

MICRON NEW YORK SEMICONDUCTOR MANUFACTURING LLC

**EMINENT DOMAIN PROCEDURE LAW RESOLUTION
(3101-23-07A)**

A special meeting of the Onondaga County Industrial Development Agency (the "Agency") convened in public session on November 7, 2025, at 8:30 a.m., local time, at 401 Montgomery Street, Room #407, 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: Pat Hogan
Garard Grannell
Cydney Johnson
Susan Stanczyk
Fanny Villarreal
Leslie English

ABSENT: Elizabeth Dreyfuss

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

The following resolution was offered by Susan Stanczyk, seconded by Leslie English, to wit:

**RESOLUTION OF THE ONONDAGA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING
AGENCY TO TAKE ALL APPROPRIATE ACTIONS FOR
POTENTIAL ACQUISITION OF PROPERTY INTERESTS
BY PURCHASE OR EMINENT DOMAIN UNDER THE NEW
YORK EMINENT DOMAIN PROCEDURE LAW FOR THE
MICRON NEW YORK SEMICONDUCTOR
MANUFACTURING LLC PROJECT**

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"), and 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 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, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire by eminent domain pursuant to the New York Eminent Domain Procedure Law (“EDPL”) or other means those real property interests necessary and/or appropriate to further its stated purposes; and

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

WHEREAS, the Agency has received an application from Micron New York Semiconductor Manufacturing LLC (the “Applicant”) seeking benefits in connection with the redevelopment of the Park; and

WHEREAS, the Applicant intends to invest over \$100 billion in the Park to build a semiconductor chip manufacturing facility, thereby creating over 4,000 jobs in the initial phase of facility completion, and simulating significant economic growth to the County (the “Proposed Micron Project”); and

WHEREAS, the Applicant is requesting that the Agency utilize its eminent domain authority to obtain (i) permanent easement rights over two parcels of real property located in the Town, bearing tax map numbers 031.-01-16.1 and 030.-01-01.0; and (ii) any and all interests that may be held in the parcel located within the Town bearing tax map number 046.-02-01.0 not already owned by the Agency (hereafter referred to collectively as the “Eminent Domain Parcels”); and

WHEREAS, the potential public benefits created by the redevelopment of the Park and the Proposed Micron Project will be significant in the form of new infrastructure in an industry and manufacturing facility of local, state, and national importance, investment in workforce development, hundreds of construction jobs and thousands of permanent full-time positions and increased sales tax revenue; 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 Applicant submitted a Full Environmental Assessment Form (the “EAF”) and supporting documents to the Agency for the Proposed Micron Project; and

WHEREAS, the whole “Action” for purposes of SEQRA as outlined in the EAF includes the above described full buildout of the “Micron Campus” with four Fabs and all ancillary support facilities; and

WHEREAS, the Agency adopted a resolution on July 20, 2023 determining 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); established itself as Lead Agency pursuant to SEQRA for the purposes of conducting a coordinated environmental review; 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 adopted a final scoping document, which was made available for review by all involved and interested agencies, and by the public, in accordance with SEQRA following comment and review by all involved and interested agencies; and

WHEREAS, the Agency, with the assistance of the Company, its consultants and the Creating Helpful Incentives to Produce Semiconductors (CHIPS) Program Office (“CPO”), jointly prepared a Draft EIS to evaluate the potential environmental effects of the Proposed Micron Project as required under the National Environmental Policy Act (“NEPA”) and SEQRA; and

WHEREAS, the Agency adopted a resolution on June 25, 2025 determining that the Draft EIS was complete and adequate for public review and noticing a public comment period, including a public hearing; and

WHEREAS, public comments on the Proposed Micron Project and the Draft EIS were received by the Agency and CPO at public hearings held on July 24, 2025 from 10:00 a.m. to 1:00 p.m., 1:00 p.m. to 5:00 p.m., and 6:00 p.m. to 9:00 p.m. at the Liverpool High School Auditorium, 4338 Wetzel Road, Liverpool, New York, 13090; and

WHEREAS, written public comments on the Proposed Micron Project and the Draft EIS were received by the Agency and CPO during the public comment period from June 25, 2025 to August 11, 2025; and

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

WHEREAS, pursuant to a resolution duly adopted by the board of the Agency on November 7, 2025, the Agency accepted the Final EIS as complete and authorized the filing and distribution of a notice of completion with respect to the Final EIS pursuant to the requirements of SEQRA; and

WHEREAS, representatives for the Applicant and/or the Agency have contacted the record owners of the Eminent Domain Parcels and continue to negotiate with them in order to obtain easement rights to those parcels without the use of eminent domain, however, such negotiations, to date, have been unsuccessful.

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

Section 1. The Agency's Executive Director and staff, and the Agency's legal counsel, Barclay Damon LLP, are hereby authorized and directed:

- a. To do such things or perform such acts and execute such documents as are necessary and/or appropriate to duly notice and conduct a public hearing as provided for under EDPL Article 2, including, but not limited to, retaining any professionals, consultants and contractors necessary to provide materials required under the EDPL in connection with a public hearing and the possible acquisition of real property interests in the Eminent Domain Parcels; and
- b. To take all actions under EDPL Section 404 to allow for and facilitate Agency officers, agents, and contractors to enter upon the Eminent Domain Parcels for the purpose of making surveys, test pits and borings, or other investigations, and also for temporary occupancy during construction.

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		
Garard Grannell	X		
Elizabeth Dreyfuss			X
Cydney Johnson	X		
Susan Stanczyk	X		
Leslie English	X		
Fanny Villarreal	X		

The Resolution was thereupon declared duly adopted.

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

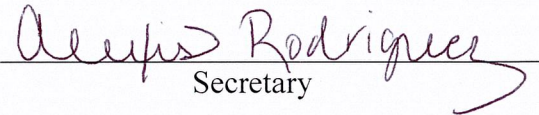
I, the undersigned Secretary of the Onondaga County Industrial Development Agency, DO HEREBY CERTIFY that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on November 7, 2025, with the original thereof on 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 10th day of November, 2025.

(SEAL)


Secretary