



## **ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

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

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### **Special Meeting Agenda July 27, 2021**

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

- A. Approval of Minutes-June 29, 2021
- B. Conflict of Interest

#### **Action Items**

##### **1. White Pine SEQRA Findings Statement**

###### **Agency Action Requested;**

- a. A resolution of the Board adopting the SEQRA Findings Statement based on the Final SGEIS, which incorporated by reference the Draft SGEIS, for the expansion of the White Pine Commerce Park

**Representative: Jeff Davis, OCIDA Legal Counsel, Barclay Damon**

##### **2. Executive Session**

##### **3. Property Acquisitions**

###### **Agency Action Requested:**

- a. A resolution of the Board authorizing adoption of SEQRA determination consistent with previously adopted Findings Statement.
- b. A resolution of the Board authorizing the Executive Director to enter into three purchase contracts and any related documents with respect to three parcels of property.
- c. A resolution of the Board authorizing the Executive Director to exercise the options to purchase and enter into purchase contracts and any related documents with respect to three parcels of property.

**Representatives: Jeffrey W. Davis, OCIDA Legal Counsel, Barclay Damon  
Robert Petrovich, Executive Director, OCIDA**

#### **Adjourn**

# **SUBJECT TO BOARD APPROVAL**

## **Onondaga County Industrial Development Agency Regular Meeting Minutes June 29, 2021**

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, June 29, 2021 via Zoom Teleconference.

Patrick Hogan called the meeting to order at 8:01 am with the following:

### **PRESENT:**

Patrick Hogan  
Victor Ianno  
Susan Stanczyk  
Kevin Ryan  
Fanny Villarreal

### **ABSENT:**

Steve Morgan  
Janice Herzog

### **ALSO PRESENT:**

Robert Petrovich, Executive Director  
Nancy Lowery, Secretary  
Nate Stevens, Treasurer  
Karen Doster, Recording Secretary, Agency  
Carolyn Evans-Dean, Economic Development  
Len Rauch, Economic Development  
Rebecca Shiroff, Economic Development  
Jeff Davis, Barclay Damon Law Firm  
Darlene Piper

### **CONFLICT OF INTEREST DISCLOSURE**

The Conflict of Interest was circulated.

Jeff Davis stated the regular IDA meetings are on Tuesdays so this is a special meeting duly noticed by the Board.

### **TRACEY ROAD EQUIPMENT, INC./GERALD TRACEY PROJECT (3101-20-03B)**

Jeff Davis stated before the Board is a request and resolution for approval of the execution of lending documents for Tracey Road. He stated the Board approved the financial assistance for

Tracey Road in September in the form of use and tax exemption and mortgage recording tax exemption. He stated the straight lease transaction was closed in December but at that time they did not have their bank financing so they are now before the Board ready to close on their mortgage loan. He stated the IDA needs to join in the mortgage loan in order to provide them mortgage recording tax exemption previously granted. He stated the resolution before the Board is authorizing Mr. Petrovich as Executive Director to enter into the mortgage loan documents that have previously been reviewed by counsel. He stated the amount of financial assistance for the mortgage recording tax exemption that was granted by the OCIDA Board was not to exceed \$3,900,000. He stated the current financing for the mortgage is \$5,500,000 so the exemption will only apply to the portion of the mortgage that was previously approved. He stated they are going for a greater mortgage than what was approved by the Board before in terms of the exemption so they will have to pay a mortgage recording tax on a portion of that and the Agency only exempted the \$3,900,000. He stated before the Board is the resolution authorizing execution of the lender documents.

Patrick Hogan asked if they indicated that they would back before the Board to amend the original PILOT. Jeff Davis stated no.

Victor Ianno stated the IDA is entering into the mortgage document with Tracey Road and asked if the Agency has any liability at all. Jeff Davis stated no. He stated it is how the Agency gets the mortgage recording tax exemption to the applicant.

Kevin Ryan asked what exactly is the IDA signing. Jeff Davis stated because we are in the chain of title with respect to the lease/leaseback transaction, we have to sign on all mortgage recording tax exemptions.

Kevin Ryan asked if we are consenting to letting them take the superior position to us. Jeff Davis stated yes. He stated it is a purely pass through mechanism to allow the exemptions to flow to the applicant.

Victor Ianno asked what happens to OCIDA being on the document in the event there was a default on their part. Jeff Davis stated nothing happens to OCIDA. He stated the Agency is taking on no liability but allowing the exemptions that this Board can provide to an applicant

flow through. Kevin Ryan stated the banks position will be greater than ours and other than that we have no liability.

Robert Petrovich stated the Agency doesn't have a financial interest.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing approval and execution of lender documents for the Tracey Road Equipment, Inc. project. Motion was carried.

#### UPDATE ON THE 2021 WHITE PINE SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (GEIS) COMMENT PERIOD AND RESPONSE PROCESS

Jeff Davis stated we are in the middle of the supplemental GEIS process. He stated the draft went out for public comment and the public comment period ended on June 11. He stated 77 total comments were received through mail, email or those obtained at the public hearing. He stated there were 43 comments opposed to the project in some way or another and 34 in support of the project in one way or another. He stated the main areas of discussion in the comments received were the purpose and need for the project, the alternatives considered by the Board for the project, the land use and zoning, the potential use of eminent domain, traffic and air. He stated Barclay Damon currently is in the process, and hopefully by the end of this week, will have concluded responding to each one of those comments with the consultant, JMT. He stated then that document will go before the Board as part of the process and as required by an EIS process you have to gather all the public comments and respond to them. He stated that becomes an appendix to the EIS. He stated they are going through the 77 comments and responding. He stated many of those are legal comments, question comments and some were technical comments and the Board's consultant is looking at those. He stated all of that would be put together and a packet of material called the final supplemental generic environmental impact statement would be presented to the Board at a later date for consideration of adopting it as a final document. He stated once it is adopted as a final document by the Board then the next step would be at least 10 days after that there would be consideration of a findings statement by the Board to conclude the SEQR process. He stated that is where we are in the process right now and hopefully after July 4 if everything goes according to schedule there will be a document sent to the Board that includes all of those comments with the responses.

Victor Ianno stated he read a couple of the letters that were in the paper yesterday. He stated one very positive letter supporting it and one kind of implying that they are using bad tactics in trying to force people through the threat of eminent domain and he thought that is the give and take of it all. He asked if all the letters were responded to. Jeff Davis stated yes. He stated all the comments received at the public comment, emails and letters are distilled down to various categories. He stated some of them were repetitive questions so you don't have to respond to the same question twice. He stated you put all of those into the categories of the questions and then develop a response for each one. He stated some responses may be point noted and some are to comment and not related to the SEQR process. He stated some comments are more technical related to the SEQR process and specific questions.

Robert Petrovich stated the IDA and the County Executive have been steadfast in their expression of interest and the desire to come to agreement with folks with respect to acquiring the property that would make up the project campus at White Pine. He stated we have and still remain interested in discussing with folks that are not yet with deals in front of the IDA that we would be happy to meet with them and have conversations about coming to a mutually agreeable set of terms and conditions for acquisition. He stated eminent domain is a tool but it is not what we want to do and it is our absolute last resort.

Victor Ianno stated he understands and he is not implying that the IDA was doing something wrong. Robert Petrovich stated there have been some one-on-one conversations but he wants to make sure everyone understands what we are trying to do.

Robert Petrovich stated the County Executive met with folks in Clay last week and listened to comments and concerns with respect to the project. He stated at the end of the day he remains resolute in that we absolutely want to come to an agreement with folks. He stated some folks he is sure are intransigent in their opinion and position and he thinks others are understanding with greater information the magnitude of what is potentially out there and available for Central New York, Onondaga County in particular. He stated he thinks the County Executive was very effective and he thinks he conveyed a message of positivity. He stated some folks don't appreciate having to move but at the end of the day we will work very hard to try to come to an accommodation that meets their needs.

Victor Ianno stated kudos for the County Executive for doing that and he thinks that is great.

Jeff Davis stated it was a 2.5 hour community outreach meeting at the Town of Clay. He stated there was a lot of information exchanged and a lot of back and forth. He stated he thinks it went a long way to provide information to the public.

Patrick Hogan stated he would like to commend everybody involved in the public hearing as well. He stated that was outstanding. He stated one thing he was heartened by was the participation by all segments of the community and he thinks we need to realize that not only if we are lucky enough to end up with what we want out there, it's not only regional transformation implications but national because of the seriousness of some of our industries and their dependence on semiconductor.

Jeff Davis stated what Chairman Hogan is eluding to is the Board determined, although it is not required under the SEQR EIS process to do a public hearing, to hold a 1.5 hour Zoom public hearing during the COVID protocols. He stated there were 31 commenters and probably 70 people on the Zoom hearing total. He stated 11 at that time commented against the project and 20 of the commenters were in support of the project. He stated that was a process that is part of the public notice process and comment process that was undertaken. He stated it was not required but a good positive step to keep the public involved in the process after the draft went out and then receiving all the written comments until June 11. He stated the community outreach meeting was then held last week.

Patrick Hogan stated he thinks everyone on the Board and staff of course realizes the seriousness of this and we have been working on this for many years. He stated he wants to commend the staff because they have crossed every "t" and dotted every "i" in this process.

#### PROPERTY MANAGEMENT OF WHITE PINE SITE

Robert Petrovich stated as the Board knows we have been acquiring property at the White Pine campus. He stated there is a substantial amount of property either under ownership or under control of the IDA. He stated some of the properties have structures situated on them. He stated some folks that we have come to deals with are looking to leave, have moved or sold their properties to the IDA. He stated we need to as part of our stewardship along the road is to not

create an environment of attractive nuisances so staff would like the Board to consider and provide the authority to do what we need to do to maintain, secure and potentially remove structures from land that we have at the White Pine campus. He stated in some instances we need to knock down the grass and in some instances we need make sure the properties that are still standing are secured. He stated ultimately in some situations we are going to be preparing the removal of structures at some point which will required an expenditure of funds.

Patrick Hogan asked if this would be under a County contract. Robert Petrovich stated we have people in our stable of contractors that we can employ for this. He stated we have people already out there mowing grass so this would be an expansion of that. He stated in addition to that in some instances properties need to be secured temporarily and ultimately buildings/structures will need to be removed. He stated we will need to deal with prep work necessary to be able to advance that, specifically asbestos surveys and ultimately raising of the structures.

Patrick Hogan asked if this is something the Greater Syracuse Landbank can get involved with. Robert Petrovich stated we can certainly reach out to Kaitlyn Wright and explore those possibilities. He stated the office is partnering with them on other things.

Jeff Davis stated the first resolution is the use of procurement of studies and reports necessary to eventual removal and the other is for dealing with the maintenance of the properties.

Upon a motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved a resolution authorizing the procurement of studies and reports necessary for eventual removal of structures owned by OCIDA at White Pine. Motion was carried.

Upon a motion by Fanny Villarreal, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the use of OCIDA funds to maintain the property and/or remove structures owned by OCIDA at White Pine. Motion was carried.

Upon a motion by Victor Ianno, the OCIDA Board adjourned the meeting at 8:17 am. Motion was carried.

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Nancy Lowery, Secretary



**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**PAYMENT OF BILL - SCHEDULE #459**  
**July 27, 2021**

**GENERAL EXPENSES**

1.	<u>JMT OF NEW YORK, INC.</u>	\$	1,932.50
	Inv#28-102806, 800 Hiawatha Brownfield Cleanup		
2.	<u>PARK STRATEGIES, LLC</u>	\$	2,500.00
	Inv#16584843, July 2021 Consulting		
3.	<u>SYRACUSE DESIGN GROUP, LLC</u>	\$	360.00
	Inv#5855, Web Site Hosting		
4.	<u>ROBERT PETROVICH</u>	\$	<u>176.68</u>
	Reimbursement for Travel Expenses		
	<b>TOTAL</b>	<b>\$</b>	<b>4,969.18</b>

**White Pine Commerce Park**  
**New York State Environmental Quality Review Act**  
**Findings Statement**  
**Town of Clay, Onondaga County, NY**

**Lead Agency:** Onondaga County Industrial Development Agency  
Robert M. Petrovich, Executive Director

**Address:** 333 W. Washington Street, Suite 130  
Syracuse, NY 13202  
(315) 435-3770

Pursuant to Article 8 (New York State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law and its implementing regulations under 6 NYCRR Part 617, the Onondaga County Industrial Development Agency (“OCIDA”) as the Lead Agency makes the following findings.

**NAME OF ACTION:**

White Pine Commerce Park  
5171 Route 31  
Town of Clay, NY 13041

**DESCRIPTION OF ACTION:**

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 prospective tenants. OCIDA, as Project Sponsor, proposes to expand the Park to approximately 1,250± acres (the “Project” or “Action”).

The expanded Park may employ up to 4,000 employees and operate up to 4 million square feet of facilities. Potential facilities include the following use types:

- manufacturing/fabrication/assembly space
- laboratory, research and development (“R&D”) space
- logistics, warehousing, and/or shipping & receiving space
- office and administration space
- manufacturing support facilities, outdoor utility spaces, maintenance areas, waste facilities, and service/storage yards
- on-site energy generation or electrical substation space
- wastewater treatment systems or pump stations
- paved area for parking (which may include parking garages), loading, internal road circulation and/or shipping/receiving areas

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 and to minimize potential environmental impacts.

The Park has many important attributes that make it particularly well suited to large-scale industrial 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 southeast of the project. 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.

The presence of rail and critical utilities, particularly electric and water, with sufficient capacities necessary to support industrial development are available. The Park has access to an active CSX rail line that crosses Caughdenoy Road adjacent to the site. The rail line provides freight connections to the Midwest U.S. and southern Canada through the Syracuse area.

The Park can be readily connected to adjacent utilities including public water, electric, fiber optic and broadband, telephone, and natural gas services. Ample electric power is available at the National Grid Clay substation located just west of Caughdenoy Road, opposite the Park.

## **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, New York. The Park is approximately 7 miles north of the City of Syracuse.

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.

## **PROPOSED DEVELOPMENT:**

The contemplated development of the Park, as evaluated in the 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 as evaluated in the Final SGEIS 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 Final Generic Environmental Impact

Statement (“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 Waste Water Treatment Plant (“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; and
- 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 is anticipated to 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 the Final Supplemental GEIS (“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.

## **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.

## **AGENCY JURISDICTION:**

OCIDA is acting as SEQRA Lead Agency.

The potential scope and scale of the project will require specific approvals and permits during various stages of project planning, engineering and design, and site development. Many permits and approvals to be issued by involved agencies, such as highway work permits from State or County departments of transportation, will be sought once there is a specific development proposal for the Park and actual site development plans have been prepared and advanced to the point that specific industrial tenant requirements and project components become known. Project site plan reviews, approvals and permits may be sought from various agencies including, but not limited to the following list of Involved and Interested Agencies identified for the Project:

- Onondaga County Department of Transportation
- Onondaga County Department of Health
- Onondaga County Department of Water Environment Protection
- Onondaga County Water Authority
- Onondaga County Industrial Development Agency
- Syracuse Metropolitan Transportation Council
- New York State Department of Transportation
- New York State Department of Environmental Conservation
- New York State Office of Parks, Recreation and Historic Preservation
- United States Army Corps of Engineers
- United States Fish and Wildlife Service
- Town of Clay
- Town of Clay Town Board
- Town of Clay Zoning Board of Appeals
- Town of Clay Planning Department
- Syracuse Onondaga County Planning Agency
- Town of Cicero

**DATE FINAL ENVIRONMENTAL IMPACT STATEMENT FILED:**

**JULY 16, 2021**

## SEQRA REVIEW PROCESS:

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 environmental impact statement (“EIS”). As specific tenants and uses within the Park were unknown at that time, OCIDA prepared a generic EIS (“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 2013 FGEIS 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 was prepared by OCIDA and accepted as complete on September 10, 2013 (“2013 FGEIS”). OCIDA thereafter issued its Findings Statement on October 8, 2013 (“2013 Findings Statement”). OCIDA concluded that the action avoided or minimized adverse



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

In 2019, OCIDA proposed to expand the Park. OCIDA therefore 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 expansion of the Park 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 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 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.

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

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 NYCRR § 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. In addition, comments were received from two state agencies.

Subsequent to the Draft SGEIS and as required by SEQRA, OCIDA prepared a Final SGEIS. The Final SGEIS incorporates by reference the entire Draft SGEIS and its Appendices and responds to all substantive comments received on the Draft SGEIS. On July 16, 2021, OCIDA adopted the Final SGEIS as complete and filed it in accordance with SEQRA.

The 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.

Sections 617.10 (a) and 617.10 (c) of the Regulations provide detailed guidance regarding the approach to be taken in generic EISs. Accordingly, the Final SGEIS incorporates the approach described in Sections 617.10 (a) and 617.10 (c) of Part 617. In summary, the intent of the Final SGEIS, which incorporated by reference the Draft SGEIS, was to:

- Be broader, and more general than a site or project specific EIS;
- Discuss the logic and rationale for the choices advanced;
- Present and analyze, in general terms, hypothetical scenarios that could or are likely to occur;
- Identify the important elements of the natural resource base as well as the existing and projected cultural features, patterns and character;
- Include assessments of specific impacts if such details are available, although in many cases these assessments will be based on conceptual information;
- Set forth specific conditions or criteria under which future actions will be undertaken or approved, including thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site specific impacts, not adequately addressed or analyzed in this generic EIS; and,
- Discuss in general terms the constraints and consequences of any narrowing of future options.

Regarding the need for and effect upon future assessments, §617.10 (d) of the Regulations provides specific guidance relative to the subsequent need for SEQRA compliance following the filing of a final generic EIS and its findings statement. The outcome generally depends upon whether the subsequent action or component would be carried out in conformance with the conditions and thresholds established in the generic EIS or its findings statement, whether the generic EIS and its findings statement addressed the subsequent action or component adequately, and whether the subsequent action or component may have one or more significant adverse environmental impacts.

## **BENEFITS OF THE PROPOSED ACTION:**

High-tech advanced manufacturing holds the promise of transforming the Onondaga County economy through new high-paying jobs, significant financial investment and increased economic activity:

- The Park is expected to create thousands of construction jobs and up to 4,000 permanent jobs should a semiconductor manufacturer chose this location. Luther Forest Technology Campus's experience, outside Albany, with its GlobalFoundries facility, is revelatory. In Saratoga County, the number of people employed between 2011 and 2021 increased 3.47%, while in Onondaga County the rate stayed flat.
- New jobs are expected to be high-paying, with the average salary for permanent positions to be approximately \$100,000+ annually.
- Bringing high-tech industry to the Park and Onondaga County is expected to generate \$10 billion in investment at the Park which will spark added investment in a variety of other companies and organizations in the area providing opportunities for students currently in the area or looking to move into Onondaga County.
- The investment in the Park will create a robust supply chain of companies that will service a high-tech advanced manufacturing organization.
- A reduction in poverty is anticipated from development of the Park. Looking at the Luther Forest Technology Campus's experience, between 2013 and 2019, the number of SNAP Benefits recipients in Saratoga County decreased at a rate (-4.03%), significantly greater than what was seen in Onondaga County (-1.73%).
- Development of the Park is anticipated to be an opportunity for all members of the community. Secondary benefits could include increased restaurant patronage, increased attendance at concerts and events, fully supported civic and cultural organizations, additional concerts or shows and a buzz typically associated with high-tech hubs. Other growing cities have seen these types of projects positively impact their lifestyle environment.
- 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, New York and also investing \$1 billion dollars to build a second semi-conductor fabrication plant in Malta.

Furthermore, development of the Park will bolster chip manufacturing in the United States and further national security. 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 (a/k/a the 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.

### **FACTS AND CONCLUSIONS RELIED ON TO SUPPORT THE DECISION:**

As Lead Agency, OCIDA must consider in its Findings Statement the relevant environmental impacts, facts and conclusions disclosed in the Final SGEIS (which includes by incorporating the Draft SGEIS together with the attachments to both), and then certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable. In developing this SEQRA Findings Statement, OCIDA has reviewed and considered the Final SGEIS (which incorporates the Draft SGEIS) together with its appendices, as well as the following documents:

- 2013 White Pine Commerce Park Findings Statement, adopted October 8, 2013
- 2013 White Pine Commerce Park FGEIS (which incorporates the DGEIS), accepted as complete on September 10, 2013
- Letter from NYSDEC, dated March 5, 2021
- Letters from New York State Department of Transportation ("NYSDOT") dated June 11, 2021 and July 8, 2021
- Emails from NYSDOT, dated July 9, 2021 and July 12, 2021, including attached technical comments
- Letter from New York State Office of Parks, Recreation and Historic Preservation ("OPRHP"), dated May 27, 2021
- *Town of Clay Northern Land Use Study* (2013)
- *Development Guide for Onondaga County* (2010)

As Lead Agency, OCIDA finds that consistent with social, economic and other essential considerations from among the reasonable alternatives available the, Project avoids, minimizes or mitigates to the maximum extent practicable all significant adverse environmental impacts.

### **PROJECT IMPACTS AND MITIGATION:**

The Final SGEIS, including incorporation of the Draft SGEIS by reference, coupled with OCIDA's environmental review of the Park that culminated in a Findings Statement in 2013, identifies both short-

term, construction-related activities and long-term impacts associated with the Project. Below is a discussion of the potential impacts of the Project by topic (including impact thresholds), as well as mitigation to reduce or eliminate potential adverse impacts and the Planning Board's analysis of each, which supplements the discussion of project impacts and mitigation set forth in the 2013 Findings Statement.

### ***Land Use and Zoning***

Land uses within the proposed expanded Park have remained consistent since the 2013 Findings Statement and 2013 FGEIS. The proposed expanded Park footprint consists primarily of undeveloped land. To the extent development exists, it is limited to residential, commercial, and public utility uses and structures (*i.e.*, electric transmission lines, telecommunications tower) scattered along NYS Route 31 and Caughdenoy Road, with approximately three dozen residences located along Burnet Road. Existing improvements and structures within the expanded Park footprint are located close to existing road frontages, leaving the remainder of the expanded Park in its natural, undeveloped state. The majority of the Park is relatively flat and vegetated with grasses, shrub, and wooded areas that have developed as the area continues to transition from former farmland.

The area surrounding the Park was once a rural area comprised of farmland and agricultural uses. The surrounding area is undergoing gradual changes as a more suburban type of development unfolds, primarily along NYS Route 31, but much of the area closest to the Park has maintained a rural character due to large swaths of undeveloped land. While farming activities are conducted within a small portion of the proposed expanded Park, the Park is not located within or near a NYS certified agricultural district.

The proposed expanded Park is located within the Town of Clay and is subject to the zoning requirements contained in the Town's Zoning Code and the zoning district designations contained in the Town's Zoning Map. Of the proposed expanded Park's approximately 1,250± acres, 346± acres are zoned as Industrial 2 (I-2), 856± acres are zoned Residential Agricultural (RA-100), and 36± acres are zoned One Family Residential (R-15). Burnet Road comprises the remaining 12 ± acres that make up the expanded Park. Approximately 850± acres of privately owned land located on Caughdenoy Road west and north of the Park is zoned I-2, with additional parcels zoned RA-100. The parcels directly south of the Park along NYS Route 31 are zoned Highway Commercial (HC-1) and RA-100. The parcel located adjacent to the southeastern corner of the Park is zoned Planned Development District ("PDD"). The proposed expanded Park's eastern property line is the boundary between the towns of Clay and Cicero.

The proposed expanded Park contains multiple zoning designations, not all of which are compatible with the intended future use and development of the Park. The expanded Park will therefore require the approval by the Town of Clay Town Board of either a zone change to I-2 for the portions of the Park that are not zoned I-2 or a PDD that encompasses the entire Park footprint to allow the type of uses OCIDA seeks for the Park.

If a zone change to I-2 is obtained, future development of the Park must comply with the specific use, performance, and design requirements for that district. Additionally, the potential future development of the Park will be subject to site plan review and approval by the Town of Clay Planning Board, which may require alterations of the plan and impose specific design or other conditions associated with such development to ensure compliance with the Zoning Code. Visual buffering (*e.g.*, retention of existing

trees in certain areas), building and site design features, and other Project-related issues will be reviewed and coordinated as part of any future development to avoid and/or minimize potential adverse impacts to nearby properties.

Alternatively, if OCIDA opts to pursue PDD approval for the expanded Park, a similar result would occur. OCIDA and/or a potential future developer would work collaboratively with the Town of Clay to customize the development of the Park in ways that are not permitted or feasible in the I-2 district. Development standards that are typically applicable to existing zoning districts would not exist and would instead be established jointly with the Town through meetings with the Town Board and Planning Board in accordance with the Zoning Code. Such standards and requirements would be created with an eye toward minimizing potential adverse impacts associated with development and use of the Park while also maximizing the opportunities presented by the expanded Park. Similar to site plan review above, the Town of Clay would take efforts to ensure that specific features and mitigation measures are incorporated into the design and function of the future site development.

OCIDA finds that the proposed mitigation measures that will be implemented once there is a specific development proposal through either a zone change or a PDD will avoid, minimize and mitigate the potential impacts to land to the maximum extent practicable, subject to the Town of Clay's review of any project specific application concerning the future use and development of the expanded Park.

### ***Community Character***

The Town of Clay is the largest suburban town in Onondaga County. The Town has a diverse economic base, and industrial uses are scattered throughout the Town, including a developed industrial corridor between Henry Clay Boulevard and Morgan Road approximately 5 miles southwest of the Park. The population of the Town along with its pace of development has remained mostly unchanged since the 2013 Findings Statement and 2013 FGEIS. The character of the area immediately surrounding the Park remains generally rural in contrast to the more developed areas of the Town of Clay and nearby Town of Cicero.

NYS Route 31 represents the primary east-west traffic corridor in the Town of Clay north of I-481 and carries a high volume of traffic between Clay and Cicero. Nearly all travel in the vicinity of the project site is by personal vehicle, which remains unchanged since the 2013 FGEIS. There is little public transit and pedestrian use along major roadways, including NYS Route 31, and the area immediately surrounding the proposed expanded Park lacks sidewalks or other pedestrian facilities (crosswalks, etc.) that would otherwise encourage pedestrian use. While NYS Route 31 is a designated part of New York State Bike Route 5, bicycling activity is not typical along the road or surrounding area. The CSX rail line that provides freight service crosses NYS Route 31 southwest of the Park.

Visually, the western portion of the expanded Park contains few structures or natural features of any significance. The topography of the area is generally flat, which is typical of the Town of Clay and the northern portion of Onondaga County. Undeveloped areas contain mixed upland and wetland vegetation including grasses, shrubs, and woodlands. These resources are described in detail later in this chapter under existing ecology and vegetation. The area of the expanded Park that includes Burnet Road contains approximately three dozen residential properties that have been or will be acquired by OCIDA through voluntary purchase agreements or pursuant to the EDPL to help establish the expanded Park footprint.

These residential properties will be rezoned to support the proposed development of the Park and existing structures removed from the property.

Electrical utilities, including the National Grid electrical substation located just west of the Park and the NYPA and National Grid transmission lines passing through the northern third of the site are prominent visual features in the area. A telecommunications tower also exists within the expanded Park adjacent to the southeastern corner of the current Park footprint. The presence of these public utility structures and uses incorporates an industrial element to the otherwise undeveloped character of the area.

Existing development in the area surrounding the existing Park is either low density single-family suburban style housing or older style rural homes and former farmland. A few business and commercial uses exist along Caughdenoy Road and NYS Route 31 west and south of the Park. With the exception of the area extending north of the Park for several miles that remains largely rural and undeveloped or sparsely developed, surrounding areas in other directions become more densely developed farther away from the Park. Areas east of site along NYS Route 31 and Brewerton Road in the Town of Cicero contain dense concentrations of business and commercial development with residential development interspersed throughout. Higher-density residential and commercial development along the NYS Route 31 corridor within the Town of Clay occurs mostly to the south and southeast of the Park along Stearns Road and Caughdenoy Road north of I-481. Areas farther west of site transition from suburban residential into a developed, high-traffic shopping area along NYS Route 31 around the I-481 interchange. The development of retail, commercial and residential growth farther away from the Park in both directions along NYS Route 31 in Clay and Cicero is due in large part to the proximity of NYS Route 31 to I-81, I-481, I-90 and the Syracuse Hancock International Airport. Together, those features have made the greater surrounding area attractive to many forms of development.

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 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.

Undeveloped portions of the Park will likely be maintained as wetlands, vegetated greenspace and integrated into stormwater management and other site design features. Additionally, greenspace would be used to meet setback requirements or other design thresholds that may be included in a PDD or site plan. Greenspace may also be incorporated in the tenant facility design/layouts to serve aesthetic purposes, establishing a campus-like setting for tenant employees and visitors.

With respect to the acquisition and removal of residential properties to enable the creation and future development of the expanded Park, OCIDA will negotiate to purchase these properties at fair market value and pay the seller's normal transaction costs of updating the title and survey, recording fees, transfer taxes and other similar expenses in connection with the transfer of these properties as well as the pro rata portion of real property taxes, water rents, sewer rents, special ad valorem charges and other similar charges. In the event it is necessary to acquire any such properties pursuant to the EDPL, as condemnor, OCIDA will offer just compensation based on the fair market value determined by its highest

approved appraisal, and the respective property owners will have the right to challenge the amount of such just compensation under EDPL Article 5. OCIDA will also pay, upon acquisition, any costs associated with recording fees, transfer taxes, penalties incurred by the condemnee for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the property, and the pro rata portion of real property taxes, water rents, sewer rents, special ad valorem taxes and other similar charges.

OCIDA finds that the proposed mitigation measures will avoid, minimize and mitigate the potential impacts to community character to the maximum extent practicable, subject to the Town of Clay's review of any project specific application concerning the future use and development of the expanded Park.

### ***Transportation***

#### ***Operational Traffic***

The impacted traffic area includes both the Town of Clay and Town of Cicero in New York. A total of 14 intersections along NYS Route 31 were studied from the western limits of NYS Route 481 to the eastern limits of CR 123 (Lakeshore Road) and southern limits of Caughdenoy Road at Maple Road/NYS Route 481. The intersections include: 1. NYS Route 31/NYS Route 481 Southbound Off Ramp/Soule Road 2. NYS Route 31/NYS Route 481 Northbound Ramps 3. NYS Route 31/Marketfair Plaza 4. NYS Route 31/Great Northern Mall West Driveway/Water Board Lane 5. NYS Route 31/Great Northern Mall East Driveway/La-Z-Boy Driveway 6. NYS Route 31/Morgan Road (CR 46) 7. NYS Route 31/Henry Clay Boulevard (CR 265/CR 121) 8. NYS Route 31/CR 49 (Caughdenoy Road) 9. NYS Route 31/Legionnaire Drive/Lawton Road 10. NYS Route 31/US Route 11 11. NYS Route 31/I-81 Southbound Ramps 12. NYS Route 31/I-81 Northbound Off Ramp/CR 253 (Pardee Road) 13. NYS Route 31/CR 123 (Lakeshore Road) (unsignalized) 14. CR 49 (Caughdenoy Road)/CR 197 (Maple Road)/NYS Route 481 Northbound Off-ramp (unsignalized)

Since the preparation of the 2012 Traffic Impact Study ("TIS") that was part of the DGEIS and finalized in the 2013 FGEIS, traffic roadway changes include:

- The addition of exclusive eastbound and westbound left turn lanes along NYS Route 31 at Henry Clay Boulevard;
- The unsignalized intersections of NYS Route 31/Caughdenoy Road and NYS Route 31/Legionnaire Drive/Lawton Road were signalized;
- The Caughdenoy Road/NYS Route 31 intersection was also recommended for right and left turn lane additions; however, the current development assumptions have changed with multiple site entrances.

The development of the Park will add new vehicle trips to the adjacent road network, most notably along NYS Route 31 and adjacent sections of Caughdenoy Road. NYS Route 31 provides access to residential and commercial developments along its length between County Route 57 and Thompson Road. In the immediate vicinity of the project site, NYS Route 31 provides access mainly to residential development. In the area of the Park NYS Route 31 is a two-lane roadway, approximately 40 feet in width, with one travel lane in each direction and approximately 8-foot paved shoulders.



As there still is no specific tenant currently proposed for the Park, a new TIS was prepared as part of the Draft and Final SGEIS to evaluate potential traffic impacts associated with the proposed expanded Park, taking into consideration a potential manufacturing facility which would also have office, warehouse, research, and associated functions. Traffic impacts were evaluated based a proposed expansion and potential development of the Park, including supporting between 3,750 to 4,000 employees (4,000 used for the traffic 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. Based on these assumptions and the ITE Trip Generation factors for a manufacturing facility, the total estimated trips were determined to be 493 trips in the AM peak hour and 440 trips in the PM peak hour.

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.

During the Year 2024, the addition of the proposed future development assumed traffic causes delay increases at most intersections. During this scenario, the intersections along the NYS Route 31 corridor that have LOS E or F movements include: Henry Clay Boulevard, US Route 11, I-81 southbound off ramp, I-81 northbound off ramp, and Lakeshore Road.

Capacity analysis was performed, and the following capacity improvement measures have been recommended to address LOS, travel speeds, delay, and safety:

- NYS Route 31 at Henry Clay Boulevard: Construct a northbound left turn lane.
- NYS Route 31 at US Route 11: Construct an additional left turn lane to provide for westbound dual left turn lanes and modify left turn phasing from permissive/protected to protected.
- NYS Route 31 at I-81 Southbound Ramps: Construct an additional left turn lane to provide westbound double left turn lanes and change westbound left turn phasing from permissive/protected to protected and widen to two lanes on the on-ramp before merging to a single lane prior to the merge on to I-81.
- NYS Route 31 at I-81 Northbound/ Pardee Road: On I-81 northbound off ramp construct an additional left and right turn lane.
- NYS Route 31 at Site Entrance 2: An addition of a left turn lane along NYS Route 31 eastbound and a right turn lane along NYS Route 31 at the site entrance. A left and right turn will be provided out of the site. A traffic signal is recommended at the intersection.
- Caughdenoy Road at Site Entrance 1: A right and left turn lane will be provided from the site entrance and along Caughdenoy Road.
- NYS Route 31 at Lakeshore Road: Concepts have been developed and coordination will take place with NYSDOT for future consideration.

A crash analysis was performed for three locations from the 2017-2019 High-crash Location list. Between May 1, 2015 and April 31, 2018, there were 462 total crashes at the three study area segments. The proposed recommendations detailed in the TIS include mitigation measures at each of these locations based on a review of capacity analysis and collision type.

The intersection of NYS Route 31 and Lakeshore Road is an existing capacity and safety area of concern. To address this, five alternatives were developed. The final mitigation alternative will be reviewed and decided in the future in coordination with NYSDOT.

Overall, the transportation network with Development and Build improvements will operate better than existing conditions. With the proposed recommendations, the study area will maintain an acceptable Level of Service of D or better in design year 2024.

Based on the TIS 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. At this time, specific traffic mitigation have not been selected. This is a generic environmental review that was undertaken to evaluate the proposed expansion of the Park and not a specific development proposal. There is no site plan or specific development proposal at this time. Once there is a specific development proposal and a site plan is available, such that vehicle volumes and movements are more predictable, OCIDA will work with NYSDOT to confirm the exact nature and extent of potential operational and safety impacts associated with the development, evaluate NYSDOT's recommendations and adopt final traffic improvement mitigation measures.

#### *Construction Traffic*

Prior to site construction, including the installation and extension of utilities, a maintenance and protection of traffic plan will be prepared by the contractor(s) to maintain safe and adequate traffic flow in the construction areas. The contractor(s) will be required to consult with the appropriate State, County and local Town highway officials to identify construction routes and traffic safety procedures. The NYSDOT will be consulted, and permits will be obtained for work along any state routes, including NYS Route 31 and working within the State right-of-way. The Onondaga County Department of Transportation will be consulted, and permits will be obtained for work along any county routes, including Caughdenoy Road and within the County rights-of-way.

To minimize the disruption to traffic along affected roadways, it is anticipated that directional drilling under existing roads will be utilized to the maximum extent practicable in installing and/or extending utilities, including the proposed sewer force main. In addition, traffic control procedures will be implemented during construction consistent with State and local requirements. Mitigation measures will include, but not be limited to using flag persons, warning and directional signs, and temporary detours.

OCIDA finds that the proposed mitigation measures will avoid, minimize and mitigate the potential transportation and traffic impacts to the maximum extent practicable.

#### *Utilities & Community Services*

There have been no significant changes since 2013 in the location of existing electric, natural gas, and water utilities in the vicinity of the Park. Updated estimates of the potential demands for electric, gas and water supplies, and estimates of sanitary waste volumes have been developed based on the types of industry OCIDA is seeking to attract to the proposed expanded Park:

- Power – up to 500 megavolt-amperes (“MVA”)

- Water – 5 million gallons per day (“MGD”)
- Wastewater – 4 MGD
- Natural Gas – up to 7,000 meters cubed per hour (“m<sup>3</sup>/hr”)

OCIDA anticipates that these capacities are adequate to accommodate high technology industries including, but not limited to, semiconductor and semiconductor manufacturing.

The existing transmission infrastructure can presently provide up to 540 MVA to the Park, and up to 1,200 MVA is possible in the long term. The estimated Project demand of 500 MVA is within the levels that National Grid has indicated can be provided. No mitigation would be required. No mitigation would be required for fiber optic and phone service which typically expand to meet local demands.

The extension of the gas main from Gas Regulator Station #147 to the Project site, up to 750 dekatherms per hour (“dth/hr”) can presently be provided to the Project site with projected future availability of 1,000 dth/hr. The estimated demand of 7,000 m<sup>3</sup>/hr, equivalent to 245 dth/hr, for potential Park users is within the levels that National Grid has indicated can be provided. No mitigation would be required.

Two routes have been considered to connect the Park to the Gas Regulator Station, a proposed route and an alternative route. The location of the proposed route lies within previously disturbed public and utility rights-of-way over much of the length of the proposed route. The alternative route makes use of public rights-of-way for the entire length of the route, but is longer than the proposed route.

Permanent and temporary easements would be required along either route. Installation of new gas mains will involve temporary construction impacts along the route. Impacts may include ambient noise, soil disturbance, and interruption of traffic at construction access points. These temporary impacts will be mitigated through proper construction and best management practices. Trenching, boring and horizontal directional drilling will be utilized to minimize disruption of traffic during construction and to minimize impacts to any wetlands that may be delineated along the route of the proposed gas line. Best management construction practices will be used, including, soil and erosion control and stormwater management. Disturbed areas will be re-graded and reseeded to pre-construction conditions.

Since the proposed route is shorter than the alternative route, construction along the proposed route would result in fewer impacts and it is therefore preferred as the proposed route over the alternative route.

The wastewater capacity for up to 4.0 MGD is currently available at the Oak Orchard WWTP. The estimated sanitary sewer discharges from potential development of the expanded Park of 4.0 MGD are within the levels that Onondaga County Department of Water Environment Protection (“OCWEP”) has indicated they can accommodate. No mitigation is required. Further OCWEP had previously commenced the design of the conveyance infrastructure to serve lands within the surrounding district and future development areas. OCWEP estimates that conveyance infrastructure will be available within 24 months.

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.

The conveyance infrastructure to support developments in the surrounding district including the Park will consist of six-inch and 12-inch diameter PVC force mains. These lines will be located along Caughdenoy

Road and in the existing 99-foot wide Metropolitan Water Board easement that parallels NYS Route 31, and the County's easement that contains the Davis Road Force Main and the Clay – Cicero Force Main to the Oak Orchard WWTP. Installation of new sewer lines will require temporary construction from existing rights-of-way in the area. These temporary impacts will be mitigated through proper construction and best management practices.

Since the majority of the proposed sewer route follows existing Metropolitan Water Board ("MWB") and OCWEP easements, the need to procure permanent easements along this route is practically non-existent. However, temporary construction easements required for the installation of bored crossings may be required and to the extent permanent easements are required they will be acquired by OCWEP by negotiated purchase or pursuant to the EDPL. The use of borings under roads and the CSX rail line will minimize disruption of traffic and the need for reconstruction and resurfacing of roadways. Temporary traffic detours may be needed at road crossings.

Trenching will be used through upland areas along the MWB and OCWEP rights-of-way. Most upland areas along the rights-of-way are active cropland or vacant farm fields consisting of shrubs. Best management construction practices will be used in these areas including soil and erosion control and stormwater management. Disturbed areas will be re-graded and reseeded to pre-construction conditions.

Wetland mapping shows that federal and state wetlands are potentially present in certain parts of the proposed routes of the utility improvements. Should field surveys verify regulated wetlands are present during the course of preparation for utility line construction, the proposed force mains and gas line will be installed through wetland areas using horizontal directional drilling ("HDD") methods to avoid adverse impacts.

Public water service is available from adjacent water lines to the Park. 3,700 gpm at 20-psi is available for the Park. Central New York Water Authority ("OCWA") indicates the current availability for the Park is 1 MGD. OCWA has plans in place that would allow a supply of 5 MGD within 180 days, and potential to provide 11 MGD at an 18 month to two-year horizon. The expanded Park's estimated water demand of 5 MGD 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. No mitigation would be required.

Community services in the vicinity of the Park include fire, police and emergency response, parks and recreation, schools and other community services such as places of worship. These services remain largely unchanged from 2013. The area is served by the Clay Fire Department, North Area Volunteer Ambulance Corps ("NAVAC"), and Northern Onondaga Volunteer Ambulance ("NOVA"). The Park is in the North Syracuse Central School District which had an enrollment of approximately 8,500 pupils in 2020. The inventory of places of worship in the vicinity of the park is largely unchanged since the 2013 FGEIS was prepared. At least one new church affiliated building, the Upstate New York District Church of the Nazarene, has been built immediately east of the intersection of NYS Route 31 and Burnet Road. The Church uses this location as its main offices for the Nazarene District.

Future tenants of the Park are expected to provide security and basic emergency preparedness programs for their own facilities. New York State and federal regulatory agencies, such as the United States Environmental Protection Agency ("USEPA"), have specific requirements for managing hazardous

materials which may be stored on site. Tenants will be required to adhere to all such regulatory requirements. As appropriate based on their industry, tenants of the Park will be expected to have emergency response plans that outline procedures to be undertaken to deal with fire, spills, injuries, etc. Emergency response plans will be reviewed by local officials to ensure that public service providers are properly prepared and equipped in the event they are needed to support tenant security personnel. Tenants are expected to provide on-site water storage for fire suppression and emergency operations. The specifications for fire suppression systems are stipulated in national building and fire codes. The plans for fire suppression and control systems are reviewed and approved by local emergency officials. With the noted life safety, security and emergency response provisions required of future Park tenants, development of the expanded Park is not anticipated to create a burden on the provision of police, fire, and emergency services. No mitigation is required at this time.

Development of the Park will not result in the loss of public open space. The existing snowmobile trail that intersects the northern portion of the Park is not anticipated to 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 at that time. 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. No mitigation is required.

It is assumed that the future employment opportunities at the Park could bring up to 4,000 new households to the area. New households and primary school students would likely be distributed throughout the Syracuse Metropolitan Statistical Area (“MSA”). 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. No mitigation is required.

OCIDA intends to acquire the property on which the Upstate New York District Church of the Nazarene is located by negotiated purchase or pursuant to the EDPL and other applicable law. The parcel will become part of the Park and the building will be removed, requiring the Nazarene District office to be relocated. Any community services provided by the church at this location (*e.g.*, counseling, meeting space, day care programs, and clothing and food distribution, etc.) would be curtailed by development of the Park.

OCIDA finds that the proposed mitigation measures will avoid, minimize and mitigate the potential impacts to utilities and community services to the maximum extent practicable.

### ***Topography, Geology, & Soils***

The topography of the Project Site is generally the same as considered in the 2013 Findings Statement and 2013 FGEIS. The ground is relatively flat to gently sloping, with site elevations ranging from about 380 to 430 feet above mean sea level (“amsl”). Highest elevations are in the southern portion of the site near NYS Route 31 and the lowest elevations occur in the north part of the site. The site drains to the

north towards Youngs Creek, which is a tributary to the Oneida River. Elevation at the expanded Park is most variable along a small ridge located in the central portion of the site. This feature is located approximately 2,000 feet north of NYS Route 31 and generally runs parallel to the road for approximately 3,000 feet. Any potential impacts to topography of the proposed expanded Park would be relatively minor and are consistent with the finding of 2013 FGEIS. No additional mitigation for onsite topographic changes was determined to be necessary.

The surficial deposits in the vicinity of the expanded site consist primarily of lacustrine silts and clays deposited in former glacial lakes. These are generally fine-grained and laminated soils. Bedrock beneath the site is mapped as dolostone/limestone, belonging to the Lockport Group. No bedrock outcrops have been noted on the project site. There are no mineral resource extraction areas (gravel pits, mines, quarries, oil/gas wells, etc.) present on the expanded site and the area is seismically stable. Site development will not affect any geologic resources since there are no unique geologic features at the expanded site or in the immediate vicinity. Shallow bedrock is present in some portions of the site and the need for potential blasting during construction and preparation of a blasting plan were discussed in the 2013 FGEIS. No additional mitigation for geologic resources was determined to be necessary.

Similar to the park as evaluated in the 2013 Findings Statement and 2013 FGEIS, the expanded site contains a variety of soils. Based on the physical features of the expanded site, the most likely area for development is west of Burnet Road. In this area, the amount of hydric soils (Cd, FL, and Pb) is approximately 18.7 acres. Hydric soils are characterized by poor drainage. Portions of the expanded site were used for farming in the past. About 40% of the Park soils are considered prime farmland and 9.7% of soils are farmland of statewide importance. Although agriculturally viable soils exist on the site, actual agricultural activity is limited. Most of the expanded site is currently vacant woodlands. Agricultural activities (primarily hayfields) are located at the northern end of Burnet Road. Some cultivated fields also exist in this area. No designated Agricultural Districts exist on the project site and the closest Agricultural District is approximately one-mile northwest. 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. This will result in a small, unavoidable impact. Mitigation for soils was detailed in the 2013 Findings Statement and no additional mitigation for onsite soil disturbance is necessary. Offsite utility trench construction will require a NYSDEC State Pollutant Discharge Elimination System ("SPDES") permit for construction. This permit will require that erosion control and site restoration measures be established to mitigate any potential impacts to soil.

OCIDA finds that the proposed mitigation measures will avoid, minimize and mitigate the potential impacts to topography, geology, and soils to the maximum extent practicable.

### ***Water Resources***

The Park is relatively flat to gently sloping. Groundwater is expected to flow northward, based upon regional topography and surface water drainage, which is consistent with the Park as it is proposed in the 2013 FGEIS and 2013 Findings Statement.

The expanded Park is not situated within a primary, principal, or sole source aquifer, although the proposed utility and sewer line routes are partially situated within unconsolidated, confined aquifers. The proposed road improvement to Henry Clay Boulevard is also located within this sand and gravel aquifer.

The Park includes several classified streams, including Youngs Creek and several of its tributaries. The proposed gas line connection crosses Shaver Creek and two of its tributaries. The proposed roadway improvements are not expected to comprise of any stream crossings.

There are no Federal Emergency Management Agency (“FEMA”) mapped floodplains or Special Flood Hazard Areas within the Park or within the proposed gas line route. The site lies entirely within FEMA flood zone X, which is an area of minimal flood hazard. The preferred sewer line route, however, does have the potential to fall within a mapped FEMA floodplain. Some of the roadway improvements also have the potential to fall within a mapped FEMA floodplain.

Although the Town of Clay and the Town of Cicero are both designated Municipal Separate Storm Sewer Systems (“MS4”), the site is not located within either of the designated MS4 boundaries. The MS4 boundaries, however, are immediately south and east of the site. As part of the SPDES Construction General Permit and Stormwater Pollution Prevention Plan (“SWPPP”), which is an anticipated requirement of Park development, 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.

Construction and operational activities at the Park are not expected to have any significant impact to either groundwater and surface water quantity or quality. Furthermore, standard best engineering practices will be employed to minimize any changes to existing topography and vegetative cover which will minimize any related impacts to surface drainage and water quality. As such, no additional mitigation for water resources, beyond what was identified in the 2013 FGEIS and 2013 Findings Statement is necessary.

OCIDA finds that the proposed mitigation measures will avoid, minimize and mitigate the potential impacts to water resources to the maximum extent practicable.

### ***Air Resources***

Onondaga County (including the expanded Park area) remains within attainment status of National Ambient Air Quality Standards (“NAAQS”) for the six criteria pollutants (*i.e.*, ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, particulate matter, and lead). The NAAQS are levels of pollutants in the ambient air that have been determined to be protective of human health, including the health of sensitive subpopulations such as children, the elderly, and those with chronic respiratory problems; in addition, they are developed to protect public welfare, including damage to property and structures, visibility, vegetation, animal species, and other concerns.

Meteorological conditions for the Syracuse and Central New York region have not materially changed since the 2013 FGEIS. As part of any air permit application submitted to the NYSDEC for development of the Park, meteorological conditions will be considered. The closest National Weather Service (“NWS”) station to the Park that has the appropriate available data for purposes of an air permit application is the Syracuse NWS station, which is located approximately 9 kilometers to the Southeast of the Park.

Air quality conditions are influenced by stationary sources and mobile sources of air pollutants. Since 2013, no significant existing stationary sources of air emissions were identified in the vicinity of the Park. The nearest facilities with an air permit are the Buckeye Terminal in Brewerton (approximately 3.3 miles north ) and Barrett Paving Materials in Phoenix (approximately 5.5 miles west). Mobile source emissions are a function of traffic volume and intersection LOS. Mobile sources include commuter and truck traffic on NYS Route 31, residential traffic on Caughdenoy Road and other local roads, and occasional emissions from train traffic along the CSX rail line adjacent to the site.

Air emissions resulting from potential development of the proposed expanded Park may be associated with mobile and stationary sources, including transportation vehicles and manufacturing processes, respectively. Potential sources of emissions may be related to manufacturing support systems, heating and cooling, storage tanks, wastewater treatment, and site utilities such as boilers, chillers and back-up generators. Semiconductor manufacturing makes use of processes that require specific chemicals, heat and clean water.

Based on the representative greenhouse gas (“GHG”) emission estimates for a generic semiconductor manufacturing operation, GHG emissions from the expanded Park 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>2</sub>e”) to 350,000 MTCO<sub>2</sub>e. 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>2</sub>e to 250,000 MTCO<sub>2</sub>e.

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 Climate Leadership and Community Protection Act (“CLCPA”). Facilities locating within the Park will have to meet air emission permit requirements designed to meet the NAAQS and comply with all applicable regulatory requirements. 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. In addition to the permitting requirements, mitigation for air pollutant emissions include material handling protocols and industrial good housekeeping practices.

OCIDA will take a proactive approach to addressing sustainability, climate change and GHG reduction and seek to reduce GHG emissions, which 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.

The boilers, incinerator and diesel generators that will be operated at the facility will be new. For the purpose of promoting efficient operation and reducing the potential for excess GHG emissions, these sources will be operated in accordance with the manufacturer’s instructions. Boiler maintenance and testing will also be conducted in accordance with the manufacturer’s instructions. Dual-fired boilers will be operated such that fuel oil will be used as backup and only when natural gas is not available. Some specialty gases that will be used in processes at the facility will have built-in point of use (“POU”)



abatement devices which are integral to the processes. POU waste streams are conveyed to the central house scrubbers for further reduction.

Odors can result from emission of organic and inorganic compounds. Different compounds produce different odors and have unique detection and recognition thresholds. Without proper mitigation, the potential exists for odors to occur. Similar to the mitigation proposed for air impacts, odors will be minimized via the use of a variety of controls to reduce the concentration of pollutant emissions.

With respect to mobile emissions, road and intersection improvements adjacent to the Project site will provide for smoother traffic flow and reduced delays along access roads to the Park. Movement of goods and materials for use by rail will help reduce the amount of truck traffic to and from the Project site. Combined these efforts are expected to generally reduce air emissions associated with potential future development of the Park, including GHG emissions.

Construction-related air quality impacts will be temporary, and mitigation will be implemented to control fugitive dust problems by sweeping and wetting down road surfaces and laydown areas used by haul vehicles. In addition, existing vegetative buffer areas will be maintained to the greatest extent practicable on-site to reduce wind-blown dust. 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. Erosion and sediment control practices for sediment and dust will be implemented on-site and along utility routes being utilized for the installation of utilities.

OCIDA finds that the proposed mitigation measures will avoid, minimize and mitigate the potential impacts to air resources to the maximum extent practicable.

### ***Ecological Resources***

In addition to the wetland areas discussed in the 2013 FGEIS and 2013 Findings Statement, the Park now includes mapped NYSDEC wetland BRE-11, as well as additional mapped National Wetlands Inventory (“NWI”) wetlands, including NWI wetland classification codes PSS1/EM5C, PUBFH, PFO1C, R5UBH, PUBHx, and PEM5E. These mapped wetland areas are primarily situated on the far eastern and northern portions of the Park. Although NWI mapping indicates the potential presence of federal wetlands regulated by the U.S. Army Corps of Engineers (“USACE”), the USACE does not publish official wetland maps. These mapped wetlands, including those shown outside of the NYSDEC-mapped boundaries, would also be subject to the recently revised definition of regulated waters under the 2020 federal Navigable Waters Protection Rule, which is narrower in scope and has resulted in an overall lessening of what is considered regulated waters (including federal wetlands) as compared to previous rules and definitions. The definition excludes from the definition of “waters of the United States,” non-adjacent wetlands that do not directly abut or have regular surface water overflow/inundation from intermittent or perennial streams, including wetlands that are adjacent to ephemeral streams, ditches, and prior converted cropland. As such, the extent of regulated wetland areas may be less than shown on the wetland mapping, including those wetland areas discussed in the 2013 FGEIS and 2013 Findings Statement. 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.

Land cover types within the expanded Park are mostly consistent with the smaller footprint. Based on review of the National Land Cover Database (“NLCD”) Land Cover data, more than three-fourths of the expanded Park is made up of upland cover types. These communities represent approximately 1,003 acres, up from the approximately 276 acres identified in the 2013 FGEIS and 2013 Findings Statement, which is approximately 80% of the expanded footprint.

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.

United State Fish and Wildlife Services (“USFWS”) and NYSDEC/New York Natural Heritage Program (“NYNHP”) identified the following federal- and state-listed threatened and endangered species as having the potential to be impacted by the Project: Sedge wren; Eastern massasauga; and Indiana bat. However, based on the available resources reviewed, there are no threatened and endangered animal species identified by the NYSDEC/NYNHP and USFWS known to inhabit or frequent the Project site. 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.

Ecological resources, such as wetlands and wildlife habitat would be avoided and minimized to the maximum extent practicable through careful site planning and design. Mitigation is not anticipated if wetland areas are avoided. If a specific development design cannot entirely avoid regulated wetland areas, the Park includes ample space onsite for mitigation wetlands to replace any lost wetland benefits, if necessary. As there are no anticipated impacts to rare, threatened, or endangered wildlife species or communities, specific mitigation is not required.

Future site development activities, including utility line construction and roadway improvements, however, 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. 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).

OCIDA finds that the proposed mitigation measures will avoid, minimize and mitigate the potential impacts to ecological resources to the maximum extent practicable.

### ***Cultural & Archeological Resources***

The proposed Park expansion contains approximately 1,250± acres of land, much of which was historically used for agriculture. Most of the land is presently cleared, while some is overgrown, and a portion has been used for the Clay-Teall Transmission Line. Burnet Road bisects the property and is lined on both sides with an assortment of historic-aged buildings, including residential dwellings and agricultural buildings.

A Phase I Archaeological Survey Report was conducted for the 340± acre Park footprint in 2014 which resulted in a “No Effect” finding on historic properties listed or eligible for listing in the National Register of Historic Places. In 2021, NYSDEC provided that 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 expanded Park is not located within a previously designated archeological sensitive area.

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 OPRHP, and 20 have been determined ineligible. The eligibility status of the remaining 9 resources is undetermined.

Residential and agricultural properties constructed prior to 1972 meet the age requirement for consideration for listing in the NRHP. Based on a review of historic aerial photographs, approximately 26 structures which have not been previously evaluated for NRHP eligibility are in the vicinity of the expanded Park and associated utility and roadway corridors. One property on Caughdenoy Road, two on NYS Route 31, and approximately eight properties on Burnet Road contain buildings which appear to have been constructed prior to 1895. Based on historic aerial photographs, most of the remaining historic-age properties appear to have been constructed between 1956 and 1972. The proposed underground utility corridors are primarily located within existing rights-of-way and their construction is not likely to impact above-ground historic resources in the vicinity of the proposed routes.

According to NYS CRIS, the expanded Park is not located within an archaeologically sensitive zone. Small portions of the utility corridors map overlap with archaeologically sensitive zones near previously identified historic-period archaeological sites, but the utility corridors are primarily within previously disturbed areas and rights-of-way.

The State Historic Preservation Office (“SHPO”) is an involved agency and OCIDA will follow the recommendations of SHPO with regard to any further evaluation of cultural and archeological resources within the expanded Park at the time there is a specific development proposal. Should any work be required by SHPO, it will be completed by qualified professionals.

OCIDA finds that the proposed mitigation measures will avoid, minimize and mitigate the potential impacts to cultural and archeological resources to the maximum extent practicable.

### ***Visual Environment & Aesthetic Resources***

The Park is presently undeveloped and generally consists of a mix of large upland areas of open field (former agricultural land), shrub and woodland areas interspersed with wet areas. Topography in the area is generally flat to gently sloping. In general, the predominance of vegetation surrounding the site and the relative lack of development contributes to the area’s rural character. This character is influenced by former farmsteads, scattered housing along Burnet Road, accessory structures (garages, sheds) and some small business and industrial uses primarily along Caughdenoy Road and NYS Route 31. National Grid’s Clay electrical substation west of the OCIDA site and the transmission towers and high voltage power lines that spread outward from the substation into and across the northern one-third of the site are dominant elements in the local visual environment. The existing CSX rail line also contributes to the somewhat industrial nature of the area. A cell tower located north of NYS Route 31 near the site’s southeastern corner as seen above also influences local views near the site. The relative lack of significant development in the immediate vicinity of the Park, especially views from NYS Route 31 and points east, west, and south of the Route 31 corridor creates the sense of a rural area both during daytime and nighttime periods. Nighttime lighting is generated by existing residential and small businesses as well as by vehicular traffic on local roads. The area does not possess the more suburban characteristics of developed areas located one-half mile or more to the east, west, and south where residential and commercial development has been occurring in recent years.

Distant views of the Park are very limited due to existing stands of woodland and shrub vegetation. The area lacks elevated viewpoints from which the Project can be seen. Most views are therefore highly localized and in general well within one to two miles or less from areas surrounding the Project site.

Views of the Park are most significant from Caughdenoy Road and to the east across open fields and farmlands and former farmlands along Burnet Road.

In late 2000, Integrated Site, Landscape Architect, P.C., a consulting firm, conducted a view shed analysis of the Park to determine the potential visual impact of a semiconductor manufacturing plant considered for the Park at that time. An updated Visual Impact Assessment was performed as part of the Final SGEIS which 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.

Sites determined to have partial or open views to the site will be further assessed once there is a specific development proposal and site development plans are advanced. The developers 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. Each site will be individually reviewed based upon the site development plans to determine the type and extent of the visual impacts, and to reach consensus on the most appropriate site-specific methods of mitigating those impacts. Based upon the criteria identified in the 2019 NYSDEC Policy, no significant adverse visual impacts to identified public resources are anticipated.

Best management practices implemented during design and construction of the Park will mitigate several visual impacts that could occur with potential industrial development of the Park. More site-specific measures that can be implemented include construction and placement of earthen berms, native plant material, forested buffers, context sensitivity, camouflage/disguise, low profile and consolidation, efficient directional lighting, landscaped site entrances and curved access roads, and integrating mitigation efforts with other site design considerations such as stormwater management areas, safety and security features, fencing, berms, screening walls, building placement, landscaping, etc. No significant adverse visual impacts are anticipated.

With respect to lighting, the Project site is predominantly undeveloped, therefore, there is very little light being generated from the site. Light generating sources in the area consist primarily of residences and the cell tower located onsite along NYS Route 31 which has two red warning lights mounted approximately at the mid-point of the tower. These are visible within a quarter mile approaching the tower in both directions. This lighting type, color, and intensity is typically dictated by Federal Aviation Agency ("FAA") standards for obstruction marking and lighting. The cell tower will require relocation to an area outside the Park boundary, however, given the relatively close proximity to the Syracuse Hancock International Airport, the new cell tower may require similar lighting.

Any facilities potentially established in the Park will require exterior lighting in the form of roadway, parking lot, and building exterior lighting, to provide adequate safety and security for the employees and visitors to the site. The goal of the site lighting plans will be to provide the necessary light levels for safety and security onsite, while avoiding or minimizing glare, reducing light trespass, and reducing skyglow. The lighting design for the site will seek to use Dark Sky friendly lighting fixtures. The lighting design for the approach roadways (NYS Route 31 and Caughdenoy Road) and interior roadways on the site will follow the Illuminating Engineering Society ("IES") Recommended Practices for lighting of exterior environments (RP-33-99) and for parking lots (RP-20) to avoid or minimize glare and trespass lighting. The lighting design for the roadways and parking lots will direct light downward using techniques such as cutoff fixtures and shielding. These techniques have proven to be effective in minimizing glare and trespass light that may be detrimental to humans, plants, and animal species surrounding the developed areas of the site and its approach roads. The proposed roadway improvements outside the site will be designed with standard roadway lighting complying with the current NYSDOT Highway Design Manual ("HDM") Chapter 12 and the NYSDOT Policy on Highway Lighting for

highway lighting. Prior to installation of new highway lighting, the locality must agree to be responsible for the operation and maintenance of the new fixture. The luminaire selection for the roadways will be specified according to the IES. The lighting equipment will be selected based on the locality preferences and standards specified in the NYSDOT HDM. Lighting solutions that may create spillover or glare on offsite resources will not be considered for lighting of the roadways.

The site is within five miles of the of the Syracuse Hancock International Airport. This falls within the limits of requirements for obstruction lighting of any onsite structure 200 feet tall or greater. (United States Department of Transportation FAA Advisory Circular AC70/7460-1M dated 11/16/2020). The development of the site has established a maximum height of 160 feet for any structures built on the site. This would indicate that there will be no requirements for Obstruction Lighting on the site. Further coordination with the Syracuse Hancock International Airport and the FAA during site design will be required to confirm that no structures erected on the site will require Obstruction Lighting.

OCIDA finds that the proposed mitigation measures will avoid, minimize and mitigate the potential impacts to visual resources to the maximum extent practicable.

### *Noise*

The noise impact analysis included impacts from construction and operational activities associated with the proposed expansion of the Park, and also impacts from anticipated roadway improvements. Existing noise in the proposed expanded Park area is generated mostly by vehicular traffic on NYS Route 31 and adjacent roads. Occasional freight trains traveling along the existing CSX rail line near the site, including train signal horns at the existing Caughdenoy Road grade crossing, contribute to the sound environment. Other noise sources in the area include occasional activities such as use of farm tractors and lawn mowing equipment, and wildlife sources typical of a local residential environment. Observed average daytime ambient sound levels in the vicinity of the Park range from 48.0 dB(A) to 73.5 dB(A), with corresponding nighttime ambient sound levels presumed to range from 41.0 dB(A) to 62.9 dB(A).

Receptors potentially sensitive to noise in the project area are generally single- and multi-family residential homes along Caughdenoy Road, NYS Route 31, Verplank Road, and surrounding roadways. Highly sensitive receptors such as schools, libraries, hospitals, and parklands do not exist near the Park, although two local parks are located to the west and southeast along NYS Route 31.

Based on a potential development and a conceptual footprint over the prime developable area, the 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. Per NYSDEC guidance, sound level increases of this magnitude are considered “unnoticed to tolerable,” and present the potential for adverse impacts only in cases of the most sensitive receptors
- Temporary and intermittent construction activities at nearby receptor property lines has the potential to increase sound levels by more than 10 decibels.

Site layout, operations schedules, natural buffers, vegetative screening, and earthen berms or engineered sound barriers can be employed to mitigate potential noise impacts. At a minimum, the following mitigation measures will be incorporated into the various phases of site development to reduce potential noise impacts:

- Community accessible information including construction schedules will be prepared by project tenants and made available at suitable locations (door-to-door, websites, town offices) to notify neighbors of upcoming work. A complaint resolution process will be implemented and monitored by the tenant and/or OCIDA during construction.
- All construction equipment will be maintained with properly functioning noise reduction muffler systems per manufacturer's specifications as part of construction contracts and contractor responsibilities.
- Earth-moving equipment will be restricted from "tail gate banging" during sensitive times of the day (early morning and late evening) and when operating near residential receptors.
- Building construction near adjacent residential receptors will consider phasing opportunities and scheduling work to reduce potential noise impacts by erecting buildings, berms, stockpiling materials, structure placement, etc. to interrupt sight lines and therefore reduce noise levels being generated in the direction of sensitive receptors as construction advances on-site.
- Haul roads, access drives, materials storage areas, staging areas, etc. will be placed as far from sensitive receptors and internal to central portions of the site to the greatest extent practicable.
- Limiting construction to normal daylight hours to the greatest extent practicable. If nighttime construction is required, consideration will need to be given to use of variable level audible back-up alarms on heavy equipment, and/or use of strobe lights or other OSHA approved safety devices.
- Establish a project hotline (website and phone numbers) so residents can be kept informed of the status of project construction and obtain information for forwarding on complaints relative to construction activity due to noise, dust, work hours, etc.

OCIDA finds that the proposed mitigation measures will avoid, minimize and mitigate the potential noise impacts to the maximum extent practicable.

### ***Human Health***

Human health considerations address potentially sensitive receptors in proximity to a project. The proposed expansion of the Park is within 1,500 feet of the recently built Cottages at Garden Grove Nursing home. This facility is approximately 200 feet east of the eastern site boundary. Grace Evangelical Covenant Church is also located just south of the site along NYS Route 31. The church, which has after-school programs for children, is located just west of Burnet Road and about 2,500 feet west of a possible NYS Route 31 entrance to the expanded Park.

Due to the anticipated construction and operations of the expanded Park, there could be activities that cause some degree of change to the physical aspects of the surrounding area, including the potential for increased traffic, air emissions and noise. These changes have the potential to cause small to moderate impacts to the human health of surrounding residents including the sensitive receptors identified above.

Minimization and mitigation for temporary impacts during construction activities include restrictions on site access, hours of construction activity, delivery of equipment and materials to the site, measures to control dust from disturbed soil, best management practices for temporary fuel storage, and flagging/traffic control measures to protect all modes of travel within any construction area or public right-of-way. During future operations, general impact minimization and mitigation measures will require

that the future site tenants obtain all necessary local, state, and federal permits, demonstrating that they are developing and operating the site in accordance with all regulatory requirements and laws. Mitigation measures for potential impacts related to traffic, air quality and noise will include improvements in intersection designs, implementation of air emission control devices, compliance with air emission limits, and use of vegetative/earthen noise barriers between new facilities and neighboring properties.

OCIDA finds that the proposed mitigation measures will avoid, minimize and mitigate the potential impacts to human health to the maximum extent practicable.

### *Cumulative Impacts*

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 and 2013 Findings Statement. It remains possible that the expanded Park could be a catalyst to additional industrial and business development in this area. Particularly, the area to the west of the Park along Caughdenoy Road that is already zoned for industrial uses (I-2). The addition of the sewer line to and through this area further adds to the attractiveness to develop this area for industrial or business use.

There are several new developments in various stages of approval and review by the Town of Clay Planning Board. The two most relevant developments are a 60-unit senior housing complex along Brewerton Road east of the Park, which was recently approved by the Town of Clay Planning Board for construction. There is also a mixed use PDD on the corner of NYS Route 31 and Henry Clay Boulevard that will soon be presented to the Town of Clay Planning Board for approval. If approved, this new PDD will include approximately 100 ± apartments and some mixed-use retail units on the bottom floors towards the front of the parcel. It is not anticipated that the construction of either of these potential developments would create cumulative impacts if constructed concurrently with the development of the Park.

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 services support businesses, and further diversify the tax base of the Town of Clay.

The installation of sewer force main along NYS Route 31/Caughdenoy Road intersection and northward along Caughdenoy Road paired with the various intersection improvements along NYS Route 31 will likely make this area attractive to industrial and business uses as well. Added industrial and business uses would increase traffic along NYS Route 31 and Caughdenoy Road. The additional traffic on NYS Route 31 could impact levels of service at several intersections and require improvements at a quicker pace than presently expected as discussed in Chapter 4 Section 4.3.

Potential new growth and economic expansion could create some adverse cumulative impacts. Changes in surrounding land use could put additional demand on sewer capacity and wastewater treatment at the Oak Orchard WWTP and may require upgrades to capacity at the plant to support future growth in the area. The conversion of undeveloped land to other uses will cause a loss of vegetation and wildlife habitat. Encroachment and impacts to features including but not limited to wetlands and floodplains may occur. Changes in visual character from relatively undeveloped land to increased densities may also result. Depending on the nature and extent of development, there may be increased demand on municipal services for fire, police and emergency services. There may also be increased demand on housing, schools and local utilities. The mitigation of these potential impacts will need to be determined as new

development projects are introduced and will need to be coordinated at that time with the Town of Clay and possibly other entities and Involved Agencies.

Road improvements, the provision of infrastructure, particularly expanded sanitary sewer capacity at the Oak Orchard Wastewater Treatment Plant, and the potential cost implications for increased municipal services in anticipation of further development of the area would require local, State and federal funding. The establishment and implementation of policies at the Town and County level will be required to manage land use and infrastructure development along and especially north of the NYS Route 31 corridor to control the potential for adverse effects of additional development in the area. These policies may be established through the Town of Clay Northern Land Use Study and/or the Onondaga County Comprehensive Plan update. Implementation could also be accomplished through Town zoning and County Section 239 project reviews.

### ***Growth-Inducing Impacts***

The growth-inducing impacts that are likely to result from the expansion of the Park remain similar to those anticipated in 2013 and discussed in the 2013 FGEIS and 2013 Findings Statement.

#### ***Population Growth***

Development of the expanded Park will result in some direct and secondary growth impacts to the surrounding community. Direct impacts will result from the development of the Park itself. Secondary impacts such as industrial-related support businesses or other commercial businesses being established near the Park are also possible.

Direct impacts will include job creation both on a temporary basis during construction and long-term employment once buildings and ancillary facilities are completed and become operational. It is anticipated that construction of a campus for large semiconductor industrial tenant will occur over the course of a year or more.

Most job opportunities created during construction will be filled by the local labor pool. However, it is anticipated that the development of the expanded Park will bring approximately 4,000 full-time high paying jobs to Onondaga County. The potential exists for many of these new jobs to be filled by people that are not currently living within the Syracuse Metropolitan Area, meaning that there could be a proportional increase in the number of households as well as the need for new housing.

It is estimated that the North Syracuse Central School District enrollment would increase by approximately 1.6%. This increase in school population is not anticipated to place an undue burden on local schools and educational facilities, mainly due to the recent decline in the Syracuse Metropolitan Area population and resulting decline in the student aged population.

#### ***Infrastructure-Induced Growth***

The development of the expanded Park will necessitate the construction of new infrastructure. The most important infrastructure improvements that are needed to support the proposed development include the traffic mitigation improvements described in Section 4.1.10, the installation of sewer force mains being designed to support the greater Oak Orchard District and a gas line as described in Chapter 3 and 4, Sections 3.4.1 and 4.4.1, respectively.

Utility connections on-site will not result in substantial growth-inducing impacts since its effects will be in support of on-site uses, but these new utilities could encourage some new growth along their



conveyance routes. The availability of public sewer has the potential to foster additional development in this portion of the Town of Clay, which remains relatively undeveloped at the present time. The ability to tap into the force mains is subject to State, County and Town of Clay review and approvals. As such development will be managed by these entities and by the available capacity of wastewater treatment at the Oak Orchard Treatment Plant. Formation of a new sewer district to serve the Clay Business Park could help manage growth in the area. The County can service up to 4 MGD at Oak Orchard for the Park.

Transportation improvements along the NYS Route 31 corridor could also accelerate and accommodate increased development activity. Traffic improvements will be required along NYS Route 31 as development occurs. Traffic mitigation improvements proposed to support the expanded Park are not likely to induce further growth alone without other improvements along the corridor.

Development in the vicinity of the expanded Park could take several different forms at varying scales and densities depending on real estate market conditions and trends when new sewers come online. It is expected that future development in the vicinity of the Park will be in accordance with the Town of Clay Zoning Code and any related regulations or requirements in effect at the time. Under current zoning, this could translate into additional industrial development west of Caughdenoy Road and along NYS Route 31.

Development of residential uses could also occur in the vicinity of the Park as the result of sewer availability. Residential uses, perhaps as new residential subdivisions along NYS Route 31 south and east of the Project site may occur in areas presently zoned as RA-100.

All new development that occurs off-site will be subject to Town of Clay zoning requirements and site plan review. Such projects will also be subject to an environmental review under SEQRA conducted by the Town and/or other Involved Agencies at the time a specific project is proposed. Potential adverse environmental impacts will be identified, evaluated, and subject to project-specific mitigation measures on a case-by-case basis as part of the SEQRA review process.

### ***Solid Waste Management***

As a result of the proposed Park expansion, there is a potential for increased generation of solid and hazardous wastes, which represents a change from what was considered in the 2013 FGEIS and 2013 Findings Statement. The impact will not be significant in terms of total service area and capacity. 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. No additional mitigation is necessary since potential impacts due to solid waste generation are minimal.

OCIDA will work with any future tenants to develop a solid waste management program that includes recycling and reuse of materials. Management and disposal of solid waste will be consistent with the goals established by the Onondaga County Resource Recovery Agency (“OCRRA”) in its September 2016 Solid Waste Management Plan Update. 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 off-site disposal.

Transportation and disposal of non-hazardous solid waste will be coordinated with a licensed solid waste hauling firm. It is anticipated that material will primarily be taken to OCRRA’s Waste to Energy Facility in Jamesville or an approved transfer station. OCRRA also has contingency plans for disposal of waste, if necessary, at facilities such as Seneca Meadows Landfill (Seneca County) or High Acres Landfill

(Monroe County). Future development and operations within the Park will be required to comply with Chapter 194 of the Town's Solid Waste Code.

Manufacturing activities at the expanded Park could include the use and storage of petroleum, compressed specialty gases, and chemicals such as paints, solvents, chlorine, corrosive materials, and materials contaminated with metals. Specialty gases that may be used or generated by a prospective tenant could include nitrogen, nitrogen trifluoride, oxygen, carbon dioxide, silane, nitrous oxide, helium, and argon. Various types of hazardous waste may be produced as a result of the potential manufacturing activities that could take place at the expanded site. It is possible that up to approximately 60,000 tons of hazardous waste could be generated per year. 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. Hazardous waste that is generated, treated, and stored is controlled by permits and regulations administered by NYSDEC and USEPA, under the Resource Conservation and Recovery Act ("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.

Various types of hazardous materials may be produced as a result of the potential manufacturing activities that could take place at the proposed expanded Park. 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.

### ***Effect on the Use and Conservation of Energy Resources***

The expanded Project Site is capable of supporting a mix of industrial and/or commercial use facilities located in a campus-like setting. The facilities will consume natural gas and electricity as a result of normal operations. Although the objective of expanded Park is to develop the site for the semiconductor and manufacturing industry, the actual demand for energy can vary greatly according to the types of industries and businesses eventually located in the Park. US Energy Information Administration's ("EIA") 2018 Manufacturing Energy Consumption Survey identified that manufacturing facilities, on average, consume 95.1 kilowatt-hours ("kWh") of electricity and 536,500 British thermal units ("Btu") of natural gas per square foot annually. This average can increase or decrease significantly depending on the facility use type, manufactured product, and manufacturing process.

Commitment and indication of adequate capacity from National Grid to support the expanded White Pine Commerce Park with Natural Gas and Electric utility service was received. It is anticipated that approximately 25 acres of the site could be used for a potential electrical substation and gas regulator station to support the energy needs of the expanded project site. This space has potential to be a central energy facility intended for energy distribution to the campus facilities and buildings while minimizing the quantity of equipment needed and maximizing energy efficiency.

It is in the best interest of any industry locating at the expanded Park to be as energy efficient as possible to control operating costs as well as contribute to achievement of NYS initiatives and energy objectives. Unstable energy markets, increasing competition, and global regulation of greenhouse gas emissions are currently causing many U.S. manufacturers to implement energy management as a viable opportunity. A reduction in production cost can be achieved without negatively affecting the yield and quality of products by effectively reducing energy consumption and costs. This goal can often be met through investments in energy efficiency, which can include the implementation of plant-wide energy-efficiency practices and the purchase of energy-efficient technologies. These technologies can often offer additional benefits, such as quality improvement, increased production, and increased process efficiency.

New facilities systems are expected to be designed to be highly energy efficient using the latest technologies in energy use and conservation which represent the most cost effective and responsible approach for the industry.

Buildings and uses designed for the expanded Park will be constructed utilizing equipment and systems in compliance with energy conservation and building code standards as set forth by New York State Construction Codes. New York State has several codes and NYS programs related to their building energy code. These include the State Energy Conservation Construction Code (“SECCC”), the NYS Executive Order No. 111, and The New York Energy Smart Program.

Incentives are also available to industry within New York State with a clear intent to promote and reward the use of energy efficient systems and policies. Several are available to industry located within Onondaga County and are promoted and coordinated by OCIDA through the New York State Energy Research and Development Authority (“NYSERDA”) commercial/industrial programs. These programs provide energy efficiency services for new construction, industrial facilities and vehicle fleets. NYSERDA services include new renewable, clean energy and energy efficient product manufacturing incentives and services designed to promote greater transportation, lighting and HVAC efficiencies.

In addition, Energy Star is a voluntary partnership program of the USEPA. Its primary purpose is to help U.S. industry improve its competitiveness through increased energy efficiency and reduced environmental impact. Through Energy Star, the USEPA encourages strong and strategic corporate energy management programs and provides energy management tools and strategies to assist companies implement such programs. There are several methods for designers, contractors, and building managers to be recognized by the USEPA.

OCIDA promotes State and Federal incentives to encourage users to develop the Park with energy systems that are both energy efficient and environmentally friendly. This can be accomplished through the planning, design and construction of facilities that are consistent with Leadership in Energy and Environmental Design (“LEED”) certification standards. Standards include energy efficient heating, ventilation and air conditioning (“HVAC”) systems, and day-lighting of interior spaces.

### ***Unavoidable Adverse Impacts***

Many of the unavoidable adverse impacts that are likely to result from the expansion of the Park remain similar to those anticipated during the 2013 FGEIS and 2013 Findings Statement. The difference is the geographic extent given the proposed Park expansion, which could result in greater impacts but also allow

for additional buffers to avoid, minimize, and mitigate certain impacts (e.g., ecological, noise, etc.). The unavoidable impacts include the following:

#### *Construction Impacts*

It is expected that the expansion of the Park and subsequent construction activities during the development of the Park will generate some temporary impacts as an unavoidable consequence of the development of the Park. These impacts and their intensity will vary throughout development of the Park. Impacts are likely to include an increase in truck traffic on nearby roads, primarily NYS Route 31 and Caughdenoy Road as construction workers and materials are transported to and from the Project site.

Heavy machinery and construction equipment will be used throughout construction. As a result, noise levels will increase in surrounding areas during construction activity. Limiting the placement and storage of equipment and materials as far as possible from residences surrounding the Park will help to mitigate the increase in noise levels. Construction activities will also be limited to normal daytime hours whenever possible consistent with the Town of Clay Noise Ordinance requirements to minimize impacts to nearby residents.

Excavation and the transport of materials have the potential to create fugitive dust from unpaved surfaces depending on wind direction and drying conditions. Dust will be controlled by sweeping adjacent roads to the Project site and watering access roads on site as needed. In addition, in compliance with State water quality and stormwater management regulations future development will require a complete detailed Erosion and Sediment Control and SWPPP prior to any construction. These plans will be developed by future project tenants in compliance with all local, State and Federal regulations. Contractors working on site will also be required to follow best management construction practices to reduce the potential for soil erosion, dust, noise, traffic and other construction impacts.

#### *Traffic*

An increase in traffic will result from construction and development of the expanded Park. Traffic is also projected to increase from other developments occurring in the area and will change the existing levels of service 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.

#### *Air Quality and Noise*

Future industrial use at the expanded Park will result in increased traffic, including employee vehicles, trucks, and the possible use of rail. This will increase noise and air emissions from the Park area. There will also be an increased use of energy, water and wastewater treatment resulting from development, but the exact degree of increase is unknown at this time. The use of natural gas for process heat demands and thermal oxidizers for the destruction of volatile organic compounds will generate combustion related air pollutants. The use of chemicals in manufacturing processes will generate non-combustion air pollutants. Emission control equipment will be utilized to reduce the emission rates and overall volume of released pollutants.

### *Ecology*

Areas of open field cover type within the Park will be developed. It is anticipated additional upland shrubland and woodland habitat areas will also be affected. Impacts to state and federal jurisdictional wetlands will be avoided to the maximum extent practicable, but to the extent a specific development project cannot entirely avoid or minimize impacts to wetlands, associated habitat areas may also be impacted by development of the Park. Much of the Park will maintain its natural habitats as areas set aside from development. Some areas on site that may experience temporary disturbance from construction activities could return to vegetated locations (*i.e.*, stormwater management areas, landscaping, and visual buffers). As such, suitable wildlife habitat will be present in the Park in areas avoided by development or that are restored following construction.

### *Visual Character*

The development of the expanded Park site will alter the visual character, which currently consists of single family rural residential plots, undeveloped rural open space comprised of former farm fields, and shrub and woodland. The future development at the expanded Park will instead include industrial buildings, parking areas, support facilities, and internal roads. It is anticipated that during the development at the expanded Park the wetlands within the Park will remain undeveloped.

Visual changes resulting from construction and development are unavoidable. Measures to reduce the effects of visual changes include the placement of additional vegetative buffers and landscaped berms at key locations around the site, particularly along the western and southern periphery of the site to screen views and mitigate noise.

The need for specific visual mitigation measures will be determined once tenants are known and the degree of potential visual impact is determined. Building placement, the use of attractive building materials and structural design features and landscaping will be encouraged by OCIDA to enhance the appearance of buildings and grounds. Appropriate lighting fixtures and other site design features will be determined in coordination with the Town of Clay's site plan review process.

### *Displacement of Existing Property Owners*

In order for Project objectives to be achieved, OCIDA must increase the size of the Park to make it more attractive to potential future tenants, specifically tenants in the semiconductor industry. The proposed expanded Park footprint requires that OCIDA acquire certain residences along Caughdenoy Road, NYS Route 31 and approximately 3 dozen residences along Burnet Road. These residential properties have been acquired or will be acquired by OCIDA through negotiated purchase agreements or pursuant to the EDPL and existing owners will need to relocate. OCIDA must also acquire the property on which the existing telecommunication tower is located.

The properties along NYS Route 31 and Burnet Road represent a significant portion of the expanded Park's prime developable area and are therefore a necessary component of the Project. Existing structures and improvements will ultimately be demolished and/or removed in furtherance of the potential future development of the Park. Demolition activities will be conducted in accordance with Town of Clay requirements, and all debris will be disposed of at authorized off site facilities in accordance with applicable regulations. The telecommunications tower will need to be disassembled and relocated. The

acquisition and removal of the residences along Burnet Road allows for the expansion of the Park footprint to accommodate large-scale campus like development for tenants and will enable maximum use of setbacks and buffers between the prime developable area of the Park and the nearest land uses to the east along and off of Brewerton Road in the Town of Cicero.

While the removal of the aforementioned residences and tower are unavoidable, owners will receive fair market value for their properties, thus enabling them to relocate within the Town of Clay or elsewhere. OCIDA will also pay the seller's normal transaction costs of updating the title and survey, recording fees, transfer taxes and other similar expenses in connection with the transfer of these properties as well as the pro rata portion of real property taxes, water rents, sewer rents, special ad valorem charges and other similar charges. In the event it is necessary to acquire any such properties pursuant to the EDPL, as condemnor, OCIDA will offer just compensation based on the fair market value determined by its highest approved appraisal, and the respective property owners will have the right to challenge the amount of such just compensation under EDPL Article 5. OCIDA will also pay, upon acquisition, any costs associated with recording fees, transfer taxes, penalties incurred by the condemnee for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the property, and the pro rata portion of real property taxes, water rents, sewer rents, special ad valorem taxes and other similar charges.

***Irreversible and Irretrievable Commitment of Resources***

The natural and human resources that will be consumed, converted, or made unavailable for future use by implementation of the Project are summarized below. However, based on the information provided in the Final SGEIS, including mitigation to be implemented to reduce the significance of the impact, none of the unavoidable adverse environmental effects identified in this section are considered significant.

It is anticipated that the expansion of the Park and subsequent development of the Park will require similar commitments of various types of community resources by OCIDA, Onondaga County and other entities including the private sector as investment and development of the Park progresses.

The irreversible commitment of physical resources will include the conversion of approximately 4.0 million square feet of the expanded Park to building footprint and additional support facilities in support of industrial semiconductor uses. There will also be 50± acres of parking (which may include parking garages), loading areas, access and internal circulation roads at the expanded Park.

The prime developable area of the Park generally consists of fields, shrubland, and some woodland areas. Residential properties may now be part of the prime developable area given the proposed expanded footprint of the Park along Burnet Road. Areas that are likely to remain mainly undeveloped generally consist of wooded upland, wetlands and NYSDEC wetland buffer areas.

Development of the Park will require soil disturbance as well as the loss of vegetation and wildlife habitats. However, the goal will be to avoid wetlands and mature habitats to the maximum extent practicable by focusing development in the prime developable area. Topsoil will be stockpiled for use on-site for landscaping, whenever possible. Trees removed for development will be considered for sale as timber and other vegetation cleared from the Project site will be recycled as mulch and landscaping, when practicable. The only difference from what was considered in the 2013 FGEIS and 2013 Findings

Statement may be the amount of soil disturbance and trees impacts from development given the proposed expansion and greater Park acreage.

Development will include the commitment and consumption of building and construction materials including concrete, asphalt, steel, lumber, plastics and other raw materials and finished products. Development will require the consumption of water, electricity, fuel (gas and diesel), oil and other petroleum products. Additional materials and energy resources will be consumed by tenants for industrial processes. The provision of utilities for water, sewer, electrical, natural gas, and telecommunications will be required throughout construction and operation of facilities. The use of materials and goods are expected to be met by the region's supply. Nevertheless, as in 2013, this represents an irreversible and irretrievable commitment of these resources that will not be available for other uses.

The project will also require public and private services, including, but not limited to, solid waste disposal, police, fire and emergency services, as expected with any large-scale development. Commitment of these resources is an anticipated outcome of an industrial park's development.

### ***Alternatives***

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). OCIDA's objectives are to expand 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.

As part of its prior environmental review of the Park, which culminated in the 2013 Findings Statement and FEIS, 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 DGEIS, 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 DGEIS, 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 the 2013 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 and Final SGEIS.

In the Draft and Final SGEIS, OCIDA revisited its prior alternatives analysis and evaluated the following:

1. No-action alternative – 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 – 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 – 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 – 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).

## Future Actions

With respect to this Action, for example, at such time as a specific development proposal is presented for the Park and is about to be funded and/or approved, the question of compliance with SEQRA will need to be reconsidered by involved agencies (the same would also apply to any new component subsequently included in an expanded version of the Action).

The SEQRA process that included the Draft and Final SGEIS and these Findings identify anticipated environmental conditions and impact thresholds that if exceeded may require supplemental determinations of their significance and/or impact evaluation and, if necessary, additional mitigation measures beyond those identified.

No further SEQRA compliance is required if the subsequent proposed actions will be carried out in conformance with the conditions and thresholds established for such actions in the Final SGEIS and these Findings. If future actions involve elements not specifically evaluated in the FSGEIS process or exceed thresholds identified in these Findings, the following options for supplemental evaluation will be considered:

1. The project component or subsequent action was adequately addressed in both the generic EIS and its findings statement and will be carried out in conformance with the conditions and thresholds established in the generic EIS or its findings statement:
  - No further SEQR compliance would be required.
2. The project component or subsequent action was adequately addressed in the Final SGEIS but not addressed, or inadequately addressed, in these Findings Statement for the Final SGEIS.
  - An amended findings statement would need to be prepared.
3. The project component or subsequent action was not adequately addressed in the generic EIS and may have one or more significant adverse environmental impacts.
  - A supplement to the Final SGEIS would need to be prepared.
4. The project component or subsequent action was not adequately addressed in the generic EIS and will not result in any significant environmental impacts.
  - A Negative Declaration (Determination of Significance) would need to be prepared.

**Certification to Approve/Fund/Undertake:**

Having considered the Draft and Final Supplemental Generic Environmental Impact Statement and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR § 617.11 this Statement of Findings certifies that:

1. The requirements of 6 NYCRR § 617 have been met; and
2. Consistent 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; and
3. The project is not located in a coastal or inland waterway area subject to Article 42 of the Executive Law of the policies set forth in 19 NYCRR § 600.5, regarding coastal areas or inland waterways.

**Name of Agency**

Onondaga County Industrial Development Agency

\_\_\_\_\_  
Signature of Responsible Official

\_\_\_\_\_  
Name of Responsible Official

\_\_\_\_\_  
Title of Responsible Official

\_\_\_\_\_  
Date

Address of Lead Agency

Onondaga County Industrial Development Agency  
333 W. Washington Street, Suite 130  
Syracuse, New York 13202  
315-435-3770

cc: Other Involved and Interested Agencies