

**MICRON NEW YORK SEMICONDUCTOR MANUFACTURING LLC
SEQRA RESOLUTION
(3101-23-07A)**

A regular meeting of the Onondaga County Industrial Development Agency was convened in public session on September 14, 2023, at 8:30 a.m., local time, at 335 Montgomery Street, 2nd Floor, 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
Fanny Villarreal
Cydney Johnson
Elizabeth Dreyfuss

ABSENT: Susan Stanczyk
Kevin Ryan

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

The following resolution was offered by Fanny Villarreal and seconded by Janice Herzog:

**RESOLUTION DECLARING THE ONONDAGA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY AS THE LEAD AGENCY, ISSUING A POSITIVE
DECLARATION AND DECLARING THE INTENT FOR THE PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT STATEMENT PURSUANT TO THE STATE
ENVIRONMENTAL QUALITY REVIEW ACT**

WHEREAS, Onondaga County Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”), Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975 of the State of New York, as amended, 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 (the “State”), 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 grant “financial assistance” (as defined in the Act) in connection with the acquisition, construction, reconstruction 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 the White Pine Commerce Park (the “Park”) located northeast of the intersection of NYS Route 31 and Caughdenoy Road in the Town of Clay, Onondaga County, New York; and

WHEREAS, the creation of the Park and potential future development of the Park to support tenants in the semiconductor industry was previously studied under SEQRA (as defined herein) by the Agency including a 2013 Final Generic Environmental Impact Statement, 2013 Findings Statement, 2021 Final Supplemental Generic Environmental Impact Statement (“FSGEIS”) and 2021 Findings Statement; and

WHEREAS, Micron New York Semiconductor Manufacturing LLC, a Delaware limited liability company on behalf of itself and/or entities formed or to be formed on its behalf (the “Company”), has submitted an application to the Agency, and a revised Application to the Agency (collectively the “Application”), copies of which are on file at the office of the Agency, which Application requests that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A)(1) the acquisition of a leasehold interest in all or a portion of approximately 806.16 acres of land located at 5171 New York State Route 31 (tax map nos. 046.-02-01.0, 046.-02-02.1, 046.-02-02.2, 046.-02-03.1, 046.-02-04.0, 046.-02-05.1, 046.-02-05.2, 048.-01-01.0, 048.-01-02.1, 048.-01-02.2, 048.-01-23.1, 048.-01-23.3, 049.-01-15.0, 049.-01-16.0, 049.-01-17.0, 049.-01-18.4, 049.-01-19.1, 049.-01-19.2, 050.-01-01.0, 050.-01-02.1, 050.-01-03.1, 050.-01-04.1, 050.-01-04.2, 050.-01-04.3, 050.-01-04.4, 050.-01-05.0, 051.-01-10.1, 051.-01-10.6, 051.-01-10.7, 051.-01-10.8, 051.-01-10.9, 051.-01-12.0, 064.-01-06.3, 064.-01-08.0) in the Town of Clay, Onondaga County, New York (collectively, the “Land”); (2) the construction on the Land of two approximately 1.2 million square foot memory fabrication facilities (each a “Fab”) each consisting of approximately 600,000 square feet of cleanroom space, approximately 290,000 square feet of cleanroom support space and approximately 250,000 square feet of administrative space, and the construction of two support facilities housed in separate buildings consisting of an approximately 360,000 square foot central utility building and an approximately 200,000 square foot warehouse and approximately 200,000 square feet of product testing space together with other ancillary interior and exterior support systems and sitework including but not limited to installation of a chilled water system, a process cooling water system, air handlers, electrical sub stations, switch gear, and compressed dry air systems, semiconductor manufacturing equipment, office and storage space, driveways, interior access roads, sidewalks, parking lots, landscaping, signage, electric and gas utility and internal

communications infrastructure, electric substations, water and wastewater pre-treatment and storage and industrial gas storage (collectively, the "Facility"); and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (subject to certain statutory limitations) (the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, to aid the Agency in determining whether undertaking the Project may have a significant impact upon the environment, the Company has prepared and submitted to the Agency an Environmental Assessment Form, with addendum as amended, (the "EAF") with respect to the Project; and

WHEREAS, 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"), the whole "Action" for purposes of SEQRA as outlined in the EAF includes the above described Project Facility as well as the full buildout of the "Micron Campus" and all ancillary support facilities which ultimately includes the construction of four (4) Fabs, which Micron expects to be built in sequence, with construction of each Fab starting as the preceding Fab is being fit-out and operations begun ("Proposed Micron Project"); this process will result in continuous construction activities on the site over the approximate 20-year period, with a significant portion of that construction occurring inside previously constructed Fab buildings; and

WHEREAS, the Agency served its Notice of Intent to Establish Lead Agency to all of the required involved, and interested agencies, via receipted delivery, and

WHEREAS, five (5) of the involved agencies have returned a document advising that they have no objection to OCIDA assuming Lead Agency status for this project; and

WHEREAS, the remainder of the involved agencies have not responded within the required thirty (30) day period, and

WHEREAS, the Agency has prepared and completed a Full Environmental Assessment Form, Part 2;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Based upon an examination of the EAF, prepared by the Company (attached hereto as Exhibit A), the criteria contained in 6 NYCRR §617.7(c), and based further upon the Agency's knowledge of the area surrounding the Proposed Micron Project, all the representations made by the Company in connection with the Proposed Micron Project, and such further investigation of the Proposed Micron Project and its environmental impacts as the Agency has deemed appropriate, the Agency makes the following findings and determinations with respect to the Proposed Micron Project pursuant to SEQRA:

(A) As a consequence of the foregoing actions relative to the Agency's Notice of Intent to seek Lead Agency Status, the Agency hereby establishes itself as "Lead Agency" (as said term is defined in SEQRA) with respect to a coordinated review of the Proposed Micron Project pursuant to SEQRA; and

(B) The Agency adopts the contents of the Full Environmental Assessment Form Part 2, and determines that the Proposed Micron Project 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, and accordingly, and therefore, authorizes the completion of Part 3 of the Full Environmental Assessment Form, in accordance with this Resolution, and accordingly issuing a Positive Declaration; and

(C) The Agency's counsel is authorized to arrange for publication and distribution of this Positive Declaration and 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 under SEQRA for the Proposed Micron Project and to work with the Company and its agent(s) in connection therewith; and

Section 2. A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

Section 3. This Resolution shall take effect immediately

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

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Patrick Hogan	X		
Janice Herzog	X		
Cydney Johnson	X		
Elizabeth Dreyfuss	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)

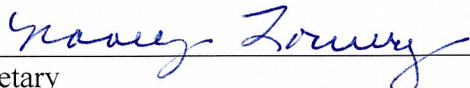
I, the undersigned Secretary of the Onondaga County Industrial Development Agency, DO HEREBY CERTIFY that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on September 14, 2023, with the original thereof on file in my office, and that the same 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 so far as the same relates to the subject matter therein referred to.

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 14 day of September, 2023.

(SEAL)


Secretary