

Onondaga County Industrial Development Agency
Regular Meeting Minutes
September 14, 2023

A regular meeting of the Onondaga County Industrial Development Agency was held on Thursday, September 14, 2023, 355 Montgomery Street, Floor 2M, Syracuse, New York.

Patrick Hogan called the meeting to order at 8:32 am with the following:

PRESENT:

Patrick Hogan
Janice Herzog
Fanny Villarreal
Cydney Johnson
Elizabeth Dreyfuss

ABSENT:

Susan Stanczyk
Kevin Ryan

ALSO PRESENT:

Robert M. Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary
Alexis Rodriguez, Assistant Treasurer
Len Rauch, Economic Development
Jeff Davis, Barclay Damon Law Firm
Amanda Fitzgerald, Barclay Damon Law Firm
Joe Nehme, Micron
Temesgen Fissehay, Micron
John DeSantis, Onondaga County Legislature

APPROVAL OF REGULAR MEETING MINUTES – AUGUST 20, 2023

Upon a motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board approved the regular meeting minutes of August 20, 2023. Fanny Villarreal abstained. Motion was carried.

TREASURER'S REPORT

Alexis Rodriguez gave a brief review of the Treasurer's Report for the month of August 2023.

Upon a motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board approved the Treasurer's Report for the month of August 2023. Motion was carried.

PAYMENT OF BILLS

Alexis Rodriguez gave a brief review of the Payment of Bills Schedule #485.

Upon a motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board approved the Payment of Bills Schedule #485 for \$351,953.46 with PILOT payments to City of Syracuse for \$1,791.97, Onondaga County for \$1,152.18, Town of Onondaga for \$3.60, Town of DeWitt for \$17.66, Jamesville-Dewitt Central School District for \$115.58 and Baldwinsville Central School District for \$1,529,954.00. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest was circulated and there were no conflicts.

CAMILLUS MILLS REDEVELOPMENT COMPANY, INC./CAMILLUS MILLS PHASE II, LLC (3101-21-08A) MODIFICATION MEETING

Amanda Fitzgerald stated this is an extension of their sales and use tax exemption. She stated the Camillus Mills project ran into a delay of about 8 months because they were correcting their FEMA mapping. She stated their sales and use tax exemption is scheduled to go through the end of the year and they have asked for an extension through the end of April 2024.

Robert Petrovich asked if it is an extension of time and not extension of benefits. Amanda Fitzgerald stated it is just an extension of time not benefits.

Upon a motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board approved a resolution authorizing an extension of Sales and Use Tax Exemption and project completion date for Camillus Mills Redevelopment Company, Inc./Camillus Mills Phase II, LLC. Motion was carried.

SYRACUSE HABITAT FOR HUMANITY PROPERTY DISPOSITION

Sarah Bruce stated she is the Executive Director for the Syracuse Habitat for Humanity. She is extremely grateful for all the property OCIDA has already allowed them to deconstruct. She stated today they are looking for the addition of 8501 Burnett Road, which she believes was recently vacated, to add to the list of properties to deconstruct.

Upon a motion by Fanny Villarreal, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing disposition of property. Motion was carried.

DESTINY USA REAL ESTATE, LLC (3101-14-01B)

Amanda Fitzgerald stated Destiny USA has come to the board in connection with a project that closed in 2016 on Hiawatha Boulevard and the Agency had provided financial assistance. She stated the Agency is still in title as part of the straight lease transaction. She stated the Department of Transportation has appropriated a small piece of that property and offered compensation for that appropriation that is in connection with the I81 viaduct project. She stated the Company has asked that OCIDA release any right that they might have to that compensation. She stated any right the Agency might have is only in connection with the nominal interest we have with the straight lease transaction, so she thinks it is appropriate for the Board to authorize Mr. Petrovich to sign the documents. She stated there was a full review of the release and she feels it is a simple release just saying we are only nominally in title, and we really have no right or claim.

Patrick Hogan asked if this is the new hotel. Amanda Fitzgerald stated yes.

Patrick Hogan asked how much Destiny is getting for the property. Robert Petrovich stated \$30,000.

Upon a motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board approved a resolution acknowledging an appropriation of a portion of a certain project on behalf of Destiny USA Real Estate, LLC by the Department of Transportation and authorizing the execution and delivery of an assignment of claim and release in connection therewith. Motion was carried.

ENGINEERING SERVICES – CONTRACT AUTHORIZATION

Robert Petrovich stated this is an increase of \$10,000 to the existing contract we have with Barton & Loguidice. He stated they have been working with us on the White Pine South or Caughdenoy Industrial Park which is a supply chain site we are developing in support of the Micron project. He stated this authorization is for additional services to work OCIDA along with WEP and OCWA to locate and appropriately size a pump station and conveyance line that needs to be installed to support sanitary sewer service to the White Pine site on behalf of Micron and for OCWA to be able to put in a couple of supply lines for water to the site. He stated this is an additional authorization to do the work on our behalf.

Upon a motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board approved a resolution authorizing a contract with Barton & Loguidice in the amount of \$10,000 for engineering services at Caughdenoy Industrial Business Park. Motion was carried.

MICRON NEW YORK SEMICONDUCTOR MANUFACTURING LLC (3191023-07A)

Jeff Davis stated he is going to walk the Board through the two resolutions that are on the agenda for consideration. He stated Micron has submitted an application to OCIDA for financial benefits, incentives for the project, a PILOT, sales and use tax exemption, etc. He stated the application roughly covers about 806 acres plus or minus and 2 fabs. He stated with that application an environmental assessment form under SEQRA was included to analyze the full build because that is what is required to look at when we are looking at a project like this under the state statute. He stated we are looking at the full build from an environmental standpoint which is roughly 1,400 acres and 4 fabs. He stated Micron has submitted an environmental assessment form that addresses the full build out of the Micron campus along with some ancillary facilities that are off the Micron campus which all is explained in the project description in the application, the EAF narrative, etc. He stated Barclay Damon in conjunction with the Agency's consultant, JMT, reviewed the EAF and also looked at and prepared a draft EAF part two, which allows the agency to look at the potential impacts as a result of the proposed project. He stated earlier this year we submitted a resolution and was passed for our intent to be lead agency. He stated those letters of intent went out to all involved and interested parties. He stated five involved agencies returned and consented or had no objection to OCIDA being lead agency for SEQRA. He stated the other involved agencies did not respond, they have

a statutory period of 30 days, so they are past the statutory period. He stated the first resolution in front of the Board goes through two different steps. He stated one is officially establishing the Agency as lead agency. He stated the prior resolution was our intent. He stated no one objected and no one else said they wanted to be, so we are officially saying we are lead agency. He stated the second part of the first resolution is adopting the contents of the EAF part two. He stated the EAF part two looked at the various potential impacts for the project and when impacts fall into a potentially moderate or large category that triggers a determination as to whether and how you will proceed environmentally. He stated in this case, if you will get to part two in your packet, moderate to large impacts were in the areas of impacts to land, impacts to surface water, impacts on groundwater, impacts on flooding, impacts on air, impacts on plant and animals, impacts on agricultural resources, impacts on aesthetic resources, impacts on historic and archaeological resources, impacts on open space, impacts on traffic, impacts on energy, impacts on noise, odor and light, impacts on human health, consistency with community plans and consistency with community character. He stated part two means there could be potential moderate to large impacts and so as a result of that, the second part of the first resolution before the Board is the agency adopting that part two, and determining that the proposed Micron project, the full build, may result in one or more significant adverse impacts on the environment and that an environmental impact statement must be prepared to further assess the impacts and possible mitigation and to explore alternatives to avoid or reduce those impacts, accordingly, and therefore, the Agency is authorizing the completion of a SEQRA EAF part three of the full environmental assessment form in accordance with this resolution. He stated we are authorizing and arranging for the publication and distribution of this positive declaration and a notice of intent to prepare a draft environmental impact statement, and to take all other such actions as are necessary and appropriate to assist the Agency in fulfilling the requirements of SEQRA for the proposed Micron project and to work with the company and its agents in connection therewith. He stated the first resolution is declaring OCIDA lead agency, adopting the recommendations of part two, issuing a positive declaration based upon that part two, and moving forward with the SEQRA process under part three for the positive declaration.

Upon a motion by Fanny Villarreal, seconded by Janice Herzog, the OCIDA Board approved a resolution designating OCIDA as lead agency with respect to a coordinated review and determining to issue a positive declaration pursuant to the state environmental quality review act. Motion was carried.

Jeff Davis stated the second resolution before the Board is a natural offshoot of the resolution just passed. He stated it was determined to be a positive declaration so now the SEQRA process is starting, and that process commences with a scoping process. He stated a draft scoping document has been prepared in conjunction with the applicant. He stated the Board packet has the draft scoping document. He stated it has been reviewed and determined it is ready for review and comment by all involved and interested agencies and also by the public in accordance with SEQRA. He stated the resolution in front of the Board is declaring scoping shall be conducted in accordance with SEQRA and that the draft scoping document is sufficiently complete to allow the opportunity for comment. He stated Agency Counsel is authorizing to arrange for publication and distribution of the draft scoping documents, provide all necessary notifications of a public scoping meeting and comment period to all involved and interested agencies and to any individual that has expressed an interest in writing and to take all other such actions as are necessary and appropriate to assist the Agency in fulfilling the requirements under SEQRA for the proposed Micron project, and to work with the company and its agents in connection. He stated the Agency is duly authorizing and noticing a public scoping meeting to be held on October 11, 2023, to consider comments on the draft scoping document. He stated we are also opening a written comment period on the draft scoping document and written comments will be received by the Agency until October 20, 2023. He stated that is the second resolution before the board and will commence the environmental review process and the public involvement in the environmental review process.

Cydney Johnson asked if there are any thoughts or indications on the attendance at the October 11 meeting. Jeff Davis stated not as of yet. He stated meeting will be held at the North Syracuse Junior High School auditorium. He stated the scoping document does encourage speakers to register in advance and depending upon that registration and the number of people in attendance we can limit the time period of people to speak because everyone needs an opportunity to speak. He stated the scoping document is lengthy and lays out all the criteria, the project background, the process that is going to be done, the purpose in need of the projects, the alternatives and description of the proposed action, the analysis framework, etc. He stated that document is kind of the initial roadmap that will be done and commented on by the public. He stated the end of that process, after we closed the public comment period, received all comments, public hearing is closed, will be the development of a final scoping document. He stated that final scoping document is the roadmap for the development of the draft environmental impact statement.

Patrick Hogan stated it is an open transparent process that has been followed by many of our projects. Robert Petrovich stated it is a statutory requirement. He stated the hearing will commence at 6:30 PM at the North Syracuse Junior High School Auditorium.

Janice Herzog asked if there are items that need to be addressed or a resolution and how does that happen. Jeff Davis stated in terms of commenting on the project, they can review the scoping document. He stated the scoping document also directs to the project website that has been established by Micron, the applicant, and also the OCIDA website. He stated all the materials will be there. He stated anyone from the public or an involved agency can raise questions or comments with regard to an environmental issue on the project. He stated as we get to the final scoping document, all comments will develop what needs to be reviewed and studied. He stated as we get into the draft environmental impact statement, the applicant and their consulting team will study the potential impacts, determining the extent of those impacts and determining what mitigation is necessary to address those impacts. He stated that process also works hand in hand with the involved agencies that likely have the biggest interest and the determination of the mitigation. He stated for instance on traffic, New York State DOT, County DOT, the Town of Clay, the Town of Cicero, etc.; those agencies would be involved in the discussion and the development of a mitigation plan with regard to the potential impact. He stated that would go into the draft environmental impact study that would lay out concern, mitigation and how it's being addressed, and that document goes out again for comment. He stated ultimately all the comments must be put into a final environmental impact statement and be addressed. He stated every comment after the draft is logged, has to be addressed as an exhibit of the Final EIS and how you have addressed the common core concern to the maximum extent practicable. He stated this is the start of a process that is many months long to get to ultimately the goal of getting to a final environmental impact statement that is addressing those potential impacts.

Fanny Villarreal asked if the documents would come back before the Board. Jeff Davis stated yes. He stated this Board is lead agency for SEQRA so this Board will need to accept the final scoping document, accept the draft environmental impact statement, and say it is ready to go out for public comment, as well as accept the final environmental impact statement. He stated the Board will have to adopt its own finding statement at the end of that process.

Patrick Hogan asked if the Board would get all the minutes from the hearing. Jeff Davis stated yes.

Robert Petrovich stated he thinks the short answer is that there's more than one opportunity for the public to participate and comment.

Elizabeth Dreyfuss asked if this is the only meeting, and they can write in their comments. Jeff Davis stated this is the only meeting on the draft scoping document. He stated there will be future meetings as we get into the draft EIS process, etc. He stated a public hearing will be held but the comment period will be open until the 20th so all written comments can come in before or after that meeting.

Elizabeth Dreyfuss asked how notice of the meeting is given. Jeff Davis stated it is required that a notice be put in the Environmental Notice Bulletin by DEC and the notice has been prepared. He stated it is also required to be put in the Syracuse Post Standard so there is a quarter page ad that goes in for the public hearing. He stated it will be on the OCIDA website. He stated it will be part of this meeting and resolution. He stated the paper will likely advise people of it.

Fanny Villarreal asked if Micron will be at the meeting. Jeff Davis stated yes but it is important to note this is an OCIDA led scoping meeting as lead agency to address comments. He stated it is not necessarily a question-and-answer period. He stated it is a time to let people speak and address their comments. He stated all their comments are noted and those comments are addressed through the development of the Final EIS.

Cydney Johnson asked if the OCIDA team will handle this. Robert Petrovich stated yes.

Jeff Davis stated the whole meeting will be recorded, there will be a stenographer with full minutes of that. He stated if the Board members can attend the meeting or the full extent of the meeting the minutes will all be available for the Board's review and will be summarized by OCIDA's team that is working on this.

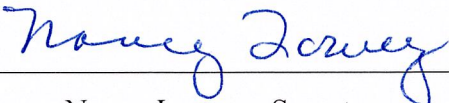
Upon a motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board approved a resolution finding the draft scoping document is sufficient for public review, opening a thirty-day

public comment period during which a public hearing will be held on October 11, 2023. Motion was carried.

Temesgen Fissehaye stated Jeff Davis did a great job explaining the process. He stated he would be more than happy to answer any questions.

ADJOURN

Upon a motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board adjourned the meeting at 8:50 am. Motion was carried.



Nancy Lowery, Secretary