

MICRON SEMICONDUCTOR FABRICATION  
CLAY, NY

FINAL SEQRA SCOPE OF WORK

APPENDIX B:  
RESPONSE TO COMMENTS

December 14, 2023

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## A. Introduction

Micron New York Semiconductor Manufacturing LLC (Micron), a Delaware limited liability company (LLC) and wholly owned subsidiary of Micron Technology, Inc., is proposing to construct a semiconductor manufacturing campus (the “Micron Campus”) in the Town of Clay, New York, at the White Pine Commerce Park (WPCP), an approximately 1,400-acre industrial park controlled by the Onondaga County Industrial Development Agency (OCIDA). The Micron Campus, together with ancillary development on nearby properties, are referred to collectively as the “Proposed Project.” Off-site energy (natural gas and electricity), telecommunications, water, and wastewater utility improvements also will be required and are referred to as “off-site improvements” necessary for the Proposed Project. Rail spur improvements adjacent to the site are also considered off-site improvements.

After receipt of an Application for Financial Assistance from Micron, OCIDA circulated a notice of intent to serve as State Environmental Quality Review Act (SEQRA) (6 NYCRR Part 617) (New York Environmental Conservation Law §§8-0101 et seq.) Lead Agency on July 28, 2023. No objections to that notice were received during the 30-day period commencing on that date. At its regular meeting of September 14, 2023, OCIDA issued a Positive Declaration, indicating the need for an Environmental Impact Statement (EIS), and scheduled a public scoping meeting held on October 11, 2023. The Positive Declaration and notice of public scoping meeting was published in the Environmental Notice Bulletin on September 20, 2023. Notice of the public scoping meeting was placed in The Post Standard (Syracuse.com) – a newspaper of general circulation serving the broader Clay, New York area. Project information and a Draft SEQRA Scope were posted on OCIDA’s website ([www.ongoved.com](http://www.ongoved.com)).

This document is an addendum to the Final SEQRA Scope. It identifies comments received through a public scoping process that ran from September 20, 2023, through October 31, 2023, including an in-person scoping meeting on October 11, 2023, at North Syracuse Junior High School.

Additional information on the Proposed Project and off-site improvements is contained in the Final SEQRA Scope.

## B. Commenters on SEQRA Scope of Work

Individuals, elected officials, agencies, and organizations (“commenters”) were able to submit comments during the SEQRA scoping process in a variety of ways:

- Oral testimony was received during a public scoping meeting on October 11, 2023; and
- Written comments were received via mail and e-mail through October 31, 2023.

The list below identifies all commenters who submitted comments during the comment period. In some instances, commenters used more than one method for submitting comments.

All comment submittals (written and oral) were reviewed and substantive comments were allocated to comment categories. This document provides responses by comment category. When multiple commenters submitted similar comments, the similar comments were paraphrased and summarized in the respective comment categories, with effort taken to retain the substance and tone of the comments received. Each comment response includes a numbered cross-reference to the corresponding comment submittal(s). Attachment 1 is the full transcript of the public scoping meeting. Attachment 2 contains all written comments received during the public comment period.

### AGENCY COMMENTS

- A. New York State Department of Environmental Conservation (NYSDEC) Region 7
- B. United States Fish & Wildlife (USFWS)
- C. Onondaga County Legislator Charles Garland
- D. Town of Clay Supervisor Damien Ulatowski

### ORAL TESTIMONY AT PUBLIC SCOPING MEETING

1. Frank Sciortino
2. Jay Riordan | Cicero Democratic Committee and candidate for Town Council
3. Donald Hughes | Sierra Club
4. John Przepiora | Greening USA, Inc.
5. Mary Scanlon
6. Diana Elliott
7. Jim Nistico
8. Denise Androvette | Sierra Club member
9. Debra DeSocio | Sierra Club member
10. Peter Wirth | Climate Change Awareness and Action
11. Brian Heffron

### WRITTEN PUBLIC COMMENTS

12. Frank Sciortino

13. Debra DeSocio | Central and Northern NY Sierra Club
14. Steve Erwin | Trucking Association of New York
15. Nathan Gunn
16. Minchin G Lewis
17. Audrey Fletcher
18. Paul Goldsman
19. Onondaga Audubon
20. Peter Wirth
21. Jill Shultz
22. Mary Lou Bender
23. Craig Polhamus
24. Richard Ellenbogen | Allied Converters, Inc.
25. Roger Caiazza
26. Michelle Fanelli
27. Brian Cocca
28. Center for Public Environmental Oversight
29. Sara Pieklik
30. CNY Sustainability Coalition
31. Sierra Club
32. Michael Wolfson
33. Frank Fowler
34. Jim Baker
35. Steve Strauss | Empire State Passengers Association<sup>1</sup>

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<sup>1</sup> Although this comment was received late, it was still considered by OCIDA and addressed in this Response to Comments.

## C. Response to Agency Comments

### *New York State Department of Environmental Conservation (NYSDEC)*

NYSDEC Comment 1: The DEIS should include a separate chapter addressing stormwater management which should include an evaluation of stormwater runoff (industrial and construction) and water quality. This section should identify the current requirements of NYSDEC's State Pollutant Discharge Elimination System (SPDES) Permits, including the Construction General Permit (GP-0-20-001) and Multi-Sector General Permit (GP-0-23-001), and also evaluate how these requirements will be met. Sufficient information should be developed to identify the approximate size and location of necessary stormwater management measures and outfalls during and after construction.

Response: Although stormwater impacts and management will be evaluated in the DEIS, it will not be in a separate chapter but will be included in the water resources chapter as part of the assessment of the Proposed Project's impact on surface waters. The Scope indicates that a Stormwater Pollution Prevention Plan (SWPPP) will be prepared for the Proposed Project and described in the DEIS (it will also be included as an appendix).

NYSDEC Comment 2: Due to the scale of the project and the anticipated need to have large areas of soil exposed at any given time, the DEIS should evaluate the soil characteristics that may cause or contribute to erosion on site. A reference should be developed to identify any supporting information or reports that will be included as an appendix. The Stormwater Pollution Prevention Plan (SWPPP) needs to address hydraulic changes pre- and post-construction, and all changes to hydrology from filling in any wetlands, streams, and drainage ways on site. It is important to note that while NYSDEC's Region 7 Division of Water and the Town of Clay will jointly evaluate the required SWPPP prepared by the Applicant, responsibility for the approval of the SWPPP lies with the Town of Clay as per the municipal separate stormwater sewer systems (MS4) General Permit (currently GP 0-15-003).

Response: The SWPPP will be prepared pursuant to the New York State Stormwater Management Design Manual (SMDM) and included in Micron's site plan application to the Town of Clay. Any soil characteristics that may cause or contribute to erosion will be identified in the SWPPP. Measures to protect against erosion during construction will also be identified in the SWPPP.

NYSDEC Comment 3: Stormwater management should pay particular attention to Chapter 3 of the New York State Stormwater Management Design Manual (SMDM) and its focus on Stormwater Management Planning. The SMDM requires a specific planning process when addressing stormwater management on a project site and guides the planner through steps to maintain pre-development natural hydrologic conditions of the site by application of environmentally sound development principles, such as green infrastructure, as well as treatment and control of runoff discharges from the site.

Response: Comment noted.

NYSDEC Comment 4: Identify additional potential development alternatives considering design and configuration changes to avoid or minimize potential impacts to wetlands, streams, and other sensitive natural resources. The area east of Burnett [sic] Road contains a large, forested wetland complex and portions of Youngs Creek; additional consideration should be given to avoiding development in this area.

Response: The Scope has been revised to indicate that the DEIS will consider two additional alternatives: 1) an alternative that evaluates the Proposed Project without access to and from US Route 11; and 2) an alternative that evaluates different internal configurations of Micron's proposed Fabs to determine to what extent impacts to wetlands, streams, and other natural resources on the Micron Campus can be avoided or minimized.

NYSDEC Comment 5: The DEIS should include a discussion of potential alternatives and mitigation that could reduce energy and fuel demands during construction and the long-term operation of the facility, including renewable energy sources.

Response: The Scope has been revised to indicate that the DEIS will include a summary of other alternatives previously considered but determined not to be feasible, including an alternative that relies exclusively on alternative sources of energy (beyond use of renewable energy for purchased electricity). The DEIS will also assess the proposed use and conservation of energy (including provisions for renewable energy sources). The DEIS will include an evaluation of energy impacts from construction and long-term operation of the facility, along with potential mitigation of those impacts.

NYSDEC Comment 6: Natural resource impacts associated with off-site infrastructure improvements (linear utility construction projects, pump stations, water intake and associated improvements, wastewater plant) should be evaluated and described in the DEIS, including the presence of, and impacts to, wetlands, waterbodies, and threatened and endangered species for. Horizontal drilling should be discussed and considered.

Response: The Scope has been revised to clarify that the DEIS will include an assessment of off-site improvements in each of the relevant subject areas, including natural resources. Proposed mitigation methods will be discussed.

NYSDEC Comment 7: The DEIS should include a table summarizing the amounts and types of wetlands, streams, and other waterbodies on the Proposed Project site, and those associated with the previous comment. The table should also quantify the impacts on these resources for phases 1 and 2, and the cumulative of both phases.

Response: Comment noted.

NYSDEC Comment 8: The DEIS should include a complete discussion on the avoidance and minimization of wetlands impacts, which are the first two analyses required prior to considering

wetland mitigation under implementing regulatory programs for Section 404 of the Clean Water Act and Article 24 of the New York State Environmental Conservation Law.

Response: The Scope has been revised to indicate that the DEIS will consider an alternative that evaluates different internal configurations of Micron's proposed Fabs to determine to what extent impacts to wetlands, streams, and other natural resources on the Micron Campus can be avoided or minimized.

NYSDEC Comment 9: The DEIS should include and discuss wetland creation and restoration prior to consideration of enhancement. Please see attachment B, which discusses DEC wetland mitigation requirements. This information should be discussed in the DEIS.

Response: The Scope has been revised to note that creation and restoration of wetlands would be considered prior to consideration of enhancement.

NYSDEC Comment 10: The DEIS should include the Proposed Project's onsite wetland delineation and compensatory mitigation package being developed by Micron and its consultants.

Response: The Scope has been revised to indicate that the wetland delineation report and draft conceptual compensatory mitigation plan will be included as an appendix to the DEIS.

NYSDEC Comment 11: The DEIS should address and discuss stream mitigation that will be completed to offset impacts to waterbodies on the Proposed Project site.

Response: The Scope has been revised to clarify that potential impacts (and any required mitigation) to streams will be assessed as part of the water resources assessment.

NYSDEC Comment 12: The DEIS should include an assessment of the functions and benefits of all the streams and wetlands on the Proposed Project site.

Response: The Scope has been revised to indicate that the DEIS will include an assessment of wetland functions and services.

NYSDEC Comment 13: The Acoustic Bat Survey Report and the Grassland Breeding Bird Survey Report, prepared for Micron New York by AKRF Inc. should be discussed and appended to the DEIS. The DEIS should reference Grass Land Bird Mitigation Requirements (attachment to comment letter)

Response: The Scope has been revised to indicate that the field reports for work conducted in Spring 2023 on bat habitat and grassland birds will be included as appendices to the DEIS.

NYSDEC Comment 14: The natural resource analysis of the Proposed Project should also include details on wildlife that likely use the site based on habitat types and any ancillary observations made by on-site natural resource consultants. The DEIS should discuss the impacts on the species associated with converting these habitats to an industrial site.



Response: The Scope indicates that the DEIS will include discussion of natural resources, including wildlife habitats, potential impacts and proposed mitigation.

NYSDEC Comment 15: The C-Class Youngs Creek (Water Index Number ONT-66-11-14), located east of Burnett [sic] Road, is continuously connected to the Oneida River (Water Index Number ONT-66-11) with no known impassable barrier. The site plan OCIDA included with the draft scope shows portions of the Proposed Project filling Youngs Creek. The DEIS should include information on any portions of Youngs Creek being filled or "culverted" and discuss how water in the stream will be managed.

Response: The Scope has been revised to note that field studies describing physical, biological, and chemical characteristics of Youngs Creek will be conducted as part of the DEIS.

NYSDEC Comment 16: A biological survey of Youngs Creek on the Proposed Project site should be completed to assess fish species composition in this stream and detail the effects on these species associated with any impact on the stream. The analysis should consider upstream and downstream impacts, and evaluate upstream and downstream instream habitat enhancement projects to mitigate potential onsite impacts.

Response: The Scope has been revised to include a requirement for field studies to characterize aquatic wildlife within Youngs Creek.

NYSDEC Comment 17: The DEIS should include further details to identify how surface and subsurface water resources will be evaluated. It should address potential on-site and off-site flooding and impacts to surface and groundwater, and an evaluation of impacts on surface water volume, including streams, wetlands, and drainage ways, and groundwater elevations during and after construction. Impacts to groundwater levels, quantity, and quality from filling wetlands should be assessed, including a groundwater hydrologic and hydraulic analysis of the impacts of placing fill in watersheds contributing to the project area. Special consideration should be given to filling wetlands, drainage areas, Youngs Creek, and its tributaries, including unmapped streams, and evaluate how fill may affect the surface and subsurface water flow and drainage patterns in the area and surrounding properties. Consider factors such as increased surface runoff, potential water flow redirection, and impacts on nearby waterbodies or stormwater management systems. Portions of this information are also needed as part of the SWPPP review. Points for consideration in the hydrologic/hydraulic analysis were identified.

Response: The Scope has been revised to clarify that the DEIS will identify both surface and subsurface water resources and impacts to those resources, including from construction, and potential mitigation of those impacts. See also Responses to NYSDEC Comments 1, 15, 16.

NYSDEC Comment 18: The DEIS should discuss how drainage will be maintained and how potential flooding would be mitigated.

Response: The DEIS will include the requested discussion.

NYSDEC Comment 19: NYSDEC supports documenting floodplains and recommends re-evaluating and updating floodplain mapping for any significant grade changes.

Response: Comment noted.

NYSDEC Comment 20: Dewatering of groundwater during construction should be discussed including best management practices that may be employed to avoid and mitigate impacts to the resource.

Response: The DEIS will include the requested discussion.

NYSDEC Comment 21: Evaluate the impact potential population growth associated with this development will have on the management of solid waste and recyclables, as well as the anticipated amount of waste and recyclable material generated by Micron. Onondaga County law requires that waste generated within the County be disposed of at the Onondaga County Resource Recovery Waste to Energy Facility. Consider the existing waste management network's capacity, and ability to accept increased volumes associated with the Proposed Project, and the potential for population growth. If the evaluation includes an expansion of any waste or recycling facilities or the use of the Onondaga County landfill, approximate dates of the expansion(s) should be included that correspond with Micron's expected buildout.

Response: The Scope has been revised to indicate that the DEIS will address issues of solid waste generation from the Proposed Project, as well as plans by Onondaga County to manage solid waste and recyclables as a result of economic development related to the Proposed Project. The Scope has been revised to provide additional detail on how the capacity of the existing waste management network would be affected by the Proposed Project.

NYSDEC Comment 22: The DEIS should include a discussion of hazardous waste, listed in 6 NYCRR Part 371.4, that the Proposed Project may generate, including type of hazardous waste anticipated to be generated, approximate volumes, storage methods, disposal options, and how the facility will operate following hazardous waste regulations found at 6 NYCRR Part 370-373.

Response: The Scope has been revised to clarify that the DEIS will include a description of the generation, storage, and disposal of hazardous wastes identified in 6 NYCRR Part 371.4.

NYSDEC Comment 23: Mitigation considerations for solid waste should include an evaluation of processing methods and chemicals used in the manufacturing process to determine if alternative methods could reduce the generation of hazardous waste.

Response: See Responses to NYSDEC Comments 21 and 22.

NYSDEC Comment 24: The air quality modeling included in the DEIS should include an air quality impact evaluation or dispersion modeling analysis for a variety of emission sources including major sources, air toxic sources, and any sources that appear likely to contravene an applicable ambient air quality standard. NYSDEC developed the DAR-10 guidance document, NYSDEC Guidelines on Dispersion Modeling Procedures for Air Quality Impact Analysis. The applicant should submit a modeling protocol to DEC for approval prior to performing any dispersion modeling analyses.

Response: The Scope notes that a stationary source air pollution control permit for the new manufacturing facilities will be required. The air pollution control permit application will include evaluation of pollutants subject to the National Ambient Air Quality Standards (NAAQS), New York air toxic control and ambient air requirements, and a Climate Leadership and Community Protection Act (CLCPA) greenhouse gas evaluation. The Scope indicates that the DEIS will summarize these detailed air quality modeling and impact assessment analyses that will be prepared to support the air pollution control permitting process.

NYSDEC Comment 25: If the impact assessment includes a private, pre-construction, on-site air quality monitoring network, the plan will need prior NYSDEC approval. Guidance for the establishment, maintenance, and reporting requirements of private air monitoring networks can be found in DAR-2, 6 NYCRR Part 231-12.3 and Appendix B to 40 CFR Part 58.

Response: Comment noted.

NYSDEC Comment 26: If one or more applicable requirements or proposed compliance certification sections require the use of a continuous emissions monitoring (CEM) system, the analysis should develop and include a continuous emissions monitoring plan. The analysis should include applicable RACT/BACT/LAER demonstrations, as well as appropriate Emission Reduction Credit (ERCs) demonstrations and analysis.

Response: See Response to NYSDEC Comment 24.

NYSDEC Comment 27: The analysis should include, as applicable, a Toxic Impact Assessment and Environmental Rating Demonstration pursuant to the requirements of 6 NYCRR Part 212. DEC developed DAR-1: Guidelines for the Evaluation and Control of Ambient Air Contaminants Under Part 212.

Response: See Response to NYSDEC Comment 24.

NYSDEC Comment 28: NYSDEC recommends that a copy of the Air Title V permit application and supporting information be appended to the DEIS to the extent it is available.

Response: Information supporting the Air Title V permit application will be provided as an appendix to the DEIS.

NYSDEC Comment 29: The Proposed Project is subject to the mandates of the Climate Leadership and Community Protection Act (CLCPA) and therefore requires an analysis pursuant to Section 7(2) of CLCPA. Please see DEC Program Policy DAR-21 for guidance on preparing the CLCPA analysis.

Response: The DEIS will include an assessment of GHG emissions associated with the Proposed Project and will assess compliance with Section 7(2) of the CLCPA.

NYSDEC Comment 30: NYSDEC recommends evaluating and quantifying GHG and co-pollutants of mobile emissions sources during construction and when the plant is in operation. Additionally, alternatives and mitigation that reduce GHG and co-pollutants from mobile emission sources must be considered.

Response: The Scope indicates that the DEIS will assess the Proposed Project's potential emission of GHGs and the measures proposed to avoid, minimize, and mitigate any impacts.

NYSDEC Comment 31: Among other CLCPA requirements, the Proposed Project will result in an actual increase in greenhouse gas (GHG) emissions, including both direct and indirect GHG emissions. Therefore, the DEIS should include a discussion of the justification for the Proposed Project, along with the technical and economic feasibility of any alternatives or GHG mitigation measures to address the increase. Any such mitigation should take place at the New York facility or in the immediate area, rather than in other cities or out of state. NYSDEC offered examples of potential alternatives and mitigation measures.

Response: The Scope indicates that the DEIS will include an assessment of GHG emissions associated with the Proposed Project and will assess compliance with Section 7(2) of the CLCPA.

NYSDEC Comment 32: The discussion of natural resource impacts for constructing utility connections, such as clean water, wastewater, electric, gas, telecommunications, and roadway expansions should be referenced in the Utilities and Infrastructure section of the DEIS.

Response: The Scope has been revised to clarify that the DEIS will include assessment of all off-site improvements (water, wastewater, electricity, natural gas, telecommunications) in each of the relevant subject areas, including natural resources.

NYSDEC Comment 33: NYSDEC recommends developing a phasing plan, which coincides with Micron's incremental expansion, for the buildout and expansion of all utility upgrades required to meet the Proposed Project's anticipated demands. The phasing plan should include sewer extensions, pumping systems, new clean water source(s) and distribution systems, wastewater plant upgrades, and gas and electricity distribution infrastructure.

Response: The Scope indicates that the DEIS will describe the proposed phasing plan of off-site improvements required to meet the Proposed Project's anticipated demand.

NYSDEC Comment 34: The DEIS should also provide adequate information to demonstrate that all utility upgrades will be constructed, operational, and sufficient to accept waste from or provide service to the Proposed Project. Please see Attachment D, which lists the typical details DEC reviews for a sewer extension and force main approvals.

Response: See Response to NYSDEC Comment 33.

NYSDEC Comment 35: Provide adequate details on the Proposed Project's wastewater loading, flow, and discuss the on-site wastewater pretreatments.

Response: The Scope has been revised to indicate that the Project Description chapter of the DEIS will include additional description of Micron's proposed use and management of water and chemicals (including on-site pretreatment) and Micron's proposed generation and management of various waste streams and how best management practices will be implemented.

NYSDEC Comment 36: The DEIS should provide details on the design specification of the new lake water intake structure and intake screening and assess potential fish impingement mortality and entrainment, and additional measures, including specific equipment, to avoid and minimize fish impingement and entrainment.

Response: The DEIS will identify and describe required infrastructure improvements, including, to the extent known, information on the design, and potential impacts to environmental resources from construction of those improvements.

NYSDEC Comment 37: The DEIS should consider and include details and a summary of water conservation and reuse practices to mitigate water demands.

Response: The Scope has been revised to indicate that the Project Description chapter of the DEIS will include additional description of Micron's proposed use and management of water (including on-site pretreatment) and how best management practices will be implemented to conserve water usage.

NYSDEC Comment 38: The DEIS should include a summary of any investigated and considered alternative water sources.

Response: The Scope has been revised to indicate that the DEIS will describe any previous studies conducted by Onondaga County Water Authority on alternative sources of water.

NYSDEC Comment 39: Water withdrawals within the Great Lakes Basin are subject to the requirement and provisions of the Great Lakes-St. Lawrence River Basin Water Resource Compact. The DEIS should discuss and address how the proposed water withdrawal and use is consistent with the Compact and all state, local, and federal laws.

Response: In accordance with NYSDEC rules and guidance there is an exception for public water supply systems from the Great Lakes-St. Lawrence River Basin Water Resources Compact as enacted in ECL Article 21 Title 10. The DEIS will include discussion regarding water withdrawal, including applicable permits and regulations.

NYSDEC Comment 40: NYSDEC recommends renaming the DEIS chapter as “Use and Conservation of Energy.”

Response: The Scope has been revised to indicate that the chapter will be named “Use and Conservation of Energy.”

NYSDEC Comment 41: The DEIS should contain a description of energy sources to be used during both construction and operational phases of a project, including accurate estimates of demand or consumption. Discuss alternatives and mitigation that could reduce energy and fuel demands during construction and long-term operation.

Response: The DEIS will assess the Proposed Project’s energy requirements and will include a discussion of the use of alternative energy sources and energy conservation. If significant adverse impacts with regard to energy resources are identified, mitigation of such impacts will be identified.

NYSDEC Comment 42: The 2018 amendments to SEQR regulations require all New York State agencies to evaluate such GHG impacts in a new section specifically dedicated to climate change and its impacts. Proposed energy conservation measures that go beyond the minimum requirements of the State Energy Conservation Construction Code (9 NYCRR Parts 7810 through 7816) should be specifically identified, such as LEED or Energy Star. Please refer to Chapter 5, Section C, Item 44 on page 123 in the SEQR Handbook. The information and energy conservation measures discussed in this section may be applicable and cross-referenced to the Greenhouse Gas Emissions and Climate Change chapter.

Response: Comment noted.

### *United States Fish & Wildlife Services (USFWS)*

USFWS Comment 1: Section five of the Scope provides general topics and specific technical studies proposed to inform the DEIS. We note that while the list of resources includes wetlands, floodplains, and vegetated habitat, there is no mention of an analysis of the project’s effects on wildlife. The Scope should be amended to include literature review and field observations of wildlife using the site at all times of the year, including winter and migration seasons. Potential impacts to wildlife that should be considered in the DEIS include, but are not limited to, noise, lighting, pollution, human activity and traffic. Potential loss of habitat and fragmentation appear to be substantial and will negatively affect many species. This information should be included in the Scope and documented in the DEIS.

Response: The Scope has been revised to divide the “Natural Resources” chapter into separate “Water Resources” and “Ecological Communities & Wildlife” chapters to

provide clarity regarding how water resources (groundwater, streams, and wetlands) and habitat for wildlife will be assessed in the DEIS. The DEIS will assess potential impacts on wildlife, including where appropriate, literature review and field observations collected seasonally, including winter and migration seasons. This assessment will evaluate potential impacts associated with noise, lighting, pollution, human activity and traffic as well as from the potential loss of habitat and fragmentation.

USFWS Comment 2: Regarding site vegetation, the Scope should include mapping of vegetation communities, surveys to document endemic plants and identification of rare species and communities as well as invasive plant species. Information should also be provided on the present and future threats of spreading invasive plants to and from the site. An invasive species management plan should be developed for the site in consultation with NYSDEC.

Response: The Scope has been revised to enhance the description of how the DEIS will address ecological communities and potential impacts of the Proposed Project. The DEIS will include mapping of vegetation communities, surveys to document endemic plants and identification of rare species and communities as well as invasive plant species. The DEIS will also assess present and future threats of spreading invasive plants to and from the site.

USFWS Comment 3: The information gathered using the Service's Information, Planning and Consultation (IPaC) system should be included in the DEIS along with a description of studies completed thus far. For example, the Service and the Micron team, along with staff from the NYSDEC, have discussed studies of two endangered bat species believed to be using the site.

Based on information in IPaC, the project is within the range of the federally listed endangered Indiana bat (*Myotis sodalis*) and the federally listed endangered northern long-eared bat (*Myotis septentrionalis*). Accordingly, Micron initiated acoustic surveys of these species at sample locations on the site. A summary of the survey results should be included in the DEIS. The documented call locations should be analyzed in regard to tree removal and habitat modification. This information should inform what the potential effects to these listed species may be and what, if any, measures could be implemented to mitigate adverse effects. The Service will continue to work with Micron and other partners in evaluating the project's effects on federally listed species. Since federal agencies will be funding, permitting and/or approving aspects of the project, section 7 consultation under the ESA will be required.

Response: The Scope has been revised to indicate that summaries of field studies will be included as an appendix to the DEIS. The Scope indicates that the USFWS IPaC system will be queried.

USFWS Comment 4: The Scope indicates that wetlands will be identified and delineated in consultation with the US Army Corps of Engineers. We understand that most of that field work has been completed. However, the Scope does not indicate if or how wetland functions and services will be evaluated and reported. This information is important in understanding the habitat and social values (flood flow attenuation, sediment and nutrient retention, pollution abatement, etc.) these

areas provide. Documentation in the DEIS is also important to understand what is being potentially lost from the project and what mitigation is required of Micron to replace these functions and services. In line with section 404 of the Clean Water Act, the project design must avoid, minimize, and mitigate potential impacts to aquatic resources to the greatest extent practicable. This review approach should be added to the Scope.

Response: The discussion of wetlands has been revised in the Scope to make clear that a discussion of wetland function and services will be included in the DEIS along with a discussion of Section 404 permitting factors.

USFWS Comment 5: Wetland mitigation is mentioned in the Scope as potentially occurring on and off site. While the extent of potential wetland impacts is not yet known, it appears to be a substantial amount based upon the extent of wetlands found on the 1400-acre site. Mitigation for unavoidable impacts should occur within the same watershed (as defined by the 8-digit hydrologic code) and be as close to the impacted wetlands as practicable. Micron has inquired about mitigation options including the purchase of credits at third party wetland mitigation banks or in-lieu fee sites. The Service does not support the complete purchase of available credits for the Micron project as that reduces the effectiveness of the mitigation program.

Response: Comment noted.

#### *Onondaga County Legislator Garland*

Comment 1: "I want to be sure that our collective efforts ensure a pathway out of poverty for all of the residents I represent."

Response: Comment noted.

Comment 2: Raised concerns about the potential for increased traffic on highways and roads in and around the project due to population growth and workforce commutes.

Response: In coordination with the New York State Department of Transportation (NYSDOT), Onondaga County, the Town of Clay, and the Town of Cicero, and as indicated in the Scope, the DEIS will include an assessment of traffic conditions at the regional and local levels. Input from the Syracuse Metropolitan Transportation Council (SMTC) is also being provided. The Scope has been revised to include additional detail on how the traffic and transportation study area has been defined through consultation with NYSDOT and SMTC and in recognition of modifications to I-81.

Comment 3: Raised safety concerns relative to increased traffic and questioned what improvements would be made.

Response: See Response to Legislator Garland Comment 2.



Comment 4: Questioned the study area for traffic and whether additional areas to the south should be included.

Response: See Response to Transportation Comments 1-2.

Comment 5: "How is traffic going to be addressed as the scoping of the project goes further and further and brings not only Micron employees to our -- to our boundaries, but also those support industries that are so vital to that operation and will be instrumental in the growth of our community."

Response: See Response to Growth Inducing Impacts 2.

### *Town of Clay*

Comment 1: The DEIS should include the reason or purpose for the chimneys or stacks (163 ± ft), and the emissions associates with those stacks.

Response: The Scope indicates that the DEIS will include analysis of impacts associated with construction and operation of the facility, including visual impacts and air emissions impacts.

Comment 2: Safeguards should be established for the discharges into the rivers, including testing, to confirm the discharges are safe and not contaminating the receiving waters.

Response: Comment noted.

Comment 3: Assurances should be made regarding the safe conveyance of wastewater from the facility to the Oak Orchard treatment plant.

Response: Comment noted.

Comment 4: The DEIS should address not only the traffic impacts to the Town from Micron employees but also those from the support industries.

Response: The DEIS will include a full analysis of traffic impacts, including growth-inducing impacts.

## D. Response to Public Comments

### *Purpose and Need*

Comment 1: Many commenters expressed overall support of the Proposed Project and noted the many positive impacts, including economic impacts, it will have in the Town, County, region and State. (1, 14, 15 16, 17, 33, 34, 35)

Response: Comment noted.

### *Project Alternatives and Description of the Proposed Project*

Comment 1: One commenter stated that “Micron, DEIS needs to greatly expand its range of alternatives.” (30)

Response: See Responses to NYSDEC Comments 4-5.

Comment 2: Comments asked why Micron needs to site the Proposed Project in Clay. (26)

Response: See Response to NYSDEC Comment 4. The Scope indicates that the DEIS section on alternatives will detail the analyses previously performed for the proposed location of the Proposed Project and other locations in New York State and Onondaga County.

Comment 3: Commenters suggest that the Draft Environmental Impact Statement should include an alternative to add a Combined Cycle generating plant on the Micron Property. (24, 25)

Response: See Response to NYSDEC Comment 5.

Comment 4: Comments requested a consideration of alternative energy sources, including the use of renewable energy. (3, 10, 13, 20, 21, 26, 29, 30, 31,)

Response: See Response to NYSDEC Comment 5.

Comment 5: “Careful attention must be paid to ensuring the energy at the plant will be fossil free.” (10)

Response: As outlined in the Scope, the DEIS will assess the Proposed Project’s energy needs, including its potential use of fossil free energy.

### *Land Use, Zoning, & Public Policy*

Comment 1: The Sierra Club and CNY Sustainability Coalition commented “Why isn’t the city of Syracuse explicitly included here? Seems to be a major omission.” (30, 31)

Response: While changes to land use, zoning, and public policy within the City of Syracuse will be unlikely given the distance between the City of Syracuse and WPCP, the Scope indicates that the DEIS will address regional issues of economic activity and how that might affect land use within the surrounding area, including the City of Syracuse. See also response to *Other* Comment 11.

### *Community Facilities, Open Space & Recreation*

Comment 1: A number of comments note that open space and the enjoyment of outdoor activities (e.g., birding) was important and should be preserved. Numerous studies have demonstrated the benefit to humans of having green spaces nearby. (19, 26, 29)

Response: The Scope indicates that the DEIS will consider potential direct and indirect impacts of the Proposed Project on parks and recreational resources as well as open space.

Comment 2: The Sierra Club and CNY Sustainability Coalition commented that "This section is poorly organized and deserves to be rewritten to define more clearly what are the parameters to be studied and analyzed relevant to police, fire and other emergency services; schools; parks and rec facilities. Absent from the community facilities most notably is the health care and hospital system." (30, 31)

Response: The Scope has been revised to provide greater clarity on the study areas that will be used for each of the technical areas of analysis, including for community facilities and services and parks and recreational resources. Because the technical areas are related to variable conditions, there will necessarily be a variety of study areas defined for each area. Note, however, that an assessment of impact on health care and the hospital system is not contemplated as it is beyond the scope of the environmental review of the Proposed Project.

Comment 3: "Onondaga County health care facilities, in particular our hospitals, were short-staffed even before the Coronavirus pandemic. Waiting times and bed shortages were unfortunately highlighted by Covid-19 cases and have continued. What improvements in the healthcare system are proposed to remedy these shortcomings in view of the expectation of potentially thousands of new residents to work at and/or serve the Micron plant." (32)

Response: See Response to Community Facilities, Open Space & Recreation Comment 2.

### *Socioeconomic Conditions*

Comment 1: The public comments raised questions about the future workforce. (16, 26)

Response: Micron has been engaged in an extensive discussion with the Community Engagement Committee (CEC) (an entity convened by the Governor's Office, Micron, and local elected officials) on how the economic benefits of Micron's Proposed Project will be experienced within the broader community, including, but not limited to, the City of Syracuse. Micron has been working with regional stakeholders to identify and enhance workforce development programs in anticipation of the thousands of jobs that the Proposed Project will generate. The draft Scope included estimates of projected Micron employment and the general qualifications required for different categories of jobs. The Scope has been revised to include a new sub-heading for this text: "Proposed Project Employment."

Comment 2: Some comments requested a discussion of the anticipated impacts on property taxes. (1, 3, 5, 26,)

Response: SEQRA does not require consideration of purely economic impacts. Notwithstanding, the Scope indicates that the DEIS will consider changes in demographics and housing costs, changes in labor supply and effects on existing businesses, and municipal costs generated by the Proposed Project. As part of

this, anticipated impacts to municipal tax levies (the amount of the municipal budget derived from property taxes) will be qualitatively discussed.

Comment 3: How will the increase in this infrastructure expansion be covered financially? Will the local community be impacted financially due to the building of the pipeline to carry the water? How is the expense being covered? How much money will it take to pay for the whole building?" (26)

Response: This comment is outside the scope of SEQRA. Notwithstanding, the Scope indicates that the DEIS will consider changes in demographics and housing costs, changes in labor supply and effects on existing businesses, and municipal costs generated by the Proposed Project.

Comment 4: "What are the projected benefits for the local community? What does Micron have to offer the local community as they plan their environmental impact? How will the negative effects of this infrastructure affect me economically in the beginning and through to the future?" (26)

Response: The Scope indicates that the DEIS will describe Micron's projected benefits to the community as well as its efforts to work with community leaders through the CEC to consider how project benefits can be distributed throughout the affected communities, including to communities of color or low-income communities.

Comment 5: The benefits and adverse impacts of socioeconomics need to be considered together and the DEIS should specify the analytical standards, tools and techniques employed. (32, 35)

Response: The Scope indicates that potential adverse socioeconomic impacts will be assessed in the DEIS.

### *Environmental Justice*

Comment 1: Comments raised concern that project-related traffic could potentially affect environmental justice areas and suggested that traffic data be collected from an expansive geographic, especially since the southwest side of the city which has been a concentration of historically disadvantaged populations. (16)

Response: The Scope indicates that the DEIS will include analysis of potential impacts on environmental justice communities and disadvantaged communities. See Response to Transportation Comment 1.

Comment 2: "There is a draft permitting requirement that should be considered in the Technical Studies section of the DEIS. The New York State Department of Environmental Conservation (DEC) recently proposed a new policy that will require an analysis of impacts on disadvantaged communities (DACs) as part of most environmental permitting actions." (25)

Response: Comment noted. Micron will consider applicable guidance in the DEIS.

### *Historic and Cultural Resources*

Comment 1: One commenter noted the existence of properties located on Burnet Road and other parts of the White Pine site, some of which are eligible or potentially eligible for listing on the NY State Register of Historic Places and commented that these properties were supposed to be surveyed/assessed in conjunction with the NY State Historic Preservation Office. (18) One commenter suggested preservation of a house on the corner of Burnet and Route 31, and also preservation of a barn on the south side of Route 31. (34)

Response: The properties located on Burnet Road were studied as part of the SGEIS for the WPCP prepared in 2021 to establish a shovel ready commerce park. Any demolition of those properties is not part of the Proposed Project and was completed earlier this year for public safety purposes. The Scope indicates that coordination with the New York State Historic Preservation Office (SHPO) would be required for any additional properties not previously evaluated. In coordination with SHPO, and as indicated in the Scope, the DEIS will identify potential eligible or listed historic resources at WPCP or the surrounding area.

### *Visual Impacts & Community Character*

Comment 1: Commenters raised concerns about visual impacts, including impacts associated with lighting. (19, 22)

Response: The Scope indicates that a visual impact assessment will be conducted consistent with NYSDEC Program Policy "Assessing and Mitigating Visual Impacts."

Comment 2: Concerns were raised about the Proposed Project's impact on community character and quality of life. (4, 24)

Response: The Scope indicates that potential impacts to community character will be addressed in the DEIS.

Comment 3: The Sierra Club and CNY Sustainability Coalition commented that "This project has the potential to significantly alter the character of the community—not only the locale surrounding the immediate project location, but the wider Syracuse and Onondaga County as well as portions of Oswego County as population growth and housing development is induced." (30, 31)

Response: See Response to Visual Impacts & Community Character Comment 2.

### *Geology, Soils, & Topography*

Comment 1: "Reference is made to 'property survey' as a data source but later the 'geotechnical investigation' is mentioned but not included in the sentence describing the analysis. Is this an oversight that should be corrected? Certainly the geotechnical survey will provide valuable information to confirm or modify the USGS soil survey data." (30, 31)

Response: The Scope has been revised to clarify the information to be used in the geology, soils, and topography DEIS chapter.

## *Water Resources*

Comment 1: Public comments related to consumption of water, water infrastructure, wastewater, and water quality. (2, 3, 5, 17, 26, 27, 28, 30, 32 )

Response: The Scope has been revised to indicate that the DEIS will include additional description of Micron's proposed consumption of water and generation of wastewater and how those volumes will be minimized as well as managed and coordinated with County infrastructure.

Comment 2: The DEIS must describe the types and amounts of pollutants that will be discharged into the water. (27)

Response: See Response to Water Resources Comment 1.

Comment 3: The DEIS should evaluate ways in which water consumption can be minimized including options for recycling. (3, 32)

Response: See Response to Water Resources Comment 1.

Comment 4: The volume of water and the contents of wastewater including, but not limited to known hazardous waste products/chemicals must be identified, including, the various expected contents of the water must be specified, including hazardous materials, even if the weights and the volumes are not known. (27, 28, 32)

Response: See Response to Water Resources Comment 1.

Comment 5: Questions were raised about the industrial wastewater, including how it will be treated and monitored. (5, 28, 30, 31)

Response: See Response to Water Resources Comment 1.

Comment 6: Concerns were raised about the massive use of water and potential impacts to water resources. (2, 3, 26, 30, 31, 32)

Response: The Scope indicates that the DEIS will evaluate potential impacts to water resources.

Comment 7: The public must be assured that the public water drinking supply will never be compromised to accommodate water use by the Micron plant. (32)

Response: Comment noted.

Comment 8: Questions were posed regarding safeguards and monitoring for wastewater leaving the Micron facility. (5, 27, 28, 30, 31)

Response: The Scope indicates that the DEIS will discuss applicable permitting, monitoring, and reporting obligations associated with wastewater.

### *Ecological Communities and Wildlife*

Comment 1: Public comments raised concerns of the potentials impacts to wildlife and habitat on and around the site, specifically to birds, butterflies and other animals native to the site. (19, 21, 22, 23, 26, 28, 29, 30, 31)

Response: The Scope indicates that potential adverse impacts to these natural resources will be addressed in the DEIS.

Comment 2: Native plants should be considered as part of mitigation plans instead of typical ornamentals. (19)

Response: The Scope indicates that the DEIS will consider use of native plants as mitigation where necessary and if appropriate.

### *Solid Waste*

Comment 1: Public comments submitted raised questions about solid waste and the amount of materials that would be used at the site, and what the process would be to dispose of the waste. (3, 26, 28, 32,)

Response: The Scope indicates that the DEIS will evaluate solid waste generation from the Proposed Project, including proposed management, impacts to resources, as well as proposed mitigation strategies, including recycling to reduce waste stream volumes.

### *Hazardous Materials & Hazardous Waste*

Comment 1: Public comments raised concerns about hazardous materials being transported to and from the site, along with how Micron plans to dispose of such materials. Comments mentioned the use of PFAS as it relates to the semiconductor industry more broadly. Comments requested more information about the use of PFAS and the potential effect on communities and the environment. Comments also expressed interest in further analysis as it relates to the materials that will be used at the site and how risks will be avoided or mitigated with respect to those materials. (3, 4, 9, 23, 26, 28, 32)

Response: See Response to NYSDEC Comment 22.

Comment 2: Comments requested that the DEIS identify any hazardous materials, including chemical or petroleum bulk storage that would be used towards transport or generated by the proposed project and measures to protect against releases to the environment. (4, 30, 31)

Response: See Response to NYSDEC Comment 22. The Scope has been revised to indicate that the Project Description in the DEIS must further illustrate Micron's intended use, management, and conservation of water, chemicals, and energy.

### *Transportation*

Comment 1: A commenter provided that "The importance of I-81 is recognized for its impact in the draft scoping document. The majority of the Micron Campus is contained within the Town of Clay, Onondaga County, New York and is accessible from I-81 from an interchange with NYS Route 31 (see Figure 1). OCIDA deemed the Radisson Corporate Park as an unviable choice because it lacked . . . specific advantages such as the proximity to Interstates 81 and 481. The draft scoping document notes that the lack of "access to multi-modal transportation" is often a point of failure for most other sites. Changes to I-81 should be evaluated for potential adverse impacts on the Micron Development." (16)

Response: The Scope indicates that the DEIS, in coordination with the New York State Department of Transportation (NYSDOT), will evaluate regional and local traffic conditions. The assessment of potential future traffic conditions will include potential I-81 modifications. The Scope has been revised to include additional detail on how the traffic and transportation study area has been defined through consultation with NYSDOT and SMTC and in recognition of modifications to I-81.

Comment 2: Several additional public comments raised concerns about the potential for increased traffic on highways and roads in and around the project due to population growth and workforce commutes. Many commenters are concerned about impact to residents and listed areas directly around the Project Site, while others raised concerns about the regional traffic impact. (1, 2, 5, 7, 14, 15, 16, 17, 22, 26, 32)

Response: In coordination with NYSDOT, Onondaga County, the Town of Clay, and the Town of Cicero, and as indicated in the Scope, the DEIS will include an assessment of traffic conditions at the regional and local levels. Input from the Syracuse Metropolitan Transportation Council (SMTC) is also being provided. The Scope has been revised to include additional detail on how the traffic and transportation study area has been defined through consultation with NYSDOT and SMTC and in recognition of modifications to I-81. See also response to Legislator Garland Comment 2.

Comment 3: Many commenters requested that the DEIS analyze and provide details for the proposed traffic improvements. As part of this, certain potential traffic improvements were proposed to help alleviate the traffic of the current roads that exist now. (2, 8)

Response: The Scope indicates that the DEIS will identify proposed transportation improvements and provide a schedule for when the improvements would be required.

Comment 4: Comments raised safety concerns and questions about what improvements would be made. Many commenters are concerned about impact to residents and listed areas directly around



the Project Site, while others raised concerns about the regional traffic impact. (3, 5, 13, 15, 16, 17, 20, 28, 29, 30)

Response: See Response to Transportation Comments 1-3.

Comment 5: Traffic must be evaluated in the context of existing and proposed infrastructure. (16)

Response: See Response to Transportation Comments 1-3.

Comment 6: "Significant adverse impacts could result in the assessment of environmental impacts from traffic if Automatic Traffic Recorder (ATR) counts and Vehicle Classification Counts (VCC) data sites are not added to collect data from sites in the City of Syracuse." (16)

Response: See Response to Transportation Comments 1-2.

Comment 7: A question was raised regarding the proposed number of entrances to the campus as well as the traffic flow and routes for delivery trucks. (2, 5)

Response: Details of proposed access points and circulation routes for employee vehicles and delivery vehicles will be described in the DEIS.

Comment 8: Certain comments questioned the study area for traffic and whether additional areas to the south should be included. "There [are] no traffic counters utilized on I-481 at the NY Route 92/5 exchange nor in the City of Syracuse." (15, 16)

Response: See Response to Transportation Comments 1-2. The Scope has been revised to include additional detail on how the traffic and transportation study area has been defined through consultation with NYSDOT and SMTC and in recognition of modifications to I-81. The interchange of I-481 and NY Route 92/5 is included in the regional study area.

Comment 9: The Trucking Association of New York commented that "[w]hile the Micron project itself may not have a negative impact on our industry, the additional vehicle traffic will. Put that increased vehicular traffic on a poorly designed interstate, and the results will be disastrous for our industry." As additional context, the Trucking Association of New York attached its October 2021 comments on the I-81 Viaduct Project DEIS. (14)

Response: See Response to Transportation Comment 1.

### *Air Quality*

Comment 1: Public comments mentioned air quality as it relates to operations at the Proposed Project Site along with the air quality implications due to increased traffic and potential hazardous material. These comments requested additional detail on proposed air emissions, including mobile source emissions, and requested that air quality impacts be evaluated in the context of the existing

and proposed infrastructure” and, “Air quality should be monitored at all the traffic locations.” (16, 17, 32, 36)

Response: See Response to NYSDEC Comment 24. The Scope indicates that the DEIS will include assessment of mobile source and stationary source emissions from the Proposed Project. Mobile source emissions are primarily generated from additional vehicular traffic during both construction and operations. Stationary source emissions are generated from operation of the proposed Fabs. The Scope notes that a stationary source air pollution control permit for the new manufacturing facilities will be required. The air pollution control permit application will include evaluation of pollutants subject to the National Ambient Air Quality Standards (NAAQS), New York air toxic control and ambient air requirements, and a Climate Leadership and Community Protection Act (CLCPA) greenhouse gas evaluation. The Scope indicates that the DEIS will summarize these detailed air quality modeling and impact assessment analyses that will be prepared to support the air pollution control permitting process.

Comment 2: The public must be informed now regarding the amounts and types of air pollutants released by current Micron industrial facilities and expected to be released/emitted by the proposed Clay plant. (32)

Response: See Response to NYSDEC Comment 24.

Comment 3: Micron should identify plans to notify first responders and public of any toxic air releases, and first responders should be provided in advance with training and equipment to respond safely to such releases. (28)

Response: Comment Noted.

Comment 4: Employees should be warned about the toxicity of gases used by the industry and trained to protect themselves from potential releases, both at low levels associated with chronic toxicity as well as higher levels with acute toxicity.” (28)

Response: Comment noted.

### *Greenhouse Gas Emissions and Climate Change*

Comment 1: Public comments noted that the use of natural gas seems inconsistent with New York State’s Climate Leadership and Community Protection Act (CLPCA) greenhouse gas (GHG) reduction goals. (10, 20, 23)

Response: See Responses to NYSDEC Comments 29-31.

Comment 2: Members of the public provided comments about GHGs. (10, 20, 35)

Response: The Scope indicates that the DEIS will assess the Proposed Project's potential emission of GHGs and the measures proposed to avoid, minimize and mitigate any impacts.

Comment 3: "Semiconductors have a carbon problem. The public should be informed about the plan to prevent fluorocarbons from being introduced to our local air." (9)

Response: See Response to Greenhouse Gas and Climate Change Comments 1 and 2.

Comment 4: "Interested to learn about the impact of embodied carbon as well as operational carbon in both the Micron plant and the associated growth." (6)

Response: See Response to Greenhouse Gas and Climate Change Comments 1 and 2.

Comment 5: Methane is a much more potent greenhouse gas than CO2. (10)

Response: Comment noted.

Comment 6: "The current plans for powering the Micron facility in Clay, NY, while looking good on paper, will in fact increase emissions on energy used to supply the Micron facility... The reality is that Micron is going to be powered by Fossil Fuel Generation that is transmitted over long distances, very likely from out of state in Pennsylvania or Ohio that have generation carbon footprints far higher than those in NY State. As GHG emissions are not cognizant of political boundaries on a map, those emissions will end up affecting NY State residents." (14)

Response: Comment noted.

Comment 7: "There are also possibilities for using the CO2 emissions of the generating facility for agricultural purposes, further reducing the carbon footprint of the plant." (14)

Response: Comment noted.

### *Noise & Vibration*

Comment 1: Several public comments referred to concerns about noise & vibration from construction and operation, including noise from increased traffic. (8, 19, 29)

Response: The Scope indicates that the DEIS will include assessment of noise and vibration generated by construction and operations of the Proposed Project, including from increased vehicular traffic.

### *Utilities and Infrastructure*

Comment 1: One comment requests that the process for wastewater be described.

Response: The Scope indicates that the DEIS will describe the manner in which wastewater will be treated.

Comment 2: There needs to be better definition of the assessment of potential impacts on infrastructure (water, stormwater, sanitary sewer, electrical and telecommunications) will be assessed.

Response: The Scope indicates that the DEIS will include an assessment of potential adverse impacts on utilities and infrastructure due to demand associated with the Proposed Project.

Comment 3: The release of toxic contaminants through water pathways is one of the most serious threats of semiconductor productions. Releases of certain contaminants in wastewater could compromise the operations of the Oak Orchard Wastewater Treatment Plant, even undermining compliance with its discharge permit.

Response: The Scope indicates that the DEIS will include an assessment of impacts from wastewater discharges from the Proposed Project.

Comment 4: Industrial pre-treatment must be described in the DEIS and should include identification of identify ways to pre-treat hazardous chemicals, perhaps even reusing some, before comingling with other wastes. This is particularly important for PFAS, because in the future more PFAS compounds are likely to be subjected to enforceable environmental standards, many at very low concentrations." (18)

Response: The Scope indicates that the DEIS will include an assessment of impacts from wastewater discharges from the Proposed Project, and will include a description of industrial pretreatment at the Proposed Project.

Comment 5: The DEIS needs to address parameters such as system capacity, level of service changes, fiscal implications for the community and impacts on water bodies. (16)

Response: The Scope has been revised to indicate that the DEIS will include additional description of Micron's proposed consumption of water and generation of wastewater and how those volumes will be managed and coordinated with County infrastructure.

Comment 6: Impacts associated with the "natural gas main" that will be extended to the plant must be included in the DEIS. (30, 31)

Response: The Scope has been revised to clarify that the DEIS will include assessment of all off-site improvements (water, wastewater, electricity, natural gas, telecommunications) in each of the relevant subject areas.

### *Anticipated Use & Conservation of Energy*

Comment 1: "It is imperative to reduce emissions through clean energy usage initiatives and energy conservation projects." (2,36)

Response: Comment noted.

Comment 2: One comment questioned the impact of the Proposed Project on their energy bill and whether the Proposed Project will strain the grid and cause blackouts. (16)

Response: The Scope has been revised to indicate that the DEIS will include additional description on Micron's proposed use and conservation of energy (including provisions for renewable energy sources).

Comment 3: Additional detail was requested on the anticipated energy needs of this project which were noted to be enormous. (20,23)

Response: The DEIS will describe the Proposed Project's energy needs.

Comment 4: "Electrical consumption is anticipated to be 16 billion kilowatt-hours of electricity per year, when fully built. (Phase 2, Envir. Assessment Form, Part 1, Section K) To put this in perspective, this is equivalent to all of the electricity consumed by the states of New Hampshire and Vermont, combined. The entire state of New York used 143 billion kWh of energy in 2022. Micron will increase demand in NY by 11%." (20,23)

Response: Comment noted.

Comment 5: Questions were raised regarding the type and source of energy to be used by the Proposed Project. (10, 11, 16, 22)

Response: See Response to Anticipated Use and Conservation of Energy Comment 2.

Comment 6: Commenters requested consideration of various sources of electricity, including those that are currently available, and whose which may become available as the plant is constructed.

Response: See Response to NYSDEC Comment 5; Response to Anticipated Use and Conservation of Energy Comment 2.

Comment 7: The DEIS must evaluate the ability of current power lines owned and operated by National Grid to deliver the required power. (30)

Response: See Response to Anticipated Use and Conservation of Energy Comment 2.

Comment 8: One commenter questioned whether Micron stated its goal "to achieve 100% renewable energy for existing U.S. operations by the end of 2025" applies to the proposed facility. (10)

Response: See Response to Anticipated Use and Conservation of Energy Comment 2.

### *Construction*

Comment 1: Several public comments referred to concerns about construction, specifically the use of heavy duty equipment and expected constructed related vehicular trips. (1, 13, 24)

Response: The Scope indicates that the DEIS will include evaluation of traffic conditions and potential adverse impacts during the construction of the Proposed Project. Specific analysis of traffic and traffic-related air quality and noise during construction will be identified and assessed in the DEIS, including potential mitigation options to address any adverse impacts.

### *Permits*

Comment 1: "The SEQRA review should list all anticipated permitting processes, with the anticipated schedule of public comment periods, and it should require public notification to interested parties of each permit application as it is submitted." (18)

Response: Section 6 of the Scope lists the Federal, State, and local agencies with which Micron would coordinate on the Proposed Project and a preliminary list of anticipated permits that would be required to construct and operate the Proposed Project. The status, and contents, of draft permit applications would be made available, as applicable, as appendices to the DEIS. When OCIDA releases the DEIS for public review, it will announce the schedule for public comment and notifications will be distributed in accordance with applicable rules and regulations.

A forecasted date for the commencement of construction will be included in the DEIS.

### *Cumulative Impacts*

Comment 1: "The use of the word 'summarize' to describe the scope of this Chapter is insufficient. This Chapter must assess indirect and cumulative impacts of the proposed project for each of the technical areas included in the DEIS. If these effects are included elsewhere it may be appropriate to summarize them here. Let's be clear about exactly what is required to be included in the DEIS." (20, 23)

Response: The Scope has been revised to indicate that the "Cumulative Impacts" chapter will consider any significant adverse impacts resulting from the incremental impact of the Proposed Project when added to other past, present, and reasonably foreseeable future actions. Each of the technical areas of the DEIS will address direct and indirect effects of the Proposed Project and off-site improvements.

### *Growth Inducing Aspects*

Comment 1: Onondaga Audubon commented on Housing & Development that "the region outside of the project's direct footprint will be modified in order to support influx of as many as 100,000 new residents. Zoning maps have already been changed to increase the amount of land available to be developed for housing." (21)

Response: Comment noted.

Comment 2: The DEIS should include an analysis of the potential for growth-induced changes in the community that this project will induce." (32, 35)

Response: The Scope indicates that the DEIS will include an assessment of potential growth-inducing effects of the Proposed Project. This assessment will evaluate projected growth in traffic as a result of new residential development and any noise or air quality impacts associated with that increase in traffic.

Comment 3: Commenters note that the Proposed Project will cause an increase in demand for new housing and questioned the necessary capacity as well as the potential environmental impacts. (19)

Response: The location of any development of new housing within the Central New York region in response to any demand generated by Micron employment is unknown at this time and outside of Micron's control. It is therefore beyond the scope of this environmental review. Notwithstanding, any such new development would be subject to local comprehensive planning policies and zoning laws and regulations and require separate approvals pursuant to those local laws, regulations, and policies. The Scope indicates that the DEIS will evaluate projected growth in traffic as a result of new residential development and any noise or air quality impacts associated with that increase in traffic. The Scope also indicates that the DEIS will evaluate potential indirect impacts to community facilities and services as a result of projected residential population growth (see above).

Comment 4: "This is going to affect the housing market, are there any plans in order to ease this transition or combat this? (28)

Response: See Response to Growth Inducing Comment 3.

Comment 5: "With new jobs and housing comes increased traffic and therefore noise and air pollution. What impact will this have on residents' health and how will it be mitigated?" (19, 27)

Response: See Response to Growth Inducing Comment 2.

### *Other*

Comment 1: Many commenters asserted that the NYSDOT's environmental review of the I-81 project was inadequate and that similar mistakes should not be made for the Proposed Project. (14, 15, 16, 33)

Response: Comment noted. The I-81 project is a separate and distinct project.

Comment 2: "Onondaga County health care facilities, in particular our hospitals, were short-staffed even before the Coronavirus pandemic. Waiting times and bed shortages were unfortunately highlighted by Covid-19 cases and have continued. What improvements in the healthcare system are proposed to remedy these shortcomings in view of the expectation of potentially thousands of new residents to work at and/or serve the Micron plant." (36)

Response: An assessment of impact on health care and the hospital system is beyond the scope of the environmental review of the Proposed Project.

Comment 3: "Demand new housing have walkable community parks that exceed the WHO recommendation of green space per person, and demand current brownfield sites be the priority sites of new development." (29, 31)

Response: The specific development of new housing within the Central New York region in response to any demand generated by Micron employment is unknown at this time and outside of Micron's control. The Scope indicates that impacts from induced demand will be considered in the DEIS. .

Comment 4: "It just brought, and I sort of a thought to myself to make sure that the scope does consider and focus and put ample attention towards the rail line. I'm not sure if the current CSX line that is moving across 31 is a part of what would be an increase in that rail traffic because of -- if that movement happened with that grant and that played out in (unintelligible). But I just want to, you know, make sure that the scope looks at the rail lines and the impact of the rail service and of an increase in that surface as we move forward here in the future generation. Thank you." (12)

Response: The Scope has been revised to indicate that the DEIS will address the existing CSX rail line adjacent to WPCP and its potential use to support construction of the Proposed Project and reduce construction truck traffic. Potential air quality and noise impacts of additional rail traffic along the CSX rail line would also be considered in the DEIS.

Comment 5: The use of rail was encouraged to mitigate transportation impacts. (35)

Response: Comment noted.

Comment 6: Several comments raised concerns about transit options in the area and how those options would be addressed for workers and commuters who will be working at the site. Commenters also encouraged prioritizing bike, and pedestrian access to the site. (29, 31, 32)

Response: The Scope has been revised to indicate that the DEIS, in coordination with the Central New York Regional Transportation Authority (Centro), will identify potential adverse impacts to transit service caused by the Proposed Project and modifications and expansion to transit service that may be required to address those impact and address the need for such services caused by the Proposed Project.

Comment 7: "The only mitigation measures mentioned in this section are improvements to roadways. It is imperative that the utilization of public transportation, including mass transit by bus and light rail, be considered." (32)

Response: See Response to Other Comment 6.

Comment 8: It should be noted that the Community Grid Plan is subject to a court order requiring the need for additional diligence related to the Micron development among other factors." (17)



Response: See Response to Other Comment 1.

Comment 9: Some comments questioned the use of the terminology "100 percent renewable energy." (10, 11, 22)

Response: Comment noted.

Comment 10: News reports have indicated that Micron has not committed to the huge expense of building a second water supply system from Lake Ontario in order to serve its industrial needs. The taxpayers of Onondaga County should not pay for this water supply system. This new system amounts to a dedicated supply for the Clay Micron plant." (36)

Response: Comment noted.

Comment 11: The City of Syracuse should be considered an interested agency. (31, 32)

Response: The Scope has been revised to include the City of Syracuse as an interested agency.

Comment 12: The DEIS should include a chapter for Wastewater and Stormwater.

Response: See Response to NYSDEC Comment 1.

Comment 13: A detailed assessment of the expected numbers of cancers and other pollutant-related illnesses based on air emissions, water discharge, and hazardous solid waste from the plant must be identified as part of the DEIS. (24)

Response: The Scope has been revised to indicate that the DEIS will include an assessment of potential adverse health impacts associated with air emissions and the use and disposal of hazardous waste from the facility.

Comment 14: "Micron is to be commended for committing itself to a large degree of sustainability, but what is actually achievable?" (3)

Response: The Scope indicates that the DEIS will discuss sustainability measures that Micron intends to implement at its facility.