

**WHITE PINE COMMERCE PARK**

**SEQRA RESOLUTION**

A special meeting of the Onondaga County Industrial Development Agency was convened in public session, remotely by conference call or similar service pursuant to New York State Executive Order 202.97 on May 6, 2021, at 10:45 a.m., local time.

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  
Steve Morgan  
Susan Stanczyk  
Kevin Ryan

**ABSENT:** Victor Ianno  
Fanny Villarreal

**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, seconded by Steve Morgan, to wit:

**RESOLUTION DETERMINING PURSUANT TO THE  
STATE ENVIRONMENTAL QUALITY REVIEW ACT  
THAT THE DRAFT SUPPLEMENTAL GENERIC  
ENVIRONMENTAL IMPACT STATEMENT PREPARED  
FOR THE PROPOSED EXPANSION OF THE WHITE PINE  
COMMERCE PARK PROJECT IS ADEQUATE FOR  
COMMENCEMENT OF PUBLIC REVIEW**

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 (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 "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, 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; 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 the Park is not 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, the Agency has devoted substantial time and effort into determining the highest and best use of the Park, with a particular focus on site attributes that will bring high-tech facilities and high paying jobs to Onondaga County; and

WHEREAS, the Agency has focused its efforts on the semiconductor industry, and those 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 the associated investment required by a prospective tenant(s); and

WHEREAS, the Agency, as Project Sponsor, proposes to expand the Park to approximately 1,250± acres (the “Project” or “Action”), of which the Agency currently owns approximately 648± acres, has another 282± acres under contract, and would acquire approximately 320± additional acres, with such additional acreage consisting of parcels contiguous to the current Park and generally located along NYS Route 31 and along the east and west sides of Burnet Road, and which will be acquired by the Agency 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

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 NYCRR § 617.9(7)(i)), the Agency recognizes 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 may have a significant adverse impact upon the environment; and

WHEREAS, pursuant to a resolution adopted on December 8, 2020, the Agency determined that the Project was a Type I action, issued a positive declaration, declared its intent to act as “lead agency” (as said quoted term is defined in SEQRA), and resolved that a Supplemental Generic Environmental Impact Statement (“SGEIS”) will be prepared; and

WHEREAS, pursuant to SEQRA, the Agency notified each identified “involved agency” (as said quoted term is defined in SEQRA) of its intent to act as lead agency concerning the coordinated environmental review of the Project; and

WHEREAS, no involved agency objected to the Agency acting as lead agency; and

WHEREAS, the Agency, with the assistance of its consultants, has prepared a Draft SGEIS; and

WHEREAS, the Agency has completed its preliminary review of the Draft SGEIS and has analyzed the Draft SGEIS for compliance with the applicable SEQRA regulations;

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

- (1) The Agency hereby confirms its status as lead agency concerning the coordinated environmental review of the Project.
- (2) Based upon an examination of the Draft SGEIS prepared for the Project, the criteria contained in 6 NYCRR Part 617, including §617.9, 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, the Agency determines and finds that the Draft SGEIS, dated May 6, 2021, is complete for commencement of the public review pursuant to SEQRA.
- (3) The Agency hereby adopts a Notice of Completion of Draft SGEIS and Notice of Public Hearing (the “Notice of Completion”) concerning the Project, which is attached hereto as Exhibit A.
- (4) The public comment period concerning the Draft SGEIS shall commence upon the filing and circulation of a notice of completion pursuant to the requirements of SEQRA, and such public comment period shall remain open until June 11, 2021.
- (5) The Agency shall arrange for filing and distribution of the Notice of Completion and Draft SGEIS pursuant to the requirements of SEQRA.

- (6) Copies of the Draft SGEIS and Notice of Completion, as well as a copy of this Resolution, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours, and a copy shall also be made available for public review at the Town of Clay Town Hall, 4401 Route 31, Clay, NY 13041.
- (7) This Resolution shall take effect immediately

The question of the adoption of the foregoing resolution was duly put to vote on a 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 foregoing 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 annexed extract of the minutes of the meeting of the Onondaga County Industrial Development Agency (the "Agency") held on May 6, 2021, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

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 and affixed the seal of the Agency this \_\_\_\_ day of May, 2021.

          *Rowley Zoung*            
Secretary

(S E A L)

**EXHIBIT A**