

WHITE PINE COMMERCE PARK

SEQRA RESOLUTION

A special meeting of the Onondaga County Industrial Development Agency was convened in public session on July 27, 2021 at 8:00 a.m. local time at 333 West Washington Street, Suite 130, Syracuse, New York.

The meeting was called to order by the (Vice) Chairman of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT: Patrick Hogan
Janice Herzog
Victor Ianno
Steve Morgan
Susan Stanczyk
Fanny Villarreal

ABSENT: Kevin Ryan

ALSO PRESENT: Robert M. Petrovich, Executive Director
Jeffrey W. Davis, Esq., Agency Counsel

The following resolution was offered by Victor Ianno, seconded by Janice Herzog, to wit:

**RESOLUTION APPROVING THE ISSUANCE OF A FINDINGS STATEMENT
PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE
WHITE PINE COMMERCE PARK**

WHEREAS, Onondaga County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act"), Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975 of the State of New York, as amended, constituting Section 895 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Agency currently owns White Pine Commerce Park (“Park”) located northeast of the intersection of NYS Route 31 and Caughdenoy Road in the Town of Clay, Onondaga County, New York; and

WHEREAS, in an effort to transform the Park into a modern industrial park for advanced manufacturing and state-of-the-art industrial uses, the Agency previously performed a thorough environmental review of the Park and its anticipated environmental impacts pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “SEQRA”), which included, but was not limited to, the following: (1) classifying the Park project as a Type 1 action; (2) acting as Lead Agency for the purpose of a coordinated environmental review; (3) conducting necessary studies and holding required hearings in connection with the preparation of a Generic Environmental Impact Statement (“GEIS”) to address anticipated potential impacts associated with the proposed multi-use industrial park; (4) preparation of a subsequent Final GEIS (“FGEIS”) that incorporated the DGEIS by reference and included responses to public comments received; and (5) preparation and issuance by the Agency of a Findings Statement in October of 2013 that (a) concluded the project avoided or minimized adverse environmental impacts to the maximum extent practicable, (b) incorporated mitigation measures that were considered practicable, and (c) identified certain impact thresholds that, if exceeded, may require supplemental determinations of their significance and/or impact evaluation, and possibly mitigation measures in addition to those identified; and

WHEREAS, since 2013, the Agency has attempted to market the Park for development around the country to potential manufacturing and industrial users, but those efforts have been unsuccessful and the Park remains vacant; and

WHEREAS, through its marketing efforts and communications with desired tenants around the country, the Agency has determined that the Park is not geographically large enough and must be expanded significantly to be considered an attractive, viable location for prospective large- and small-scale manufacturing and industrial developers; and

WHEREAS, to improve the Agency’s ability to market the Park to a larger, more diverse mix of large- and small-scale manufacturing and industrial developers, the Agency proposes to expand the existing Park to approximately 1,250+/- acres by acquiring additional acres to the north and east of the existing Park footprint, with such additional acreage comprised of certain parcels contiguous to the current Park, and which are generally located along NYS Route 31 and the east and west sides of Burnet Road (the “Project” or “Action”); and

WHEREAS, pursuant to SEQRA, the Agency is required to make a determination whether the “action” (as said quoted term is defined in SEQRA) to be taken by the Agency may have a

“significant impact on the environment” (as said quoted term is utilized in SEQRA) and the preliminary agreement of the Agency to undertake the Project constitutes such an action; and

WHEREAS, pursuant to SEQRA (6 N.Y.C.R.R. § 617.9(7)(i)), the Agency recognized the proposed Project represents a significant change from the Park’s current footprint that presents changed circumstances from those evaluated by the Agency under its prior SEQRA review in 2013; and

WHEREAS, the Agency prepared and completed a Full Environmental Assessment Form (the “FEAF”) to aid in determining whether undertaking the Project requires a supplemental GEIS; and

WHEREAS, based upon an examination of the FEAF prepared for the Project, the criteria contained in 6 NYCRR §617.7(c), and based further upon the Agency’s knowledge of the area surrounding the Project, and such further investigation of the Project and its potential significant environmental impacts as the Agency has deemed appropriate, at a regularly scheduled meeting on December 8, 2020, the Agency: (i) determined that the Project constitutes a “Type I Action” (as said quoted term is defined in SEQRA), (ii) determined that the Project required a coordinated review under SEQRA, (iii) issued a positive declaration under SEQRA for the Project determining that the Project may result in one or more significant adverse impacts to the environment, and (iv) determined that the preparation of a Supplemental GEIS (“SGEIS”) was necessary to adequately identify and evaluate potential significant adverse impacts associated with the Project that are not addressed or were inadequately addressed in the existing DGEIS/FGEIS; and

WHEREAS, the Agency prepared a Draft SGEIS for the Project; and

WHEREAS, the Agency determined by resolution dated May 6, 2021 that the Draft SGEIS was complete and adequate for public review; and

WHEREAS, upon notice in a newspaper of general circulation in Onondaga County, public comments on the Project and the Draft SGEIS were received by the Agency at a public hearing, held virtually 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 202.79, on May 24, 2021; and

WHEREAS, written comments on the Project and the Draft SGEIS were received by the Agency during the public comment period from May 6, 2021 to June 11, 2021; and

WHEREAS, in consideration of and in response to the comments received, the Agency caused to be prepared a Final SGEIS; and

WHEREAS, the Agency subsequently reviewed, revised, and finalized the Final SGEIS, and, by resolution dated July 16, 2021, determined the Final SGEIS was complete; and

WHEREAS, the Final SGEIS and Notice of Completion of Final SGEIS were filed in accordance with SEQRA on July 16, 2021; and

WHEREAS, the Agency caused the Notice of Completion of Final SGEIS to be published in the Environmental Notice Bulletin on July 21, 2021 in accordance with SEQRA (6 N.Y.C.R.R. § 617.12(c)(1)); and

WHEREAS, more than ten days have passed since the acceptance and filings of the Final SGEIS; and

WHEREAS, the Agency has received and considered input from involved and interested agencies, legal and engineering consultants, and other relevant information; and

WHEREAS, as a result of its independent examination and review, the Agency finds that, on balance, and after due consideration of all relevant documentation and related information, it has more than adequate information to evaluate the relevant benefits and potential impacts of the Project and to issue this resolution and accompanying Findings Statement; and

WHEREAS, the Agency has complied with SEQRA in all respects.

NOW, THEREFORE, be it resolved by the members of the Onondaga County Industrial Development Agency as follows:

1. The Agency has given full consideration to the relevant environmental impacts, facts and conclusions set forth in the Draft SGEIS and Final SGEIS.
2. The Agency has weighed and balanced the relevant environmental impacts with the social, economic and other essential considerations relating to the Project.
3. The requirements of 6 NYCRR Part 617 have been met.
4. The Project, from among reasonable alternatives, is one which minimizes or avoids adverse environmental effects to the maximum extent practicable.
5. Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the Final SGEIS process will be minimized or avoided by incorporating as conditions those mitigative measures which are identified as practicable throughout the annexed SEQRA Findings Statement and Final SGEIS.
6. The annexed SEQRA Findings Statement, which was prepared in accordance with Article 8 of the Environmental Conservation Law, is hereby adopted and incorporated herein by reference. The facts and conclusions set forth in the Findings Statement are derived from the Draft SGEIS and Final SGEIS, other documents, reports, submittals and other relevant information, including the personal knowledge and familiarity of the Agency's members with the Project and surrounding area, comprising the record of these deliberations. The Findings Statement is set forth herein as the basis of the

Agency's decision and to document the factors and standards considered by the Agency in making this decision.

7. A copy of this Resolution, together with the attachment hereto, shall be distributed in accordance with SEQRA and placed on file in the office of the Agency where the same shall be available for public inspection during business hours.
8. This Resolution shall take effect immediately

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Patrick Hogan	X		
Janice Herzog	X		
Victor Ianno	X		
Steve Morgan	X		
Susan Stanczyk	X		
Kevin Ryan			X
Fanny Villarreal	X		

The Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ONONDAGA)

I, the undersigned Secretary of the Onondaga County Industrial Development Agency, DO HEREBY CERTIFY that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on July 27, 2021, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting, (B) said meeting was in all respects duly held , (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law, and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of July, 2021.

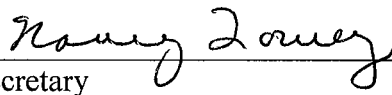

Secretary

EXHIBIT A
Findings Statement