>; mannjr\_1983@hotmail.com <mannjr\_1983@hotmail.com>; Linda Ervin <LindaErvin@ongov.net>; mannion@nysenate.gov <mannion@nysenate.gov>

**NOTICE:** This email originated from outside of Onondaga County's email system. **Use caution** with links and attachments.

To All attached in this email,

I am one of the unavoidable adverse impacts, as I am a Burnet Road resident.

In watching channel 9 the other morning, May 6th, it was reported that our COVID numbers are down. 1.4 % and under 3% State wide. People have been working. Things are opening. I do not accept your announcement of a Zoom Meeting for this 1,253 acre SEQRA Study. I demand an In-Person meeting, announced to all the Clay residents.

County Exec. Ryan McMahon met with the residents of Burnet Road last October 22, 2020 at the Clay Town Hall when COVID numbers were worse than they are now! It does not make sense to me that something as HUGE and important as this subject would not be an In-Person Public meeting. COVID Convenience, I call it. Insults my intelligence. The Town Hall in Clay can't make accommodations in regards to mask wearing and social distancing in order to give us our time on the podium? How many of you have gone to the gym? Or out to a restaurant? Or hair Salon? Yet, you can not meet with Clay residents to go over your findings and give us our opportunity to speak? Shameful.

I see that written comments from the public will be accepted by OCIDA until June 11, 2021 and may be submitted to them at Onondaga County Industrial Development Agency Robert Petrovich, Executive Director  
333 West Washington Street, Suite 130 Syracuse, New York 13202  
or via email to economicdevelopment@ongov.net.

In Summary, Do the right thing and give us the In-Person meeting.

You intend to force me out-give me the opportunity to fight for my home and the animals and wetlands and Oneida Lake and Clay as I know it.

Respectfully,  
Maureen Matthews

Hillside  
STRONGER FUTURE

Hillside  
Syracuse NY

# IMPORTANT MESSAGE

FOR \_\_\_\_\_  
DATE 5/8 TIME 11:15 P.M.  
M Carrie Eckerbeck  
OF Clay Town Resident  
PHONE 315.882.8958  
                    AREA CODE                      NUMBER                      EXTENSION

FAX  
 MOBILE \_\_\_\_\_  
                    AREA CODE                      NUMBER                      TIME TO CALL

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CAME TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	RUSH	<input type="checkbox"/>
RETURNED YOUR CALL	<input type="checkbox"/>	WILL FAX YOU	<input type="checkbox"/>

MESSAGE OSEDA has not  
let the Clay residents  
gather for a public  
forum re: Micro chip  
factory in the town  
of Clay

SIGNED \_\_\_\_\_

universal UNV48005

MADE IN U.S.A.

7, 2021  
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Robert M. Petrovich  
Director-Office of Economic Development  
Executive Director-Industrial Development Agency  
Onondaga County  
333 West Washington Street  
Syracuse, New York 13202  
315 435 3770  
[RobertPetrovich@ongov.net](mailto:RobertPetrovich@ongov.net)

---

**From:** Cody Kelly <[ckell1251@gmail.com](mailto:ckell1251@gmail.com)>  
**Sent:** Monday, May 10, 2021 11:37 AM  
**To:** Robert Petrovich <[RobertPetrovich@ongov.net](mailto:RobertPetrovich@ongov.net)>  
**Subject:** Fwd: Notice of SEQRA Public Hearing White Pine Commerce Park - Demand for an In- Person meeting, Not a Zoom

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

Hey Bob,

Is it possible to organize this White Pine SGEIS hearing in person, rather than Zoom? I'd be happy to help coordinate with the Clay Town Hall. I think it's a reasonable request (although I may have gone about it a little differently!)

Let me know.

Cody Kelly  
315-420-5792

Sent from my iPhone

Begin forwarded message:

**From:** Moe Moe Libmatt <[mattticket@yahoo.com](mailto:mattticket@yahoo.com)>  
**Date:** May 8, 2021 at 10:36:06 AM EDT  
**To:** [economicdevelopment@ongov.net](mailto:economicdevelopment@ongov.net), [countyexecutive@ongov.net](mailto:countyexecutive@ongov.net), [bfmay6@yahoo.com](mailto:bfmay6@yahoo.com), [jjrowley@aol.com](mailto:jjrowley@aol.com), [tburtis@hotmail.com](mailto:tburtis@hotmail.com), [tassone@twcny.rr.com](mailto:tassone@twcny.rr.com), [debjcody@gmail.com](mailto:debjcody@gmail.com), [julieabbottkenan@gmail.com](mailto:julieabbottkenan@gmail.com), [marykuhn@ongov.net](mailto:marykuhn@ongov.net), [cjryan1123@yahoo.com](mailto:cjryan1123@yahoo.com), [peggychase2013@twcny.rr.com](mailto:peggychase2013@twcny.rr.com), [kevinholmquist@reagan.com](mailto:kevinholmquist@reagan.com), [lmcbid1@twcny.rr.com](mailto:lmcbid1@twcny.rr.com), [dknappmb@aol.com](mailto:dknappmb@aol.com), [kenbushjr@gmail.com](mailto:kenbushjr@gmail.com), [ckell1251@gmail.com](mailto:ckell1251@gmail.com), [wtkinne@gmail.com](mailto:wtkinne@gmail.com), [mannjr\\_1983@hotmail.com](mailto:mannjr_1983@hotmail.com), [lindaervin@ongov.net](mailto:lindaervin@ongov.net), [mansion@nysenate.gov](mailto:mansion@nysenate.gov), [StirpeA@nyassembly.gov](mailto:StirpeA@nyassembly.gov), Shanelle Benson Reid <[vote@friendsofdrshanelle.com](mailto:vote@friendsofdrshanelle.com)>, Michelle <[mnuzzo80@yahoo.com](mailto:mnuzzo80@yahoo.com)>  
**Subject: Notice of SEQRA Public Hearing White Pine Commerce Park - Demand for an In- Person meeting, Not a Zoom**

To All attached in this email,

I am one of the unavoidable adverse impacts, as I am a Burnet Road resident.

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333 West Washington Street, Suite 130 Syracuse, New York 13202  
or via email to [economicdevelopment@ongov.net](mailto:economicdevelopment@ongov.net).

In Summary, Do the right thing and give us the In-Person meeting.  
You intend to force me out-give me the opportunity to fight for my home and the animals  
and wetlands and Oneida Lake and Clay as I know it.

Respectfully,  
Maureen Matthews

**Statement from OCC President**

Tormey,Susan <tormeys@sunyocc.edu>

Thu 5/20/2021 2:53 PM

To: ED - Web 1 <economicdevelopment@ongov.net>

 1 attachments (75 KB)

Statement - Dr. Casey Crabill OCC.docx

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

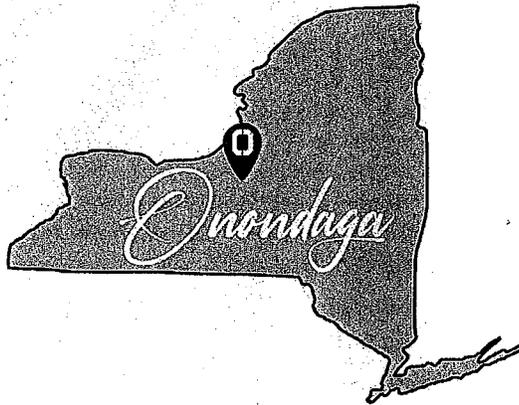
Office of Economic Development/OCIDA  
Onondaga County

Attached please find a statement from OCC President Casey E. Crabill to be entered as part of the SEQR public hearing scheduled for Monday May 24, 2021.

Thank you.

Susan Tormey

Susan J. Tormey  
Associate Vice President  
Advancement Communications  
Onondaga Community College  
4585 West Seneca Turnpike  
Syracuse, New York 13215  
[tormeys@sunyocc.edu](mailto:tormeys@sunyocc.edu)  
Office: 315-498-2764  
Cell: 315-263-0958



Statement from  
Casey E. Crabill, Ed.D.  
President  
Onondaga Community College

*Onondaga Community College is proud to work with local businesses and corporations, small and large, across our region to provide valuable certificates, needed training, and areas of study for current and potential employees.*

*We are excited about initiatives like Sen. Chuck Schumer's Endless Frontier Act and about a commitment from the federal government to help attract exciting state of the art companies to areas in Onondaga County like the White Pine Business Park. Onondaga Community College will sustain its pledge to assist with developing the best prepared workforce, including meeting specific training needs, to support prosperity in our region.*

May 20, 2021



May 20, 2021

Onondaga County Economic Development  
333 W. Washington Street  
Suite 130  
Syracuse, New York, 13202

To Whom It May Concern:

As the leading research university and largest private employer in Central New York, Syracuse University is committed to participating in regional economic development initiatives positioned to benefit our community, and all those who call Central New York home.

Syracuse University's investment in research and development is significant, and research-based collaborations between the academic and private sectors represent a powerful tool to advance new opportunity for our region. Specifically, policy experts have long understood the strong and positive relationship that exists between investments in research and economic growth. Importantly, those benefits go beyond economic indicators like new jobs and increased wages - but also extend to enhanced social and educational opportunities for members of the community.

For that reason, Syracuse University supports Onondaga County's ongoing efforts - to include at the White Pines Commerce Park - to attract new and cutting-edge technology and manufacturing ventures to Central New York. These efforts are positioned to confer significant benefits to the region, including new jobs and inclusive economic growth. In addition, unique to our region are the potential benefits of collaborations between academic and private-sector researchers, in fields such as Quantum Technology, Artificial Intelligence, and Information Systems. These are areas where Syracuse University has made extraordinary investments over the past several years, and thus attracting business ventures to the region that are also pursuing commercial opportunities in these fields has potentially synergistic and transformative implications for the region, positioning CNY as a national leader in the development and commercialization of future-focused technology and advanced manufacturing.

In conclusion, Syracuse University believes that Onondaga County's ongoing efforts to position the White Pines Commerce Park as a mechanism to attract new and research-intensive employers to our region is central to ensuring the long-term economic welfare of Central New York. We commit to be an engaged partner in those efforts, where the benefits of economic development serve to advance opportunity for all members of our community.

Sincerely,

A handwritten signature in black ink that reads 'J. Michael Haynie'. The signature is written in a cursive style with a large, stylized initial 'J'.

J. Michael Haynie  
Vice Chancellor  
Syracuse, New York, 13244

---

**From:** Ashley Wells <[awells@twcny.rr.com](mailto:awells@twcny.rr.com)>  
**Sent:** Monday, May 24, 2021 8:09 PM  
**To:** ED - Web 1 <[economicdevelopment@ongov.net](mailto:economicdevelopment@ongov.net)>  
**Subject:** White Plains Park Objection

**NOTICE:** This email originated from outside of Onondaga County's email system. Use **caution** with links and attachments.

To whom it may concern

I am writing you as a community member who is opposed to the White Plains project. We do not live far from where this monstrosity will be built.

We moved to rural part of Clay 5 years ago. We relocated here from Northern Oswego County because it's the happy medium between country and suburban living.

We couldn't imagine being anywhere else. If this were to be built here we would sell and completely leave NYS as there is no where else we want to be.

We also don't want something so environmentally damaging being so close to our children. I don't want them breathing in those emissions and I don't want to have to deal with all the traffic taking them to their extra curriculums. I also couldn't imagine losing all the beautiful sights and country feel Caudgnoy Rd has to offer on my drive home to and from work. It's truly peaceful and my happy place along with so many others in this area.... If we wanted to deal with all of these negative things we would live in the city. We didn't for that exact reason.

I don't understand how businesses can force this on a community when there are so many vacant buildings in the surrounding areas. It's a joke. Great Northern Mall and Shopping town are both vacant, most of the old manufacturing plants in East Syracuse have left and Destiny USA isn't far behind on make the list. My point is there are more options on reusing already built vacant buildings than kicking people out of their homes and running a community to build a new one. It's completely ridiculous and let's face it. NYS is clearly not a good place for any manufacturing companies. Carrier and Chrysler are 2 huge examples of failing manufacturing in NYS. Don't let this happen; it will fail and then not only will you have another vacant lot, you'll have more people out of jobs and a loss in tax revenue from all the people who used to live there and could have been paying all along.

Thanks for your time and I really hope this doesn't pass.



May 24, 2021

To the Onondaga County Executive, Ryan McMahon,

On behalf of the 1,700 members of the Greater Syracuse Association of REALTORS®, we commend County Executive Ryan McMahon for his leadership in working to bring much-needed economic development to Onondaga County.

If our communities are going to flourish, we know there must be a continued focus on economic development by our government leaders, especially as we put the pandemic behind us. REALTORS® applaud our county leaders for keeping focused on the future. Business development is the key step in rebuilding our employment base and reversing the population loss of the past decade. It is vital that an environment is created where our residents can see a thriving future here in our county.

All county residents benefit through the introduction of new businesses into our communities through the jobs they create and the resulting boost they give our local economy. In turn, those jobs allow our Onondaga County residents to build their future and achieve the American Dream of Homeownership right here, rather than chasing their dreams elsewhere. In turn, our new homeowners further contribute to the local economy as they purchase goods and services to create their “Home Sweet Home” in Baldwinsville, Clay, Syracuse and all of our other municipalities.

The Greater Syracuse Association of REALTORS and its members stand ready to assist our government and the communities we live in by supporting efforts to grow our business base and economy.

Sincerely,

Lynnore Fetyko  
GSAR CEO

Andy Azzarello  
GSAR President

2021 OFFICERS

President    President-Elect    Secretary/Treasurer    Ex-Officio    Chief Executive Officer  
Andy Azzarello    Nancy Quigg    Shauna Teelin    Chris Teelin    Lynnore Fetyko

2021 DIRECTORS

Steve Barrett    Deana Bollinger Ingram    Barb Ciricillo    Samantha Covey  
Midge Fricano    Karen Hammond    Kellie Jo Maher    Dave Manzano, Sr.    Eric Pedrotti  
Nancy Quigg    Mary Rouse    Shauna Teelin    Linda Thomas-Caster    Rick Wilbur





May 24, 2021

Mr. Robert Petrovitch  
Executive Director  
Onondaga County Industrial Development Agency  
333 West Washington Street, Suite 130  
Syracuse, New York 13202

Dear Mr. Petrovitch,

I am writing in support of the Generic Environmental Impact Statement (GEIS) adopted by your organization for the future development of White Pine Commerce Park. I have read the report and believe the Onondaga County Industrial Development Agency has done a complete and thorough review of all the alternatives available. Expanding White Pine Commerce Park gives our region an economic opportunity that will be transformative.

The site has the characteristics needed for a high-tech facility including power quality and capacity, water, proximity to markets and transportation alternatives. Central New York has a long history of innovation and adding a semiconductor manufacturer will lead to further innovation and attract other manufacturers key to the industry.

As the owner of a recruiting firm, I can say without hesitation that this kind of opportunity will be very attractive to highly skilled talent seeking to advance their careers. Central New York has much to offer in the way of moderate housing prices, excellent schools and four seasons to enjoy. Additional career opportunities will help our region grow and compete with other high-tech areas of the country.

Many years of effort have gone into developing the site and marketing our region for just this kind of opportunity. I am very hopeful we will be successful in attracting an investment of this magnitude.

Sincerely,

A handwritten signature in black ink that reads 'Susan Crossett'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Susan Crossett  
CEO

**Objection to White Plains Business Park**

Ashley Wells &lt;awells@twcny.rr.com&gt;

Tue 5/25/2021 10:51 AM

To: County Executive &lt;CountyExecutive@ongov.net&gt;

Cc: ED - Web 1 &lt;economicdevelopment@ongov.net&gt;

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

To whom it may concern,

I am writing you in objection to the White Plains Business Park.

I am a local resident and do not want this eye sore anywhere near my house. I don't want my children breathing the emissions it will give off and I certainly do not want my children fishing out of the river and lake (which they LOVE to do and do often) the waste will be dumped into. We moved to rural Clay for that reason. It offers a country setting along with the convince of suburban life; truly a happy medium.

This monstrosity has no business being here in Clay. I understand from a business perspective it would create jobs which obviously equals revenue. But has anyone even thought about how long will that really last? Manufacturing doesn't survive here in NYS. Look at Chrysler and Carrier. Both provided very well paying jobs to just leave NYS all together and create a HUGE empty eye sore in East Syracuse and also create a huge tax deficit. Why do that to such a beautiful area. Another example: Great Northern Mall. It's pretty much completely vacant, I don't understand why that can't be demoed and something put in there. Utilize the space the is already taken. What happened to communities going green to save the environment? You really thing building this is going to achieve that. The emissions and waste coming from a plant like that does the exact opposite. Also, a lot of the properties around rural Clay but up to nature preserves. What happens to them? Yes I'm that property will remain un-touched, but all the wild life that is in there will be effected by this along with the health and safety of the residents and children.

WE DON'T WANT THIS FOR OUR LEGACY (meaning our children)!!!!!!! We don't want to move away from family and friends and everything we love. This will force us to do so because we don't want to raise our children around something like this!!!! We love nature, hunting and fishing all of which we can do and close to home which is what we wanted and how we chose to raise our children. How can you take that dream away from people??? The greed with this is disgusting.

For what it's worth, we don't even live on Burnet Rd but we are close enough to be greatly impacted!!!

This has no place being in Clay, NY. There are plenty of other places this can go in Onondaga County, but Clay NY should not be one of them

Thank you for your time

## Proposed Industrial Development in Clay

millspiper@juno.com <millspiper@juno.com>

Mon 5/24/2021 2:16 PM

To: ED - Web 1 <economicdevelopment@ongov.net>

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

Members of Onondaga County Office of Economic Development,

I'm STRONGLY opposed to an Industrial Park in the Town of Clay. You will receive many emails and phone calls detailing all the issues such a project will inject on our community. I hope you read all of them.

I am mostly opposed to the secrecy in which this project is shrouded. Tell the public in an open meeting that this project will encompass 4 million square feet of buildings and 50 acres of paved area. It will be half the size of Onondaga Lake.

Let all the residents of the Towns of Cicero and Clay know how their lives will be affected. Residents of Burnet Road will be affected the most; however, a project of this magnitude will greatly affect everyone. Tell the residents how traffic will increase. Tell them where you plan to widen roads to deal with this traffic, decreasing their front yards. Tell them how there will be an increase in noise, air, and water pollution. Tell them how this project will be funded.

Be forth coming with your intentions. Once people are aware of the size and magnitude of this project, they will be telling you NO, as well.

Sincerely,  
Darlene Piper  
106 1/2 Northfield Drive  
North Syracuse, NY 13212

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- **Biden Condemns 'Despicable' Rise in Anti-Jewish Attacks**
- **Suit: Pompeo Vowed to Pay Legal Fees. Then 'Everything Changed'**
- **NYC Mayor Makes Big Call on Schools: 'It's Time'**

**Maureen Matthews comments and questions for the Public comment period May 24th, 2021**

Moe Moe Libmatt <mattticket@yahoo.com>

Wed 5/26/2021 8:34 PM

To: ED - Web 1 <economicdevelopment@ongov.net>; Cody Kelly <ckell1251@gmail.com>; neilgingoldlaw@gmail.com <neilgingoldlaw@gmail.com>; Michelle <mnuzzo80@yahoo.com>; Shanelle Benson Reid <vote@friendsofdrshanelle.com>

📎 1 attachments (21 MB)

Comments SEQR Review for comment period FINAL befor June 11th 2021.rtf;

**NOTICE:** This email originated from outside of Onondaga County's email system. **Use caution** with links and attachments.

OCIDA and Jeff Davis,

Please find attached, a document with comments and questions related to the SEQR Review on the proposed 1,253 acre White Pine Commerce Park.

These questions and comments are being submitted after the May 24, 2021 Public Comment Period that was a Zoom meeting, as opposed to an in-person meeting.

Additional questions and comments are being accepted until June 11th, 2021 according to your site.

Thank you for your consideration.

Respectfully,  
Maureen Matthews  
Resident of Burnet Road

Revised Final

May 26, 2021

Onondaga County Industrial Development Agency

Responding to: 5/6/21 Recording of OCIDA special meeting held this morning regarding the EIS PUBLICCOMMENT for April 29th and May 6, 2021. SEQRA meetings: Open comment period.

OCIDA Attempted Acquisitions of Homes and 1,253 acres of land

White Pine Commerce Park -

April 29, 2021 initial meeting, **'We do not have a project' , ' We do not have an applicant that has put forth what they want to do yet'.**

\_\_\_\_\_ Tell me how you can do a review studying for the impacts of a particular Company/Business when you currently, as stated above, have a mystery company? Isn't it a fact, that you need to do the study based on the actual company that has signed? This doesn't make sense. If you don't know the company's outputs of chemicals or the type of business and wastes etc it will produce, I ask you how this review can be complete at this time.

\_\_\_\_\_ What then, was the basis for the review on such a large parcel? Such as, Who/What business did you mirror to conduct this? \_\_\_\_\_ Are there any other structures in Upstate NY that are 4 million square feet of building on approx. 1.9 square miles? \_\_\_\_\_ Did you mirror a business or company in another state? \_\_\_\_\_ Did you mirror a business or company in another Country? If you did, how would the soils and wetlands and air quality and environmentals and species of animals match to White Pine to get your assumptions accurately?

\_\_\_\_\_ How much of the public's taxpayer money has been involved since the beginning of this project?

\_\_\_\_\_ Why the name change from Clay Business Park?

\_\_\_\_\_ How much money was involved to pay for the new name change?

\_\_\_\_\_ Why were our Legislators told to stay out of this?

The lead Agency in this a non-government unelected organization.

\_\_\_\_\_ How would a non-government organization have the right to use eminent domain against a homeowner? They are an independent agency?

The Onondaga County Industrial Development Agency (OCIDA) is an independent public benefit corporation established in 1970.

The definition Of OCIDA as a no-government agency : A non-governmental organization (NGO) is a non-profit group that functions independently of any government. NGOs, sometimes called civil societies, are organized on community, national and international levels to serve a social or political goal such as humanitarian causes or the environment.

\_\_\_\_\_ You are proposing to destroy 1,253 acres of virgin land, 2 square miles, of Residential/ Agricultural and displacing homeowners. Yet, not a positive declaration?

\_\_\_\_ Why not Town of Clay, DEC, DOT with all the traffic issues being the main adverse effect most potential impact?

\_\_\_\_\_ Who has the right to execute eminent domain?

\_\_\_\_\_ There is a large parcel of available land to the West of Burnet Road zoned Industrial. How are you able to threaten Residential/ Ag neighbors when you have Industrial land where you need to build? The West side of Caughdenoy has 17 acres with the best soils. ( To be clear, I do not want it over there either. I oppose a massive semiconductor development in Clay - Period !)

\_\_\_\_\_ Is there a tax break ?

\_\_\_\_\_ How BIG is this TAXBREAK for this unnamed company we are potentially losing our lifelong homes and properties to?

\_\_\_\_\_ Are there any mitigated wetlands offsite or other environmental manipulations (mitigating offsite- that usually doesn't work as it backs up, has problems and issues somewhere else -it has been an experience that has been witnessed first hand when a house was built just South of my property. My property flooded)

\_\_\_\_\_ I am STRONGLY against mitigating off-site. How will you mitigate on-site?

\_\_\_\_\_ How about the impact of widening the roads and other homeowners homes and properties lost which is IGNORED BY SEQRA?

\_\_\_\_\_ Why is it ignored in SEQRA?

Waste water sewer: \_\_\_\_ What is the cost ( all of it, all organizations that would be involved to make it happen ) to increase service to an Industrial Facility that taxpayers will pay for when many are incurring increased assessments?

\_\_\_\_\_ Attorney Jeff Davis & JMT Consultants had a negative declaration 2021 after 2013's positive declaration on original 336 acres. How in the world can a review on 1,253 acres not have positive impact just 7 years later on more wetland and animals and homes and homeowners? Assumptions?

Regarding Jeff Davis' statement below :

Jeff Davis stated we are declaring by issuing a positive declaration that we are saying there is a potential for significant environmental impact for future development for this area and we are going to study it.

According to: Subject to Board Approval  
Onondaga County Industrial Development Agency  
Regular Meeting Minutes from Dec. 8, 2020 via Zoom Teleconference  
WHITE PINE ENVIRONMENTAL REVIEW

Jeff Davis stated in 2013 the Agency completed a generic environmental impact statement studying potential development on the property and that included a parcel on White Pine Park that is 336 acres. He stated as discussed it is currently vacant and they have identified and learned that the park needs to be a larger area. He stated this Board has undertaken a process through acquisition of lands to do that, expand the park and consider acquiring more land. He stated the motion before the Board now is a reopening of the 2013 GEIS so that this Board can commence a similar generic environmental review of a larger White Pine Park area. He stated it will become the supplemental GEIS so the request before the Board is to issue a positive declaration under SEQR that will commence the process of notifying other agencies involved and interested that OCIDA plans to be lead agency for purposes of conducting a supplemental GEIS and we will send out notices to all involved and interested agencies of that intent. He stated they will have 30 days to comment and provide their consent to the Agency to be lead agency for this supplemental GEIS. He stated upon the completion of that 30 day period and assuming nobody objects OCIDA will then take on conducting a generic environmental review of an expanded White Pine Park up to 1,253 acres along the Caughdenoy Road/Route 31/Burnet Avenue corridor area and slightly east of Burnet Avenue. He stated the potential development of 1,253 acres would be studied in the same way that OCIDA studied the potential development and issue the GEIS in 2013. He stated there is no specific project at this time but a GEIS is an appropriate step taken when one is trying to develop a future high end business park like this and become shovel ready.

\_\_\_\_\_Traffic intersection at Rt # 31 and Rt # 11 are failing with 'stacking' and long delays. When in the process would these be corrected? \_\_\_\_\_ Time as in YEAR and DATES

\_\_\_\_\_What is The New York State Energy code which became effective on January 1, 1979 in this application?

Oak Orchard is a short distance away, I question it's carry capacity. \_\_\_\_ Explain how you will ensure carry capacity.

\_\_\_\_\_ Explain Buffers. There wouldn't be enough room to buffer this giant from neighbors so threaten to take them with the use of eminent domain? How much buffering would you need and how would you do the spec's on the area to buffer?

SEQR Public Hearing, May 24th at 6:00 p.m. not being an IN-PERSON meeting is appalling ! COVID is no longer an excuse. Everything is opening up. NYS is opening and restrictions lifted except for government? That should be the other way around - don't you think ? Supposedly we need government, that is why we have elected officials. Yet, The elected officials SHUT DOWN AND STAY SHUT DOWN to close off from the people that elected them. Once again, doesn't make sense.

\_\_\_\_\_ Why didn't you make a point to have an IN-PERSON meeting? What are you afraid of?

Explain why you do not want to listen to your constituents and the CLAY Community? This is a Mega Development and you won't allow us to voice our views because of COVID? This is ridiculous, absurd, ludicrous, nonsensical, and frankly, preposterous.

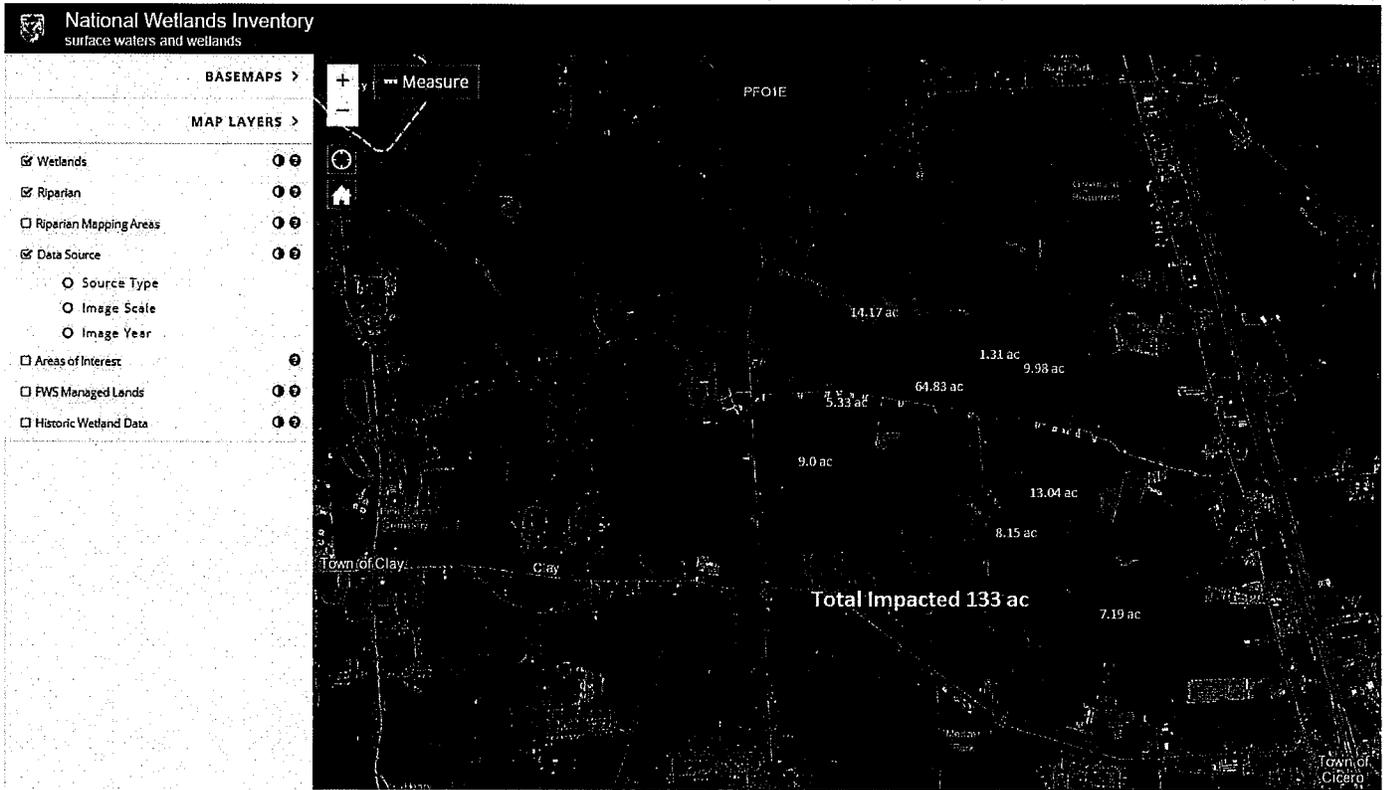
\_\_\_\_\_30day comment period is not enough time to be able to address issues of 730 more acres on assumptions. Tell us how you will be addressing these comments?

You clearly stated, in the April 29, 2021 initial meeting, **'We do not have a project'**, 'You have the audacity to threaten residents and take homes after investing taxpayer dollars and simply state, 'We dont have a project', **We do not have an applicant that has put forth what they want to do yet'**. This doesn't make sense. Oh wait, OCIDA hired Ed Rogers to send letters to residents saying an 'entity' wants to purchase your home. Once purchase options were signed, ( by people never intending to sell their homes to **We do not have an applicant that has put forth what they want to do yet'**) OCIDA can lure the buyer. This makes it a voluntary purchase under fear of eminent domain! \_\_\_\_\_What right do you have to do this!

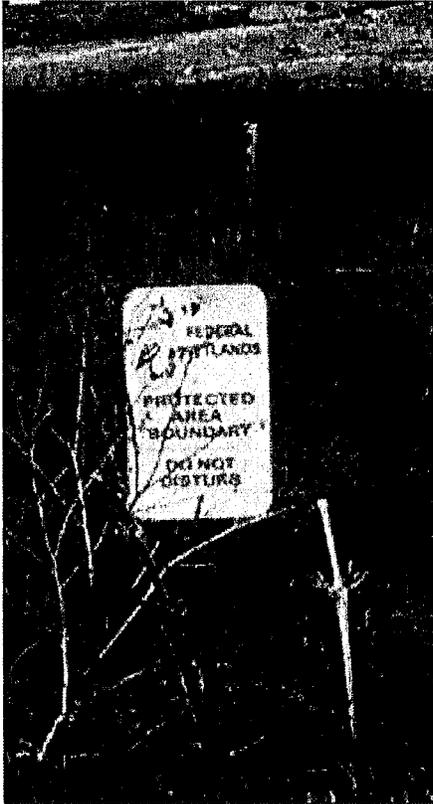
This is NOT a done deal. Wrong place! Move along where don't take people's homes!

\_\_\_\_\_Is the document adequate for a public hearing, how can you do a traffic study for a mystery business? Oh wait, I know that answer - It is an ASSUMPTION. I want guarantee's Mr. Jeff Davis.

\_\_\_\_\_How much wetland destruction? How will you mitigate retention or detention ponds with 50 acres of paved surfaces that is a lot of impervious services effecting run off on others, then add a 4 million square foot building, manufacturing what products? You don't even know what products are if you don't know the project/business? How is that adequate for a public hearing? Explain that to us in DETAIL. \_\_\_\_I want a Detailed document explaining this. With all the mystery, how can there be any environmental oversight especially with traffic. Oh wait, I know that answer - It is an ASSUMPTION.



Concerns stem from other Federally Protected Wetlands. Near Cicero Swamp in Onondaga County on Cicero Center Road, this is an example of designated Federal Wetlands that is probably less than an acre in size. It is **contained** with 3 roads and a property and is surrounded by a new development. It is posted with 6 or 7 little signs in a rectangle shaped area. No where near adequate. Pic's as shown This raises genuine concerns of the handling of the wetlands in White Pine Park.

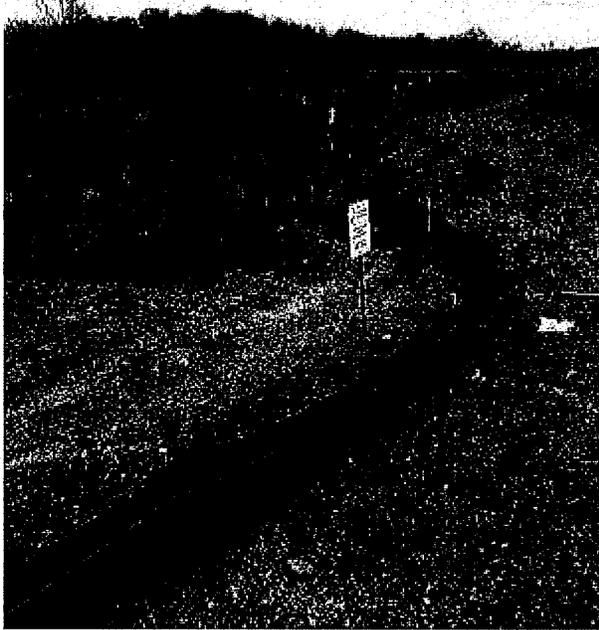




Note the white Fed Wetland signs in the background.



Note the white Fed Wetland signs in the background.



These wetlands are not looking Federally protected to me.

\_\_\_\_\_ Will this happen at White Pine?

\_\_\_\_\_ With 4 miles of new gas lines, who is paying that bill? Is this government funded? 5,000 linear feet from substation of underground electric, talk about sprawl. There is a lot of vacant land around here in a struggling economy, why take 37 homeowners homes (and more when roads widen e tc) for overdevelopment in an area that has long-standing and ongoing traffic concerns? \_\_\_\_\_ Yes or No, is it because it is cheaper for you to buy out homeowners (threatening eminent domain) than buy land already zoned Industrial?

\_\_\_\_\_ Traffic study: I want a copy of the detailed portion of the traffic study where it addresses the commercial corridor of Route 11- people complain now about the traffic in Cicero and have been since Wal-Mart, then more residential homes and apartments were built, yet the roads remained unchanged. Cart before the horse I'd say. Let's look at how Wal-Mart's 204,000 Sq ft effected this area. Now you are proposing a 4 million sq ft of building. An article from a Mar 19, 2008 report, Upstate New York will soon be home to the nation's largest Wal-Mart store — a 260,000-square-foot, two-story "supercenter". For this Mega-Development with 50 acres of parking lot, that is a lot of cars. \_\_\_\_\_ How many cars, trucks, vehicles in general did you account for in your assumption?

\_\_\_\_\_ The East side of Route # 11 and Route # 31 has thousands of homes all will be adversely effected by a development of this size.

\_\_\_\_\_ 481 is an offramp so how would you be moving traffic elsewhere?

\_\_\_\_\_ Offramp of 481 onto Caughdenoy, how many homes and properties will be lost there due to widening of the road? Are these people being notified they are in jeopardy of losing property and or their homes?

\_\_\_\_\_ Storm Water - A green light for whatever happens to this project (no project yet, according to you-therefore, this doesn't make sense)

\_\_\_\_\_ What about the effects on drinking water?

Article <https://www.epa.gov/npdes/npdes-stormwater-program>

#### *Problems with Stormwater Pollution*

*Stormwater runoff is generated from rain and snowmelt events that flow over land or impervious surfaces, such as paved streets, parking lots, and building rooftops, and does not soak into the ground. The runoff picks up pollutants like trash, chemicals, oils, and dirt/sediment that can harm our rivers, streams, lakes, and coastal waters. To protect these resources, communities, construction companies, industries, and others, use stormwater controls, known as best management practices (BMPs). These BMPs filter out pollutants and/or prevent pollution by controlling it at its source.*

*The NPDES stormwater program regulates some stormwater discharges from three potential sources: municipal separate storm sewer systems (MS4s), construction activities, and industrial activities. Operators of these sources might be required to obtain an NPDES permit before they can discharge stormwater. This permitting mechanism is designed to prevent stormwater runoff from washing harmful pollutants into local surface waters.*

*Population growth and the development of urban/urbanized areas are major contributors to the amount of pollutants in the runoff as well as the volume and rate of runoff from impervious surfaces. Together, they can cause changes in hydrology and water quality that result in habitat modification and loss, increased flooding, decreased aquatic biological diversity, and increased sedimentation and erosion. The benefits of effective stormwater runoff management can include:*

*protection of wetlands and aquatic ecosystems,*

*improved quality of receiving waterbodies,*

*conservation of water resources,*

*protection of public health, and*

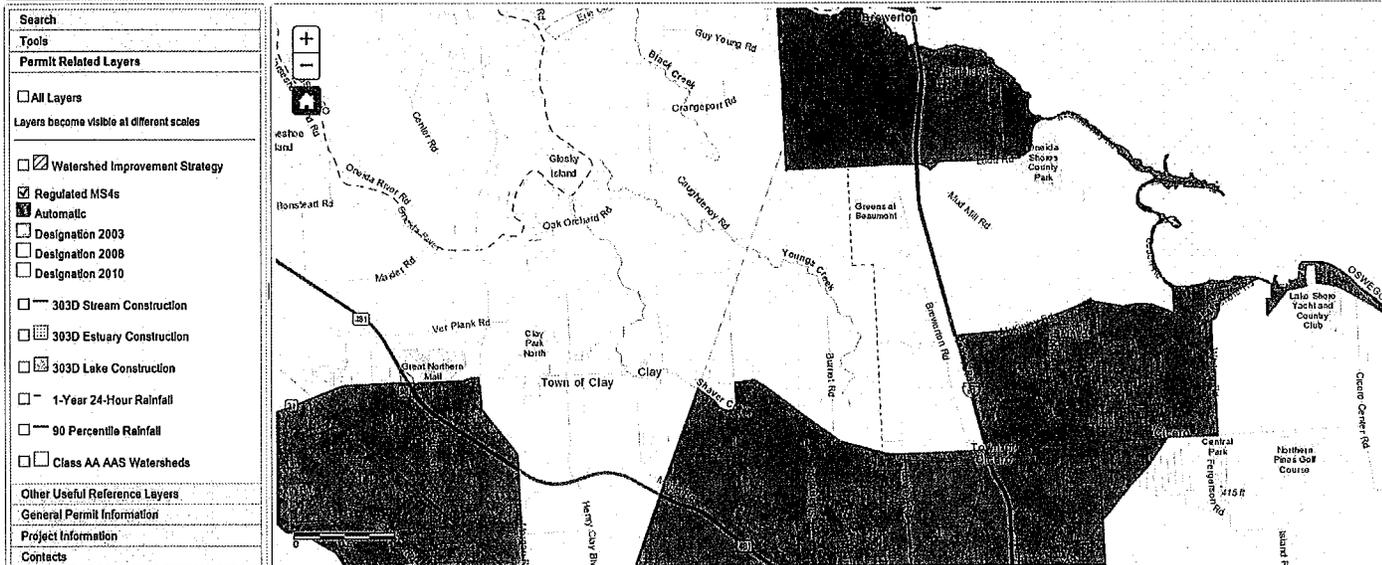
*flood control.*

*Traditional stormwater management approaches that rely on peak flow storage have generally not targeted pollutant reduction and can exacerbate problems associated with changes in hydrology and hydraulics.*

\_\_\_\_\_

Stormwater Interactive Map

Base Map:



Off-site stormwater discharge locations will be extremely important, as they drain into Youngs Creek, Oneida River and Oneida Lake, as well as, into the wetlands on the property.

“With the expansion of the Project area, the number and size of potentially impacted wetlands and natural water bodies has increased. The expanded site encompasses 17 National Wetland Inventory (NWI) mapped wetlands and two state-regulated wetlands. Classified waterbodies present onsite are tributaries to Oneida River. These surface waters are Class C, and are not considered protected; however, any disturbance would require prior approval from the United States Army Corps of Engineers (USACE) and/or the New York State Department of Environmental Conservation (NYSDEC).”

I want all the documents in regards to this.

The Alternatives section appears rushed.

REQUIRED ALTERNATIVES - \_\_\_\_\_ What do you predict for the future? You are doing all these projections and assumptions to accomodate the now, I want to know all the negative after effects !! All those assumptions and there will be many.

\_\_\_\_\_ I want a detailed report of the Future once taxbreaks run out and this tenant pulls out !

\_\_\_\_\_ I want to know if they stay, would the County/State give more tax breaks or how would you now

'LURE' them to stay in the space!

\_\_\_\_\_ You need to guarantee that this big corporation won't be another Foxconn : from GOOGLE  
*Inside Foxconn's empty buildings, empty factories, and empty ...[www.theverge.com](http://www.theverge.com) ›  
foxconn-empty-factories-wisconsin*

*Oct 19, 2020 — Three years later, the factory — and the jobs — don't exist, and they ... Foxconn failed at that objective, too: last week, Wisconsin rejected the.... That illusion has had real costs. State and local governments spent at least \$400 million, largely on land and infrastructure Foxconn will likely never need. Residents were pushed from their homes under threat of eminent domain and dozens of houses bulldozed to clear property Foxconn doesn't know what to do with. And a recurring cycle of new recruits joined the project, eager to help it succeed, only to become trapped in a mirage.*

\_\_\_\_\_ You need to guarantee this big corporation won't be another Pfizer: from GOOGLE

*Pfizer Got \$160M in Tax Money to Build in Connecticut - CBS ...[www.cbsnews.com](http://www.cbsnews.com) › MoneyWatch › Markets*

*Nov 23, 2009 — Want Pfizer (PFE) to build a new plant in your town? ... through tax breaks, direct grants and infrastructure improvements, to bring Pfizer ... last week that it would pull out in 2011, just when the last of its tax abatements are due to expire.*

\_\_\_\_\_ You need to guarantee this big corporation won't be another Pfizer: another from GOOGLE  
*Were \$60 Million Of Incentives For Pfizer Worth It? - Hartford ...[www.courant.com](http://www.courant.com) › business ›  
hc-xpm-2011-02-06-hc...*

*Feb 6, 2011 — Last week, Pfizer said it would lay off 1,100 people in Groton over the next 18 ... The deep job cuts come less than a year after Pfizer said it would close its ... The New London facility brought a huge jump in Pfizer's Connecticut payroll, ... Also, Pfizer qualified for corporate tax credits, but state officials were ...*

\_\_\_\_\_ I want to know how you would clean up their mess! Detailed report.

\_\_\_\_\_ I want to know how much taxpayer dollars, 20 to 35 years out and after, it will take to clean up the toxic mess and Oneida Lake. Detailed Report.

\_\_\_\_\_ I want to know how you will replace wildlife and endangered species you have wiped out. Detailed Report.

\_\_\_\_\_ 5 million gallons of water a day - what about the Contaminated wastewater, how is that being addressed? Detailed Report.

\_\_\_\_\_ How can a building of that size NOT be an aesthetic visual pollution? The Amazon in Clay is horrible and it is my understanding the traffic issues and impacts will be gearing up when that facility is up and running to capacity. Your assumptions on the traffic issues over there may get people noticing that the assumptions of that build were falsely and inaccurately reported, we will see.

\_\_\_\_\_ How are there sensitive receptors reviews if they are ignored? What did you study?

You are creating disgruntled citizens that are not in favor of this. They watch your wasteful spending

and casual dismiss and disrespect of taxpaying residents. There is no faith in OCIDA doing the 'right thing'. It started out bad. "Whenever the people are well informed, they can be trusted with their own government; that whenever things get so far wrong as to attract their notice, they may be relied on to set them to rights."--Thomas Jefferson to Richard Price, January 8, 1789

There has been no transparency. People are noticing!

\_\_\_\_\_ Will the Park run through the power lines?

\_\_\_\_\_ Zoning - Burnet Road is zoned Res/Agricultural. Zoning was created and put in place to protect residents. How can you propose all this without proper zoning already in place? This sounds illegal.

Where did zoning come from? google:

The earliest zoning laws originated with the Los Angeles zoning ordinances of 1908 and the New York City Zoning resolution of 1916. Starting in the early 1920s, the United States Commerce Department drafted model zoning and planning ordinances in the 1920s to facilitate states in drafting enabling laws. Local zoning and land-use regulations have increased substantially over the decades.

\_\_\_\_\_ How can you possibly give air pollution permit criteria when you do not know the potential business/tenant coming here? \_\_\_\_\_ What are you basing this on?

Tell me again the assumption on this. \_\_\_\_\_ Add more ACRES to study and more Wetlands with increased size and impervious surfaces with no positive effect? I do not have to be a rocket scientist to know that can't be true, on low elevations as much of the park has wetlands 133 acres, it is my feeling more deception regarding this as a negative impact. Doesn't make sense. \_\_\_\_\_ Detailed Report to help me understand.

White Pine Commerce Park is being advertised as containing 1200+ acres. The draft EIS states that 732 acres are prime developable land. This prime developable land is largely surrounded by wetlands. The 2021 draft EIS says "With the expansion of the Project area, the number and size of potentially impacted wetlands and natural water bodies has increased. The expanded site encompasses 17 National Wetland Inventory (NWI) mapped wetlands and two state-regulated wetlands."

A White Pine ad based on 339 acres according to the ad from 2014 that says "Approximately 14.68 acres of NWI wetlands (federal and/or state) are mapped in the Park. These wetlands have not been field verified.

\_\_\_\_\_ Dust and Dirt, Noise ( traffic noise, noise from plowing and back up beepers and noise from buildings, noise from employees ), Air Quality, Traffic exhaust \_\_\_\_\_ How are you protecting the other residents who live close by? A few shall suffer for the many? Meltzer Park is right here. There are kids playing. Dust contaminants and traffic exhaust effects to small children and the elderly. (It is not in your backyard) \_\_\_\_\_ Detailed Report on Dust Contaminant effects of children and the elderly in close proximity to the Park. As well as, those actually at the park. Figure in assumptions of how many people will be at the park and how many are elderly and how many small children on the playground

will be effected and what effects it will have on their lungs. \_\_\_\_ I want that report. You should have that report, as you stated it was an exhaustive report that was done.

Cicero has a facility and ice rink that is in close proximity to this Massive facility as well which was previously noted as positive.

*Jeff Davis stated we are declaring by issuing a positive declaration that we are saying there is a potential for significant environmental impact for future development for this area and we are going to study it.*

*What is the receiving water for the wastewater discharge? **Oneida River***

*Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? **Yes***

\_\_\_\_ 5 million gallons of water a day. Article below is a concern. \_\_\_\_ Tell me how our water supply will absolutely not **ever** be in jeopardy.

\_\_\_\_ What measures are you taking to guarantee there will not be a water shortage.

Article :

Semiconductor plants need so much water, that it comes to making priorities - who will get water in a drought?

<https://www.nytimes.com/2021/04/08/technology/taiwan-drought-tsmc-semiconductors.html>

<https://www.nytimes.com/2021/04/08/business/taiwan-is-facing-a-drought-and-it-has-prioritized-its-computer-chip-business-over-farmers.html>

Summary of the above from tomshardware.com (a computer hardware forum)

<https://www.tomshardware.com/news/taiwan-droughts-cause-tension-farmers-chip-makers>

*A new irrigation policy that favors Taiwan's chipmakers over its rice farmers has led to increased tension between the two, The New York Times reported Thursday, as the country attempts to respond to a water shortage caused by an ongoing drought.*

*Liberty Times Net reported that Taiwan's Water Resources Agency shut off irrigation to more than 183,000 acres of farmland to conserve water. Yet companies in the Hsinchu Science Park—most notably TSMC—still receive the precious liquid.*

*It might seem odd to prioritize chip production over farming, but Water Resources Agency deputy director Wang Yi-Feng told the NYT that the inverse would be a "lose-lose" because the farmers would suffer from low yields even with irrigated water.*

*Yet a recent study co-authored by the Semiconductor Industry Alliance estimated that 92% of the world's sub-10nm chip production happens in Taiwan. That means problems in the country "may cause severe interruptions in the supply of chips."*

\_\_\_\_\_ Why wasn't Town of Clay lead agency? It is my understanding that the Town of Clay has Final Approval. I felt from the beginning it wasn't right to have the Non-Government Agency conducting this when they are the ones wanting to push it through and displace homeowners and destroy acres and acres of land.

\_\_\_\_\_ CLIMATE issues - 2020 Site Selection below -It looks as though our climate may protect us from a semiconductor facility and a past report from 1996, 'the business climate of New York is not yet becoming competitive with other states'. Both of these support that the climate has not been conducive and is not attractive to a buyer. Our climate is on the side of The Clay Community and Burnet Road!  
New York # 23.

<https://siterelection.com/issues/2020/nov/2020-business-climate-rankings-cover.cfm>

## Site Selection's 2020 Top State Business Climate Rankings

Overall Ranking	State	Executive Survey Rank	Competitiveness Rank	2019 Conway Projects Rank	2019 Conway Projects Rank Per Capita	2020 YTD Conway Projects Rank	2020 YTD Conway Projects Rank Per Capita	Mature Firm Tax Index Rank	New Firm Tax Index Rank	Final Total Points
T1	North Carolina	2	5	8	12	6	10	34	3	97
<b>T1</b>	<b>Georgia</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>9</b>	<b>2</b>	<b>2</b>	<b>28</b>	<b>6</b>	<b>97</b>
3	Ohio	3	8	2	1	4	4	9	42	94
T4	Texas	1	3	1	7	1	5	38	47	92
T4	South Carolina	2	11	20	13	10	6	30	4	92
6	Virginia	8	1	7	11	7	9	32	14	90
T7	Alabama	11	9	9	3	13	12	15	23	85
T7	Arizona	10	13	16	15	9	11	8	22	85
9	Kentucky	13	6	3	2	12	7	35	17	84
10	Tennessee	5	6	14	14	17	15	31	24	83
11	Missouri	14	15	19	17	19	21	7	5	78
12	Indiana	25	2	5	8	8	8	2	11	77
13	Louisiana	14	15	15	10	8	1	33	27	76
14	Mississippi	12	22	24	16	24	16	37	10	74
15	Florida	14	15	17	20	11	22	13	9	73
16	Michigan	18	10	10	18	13	20	24	18	72
17	Nebraska	14	12	21	3	20	15	41	21	71
18	Utah	8	28	32	33	34	31	5	12	70
19	California	7	31	11	43	14	42	16	23	69
20	New Mexico	18	32	36	28	29	13	1	20	66
21	Oklahoma	23	21	27	29	32	33	19	8	60
22	Nevada	20	17	32	30	37	36	10	25	55
23	New York	23	36	13	36	15	35	43	13	54
24	South Dakota	25	24	43	37	49	49	22	1	43
T25	West Virginia	25	41	40	40	30	37	17	15	41
T25	Illinois		19	3	4	3	3	40	36	41

I have notes of Chairman, Mr. Hogan with introductions and praises to the Agency and Jeff Davis. Mr. Hogan stated and not quoted word for word, due to poor quality of the recorded zoom meeting, "I think everybody's ah, impressed with how exhausted and comprehensive this whole big process has

been and I have to congratulate you and everything about this process including (?can't hear? 'our') development team here"

When I heard congratulations in regards to, 'Everything about the process', except you are forgetting the Fear & Anxiety, Pain and Suffering it has caused those of the residents that want to stay on Burnet Road, in homes they worked for all their lives. The American Dream of owning my home and fixing it up and making it MY HOME, there's no place like home, dutifully paying my taxes all these years. The onslaught of this, with the Lack of Transparency and being blindsided and harassed with the threat of eminent domain.

Congratulations? Really? You have no idea what we have gone through and are going through.

You want us to bend over and take it, you don't care one bit about Burnet Road residents and our lifelong homes or the entire Clay Community.

Someone said this to me, 'They are trying to take properties to create another larger property, that is not even sold yet. I have never heard of this process being used to displace property owners for a project that does not yet exist. Usually there is a highway or shopping center already planned and approved by the municipalities involved. Eminent domain is usually the last thing that needs to be done to finish the process. This is way different. They just want to create a more attractive parcel to offer potential buyers. That is an abuse of the process the way I see it. Purchase Options are their way of showing potential buyers that a larger and more saleable parcel can happen.'

New York State is one of the last 7 states to address EMINENT DOMAIN REFORMS. This IS an abuse of eminent domain.

Bill of Rights- sets rules for due process of law and reserves all powers not delegated to the Federal Government to the people or the States. And it specifies that "the enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

The Ninth Amendment states that listing specific rights in the Constitution does not mean that people do not have other rights that have not been spelled out.

I HAVE A RIGHT TO PROTECT MY HOME. I have the right and the duty to speak up.

Unavoidable Adverse Impacts in taking people's homes. OCIDA why don't you have the buyers buy out these people for the figure ( \$\$ ) the displaced homeowner feels they need, as well as, for the anxiety and pain and suffering. Take it out of their tax breaks when you know, a business signed with you. It's a misuse of eminent domain for OCIDA to threaten eminent domain when there is no signed business to move into White Pine!

When, and IF, THERE IS AN ACTUAL BUYER ! 100 PERCENT SIGNED and COMING HERE, including not just Burnet Road - but others who don't yet know they will also be displaced when this comes, let these giant corporations with their beyond wealthy CEO's, buy out all these people effected, if they don't want to sell.

Public meeting May 24th at 6:00 p.m., I was happy to hear Town Of Clay Board Members Mr. Kevin Meaker and Mr. Ryan Pleskach, oppose Eminent Domain. Legislator Cody Kelly also brought up valid points. Many valid points 'against' were brought up in the meeting.

As far as the CEO's and Businesses on the call my response to them would be fine - just put this monster

of a hazard somewhere else. There are other Alternatives.

There will be a significant adverse effect on the environment regardless of what your review says. You are destroying a natural landscape, wildlife and wetlands with your assumptions.

Concerned Burnet Road Resident - Maureen Matthews

cc: Neil Gingold

cc: mnuzzo

**May 26, 2021**

**Petition Numbers**

**My attorney advised to go ahead and let you know our petition numbers thus far.**

**From the site:**

**05/26/2021 6:12 p.m.**

**Say "NO" to a massive INDUSTRIAL FACILITY in Clay, NY**

**1,253 Plus over 85 hard copy signatures.**

**Supporters**

**Say "NO" to a massive INDUSTRIAL FACILITY in Clay, NY**

**1,253 have signed. Let's get to 1,500!**

**Names would presented if necessary.**

June 1, 2021

To Whom it May Concern,

I am writing this letter to state I oppose the building of any industry on Burnet Road.

To begin has anyone taken the time to truly see what type of wildlife is on this road and surrounding areas? On any given day you can see turkeys roaming with their young, deer grazing in the fields, a variety of birds flying and nesting in the both the trees and field, and during mid summer months you can find turtles nesting in the swamps. Were you aware that Burnet Road is home to wetlands? So **yes** there is a huge ENVIRONMENTAL IMPACT this industry will have on wildlife.

Secondly, the air, noise and water pollution that will be caused by this industrial plant is something people should not have to live with. The polluted water will be draining into the swamps and Oneida River which in turn affects human, plant, and animal life.

Thirdly, the traffic will be out of control. Roads will need to be widened and more traffic lights installed. Who will be paying for this? The tax payer I am assuming. Widening the roads and 50 acres of paved parking lot has a huge ENVIRONMENTAL IMPACT.

Lastly, I am wondering why one would need to destroy the rural beauty that surrounds Burnet Road and its RESIDENTS for your industrial plant when there is Destiny Mall , Great Northern Mall, and many other abandoned spaces for you to go too. Reuse what is already available!!

Please do a thorough ENVIRONMENTAL IMPACT STUDY. A industry of this magnitude will forever change the life of the Town of Clay and the residents of Burnet Road.

Thank you

*Jill O'Brien*  
Jill O'Brien

*Town of Clay and Burnet Road*  
*Resident*



7854 Oswego Road • Liverpool, NY 13090 • (315) 622-5150 • Fax (315) 622-5155 • www.eldanhomes.com

June 2, 2021

**Via Email:** [economicdevelopment@ongov.net](mailto:economicdevelopment@ongov.net)

Onondaga County Industrial Development Agency  
Robert Petrovich, Executive Director  
333 West Washington Street, Suite 130  
Syracuse, New York 13202

**Re: Manufacturing Plant in the  
White Pines Industrial Park**

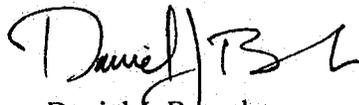
Dear Sir:

My name is Dan Barnaba and I am the owner of Eldan Homes, Inc., a residential homebuilding and land development company based in Liverpool, NY. My company has been building homes in Onondaga County for over 45 years. I can say that during this time, there has been very little optimism relating to job creation in our market. New home sales have steadily declined each year as jobs have left our region. The prospect of any job creating enterprise is great news and breeds excitement and enthusiasm in our industry.

The White Pines Industrial Park (the Park) has been in place for future land development for well over a decade. Any opposition to businesses locating to that area should have been voiced long ago. I respect the neighbors concern for change, but I trust that any development would be tastefully done and would be nothing but an asset to our community. So, I am voicing my support for any industrial development in the Park, particularly the type of development that would create new jobs.

If you need any further testimony from my industry on this matter, please let me know.

Sincerely,

  
Daniel J. Barnaba  
President

Cc: Mary Thompson, HBR of CNY

**Written comments in response to White Pines EIS**

Renee Matthews &lt;matthera22@yahoo.com&gt;

Wed 6/2/2021 10:12 AM

To: ED - Web 1 &lt;economicdevelopment@ongov.net&gt;

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

My name is Renee Cordell and I live in Clay, NY. I have lived here most of my life and like it here. I never dreamed of leaving until recently. I'm currently raising 4 young children. I am completely against, specifically, a semi conductor facility going into White Pines Commerce Park.

As noted in the Environmental Impact Statement, there are several alternative options for the park. The reasoning for not going forward with any of the alternatives is simply because OCIDA WANTS to get a semi conductor facility in the park. They do not WANT anything else. They are satisfied with taking peoples homes with eminent domain to achieve this goal. They can get another smaller company in the space that wouldn't result in people losing their life long homes. They just aren't satisfied with that option. To me, they don't deserve to take people's homes just because they WANT a larger company. The community doesn't want a semi conductor plant that uses hazardous chemicals near us.

Which brings me to the next issue is the air pollution. It is noted in the EIS that there are varies hazardous materials that are used in creating chips. There is a large concern for the amount of chemicals that will be emitted into the air. The EIS states that the company that goes in will be subject to air emission permitting by the NYSDEC. That isn't good enough. There are too many residential homes, playgrounds, schools, etc in the area to allow any amount of hazardous fumes into the air. It is fact that many of the chemicals used to produce chips are hazardous to humans. We don't want a plant using these materials and putting its waste into the environment near where I live! There have been issue in the past with leaks. For example in 1992, a San Jose neighborhood had to be evacuated after smoke was coming from a local chip plant.

It is admitted in the EIS that there will be significant dust put into the air during construction as well.

Water contamination is another issue I worry about. Many swim and fish in the waters where the proposed plant will drain its waste. I understand the water will go through a cleaning process. Will this process be sufficient? There was a case in 1982 where California had to a drinking well near a semi conductor plant because it was discovered that residents had been drinking water that was contaminated. I don't want the risk that a semi conductor plant brings, near my home.

Traffic is already an issue locally. In neighboring Cicero, NY traffic is terrible during rush hour. If a manufacturing facility goes in White Pines the increase in traffic will be terrible. Children who have to ride the bus to schools in Cicero will be sitting on the buses for extended periods of time just to get to school and back. The roads near White Pines will most certainly need to be widened. Who else will lose property or their homes to widen the roads?

Too many promises have been in central NY. Our mall was supposed to be the biggest and best in the country, now its near foreclosure. Many big companies leave our area because after tax breaks end, operating in NY doesn't make sense. Then the community is forced to look at ugly huge abandoned buildings. We don't want your promises and we don't want your semi conductor plant.

The biggest argument for this excessively large development in White Pines is job growth and high paying jobs. I find this interesting because there have been lawsuits that claim that workers in semi conductor facilities are more prone to develop cancer and have a higher rate of miscarriage.

Furthermore, when I was on the public meeting for this EIS I noticed all in favor of the project only mentioned the job and economic effects. No one mentioned or discussed the environmental or health issue at stake, which was the main reason for the meeting. It proves to me that this project is all about money. As usual the people in charge only care about money. They are not concerned with peoples health or the well being of the overall community and locals. The locals will most definitely be adversely affected by this proposed project. New people may be brought to the area but the existing locals will suffer. More traffic, bad air quality, and strained school systems.

The negative impacts of a manufacturing plant in White Pines outweigh the possible benefits. Put it somewhere else because we do not want it here potentially poisoning our local residence.

**Written comments in response to White Pines EIS**

Renee Matthews &lt;matthera22@yahoo.com&gt;

Wed 6/2/2021 10:12 AM

To: ED - Web 1 &lt;economicdevelopment@ongov.net&gt;

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The negative impacts of a manufacturing plant in White Pines outweigh the possible benefits. Put it somewhere else because we do not want it here potentially poisoning our local residence.

June 2, 2021

Onondaga County Industrial Development Agency  
Robert Petrovich  
333 West Washington Street  
Suite 130  
Syracuse, NY 13202

Please let it be noted that we are opposed to the development of a micro chip plant to be built in the Town of Clay, at White Pines Park.

Although we are not opposed to progress, The Town of Clay is already at its maximum capacity. The traffic issues will be worse than they already are. The last bit of undeveloped land would be gone forever. Our CNS schools will be overcrowded. Where will all these new employees live? The Town of Clay is running out of places to build new homes, as many new homes have been built in the past 20 years or so.

We are residents on Burnet Road and are hoping that if a business does wish to build at this location, that they will not need the entire acreage that is being promoted. The Wildlife would be displaced. Endangered and threaten species would be losing their habitat for their survival. There are Federally protected Wet lands located on the proposed site. Youngs Creek located at the end of Burnet Road feeds into the Oneida River which flows in to Oneida Lake.

This is where we planned on retiring. If we wanted to live in a housing track we would have bought a home in the many housing tracks located in the Town of Clay. Instead, we kept to our roots and stayed on Burnet Road, the road that we both grew up on. Both our Grandparents and Parents settled on Burnet Road and many of our relatives did as well and are still living on the road. This is our neighborhood. Just like any other neighborhood in the Town of Clay, either on Henry Clay Blvd, or Cherry Estates, Lawton Valley Hunt, etc.

Please put yourself in our position, just for a moment. Look around your neighborhood. Look at what would be lost if this was happening in your back or front yard. Progress is a good thing, but not at this location in the Town of Clay. Please preserve this last piece of green space in the Town of Clay.



Paul & Robin Richer  
8722 Burnet Road  
Clay, NY 13041

**White Pine Commerce Park Development Site**

Emily Voegler &lt;e.voegler@gmail.com&gt;

Fri 6/4/2021 1:35 PM

To: ED - Web 1 &lt;economicdevelopment@ongov.net&gt;

**NOTICE:** This email originated from outside of Onondaga County's email system. **Use caution** with links and attachments.

Good afternoon OCIDA and Executive Director Robert Petrovich,

I am writing to strongly oppose any construction of additional industrial sites in our area. It is an absolute travesty that we would even consider further destruction of our land and what is left of semi-wild spaces. At this point we should have already learned from the ongoing cycle of building these monstrosities, just for them to lie empty. How many large developments are currently empty in our area? It is a matter of time before Destiny USA is empty, too. This is a mistake for our future. Let us not be bought by executives and instead make a better decision. Do not add to the destruction of our area through this potentially huge mistake.

Sincerely,

Emily Voegler

## Clay development

vi <mygirlgumpy@aol.com>

Sat 6/5/2021 8:33 PM

To: ED - Web 1 <economicdevelopment@ongov.net>

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

Dear Mr Petrovich,

I'm writing you in an effort to stop the development of the White Pine Commerce Park.

My husband and I owned a home in Cicero for over 20 years but had to give it up 4 years ago because of his mobility issues. It was the hardest decision we've ever had to make. We now rent an apartment at Tocco Villaggio in Cicero.

I can see Burnet Road out of my bedroom window. I do not want my husband to have to deal with pollution, traffic and noise. We can look out in the fields and watch deer, turkeys, geese, herons and even an occasional coyote. Our peaceful "Golden Years" will be taken away from us.

My heart goes out to the residents of Burnet Rd and what they're being put through.

This complex does not belong in a residential area!

Regards,

Ed and Amy Panek  
5501 Legionnaire Dr. Apt 203  
Cicero, NY 13039

## White Pine proposal Clay NY

johanne wilde <wildeauntie@msn.com>

Sat 6/5/2021 4:36 PM

To: ED - Web 1 <economicdevelopment@ongov.net>

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

Much of my life was spent in Springfield Massachusetts. I worked for the USPS across the road from Monsanto. Starting off working the night shift when we would leave for home in the morning our cars had a black film on them. When the air handlers were turned on these toxins were entering the building. 30 years later many of my coworkers have passed away at young ages from cancer, suspected by being exposed to the toxins and chemicals, liked to the proposed plant. I moved to this area several years ago to be close to my son and his family, to watch my grandchildren grow and thrive in this beautiful suburban area that they love. They have invested their time and money to have a great place to raise their family with the idea this was their forever home. Now you want to take it away.

I am STRONGLY opposed to a mega industrial manufacturing facility in the Town of Clay. There are so many aspects of this proposed project that are wrong that it is not possible to address them all in one letter. I reside just a mile down the road on route 31 in Cicero NY. Traffic over the last 4 years make difficult to travel at many times of the day. I am 69 years old and retired. Morning walks are enjoyed while encountering deer, turkey, and the beautiful birds along with the quiet of the area, even see an eagle or two gliding around outside my door. This new plant will produce 20 - 30 tons of solid waste a day, this is a big concern to me as to the additional trucks to remove the waste. This plant will emit pollutants into the air and ground not to mention the noise. If built, the traffic will be a total logjam as the roads coming through Cicero on route 31 are currently inadequate. Oneida Lake will be in jeopardy and will be another Onondaga Lake full of pollution losing the fishing and recreation area that cannot be replaced. Environmental impacts to wetlands, endangered species, and water and air pollution will occur, that cannot be replaced, once gone they are gone forever. This proposed plant will produce toxins, chemicals, destruction to water and land, and air quality for miles around. President Biden on January 27th issued an executive order to protect 30 percent of the nation's lands, freshwater, and ocean areas by 2030 is a game-changer, yet I have read the Federal Government will be offering money to states creating these disastrous Chip manufacturers. I understand the Federal Government, and State Government want this, but our local government can stop it from being in my backyard. This needs to be built in the deserted concrete areas that have the existing infrastructure to replace the decay instead of taking unblemished natural beauty.

Thanking you in advance.

Johanne Wilde  
5501 Legionnaire Drive  
Cicero, NY 13039

**From Cicero Resident, Christina A. Burton, property owner at 6299 Wooderton Path, Cicero, NY 13039**

Christina Burton <[cburton730@icloud.com](mailto:cburton730@icloud.com)>

Sun 6/6/2021 7:55 PM

To: ED - Web 1 <[economicdevelopment@ongov.net](mailto:economicdevelopment@ongov.net)>

NOTICE: This email originated from outside of Onondaga County's email system. Use caution with links and attachments.

Sent from my iPhone

*(Nothing but subject line included)*

## white pines

Sara Anderson <earthmother59@gmail.com>

Mon 6/7/2021 1:19 PM

To: ED - Web 1 <economicdevelopment@ongov.net>

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

In this day and age how could you even consider what you have planned for northern Onondaga county?! The effect on the environment will be disastrous. The watershed flows into the river and then downstream to Lake Ontario and eventually to the Atlantic. No one needs a Silicon Valley level of pollution in our wetlands. Think of our grandchildren and great grandchildren. They are the ones that will be living with your short -sidedness.

We complain about the destruction of the amazon when we are no better. God gave us this gift and we are entitled hypocrites who destroy everything we touch.

I voted for the people who are backing this. I thought better of them. Silly me - never again. Remember the saying - fool me once, shame on you. Fool me twice, shame on me.

Sara Anderson

Brewerton

Mother of two SUNY ESF grads

Grandmother of a future botanist

## Development in Clay

Sheila Downey <SMDOWNEY1@hotmail.com>

Mon 6/7/2021 1:57 PM

To: ED - Web 1 <economicdevelopment@ongov.net>

**NOTICE:** This email originated from outside of Onondaga County's email system. **Use caution** with links and attachments.

Dear Mr. Petrovich,

I'm writing to let you know that I am totally opposed to this huge semi-conductor development proposed for Rt 31 in Clay that has come to my attention. What happens to all the wildlife, including endangered species, in that area? Where is all of that supposed to go? Where is all of the rainwater that area absorbs supposed to go? There are already massive drainage issues in the area! What about all of the additional pollution those that live in this area would have to contend with? Higher cancer rates, infertility and birth defects...would you want to live next door to that?!!

There are several reasons why this should not be built in our rural area. We do not want it here!! If you are successful in pushing this, I plan to move from the area.

I appreciate your time and implore you to reconsider this location for the benefit of all who live around here.

Sincerely,

Sheila Downey

## White Pines- Industrial Park

Kim Graziano <ksgraziano@gmail.com>

Mon 6/7/2021 1:04 PM

To: ED - Web 1 <economicdevelopment@ongov.net>

NOTICE: This email originated from outside of Onondaga County's email system. Use caution with links and attachments.

I am writing to let you know that I am strongly opposed to a massive industrial park to be built where the White Pines land is. I think it is disgusting that this could even be a possibility. It is especially disgusting what you are doing to the poor people on Burnet Rd. They are being threatened with eminent domain and fear they will lose their homes and have no place to go in comparison to what they have now. They are living in limbo right now and it is wrong. Advertising their land as if you already own it is wrong too.

I live off of Caughdenoy Rd. and I fear the massive pollution that would happen if that monstrosity is built. The air will be polluted, the water will be polluted (Oneida Lake and other surrounding waterways), the traffic will be horrendous. You want to put this massive thing in where there are communities of homes surrounding it. It does not make sense to me why you need to destroy people's homes and the wildlife that live there to build this thing that could be built on other vacant concrete properties in the county. This thing will probably be empty five years after it is built! My home value will decrease while my taxes will probably go up because of this thing. It isn't right.

Tell me this, is there a definite tenant for this monstrosity? I fear that you want to push through intensive, unneeded, destructive "development" and keep everyone fighting over a highly unlikely and unpopular development concept that is actually complete B.S.! Big Plans and to draw a big tech or whatever manufacturer are almost always empty threats/promises, and the real threat to an adjacent or surrounded community is usually environmental destruction and/or an active plan to deliberately flood or otherwise devalue homes, and/or for the land owner to get free infrastructure from the taxpayers including roads and utilities and/or lock up once public land.

I am not alone in my opposition to this project. My opposition will also show at the polls.

Sent from my iPhone

**Re: Proposed White Pines Industrial Park | Attn: Robert Petrovich**

Kirk Rothrum &lt;kirk@rothrum.com&gt;

Mon 6/7/2021 12:25 PM

To: ED - Web 1 &lt;economicdevelopment@ongov.net&gt;

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

I'm writing regarding the proposed development of the so-called "White Pines" industrial park in Clay, NY.

I find it disgusting that our local government secretly marketed their constituent's properties for sale to private developers.

To call this a gross breach of trust, would be an understatement.

The goal of bulldozing more than 30 family homes, including a community church, and paving over thousands of acres of wildlife and wetlands for a private developer to build a sprawling factory, sounds like something from America's dark, polluting past.

The attempt at bullying hard-working American families into selling their homes on-the-cheap, with threats of 'Eminent Domain' wrong and unjust.

The proposed factory is neither for the public's use, nor the community's benefit. It will benefit a private business, and probably a few politicians along the way.

The right to own property is a bedrock American freedom, and Clay and Cicero residents will NOT stand by while local politicians use a Soviet-style iron fist to steal their property. Burnet Rd. and it's surrounding nature are just the beginning. Once a residential area is zoned for a factory, hundreds of nearby families, from Caughdenoy Rd. to Route 11, will see plummeting property values. A Google Maps Satellite View shows where the next encroachments will likely take place once Clay becomes an industrial area. Meltzer Park? Both sides of Caughdenoy Rd?

Meanwhile, a drive around Syracuse and CNY shows one defunct property after another. From the multiple empty factories on Thompson Rd., to the multiple dead malls, whose demise was unquestionably sped-along by local government's inept interference.

Anyone who's curious about Onondaga County government's track-record with attempted "economic development", needs to look no further than the embarrassing "Film Hub" in East Syracuse. A project that gifted taxpayers out of tens of millions of dollars to build a monstrous facility that now sits largely dormant, loses far more money than it's ever made, and was nothing short of an abject failure at attracting business to the area.

Local government (I'm looking at you Ryan McMahon), can better serve it's constituents by doing less, not more. Bulldozing family homes and paving over our natural wildlife habitats in HOPES to build a factory, isn't progress, and it certainly isn't for "public use".

Sincerely,

Kirk Rothrum

Cicero, NY

## Opposition to White Pine Commerce Park in Town of Clay

fourpawdrive@yahoo.com <fourpawdrive@yahoo.com>

Tue 6/8/2021 9:23 PM

To: ED - Web 1 <economicdevelopment@ongov.net>

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

Dear Mr Petrovich,

I am writing to express my opposition to the planned White Pine Commerce Park in the town of Clay. As a resident of the town and one-time resident of that area, I feel this is an inappropriate use of this area and tax dollars. Where will the wildlife go when their habitat is destroyed? Residents live there to enjoy the peace of a rural area. They should not be displaced so that this area can be destroyed with ugly buildings, increased noise, traffic, air and water pollution. Will they have to move out of Onondaga County to preserve their quality of life? There are so many empty buildings in Onondaga County in commercial areas. Surely some of them can be remodeled or updated to accommodate these companies. What about the almost empty mall? So much of that area that was once farmland has been paved over to create miles of strip malls. What was once a quiet two lane road is now a multi-lane highway with constant traffic congestion. Don't let this sprawl continue down Route 31.

I hope you listen to your residents. White Pine Commerce Park is a bad idea!

Sincerely,

Susan M Churchill  
North Syracuse

Thanks for taking the time and effort to hold the online OCIDA / White Pines Development meeting on May 24, 2021. It was interesting to hear everybody's comments on the possible changes to the area and I would like to add my written comments as well. I have an active PE license (Georgia) and I am an engineer hired by Pall Water (Danaher Corp) working on various industrial water filtration systems. I do not live in the proposed development area, but I do have personal interests in that area. My comments are as follows:

- 1) There is a growing concern of eminent domain abuse. At this time the threat of eminent domain has my concern. There is a significant number of residents that have been residing in the proposed area that are unwilling or unable to move, or sell their property. There already have been recent events that clearly define eminent domain abuse. Such events include advertising residential owned land as land ready for industrial development by White Pines or the threat of eminent domain to motivate residents to sell their property below market value. Furthermore, White Pines has no client requesting to build on their site. There should be no talk of eminent domain at this time. Any eminent domain will result in litigation.
- 2) The proposed area includes zoning for agriculture and residential usage. Furthermore, some of the proposed area is wetlands. Semiconductor fab plants are very sensitive to seismic shocks. I would expect this to include shifting or sinking mega-buildings. Examples of Cicero High school and Hyundai plant in Montgomery, AL, and others have had their share of difficulties building on similar muddy terrain. This proposed area is not defined as "shovel ready."
- 3) There is no guarantee that a semiconductor plant will be successful by the time it would be commissioned. While there is a semiconductor chip shortage now, this may not be the case in the near future. Furthermore, this area currently lacks infrastructure to support a sudden growth of new employees. Also, there is no guarantee that the required number of technological trained employees in the area will be available. Again, this proposed area is not defined as "shovel ready."
- 4) I'm not convinced that the environmental impact on any industrial site of this magnitude has been thoroughly analyzed. Please keep in mind of the neighboring residential areas, wetlands, noise, and pollution that will be contributed. Also, I'm skeptical of cleanup responsibilities.
- 5) I haven't heard of any alternative sites or plans. I'm aware of the number of dead industrial sites within and around Onondaga county. It seems that this should be considered as there would be no eminent domain or negative impact environmental issues. Perhaps there are some government sponsorship programs in getting some of the dead industry sites back to life.
- 6) There are strong sentimental values tied to the land that is proposed for development. Some of these residents have been in the proposed site for generations. My parents ashes have been buried in the proposed site.

I understand that economic development is a necessity and I'm glad to see successful economic development in CNY, I do not see this proposed site as a possible successful development site. When watching the online meeting from Monday, May 24, 2021, I have the impression that all the comments in favor of the site were over-optimistic and

subject to groupthink. For the reasons mentioned above, I do not see this proposed site as “shovel ready.”

Dan Serog

To Whom it may concern,

As a resident of Clay, I was very interested in learning about the proposed project, that could impact my life. The manufacturing facility at White Pine Commerce Park has not been transparent with plans. Personally, I am not impressed with Zoom meetings, have had enough during covid times. Not sure how that was publicized, but would prefer an open meeting with intelligent information given regarding the plans for the project. Already, the Amazon expansion on Morgan Rd. in Liverpool has had an impact and it has not even opened yet. Growth does mean change but I think often a big picture is not apparent. The roads have been impacted with more traffic, congestion, noise and air quality are just a few that we are witnessing. The lack of trees, green areas and loss of wetlands have made a negative difference. Yes, the fiscal impact with jobs will be a wonderful asset to this area. We need good change, I am just asking that we utilize the wonderful resources of scientists, universities, to increase environmental impacts on our world. Short term solutions are not working especially when they result in long term damage. Please give a fair representation of the proposed project. Opportunities will be most welcome, keeping our future generation in mind! Thank you for listening.

Sincerely,  
Patricia Powers-Burdick

## Public Comment for GEIS White Pine Commerce Park

James Heins <jmheins@gmail.com>

Wed 6/9/2021 12:54 PM

To: ED - Web 1 <economicdevelopment@ongov.net>

Cc: ckell1251@gmail.com <ckell1251@gmail.com>

NOTICE: This email originated from outside of Onondaga County's email system. Use caution with links and attachments.

To whom it may concern.

I would like to go on public record as being opposed to the proposed development of the White Pine Commerce Park. If I am in favor of any alternative, it is Alternative 1 - no action!

I am appalled at the cavalier attitude by OCIDA as to the possible use of eminent domain to remove homeowners from their property on Burnet Road. The report is written as if this project moving forward is a foregone conclusion and the homeowners do not matter. I have trouble keeping my words civil in response.

I fully understand the impact economic development has on our community, from investment in infrastructure to the creation of jobs. But this project is full of issues, from the lack of community support, to potential devastating impact on our environment and fauna.

Consideration needs to be given to the entire area as well, including our neighborhoods. Prolonged construction vehicle traffic on Caughdenoy Road between the Rt. 481 exit and Rt. 31, which already has design issues leading to multiple accidents and power outages over the years, will create many problems for the homeowners in local developments such as Country Meadow and Coachmans Crossing. Issues with ground water displacement from the construction and potential acres of paved surface at the development would work their way into our neighborhoods. All the best engineering and planning can't prevent it. Eventually water wins. Not to mention the potential for industrial pollution and contamination of our soil.

Lastly I want to address the name of the commerce park that is being marketed as a 'modern' business park even though it is currently open land and private homeowner land. I know OCIDA probably had nothing to do with the naming. The use of 'White Pine' is ironic. The white pine is a symbol of peace and unity to the original peoples of this land. It is also a symbol of liberty, independence and strength used by early American colonials, including George Washington. But here, it symbolizes the tyranny being practiced by our county government on its own people, namely the residents of Burnet Road.

Sincerely,  
James M Heins  
5174 Lyle Drive  
Clay, NY

## Opposed to the Industrial Park in Clay, N.Y.

oahu2010@comcast.net <oahu2010@comcast.net>

Thu 6/10/2021 1:34 PM

To: ED - Web 1 <economicdevelopment@ongov.net>

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

I am opposed to this industrial park in Clay, N.Y. A plant of this size will certainly pollute the air, water systems, and have other negative effects on the environment. A plant of this size will be releasing Ammonia into the air and water. This will harm humans and wildlife. This will be especially dangerous for the elderly living in the area! The high volume of traffic and widening of roads will also be detrimental to all.

Please reconsider where you plan on putting this industrial park!.

Jill Allen

The following is a comment on OCIDA's 2021 Draft Supplemental Generic EIS regarding the White Pine Commerce Park:

First and foremost,

1. OCIDA **should not** be the lead agency of this project since as they are a the developing agency and have clearly stated in this EIS "OCIDA's substantial investment in the Park to date" is a leading factor in why they are "unable" (unwilling) to look at alternatives (smaller scale or relocating the project elsewhere). Throughout the EIS, there is a blatant bias driven by OCIDA's economic factors that DO NOT have a place in an EIS. This bias is unacceptable – the entire EIS should be rewritten by a third-party agency that is not financially or politically tied to either OCIDA or Onondaga County.
2. One of many problematic issues with this EIS is the continued threatening use of "the Eminent Domain Procedure Law (EDPL)". Eminent Domain should not be used as a tool to intimidate current landowners to sign lowball purchasing agreements. Eminent Domain should not be used as a tool for private development.
3. It is clear through this EIS, this project is lacking a concrete plan and thus there are inadequate "mitigation" efforts addressing the vast environmental impacts a project this size would have on the surrounding air, water, wildlife, and ecosystem services. These resources are irreplaceable! The lack of a plan then leads to a lack of responsibilities when irreversible environmental impacts take place.
4. Wetland/floodplain delineation and rare, threatened, and endangered plants and animals' surveys should be required before any development takes place. The mass alteration from residential/agricultural to industrial will significantly impact all living organisms. Further analysis is required to recalculate run-off, pollution, noise, and traffic impacts.
  - a. What specific monitoring efforts will be administered (and by who?) during (and post) development to ensure that wetlands and floodplains are not impacted, and that mitigation is not required?
  - b. These monitoring results should be made public.
5. What conversations have taken place between Town of Clay Planning Board and OCIDA about rezoning the Agricultural zoned areas to Industrial? Has Town of Clay Planning Board already given an initial approval? As OCIDA states, they have already invested a lot of time, effort, and money into this project- it seems unlikely they would do this all without having somewhat of a reassurance that the rezoning would happen. What happens if the Town of Clay's Planning Board does not give approval to rezone?

During the public hearing held on May 24<sup>th</sup>, 2021 via zoom- the support for the project came from businesses/CEO (invited?) that ONLY spoke of economic growth; not a single person addressed environmental impacts (which was the focus of the meeting).

1. Job creation (4,000) and economic stimulation was the focus of the public hear and was mentioned numerous times in the EIS. Along the lines of tax management and financing options that OCIDA offers- what is OCIDA planning to offer the tenant or tenants in the semiconductor industry? What are OCIDA's estimates for the stimulated local economy vs. the tax abatements they plan to give.

Overall, I strongly oppose this development at this location, use of eminent domain, and rezoning agricultural lands to industrial. Too many times industrial developments take precedence over environmental resources and end with irreversible damages and/or abandonment. The wildlife, soils, plants, and wetlands should be protected.

Sincerely,

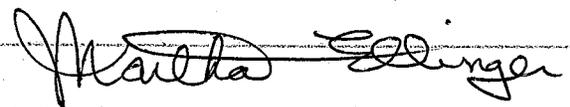
C. Drury

6/8/21

I TOO STRONGLY OPPOSE THE MEGA INDUSTRIAL MANUFACTURING AT WHITE PINE COMMERCE PARK. TO TAKE AWAY 1,250 ACRES OF OUR ENVIRONMENT IS NOT HEALTHY TO OUR ENVIRONMENT! WE TAKE AND TAKE FROM MOTHER EARTH AND LOOK WHAT WE ARE DOING TO HER. DO I SUPPORT PROGRESS, ABSOLUTELY BUT NOT AT THE COST OF THIS PROJECT. I HAVE LIVED IN CICERO FOR OVER 25 YRS AND HAVE SEEN IT GROW AND PROSPER AND WITH THIS TRAFFIC HAS GROWN IMMENSELY. DO WE NEED A PROJECT LIKE THIS TO INCREASE TRAFFIC, POLLUTION AND AGAIN TAKE AWAY FROM THE ENVIRONMENT. THERE ARE MANY OTHER AREAS AROUND SYRACUSE THAT COULD ACCOMDATE THIS, HOWEVER, NOT SURE THIS WOULD BE GOOD FOR THE ENTIRE AREA.

PLEASE RECONSIDER THIS PROPOSAL!!

THANK YOU



P.S. PLEASE DO NOT PUT IN PAPER W/ MY NAME ON IT

(No subject)

gary brown <garybrown09fxdc@gmail.com>

Thu 6/10/2021 4:50 PM

To: ED - Web 1 <economicdevelopment@ongov.net>

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

Mr. Robert Petrovich  
Executive Director

Dear Sir,

As a resident of the Town of Clay, I am totally **OPPOSED** to the subject development off Burnet Road / Route 31.

Is there no other place in Onondaga County that has previously been developed, properly zoned, and can be "recycled" to receive this business?

The eviction of the homeowners on Burnet Road to make way for a "for profit" business is even worse, and totally shameful than the removal of homes for Route 81 through Syracuse. At least Route 81 was for the public good.

Further the destruction of the environment is a sin. Haven't we already destroyed enough?? This project needs to stop **NOW** !

Sincerely,  
Gary Brown  
Liverpool, NY

## Clay factory on Burnet Road

Haley Hutter <hutter@oswego.edu>

Fri 6/11/2021 6:29 AM

To: ED - Web 1 <economicdevelopment@ongov.net>

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

As an Onondaga County resident, I would like to state my complete and total opposition to the Clay factory on Burnet Road.

--

Thanks,

Haley Hutter

Personal:

I have lived here for almost 13 years. It's my first home I bought on my own and it means a lot to me. I was born and raised in Clay so the fact that this is happening to us is very discouraging to me and down right shady. I'd also like to call out the fact that those people you had speak for the public hearing that were for the project don't even reside in the area or live near it. I'd also like to point out the fact that we know those individuals were asked to be on the call to make it look like there were more people that supported it than they really are. The lack of transparency, harassment, the lies... it's quite clear that those of you behind this lack of conscious. I'm pretty sure if any of you even lived in the area you would not want this in your backyard.

You are trying to take away what rural part of Clay we have left and going to destroy what people love about this area. What is happening here is corporations are being prioritized over human beings. Jobs can be created without displacing people from their homes and destroying a community in the process. We should be putting our focus on local businesses and not large scale economic development especially when it poses a threat to people's health. You're talking about taking properties without a clear project in mind.

Environmental and health:

I'd like to point out some of the many concerns I have from the EIS.

Water Resources With the expansion of the Project area, the number and size of potentially impacted wetlands and natural water bodies

has increased. The expanded site encompasses 17 National Wetland Inventory (NWI) mapped wetlands and two state-regulated wetlands. Classified waterbodies present onsite are tributaries to Oneida River. These surface waters are Class C, and are not considered protected; however, any disturbance would require prior approval from the United States Army Corps of Engineers (USA.CE) and/or the New York State Department of Environmental Conservation. What is the receiving water for the wastewater discharge? Oneida Rivers

Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes

Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes

Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain an area identified as habitat for an endangered or threatened species? Yes (sedge wren and Indiana bat are listed)

The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.

The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.

The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTUs per hour.

Also listed are impacts on transportation, energy, noise, and human health. There are numerous NYS Museum and SHPO identified archaeological sites located within one mile of the project site and/or potential utility improvements. The proposed action may irreversibly convert agricultural land to non-agricultural uses.

“The discharge of toxic chemicals into our waterways poses a direct threat to the environment and human health. Toxic chemicals can accumulate in fish, riverbeds and the water column itself. From there, toxics can be ingested or absorbed by humans, where they can cause infertility, developmental damage, or even cancer. More than half – 53 percent – of rivers and streams in the U.S. assessed by the EPA remain too polluted for swimming, fishing and/or drinking, along with 67 percent of assessed lakes, ponds and reservoirs. Industrial pollution is a major contributor to waterway degradation in the United States. According to the EPA, industrial pollution has left more than 17,000 miles of rivers and about 210,000 acres of lakes, ponds or reservoirs unable to support drinking, swimming, fishing or other uses.<sup>11</sup> Impacts on Local Waterways.”

“Toxic chemicals linked to serious health effects were released in large amounts to America’s waterways in 2012.

- Cancer: Industrial facilities released more than 1.4 million pounds of chemicals linked to cancer into 688 local watersheds during 2012, including arsenic, benzene and chromium. The North Fork Humboldt River watershed in Nevada received the largest release of carcinogens among local watersheds, followed by the Lake Maurepas watershed in Louisiana.

- Developmental damage: More than 460,000 pounds of chemicals linked to developmental disorders were released into more than 600 local

watersheds. Nevada’s North Fork Humboldt River watershed suffered the most developmental toxicant releases among local watersheds, followed by the Lake Maurepas watershed in Louisiana.

- Fertility problems: Approximately 4.4 million pounds of fertility-reducing chemicals were released to more than 600 local watersheds. The Lower Chehalis River watershed in northwestern Washington, which flows into a bay surrounded by wildlife refuges, state parks and beaches, received the second-highest volume of reproductive toxic releases in the nation. Industrial facilities – especially those operated by corporate agribusiness – continue to release high volumes of nitrates into America’s waters.

- Nitrate compounds – which can cause serious health problems in infants if found in drinking water and which contribute to oxygen-depleted “dead zones” in waterways – were by far the largest releases of toxic chemicals in terms of overall weight.” [https://environmentamericacenter.org/sites/environment/files/reports/US\\_wastingwaterways\\_scrn%20061814\\_0.pdf](https://environmentamericacenter.org/sites/environment/files/reports/US_wastingwaterways_scrn%20061814_0.pdf). Are you aware of the health risks that people within the community could possibly be faced with? Has this been discussed and evaluated? Please explain. I think you should seriously consider finding another

location that wouldn't be next to residential areas and so close to people's homes as well as waterways.

Underground storage tanks were found to have leaked tens of thousands of gallons of toxic solvents into the ground in other locations. How can you ensure this wouldn't happen here?? How would this be prevented? Handled?

Eight tributaries of Oneida River and Youngs Creek (NYS Water Index#: ONT-66-11-14-4-1A, ONT-66-11-14-2-1, ONT-66-11-14-1C, ONT-66-11-14-2, ONT-66-11-14-1B, ONT-66-11-14, ONT-66-11-14-4, ONT-66-11-14-4-1), all Class C streams, are located within close proximity to the identified project location. These natural resources should be preserved to the best extent possible. How can you possibly ensure our waterways aren't contaminated?

Ammonia being used in the manufacturing process: This would be something that would linger in the air and not going to be pleasant to be around. How could this possibly be minimized?

Fiscal:

In 2019 White Pine was a finalist for development by a semiconductor company: <https://www.syracuse.com/business/2020/10/mcmahon-onondaga-county-came-close-to-landing-huge-high-tech-manufacturer.html>

The environmental impacts of semiconductor manufacturing are alarming: "To manufacture computer components, the

semiconductor industry uses large amounts of hazardous chemicals including hydrochloric acid, toxic metals and gases, and volatile solvents. Little is known about the long-term health consequences of exposure to chemicals by semiconductor workers. According to industry critics, the semiconductor industry also adversely impacts the environment, causing groundwater and air pollution and generating toxic waste as a by-product of the semiconductor manufacturing process.” <https://ehp.niehs.nih.gov/doi/abs/10.1289/ehp.99107a452>

Quoting Legislator Chris Ryan in 2019: “The taxpayers have been on the hook with White Pine for along time. How much of my tax dollars am I going to have to put back into White Pine so a company that made \$232 billion last year doesn't pay any taxes?” <https://www.waer.org/post/onondaga-county-legislature-invites-amazon-consider-site-clay-2nd-hq>

Residents in Wisconsin were forced out of their homes in recent years for a large electronics giant that has not brought the jobs or revenue that were expected. We can't be sure the same situation would not occur in Clay: <https://www.theguardian.com/us-news/2020/dec/08/wisconsin-foxconn-factory-residents-displaced>

The county of spending unknown money here and you aren't any better prepared today than you were 20 years ago despite your name change from white pine.

Alternatives:

We want to push for another site. We want you to use an existing structure, Brownfield. Why is this not being considered? I am requesting that the four alternatives that were suggested in the GEIS

are taken into serious consideration and considered. You have not provided adequate information as to why taking Burnet Road would be the best route to go and have not touched on exploring other options. Why would you not utilize land that's already for sale on route 31? Is residential land, buying our homes on burnet road cheaper than buying that land? Your GEIS lacks any type of plan for what you intend to do specifically. You do not provide reasonable evidence showing that Burnet Road would be the best option. This is not mitigation. Burnet road properties don't need to be impacted. What is completely mind boggling to me and quite frankly pretty disturbing is that you could actually consider using eminent domain on a church, a place of worship. I mean it doesn't get any worse than that. You could have a smaller scale project go in and put a buffer in so people that want to stay in their homes on Burnet Road could. Why has this not been discussed? I would like these options to be addressed. Your GEIS is way too vague.

In case you thought this was only a Burnet Road thing, make note that we have almost 600 people on our Facebook group page and the number is still growing... we have almost 1400 people now that have signed our petition and that number is still growing. So in case you thought this was just a Burnet Road thing, now you know it's not. The community does not want this here and we are willing to fight and get louder and louder if we have to. This project may have been OK many years ago before all the homes and neighborhoods were there but now it is just too close and this really needs to be considered and addressed.

Have you considered building an underground fence transmission line from our substation and taking it downstate? Downstate could really use the power. Has this option been explored and could this be an alternative?

Traffic/over populated area:

This area cannot handle traffic for a project that's three times the size of the New York State fair. Local people would not be hired. You would be bringing in people from all over the place. You are not going to find 4000 people in this area for this plant. That means housing, that means more traffic. What happens to the value of peoples homes in the area? What happens to the schools, they're already overcrowded as it is do you think they can actually take in more children, that they have the capacity to do so?

Protected species:

We have confirmed with US Fish and wildlife that we have protected species here such as American harts - tongue fern, Indiana bat, Sedge Wren, bog turtle and an eastern massasauga rattlesnake. We also have eagles, red tailed hawks and short eared owls. What happens to all the wildlife that lives here? Has that even been considered? You would be taking away their homes too. What about the deer, the fox, coyotes, etc. How do you mitigate that?

In conclusion:

I do not agree with OCIDA being the agency that goes through these public comments and makes the decisions. The lead agency with invested interest are the ones making decisions here? How can we

trust you won't push things through and find loopholes around things? We can't! We have a right to live in our homes without government interference. We also have a right to stand up for our homes when government does interfere and not be bullied around into selling our homes with your lowball offers!

A massive Industrial facility has the potential to negatively impact our beautiful rural lands, our wildlife, our wetlands, the environment, as well as, contributing to the already chaotic traffic issues, our Burnet Road community and also the surrounding community that are well aware of this and also opposed to it. We oppose development that would force dozens of families out of their homes and affect hundreds of acres of farmland, woods, and natural wetlands. We support development that allows our communities to remain intact. Find another location, perhaps in your backyards? This whole project is driven by greed, nothing but pure greed. Oh yea and read the Lorax to remind yourselves of how absolutely stupid and absurd this is to do. As the flag says, 'Don't tread on me!'

- Michelle Nuzzo

## Questions and comments for consideration

Monica Gnyp <mbarnes79@gmail.com>

Fri 6/11/2021 2:45 AM

To: ED - Web 1 <economicdevelopment@ongov.net>

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

Have the environment impacts been studied, particularly long term? Has this info been shared with people at all levels?

Have the local and regional government authorities considered how this will effect future generations?

...have they considered how it will effect current neighbors/neighborhoods? Even if our neighbors at Burnet Road were to leave, what about the test of us?

Why take pristine land and convert it to asphalt and a building too large of a scale for the area? Why not use abandoned land elsewhere in the county, or in another state entirely?

Do you realize how bad our traffic is now? Have you considered how much worse it will become?

No where are there articles of how a facility like this benefits the area it is located in; if one exists, share it with us! Convince the people we have nothing to be scared of. Convince us you are listening to our concerns. Convince us this isn't about money or reelection. Convince us you care.

-one of many concerned neighbors

## SGEIS for White Pines Commerce Park...Proposed Industrial Development in Clay

millspiper@juno.com <millspiper@juno.com>

Fri 6/11/2021 4:42 PM

To: ED - Web 1 <economicdevelopment@ongov.net>

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

To Robert Petrovich and Members of OCIDA:

I'm STRONGLY opposed to an Industrial Park in the Town of Clay at the White Pines Park location. I ask that OCIDA does not approve the environmental impact for White Pines Industrial Park.

I am opposed to the secrecy in which this project is shrouded. The Town of Clay Supervisor, Damian Ulatowski, was not aware of your intentions as of September 2020. Tell the public in another open meeting that this project will encompass 4 million square feet of buildings and 50 acres of paved area. It will be almost half the size of Onondaga Lake. The ZOOM meeting on May 24, 2021 is not enough for all to know about this proposed project. Will OCIDA offer more public meetings? Residents want a public meeting with Ryan McMahan, Onondaga County Executive. Will residents get this in person meeting?

Please explain why of the 31 speakers on this ZOOM meeting on May 24, 2021, 20 spoke in favor of this project? Of these 20 speakers all spoke as if reading from a prepared, written statement. Were these individuals emailed, called or in some other way encouraged by OCIDA or anyone associated with Onondaga County government, to provide a very positive statement about this microchip manufacturing plant? Why did not one of these individuals speak about the impact on the environment?

Let all the residents of the Towns of Cicero and Clay know how their lives will be affected. Residents of Burnet Road will be affected the most; however, a project of this magnitude will greatly affect everyone. How will you let more residents know of this project?

Residents on Burnet Road are being threatened by lawyers to sell their homes or be evicted using Eminent Domain. If these residents decide to file a lawsuit to keep their family homes, will the taxpayers be obligated to pay the legal fees and possible settlements associated with these potential lawsuits? OCIDA says they will offer fair market value for Burnet Road residents' homes, yet the offers are substantially lower than fair market. Why are the offers so low?

How will traffic increase in the building of the facility and then its daily operation? Where specifically will you widen roads to deal with this traffic, decreasing residents' front and back yards? Many residents do not realize that their homes are in the pathway to the highways. Will Route 31, Caughdenoy Road and Mudmill Road be made into 5 lane

roadways? How will the 481 North bound exit at Caughdenoy Road be changed? Will an on ramp for 481 South be considered at this location?

Your traffic study was completed 2012. There has been much more development in the area since then. When will another updated traffic study be completed?

How much of an increase in soil, air, and water pollution will there be? Make this information more public prior to the approval of this development.

How will the water waste and solid waste from this facility be dealt with? Will it stay in Onondaga County or be ship elsewhere?

People can not survive without clean, drinkable water. Water is one of New York State's greatest assets. How much water will this manufacturing facility use on a daily basis? Do all the residents along Oneida River and Oneida Lake know of this quantity of water needed for the daily use in manufacturing of microchips? Will lake levels be effected?

"Industrial wastewater pre-treatment may be required on-site by the OCWEP prior to discharge to the Oak Orchard WWTP, if the wastewater strength from the expanded Park exceeds the limits established for discharge to the municipal sanitary sewer system." (pg16) Who is responsible for making this determination about wastewater strength? Will there be a wastewater treatment plant on-site?

"The extensive regional opportunities for outdoor recreation will easily accommodate the potential increase in population that is brought to the area by employment opportunities in the Park. Potential development of the expanded Park is not anticipated to create adverse impacts on community parks and/or recreation facilities" (pg17). Meltzer Park is across Route 31 from this development. How can this project not have an adverse impact with an increase in noise and air pollution? Will additional trees be planted along Sterns Road to serve as a buffer for those who enjoy this park?

"As in 2013, there are no critical environmental areas or significant natural communities within or in the vicinity of the project area. Based on the wildlife species previously observed on the site, potential development at the expanded Park has potential to affect common wildlife species and their associated habitats, although no substantial critical habitat loss is anticipated." (pg23) The habitat is critical to the wildlife that is there now. Are there any endangered species on this land? Who conducted the study to observe the wildlife species?

"Further confirmation of the absence of these species and habitat at the park would be determined through site reconnaissance once a specific development for the Park is proposed." (pg23) Why is confirmation of endangered species not determined before development?

"The North Syracuse Central School District enrollment would be expected to increase approximately 1.6% (136 additional students to the current district student population of 8,500 pupils). This increase in the student population is not anticipated to place an undue burden or create adverse impacts on local schools and educational services." (pg17) Out of 4,000 potential new households only 136 additional children. Where did these numbers come from? Why are not other school districts mentioned as their enrollment may rise too?

"It is anticipated that the expansion of the Park and future development of the Park for industrial semiconductor manufacturing will induce similar cumulative impacts and effects to the area as were identified in the 2013 FGEIS." (pg29) Explain how the cumulative impacts and effects will be similar as identified in the 2013 FGEIS if this is a much larger project ?

How will this project be funded with tax dollars without a guarantee that it will actually materialize. What happens when there is no Federal money? Will the project go through using PILOT funding?

What will happen when the market is inundated with these microchip manufacturing facilities and the White Pines Park will no longer be needed? Who will own the buildings? Who will own the land? Who will be held responsible for the upkeep of the property? Onondaga County taxpayers?

How many vacant, industrial areas are currently in Onondaga County? Even though smaller than White Pines Park, why can't these be utilized first.

I'm opposed to this development mostly for environmental reasons. We as a world are reaching a point of no return on climate change, and yet Onondaga County is pushing to develop another massively large area. There have been so many studies conducted about climate change, global warming and the devastating effects on the planet. The Associated Press just put out an article on June 7th, stating how carbon dioxide levels have hit a new dangerous milestone according to a study conducted by the National Oceanic and Atmospheric Administration. "The world is approaching the point where exceeding the Paris targets and entering a climate danger zone becomes almost inevitable," said Princeton University climate scientist Michael Oppenheimer.

I do not want to live where a climate danger zone is normal. Onondaga County should not be contributing to this danger by destroying more undeveloped lands. Please explain how this project will not add more stress to the planet?

<https://www.syracuse.com/us-news/2021/06/carbon-dioxide-levels-hit-a-new-dangerous-milestone.html>

Currently, how much carbon dioxide does the proposed site of 1,250+ acres cycle into oxygen on a daily basis with all the trees, flowers, grasses, wetlands and wildlife? How much of carbon dioxide will this microchip manufacturing facility produce on a daily basis? What are all the other pollutants that will be added to the atmosphere, soil and water?

How much carbon dioxide will be produced in the making of this facility?

Currently there is no public transportation available to this area in the Town of Clay. How much carbon dioxide will be produced for all the employees once the plant is in operation; most will have to travel by automobile? Will public transportation be made available?

"It is anticipated that areas owned by OCIDA that are north of existing New York Power Authority and National Grid transmission lines will not be developed to avoid actual or potential wetland areas." from OCIDA report.

How large is the area that will not be developed to save as wetlands? What measures will be put in place to insure these wetlands stay protected from future development?

Also, ..".if necessary for potential impacts that cannot be avoided or minimized by a future specific development" Please explain this statement. Are the protected wetlands endangered if more development is needed? Potential impacts can be avoided if this project is built on an already developed site.

Franklin Roosevelt said in a 1935 radio address, " Today we can no longer escape into virgin territory. We have been compelled by stark necessity to **unlearn the too comfortable superstition that the American soil was mystically blessed with every kind of immunity to grave economic maladjustments**, and that the American spirit of individualism--- all alone and unhelped by the cooperative efforts of Government --could withstand and repel every form of economic disarrangement or crisis."

In his address, Roosevelt was referring to the Dust Bowl caused by farming overproduction in the Midwest started by the Homestead Act of 1862. The government made a mistake by developing too much off the land out West. Decades later they are needing to correct these mistake. And in this time in history, some people made money but many suffered unnecessarily. This manufacturing facility will also be a "grave economic maladjustments" for Onondaga County. There are consequences to continually building into virgin territories. Yes, there will be "lots" of jobs to build the facility and "lots" of jobs after it is completed, however, the environmental cost is just too high. More money will be spent correcting this mistake than will be made from this project. A mistake future generations will have to correct and pay for.

Tomorrow, June 12th is my daughter's 24th birthday. We have been discussing this project and the ripple effect of even more development. It is very distressing for both of us. This project and the constant total disregard for the planet, makes her feel very hopeless for her future. It leaves me speechless as I don;t know what to say to eases her worries. Do you Robert Petrovich, support the science behind climate change and the negative effects that comes with it? Can you please explain to my daughter how this project with not have negative effects on the environment?

Be forth coming with your intentions and provide this information to all residents in Cicero and Clay. I want all these questions answered. Once people are aware of the size and magnitude of this project, they will be telling you NO, as well.

**An industrial manufacturing facility does not belong in a residential area.**

Sincerely,  
Darlene Piper  
106 1/2 Northfield Drive  
North Syracuse, NY 13212

## Re: My supplemental to the previous comment and questions regarding White Pine Environmental Review

Shanelle Benson Reid <vote@friendsofdrshanelle.com>

Fri 6/11/2021 8:53 PM

To: Moe Moe Libmatt <mattticket@yahoo.com>

Cc: ED - Web 1 <economicdevelopment@ongov.net>; neilgingoldlaw@gmail.com <neilgingoldlaw@gmail.com>; Michelle Nuzzo <mnuzzo80@yahoo.com>; Cody Kelly <ckell1251@gmail.com>

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

Thank you!

Dr. Shanelle R. Benson Reid  
Candidate for County Legislature  
District 14 (Town of Clay)  
PO Box 3424  
Syracuse, NY 13220

*~Friends of Dr. Shanelle~*

*Together Let's Make Our Next Day Our Best Day!*

Sent from my iPhone

On Jun 11, 2021, at 6:04 PM, Moe Moe Libmatt <mattticket@yahoo.com> wrote:

OCIDA,

Document attached.

After speaking with the Environmental Engineer, I had more questions and comments.

Thank you.

<Comments June 11 Environmental Review 06 11 2021.rtf>

Onondaga County Industrial Development Agency - Supplemental Comments

Environmental Review -April 26 and May 6th -

Public Comment Period through June 11, 2021 @ 11:59 pm

White Pine Commerce Park - OCIDA Attempted acquisitions

Onondaga County Industrial Development Agency,

In response to the Review and Hardcopy document. There looks to be much throughout your prepared document that has been copy and pasted.

I do not feel there was adequate detailing of the Green Space and protections there of. Please provide more details in the way of Green Space Protections.

The section regarding Character 3.6 Really speaks to the Agency ( OCIDA ) not having any idea how the future, as in, what this will look like has adequately been addressed. This has a good chance of being another man-made disaster.

The Soils 3.11 Has a process of succession begun? Are previously used soils returning to their original space, as with the process of succession? They must not be disturbed as this would destroy the balance in the Eco-systems. Who is in charge of the Eco-Systems?

Section 4.2.2 Regarding the last paragraph, 'with respect to the acquisition and removal of residential properties to enable the creation and future...' etc. This sentence is infuriating as the resident threatened by this unwarranted attempt at displacing me from the place I call 'HOME'. It is entirely unreasonable for people who are involuntarily displaced to shoulder such costs. As well as the current feelings of anxiety and everyday uncertainty. ( There's no place like HOME )

Section 4.6.2 The Agency knows full well 50 acres of pavement will have a lot of run-off. This increases the speed of water. This will cause erosion. Who was the 'entity' that reviewed and totally underestimated the significant impacts? Did they rubber stamp the lead agencies (OCIDA) document instead of reading the '50 acres of paved parking lot ? 4 milion sq ft build ? Please provide the name and address of this 'entity'. I must contact them directly to express my strong and genuiune concerns with this finding.

Section 4.7 ODOR. Is it true there will be ammonia's released into our air? How much exactly? Is it true there will be suspended soils released? How much exactly?

What exactly are all the emissions- Is it 40 - 60 tons? Massive pollution emissions that is down wind of a park, a major wetland, Clay and Cicero's commercial areas. You are allowing residents (children) to breathe the toxic emissions for jobs, jobs, jobs?? Unelected officials and the CEO's and business owners from the zoom call, who do not live around here, do not care about all the down wind major pollution and traffic emissions.

What are the Oils and Greases of this mystery company? How can you actually approve this document on a mystery company? How can this even be valid? Isn't the review conducted to suit

the business coming in? How can you do this and consciously approve this? No conscious. This is so ugly. I am in disbelief of this declaration. 2013's positive declaration and 2021's more acres and a negative one. Why not put an incinerator too - or are they? We don't know because it is the mystery company. I am not buying it.

Population and Growth - 4,000 high paying jobs. Will local people be hired? Or non-local people for the high paying jobs? I think the latter. Community member commented quote, "It is about bringing new people in, while ruining the lives of those who already live here and wanted to be here jobs or not." To this I will respond, many more will lose homes and properties if this travesty is allowed. Many will move away as this beautiful rural land turns to UGLY man-made buildings, acquired by greed and questionable tactics. Those of us in Onondaga County will not be able to wave the flag with pride over this underestimated review and take over, which will result in poor planning due to it being rushed and pushed through as you take advantage of COVID restrictions.

Two towns, Clay and Cicero, will not be happy. There needs to be a cease and desist nuisance abatement order to restrain the County as this action will set precedent for those after us. Those that live on Burnet Road and our outcome will determine future take overs for non- public use. The abuse of eminent domain as I see it.

*Defined : Cease and desist orders; injunctions; land ... AN ACT CONCERNING NUISANCE ABATEMENT AND QUALITY OF LIFE. ... A copy of the state's application and the temporary order to cease and desist shall ...*

My quality of life has been disturbed since September 2020, during a Global Pandemic and exploding housing market! Enough of your destroying our sense of value and belonging! My land was not for sale, this seems like an anti-american confiscation as the County Executive speaks to those wishing to remain in their homes as those who are holding out for more money. What ! The goal here is that you make billions and pay us as little as possible. The goal for you is to 'get our property'. My goal is protect this beautiful land and protect my home. I love it here. I have ALWAYS loved it here since I was a little girl. My elderly mother is close. My children are close. The county executive is willing to displace me for his billions and yet he professes "we want too much money for our HOMES" and he collects billions.

Does Onondaga County Industrial Development Agency really think it has a legal right and fiduciary responsibility to buy or take private property and residents' homes using eminent domain or a private mystery business? Many I speak with feel this is an unconstitutional and arbitrary and capricious ( as defined : A willful and unreasonable action without consideration or in disregard of facts or law or without determining principle) misuse of power and financial resources.

Take your mystery company, non- project somewhere else. Leave us alone. I believe due diligence (as defined: due diligence : reasonable steps taken by a person in order to satisfy a legal requirement, especially in buying or selling something. A comprehensive appraisal of a business undertaken by a prospective buyer, especially to establish its assets and liabilities and evaluate its commercial potential has been completely satisfied) I am not satisfied. The community is not satisfied. Take your assumptions to another site.

In closing, I would add I strongly believe Onondaga County Industrial Development Agency being lead agency for this project is a direct conflict of interest! It is like the fox guarding the hen house- as stated from an outsider, The ones that want the land and threaten eminent domain are the ones in charge of

the environmental review for the project. A non-government agency. Blasphemy to sacred, virgin Burnet Road.

Concerned Clay Community member and Burnet Road resident,

Maureen Matthews

June 11, 2021

**The following is a comment on OCIDA's 2021 Draft Supplemental Generic EIS:**

First of all, the entire EIS seems extremely **biased** toward the expansion of the White Pine Commerce Park site. It is certainly not an impartial environmental impact statement. Since OCIDA is the development agency as well as the lead agency of this project, and the findings are so one-sided, it is not appropriate to be presented as valid. This entire EIS should be rewritten by an unbiased agency and reviewed by the DEC as well as the Town of Clay.

The public hearing was odd as well; the (invited?) business owners appeared to read from similar scripts and only spoke of the economic impact of the idea of building a facility, but not on the environmental impact of the particular area chosen, or much of anything the EIS contained, as the agenda stated.

The EIS Alternative sections are not evaluated to any extent. The justification for each is without logic, based on irrelevant factors.

There are several references to **economic impact** in the EIS (p ES4, ES5,2.1,2.2), in the weighing of alternatives. This is not appropriate in an *ENVIRONMENTAL* review.

*Current level of investment* in the site is a sunk cost and should not be used, and especially should not be a reason for preference of an Alternative in an environmental review. (p ES4) Also, the fact that *the technical studies are becoming outdated*, should not be a reason to prefer one Alternative over the other. (p ES4) Both of these points seem outrageously unprofessional to include as valid arguments.

**No brownfield alternative is suggested in the EIS.** It is irresponsible to only consider building on natural land simply because it is cheaper, especially if the scope and funding for this project are nearly as large as it states. The costs of cleanup and land recovery have to be either built into the cost of construction, or the greenfield has to be valued higher than the cost to revert it to its natural state. Prime agricultural land is irreplaceable and should not be used for industrial purposes. Furthermore, the land's current zoning should be respected and not changed. This land is better suited for a farming project. Volume 2, pdf p20 (page 12 of 13 of the Full Environmental Assessment Form) states that 626 acres are prime agricultural land. This is a significant portion of the project. The loss of farmland in New York State is tragic. According to the American Farmland Trust, more than half a million acres in NY state have been lost to development since the 1980s. There are so many vacant decaying malls, buildings, and facilities in Onondaga County, yet this proposal is for building on prime farmland.

OCIDA's mission does not belong in an environmental statement (page ES5). This has no bearing on environmental impact. It is not justification for harming the environment by converting agricultural and residential property into industrial property, displacing current residents, neighborhoods, and destroying the area's rural character.

#### **Volume I 4.2 Community Character:**

Environmental considerations are defined by NYS to include the character of the area as well as the impact to its neighbors. The Burnet Road area embodies the character of **iconic American rural life**. This is a street where everyone knows each other, bikes are ridden in the middle of the road, kids on laps get tractor rides, turtles cross the road on their own schedule, ducks waddle to the pond at the duck crossing sign, couples play horseshoes in the field *with real horseshoes*. Widows, elderly couples, disabled, new homeowners, and families that have farmed the same land for 150 years, were all told they must sell to OCIDA and leave, *during the pandemic*. The removal of the entire neighborhood of Burnet Rd would cause a **severe impact and hardship** to approximately 40 households, farms and families. In fact, OCIDA has *already caused both financial and emotional harm* to the residents by the harassment and threats of eminent domain in order to intimidate them into “freely” selling their homes.

Adequate reimbursement for displacement of the families on Burnet Road is not possible; there is value beyond the monetary value. Mitigation by EDPL's standards is vastly inadequate for families who have built their own homes and have farmed the same land for generations and do not want (or are unable) to move. It is tantamount to eminent domain abuse: government taking land from private owners to give to other private owners. Even threatening eminent domain without a client should be prohibited since it causes harm and stress to the constituents. Homeowners who are threatened must postpone decisions on improvements, and farmers plant without assurance that they can harvest. There is no mention of this harm to the community in the EIS.

The **social network of families** created over the years is also lost, and for many, such as the disabled neighbor, or the elderly widows, who rely on this trusted support system, quality of life would suffer. There is no mention of this harm to the community, in the EIS.

The EIS disregards the nearby existing neighborhoods and **population growth** that has occurred during the 20 years that this Business Park has sat idle. The community has grown and the population density has increased significantly in the area. The Alternatives need to be re-evaluated with consideration of the growth of the local population, instead of from the point of view of OCIDA's sunk costs.

**Traffic problems** are not fully evaluated. **Route 31 is only a two lane road**, and is already overloaded now. With a large development there, it will be worse. Widening it in both directions would be extremely problematic in most areas, and would impact many many households. This is not addressed in the EIS, only in specific areas of intersections. The traffic study is not complete.

The **proximity of the CSX railway has not been addressed in terms of the vibrations** that trains cause, and its effect on semiconductor fabrication. Seismologists, in fact, sometimes use trains in their models in order to understand seismic waves. Semiconductor fabrication is very sensitive to vibration.

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## Volume II Full Environmental Assessment Form, Part 1:

**C3. Zoning.** This section **omits the Agricultural zoned area** that is privately owned on the eastern side of Burnet Road.

**This project is not consistent with the zoning of this part of the Town of Clay.** There should be no rezoning, since it would be such a large area and a major change for the town and inconsistent with the previous town plans. The Northern Land Use Study of Clay NY Summer 2013 (<https://www.townofclay.org/sites/default/files/u1291/Northern%20Clay%20Study%2005-2013.pdf>) states:

**“It has long been the Town’s vision to keep the northern part of Clay as low-density, with non-intensive land uses.”** (Town of Clay Zoning Code, Clay-Cicero Route 31 Transportation Study, Routes 31 & 57 Land Use and Circulation Study.)

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The area west of the old border of the park (**west side of Caughdenoy Rd**) is already zoned industrial. Why is this not included in any of the Alternatives? It would lower the lengths of sewer and gas lines needed. It would avoid displacement of Burnet Rd residents. It would not require rezoning.

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## Volume II

Exhibit A: Full Environmental Assessment Form, Part 1:

Page 10 of 13 (p18 of the pdf file)

E1 Natural Resources:

***E. 1. c. Is the project site presently used by members of the community for public recreation?*** Check box is checked **NO**, but should be checked **YES**. There are many people who ride bikes, ATVs, golf carts, tractors, and walk up and down Burnet Road, and on the paths in the woods, as well as under the power lines. In the winter, people frequently cross country ski on the road and on the trails in the woods, as well as ice skate on the deeper parts of the swamp. There is a well-known snowmobile trail running east-west through the northern part of the property, near the power lines (trail C7L, NYSSA), as well as across the fields and north of Route 31. The road is known by joggers including the local school teams, because of its rural nature, the minimal traffic and slope, and adequate length without intersections. Bird watchers and photography enthusiasts frequently visit the area. Hunters park along the sides of the road and head into the woods as well.

Page 12 of 13: (p20 on pdf)

E2 Natural Resources:

**E.2.q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?** Check box answered is NO, but should be YES. Many areas of the site are often used for hunting.

Page 13 of 13: (p21 on pdf)

E2 Natural Resources:

**Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?** Checked box is **NO** but should be checked **YES**.

Note that in Part 1 of the EIS ES20 (p 24 pf the pdf) it states:

“Per the New York State Cultural Resource Information System (NYS CRIS), 13 previously identified above-ground historic resources are located within the expanded Park area. Two of these resources are located on the north side of NYS Route 31 and the remaining 11 resources are located along Burnet Road. Seventeen additional previously evaluated resources are located within the immediate vicinity of the expanded Park. Of the 30 previously identified resources, one resource has been determined eligible for listing in the National Register of Historic Places (NRHP) by the New York State Historic Preservation Office (NY SHPO) and 20 have been determined ineligible. *The eligibility status of the remaining 9 resources is undetermined.*”

**Several houses are historic** to the point of having cisterns in the basement, built in the 1800s. They should not be demolished. This section has not been investigated.

### **Volume II Full Environmental Assessment Form:**

Part 2: page 2 of 10 (p27 pdf)

#### **3.Impacts on Surface Water**

**c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.** Check box marked is “**Moderate to large impact may occur**”.

This is a **contradiction** of the previous answers to questions on page 5 (p13 of the pdf Vol 2):

**iii. Will the proposed action cause or result in disturbances to bottom sediments:** the checkbox **NO** is checked.

**iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?** The checkbox **NO** is checked.

### **Volume II Full Environmental Assessment Form,**

Part 2: page 5 of 10 (p30 of pdf)

#### **7. Impact on Plants and Animals**

**g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.** Checked box is “**No, or small impact**”, but should be checked “**Moderate to large impact may occur**”. The local wildlife, including many species of birds and hawks, bats, coyotes,

rabbits, deer, turkeys, bees, mice, moles, etc., will be significantly affected in all their activities, if construction occurs, and if 50 acres are paved. It is not possible for this proposed development to have only a small impact.

## **Volume II Full Environmental Assessment Form,**

Part 2: page 7 of 10 (p32 of pdf)

### **Number 11. Impact on Open Space and Recreation**

#### **11. a. The proposed action may result in an impairment of natural functions or ecosystems services provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.**

This should be checked "**Moderate to Large Impact**". The undeveloped areas are like giant sponges for the stormwater storage. If 50 acres are paved, and buildings are built, the water runoff will affect the other surrounding areas. The mitigation suggested (earthen berms etc) will not be adequate.

This whole section seemingly was omitted because of the technical classification of an open space resource, but this area effectively acts as one. The open spaces should be treated as a valuable and protected resource. This entire section is marked incorrectly.

#### **11.b. The proposed action may result in the loss of a current or future recreational resource.**

This should be checked "**Moderate to Large Impact**".

The area has many many recreational activities as described above in this note. This will all be lost if development occurs.

#### **11.c. The proposed action may eliminate open space or recreational resource in an area with few such resources.**

This should be checked "**Moderate to Large Impact**".

Open space nearby is getting increasingly hard to find because of increased development in the area. Clay and Cicero have grown over the last decade, and are more populated with much more traffic. The rural quality of Burnet Rd and the natural fields and forests nearby are a significant and welcome contrast.

#### **11.d. The proposed action may result in loss of an area now used informally by the community as an open space resource.**

This should be checked "**Moderate to Large Impact**".

This area is used constantly as an open space resource as described previously in this note. It is an important habitat for local wildlife and these natural areas have positive impacts on the the air quality, environment, and health of all those nearby. Building and paving these areas would remove these positive impacts and introduce negative ones.

p10.of 10 (p35 of pdf)

### **17. Consistency with Community Plans**

#### **c. The proposed action is inconsistent with local land use plans or zoning regulations.**

This should be checked **“Moderate to Large Impact”**.

A semiconductor facility is not consistent in the current zoning. This is a huge amount of land that would be involved in a zone change from residential/agricultural to industrial.

p10 of 10 (p35 of pdf)

**18. Consistency with Community Character**

18.1. The proposed project is inconsistent with the existing community character.

**a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.** Check box is marked as **“No or small impact may occur”**. - The proposed action would eliminate the *entire community* of Burnet Road. Burnet Road has existed for more than 150 years. The **“Moderate to Large impact may occur”** checkbox should be marked!

**c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.** Check box **“No or small impact may occur”** The **“Moderate to Large impact may occur”** should be checked! Based on the current purchase proposals OCIDA has made to Burnet Rd residents for their modest homes, including several offers at approximately 60% FMV, and the current hot real estate market, these residents will have a difficult time finding any replacement, especially similar to a low-density rural setting like Burnet Road.

We are opposed to the development of this project in this location. During the 20+ years the Clay Business Park / White Pine Commerce Park has sat vacant, the population has grown significantly in this area, and this sort of mega facility is not appropriate in a residential area. It is inconsistent with the zoning and the Town of Clay is already overwhelmed with development and traffic problems. This project is an opportunity for the county, yet the planners have made several unfortunate decisions in the location and the implementation. This area with its prime farmland soils, would be best suited for some sort of agricultural project, combined with nature trails, or a wildlife preserve. The wetlands in the north are necessary and sensitive environmental resources and should be protected.

OCIDA's mission to facilitate industrial development and job creation in Onondaga County, should not override its constituents' rights and quality of life. The agency should respect the current zoning and it should not be purchasing or holding any residential/agricultural land.

Regards,

B. Serog & P. Goldsman  
8756 Burnet Road  
Clay NY 13041

## White Pines Development

jtdeeg@aol.com <jtdeeg@aol.com>

Fri 6/11/2021 10:52 AM

To: ED - Web 1 <economicdevelopment@ongov.net>

**NOTICE:** This email originated from **outside** of Onondaga County's email system. **Use caution** with links and attachments.

I have lived in Clay for over 50 years. There has been much residential development along with many businesses. But I am not on favor of building a semi conductor facility on farm land or ousting residents from their homes. The solar field is less than a mile from my home. I object to the north area of Clay becoming a manufacturing hub.

Therese Deegan

*David W. Wilhite, PE, PMP, MSCE  
CAPT, CEC, USN*

*White Pine Commerce Park – Public Comments 11 June 2021*

OCIDA Leadership, I only ask that you take a hard look at the future impacts of your decisions to rural Clay and Cicero and Greater Onondaga County. I do not support the use of eminent domain to achieve the overall objectives of OCIDA in the White Pine Commerce Park endeavor, and after the reviewing all DSGEIS and the imminent environmental impacts, I don't think rural Clay and Cicero and Greater Onondaga County is the right place for the semiconductor industry.

**Environment and Human Health**

The citizens of Clay and Cicero deserve to know that the proposed economic growth for the area comes with a hefty environmental price tag. The questions I am asking deserve answers.

- 1) Do the materials needed to produce semiconductor chips include high corrosive and toxic materials to include hydrochloric acid, metals such as arsenic, cadmium and lead?
- 2) Do the materials needed to produce semiconductor chips include volatile solvents such as methyl chloroform, toluene, benzene, acetone and trichloroethylene?
- 3) Do the materials needed to produce semiconductor chips include toxic gases such as arsine?

Many of these chemicals are known as being human carcinogens.

Does the U.S. Department of Labor's Bureau of Labor Statistics show that semiconductor workers have a rate of occupational illness resulting in lost workdays that is twice as high as that of workers in other manufacturing sectors?

Do women that work in the semiconductor industry have a higher miscarriage rate than women working in other manufacturing industries?

How may lawsuits globally have been filed against the semiconductor industry globally by women that have developed cancer and reproductive problems as a result of working in a semiconductor plant?

How will OCIDA address the semiconductor industry's environmental impact to the rural Clay and Cicero, and greater Onondaga area that is well documented by EPA and numerous environmental lawsuits?

Is pristine rural Clay and Cicero and Greater Onondaga County New York the place for this type of industry, with populations of 58,998, 30,757 and 458,286 respectively? Or is a remote, controlled, desert location better suited for this type of industry?

As you know, there are largely populated areas just south of State Route 31.

### **Chemicals of Concern in the Semiconductor Industry:**

#### **Acetone**

- Inhalation of moderate to high levels causes nose, throat, lung, and eye irritation; confusion; and possibly coma
- Ingestion of very high level causes unconsciousness and damage to the skin in the mouth
- Long-term exposure in animals causes kidney, liver, and nerve damage; increased birth defects; and lowered ability to reproduce in males

#### **Arsenic**

- At low levels causes nausea, vomiting, diarrhea, decreased production of red and white blood cells, abnormal heart rhythm, and blood vessel damage

- At high levels over 60 parts per million causes tissue damage (nerves, stomach, intestine, skin) and may be fatal
- Chronic exposure causes lung cancer
- Known human carcinogen

### **Arsine**

- Causes headache; malaise; weakness; dizziness; dyspnea; abdominal and back pain; nausea; vomiting; jaundice; peripheral neuropathy; and damage to the blood, kidneys, and liver

### **Benzene**

- Causes damage to bone marrow and decreased production of red blood cell leading to anemia, excessive bleeding, immune system effects, increased chance of infection, reproductive effects, and leukemia
- Known human carcinogen

### **Cadmium**

- Causes lung damage, renal dysfunction, hepatic injury, bone defects, hypertension, reproductive toxicity, and teratogenicity
- Reasonably anticipated to be a human carcinogen

### **Hydrochloric Acid**

- Highly corrosive
- Causes severe eye and skin burns and conjunctivitis; prolonged or repeated skin contact may cause dermatitis
- Inhalation causes severe respiratory irritation with coughing, burns, breathing difficulty, and possible coma
- Ingestion causes digestive tract irritation, abdominal pain, vomiting, and possible death
- Also causes photosensitization in certain individuals and circulatory system failure

## **Lead**

- Damages kidneys and the immune system
- Causes premature birth; low birth weight; decreased mental ability; learning deficits in children; decreased reaction time; weakness in fingers, wrists, and ankles; anemia; memory effects; spontaneous abortion; and damage to the male reproductive system

## **Methyl Chloroform**

- Causes headache; CNS depression; poor equilibrium; eye, nose, throat, and skin irritation; and cardiac arrhythmia

## **Toluene**

- Long-term exposure to low to moderate levels causes tiredness, confusion, weakness, memory loss, nausea, and hearing loss
- Inhalation of high levels over a short period of time can cause permanent damage to the brain and speech, vision and hearing problems, loss of muscle control, and poor balance
- Causes neurological problems and retarded growth in children
- A human carcinogen

## **Trichloroethylene**

- Irritates the eyes and respiratory tract
- Inhalation causes dizziness, sleepiness, and headache
- Chronic exposure causes speech and hearing impairment, kidney disease, blood disorders, stroke, anemia, diabetes and skin rashes
- A human carcinogen

If OCIDA really cares about the citizens of Onondaga County, you will reconsider bringing the semiconductor industry to the area.

## **Jurisdictional Authority Conflict of Interest**

Because of the project's size and potential for both catastrophic and long lasting cumulative environmental and community character impacts to Clay, Cicero and Greater Onondaga County New York, and the fact that it conflicts with New York State environmental and climate change policies, I strongly urge that NYDEC to assume lead agency status for the environmental review of the White Pine Commerce Park proposal DSGEIS under SEQRA. In addition, OCIDA's and Onondaga County's clear financial interest in the revenues generated from a use and occupancy agreement, if granted, presents a conflict of interest that makes OCIDA an inappropriate lead agency or co-lead agency.

## **Environmental Justice**

The EPA's Definition of Environmental Justice: "Fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies."

How would Fayetteville or Skaneateles receive a Semiconductor Manufacturing facility less than a mile from their town center?

"No group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies."

### **Meaningful Involvement means:**

1. People have an opportunity to participate in decisions about activities that may affect their environment and/or health;
2. The public's contribution can influence the regulatory agency's decision;
3. Community concerns will be considered in the decision-making process;

4. Decision makers will seek out and facilitate the involvement of those potentially affected.”

### **A Personal Note**

Our family decided to move from Nashville TN to the Clay, NY Onondaga County area in November of 2019 when I received my final Navy Active-Duty Orders to the Pentagon. Our decision was to build our final home in this area and I would commute to and from the D.C. area on the weekends until I finish my 3 year orders. We found Martin Custom Homes and started discussing having their company find land for us to build on. Our desire was to purchase about 3-5 acres of land in the secluded woodland area but still be close to everything as well as have our children in the North Syracuse School District. Andrew Martin was able to find 5 acres of land to purchase on Burnet Road for us to build our “forever” home. This process started at the end of 2019. I flew to Syracuse in January of 2020 to select this lot with the builder. Because of Covid our closing documents etc. were a little behind but we closed on our “new construction” home April 28th, 2020. The lot had already been purchased by the builder for us and had been cleared and prepped for septic, which was approved by Onondaga County Division of Environmental Health. Covid did slow things down quite a bit but our home was complete and ready to move in the first of November 2020. Around the middle of October there was a letter in our mailbox from a concerned neighbor explaining the situation with the County and White Pine Commerce Park desiring to purchase all of the land on Burnet Road – keep in mind we had not even moved into our new home at this point, however were already financially obligated at that point. We called our builder who told us he knew nothing about it, nor did the Town of Clay when asked. We then spoke to Mr. Bob Petrovich and asked what was going on, he explained that he eventually would like to acquire our property. As time went on our family decided to just focus on getting settled into our new home and enjoying the holidays – this was rather hard to do with this looming over our heads and especially during a pandemic. In January we requested a meeting with Ryan McMahon and

Bob Petrovich in which we were told how great the semi-conductor project being marketed for this area would be for the whole county and a lot of other sales tactics. In the middle of March we received aggressive offers for acquiring our property to the point that my wife had to ask Bob Petrovich not to call her, as he was creating too much stress while she was trying to remotely teach our 3 children. We do not wish to sell our brand-new home, you do not have a corporation signed and this is NOT the place for a sprawling semiconductor manufacturing complex and campus. No amount of money is equal to having to move 3 children and an entire household just because neighbors look bad. You cannot market property that you do not own. The 5.5 acre property that our home is now situated has been undisturbed since 1945, possibly even before that point and suddenly NOW, because of political aspirations, the County feels it has the right and authority to threaten us out of our home. I am an Active Duty Navy Captain with over 37 years military service and this is how you treat an two time combat tour OEF/OIF Veteran that has just moved his family to the upstate New York area.

### **Community Character**

The small section on Community Character in the DSGEIS does not discuss or elaborate on the community character impacts nor does it over any mitigation strategy.

“Community character is the sense of place and identity that is formed through the dynamic interaction of people with their surroundings. It is what makes a house a home and a series of houses a neighborhood. It is a community’s perception of itself and is “shaped by time, experience, and action within the social, economic, historic, environmental, and cultural contexts of a specific place. As a composition of these various elements, community character is an intangible manifestation of a community’s relationship with the landscape—its cultural landscape.”

The DSGEIS fails to properly define community character and addresses the concerns embodied in SEQRA.

New York has a strong history of “home rule,” such that local governments have broad powers to which the courts accord significant deference. Because land use has always been recognized as the province of state and local governments, there is concern that a town’s comprehensive plan might be disregarded by the NYDEC. However, rulings have clearly stated that the jurisdiction of the NYDEC does not change under SEQRA and that SEQRA is not limited by local laws. While many applicants argue that home rule prevails and that consistency with local zoning ordinances or comprehensive plans is sufficient to evaluate compatibility with a town’s desired design, the general trend is for decision makers to require their consideration in addition to other factors.

For this reason I reemphasize that OCIDA has a clear conflict of interest, and that NYDEC should assume lead agency for the environmental review. NYDEC, as the State’s environmental agency, is in the best position to conduct the necessary and thorough environmental review that this project demands.

Further, the evaluation of a proposed project’s impacts on the cultural landscape of an area should include the consideration of impacts on the broader experience of a place felt by all those affected. This is not unprecedented, as the NYDEC’s visual impact analysis program policy requires that the visual assessment cover a five mile radius, which can spill outside of the community in which a project is sited. Visual: 2

## **Zoning**

Blanket zoning provisions provide notice to future developers regarding a town’s desired land use patterns, but they do not allow for public input regarding the full range of impacts a proposed project may have on the community, which is a necessary and important part of the environmental review process.

The mechanisms that purport to contribute to this task, such as zoning ordinances and environmental impact review requirements, are inadequate at present. Zoning regulations deal only with a particular municipality's aesthetic and land use desires, meaning that the broader areas and landscapes that might be impacted by a proposed project are left unprotected.

### **Zoning and Community Character**

The White Pine Commerce Park, if approved, will ruin the community character of rural Clay, Cicero and Brewerton, NY. Simply re-zoning, specifying industrial use, is not sufficient to encompass the full impact on the entire area and community character. Environmental impact review has the most potential to preserve cultural landscapes in New York, as New York's "little NEPA," the State Environmental Quality Review Act (SEQRA), requires the evaluation of a project's impacts on "community or neighborhood character. The courts accord significant regard to communities seeking to protect their character by enacting regulations and zoning ordinances to promote aesthetic values, pursuant to the broad reach of the "public welfare" that the states are charged with protecting.

### **Comprehensive Land Use Planning and Community Character**

Comprehensive plans allow communities to "maintain their neighborhood character through common, implied and established expectations underlying the current state of the community, while at the same time generally recognizing private property rights." Unlike zoning, comprehensive plans involve open communication and work by urban planners who are less likely than town planning board members to be motivated by prejudices, include long term goals and desires regarding future development, and are adopted after the legislative body approves them by vote.

## **Traffic Impacts**

The citizens of Clay, Cicero, Brewerton and North Syracuse deserve to know the specific traffic impact and what they will be facing on a daily basis, in laymen's terms. Not in a report and tables that they don't understand. And the assumption that it will be 4,000 employees is based on what? Additionally, what is the commensurate transportation improvement plan to mitigate the additional traffic impacts? What is the cost? Who pays? Traffic 5, 6

The Traffic Impact Study Report by JMT and Associates already observed the following existing negative traffic issues:

- Motorists passing in the shoulder around left-turning vehicles
- Long queues in the eastbound direction approaching I-81
- The eastbound and westbound left turn lanes at I-81 do not have enough storage and long queues occur with vehicles spilling into the through lanes, which causes weaving especially in the westbound direction near I-81;
- The I-81 queuing affects Lakeshore Road with additional weaving of approaching vehicles access at business driveways or getting around vehicles waiting to get onto the ramps; and
- The skewed approaches of Lakeshore Road and Maple Road/NYS Route 481 Northbound Off Ramp Intersection forces confusion and quick decision making.

The existing AADT on SR 31 between Caughdenoy Road and Lawton Road is 10,470, what is the projected AADT once the White Pine Commerce Park is built-out?

The existing %Truck Traffic on SR 31 between Caughdenoy Road and Lawton Road is 4%, what is the projected %Truck Traffic once the White Pine Commerce Park is built-out?

The DSGEIS states "An increase in traffic will result from construction and development of the Park. Traffic is also projected to increase from

other developments occurring in the area and will change the existing levels of service (LOS) at certain intersections along NYS Route 31. Therefore, roadway improvements along NYS Route 31 are proposed based on existing and future traffic volumes. Regardless of development at the Park, transportation improvements will be required along NYS Route 31 as other development occurs over time.

This is very vague and doesn't convey to the public what to expect in terms of traffic impacts. Another attempt by OCIDA to push approval of the project through with little to no push-back from the public.

Gridlock is what the public can expect, without serious modifications to SR 31 and the SR31/SR11 and I-81 intersections/interchanges.

The statement in the DGEIS "If changes occur to how the Park is accessed and volumes increase on Caughdenoy Road beyond those currently projected and modeled..." Indicates that OCIDA and their consultant JMT and Associates really don't know at this time what the traffic volume and characteristics will be, it's all assumptions and speculation until the corporation/s that will occupy the commerce park present employee and logistics data.

The DGEIS also states "As the level of service analysis shows, there are intersections and movements that are projected to fail by 2044. The main areas of concern are at the NYS Route 481 interchange and NYS Route 31 between US Route 11 and the Interstate 81 ramps. These areas are projected to be failing or near failing by 2044. Any improvements beyond 2024 need to be reviewed for mitigation at a later time."

The intersections and movements will fail sooner than 2044 with the White Pine Commerce Park and the cost will be astronomical.

The public deserves to really understand the impacts to their lives in terms of construction and traffic impacts. The following statement minimizes what will be a years-long process that will cripple the mobility of citizens in the area.

“A new Traffic Impact Study (TIS) was prepared to evaluate potential traffic impacts associated with the proposed expanded Park area. Due to the generic nature of this review, the TIS includes more generic as opposed to specific development details and follows the assumptions to develop the traffic impact of the proposed expansion and potential development, which include supporting between 3,750 to 4,000 employees (4,000 used for analysis), having a minimum of two driveways for site access: one driveway will be connected to Caughdenoy Road and the other will be connected to NYS Route 31; operating 24 hours a day and seven days a week with three equally sized rotating working shifts; and development of the Project site will be completed and operational by the year 2024.”

### **Schools**

The DSGEIS analysis on schools is unrealistic. First we really don't know if it will be 4,000 households until the county receives employee and logistical data from the corporations coming to White Pine. Second as the DSGEIS states....”An increase of approximately 136 students is not anticipated to place an undue burden on local schools and educational facilities. The development of the Park is not anticipated to create adverse impacts on local schools and educational services. No mitigation is required.”

How did OCIDA arrive at that number? Say there are only 4,000 new households and each household had only one child, that would be 4,000 new students....but say some of those families don't have any children....the US Census Bureau states that on average every US Household has 1 school aged child, that would be 4,000 students. In New York the average is 1.81 to 1.9 children per family. That would be 7,240-7,600 students. Who is paying for that?

## **Segmentation**

Agencies (OCIDA) are required to consider connected actions in the same EIS. 40 C.F.R. §1508.25(a)(1) (2019). This requirement prevents agencies from engaging in segmentation that is circumventing NEPA by not studying the cumulative impacts of a single project. “This rule against segmentation was developed to prevent the piecemeal environmental analysis of interrelated projects, which could give an inaccurate impression of overall environmental effects.”

OCIDA has not provided, however are required to, perform a Programmatic EIS (PEIS) to consider the Impacts of the Project within the Context of the Greater Regional Plan. In addition to the prohibition in NEPA against segmentation, NEPA requires that, if a “systematic program is likely to generate disparate yet related impacts,” the Agencies must at least consider whether a Programmatic EIS (PEIS) is required and must articulate “a rational connection between the facts and the choice made.” *Found. on Econ. Trends v. Heckler*, 756F.2d 143, 160 (D.C. Cir. 1985) (quoting *Burlington Truck Lines, Inc. v. United States*, 371U.S. 156, 168 (1962)).

OCIDA has been approving individual SEQRA Resolutions on properties on Burnet Road, which appears to constitute segmentation.

Agencies (OCIDA) are required to consider connected actions in the same EIS. 40 C.F.R. §1508.25(a)(1) (2019). This requirement prevents agencies from engaging in segmentation, that is, circumventing NEPA by not studying the cumulative impacts of a single project. “This rule against segmentation was developed to prevent the piecemeal environmental analysis of interrelated projects, which could give an inaccurate impression of overall environmental effects.”

## **Cumulative Impacts**

The 5.1 cumulative impact section of the DSGEIS does not address all of the criteria required in 6 NYCRR [617.7(c)(1)(I-xii)]. Nor does the 5.2 mitigation section adequately address all the cumulative impacts. The cumulative environmental and human health, environmental justice, zoning, community character, schools and traffic impacts are staggering. Nor were the following adverse impacts adequately addressed: a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources; the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character; a major change in the use of either the quantity or type of energy; the creation of a hazard to human health; a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

The DSGEIS does not adequately discuss changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.

## **Stormwater**

In the Stormwater/Drainage/Flooding - Minimization and Mitigation section of the EIS, it mentions “As a part of the SPDES Construction General Permit (GP) and Stormwater Pollution Prevention Plan

(SWPPP), and Municipal Separate Storm Sewer System (MS4) SWPPP acceptance form from the Town of Clay and the Town of Cicero “may” be required, depending on the offsite locations of the stormwater discharges.” ----- With a proposed project of this size and environmental magnitude, the entire site will need to be included in the MS4, and it currently is not. (Map Attached) And the off-site stormwater discharge locations will be extremely important, as they drain into Youngs Creek, Oneida River and Oneida Lake, as well as into the wetlands on the property.

The following rationale that the environmental impacts are less important than the social and economic need for the project, cannot be substantiated.

“If complete avoidance is not practicable for development activities that are not exempt from regulation, development would proceed with permits issued by NYSDEC and/or the USACE. NYSDEC has a designated Class II and a designated Class III wetland near or within the Project site, which are associated with intermittent streams that flow into Youngs Creek, an unregulated Class C, non-navigable stream. A permit application would be submitted to NYSDEC, or a Joint Application to the NYSDEC and USACE in a case of concurrent jurisdiction. Issuance of a permit would be based, in part, on a showing that losses or impacts on the functions and benefits of the wetland have been minimized and the social and economic need for the Project.”

And I don’t understand how these surface waters are “Class C and not considered protected.”

Actually Oneida River Basin is Class B, some of the tributaries are class C.

[https://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodeRulesandRegulations?guid=I38b21560b5a111dda0a4e17826ebc834&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodeRulesandRegulations?guid=I38b21560b5a111dda0a4e17826ebc834&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))

“With the expansion of the Project area, the number and size of potentially impacted wetlands and natural water bodies has increased. The expanded site encompasses 17 National Wetland Inventory (NWI) mapped wetlands and two state-regulated wetlands. Classified waterbodies present onsite are tributaries to Oneida River. These surface waters are Class C, and are not considered protected; however, any disturbance would require prior approval from the United States Army Corps of Engineers (USACE) and/or the New York State Department of Environmental Conservation (NYSDEC).”

The DGEIS fails to Identify Stormwater volume and pollutant loads.

The DGEIS fails to take a hard look at how increased stormwater will affect the receiving waters of Young’s Creek, Oneida River, Oneida Lake and/or Lake Ontario.

I reiterate my earlier statement, because of the project’s size and potential for both catastrophic and long lasting cumulative environmental and community character impacts to Clay, Cicero and Greater Onondaga County NY, and the fact that it conflicts with New York State environmental and climate change policies, I strongly urge that NYDEC to assume lead agency status for the environmental review of the White Pine Commerce Park proposal DSGEIS under SEQRA.

### **Further White Pine Commerce Park DSGEIS Questions**

- 1) How was the 1253 Acre requirement derived? Was it simply derived from the fact that Taiwan Semiconductor Manufacturing Company Ltd. requested that large of a footprint? Was there any other industry standard analysis completed that proves that you need that much land for this project? And was the entire DSGEIS written to that desired end result? OCIDA proclaims that 1253 Acres is needed, therefore all the property on Burnet Road and the Nazarene Church needs to be acquired. It appears that all of the alternative analysis were

written to that desired end state without any real compelling analysis or justification.

- 2) The DSGEIS states “This may translate into a buildout encompassing approximately 4.0 million square feet of industrial development at the Park. This would equate to approximately 400 acres of surface disturbance (temporary and permanent) within the Park developed in a campus like setting that would be sited to avoid regulated wetland areas.” The same question applies for the prime developable land 732 acre requirement, where did that number come from? Do you even have a site-plan at this point? It appears that due-diligence on exploring Alternatives has not been fully vetted and OCIDA is going to displace the residents of Burnet Road over speculation and conjecture.
- 3) OCIDA really doesn’t have a “need” as defined in EDPL and the Supreme Court to acquire the property until they have a company signed, analysis completed with a site plan approved that necessitates the acquisition of 1253 Acres.
- 4) 4) Is one of the purposes of the DSGEIS for OCIDA to be able to market 1253 Acres, and is that, in and of itself, adequate justification for destroying the lives of the people on the 30+ residents on Burnet Road? It would be different if OCIDA had INTEL signed and they said they needed exactly that much land, but they don’t. OCIDA could acquire all the land on Burnet Road and the Nazarene Church and the land could sit vacant for years.
- 5) Has OCIDA looked at the alternative of building a 1 Gigawatt substation in another location? What is that cost? Why isn’t that discussion in the DSGEIS?

- 6) Has OCIDA looked at buying property south of State Route 31? Building a bridge over SR 31? or going north of the Power easement with a road or a bridge? What is that cost? Why isn't that in the DSGEIS?
- 7) The legal/mental summersault that the DSGEIS states cannot be substantiated. "the smaller footprint could result in development located closer to residential locations that are not acquired by OCIDA, thus creating greater potential environmental impacts. In contrast, the preferred alternative would allow future tenants additional acreage on-site sufficient to construct necessary buildings and accessory uses, buffer development from adjacent lands, and avoid impacts to ecological resources such as wetlands to the maximum extent practicable."
- 8) Alternative 4, a project in a different location was not fully analyzed, with discussion on other sites.
- 9) The community has been allow zero involvement of the decision making process on the White Pine expansion....It has been a behind-closed-door scheming and decision process by the OCIDA Oligarchy...empowered by New York State Municipal Home Rule.
- 10) Has OCIDA been intimately involved in the review and editing of this DSGEIS to their liking? Is that a conflict of interest? Is that permitted by the New York State Board of Architects and Engineers? Is that permitted by NYDEC?
- 11) Are the number of employees 4,000 or  $4,000 \times 3 \text{ Shifts} = 12,000$  employees and is the Average Daily Traffic based on that?

- 12) Alternative number 3 in the DSGEIS does not discuss a different Acre size, closer or a little larger to the 732 acres the report speculates that's required....Why hasn't an 800 -900 acre alternative been explored? The reports following argument doesn't pass the reasonably person test. "Although this alternative considers the idea of potentially maximizing development space within a smaller area, much like Alternative 2, the smaller footprint would not allow for the potential of larger industrial and commercial developers, such as the semiconductor industry. The proposed expanded footprint of the Park allows OCIDA to market to a larger, more diverse mix of industries than it had previously. The smaller sized park would not support the main objective, which is to attract a broader scope of industries such as the semiconductor industry that require large campus type settings with greenspace and ample buffering from environmental receptors and would bring high tech and high paying jobs to Onondaga County. Like Alternative 2, the smaller expansion alternative does not maximize the development potential of the Park and does not expand options for avoiding and mitigating potential adverse environmental impacts. Therefore, it is not an acceptable option."
- 13) What is even more significant than the discussion above is, from the DSGEIS "The loss of forest and grasslands are considered irreversible ecological impacts. The larger project footprint increases the acreage of land clearance; thus, creating a larger impact on ecological resources."
- 14) Is the reason OCIDA wants to acquire the properties on Burnet Road, the access road itself??? Is that adequate justification? The County spent funding improving the road, so it is now ours, oh, and we want all the properties along Burnet Road....appears to be pre-meditated, prejudicial...how long has OCIDA been planning this land seizure behind closed doors?

The lead agency cannot merely set forth a “conclusory statement, unsupported by empirical or experimental data, scientific authorities or any explanatory information.” *Tehan v. Scrivani*, 97 A.D.2d 769, 771, 468 N.Y.S.2d 402, 406 (2d Dep=t 1983).

NEPA §102(c), 42 U.S.C. §4332(c). A draft EIS must first be circulated for public comment, followed by a final EIS which addresses substantive public comments. §1502.9.

Interested persons may be able to sue in federal district to challenge the adequacy of the NEPA review if it is “arbitrary or capricious,” such as where there is no “reasoned elaboration” to adequately justify a FONSI [Negative Declaration]. *City of Rochester v. U.S. Postal Service*, 541 F.2d 967 (2d Cir. 1976).

### **Home Rule vs. Dillon’s Rule**

In contrast to the Home Rule promulgated system of local government used in New York State, where local communities can exercise authority with local autonomy without state interference, Dillon’s Rule Guards against runaway local Governments. Dillon’s Rule grants state government the power to rein in irresponsible or uncooperative local governments. In fact, John Dillon created the rule in a time when local government corruption ran rampant. This appears to be the case in how OCIDA has handled the White Pine Commerce Park endeavor. The lack of public involvement, the timing and fear tactics used to acquire property, and the undue influence and prejudicial inference on the Draft SEQRA Environmental Impact Statement. It appears that the decisions of a very elite few will impact the lives of so many. Public involvement in a democratic process should be considered, rather than an oligarchy running rough shot over the residents in the area, displaying abuse of authority for personal and political gain of an elite few.

## **Eminent Domain**

Eminent domain is the power of government to take away a person's home or business. A "despotic" power of government, because of the vast potential for abuse of such a serious and drastic power, the 5th Amendment to the U.S. Constitution clearly states that private property shall not be "taken for public use, without just compensation." The use must be public, and just compensation must be paid. If private property could be taken for any use at all, the term "public" would not have been included.

Originally, "public use" was understood by just about everyone—courts, governments and the general public—to have its ordinary meaning. Eminent domain was used only for projects that would be owned by or open to the public, such as roads, public buildings, and, eventually, so-called common carriers, like railroads and public utilities. Courts further explained that the government was limited to taking only that property "necessary" for the public use. It could not simply grab additional land to increase its holdings.

### New York Consolidated Laws, Eminent Domain Procedure Law - EDP § 101. Purpose

It is the purpose of this law to provide the exclusive procedure by which property shall be acquired by exercise of the power of eminent domain in New York state; to assure that just compensation shall be paid to those persons whose property rights are acquired by the exercise of the power of eminent domain; to establish opportunity for public participation in the planning of public projects "necessitating" the exercise of eminent domain; to give due regard to the "need to acquire property for public use" (not speculation of public use) as well as the legitimate interests of private property owners, local communities and the quality of the environment, and to that end to promote and facilitate recognition and careful consideration of those interests; to encourage settlement of claims for just compensation and expedite payments to

property owners; to establish rules to reduce litigation, and to ensure equal treatment to all property owners.

In 1954, the U.S. Supreme Court drastically expanded the power of eminent domain. In *Berman v. Parker*, the Court upheld the constitutionality of “urban renewal”—misguided efforts by the federal government and local officials to revitalize urban areas to supposedly remove slums and eliminate blight. The case originated in Southwest Washington, D.C., in a poor area populated largely by minorities. The U.S. Congress granted the District government the ability to acquire tracts of land through eminent domain for the purpose of redevelopment, including the resale of the land to private developers. In this decision, the Court transformed the words “public use” to mean “public purpose” as defined by a legislature or administrative agency. Many state courts followed the Supreme Court’s lead and started to uphold virtually any use of eminent domain, even for private parties. What was once an exception to the Constitution’s public use requirement born in a time of concern about urban decline became a means for governments to take property from one private owner to transfer to another private party for his or her financial gain.

For over half a century, unrestrained local and state governments ran roughshod over the Constitution and took private property for private businesses in the name of “urban renewal” or “economic development.” Private homes and businesses were bulldozed, and entire neighborhoods

### *Kelo v. City of New London*

A little pink house became the center for one of the most controversial decisions in the entire history of the U.S. Supreme Court. When Susette Kelo purchased her pink, two-bedroom house in 1997 along the Thames River—a beautiful stretch of waterfront property in New London, Conn.—she thought she had her work cut out for her just restoring the house and designing the garden. That turned out to be the least of her worries.

Unbeknownst to Susette, the city, the New London Development Corporation (a private development corporation) and Pfizer Corporation had reached an agreement. Pfizer would build a new facility nearby. The NLDC would take all of the land in Susette's neighborhood and transfer it to a private developer. The private developer would in turn build an expensive hotel for Pfizer visitors, expensive condos for Pfizer employees, an office building for biotech companies, and other projects to supposedly complement the Pfizer facility. The state and the city would contribute millions of dollars. The only people standing in the way were Susette and her neighbors.

The case eventually reached the U.S. Supreme Court. In 2005, in a bitterly contested 5-4 ruling, the Court held that economic development was a "public use" under the Fifth Amendment to the U.S. Constitution.

After the decision, the remaining residents who had fought to save their homes, including Susette, were forced out. The Fort Trumbull site was completely razed. And it has remained empty ever since—brown, barren fields no longer home to people but rather to feral cats and migratory birds.

In 2009, Pfizer announced that it would close its research and development headquarters and leave New London. The disastrous Fort Trumbull project is now Exhibit A in demonstrating the folly of government plans that involve corporate welfare and that abuse eminent domain for private development. Hopefully, city officials, planners and developers across the country will take the Fort Trumbull experience to heart and pursue revitalization efforts only through voluntary—not coercive—means.

Unfortunately, just as Justice O'Connor had predicted, the Supreme Court's judicial abdication ushered in a new wave of eminent domain abuse nationwide.

As a result, 44 states tightened their eminent domain laws, and 12 states amended their constitutions to ban eminent domain for private gain and to provide for more protections for property owners.

The *Kelo v. City of New London* eminent domain decision of the United States Supreme Court on June 23, 2005 allows municipalities to take land from private individuals and sell it to developers who promise economic development (jobs and tax revenue) for the city. The power for such decisions rests in the hands of a few elites and not the citizens themselves. In a *Newsday* poll, 93.7 percent of Americans polled disagreed with the decision.

This is a clear example of oligarchy subverting democracy. The relationship between democracy and oligarchy was classically discussed by Aristotle, who wrote that "There are, broadly speaking, two kinds of constitutions, 'that of the people' and 'that of the few', democracy and oligarchy."

At the Constitutional Convention, Benjamin Franklin even suggested that the Senate, like the Roman Senate, should represent the interests of the wealthy class, while the House represent the interests of the people. This would ensure that legislation would not be passed unless it truly served the interests of all.

The body of Supreme Court decisions, considered to be constitutional law, has, over time, reversed the founder's desire to make protection of private property one of the pillars of government and instead allows the concept of "public good" as defined by elites to trump individual property rights.

The Founders would be appalled to see what we have done to property rights over the course of the 20th century. One would never know today that their status in the Bill of Rights was equal to that of any other right. The time has come to restore respect for these most basic of rights, the foundation of all of our rights.

Explicit in the Just Compensation Clause is the requirement that the taking of private property be for a public use; one cannot be deprived of his property for any reason other than a public use, even with compensation.

A vigorous four-justice dissent countered that localities will always be able to manufacture a plausible public purpose, so that the majority opinion leaves the vast majority of private parcels subject to condemnation when a higher-valued use is desired.

### **Questions Related to Eminent Domain**

- 1) Is it OCIDA's intent to utilize Eminent Domain Procedure Law (EDPL) to acquire the entirety of the properties on either side of Burnet Road and the Nazarene church, regardless of if they have a corporation signed to purchase the property or not?...Is it the intent of OCIDA to use EDPL to acquire the all the aforementioned properties simply to enable OCIDA to advertise and market the larger property foot print?
  
- 2) If it's a smaller corporation, that needs a smaller footprint, is it still OCIDA's intent to utilize EDPL on the entirety of the properties on either side Burnet Road and the Nazarene church?...Or could some property be allowed to remain and keep their residences on Burnet Road?
  
- 3) Is OCIDA required to have an approved Final GEIS, an approved SEQRA, all the approved required environmental permits mentioned in the DSGEIS, and have an approved project with a corporation signed to purchase the property, in order to proceed with Eminent Domain Procedure Law and start acquiring the properties?

4) What is the minimum requirement and timeline necessary for OCIDA to proceed with EDPL?

The residents of Burnet Road want to understand the details, the process and the timeline, and they deserve answers so they can make informed decisions.

“No agency involved in an action may undertake, fund or approve the action until it has complied with the provisions of SEQRA.” 6 N.Y.C.R.R. '617.3(a). The “purpose of SEQRA is to assure the preparation and availability of an environmental impact statement at the time any significant authorization is granted for a specific proposal.” *Tri-County Taxpayers Assoc. v. Town Board of Queensbury*, 55 N.Y.2d 41, 46-7, 447 N.Y.S.2d 699, 701 (1982). That way, “a decision maker [will] balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project.” *Town of Henrietta v. DEC*, 76 A.D.2d 215, 430 N.Y.S.2d 440, 447 (4th Dep’t 1980); *Briody v. Village of Lewiston*, 188 A.D.2d 1017, 591 N.Y.S.2d 1017 (4th Dep’t 1992).

“[C]ompliance with SEQRA must occur before the agency acts; after-the-fact compliance is of no avail.” *DiVeronica v. Arsenault*, 124 A.D.2d 442, 507 N.Y.S.2d 541, 543 (3d Dep’t 1986). Thus, before an agency can make a “significant authorization” for an “action,” it must have before it either an accepted FEIS and findings, or else a valid negative declaration that the proposal will not have a significant environmental impact. *Devitt v. Heimbach*, 58 N.Y.2d 925, 460 N.Y.S.2d 512 (1983). Otherwise, the action is invalid. *Tri-County Taxpayers Assoc. v. Town Board of Queensbury*, 55 N.Y.2d 41, 447 N.Y.S.2d 699 (1982); *Briody v. Village of Lewiston*, 188 A.D.2d 1017, 591 N.Y.S.2d 1017 (4th Dep’t 1992), *app. den=d 81 N.Y.2d 710, 600 N.Y.S.2d 197 (1993)*.



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