

**MICRON NEW YORK SEMICONDUCTOR MANUFACTURING LLC**

**SEQRA SCOPING RESOLUTION**

**(3101-23-07A)**

A regular meeting of the Onondaga County Industrial Development Agency (the “Agency”) was convened in public session on December 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) Chairperson of the Agency and, upon roll being called, the following members of the Agency were:

**PRESENT:** Patrick Hogan  
Janice Herzog  
Susan Stanczyk  
Kevin Ryan  
Fanny Villarreal  
Cydney Johnson  
Elizabeth Dreyfuss

**ABSENT:**

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

The following resolution was offered by Janice Herzog and seconded by Susan Stanczyk:

**RESOLUTION OF THE ONONDAGA COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY ADOPTING  
FINAL SCOPING DOCUMENT**

**WHEREAS**, 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**, 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 (the “Application”) to the Agency, and a revised Application to the Agency, 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 (“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 adopted in its July 20, 2023 Resolution a determination that the Action to be taken by the Agency is a Type I action which 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**, on July 20, 2023, the Agency passed a Resolution to seek Lead Agency status pursuant to SEQRA, and served its Notice of Intent to Establish Lead Agency to all of the required involved, and interested agencies, via receipted delivery, and

**WHEREAS**, on September 14, 2023, the Agency was established as Lead Agency pursuant to SEQRA for the purposes of conducting a coordinated environmental review, and the Agency determined that the Proposed Micron Project may result in one or more significant adverse impacts on the environment, and that an environmental impact statement (“EIS”) must be prepared to further assess the impacts and possible mitigation, and to explore alternatives to avoid or reduce those impacts; and

**WHEREAS**, on September 14, 2023, the Agency also accepted a Draft SEQRA Scope of Work (“Draft Scoping Document”), made it available for review and comment by all involved and interested agencies, and by the public, in accordance with SEQRA and scheduled a public scoping meeting held on October 11, 2023; and

**WHEREAS**, the Agency held a public scoping meeting on October 11, 2023, at 6:30 PM and also extended the scoping comment period beyond the minimum required 30 days to October 31, 2023 to obtain input from the public and interested agencies;

**WHEREAS**, the Agency has considered the public comments and worked with the Company to revise and finalize the Scoping Document and prepare a response to comments.

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, the Draft Scoping Document, and the comments received, 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) The Agency hereby declares that the Final Scoping Document is complete in accordance with 6 NYCRR 617.8; and

(B) The Agency's counsel is authorized to arrange for distribution of the Final Scoping Document to the 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 agent(s) in connection therewith.

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 December 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 15 day of December, 2023.

(SEAL)

*Suzanne Dyer*  
Secretary