

**Special Meeting Agenda
November 18, 2025**

Call to Order the Special Meeting of the Agency

A. Conflict of Interest

Action Items:

1. Micron New York Semiconductor Manufacturing LLC

Agency Action Requested:

- a. A resolution of the Board approving the issuance of a findings statement pursuant to the State Environmental Quality Review Act for the Micron New York Semiconductor Manufacturing LLC Project

Representative: Jeffrey Davis & Yvonne Hennessey, Agency Counsel

2. Property Disposition Authorization

The Agency desires to lease and/or sell all or a portion of approximately 819.92 acres of real property located on Burnet Road, Caughdenoy Road and State Route 31 commonly referred to as the White Pine Commerce Park in the Town of Clay, Onondaga County, New York to Micron New York Semiconductor Manufacturing LLC for a sale price of \$30 million.

Agency Action Requested:

- a. A resolution of the Board authorizing the lease and/or sale of all or a portion of approximately 819.92 acres of real property located on Burnet Road, Caughdenoy Road and State Route 31 commonly referred to as the White Pine Commerce Park in the Town of Clay, Onondaga County, New York to Micron New York Semiconductor Manufacturing LLC, and execution of documents in connection therewith, subject to compliance with the Public Authorities Law requirements.

Representative: Robert Petrovich, Executive Director

3. Micron New York Semiconductor Manufacturing LLC (Project #3101-23-07A)

Micron New York Semiconductor Manufacturing LLC is proposing to construct and operate two large-scale, state-of-the-art dynamic random-access memory (DRAM) semiconductor manufacturing facilities at the White Pine Commerce Park in the Town of Clay. Each fab will occupy approximately 1.2 million sq. ft. of land and contain approximately 600,000 sq. ft. of

semiconductor cleanroom manufacturing space. The fabs will be supported by central utility buildings, warehouse space, and product testing space.

Agency Action Requested:

- a. A resolution of the Board authorizing the financial assistance the Agency will provide. Agency benefits requested include exemptions from certain real property taxes, real estate transfer taxes and sales and use taxes.

Representative: Micron New York Semiconductor Manufacturing LLC Representative

4. Micron New York Semiconductor Manufacturing LLC (Rail Spur) (Project #3101-25-06A)

Micron New York Semiconductor Manufacturing LLC is proposing to construct a rail spur and construction material conveyance facility on approximately 38 acres west of 8625 Caughdenoy Road in the Town of Clay to economically transport fill and other aggregate construction material to the Micron Campus by rail.

Agency Action Requested:

- a. A resolution of the Board authorizing the financial assistance the Agency will provide. Agency benefits requested include exemptions from certain real property taxes, real estate transfer taxes and sales and use taxes.

Representative: Micron New York Semiconductor Manufacturing LLC Representative

Adjourn

New York State Environmental Quality Review Act

Findings Statement

Micron Semiconductor Manufacturing Project

Town of Clay

Onondaga County, New York

This State Environmental Quality Review Act (SEQRA) Findings Statement documents the findings and decision of the Onondaga County Industrial Development Agency (OCIDA) to proceed with the Preferred Action Alternative, as described in the Final Environmental Impact Statement (FEIS), for the Micron Semiconductor Manufacturing Project. Pursuant to Article 8 of SEQRA of the New York Environmental Conservation Law (ECL) and Title 6 of the New York Code of Rules and Regulations (NYCRR) Part 617, OCIDA as the Lead Agency makes the following findings and decision:

Name of Action: Micron Semiconductor Manufacturing Project

Location: 5171 Route 31
Town of Clay, New York 13041

SEQRA Lead Agency: Onondaga County Industrial Development Agency
Robert M. Petrovich, Executive Director
335 Montgomery Street, Floor 2M
Syracuse, New York 13202
(315) 435-3770

SEQRA Status: Type I Action, Positive Declaration

SEQRA Review Type: Coordinated Review

Draft EIS Accepted: June 25, 2025

Final EIS Accepted: November 7, 2025

1.0 INTRODUCTION AND BACKGROUND

OCIDA 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, 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 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.

In accordance with its mandate, in the early 1990s, OCIDA and the City of Syracuse started to study potential sites for locating industrial businesses in Onondaga County to increase manufacturing employment. Central New York and other regions of New York State have experienced a reduction in manufacturing jobs over several decades. The White Pine Commerce Park (WPCP) was ultimately selected due to its proximity to water and energy infrastructure, highway access, and its zoning classification. OCIDA’s intent in forming the WPCP was buttressed in 1998 with the inception of the New York high-tech Semiconductor Manufacturing Initiative (SEMI-NY) program, a comprehensive effort to encourage semiconductor manufacturing in the state. Thereafter, following decades of unsuccessful efforts to develop the WPCP, OCIDA increased the size of the WPCP to make it more attractive to a broader scope of industries, particularly the semiconductor industry, and bring high-tech and high-paying jobs to Onondaga County.

OCIDA previously conducted multiple studies of the WPCP. In 2021, OCIDA prepared, as lead agency under SEQRA, a Final Supplemental Generic Environmental Impact Statement (SGEIS) that evaluated the contemplated expansion and development of the WPCP for semiconductor manufacturing. As OCIDA determined in its Findings Statement for the SGEIS, high-tech advanced manufacturing holds the promise of transforming the Onondaga County economy through new high-paying jobs, significant financial investment, and increased economic activity, including: (1) the creation of thousands of construction jobs and significantly more permanent jobs; (2) a robust supply chain of companies that will service a high-tech advanced manufacturing organization; (3) a reduction in poverty; and (4) secondary benefits such as increased local small business activity, growth in community civic and cultural organizations, and increased county and municipal investment.

Domestic production of semiconductor chips has also become a major focus of federal and state policy. In 2020, Congress enacted the Creating Helpful Incentives to Produce Semiconductors for America Act (CHIPS Act), as amended by the CHIPS Act of 2022, to strengthen and sustain American leadership in chip technology. The CHIPS Act directs the investment of tens of billions of dollars in semiconductor manufacturing incentives and research initiatives over the next 5-10 years. The Creating Helpful Incentives to Produce Semiconductors (CHIPS) Program Office (CPO), acting on behalf of the U.S. Department of Commerce (Department of Commerce) and the National Institute of Standards and Technology (NIST), is responsible for implementing the CHIPS Act by providing incentives for investment in semiconductor facilities and equipment in the United States. Incentivizing expanded domestic dynamic random-access memory (DRAM) production to a level sufficient to offset potential disruptions to United States economic and national security is a key Department of Commerce responsibility under the CHIPS Act.

The State of New York is similarly committed to creating 21st century jobs and becoming a global capital for semiconductor manufacturing. Adopted in 2022, New York's Green CHIPS Program offers up to \$10 billion in economic incentives to locate new, cutting-edge semiconductor manufacturing and supply chain projects within the state. New York's Green CHIPS Excelsior Jobs Tax Credit Program provides certain semiconductor manufacturer tax incentives that are intended to help attract thousands of jobs and billions of dollars to establish New York as a leader in domestic re-shoring of semiconductor manufacturing. New York State is considering providing financial support and tax incentives to Micron under the Green CHIPS Act and the Green CHIPS Excelsior Jobs Tax Credit Program to support construction and operation of a semiconductor manufacturing facility in Clay, New York.

On June 14, 2023, Micron New York Semiconductor Manufacturing LLC (Micron), a wholly owned subsidiary of Micron Technology, Inc., submitted an application to OCIDA requesting certain financial assistance within the meaning of New York General Municipal Law § 854(14). Micron's application, as amended and restated, includes, among other things, the acquisition of an interest in all or a portion of approximately 806 acres of land, which based upon final survey verification has been determined to be approximately 819 acres, located on the westerly side of Brunet and the undertaking of potential property condemnation pursuant to the New York Eminent Domain Procedure Law (EDPL), as well as the construction of two approximately 1.2 million square foot memory fabrication facilities (fabs). Micron also proposes to construct a rail spur and construction material conveyance facility to reduce truck trips and support construction as well as a childcare center, healthcare center, and recreation center to serve its employees, and to lease existing warehouse space.

On August 18, 2023, Micron filed an application with CPO for direct funding under the CHIPS Incentives Program's February 28, 2023, Notice of Funding Opportunity for the construction of commercial semiconductor fabs in Clay, New York. On December 10, 2024, the Department of Commerce announced final direct funding awards of up to \$6.165 billion under the CHIPS Incentives Program to support Micron Technology's plans to construct two semiconductor manufacturing facilities in New York and one semiconductor manufacturing facility in Idaho. On June 12, 2025, the Department of Commerce announced a final direct funding award of up to \$275 million under the CHIPS Incentives Program to support Micron Technology's plans to expand and modernize a semiconductor manufacturing facility in Virginia and an amendment to the original agreement to include one additional semiconductor manufacturing facility in Idaho.

2.0 BRIEF DESCRIPTION OF THE ACTION

The Micron Semiconductor Manufacturing Project requires action from several federal, state, and local agencies. OCIDA is the Lead Agency responsible for environmental review, decision-making, and action under SEQRA, as codified at ECL § 8-0101 *et seq.* and its implementing regulations at 6 NYCRR Part 617, of the project based on its role in the proposed lease and subsequent sale of the WPCP, the potential granting of financial assistance within the meaning of New York General Municipal Law § 854(14), and the potential undertaking of property condemnation pursuant to the EDPL. Other state and local land use decisions, permits, authorizations and approvals are also under consideration by relevant authorities. In addition, Micron Technology is seeking federal funding under the CHIPS Act and has submitted applications and requests for certain federal permits and approvals that require federal

environmental review, including, but not limited to, federal wetlands permits pursuant to Section 404 of the Clean Water Act (CWA). CPO is acting as Lead Agency for environmental review of the action under the National Environmental Policy Act (NEPA), as codified at 42 U.S.C. § 4321 et seq.

For purposes of SEQRA, and to ensure that the potential environmental impacts associated with the full buildout of the Micron Campus were fully evaluated, the Action analyzed in the FEIS included the project described in Micron's Application to OCIDA as well as the ultimate construction of all four (4) fabs, the Rail Spur Site and Childcare Site (as those terms are defined in Section 3.0 below). The Action also included various connected actions associated with the utility and infrastructure improvements necessary to meet the Proposed Project's electricity, natural gas, water supply, wastewater, and telecommunications needs.

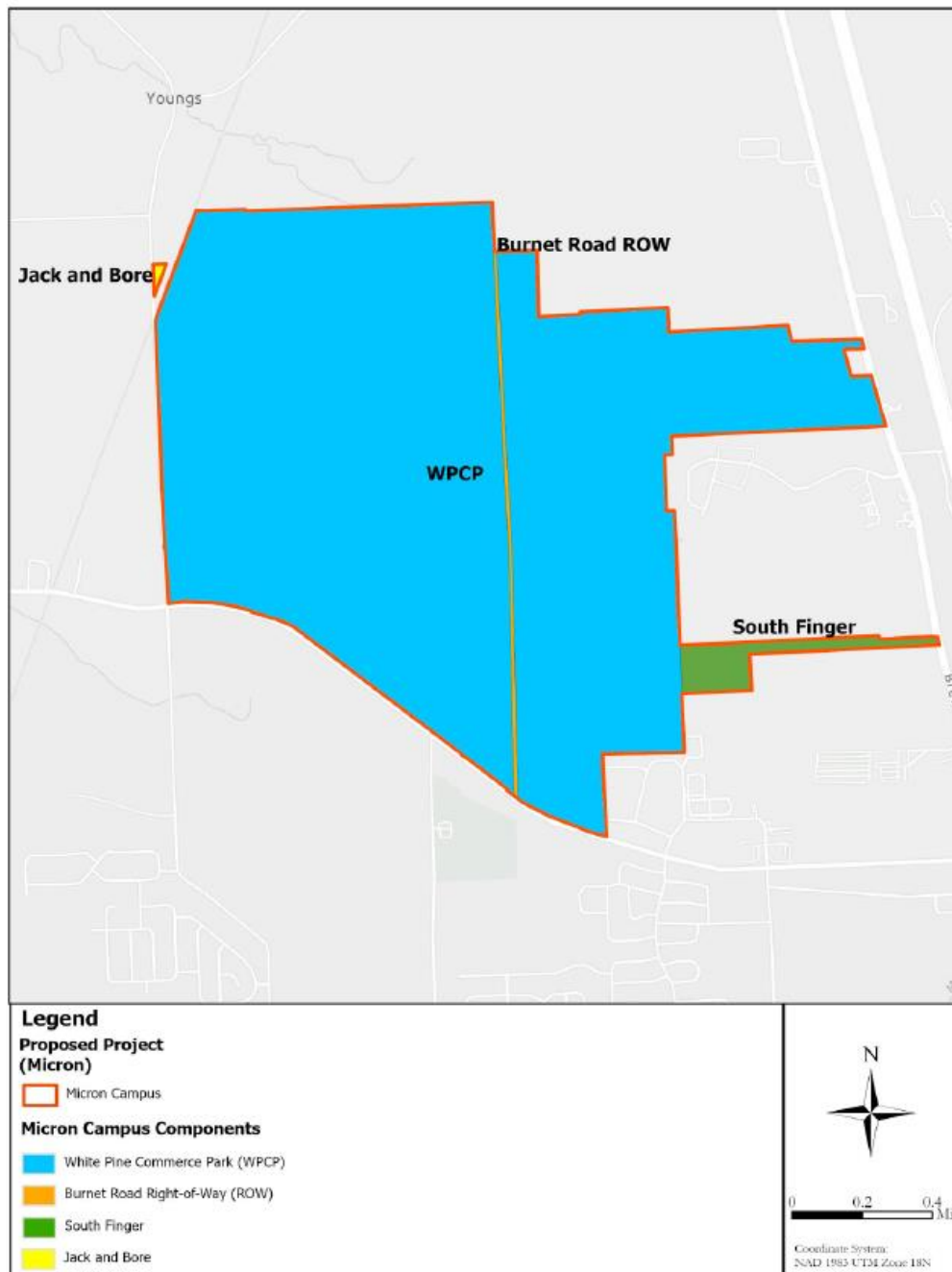
3.0 THE PROPOSED PROJECT AND CONNECTED ACTIONS

Micron proposes to construct and operate a large-scale state-of-the art DRAM semiconductor manufacturing facility (the Micron Campus) on an approximately 1,377-acre site consisting primarily of the current WPCP, in Onondaga County, New York. Micron also proposes to: (1) construct a rail spur and construction material conveyance facility to reduce truck trips and support construction of the Micron Campus (the Rail Spur Site); (2) construct a childcare center, healthcare center, and recreational center to support the estimated 9,300 employees who will ultimately work at the completed Micron Campus (the Childcare Site); and (3) lease an existing warehouse space in an industrially zoned area at a location to be determined within 20 miles of the Micron Campus (the Warehouse Site). The Micron Campus, Rail Spur Site, Childcare Site, and Warehouse Site are collectively referred to as the "Proposed Project." The Proposed Project also will require utility and infrastructure improvements to meet its electricity, natural gas, water supply, wastewater, and telecommunications needs, collectively referred to as the "Connected Actions." The construction and operation of the Proposed Project and Connected Actions is collectively referred to as the "Preferred Action Alternative" in this SEQRA process and its accompanying documents.

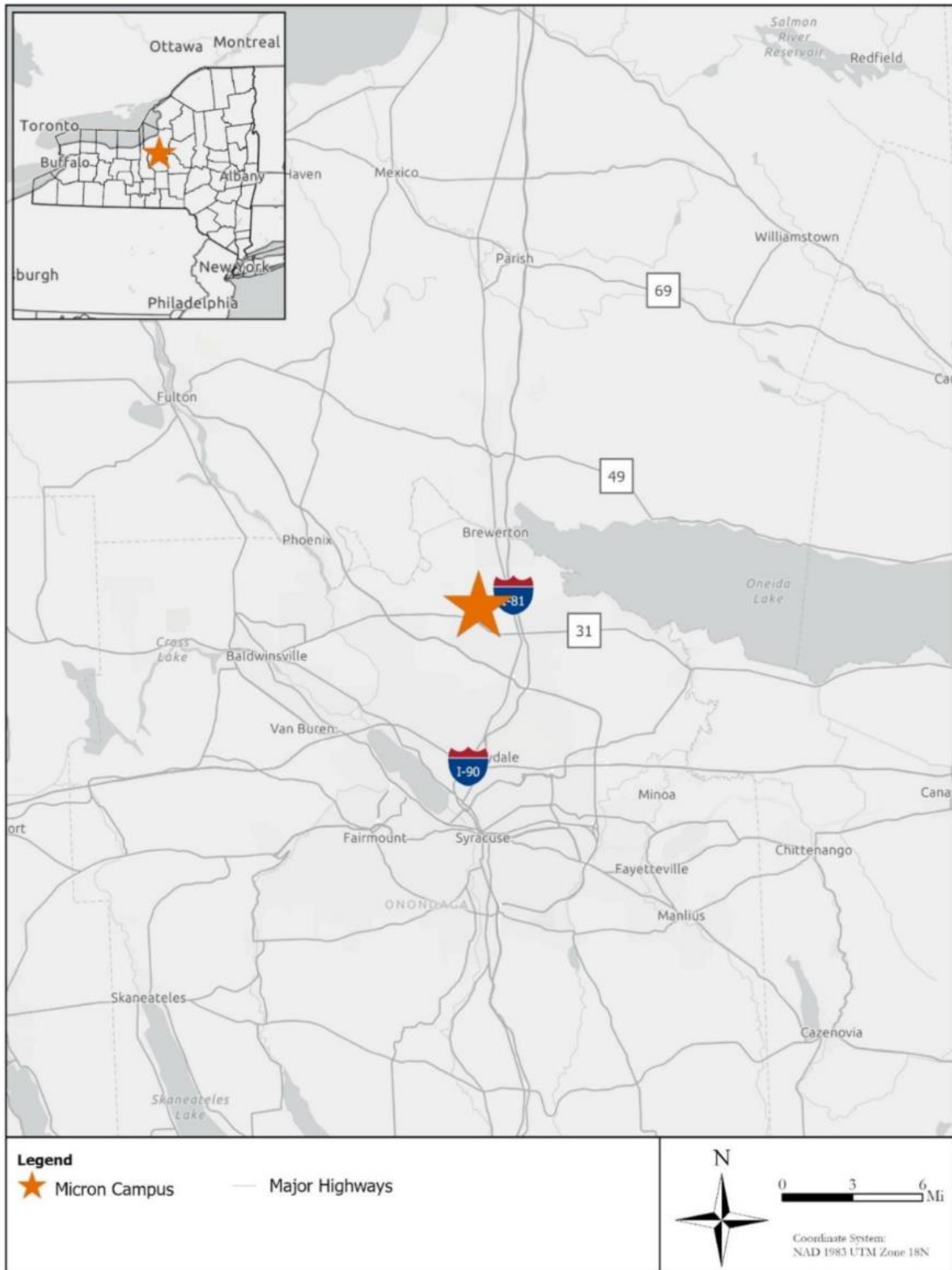
Proposed Project

The Micron Campus is the primary component of the Proposed Project, occupying the WPCP, the Burnet Road right-of-way (ROW), the South Finger, and the one-acre Jack and Bore site for utility lines. The area surrounding the WPCP is sparsely populated with relatively low-density residential development, mostly along Caughdenoy Road and Verplank Road west of the WPCP. I-81 is located a little more than one mile to the east of the WPCP. The WPCP is approximately 7 miles north of the City of Syracuse. While a majority of the Micron Campus is contained within the Town of Clay, Onondaga County, New York, a small portion will be located in the Town of Cicero, Onondaga County, New York.

Proposed Micron Campus Boundary



Proposed Project Location Map



The Micron Campus will consist of a semiconductor manufacturing facility with four DRAM production fabs, ancillary support facilities, driveways, parking, and ingress and egress roads with access from NYS Route 31, U.S. Route 11, and Caughdenoy Road. Construction of each fab on the Micron Campus will occupy approximately 1.2 million square feet (sf) of land and contain approximately 600,000 sf of clean room space, 290,000 sf of clean room support space, and 250,000 sf of administrative space; and each set of two fabs will be supported by approximately 360,000 sf of central utility buildings, 200,000 sf of warehouse space, and 200,000 sf of product testing space housed in separate buildings. At full build-out in 2041, the Micron Campus will include 645 acres of new impervious surface, 58 acres of semi-pervious area, and 278 acres of green space within the 997-acre construction disturbance footprint.

Construction of the Proposed Project will take place in stages over approximately 16 years. Subject to the receipt of all applicable permits, authorizations and approvals, Micron will mobilize for initial site preparation for the Proposed Project beginning in 2026, with the first two DRAM manufacturing facilities (fabs 1 and 2) estimated to be operational no later than 2030 and 2033, respectively, and the remaining fabs (fabs 3 and 4) estimated to be operational no later than 2037 and 2041, respectively. The manufacturing facility will ramp up to full production output by 2045.

The Proposed Project will involve the development of three additional properties with uses ancillary to the Micron Campus – the Rail Spur Site, the Childcare Site and the Warehouse Site. The Rail Spur Site is an approximately 38-acre parcel on the west of 8625 Caughdenoy Road in the Town of Clay. The Rail Spur Site will include the following components: rail siding, rail yards, and an off-loading track and facility; the aggregate materials conveyance system; an office building and trailer; a locomotive shed; paved access roads and a parking area; paved storage areas; a backup stockpile area; a stormwater management area; and lighting. Construction of the proposed Rail Spur Site is expected to start in 2025 with tree clearing and take approximately seven months to conclude, concluding in 2026 with operations also anticipated to start in 2026.

The Childcare Site is an approximately 31-acre parcel located at 9100 Caughdenoy Road in the Town of Brewerton, Onondaga County, New York. In addition to its childcare, healthcare, and recreation centers, the Childcare Site will include a soccer field, a tennis/pickleball court, the sewage disposal system and leaching field, stormwater management areas, a pedestrian walkway and bridge, and lighting. Construction of the childcare center will start no later than 2028. Construction of the healthcare and recreation centers will begin no later than 2032 and would open when the employee base at the Micron Campus grows large enough to support the need for those facilities.

The Warehouse Site will be a leased space of 360,000-500,000 sf in an industrially zoned area at a location to be determined within 20 miles of the Micron Campus. The purpose of the Warehouse Site will be to store manufacturing equipment and materials, including spare equipment such as robots, hardware consumables, electronics parts, and components related to Extreme Ultraviolet Lithography and other process tools. Micron anticipates leasing the warehouse space for a 7-10-year term beginning in November 2028.

Connected Actions

Construction of the Connected Actions will include expansion of certain existing utility properties and the construction and operation of various utility improvements by National Grid, Onondaga County Water Authority (OCWA), Onondaga County Department of Water Environment Protection (OCDWEP), and others to support the electricity, natural gas, water supply, wastewater, and telecommunication needs of the Proposed Project. The Connected Actions will be constructed on a parallel schedule to meet the utility needs for the Proposed Project as it scales up over the 16-year construction period.

To supply the estimated electricity needs of the Micron Campus, National Grid proposes to undertake phased construction based on interconnection approvals from the New York Independent Systems Operator (NYISO). For fab 1, National Grid proposes to expand the existing footprint of the Clay Substation (located to the northwest of the WPCP across the CSX Railroad line) toward the north and east by approximately 10 acres. This expansion will enable the installation of four new 345 kV electric transmission lines that will run from the Clay Substation through eight new underground duct banks to four new 345kV substations on the Micron Campus (one for each fab). Construction of the proposed Clay Substation expansion and electricity improvements would start as early as 2027. For fab 2, National Grid has tentatively identified a general location in Lysander, New York for the new substation/switchyard required by NYISO. However, a specific location has yet to be identified. National Grid will be responsible for securing the necessary regulatory approvals for construction and operation of any additional electrical infrastructure upgrades determined to be needed by NYISO, which are anticipated to be completed under Article VII of the Public Service Law. For fabs 3 and 4, Micron will similarly be required to apply for interconnection approval from NYISO.

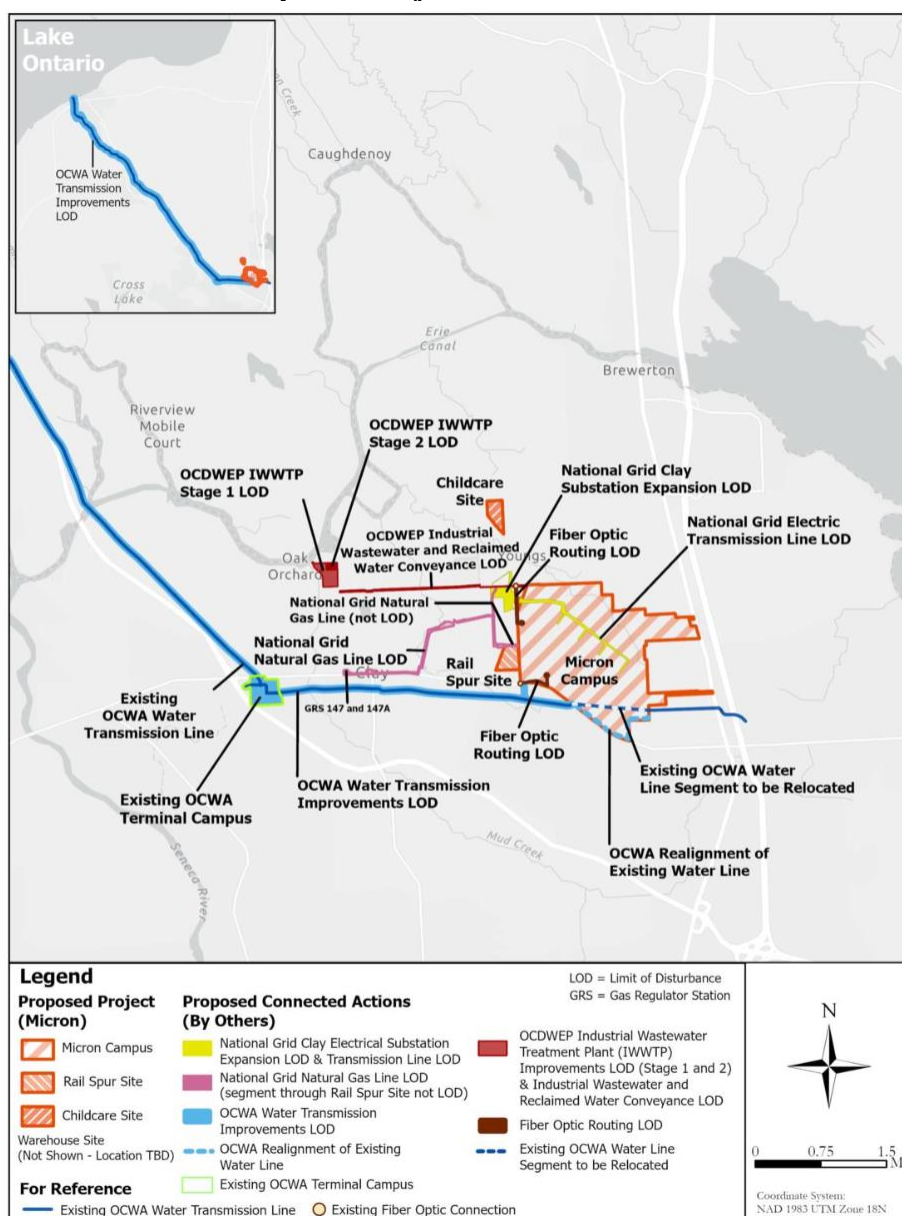
To supply the estimated natural gas demands of the Micron Campus, National Grid proposes to construct an approximately 3.1-mile long, 16-inch diameter below-grade (underground) natural gas distribution line from its existing Gas Regulator Station (GRS) 147 at 4459 NYS Route 31 to the Micron Campus and to construct a new GRS 147A at the same address. Construction of the natural gas distribution line is expected to take place as early as 2025.

OCWA proposes to undertake two phases of water system capacity and transmission upgrades to supply water to the Micron Campus. OCWA's existing water supply system has the capacity to service the 7.85 million gallons per day (MGD) demand from fab 1 with minor upgrades but will need to undertake further upgrades to service the 17.4 MGD demand when fab 2 comes online. Phase 1 will involve upgrades to the Lake Ontario Water Treatment Plant (LOWTP), Raw Water Pump Station (RWPS), and Terminal Campus in Clay, plus construction of an approximately 2.5-mile raw water transmission main from the pump station to the LOWTP for water supply redundancy, an approximately 22-mile clear water transmission main running parallel to the existing transmission main from the LOWTP to the Terminal Campus, and an approximately 5-mile transmission main parallel to the existing Eastern Branch Transmission Main. Phase 2 will involve additional upgrades and potential transmission lines based on need to serve fabs 3 and 4. None of OCWA's proposed water infrastructure upgrades that are needed to meet Micron Campus water demands require permanent land acquisition.

OCDWEP proposes to undertake two stages of wastewater treatment system capacity and conveyance upgrades to serve the Micron Campus. Stage 1 will involve a bridging project at the existing OCDWEP Oak Orchard Wastewater Treatment Plant (OOWWTP) to receive sanitary wastewater and temporarily accommodate startup industrial wastewater from the Micron Campus as OCDWEP constructs a new Industrial Wastewater Treatment Plant (IWWTP) and water reuse facilities on 36 acres of its existing 76-acre Oak Orchard site. Stage 1 will also involve construction of a new conveyance between the Micron Campus and the Oak Orchard site to send pretreated industrial wastewater to the IWWTP and return reclaimed water to the Micron Campus. Stage 2 will expand and upgrade the IWWTP to serve additional campus industrial wastewater flows from Phase 2 of the Micron Campus build-out (fabs 3-4) and provide additional reclaimed water back to the Micron Campus.

To supply telecommunication and broadband internet connectivity to the Micron Campus Micron will make use of two existing fiber optic lines along Caughdenoy Road and NYS Route 31 accessible via two fiber optic connection entry points within a mile of the WPCP, one at the intersection of Caughdenoy and Verplank Roads, and one at the intersection of Caughdenoy Road and NYS Route 31. The existing fiber optic lines currently serve a cell tower on the southern portion of the WPCP, just north of NYS Route 31. Construction of the 1–2-mile cable extension is expected to begin and be completed in 2026.

Proposed Project and Connected Actions



Permits and Approvals

The following table identifies the major permits, approvals, and consultations required for the Proposed Project and Connected Actions under the Preferred Action Alternative. Micron is responsible for obtaining all permits, approvals, or other authorizations required for the Proposed Project, regardless of whether they appear in the table below.¹

¹ This Findings Statement incorporates by reference the “List of Abbreviations and Acronyms” found on page 0-4 of the FEIS.

Permits, Approvals, and Consultations

Permit/Approval	Agency	Description
Federal		
CWA Section 404 Permit	USACE	Permit required for the discharge of dredged or fill material into waters of the U.S. (WOTUS), including wetlands (33 U.S.C. § 1344).
Rivers and Harbors Act Section 10 Permit	USACE	Permit required for structures and/or work in or affecting navigable WOTUS (33 U.S.C. § 403).
ESA Section 7 Consultation	USFWS	Formal consultation with a Biological Opinion and potential Incidental Take Statement issued by USFWS authorizing incidental take of endangered species (16 U.S.C. § 1536).
NHPA Section 106 Consultation	NYSHPO	Consultation with consulting parties regarding effects of an undertaking on historic properties and development of a programmatic agreement (54 U.S.C. § 306108).
State and Local		
Financial assistance	OCIDA	Approval of application for certain financial assistance; approval of lease and sale of the WPCP, as authorized under law (General Municipal Law Chapter 24).
Financial assistance	ESD	Refundable tax credits under New York's Green CHIPS Excelsior Jobs Tax Credit Program (Green CHIPS Act (S. 9467 / A. 10507)).
Authorizations for structures in state-owned lands under water	NYSOGS	Approval of a lease, easement, or other interest for structures and appurtenances in, on, or above state-owned lands under water (Public Lands Law Articles 2 and 6; 6 NYCRR Part 428).
Work and/or Occupation Permit	NYS Canal Corporation	Permits for work in and/or occupancy on Canal property (Public Authorities Law Chapter 43-A, Title 1, Section 1005-B).
Certificate of Environmental Compatibility and Public Need	NYSDPS / NYSPSC	Approval of application for certificate (Public Service Law Article 7) (exempt from SEQRA review; NYSDPS conducts a separate environmental review).
Incidental Take Permit	NYSDEC	Permit required for incidental take of state-listed species (ECL Article 11; 6 NYCRR Part 182).
Stream Disturbance or Modification Permit	NYSDEC	Permit required for any change, modification, or disturbance of any protected stream, its bed or banks, or to remove from its bed or banks sand, gravel, or other material (ECL Article 15; 6 NYCRR § 608.2).
Protection of Waters Permit	NYSDEC	Permit required to excavate, or place fill in waters protected by the State (ECL Article 15; 6 NYCRR §

Permit/Approval	Agency	Description
Water Supply / Withdrawal Permit	NYSDEC	Permit required for the construction, operation, or maintenance of a water withdrawal system (ECL Article 15; 6 NYCRR Part 601).
Beneficial Use Determination	NYSDEC	SPDES permit required to discharge or cause a surface or groundwater discharge of any pollutant from any outlet or point source into the waters of the State (ECL Article 17; 6 NYCRR Part 750).
Hazardous		
SPDES Multi-Sector General Permit (MSGP)	NYSDEC	Permit for industrial activities that discharge stormwater to surface waters of the State must obtain coverage under MSGP (ECL Article 17; 6 NYCRR Part 750).
SPDES General Permit for Construction Activities	NYSDEC	Construction activities with soil disturbance of one or more acres must obtain coverage under the General Permit for Stormwater Discharges from Construction Activities (ECL Article 17; 6 NYCRR Part 750).
Reclaimed water registration	NYSDEC	Registration required for use of reclaimed wastewater or greywater (ECL Article 15).
SPDES Discharge Permit, Septic System Approval	NYSDEC	SPDES permit to discharge or cause a surface or groundwater discharge, and approval of plans for septic disposal system (ECL Article 17; 6 NYCRR
CWA Section 401 Water Quality Certification	NYSDEC / NYSDPS	Certification that activity will not violate state water quality standards (33 U.S.C. § 1341).
CAA Title V Permit	NYSDEC	Permit required to construct and operate a facility that is considered a major source of air emissions that are at or above certain thresholds (ECL Article 19).
Activities on wetland and adjacent areas	NYSDEC	Permit or letter of permission required to conduct activities on wetlands or adjacent areas not specifically exempted from regulation (ECL Article 24; 6 NYCRR Parts 663-664).
Collection, Disposal and Treatment of Refuse and Other Solid Wastes	NYSDEC	Permit for generators and transporters of hazardous wastes (ECL Article 27; 6 NYCRR Part 373).
Subdivision of Land	Town of Cicero Planning Board	Review and approval of applications for subdivision of land (Chapter 185, Code of the Town of Cicero).

In addition to the foregoing permits, approvals and consultations, the Proposed Project is also subject to environmental review under NEPA. Initially, following Micron's application to the U.S. Army Corps of Engineers (USACE) for a permit pursuant to Section 404 of the CWA to discharge dredged or fill material into the waters of the United States, the USACE was the lead federal agency for the Proposed Project under NEPA. By subsequent agreement with USACE,

CPO became the lead federal agency for the Proposed Project on behalf of NIST and the Department of Commerce on April 6, 2024.

CPO and OCIDA agreed to act as joint Lead Agencies under NEPA and SEQRA and to jointly prepare the DEIS. The USACE and the United States Environmental Protection Agency (USEPA) agreed to act as cooperating agencies for the NEPA review. The U.S. Federal Highway Administration (FHWA), U.S. Department of Interior, Office of Environmental Policy and Compliance, the U.S. Fish & Wildlife Service (USFWS), and Onondaga Nation agreed to act as participating agencies. The Onondaga Nation agreed to be a participating entity in the development of the EIS.

4.0 PURPOSE AND PUBLIC NEED

Memory chips using DRAM technology have crucial applications in military equipment, cybersecurity technology, the aerospace industry, artificial intelligence (AI), and other cutting-edge uses, as well as more common areas of the domestic consumer economy such as medical devices and other healthcare technology. However, the global structure of the semiconductor supply chain is vulnerable to critical points of failure that create the risk of geopolitical tensions and large-scale supply interruptions, which could impair access to suppliers or customers. Expanding or “onshoring” domestic advanced semiconductor manufacturing capacity in key areas such as memory is critical to enhancing the resilience of the U.S. semiconductor supply chain to potential global disruptions. This need is particularly critical given that current DRAM production in the U.S. represents less than one percent of global DRAM production.

Although the Department of Commerce’s final award to Micron only includes direct funding to support Micron’s construction and operation of fabs 1 and 2, the Department of Commerce based its award decision on Micron’s proposal to establish a full 4-fab cluster by 2041 (which would ramp up to full operational capacity by 2045). The Department of Commerce’s funding award for the construction of a semiconductor memory facility is based on two factors: (1) the amount of cleanroom space that is required to achieve an economically viable domestic memory chip output sufficient to meet U.S. economic and national security objectives, based on economic modeling; and (2) by extension, the amount of total building area and site configuration that is required to support that cleanroom space, accounting for technological, logistical, and cost considerations.

The Department of Commerce has determined that Micron’s proposal to the CPO for the construction of a new semiconductor manufacturing campus will achieve domestic memory production at the scale necessary to offset potential disruptions to U.S. economic and national security. When complete, the Proposed Project will be the largest domestic producer of DRAM, increasing national DRAM output by 1,200 percent. Micron Technology proposes to increase its U.S.-based DRAM production by a factor of 12 (i.e., to approximately 12 percent of global DRAM output) over the next two decades, which will also increase the U.S. share of global DRAM manufacturing capacity to a level that meets the U.S. need for domestically produced memory chips. This production increase is not achievable through modernizations and expansions at existing domestic Micron locations alone and would necessitate the construction of a new semiconductor manufacturing campus.

Micron's purpose and need for the Proposed Project are to construct and operate a state-of-the-art, economically viable semiconductor manufacturing facility. In coordination with CPO and OCIDA, and based on its Sales and Operations Planning (SNOP) process, Micron determined that the only feasible method of establishing an economically viable large-scale memory chip production facility in the United States would be to develop a 4-fab facility on a single site capable of efficiently increasing Micron's U.S.-based DRAM production 12-fold from current levels to 52,000 wafers per week, which also would ensure a resilient domestic supply of DRAM chips consistent with CHIPS Incentives Program and New York Green CHIPS Program objectives.

Micron identified the WPCP as a suitable location for the Proposed Project based on the site's ability to accommodate a 4-fab footprint and its proximity to the utility, transportation, and human resources infrastructure necessary to achieve the economies of scale the Proposed Project would require. Accordingly, Micron proposes to lease and ultimately purchase the WPCP from OCIDA and to construct and operate a 4-fab facility at that location.

In addition to the SEQRA purpose and need, the Proposed Project also fulfills the Department of Commerce's statutory responsibilities under the CHIPS Act, including the requirement to provide federal financial assistance to covered entities to incentivize investment in facilities and equipment in the United States for the fabrication, assembly, testing, advanced packaging, production, or research and development of semiconductors, materials used to manufacture semiconductors, or semiconductor manufacturing equipment. Moreover, it fulfills Onondaga County's long-term mission to transform Onondaga County's economy through new high-paying jobs, significant financial investment, and increased economic activity, including: (1) the creation of thousands of construction jobs and significantly more permanent jobs; (2) a robust supply chain of companies that will service a high-tech advanced manufacturing organization; (3) a reduction in poverty; and (4) secondary benefits such as increased local small business activity, growth in community civic and cultural organizations, and increased county and municipal investment. Similarly, it helps deliver on the State of New York's commitment to attract new semiconductor manufacturing and related material supplier projects to the State.

5.0 ALTERNATIVES

SEQRA requires agencies to consider a reasonable range of alternatives to the proposed action that are feasible considering the objectives and capabilities of the project sponsor. Working with CPO, the evaluation criteria for considering the alternatives were (1) the ability to meet CPO's purpose and need under NEPA; (2) the ability to meet Micron's purpose and need under SEQRA; (3) technical and economic feasibility and practicability; and (4) reduced adverse and/or greater beneficial environmental effects when compared to the Preferred Action Alternative. Except for the No Action Alternative, if an alternative would not meet CPO's purpose and need under NEPA or Micron's purpose and need under SEQRA or would not be technically and economically feasible and practicable, that alternative was not carried forward for detailed analysis in the EIS, regardless of how it would compare against the fourth criterion.

The range of alternatives considered were the Preferred Action Alternative, the No Action Alternative, a Reduced Scale Manufacturing Alternative, a U.S. Route 11 Access Elimination Alternative, and six Micron Campus Site Layout Alternatives. As only the Preferred Action Alternative was feasible given Micron's objectives and capabilities (as well as that of CPO),

OCIDA has selected the Preferred Action Alternative for construction and operation of the Micron Semiconductor Manufacturing Project. The Preferred Action Alternative was selected after weighing and balancing all relevant factors and considerations, including those provided through public comments, and allows for mitigation of all environmental impacts to the greatest extent reasonable and practicable.

No Action Alternative

Under the No Action Alternative, the WPCP would remain in its current condition pending future development proposals. OCIDA acquired all parcels on the WPCP, the vast majority of which are presently vacant, for the specific purpose of creating an industrial park (as analyzed in the WPCP 2021 Supplemental Generic Environmental Impact Statement). The No Action Alternative would delay OCIDA's long-standing objective to bring high-tech facilities and high paying jobs to Onondaga County at the WPCP until such time as OCIDA identifies another suitable development proposal for the property. The Rail Spur and Childcare Sites would remain vacant properties. The existing utility authorities would not undertake utility improvements or need to obtain easements for the Connected Actions.

Reduced Scale Manufacturing Alternative

OCIDA considered reduced scale manufacturing alternatives in coordination with Micron. As described in the FEIS, reduced scale alternatives, including two- and three-fab configurations, would not be able to achieve the level of economically viable domestic memory chip output sufficient to meet Micron's purpose and need. A reduced scale manufacturing alternative would incur significantly higher costs per unit of DRAM produced than a full-scale four-fab campus and would not meet Micron's economic sustainability needs. Without a single campus capable of achieving 52,000 chip wafers of output per week, Micron also would not be able to facilitate co-location and efficient operation of semiconductor manufacturing supply chain expertise and supplier delivery operations in the vicinity, which would impede the Proposed Project's operational efficiency by making it more difficult to obtain critical materials and keep production high and costs low through collaborative engineering. Further, reduced scale alternatives would require constructing and operating additional fabs at other locations, above and beyond what is already being contemplated, which would have additional environmental effects. Based on the above factors, reduced scale manufacturing alternatives would not be economically viable or meet Micron's purpose and need and were not carried forward for further evaluation.

U.S. Route 11 Access Elimination Alternative

In coordination with Micron, OCIDA considered a potential site layout alternative for the proposed Micron Campus that would eliminate driveway access to the campus from U.S. Route 11. Eliminating the driveway would avoid the disturbance of 2.3 acres of Federal jurisdictional wetlands, including 0.71 acres of State jurisdictional wetlands accounted for within the 2.3 acres of Federal jurisdictional wetlands. The site access driveway from U.S. Route 11, however, would be a vital access point to the Micron Campus and would ensure sufficiently streamlined construction traffic movement to avoid interference with local traffic patterns, particularly during construction of fabs 2 through 4, when carefully managing the flow of construction vehicles, equipment, and personnel would be crucial to maintain efficiency and safety. Further, the driveway

would distribute site access more effectively across the area roadway network and would mitigate post-construction traffic effects from campus operations. Therefore, OCIDA did not carry this site layout alternative forward for further analysis in the Environmental Impact Statement (EIS).

Micron Campus Site Layout Alternatives

In coordination with Micron, OCIDA considered a further series of potential site layout alternatives for the proposed Micron Campus to determine whether a different layout of the fabs and supporting buildings from the Preferred Action Alternative site layout would result in fewer impacts to waterbodies on the WPCP. Specifically, six site layout alternatives were considered in addition to the Preferred Action Alternative. However, OCIDA determined that none of the site layout alternatives, besides the Preferred Action Alternative, would be practicable because each would create inefficiencies that would prevent the Micron Campus from achieving the semiconductor wafer output necessary to achieve commercial viability. In addition, OCIDA found that the Preferred Action Alternative would impact fewer Federal jurisdictional wetlands (approximately 190 acres) compared to other site layout alternatives, all of which would impact 200 acres or more of Federal jurisdictional wetlands. Therefore, OCIDA did not carry this site layout alternative forward for further analysis in the EIS.

Other Locations

Although not a formal alternative, the EIS describes the efforts that preceded Micron's application by the State of New York and OCIDA to identify a suitable location for a semiconductor manufacturing facility. This included (1) the process that the State of New York conducted to identify semiconductor technology parks sufficient in scale to advance the State's semiconductor manufacturing sector; and (2) the process that OCIDA conducted to identify sites in Onondaga County sufficient in scale to host a large-scale semiconductor manufacturing facility. Of the four sites that New York identified, only the WPCP was available and met Micron's criteria. OCIDA also completed a GEIS, which was supplemented in 2021, that identified and screened various alternatives to the WPCP within Onondaga County. The analysis concluded that the WPCP was the only viable option to meet the semiconductor industry's needs, as it meets specific project pre-requisites, including a large, contiguous parcel of land controlled by a single owner, and access to significant, redundant, and resilient transportation and utility infrastructure.

As part of the EIS, OCIDA required Micron to update these prior searches for alternative locations within New York. Micron's updated property search focused on identifying other potentially reasonable alternative sites for the Proposed Project. Using an available parcel listing survey, Micron identified three sites, including the WPCP, that were available for purchase and that were 1,000 acres or greater in size. Of the three sites, only the WPCP was located in a NYISO Load Zone with the potential to provide a sufficiently reliable and stable electricity supply to the Proposed Project. In addition, the WPCP satisfied all of Micron's other site selection criteria, whereas the other two sites failed several criteria.

6.0 BENEFITS OF THE PROPOSED PROJECT

The Preferred Action Alternative will complete the anticipated development of the WPCP, bringing its vision to reality and creating numerous benefits for state and local governments in the

form of capstone developments that are regional destinations, increased tax revenue, and additional economic growth, as well as fulfilling a need for domestic semiconductor industry growth in the United States. Specifically, the Proposed Project provides the following benefits:

- The Proposed Project will construct and operate a large-scale state-of-the art DRAM manufacturing facility at the WPCP that will achieve state and federal initiatives to expand long-term economically sustainable growth in the domestic semiconductor industry in support of U.S. economic and national security. Upon completion, the Proposed Project will be the largest domestic producer of DRAM chips, which have crucial applications in military equipment, cybersecurity technology, the aerospace industry, AI, and other cutting-edge uses, as well as more common areas of the domestic consumer economy. The Proposed Project will produce 52,000 DRAM chips per week, increasing national DRAM output by 1,200 percent.
- The Proposed Project will generate substantial new economic activity in the local and regional areas. Operations of a 4-fab facility are anticipated to generate over \$10 billion in real GDP impacts within the regional area. The Proposed Project will generate additional tax revenues for the local and regional areas and will invest \$500 million in local and regional initiatives that advance identified community needs.
- Construction and operation of the Proposed Project will lead to substantial job generation and increased wage potential within the local and regional areas. The construction of the Proposed Project is anticipated to generate over 4,000 on-site construction jobs, providing new construction employment opportunities and additional income. By 2045, the Proposed Project is anticipated to generate over 9,000 permanent on-site operational jobs, providing long-term skilled employment opportunities for unemployed, underemployed, and job-changing residents in the local and regional areas.
- Construction of the Proposed Project is anticipated to reverse the overall net job loss trend in the local and regional construction sector.
- Construction of the Proposed Project is anticipated to have significant beneficial effects on the local and regional areas through projected increases in average annual wages and household incomes for those areas, as well as the associated induced income growth through increased household spending. The Proposed Project is estimated to generate over \$2 billion in induced disposable personal income in the five-county region by 2035 and over \$3.3 billion by 2041.
- The Proposed Project's construction and operational activities will generate off-site economic activity and additional jobs and labor income within industries supporting Micron's construction, and within governments and businesses supporting workers' day-to-day spending. By 2045 the Proposed Project is anticipated to generate demand for nearly 9,500 jobs at regional supply chain businesses and approximately 23,500 jobs at regional governments, institutions, and businesses supporting the growth in regional household spending (approximately 33,000 off-site jobs in total).

- The Proposed Project's induced growth will encourage economic diversity, increasing regional competitiveness and strengthening regional supply chain industries. The supply chain and consumer spending activity will support existing businesses and attract new businesses to the region.
- In the longer-term, Micron and other construction-related employment opportunities will attract skilled workers to the region due to the increased labor demand.
- The increased housing demand in the regional area is anticipated to lead to investment in neighborhoods where deferred maintenance and lack of housing production are present, including in the City of Syracuse, where housing conditions have been deteriorating.
- The Proposed Project will be the largest private investment in New York's history. By the end of the decade, one in four U.S.-made chips are anticipated to be manufactured in and around Upstate New York.
- The Proposed Project will create 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 thereby advance the job opportunities, health, general prosperity, and economic welfare of the people of the County of Onondaga and the State of New York.

7.0 SEQRA REVIEW PROCESS

On June 14, 2023, OCIDA received an Application for Financial Assistance from Micron for financial assistance within the meaning of New York General Municipal Law § 854(14) to construct the Proposed Project. Micron's application has been amended and restated and includes the lease and eventual purchase of the WPCP in Clay, New York and the undertaking of potential property condemnation pursuant to the New York EDPL. In connection with this application and to assist OCIDA in determining whether the Proposed Project may have a significant impact upon the environment, Micron submitted to OCIDA a Full Environmental Assessment Form (EAF). In order to ensure that the potential environmental impacts associated with the full buildout of the "Micron Campus" were fully evaluated, the EAF covered both the project as described in Micron's application as well as the construction of all four (4) fabs, the Rail Spur Site and Childcare Site.

On July 20, 2023, OCIDA passed a resolution at a regular meeting declaring its intent to act as Lead Agency under SEQRA and classifying the proposed action as a Type I for purposes of a coordinated SEQRA review. Parts 2 and 3 of the EAF were completed by OCIDA, in accordance with 6 NYCRR § 617(f) of the SEQRA regulations.

On July 28, 2023, OCIDA circulated a public Notice of Intent to Establish Lead Agency to all of the required involved, and interested agencies, via receipted delivery. No objection to that notice was received during the subsequent 30-day comment period. At its regular meeting on

September 14, 2023, OCIDA issued a Positive Declaration, indicating the need for an EIS, and scheduled a public scoping meeting.

The following state and local agencies are involved agencies for the SEQRA review:

- New York State Department of Environmental Conservation (NYSDEC)
- Empire State Development, including the New York State Department of Economic Development and the New York State Urban Development Corporation (ESD)
- New York Department of State (NYSDOS)
- New York State Department of Transportation (NYSDOT)
- New York State Office of Parks, Recreation and Historic Preservation (OPRHP)
- New York Office of General Services (NYSOGS)
- New York Power Authority (NYPA)
- New York State Canal Corporation
- Onondaga County Department of Transportation (OCDOT)
- OCWA
- OCDWEP
- Town of Clay Town Board
- Town of Clay Planning Board
- Town of Cicero Planning Board

The following state and local agencies are interested agencies for the SEQRA review:

- New York State Public Service Commission (NYSPSC)
- New York State Energy Research and Development Authority (NYSERDA)
- Onondaga County Department of Planning
- City of Syracuse
- Syracuse Metropolitan Transportation Council (SMTC)
- Town of Cicero Town Board

Scoping Process

OCIDA completed the SEQRA scoping process pursuant to 6 NYCRR § 617.8. At its regular meeting on September 14, 2023, OCIDA accepted a Draft SEQRA Scope of Work, made it available for review and comment by all involved and interested agencies, and by the public, in accordance with SEQRA, and scheduled a public scoping meeting to be held on October 11, 2023.

The Positive Declaration and notice of public scoping meeting were published in the Environmental Notice Bulletin (ENB) 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 of Work were posted on OCIDA's website (www.ongoved.com).

A public scoping meeting was held on October 11, 2023, with public comments received on the Draft SEQRA Scope of Work until October 31, 2023. In total, 39 individuals, organizations, and agencies provided comments during the public comment period, including written comment

letters from USFWS and NYSDEC. Because the EIS was prepared to satisfy the requirements of both SEQRA and NEPA, a separate NEPA scoping comment period and scoping meeting was held as well.

On December 14, 2023, OCIDA adopted the Final SEQRA Scope, which was made available to the previously noticed agencies and posted on OCIDA's website. Notice of the final scoping document was published in the ENB on December 27, 2023.

Preparation and Acceptance of the DEIS

CPO and OCIDA jointly prepared the Draft Environmental Impact Statement (DEIS) to evaluate the potential environmental effects of the Proposed Project as required under NEPA and SEQRA. OCIDA prepared the DEIS to consider the environmental effects of the Proposed Action and alternatives, equally with social and economic factors, before it or any involved State or local agency may issue SEQRA findings and exercise discretionary decision-making or funding authority with respect to the Proposed Project, and to propose mitigation measures to avoid or minimize adverse environmental effects to the maximum extent practicable.

During development of the DEIS, OCIDA regularly consulted with other SEQRA involved and interested agencies (including but not limited to NYSDEC and NYSDOT) to ensure that all environmental impacts were identified and fully evaluated in the DEIS while at the same time CPO regularly consulted with NEPA participating and cooperating agencies (including but not limited to USEPA and USACE). OCIDA created a working group to understand and evaluate the Proposed Project and Connected Actions and all potentially significant environmental impacts, including available avoidance, minimization and mitigation measures, as well as to consider and assess preliminary drafts of the DEIS. In May and June of 2025, OCIDA staff held numerous agency working group sessions during which OCIDA's counsel and consultants discussed each environmental resource area evaluated in the DEIS and addressed all questions.

On June 25, 2025, OCIDA adopted the DEIS as complete for the purpose of commencement of public review and set an August 11, 2025, deadline for the receipt of public comments. On that same date, OCIDA adopted a Public Hearing Resolution and filed the DEIS with the involved and interested agencies, including with the Chief Executive Officer of the Town of Clay and the Town of Cicero and published the Notice of Availability in the ENB and The Post-Standard. CPO filed the DEIS with USEPA for issuance of a Notice of Availability in the Federal Register and mailed the Notice of Availability to the parties on the mailing list.

The Notices of Availability provided notice of public hearings to take place, explained how to access the DEIS either in-person or on CPO's and OCIDA's websites, announced a 45-day period for the public to comment on the DEIS, and explained how electronic or written comments can be submitted to CPO and OCIDA. The DEIS was made available at the OCIDA office at: 335 Montgomery Street, Floor 2M, Syracuse, New York 13202; Onondaga County Public Library, 447 South Salina Street, Syracuse, NY 13202; Town of Clay Town Hall, 4401 Route 31, Clay, NY 13041; Town of Cicero Municipal Offices, 8236 Brewerton Road, Cicero NY 13039; and posted on OCIDA's website to facilitate public review.

As noticed, three public hearings on the DEIS were held on July 24, 2025, from 10AM –

1PM, 2PM – 5PM and 6PM-9PM at the Liverpool High School Auditorium, 4338 Wetzel Road, Liverpool, New York, 13090. Written public comments were accepted until August 11, 2025. Comments on the DEIS were accepted in writing, either by first class mail or electronic mail, or as part of the July 24, 2025, Public Hearing. In total, there were approximately 1270 comment submissions received from the general public on the DEIS, some of which were duplicates, from a total of approximately 1050 commenters, some in support of the Proposed Project and Connected Actions and others opposed, which includes three comments from local elected officials. In addition, comments were received from 12 federal, State and local agencies.

Preparation and Acceptance of the FEIS

In response to public comments on the DEIS, comments made by involved and interested agencies and further development of the Proposed Project and Connected Actions, OCIDA made the following revisions to the DEIS that were incorporated in the FEIS:

- Acknowledgement of a potential revision to the Proposed Project's construction schedule and commencement of construction for each fab and the Child Care Site as well as Connected Actions;
- Addition of a new substation based on the recent decision by NYISO that a new electrical substation will be required for operations of fab 2;
- Revisions to noise mitigation measures requested by the Town of Clay Planning Board for the Proposed Project;
- Addition of Appendix A-5 which includes a summary of all comments received from the public, including the involved and interested agencies, during the public comment period, and responses to those comments. Copies of comments that were received are provided in Appendix A-6.
- Addition of Appendix L-1 which expands on the discussion in the DEIS on the proposed use, management, and disposal of per- and polyfluoroalkyl substances (PFAS) as part of the Proposed Project and Connected Actions;
- Addition of Appendix R-2 which expands on Micron's public outreach activities;
- Other minor revisions to the DEIS in response to agency and other public comments or to update Tables and Figures, as needed.

During development of the FEIS, OCIDA regularly consulted with other SEQRA involved and interested agencies (including but not limited to NYSDEC and NYSDOT) while at the same time CPO again regularly consulted with NEPA participating and cooperating agencies (including but not limited to USEPA and USACE). OCIDA also held additional Agency working group sessions during which the Agency's counsel discussed the process and the changes from DEIS to FEIS and addressed all questions. OCIDA ultimately determined that none of the changes from DEIS to FEIS materially change the reasonably foreseeable effects that were described in the DEIS

for the Proposed Project and Connected Actions or alter the significance of those effects.

The FEIS was accepted as complete by OCIDA on November 7, 2025. OCIDA caused the FEIS and Notice of Completion of Final EIS to be filed in accordance with SEQRA, with copies of the FEIS sent to the Involved and Interested Agencies. Copies of the FEIS were also made available for public viewing at the office of OCIDA during business hours and at the Onondaga County Public Library. The FEIS can be viewed on OCIDA's webpage at: <https://ongoved.com/micronfeis2025/>. The Notice of Completion of Final EIS was published in the ENB on November 12, 2025, in accordance with SEQRA (6 NYCRR § 617.12(c)(1)).

8.0 FACTS AND CONCLUSIONS RELIED UPON TO SUPPORT THE FINDINGS

This Findings Statement considers the relevant environmental, economic and social impacts, facts and conclusions disclosed in the FEIS for the action, including all appendices and applications for permits and approvals, as well as the Final SGEIS for the WPCP (2021) and all other documents prepared in conjunction with the SEQRA process. Other federal and State agencies, including the USACE, USFWS, USEPA, NYSDEC, NYSDOT, and New York State Office of Parks, Recreation and Historic Preservation participated in the environmental review of the Proposed Project and offered their technical advice within their agency's areas of expertise. OCIDA relies on this technical expertise, including the USFWS' Biological Assessment, the Section 106 consultation process led by CPO and the permitting processes before the USACE and NYSDEC for the Proposed Project and Connected Actions.

This Findings Statement weighs and balances relevant environmental impacts with social, economic and other considerations and provides a rationale for OCIDA's decisions regarding potential environmental impacts associated with the action and certifies that the requirements of 6 NYCRR Part 617 and Article 8 of the ECL have been met. OCIDA further certifies that the action chosen is the alternative that, consistent with social, economic, and other essential considerations, avoids or minimizes potential significant adverse environmental impacts to the maximum extent practicable and that such impacts will be avoided or minimized to the maximum extent practicable by incorporating, as conditions, those mitigating measures that are identified as practicable herein.

The FEIS identifies both short-term, construction-related activities and long-term impacts associated with the Preferred Action Alternative and No Action Alternative. The facts and findings of the potential impacts of the Preferred Action Alternative by topic (including impact thresholds), as well as best management practices (BMPs) to reduce or eliminate potential adverse impacts and, where required, mitigation measures, are summarized by topic below.

Land Use, Zoning and Public Policy

Impacts

Land Use and Zoning

Construction of the Proposed Project and Connected Actions under the Preferred Action Alternative will convert existing vacant land and residential land uses to industrial use over a 16-year timeframe, representing a significant direct change to existing land use. At full build-out, the

Micron Campus, Rail Spur Site, and Childcare Site will replace existing vacant land and limited residential uses with industrial and commercial uses. Construction will require removal of the existing structures on the WPCP (the four remaining single-family homes on Burnet Road and Caughdenoy Road) and the Childcare Site (the former single-family home and barn vacated in 2024). The existing high-power transmission lines and telecommunications tower will remain on the WPCP, while the existing OCWA water line will be relocated on the WPCP site. Further development of the Micron Campus will remove Burnet Road and create new access roads and driveways leading to the manufacturing facility from NYS Route 31, U.S. Route 11, and Caughdenoy Road.

The vast majority of the WPCP is zoned Industrial (I-2) under the Town of Clay Zoning Code, except for the three parcels along Burnet Road with vacant single-family homes which are zoned Residential/Agricultural (RA-100). Construction of the Proposed Project will require rezoning of the remaining residential parcels along Burnet Road to I-2. Rezoning this land, however, will be consistent with the I-2 zoning for the majority of the WPCP and OCIDA's intended use for the WPCP as an industrial park and employment center, as well as public policies. Micron, together with OCIDA as the current landowner, has submitted an application to the Town of Clay Town Board requesting these parcels be rezoned to I-2.

Construction of the Connected Actions will not result in land use changes except for certain changes to properties required for the wastewater conveyance system build-out. For construction of the new OCDWEP industrial wastewater conveyance system a new easement area will be required, running through portions of vacant land and farmland on the parcels between the Oak Orchard site and the Verplank Road ROW. This easement currently contains ten properties. The conveyance system will require a change in use and demolition of existing structures on one of the properties, a privately owned residential parcel previously acquired by Micron. Micron also has secured easements with the owners of seven of the other properties. Easements on these seven properties and on the two remaining properties will not require demolition, relocation, or movement of any existing structures or change the current use of the property outside the easement area. If agreements cannot be reached with the owners of the remaining two properties, OCIDA will move to acquire the properties by eminent domain under the EDPL, and the owners will receive just compensation. The remainder of construction of the Connected Actions will occur at existing utility properties (the National Grid Clay Substation, the OCDWEP Oak Orchard site, and the OCWA LOWTP) and in existing easement areas and ROW.

Public utility projects in New York State are generally exempt from local zoning regulations. Therefore, the Connected Actions that will be undertaken by OCDWEP and OCWA may be exempt from some or all local zoning requirements. To the extent the improvements are subject to any zoning requirements, OCDWEP, OCWA, and National Grid will apply for any necessary local approvals and will work with the municipalities to ensure the proposed improvements comply with applicable zoning requirements.

The proposed Micron Campus, Rail Spur Site, and Childcare Site do not include properties with active agricultural uses, but portions of these sites were formerly agricultural land, and the Natural Resources Conservation Service (NRCS) classified most of the soil on the sites as prime farmland. The Proposed Project will directly and indirectly convert a total of 1,043.2 acres of protected farmland to industrial and commercial uses: 975 out of 1,276 acres of prime farmland

and farmland of statewide importance on the Micron Campus, 38 acres of prime farmland on the Rail Spur Site, and 31 acres of prime farmland on the Childcare Site.

NRCS conducted a land evaluation and site assessment and determined by letter dated December 5, 2024, that several Proposed Project and Connected Action components are exempt from Farmland Protection Policy Act (FPPA) provisions because they will be implemented in existing urbanized areas, utility corridors, ROW, or already converted areas. Following the NRCS assessment, CPO completed the rating forms, which resulted in scores below 160 for all sites. Therefore, the Preferred Action Alternative does not require consideration of alternative sites or project adjustments, and no further action under the FPPA is necessary. To comply with Article 25-AA of the New York State Agricultural and Markets Law, Micron and the agencies responsible for the Connected Actions will be required to follow its applicable requirements and notification procedures.

Public Policy

The Preferred Action Alternative was analyzed for consistency with all applicable public policies related to land use and planning in the local region, including the Onondaga County Comprehensive Plan, the SMTC 2050 Long Range Transportation Plan 2020 Update, the Town of Clay Northern Land Use Study, the draft Town of Cicero Comprehensive Plan, and the New York Green CHIPS Program. Although the Proposed Project does not directly support all elements of each of these plans, overall the Proposed Project will be consistent with each of these policies and will fulfill several of their goals relating to economic development and industrial use of the WPCP.

Growth Inducing Effects

The Proposed Project would likely induce substantial new residential and commercial growth in the five-county region primarily due to increased demand for housing and business services as well as supply chain growth, resulting in gradual changes to land use over an extended period as Micron builds the Proposed Project and as job opportunities attract new populations to the region. The locations and scale of this induced commercial and residential development cannot be predicted at this time, but at least some of this induced growth would potentially result in upzoning existing residential and commercial districts for higher density or occur outside of districts already zoned for residential and commercial development. These growth inducing effects of the Preferred Action Alternative would result in significant changes to land use, including any future rezoning, but would continue to be subject to local discretionary approvals and planning policies, including applicable measures to avoid or minimize adverse development effects.

Minimization and Mitigation

Although the Preferred Action Alternative will result in significant changes to existing land use, those changes will continue to be subject to local discretionary approvals and planning policies, including applicable measures to avoid or minimize adverse development effects and preserve community and regional character, and will likely result in beneficial effects by fulfilling economic development policy goals.

Findings

OCIDA finds that the Preferred Action Alternative will not result in any significant adverse effects with respect to land use, zoning or public policies and will likely result in beneficial effects by fulfilling economic development policy goals. No mitigation measures are required.

Geology, Soils, and Topography

Impacts

Construction of the Proposed Project and Connected Actions under the Preferred Action Alternative will include removal of substantial volumes of soil and bedrock, and extensive fill and grading resulting in permanent changes to these resources.

Construction of the Micron Campus will require a total area of ground disturbance of approximately 997 acres within the WPCP, 445 acres of which are currently forested land. The construction is estimated to require: (1) the removal of 1.5 million cubic yards (CY) of soil from the WPCP; (2) the removal of 978,000 CY of near-grade bedrock;² (3) the construction of drilled pier foundations to support each of the four fabs; and (4) the import of 9 million CY of fill material to the site. Construction of the Micron Campus foundations will also require drilling and placement of approximately 25,200 20-foot piers drilled 3.6 to 4.6 feet into bedrock, or 6,300 drilled piers for each fab.

The removal of 1.5 million CY of soil from the WPCP will be necessary to remove existing soil types with conditions that would otherwise pose compression and instability risks for construction of the manufacturing facility foundations and structures. Micron will reuse excavated soils within the project area to the greatest extent practicable, where reuse is consistent with soil stability requirements. Micron will reuse all excavated material smaller than six inches for structural fill within four feet of the bottoms of proposed foundations and slabs and as much of the remaining excavated material as practicable for non-structural purposes, such as landscaping.

Import of 9 million CY of stable and clean fill material to the Micron Campus site will still be necessary to replace excavated soils and surficial material and achieve required soil stability and final site grading, which will range from 385 feet above sea level in the northern portions of the site to 425 feet near NYS Route 31, consistent with present topographical conditions. Due to the number of available quarry sources, it is anticipated that adequate volume exists to meet the needs of the Proposed Project without adversely affecting regional supply. Fill material will be transported to the Rail Spur Site primarily by rail, with additional shipments by truck. Rail cars are anticipated to transport up to 1,500 short tons per hour of aggregate fill material during construction windows.

The removal of 978,000 CY of near-grade bedrock from the WPCP is necessary to accommodate the construction of the four fabs. Each fab requires specialized foundations and sufficient below-grade or “sub-fab” building space to house various aspects of the necessary

² Karst features (e.g., sinkholes, depressions, solution cavities, caves, escarpments, ridges, etc.) were not observed within the WPCP either at the surface or within boreholes performed by the geotechnical engineers.

physical and utility infrastructure to support the fabs and their cleanrooms. In certain limited locations, blasting operations may be necessary as a last resort to fragment the largest segments of bedrock. If used, blasting is expected to produce ground vibrations that may travel as seismic waves through the geology surrounding the blasting locations. In addition, blasting may produce air blasts and fly rock. All bedrock removal activity, including any blasting operations (if needed), will be conducted in accordance with applicable state and local blasting safety regulations, as well as with Micron's Blasting Plan.

Construction of the Rail Spur Site will require approximately 24 acres of ground disturbance on the 38-acre site. In addition to tree clearing, the construction will require up to 85,000 CY of soil removal and import of up to 150,000 CY of fill material to achieve final site grading, followed by installation of new rails to support Rail Spur Site operations. Construction of the Childcare Site will require 13 acres of ground disturbance on the 31-acre site. In addition to tree clearing, the construction will require up to 50,000 CY of soil removal and import of up to 25,000 CY of fill material to achieve final site grading. In certain limited locations, blasting operations may be necessary as a last resort to fragment the largest segments of bedrock at the Rail Spur Site and Childcare Site.

Construction of the Connected Action improvements will involve ground disturbance across the various utility properties and routes, including soil removal and potentially the import of some fill material at certain locations. Rock removal may also be required which will be achieved primarily through chipping, where necessary; however, blasting is not anticipated. BMPs for rock removal will be utilized during construction activities to avoid significant adverse effects on geologic conditions.

At full build-out, the Proposed Project and Connected Actions are not anticipated to generate any further disturbance to geology, soils, or topography in the study area. Full build-out of the Micron Campus will result in 645 acres of new impervious surface, including asphalt and concrete cover, and 58 acres of semi-pervious surface. The remaining areas of the campus will be permeable land consisting of stormwater areas, softscape, water easements, gravel, bioretention, and undisturbed land. Approximately 273 acres of permeable land will remain forested land.

The Preferred Action Alternative would result in growth inducing effects on geology, soils, and topography to the extent that increased demand for new housing and businesses would result in new development and attendant effects on geological conditions. Future development scenarios resulting in potentially significant broad-scale effects on geology, soils, and topography in the study area cannot be ruled out but would likely occur over many years at the pace of broader development and socioeconomic trends in the five-county region and would be subject to independent environmental review.

Minimization and Mitigation

Micron will be required to implement the BMPs stated in FEIS Table 3.2-5 for soil and bedrock removal, pier drilling, and use of fill material throughout construction activities. Construction activities at the Proposed Project sites will be required to be conducted in accordance with Micron's soil and materials management plan as well as State Pollutant Discharge Elimination System (SPDES) program requirements, including preparation of a Stormwater

Pollution Prevention Plan (SWPPP). Micron will monitor groundwater levels in 17 monitoring wells to minimize the effects on groundwater drawdown. Adaptive management will be used throughout construction and will involve targeted surface and groundwater monitoring before, during, and after construction to characterize the relationship between surface water and groundwater, assess flow characteristics of the water resources study area, and identify if modifications in the design, construction, and management of the Proposed Project are necessary to minimize and avoid impacts to stormwater.

If blasting is deemed necessary in certain locations, Micron will implement its Blasting Plan. Construction of the Micron Campus will involve the use of drilled pier foundations as an alternative to driven piles, as they generate less construction noise compared to pile driving and also reduce the need for deeper excavation activity. All soil excavation activities will be required to be managed in accordance with Micron's Soil and Materials Management Plan (SMMP).

Connected Action construction activity will be subject to applicable laws and regulations, and terms and conditions of any required permits or approvals, which may include conditions relating to potential discharges to water resources, stormwater management measures, sediment and erosion controls, or noise and vibration mitigation measures.

Findings

OCIDA finds that with implementation of the BMPS and compliance with applicable laws, regulations and permit conditions, the Preferred Action Alternative will not result in any significant adverse effects with respect to geography, soils and topography. No mitigation measures are required beyond those required by applicable law, regulation and permit conditions.

Water Resources

Impacts

Wetlands

Micron considered various design modifications to the Proposed Project to minimize losses of wetlands and wetland buffers. In total, construction of the Proposed Project under the Preferred Action Alternative will result in the permanent loss of approximately 193.38 acres of wetlands being treated as Federal jurisdictional wetlands (184.47 acres on the Micron Campus and 8.91 acres at the Rail Spur Site), or approximately 174.77 acres of wetlands being treated as State jurisdictional, which completely overlap the Federal jurisdictional wetlands except for less than one acre within wetland complex W2. Construction will also result in the permanent loss of approximately 10.50 acres of non-jurisdictional wetlands and an estimated 315 acres of protected wetland buffer areas on the Micron Campus, in addition to the approximately 15 acres of wetland buffer areas that will be lost at the Childcare Site.

These permanent losses of wetlands and wetland buffers will occur as a result of the excavation, filling, and grading activities necessary to create the level upland conditions required for construction of building foundations, walkways, parking lots, and all other associated Proposed Project components. The permanent loss of these wetlands from construction of the Proposed

Project, the majority of which are considered to be high quality wetlands, will eliminate their principal and suitable wetland functions and services, as described in FEIS Appendix F-3.1. The permanent loss of jurisdictional wetlands will also result in indirect long-term effects on the remaining wetlands as a result of subsequent changes in hydrology, including increased stormwater runoff and decreased groundwater recharge. The permanent loss of wetland buffer areas may further increase the indirect effects on remaining wetlands. These losses constitute a significant adverse effect on water resources.

The Proposed Project is anticipated to result in a permanent increase in impervious surface coverage of approximately 28 million square feet (653 acres), including approximately 645 acres at the Micron Campus, 4.3 acres at the Rail Spur Site, and 2.6 acres at the Childcare Site. The loss of wetlands and conversion of surface area to impervious surfaces could lead to subsequent changes in hydrology, including increased stormwater runoff and decreased groundwater recharge. Stormwater runoff can also accumulate and carry pollutant loads downgradient, which could result in adverse effects on water quality and plant and wildlife species.

Construction of the Connected Actions will result in the permanent loss of a total of 6.40 acres of wetlands being treated as Federal jurisdictional wetlands, including 4.04 acres within the proposed Clay Substation expansion area, 0.087 acres within the natural gas improvement Limit of Disturbance (LOD), and 2.27 acres within the IWWTP LOD. The 2.36 acres lost within the natural gas improvement LOD and the IWWTP LOD are also being treated as State jurisdictional wetlands. The natural gas improvement project is also anticipated to result in the permanent conversion of 0.033 acres of Palustrine Forested (PFO) and 0.132 acres of Palustrine Scrub/Shrub (PSS) wetlands to Palustrine Emergent (PEM) wetlands from ROW maintenance (e.g., clearcutting, grubbing).

Construction of the Connected Actions also will result in temporary effects on a total of 72.30 acres of wetlands, including 4.30 acres within the Clay Substation expansion area (being treated as Federal jurisdictional only), 7.12 acres within the natural gas improvement LOD (being treated as both State and Federal jurisdictional), 53.62 acres within the water supply improvement LOD (being treated as both State and Federal jurisdictional), and 7.26 acres within the wastewater improvement LOD (being treated as both State and Federal jurisdictional). The Connected Actions are anticipated to result in permanent increases in impervious surface coverage, in particular within the Clay Substation expansion area, from facility upgrades at the LOWTP and Terminal Campus, and within the IWWTP LOD. The full extent of increased impervious surface coverage that would be associated with the Connected Actions cannot be determined at this time.

Routine operational maintenance of utility ROW along linear improvement LOD corridors could potentially require occasional mowing and removal of wetland trees and shrubs within the corridors for maintenance access or safety reasons. These maintenance activities could indirectly lead to regression of PFO and PSS wetland cover types to PEM wetland habitat over time. Maintenance work required along the proposed natural gas line route is anticipated to indirectly convert 0.033 acres of PFO and 0.132 acres of PSS type wetlands being treated as State jurisdictional to PEM wetland habitat. It is currently unknown how many acres of State jurisdictional PFO and PSS wetlands would be subject to habitat conversion as a result of future maintenance on the proposed water supply lines or the proposed wastewater conveyance. OCWA

and OCDWEP will be required to avoid disturbing these PFO wetlands during maintenance to the greatest extent practicable.

Surface Water

Micron considered various design modifications to the Proposed Project to minimize losses of surface water features to the maximum extent practicable. Within the Youngs Creek basin, construction of the Micron Campus will result in the permanent loss of 6,283 linear feet (LF) of stream channels being treated as Federal jurisdictional, consisting of 2,585 LF of intermittent streams (41.1 percent) and 3,698 LF of ephemeral streams (58.9 percent). There will be no losses of State jurisdictional river or stream features or any surface water features in the Shaver Creek basin. The proposed Micron Campus layout has been designed to avoid construction in the perennial main channel of Youngs Creek. The proposed Childcare Site layout has been designed to avoid losses to the 18 LF of stream channel identified along the western edge of the site boundary. No rivers or streams were identified at the proposed Rail Spur Site.

Construction of the Connected Actions will result in the permanent loss of a total of 1,545 LF of regulated ditches being treated as Federal jurisdictional, all within the proposed Clay Substation expansion area. Construction will also result in temporary effects on a total of 3,491 LF of rivers and streams being treated as Federal jurisdictional, including 380 LF within the substation expansion area, 175 LF within the natural gas improvement LOD, 2,835 LF within the water supply improvement LOD, and 101 LF within the wastewater improvement LOD.

The permanent loss of headwater streams within the Youngs Creek basin will cause the loss of their principal functions, including wildlife habitat, retention of organic and inorganic particulates, nutrients, and contaminants, and stabilization of the beds, banks, and floodplains of Youngs Creek and its tributaries. Secondary functions will also be lost, including the ability to transport woody debris and sediment to influence stream bed forms and provide thermal regulation. The loss of these stream channels, in combination with the wetland losses described above, constitutes a significant adverse effect on water resources. These losses will alter local hydrologic conditions and could lead to indirect effects on downgradient surface water conditions including altered transport, downstream flooding, stream bank erosion, soil erosion, excess pollution loads, increased water temperature, increased turbidity, excess nutrient loads, and excessive aquatic algae/weeds.

During operations, wastewater from the Micron Campus will be required to be treated and managed in accordance with applicable regulatory requirements, law and permits prior to discharge to surface waters. Industrial wastewater generated at the Micron Campus that is not treated at the campus on site for reuse shall be treated on the Micron Campus to levels necessary to meet discharge limitations and conditions contained in an Industrial Wastewater Discharge Permit (IWDP) that will be issued by OCDWEP to Micron. Micron also will be required to work with OCDWEP to develop a plan to reuse treated Oak Orchard IWWTP effluent volumes as makeup water for the Micron Campus' cooling towers and other mechanical systems. Only treated effluent from the IWWTP that is not recycled and returned to the Micron Campus will be discharged into the Oneida River. This discharge will comply with the OOWWTP's approved SPDES permit issued by NYSDEC and applicable regulations.

Stormwater

Construction of the Proposed Project and Connected Actions may temporarily alter existing land cover and soil type characteristics that influence stormwater infiltration. Activities such as clearing, grubbing, excavation, and land disturbance involve the removal or disturbance of vegetation and soil within construction footprints. Because vegetation and topography slow the movement of stormwater, removing or disturbing these features can directly affect stormwater runoff by reducing infiltration time and increasing runoff flow, which could exacerbate stream bank erosion and habitat destruction, and cause flooding and infrastructure damage, depending on the intensity of precipitation events and the extent of impervious surfaces. The completed phases of the Proposed Project and Connected Actions will create new impervious surfaces that could increase potential stormwater runoff flow and pollutant discharge during operations that, unless adequately managed, could exacerbate downstream effects on other water resources and water quality.

Many of the Connected Actions will involve installation of underground utilities in trenches that would be returned to existing grade and revegetated once construction is complete; these activities will result in negligible stormwater runoff effects during operation.

Groundwater

Construction of the Proposed Project will require clearing and grubbing of existing vegetation and soil excavation. Vegetation removal may change runoff characteristics within construction areas, which could reduce stormwater infiltration and groundwater recharge. Dewatering, which involves pumping groundwater out of excavation areas to allow for dry working conditions, will be performed as necessary during Proposed Project construction to allow for proper building footings, foundations, and waterproofing. Dewatering may lower the local water table, which could cause changes to the surrounding hydraulic gradient that could affect groundwater movement and availability. Construction will also require substantial volumes of fill material, which could alter groundwater movement and storage capacity.

No primary or principal aquifers or sole source aquifers have been identified beneath the Proposed Project portion of the study area, but confined and unconsolidated aquifers exist on the western edge of the Shaver Creek watershed. These aquifers are not currently used as public drinking water sources. Instead, all public drinking water for the area is sourced from surface water resources and is distributed by OCWA. In addition, there are only nine private domestic wells within approximately one mile of the WPCP, including two directly on the WPCP and one approximately one-quarter mile southwest of the proposed Rail Spur Site, which may be used for drinking water or agricultural purposes. Operation of the Proposed Project will rely on water supplies from OCWA, which obtains water from surface water sources. Therefore, the Proposed Project will not require and will not be authorized to use any groundwater withdrawals.

Construction of the septic system associated with the childcare facility will require excavation for the installation of a septic tank and leach field. The septic system for the Childcare Site will be installed and maintained in compliance with NYCRR Title 10 Part 75 and will be permitted by NYSDOH prior to operation. If not designed, installed, or maintained properly, septic systems can contaminate groundwater with pathogens, chemicals, and nutrients, which can

adversely affect groundwater quality. If operation results in more than 1,000 gallons per day of discharge to groundwater, Micron will be required to obtain a SPDES permit from NYSDEC.

Forty-two (42) groundwater monitoring wells have already been installed at strategic locations around the WPCP as part of pre-design activities. Micron will be required to periodically assess the information gathered from these monitoring wells and identify any changes that would warrant alterations to Proposed Project design and construction. If required based on the amount of groundwater withdrawal needed for any dewatering activities, Micron will obtain a Water Withdrawal Permit from NYSDEC and implement a dewatering plan.

With respect to the Connected Action sites, the natural gas, water supply, and wastewater improvement LODs will overlay approximately 86.53 acres of unconsolidated aquifers; the IWWTP will overlay 6.65 acres of a principal aquifer in Onondaga County and the water supply lines will overlay 43.97 acres of the Fulton primary aquifer in Oswego County. Construction of the Connected Actions will require clearing and grubbing of existing vegetation and soil excavation. Although required excavation depths for the Connected Actions are not known at this time, dewatering also may be performed as necessary as part of temporary cut and cover trenching, which would be the primary construction method used for most of the linear improvements. Construction may also require fill material at certain locations. If required during construction of the Connected Actions, National Grid, OCWA, and OCDWEP will obtain site-specific Water Withdrawal permits from the NYSDEC and implement dewatering plans for these activities. If required, National Grid, OCWA, and OCDWEP also will obtain SPDES CGPs and develop SWPPPs and SPCC/SPR Plans to reduce the risk of accidental releases, leaks, or spills during construction activities and provide instructions for immediate containment and cleanup of any release.

Floodplains

Construction of the Proposed Project and Connected Actions may alter existing land cover and topography, which could lead to temporary and permanent alterations in existing hydrology, including effects from stormwater runoff on downstream receiving waters that could reduce floodplain functions or storage capacity, or increase flood risk or frequency. However, effects from changes on floodplains within the Proposed Project portion of the study area will be minimal. The proposed Micron Campus, Rail Spur Site, and Childcare Site are not directly on or adjacent to any special flood hazard areas (SFHAs) or 500-year floodplains; only a portion of the study area to the west of the Childcare Site includes such floodplains.

Within the Connected Actions sites, 28.28 acres of the water supply improvement LODs and 1.36 acres of the IWWTP LOD will be located within regulated floodplains. Construction activities in these areas may include excavation, trenching, grading, horizontal directional drilling (HDD), or temporary water impoundment or diversion structures for channel crossings. Most of these construction activities will be temporary; the water supply lines will be installed below ground, with the ground restored to original grade, and will not permanently occupy any floodplain surface areas. Further, construction work in navigable waters will be subject to applicable requirements for Rivers and Harbors Act Section 10 Permits from USACE and possible Protection of Waters Permits from the State. Construction activities in SFHAs will be subject to floodplain

development permits from the relevant municipalities, including any permit conditions requiring floodplain damage prevention measures.

Coastal Areas

No Proposed Project components will be located within the coastal zone in New York State or within the Town of Clay or City of Oswego Local Waterfront Revitalization Program (LWRP) boundaries. Construction of the new water supply line terminating at the RWPS will be within the coastal zone boundary but will not be within any Coastal Erosion Hazard Areas. Construction of the proposed water supply improvements and wastewater conveyance with portions of their LODs within the City of Oswego and Town of Clay LWRPs will primarily involve temporary cut and cover trenching activities. In addition, the new IWWTP within the Town of Clay LWRP is unlikely to be visible above the tree line from off-site. Any potential visibility will likely occur through existing vegetation and is anticipated to be extremely limited in extent.

Growth Inducing Effects

The Preferred Action Alternative would potentially result in growth inducing effects on water resources primarily to the extent that increased demand for housing and business services in the five-county region, including supply chain growth, would lead to further development in wetlands, rivers, or streams, cause increases in stormwater runoff, or increase the potential for effects on groundwater, floodplains, or coastal resources. These changes would be gradual and would be subject to applicable environmental laws and regulations and permits and approvals.

Minimization and Mitigation

Mitigation will be required under Section 404 of the CWA and Article 24 of the ECL to address the anticipated permanent losses of federal and State jurisdictional wetlands and surface water features. Under the proposed Mitigation Plan, Micron will be required to enhance, establish, or restore in-kind a total of 422.14 acres of wetlands and 14,030 LF of stream features across six mitigation sites located within a nine-mile distance to the northwest of the WPCP. Overall, approximately 1,341 acres of land within the Oneida River watershed will be protected in perpetuity under the mitigation plan. Additionally, Micron will purchase nine in-lieu fee program credits from the Johnson Farm Preserve.

Consistent with federal regulations, the Mitigation Plan has been designed to replace the suite of lost functions and services from Proposed Project construction, including hydrology and sediment dynamics, biogeochemistry and nutrient cycling, and habitat and food web maintenance. In general, the required mitigation, which will be finalized prior to any ground disturbance as part of the USACE's 404 permit and NYSDEC's Article 24 permit, will improve the wetland and stream functions and services over those lost, increasing both the quantity and quality of wetlands and streams within the larger watershed.

The routine operational maintenance along linear improvement LOD corridors may require occasional mowing and removal of wetland trees and shrubs within the corridors for maintenance access or safety reasons. Under ECL Article 24, PFO wetlands converted to PEM habitat as a result of regular utility ROW maintenance would be subject to compensatory mitigation requirements for any PFO wetlands that are also State jurisdictional wetlands. Although compensatory

mitigation may be required for these future maintenance activities, indirect conversion of one wetland habitat cover type to another would not be considered a significant adverse effect.

Micron, National Grid, OCWA, and OCDWEP will each be required to implement and maintain stormwater BMPs identified in applicable SWPPPs during construction to reduce stormwater runoff rates, reduce erosion of disturbed land and downgradient sedimentation, and protect stormwater from contamination. All BMPs will be designed to meet the performance criteria in the *New York State Standards and Specifications for Erosion and Sediment Control* manual (NYSDEC, 2016), or the version in effect at the time of approval given the phased development and will be appropriately documented in relevant SWPPPs. Stormwater management areas will be designed to meet *New York State Stormwater Management Design Manual* requirements (NYSDEC, 2024a), or the version in effect at the time of approval given the phased development, to ensure waters of the State are protected from adverse impacts of construction stormwater runoff and no downgradient increases in stormwater quantity would occur.

Micron will be required to implement the BMPs listed in FEIS Table 3.3-12, including the institution of BMPs during operations to manage, control, and monitor wastewater flows during operations by engaging in the following: (1) incorporate facility segregation processes to facilitate enhanced water treatment, testing, and recycling; (2) implement a Supervisory Control and Data Acquisition alarming and control system; (3) off-spec wastewater treatment tanks; (4) redundant pH flow meters at compliance points; (5) auto shut-off valve to control discharge of off-spec wastewater off-site (Note: This requires real-time monitoring which is not possible for all discharge parameters); (6) maintain preventative maintenance program for compliance equipment; (7) utilize internal chemical review; (8) implement an Accidental Spill Prevention Plan; (9) implement a Toxic Organics Management Plan; and (10) incorporate measures to implement anticipated near-term updates to regulatory requirements. Micron will also be required to increase and maximize water recycling, reuse, and restoration, where feasible during operations.

In addition to the stormwater BMPs that Micron will be required to implement as part of the Proposed Project design, post-construction SMPs will be required to meet MSGP effluent limitations for stormwater discharges from industrial activities for the protection of water quality. Micron will be required to propose one or more feasible alternatives based on stormwater modeling from the SMPs listed in FEIS Table 3.3-11. These operational SMPs will be documented in the SWPPP required under the MSGP and will include monitoring conditions. National Grid, OCWA, and OCDWEP will implement similar SMPs to reduce post-construction stormwater runoff from the operation of the Connected Actions. The IWWTP will be required to implement such SMPs as a condition of its SPDES CGP, and the SMPs will be used to meet MSGP effluent limitations for stormwater discharges from the IWWTP. These SMPs will be designed to meet the 2024 *New York State Stormwater Management Design Manual* requirements, or the requirements in effect at the time of approval, and will be documented in relevant SWPPPs. The SMPs will be employed to maintain existing drainage patterns to the greatest extent practicable, continue the conveyance of upland watershed runoff, control increases in stormwater runoff, prevent soil erosion and sedimentation, and provide runoff reduction using green infrastructure measures where feasible. In addition, the wet extended detention ponds and filtration bioretention areas will reduce the potential for stormwater runoff to contribute to downstream flood hazards.

Several of the stormwater BMPs and SMPs that Micron will implement as part of the Proposed Project will filter out pollutants and provide on-site stormwater detention, which will avoid or minimize effects from stormwater runoff on downstream receiving waters. The stormwater BMPs and SMPs will also serve to increase infiltration of stormwater runoff from impervious surfaces to mimic the existing storage and runoff rates at the WPCP and proposed Rail Spur and Childcare Sites and maintain the hydraulic balance within the Youngs Creek and Shaver Creek watersheds, which will avoid or minimize potential effects on floodplains. The reduced runoff rate will also promote groundwater recharge and ensure that the hydroperiod for downgradient wetlands will not be significantly affected.

Micron, National Grid, and OCWA will use adaptive stormwater management informed by groundwater monitoring well data and supported by the Surface Water Report. The Surface Water Report is an in-depth evaluation of the surface water dynamics and is part of Micron's Wetland Adaptive Assessment and Management Plan. Together these documents will inform adaptive management efforts to protect water quality, sustain wetland functions, and identify the need for modifications to Proposed Project or Connected Action designs to avoid or minimize effects from stormwater runoff, minimize the effects on groundwater draw down and verify that the groundwater flow component to downstream wetlands is not affected. Of the 42 groundwater monitoring wells installed as part of pre-design activities, 17 will be used as a basis for developing adaptive stormwater management measures. Information gathered from the remaining 25 monitoring wells, the additional 15 surface water monitoring points (7-culvert and 8-channel), and the five piezometer wells proposed to be installed within wetlands around the WPCP, will be periodically assessed to determine if any alterations would need to be made to the stormwater management measures. Micron will continue to conduct targeted and comprehensive surface and groundwater monitoring before, during, and after Proposed Project construction to inform adaptive management as needed to protect domestic wells, and promote groundwater recharge, filtration, infiltration, and storage to ensure groundwater hydrology is maintained at a level equivalent to pre-construction conditions. Micron also will continue to perform surface water level and flow monitoring as part of its SWPPP and refine SMPs and techniques as appropriate to avoid or minimize changes in flows downstream that could result in floodplain effects.

To further protect surface and groundwater, Micron, and if required, National Grid, OCWA, and OCDWEP, will obtain SPDES CGPs and develop SWPPPs and SPCC/SPR Plans to reduce the risk of accidental releases, leaks, or spills and provide instructions for immediate containment and cleanup of any release.

For construction activities within coastal zone boundaries, OCWA and OCDWEP will adhere to erosion and sediment control standards and incorporate construction BMPs to ensure consistency with federal and State coastal resource use policies and the Clay and Oswego LWRPs. Further, no actions within the coastal zone will take place until a written finding is made that the action is consistent to the maximum extent practicable with federal and State coastal resource policies and any applicable LWRPs.

During operations, OCDWEP will set limits in the IWDP that must be met at the point of discharge from the Micron Campus, prior to being sent as secondary residual wastewater via the wastewater conveyance to the IWWTP. These effluent limitations will be consistent with EPA pretreatment guidelines and the requirements of the OOWWTP SPDES permit. Micron's IWDP

will include monitoring and reporting of regulated parameters. Monitoring and reporting for these parameters will also be conducted by OCDWEP and reported to NYSDEC through the established SPDES permit prior to discharge to the Oneida River.

Micron will also be required by OCDWEP to develop a plan to reuse treated IWWTP effluent volumes as makeup water for the Micron Campus' cooling towers and other mechanical systems. Only treated effluent from the IWWTP that is not recycled and returned to the Micron Campus will be discharged into the Oneida River. This discharge will be required to comply with the OOWWTP's approved permit and applicable regulations.

Findings

Due to the requirement that Micron obtain all pertinent water resource permits and comply with all applicable laws and regulations governing water resources, OCIDA finds that construction of the Proposed Project and Connected Actions will not result in significant adverse effects from stormwater or significant adverse effects on groundwater, floodplains, or coastal resources. Post-construction operation of the Proposed Project and Connected Actions will not result in significant adverse effects on water resources.

Even taking into consideration design considerations to avoid wetlands loss and compliance with all applicable permits, laws and regulations, construction of the Proposed Project and Connected Actions will result in significant adverse effects on wetlands and surface water; however, the mitigation measures that will be required as part of the federal and State wetlands permitting will mitigate the permanent losses of federal and State jurisdictional wetlands and surface water features functions and services to the maximum extent practicable.

Biological Resources

Impacts

Ecological Communities – Construction Effects

Micron Campus

Construction of the Micron Campus will result in the loss of approximately 253.3 acres of successional old fields, 187.5 acres of successional shrublands, and approximately 194 acres of delineated wetlands, 10.5 acres of which are non-jurisdictional. Construction will also result in the loss of 6,283 LF of jurisdictional surface water features within the Youngs Creek basin. Although the upland communities that will be lost are common throughout Onondaga County and the surrounding region, the loss of the wetlands and riparian stream channels and their conversion to developed land cover types will likely fragment and alter the composition of wetland, forested, and grassland habitat at the site where terrestrial wildlife, aquatic life, and special status species would potentially occur or are known to occur. The loss of ecological communities will result in significant adverse effects on biological resources.

Highly mobile mammals, such as white-tailed deer and coyote, and semiaquatic mammals with the ability to relocate, such as American beaver, North American river otter, mink, and muskrat, would likely retreat to remaining undisturbed portions of the site or abandon the site in search of other habitat not already at carrying capacity. However, these highly mobile mammals

may be challenged to find habitat elsewhere that is suitable and not already at carrying capacity. Some mortality of small mammals unable to relocate, such as those trapped in dens or burrows or unable to avoid the paths of site clearing and earthmoving activities, would be expected to occur. Mammals sensitive to noise and lighting disturbances would be expected to relocate to similar habitats off-site, leaving only synanthropic species (i.e., species accustomed to humans), including generalist species (e.g., rabbits and squirrels), on-site and in immediately adjacent areas. Construction effects on special status species are described under Special Status Species below.

Tree clearing will be prohibited during the primary breeding season for most bird species (April through July). Therefore, construction will avoid direct effects on actively breeding woodland birds protected under the Migratory Bird Treaty Act (MBTA). Consistent with NYSDEC guidance, to avoid effects on grassland birds, construction in open fields will be limited to late summer and early fall, after the breeding period but before the wintering period. However, most bird species that currently occupy the Micron Campus site, aside from highly synanthropic, disturbance-tolerant species, are expected to retreat to remaining undisturbed portions of the site or abandon the site in search of other habitat not already at carrying capacity over the course of construction. Noise and lighting disturbances will potentially affect birds in immediately adjacent areas. Overall, many bird populations at the site are expected to experience reduced fitness and survival, and steep declines of populations in the immediate area around the site is expected to occur. Construction effects on special status species are described under Special Status Species below.

Mass mortality of reptiles and amphibians, including salamanders, frogs, turtles, and snakes, is expected to occur during construction as a result of site clearing, grubbing, and grading, as these taxa are not mobile enough to avoid the paths of most site clearing and earthmoving activities. Noise and lighting disturbances are also expected to affect reptiles and amphibians in immediately adjacent areas. In addition, construction could indirectly affect amphibians and aquatic reptiles by altering the water balance and water quality of the Youngs Creek basin. Construction effects on special status species are described under Special Status Species below.

The filling of wetlands and surface waters during construction of the Micron Campus will reduce the Youngs Creek wetland complex on the site and associated aquatic habitat. The elimination of wetlands and headwater streams could permanently alter the transport of sediment, organic matter, nutrients, and macroinvertebrates that are critical to downstream physical, chemical, and biological attributes and processes, including species composition and food web dynamics. Vegetation clearing and other construction effects may elevate stream temperatures, which could cause temperatures to exceed the tolerance levels of sensitive species, including many cold-water fish and macroinvertebrates. Changes in topography and soil exposure may temporarily increase soil erosion, which could increase sediment, turbidity, and nutrient loading in receiving waterbodies. This could lead to harmful algal blooms and decreased dissolved oxygen levels, which could lead to fish kills, increased establishment and spread of invasive plants, or other adverse effects on aquatic biota. Construction effects on special status species are described under Special Status Species below.

Rail Spur Site

Construction of the Rail Spur Site will result in the loss of approximately 9 acres of wetlands (8.4 acres of red-maple hardwood swamp, 0.1 acres of shallow emergent marsh, 0.1 acres

of shrub swamp, and 0.4 acres of farm ponds/artificial ponds) and 13.6 acres of hemlock northern hardwood forest. The effects on ecological communities at the Rail Spur Site as a result of these changes is anticipated to be similar to those that would occur at the Micron Campus.

Childcare Site

Construction of the Childcare Site includes approximately 13 acres of ground disturbance, with effects on wetlands limited to the loss of 0.06 acres of non-forested, non-jurisdictional wetlands. The conversion of approximately 13.3 acres of cropland / field crop cover type will not significantly decrease the presence of that cover type in the area, given that more than two thirds (150,000 acres) of Onondaga County's land area is made up of agricultural fields. However, the conversion of approximately 13 acres of open habitat (including the cropland cover and the small portion of non-jurisdictional shallow emergent marsh) to developed areas adversely affect the site's grassland habitats. Construction is not anticipated to cause abrupt microclimatic changes within these forested communities or create "sharp edges" around them (i.e., expose the edges of the communities to light, wind, temperature shifts, or moisture).

Construction of the Childcare Site will displace most of the mammals, birds, reptiles, and amphibians within the approximately 13-acre ground disturbance area. Highly mobile wildlife sensitive to construction noise are expected to relocate to the undeveloped 18 acres on the site or in search of other off-site habitat. Most species in the disturbance area are expected to experience reduced fitness and survival. Some mortality of small mammals, reptiles, and amphibians unable to relocate to suitable alternative habitats not already at carrying capacity will occur. Wildlife expected to occur at the site, including the undeveloped 18 acres, during the early construction period will generally be limited to generalist species tolerant of human activity, but no suitable habitat would remain in the area of disturbance after clearing and construction of site facilities.

Connected Actions

The assessment of impacts to ecological communities from construction of the Connected Actions assumed that construction will disturb the ecological communities in all 594 acres across the Connected Action LODs, although actual disturbance to existing ecological communities and land cover types is likely be less than the full extent of all of the LODs, given that actual construction activity is not anticipated to occur across the entire footprints of existing utility properties or the entire widths of existing utility easements. Most construction disturbance within the LODs for the Connected Actions will occur in previously disturbed areas (roughly 385 acres of developed land, mowed lawn, mowed roadside / pathway, and paved and unpaved road / path cover types) and areas associated with various levels of human activity (roughly 26 acres of active cropland), with the remaining disturbance occurring in forested uplands, shrubland, old fields, and wetlands (roughly 182 acres of upland forests shrubland, old fields, forested and non-forested wetlands, and scrub-shrub wetlands).

Wildlife with the ability to relocate are expected to abandon the LODs in search of other habitat. Some mortality of smaller or less mobile wildlife may occur. Disturbances to wildlife in immediately adjacent areas from human activity and construction noise and lighting also may occur. Wildlife sensitive to these disturbances is expected to move away from these adjacent areas, leaving primarily synanthropic generalist species in the vicinity.

The permitting processes for the Connected Actions is expected to incorporate conditions relating to wildlife, including restrictions on work in wetlands and time-of-year restrictions, as applicable. National Grid, OCWA, and OCDWEP will be required to coordinate with permitting agencies on these restrictions. Installation of utility lines under mapped rivers and streams and construction of other Connected Actions in the vicinity of surface waters will be conducted in accordance with applicable permits, including erosion and sediment control measures in SWPPPs to minimize potential adverse effects on aquatic resources.

Ecological Communities – Operational Effects

In general, the effects on ecological communities at the operational stage of the build-out of the Proposed Project are similar to those during construction, including fragmentation and altered composition of ecological communities, pressures from invasive plant species, and potential hydrological and water quality effects. Wildlife tolerant of fragmented habitats, anthropogenic noise, and lighting is expected to occupy the remaining undeveloped portion of the Micron Campus north of the electric transmission corridor and east of fab 4. During longer-term operations of the Rail Spur Site, the biotic integrity of the approximately 14 undeveloped acres on the site is expected to decline due to changing microclimatic conditions from fragmentation, dust and soot deposition from aggregate material transported through the site during the 16-year construction window and changed hydrology from filling of wetlands.

The Childcare Site would create 2.6 acres of impervious surface coverage, but will leave approximately 18 acres undeveloped, including the shelterbelts at the site boundary and the floodplain forest area in the northeastern portion of the site. Operation of the Childcare Site will lead to an increase in existing daytime noise levels due to increased vehicle traffic, human activity, and operation of rooftop air handling units and other external building maintenance equipment. Wildlife tolerant of fragmented habitats, anthropogenic noise, and lighting is expected to occupy the remaining undeveloped 18 acres of the site. Lighting effects from operation of the site will be reduced through the use of downward-directional lighting and extinguishing of larger light sources at night.

Wildlife is also expected to occupy undeveloped parts of Connected Action LODs, utility ROW, and adjacent areas during longer-term operations. Wildlife remaining in the Clay Substation expansion area will largely be limited to synanthropic generalist species. Wildlife occurring at and adjacent to the Oak Orchard site is already largely limited to common generalist species, and that composition is expected to continue during operations. For the linear utility improvements, areas disturbed by trenching will be covered and appropriately seeded or mulched for re-vegetation. Portions of the linear improvement alignments would be periodically mowed and maintained as herbaceous or low shrubland communities, but unmaintained corridor edges would be allowed to re-vegetate and eventually revert to forested cover.

Special Status Species

Bats

As the lead agency for purposes of Section 7 consultation under the ESA, CPO determined early in the consultation process that the Proposed Project is expected to have effects on two Federal listed endangered species, the Indiana bat and the northern long-eared bat, as well as the

tricolored bat, which is proposed to be listed as a Federal endangered species. Tree clearing and construction of the Proposed Project and Connected Actions will eliminate potential foraging and roosting habitat for the bat species by converting the forested ecological communities at the sites through development. This will include the permanent loss of approximately 467 acres of potential roosting habitat, based on the anticipated effects on forested ecological communities at the Micron Campus site and the Rail Spur Site. These changes will leave no foraging or roosting habitat of sufficient size or sufficiently free of high levels of disturbance to support the species. As a result, CPO anticipates making a “may affect, likely to adversely affect” determination for the Indiana bat and the northern long-eared bat, and a “not likely to jeopardize; may affect, likely to adversely affect” determination for the tricolored bat.

The Indiana bat and the northern long-eared bat are also State listed endangered species, and NYSDEC will be responsible for issuing an ECL Article 11 Endangered and Threatened Animal Species Incidental Take Permit for the Proposed Project and has issued a notice of complete application on August 12, 2025. While the public comment period has closed, the take determinations for the two State-listed bat species are subject to ongoing NYSDEC review and will be the subject of a future permitting decision.

Based on information available to date, construction of the Connected Actions is conservatively estimated to disturb approximately 82 acres of potential roosting habitat for Indiana, northern long-eared, and tricolored bats, based on the acreage of all forested land cover types and ecological communities in the Connected Action LODs. Effect and take determinations for the Connected Actions are subject to ongoing coordination and consultation that must be completed before any ground disturbance activities will be permitted to occur.

Following Proposed Project construction and anticipated fragmentation of Indiana bat, northern long-eared bat, and tricolored bat habitat, bat activity will be significantly reduced during operations, and the species generally would not be expected to roost or forage at the Proposed Project sites. Site operations will result in increased regular human activity and noise and lighting disturbance. Each of the three bat species exhibits a degree of tolerance of anthropogenic noise while roosting, but the species are likely to avoid foraging in areas with increased noise, which could limit potential foraging habitat to the edges of forested areas. Indiana and northern long-eared bats are also generally averse to artificial light.

Following disturbances during construction of the Connected Actions, to the extent that suitable forested areas for the bat species remain in the Connected Action LODs, returning bats may potentially be able to inhabit remaining suitable habitat, and generally are expected to experience a lesser degree of noise and lighting disturbance compared to Proposed Project site operations. Suitable bat habitat in the Clay Substation expansion area and at the Oak Orchard site will largely remain similar to the suitable habitat present on those sites today. Some of the utility corridors will be allowed to re-vegetate, which could potentially improve foraging and commuting conditions for Indiana bats and tricolored bats over time and compensate for initial losses in tree cover. The 70-foot-wide permanent corridors that will be maintained during operations will likely be narrow and vegetated enough to avoid fragmentation effects on northern long-eared bats.

Northern Harrier and Short-eared Owl

The northern harrier is a State listed threatened species and a migratory bird of prey, and the short-eared owl is a State listed endangered species and a migratory bird of prey. The Proposed Project will likely result in a taking of northern harriers and short-eared owls under NYSDEC regulations due to habitat loss from site clearing and displacement in response to human activity, noise, and lighting disturbances from construction. Construction of the Micron Campus could potentially result in these species no longer using the site and being displaced from the area. NYSDEC anticipates making a take determination for these species due to construction of the Proposed Project. No suitable open habitat is present at the Rail Spur Site. The natural gas, water supply, and wastewater lines would run through or adjacent to large agricultural fields with the potential to support northern harriers. Construction of those utility improvements would potentially displace northern harriers from selecting these fields as nesting or wintering habitat during one nesting and wintering season. Effect and take determinations for the Connected Actions are subject to ongoing coordination and consultation.

Following Proposed Project construction and anticipated fragmentation of northern harrier and short-eared owl habitat, northern harrier and short-eared owl activity will be comparatively limited during operations, and individuals are not expected to winter at the Micron Campus or the Childcare Site. Large fields in or adjacent to the natural gas and wastewater improvement LODs will continue to provide suitable habitat to these species during operations.

Sedge Wren

The sedge wren is a State listed threatened species. Suitable habitat for the sedge wren is present within or adjacent to segments of the natural gas line and wastewater conveyance that pass through successional old fields. Construction of these improvements could temporarily displace sedge wrens from selecting the associated habitat, but such displacements will represent a spatially and temporally minor reduction in potential sedge wren habitat. Effect and take determinations for the Connected Actions are subject to ongoing coordination and consultation. Large fields in or adjacent to the natural gas and wastewater improvement LODs will continue to provide suitable habitat to sedge wrens during operations.

Bald Eagle

The bald eagle is not currently listed under the ESA but is protected under the MBTA and the BGEPA, and is a State listed threatened species. Suitable bald eagle habitat is present in the vicinity of the water supply and wastewater improvements, and the species has been documented nesting in the vicinity of the Oak Orchard site. Construction activities will adhere to the distance-specific criteria in the USFWS National Bald Eagle Management Guidelines and other conditions imposed by USFWS and NYSDEC. Suitable bald eagle habitat will remain in the vicinity of the Oak Orchard site during operations. OCWA and OCDWEP will coordinate with USFWS and NYSDEC as part of the permitting processes for their improvements on measures to protect bald eagles.

Black Tern

The black tern is a State listed endangered species. Suitable habitat for the black tern is present near the water supply improvement LOD within approximately 60 hectares of large emergent wetlands in the vicinity of the Oneida River near Country Route 12 and Peter Scott Road.

OCWA will coordinate with NYSDEC as part of the permitting process. Construction activities will adhere to time-of-year restrictions, wetland matting requirements, and other conditions imposed by NYSDEC. Operation of the water supply improvements will not affect the black tern's emergent wetland habitat in the vicinity of the Oneida River.

Pied-Billed Grebe

The pied-billed grebe is a State listed threatened species. Suitable habitat for the pied-billed grebe is present in emergent wetland habitats adjacent to the water supply and wastewater improvements, in the vicinity of the Oneida and Oswego Rivers. The species has been documented in the vicinity of the Oak Orchard site. OCWA and OCDWEP will coordinate with NYSDEC as part of the permitting processes for their respective improvements. Construction activities will adhere to time-of-year restrictions, wetland matting requirements, and other conditions imposed by NYSDEC. Emergent wetlands adjacent to the water supply and wastewater improvements in the vicinity of the Oswego and Oneida Rivers is anticipated to continue to provide suitable habitat to pied-billed grebes during operations.

Monarch Butterfly

The monarch butterfly is proposed to be listed as a Federal threatened species. Construction of the Proposed Project will result in substantial losses of suitable habitat for the monarch butterfly, including successional shrublands and old fields at the Micron Campus and Rail Spur Site and agricultural fields at the Childcare Site, as well as some mortality at the latter end of the winter season when monarch butterflies begin to emerge. However, given the abundant suitable habitat throughout the region, overall adverse effects on the species in the area from construction of the Proposed Project and Connected Actions are expected to be limited. CPO anticipates making a "not likely to jeopardize" determination for the monarch butterfly.

Proposed Project and Connected Action operations also are not expected to adversely affect monarch butterflies or suitable monarch butterfly habitat, which is expected to continue to be abundantly present in the surrounding areas and will potentially regrow in utility corridor areas. Micron's landscape management plan shall promote flowering species used by monarch butterflies.

Lake Sturgeon

Lake sturgeon is a State listed threatened species. Suitable habitat for the lake sturgeon is present where the water supply improvements would cross the Oswego River and in the Oneida River near the outfall from the OOWWTP at the Oak Orchard site. Construction of the IWWTP will not involve construction in the Oneida River. OCWA will coordinate with NYSDEC as part of the permitting process for the construction of the proposed water supply improvements, which will include installation of water transmission lines using HDD under the Oswego River. Construction activities will adhere to applicable NYSDEC permit restrictions to avoid disturbing sturgeon during sensitive periods. OCDWEP will be responsible for operating the IWWTP in compliance with SPDES industrial wastewater permit conditions, including conditions to protect water quality in adjacent lake sturgeon habitat in the Oneida River.

Hairy Small-Leaved Tick Trefoil

Hairy small-leaved tick trefoil is a State listed threatened plant species. Suitable habitat is present at the Oak Orchard site and the species has been documented in the vicinity of the Oak Orchard site. OCDWEP will coordinate with NYSDEC to ensure that any individuals found at the site are identified for on-site protection (through avoidance) or off-site protection (e.g., through transplanting or seed collection and propagation).

OCDWEP will continue to coordinate with NYSDEC during operations to ensure that any hairy small-leaved tick trefoils discovered at the Oak Orchard site are identified for on-site protection (through avoidance) or off-site protection (e.g., through transplanting or seed collection and propagation).

Growth Inducing Effects

The Preferred Action Alternative would potentially result in growth inducing effects on biological resources primarily to the extent that increased demand for housing and business services in the five-county region, including supply chain growth, would lead to further development in the ecological communities and species habitat, including water resources, although the extent of impact cannot be predicted at this time. Because projected losses of forestland and grassland habitats due to induced growth are contingent on the specific locations, extent, and nature of future development, it is not feasible to project specific future losses of forest- and grassland-dependent wildlife, including protected bats or grassland birds. Overall, the projected net habitat losses described in the FEIS pp. 3-137 and 3-138 are relatively low, and may be offset by land cover succession rates.

Minimization and Mitigation

Micron will be required to implement BMPs to help minimize the effects of the Proposed Project on biological resources, which are listed in FEIS Tables 3.4-8 and 3.4-12. These BMPs include construction effect minimization measures such as vegetative buffers, an Erosion and Sediment Control Plan, an Invasive Species Management Plan, a Landscape Management Plan, and water quality BMPs and SMPs, as well as retention of on-site roosting and foraging habitat, landscape management, noise reduction, lighting reduction, water quality protection, and biological monitoring. The Childcare Site will also include a pollinator garden, shade trees, and vegetative screens. To further protect aquatic habitat, IWWTP effluent discharges will be subject to applicable SPDES industrial wastewater permit pretreatment standards and toxic effluent limitations. Utilities near waterbodies with suitable sturgeon habitat will have SPCC/SPR Plans to avoid or minimize effects on habitat water quality. Notwithstanding these BMPs addressing effects such as fragmentation, altered composition, invasive species, and impacts on aquatic habitats, significant adverse effects on Federal and State listed bat species and State listed grassland birds remain such that mitigation is required.

Mitigation – Bats

To mitigate the unavoidable effects on the Indiana bat, northern long-eared bat, and tricolored bat, Micron will purchase and permanently protect twice the amount of roosting habitat that would be lost due to Proposed Project and Connected Action construction and would fund research and monitoring efforts to benefit science-based bat species conservation and management programs in New York State. This 2:1 ratio amounts to a minimum of approximately 1,182 acres

of protected roosting habitat that will be protected via conservation easement, resulting in a total of at least 1,454 permanently protected acres of roosting habitat for Indiana, northern long-eared, and tricolored bats. Additionally, 1,367 total acres of forested roosting habitat across 9 parcels has been reviewed by USFWS and NYSDEC and acquired for permanent protection via conservation easement by the Wetland Trust Inc.

Other mitigation measures described in FEIS Table 3.4-13 and the Biological Assessment that will be required to be implemented by Micron include the purchase and installation of roost boxes, funding for hibernaculum gating, and acoustic bat monitoring. Micron will sponsor research and monitoring projects recommended by and designed in consultation with USFWS and NYSDEC to help improve the science-based management and conservation of Indiana, northern long-eared, and tricolored bats in New York. To further support the conservation and management of the Indiana bat, northern long-eared bat, and tricolored bat, and to help compensate for future cumulative impacts that could result from Micron-induced economic growth in the region, Micron will establish a \$1 million fund from which grants would be awarded for projects that benefit these species. Micron will contribute up to \$50,000 towards the fabrication and installation of gates to prevent people from entering and disturbing the Glen Park bat hibernaculum or another hibernaculum of USFWS' and NYSDEC's choosing. Finally, Micron will conduct acoustic bat monitoring on the Micron Campus during each year of its construction and for the first two years after full build-out in accordance with USFWS survey guidelines and approved study plans.

Mitigation – Grassland Birds

To achieve a net conservation benefit for northern harriers and short-eared owls lost due to Proposed Project construction, NYSDEC will require that either three acres of new or improved habitat be protected for every acre lost, or one acre of new or improved habitat be protected for every one acre lost along with a commitment to manage that habitat in a grassland state for 15 years. Micron and The Wetland Trust (TWT), a 501(c)(3) nonprofit organization, will purchase 650 acres of sufficiently high-quality habitat for permanent protection and to restore and manage the habitat as grassland for 15 years (in 3-year cycles) to achieve the required net conservation benefit. A final grassland protection plan will be developed in coordination with NYSDEC and will be subject to NYSDEC review and approval.

The specifics of these required mitigation measures are included in the BA and the grassland bird incidental take permit application. In coordination with the USFWS and NYSDEC, Micron will develop a mitigation masterplan that details all final, agreed-to mitigation actions by the time formal Section 7 consultation with USFWS is completed. As part of the ESA Section 7 consultation process, USFWS is responsible for issuing a BO concerning the incidental take of Federal listed species in connection with the Proposed Project. The BO will include reasonable and prudent measures necessary or appropriate to minimize the impact of the incidental take of such species.

In addition to the BO to be issued by USFWS, NYSDEC will be responsible for issuing an ECL Article 11 Endangered and Threatened Animal Species Incidental Take Permit for the Proposed Project. Micron will be required to have both the BO and Incidental Take Permit prior to any ground disturbance activities.

The Connected Actions will be subject to separate permitting processes. As part of those processes, National Grid, OCWA, and OCDWEP will be required to coordinate or consult with Federal and State agencies concerning potential effects on and incidental take of listed special status species.

Findings

OCIDA finds that construction of the Proposed Project will result in significant adverse effects on biological resources. This includes significant adverse effects on Federal and State listed threatened and endangered species, including the Indiana bat, northern long-eared bat, tricolored bat, northern harrier, and short-eared owl. Construction of the Connected Actions and post-construction operation of the Proposed Project and Connected Actions will not result in significant adverse effects on biological resources. Special status species will be subject to future coordination or consultation with federal and State agencies concerning potential effects on and incidental take that, where necessary, will require appropriate minimization and mitigation measures. The required BMPs, as set forth in the FEIS, and the mitigation measures that will be incorporated into the BO and state Incidental Take Permit will avoid, minimize and mitigate adverse effects to biological resources to the maximum extent practicable, and for the state Incidental Take Permit will be required to achieve a net conservation benefit.

Historic and Cultural Resources

Impacts

CPO is serving as the lead Federal agency for the Section 106 consultation process under the National Historic Preservation Act (NHPA) for the Proposed Project and Connected Actions. CPO, in consultation with the New York State Historic Preservation Office (NYSHPO), the Advisory Council on Historic Preservation, OCIDA and other consulting parties, including Indigenous Nations with an interest in potentially affected areas, has identified areas of potential effect (APE) for both historic architectural properties and archaeological resources. Micron, as a non-Federal party, is helping CPO fulfill its Section 106 obligations by preparing necessary information and analyses as authorized by 36 C.F.R. § 800.2(a)(3).

CPO is in the process of preparing a Programmatic Agreement (PA) in coordination with the Onondaga Nation, NYSHPO, OCIDA and other Section 106 consulting parties for the Proposed Project and Connected Actions. The PA provides a framework for identifying historic properties and assessing effects through a phased survey approach. The PA allows for portions of construction to commence after the Area of Potential Effects (APE) has been thoroughly investigated. CPO has reviewed and approved six Phase 1A Archaeological Documentary Studies of the Proposed Project and Connected Actions (Electric Service, Natural Gas Line, Water Supply Improvements, Industrial Wastewater Treatment Plant, Industrial Wastewater Conveyance). Thus, many of the impacts from construction and operation of the Proposed Project and Connected Actions to historic and cultural resources will be assessed in the future. Phase IB archaeological investigations have been recommended for the Proposed Project and all Connected Actions, which will be completed in a staged approach following the PA.

To ensure that CPO's responsibilities under the NHPA and its implementing regulations are met, as well as ensure that impacts to historic and cultural resources are not adversely effected,

Micron will not be authorized to begin construction of the Proposed Project or commence use of staging, storage, or temporary work areas or new or to-be-improved access roads until Section 106 obligations have been met as defined under the PA, even if Micron receives funding and all other permits are obtained.

Proposed Project APEs

NYSHPO identified one historic archeological property within the indirect APE of the Micron Campus as eligible for inclusion in the SR and NRHP, a two-story residence with a detached garage built circa 1875 located on the east side of Brewerton Road in the Town of Cicero, but found that the Proposed Project will have no effect on this historic architectural property. CPO proposed a finding of no adverse effect with respect this historic architectural property. In a letter dated June 23, 2025, NYSHPO concurred with CPO's finding of no adverse effect to historic properties.

No historic archaeological properties were identified within the APEs of the Rail Spur and Childcare Sites. On August 29, 2025, CPO provided a finding of no historic properties affected (36 C.F.R. § 800.4(d)(1)) for the Rail Spur Site for review and comment with consulting parties. On September 10, 2025, CPO provided a finding of no historic properties affected (36 C.F.R. § 800.4(d)(1)) for the Childcare Site for review and comment with consulting parties. NYSHPO concurred with CPO's finding of no historic properties affected on September 5, 2025, for the Rail Spur Site and September 15, 2025, for the Childcare Site.

Consultation for the entire Proposed Project APE is ongoing. Phase 1B archaeological testing for the Proposed Project identified one precontact period archaeological site and one historic period archaeological site within the Micron Campus construction Phase 1A direct APE that were recommended for further Phase 2 testing. A Phase 2 Work Plan for the W. Anderson Historic Site is under review by CPO.

Connected Actions APEs

The historic architectural survey of the proposed Water Supply Connected Action identified one historic property within the Direct APE, the New York State Barge Canal Historic District, a previously recorded historic property that is listed in the New York State Register of Historic Places (SR) and the National Register of Historic Places (NRHP). Phase 1B testing is ongoing for the Water Supply Connected Action. CPO will review the Phase 1B and any subsequent reports, make determinations of eligibility, and distribute the reports to consulting parties as they become available.

CPO also identified one historic property within the indirect APE of the Water Supply Connected Action, a two-story Gothic Revival-style house on NYS Route 31 in the Town of Clay built circa 1860 and incorporated as part of a commercial parcel that contains a retail store (SHPO USN 06703.000411). In a May 16, 2025 letter to CPO, NYSHPO concurred with CPO's determinations of eligibility. Archaeological investigations are ongoing; consultation for this Connected Action is ongoing and CPO will provide a determination of effect to consulting parties for review and comment when it is available.

Phase 1B and Phase 2 archaeological testing was completed for the direct APE of the Electric Service Connected Action. CPO identified two historic properties, the J. Young historic archaeological site and the J. Somers historic archaeological site eligible for listing in the NRHP. On June 20, 2025, CPO proposed a finding of no adverse effect to the two historic properties. In a letter to CPO dated June 23, 2025, NYSHPO concurred with CPO's finding of no adverse effect.

Consultation for the remaining Connected Actions is ongoing and CPO will provide findings of effect as the archaeological investigations are completed and information becomes available.

Growth Inducing Effects

Induced growth throughout the five-county region has the potential to affect historic properties. Although it cannot be predicted exactly when, or to what degree, induced growth would affect historic properties; any future development requiring discretionary approvals that would be undertakings under the NHPA or NYSHPA would be required to comply with Section 106 of the NHPA or Section 14.09 of the NYSHPA.

Minimization and Mitigation

The final PA will describe the measures that CPO, in coordination with all other signatories of the PA, will implement to avoid or minimize adverse effects to historic properties and to ensure that any potential historic properties discovered during archaeological investigations and ground-disturbing construction activities are thoroughly investigated. The mitigation measures proposed for discoveries during archaeological investigations and construction are outlined in FEIS Table 3.5-2.

Archaeological testing for several APEs is either awaiting approval or ongoing and may continue to be conducted during the Federal and State agency reviews of the Proposed Project and Connected Actions. In the event that a future or ongoing Phase 1B Archaeological Investigation confirms the presence of archaeological resources requiring further archaeological analysis, a Phase 2 Archaeological Survey and Evaluation would be conducted. If any identified archaeological resources are determined to be SR- or NRHP-eligible, and those sites cannot be avoided, Phase 3 Data Recovery for the identified sites and resources would be completed in consultation with NYSHPO, the Onondaga Nation, and other consulting parties. The PA also allows for further archaeological investigations in the event of inadvertent discoveries during ground-disturbing construction activities. In such cases, all construction in the area would be stopped and the protocols and procedures for inadvertent discoveries that are outlined in the PA would commence.

Indigenous Nation monitoring has been utilized for all phased archaeological investigations and will be utilized for any future archaeological investigations and ground-disturbing construction activities. Indigenous Nation monitors have been provided by the Onondaga Nation, and other consulting Indigenous Nations should they choose to participate.

Findings

CPO and NYSHPO review of historic, architectural and archaeological properties in the Proposed Project and Connected Action APEs is ongoing in accordance with Section 106. Based on the investigations that have occurred to date and because construction of the Proposed Project cannot begin until all consulting parties are afforded an opportunity to comment on whether historic properties (including historic architectural properties and archaeological resources) would be adversely affected and CPO reviews and approves the results of any further applicable historic architectural surveys or archaeological investigation work.

Air Quality

Impacts

Under the Preferred Action Alternative, construction and operation of the Proposed Project and Connected Actions will generate new air pollutant emissions from stationary and mobile sources.

The stationary source emissions estimates for the Micron Campus construction activities include fugitive dust from operation of a concrete batch plant, material handling, aggregate processing, and storage piles, along with combustion associated with the conveyance system generator and heaters, boilers, steam generators, and diesel generator in support of the concrete batch plant, assuming the sources operate at 6,000 hours per year based on operations during daytime hours. The stationary source emissions estimates from operation of the Rail Spur Site include fugitive dust from material handling and storage piles and combustion associated with the conveyance system generator.

An analysis was performed of the emissions and dispersion of carbon monoxide (CO), nitrogen oxides (NO_x), particulate matter (PM, including both "PM10" and "PM2.5"), volatile organic compounds (VOC), sulfur oxides (SO_x), and total hazardous air pollutant (HAP) from the Proposed Project's construction stationary sources, which determined that such emissions will have a temporary adverse, direct impact on air quality. Air quality permits for the operation of the Rail Spur Site and the Micron Campus construction stationary sources are anticipated to be obtained separately by the contracted operators. These contracted operators will also be required to maintain compliance with air quality requirements separate from Micron.

During operation of the Proposed Project, stationary source emissions will be attributable to semiconductor process tools, miscellaneous fab cleaning, gas yard water bath vaporizers, boilers, fire pump engines, emergency generators, wastewater treatment, lab operations, storage tank venting, and solvent waste processing, among others. Any stationary sources at the Childcare Site will have minor or trivial amounts of air emissions; as such, emissions have not been quantified.

Operation of the Micron Campus will result in new air emission sources being constructed in the study area. An analysis of air emissions of criteria pollutants, total hazardous air pollutants (HAPs), and other air contaminants regulated by NYSDEC, as well as PFAS for operation of the Proposed Project demonstrates that emissions increases associated with the Preferred Action Alternative is expected to result in a substantial increase in stationary source emissions within the

stationary source study area.³ However, with the operation of the Proposed Project (under its maximum operational emissions scenario), the study area will remain in attainment with all applicable National Ambient Air Quality Standard (NAAQS) for criteria pollutants and in compliance with all applicable short-term guideline concentrations (SGC) and annual guideline concentrations (AGC) for non-criteria pollutants.

Operation of the new OCDWEP IWWTP and water reclamation facility will have the potential to result in air emissions of certain organic and inorganic compounds based on a preliminary assessment of the general facility processes. Emissions from the IWWTP will typically be segregated into acid, ammonia, and solvent exhausts, if any exist. Further design will identify appropriate control measures. OCDWEP will be responsible for obtaining all applicable permits, applications and approvals required for operation of the IWWTP.

Mobile source impacts from the construction of the Proposed Project include emissions from primarily non-road engine exhaust from the build out of the Micron Campus, Childcare Site, and Rail Spur Site, fugitive dust from site preparation and ground disturbance on these sites, fugitive dust from rock crushing, and fugitive dust from paved and non-paved road traffic activity within the construction areas, mobile source emissions associated with construction worker commutes and hauling of materials. Operational effects to air quality from the Proposed Project includes employee and truck trips associated with operation of the four fabs and regional mobile source emissions. Mobile source screening analysis demonstrates that, with mobile source emissions during construction and operation of the Proposed Project (under its maximum operational emissions scenario), the study area will remain in attainment with all applicable NAAQS for criteria pollutants and in compliance with all applicable SGC and AGC for non-criteria pollutants.

The Proposed Project would have the potential to induce growth in population, economic activity, and development in the five-county region, particularly around the Micron Campus. These induced activities could lead to increased air emissions from supply chain companies supporting Micron operations, additional transportation, energy consumption, and industrial operations, all of which have the potential to affect regional air quality. The induced population growth from the Proposed Project would likely increase vehicular traffic, which is a source of emissions. Along with vehicular traffic, additional industrial and commercial activity is also expected to result in higher emissions of particulate matter and other pollutants, depending on the nature of the development. Projects associated with induced growth would have to comply with all applicable state and federal laws and regulations.

Minimization and Mitigation

To avoid and minimize effects on air quality during construction and operations, Micron will be required to implement the BMPs listed in FEIS Table 3.6-20 and comply with all permitted limitations to control the potential for fugitive dust emissions and off-site transport of dust, reduce emissions of air pollutants, control the potential for emissions of volatile chemicals, and minimize the ambient emissions of sulfur compounds. Micron will also operate and maintain air pollution

³ Although there are no specific federal and state air quality standards for PFAS individually or as a group, air pollutants anticipated to be generated from the Micron Campus, including PFAS, have been evaluated to the extent practicable for the Proposed Project.

control devices according to permit conditions and considering vendor recommendations. This includes creating a preventive maintenance program.

Prior to operation of fabs 1 and 2 at the Micron Campus, Micron will be required to obtain a Title V permit from NYSDEC. On November 5, 2025, NYSDEC issued a draft Title V permit for public comment. Once issued, the Title V permit will set enforceable emission limits, air pollution controls, and other compliance requirements necessary to ensure that Micron is in compliance with all applicable federal and state air quality standards for fabs 1 and 2. A permit modification will be required to address fabs 3 and 4 in the future.

Findings

OCIDA finds that, with the mandated BMPs and compliance with applicable permit requirements, the Preferred Action Alternative will not result in significant adverse air quality effects. No mitigation is required beyond those required by applicable law, regulation and permit conditions.

Greenhouse Gas Emissions, Climate Change and Climate Resiliency

Impacts

Construction and operation of the Proposed Project and Connected Actions, including indirect, upstream, and downstream activities, land use changes, and induced growth, will result in significant increases in GHG emissions and potentially significant contributions to climate change. Estimated construction GHG emissions, including upstream emissions, over the 16-year construction period total 434,443 MT carbon dioxide equivalent (CO₂e). The maximum annual construction emissions are 68,913 MT CO₂e. Thus, construction of the Proposed Project will not result in a significant increase in GHG emissions.

The greatest contributing factor to GHG emissions is the operation of the four fabs at the Micron Campus – total GHG emissions (GWP20) are estimated to be 4,799,571 MT CO₂e. Compared to the No Action Alternative, the long-term operational mobile sources related to the Proposed Project under the Preferred Action Alternative in year 2041 will increase GHG emissions within the regional study area by 2 percent. Although Micron has committed to controlling these direct GHG emissions to maximum extent practicable, the Preferred Action Alternative will still result in significant adverse increases in GHG emissions.

The Proposed Project will be engineered to withstand effects of the changing climate, and it is anticipated the Connected Actions, constructed by the appropriate public utilities pursuant to applicable New York State and public utility climate policies, would be too. The Proposed Project's design and operational measures will ensure that the Proposed Project will not significantly affect flooding or resources such as groundwater, which may become less abundant as the climate changes. The Proposed Project will not use groundwater, and will utilize water drawn from, and largely returned to, Lake Ontario. Any new electricity generation that would supply the Proposed Project in the later phases of development will be planned and provided for under New York and the public utility's climate action plans. Likewise, any transportation infrastructure upgrades will be made pursuant to applicable planning criteria and policies, which are subject to the State's climate policies, and are not anticipated to negatively affect climate

resiliency. Accordingly, the Preferred Action Alternative is not anticipated to present significant climate resiliency risks.

While induced growth associated with the Proposed Project could affect the climate resiliency of the region, significant negative impacts are not anticipated because any future development—particularly for housing and businesses and transportation systems—would be undertaken pursuant to State and local planning and other requirements that are intended in part to maintain or increase climate resilience.

Minimization and Mitigation

The Proposed Project will incorporate project design GHG reduction measures (see FEIS Table 3.7-13) to control and reduce GHG emissions from the manufacturing process. Micron will be required to implement additional BMPs, as described in Table 3.7-14 of the FEIS, to further avoid and minimize GHG emissions and effects on climate change and climate resiliency during construction and operation. The Proposed Project and Connected Actions also must be designed and engineered to withstand effects of the changing climate, in accordance with applicable laws and regulations, and New York State and public utility climate policies.

Micron will be required to purchase 100% carbon-free electricity utilizing power purchase agreements and renewable energy credits (RECs). NYSDEC will be reviewing Micron's CLCPA analysis for consistency with New York State's ability to meet its statewide GHG emission limits. NYSDEC may require different or additional climate-related mitigation measures under the CLCPA.

Findings

OCIDA finds that the Preferred Action Alternative will result in significant increases in GHG emissions and has the potential to have a significant adverse effect on climate change. The proposed mitigation measures will avoid, minimize and mitigate adverse effects to the maximum extent practicable. The Preferred Action Alternative is not anticipated to present significant climate resiliency risks.

Solid Waste, Hazardous Waste, and Hazardous Materials

Impacts

The Preferred Action Alternative will result in the generation of substantial quantities of solid and hazardous waste and use of substantial quantities of hazardous materials, primarily associated with the construction and operation of the Micron Campus. Construction of the Proposed Project will generate approximately 27,000 to 37,000 tons of non-hazardous solid waste ineligible for beneficial use, approximately 7,200 to 8,500 total tons of construction and demolition debris (CDD), 2.8 total tons of paint-related material that will not be reusable or recyclable, and approximately 8,300 to 9,700 total tons of municipal solid waste (MSW). Based on the excavated material amounts, construction of the Proposed Project will yield approximately 2.70 to 3.67 million total tons of excavated material that will likely be eligible for beneficial use under NYSDEC regulations. Proposed Project construction activities are not, however, anticipated to generate more than minimal amounts of hazardous waste or the use of hazardous material, other than those associated with typical construction materials.

Beginning with the start of fab 1 operations in 2029, the Micron Campus will generate approximately 800 tons per year (tpy) of non-hazardous industrial waste, 15,800 tpy of commercial MSW, 11 thirty-gallon bins per year of regulated medical waste (RMW), and 32,200 tpy of materials that is expected to be diverted to Micron's reuse, recycle and recovery (RRR) Program. By full build-out in 2041, these figures will increase to approximately 2,300 tpy of non-hazardous industrial waste, 43,500 tpy (120 tons per day) of commercial MSW, 45 thirty-gallon bins per year of RMW, and 88,800 tpy of RRR materials. Operation of the Rail Spur Site will generate approximately 11 tpy of industrial waste, 13 tpy of general MSW, and 12 tpy of RRR materials. Operation of the Childcare Site will generate approximately 13 tpy of general MSW, 76 thirty-gallon bins per year of RMW, and 39 tpy of RRR materials. The Warehouse Site will generate approximately 57 tpy of MSW.

Certain waste streams may contain PFAS, which are essential to the production of modern semiconductors. Because PFAS-containing fabrication process chemistries (e.g., photolithography, plasma (dry) etch, and wet chemicals) may come into contact with the wafer during the fabrication process, PFAS may be present in process-related wastewater. PFAS also may be present in chemical delivery systems and shipping packaging delivered to the facility. Micron is evaluating potential non-PFAS containing alternatives, but at present, there are no known substitutes for many PFAS uses. Micron will be required to dispose of or otherwise manage waste known to contain regulated PFAS in accordance with applicable regulations and as appropriate given its content and characteristics. Prior to startup of operation, Micron will submit an application to OCDWEP for an IWDP. The IWDP is anticipated to include limits for PFOA and PFOS derived from the existing OOWWTP's SPDES permit limits. Micron will be required to operate its wastewater pretreatment system in accordance with the limits set forth in its IWDP.

Upon full buildout of all four fabs, Micron's onsite wastewater pretreatment facility will generate approximately 23,000 tons of by-product sludge per year (or approximately 5,750 tons/yr per fab). Micron's onsite wastewater pre-treatment sludge will be characterized/profiled to determine waste composition and proper disposal options per any applicable waste disposal and Beneficial Reuse Determination (BUD) regulatory requirements.

Micron will contract with private, licensed haulers for the disposal of solid waste. Solid waste disposal facilities in the Central New York (CNY) region are anticipated to be able to accommodate the solid waste flows from the construction and operation of the Proposed Project with certain permit modifications and expansions. Collection by private haulers will be limited to 6:00 am to 6:00 pm in accordance with Chapter 194 of the Town of Clay Code. Micron's RRR Program and other waste minimization procedures will also help reduce waste-to-landfill volumes from the Proposed Project, with a goal to divert 95 percent of such waste to the RRR Program by the end of 2030.

As fabs become operational, the Micron Campus will require delivery of various hazardous materials by truck, including flammable liquids, corrosives, toxics, oxidizers. Beginning with the start of fab 1 operations, anticipated to begin in 2029, the Micron Campus will generate an estimated 18,300 tpy of hazardous waste and 170 tpy of universal waste. By full build-out in 2041, these figures will increase to an estimated 50,300 tpy of hazardous waste and 470 tpy of universal waste. Micron will not use herbicides on-site nor will it store fungicides, insecticides, or rodenticides on-site. Once aggregate oil and petroleum product storage in stationary tanks on-site at the Micron Campus exceed 400,000 gallons, Micron will be required to obtain a major oil storage facility (MOSF) license from NYSDEC.

The Micron Campus will contract with private, licensed haulers to collect and safely transport hazardous waste to off-site treatment, storage, and disposal facilities authorized to collect such waste, including relevant out-of-state facilities. Operation of the Rail Spur Site, Childcare Site, and Warehouse Site is not anticipated to involve the use, generation, or storage of hazardous materials.

Operation of the National Grid and OCWA improvements is expected to generate only limited amounts of general MSW and RRR materials. Operation of the OCDWEP IWWTP will generate an industrial waste stream of wet liquid discharge solids, dry biosolids and grit/screening materials in quantities to be determined based upon flow rates, Micron pretreatment, and final design of the IWWTP. Operation of the IWWTP also would generate approximately 3.7 tpy of general MSW and 9.6 tpy of RRR materials. The non-hazardous solid waste generated at the IWWTP will either be disposed of at the waste-to-energy (WTE) Facility for energy recovery or, depending on the waste type, collected via private hauler for transport to landfills.

National Grid, OCWA, and OCDWEP do not yet have estimates relating to solid waste and hazardous waste that will be generated from construction of the Connected Actions, but National Grid, OCWA, and OCDWEP each anticipate that any solid waste generated from construction of the proposed Connected Actions will be minimal based on the scope of the Connected Action construction activities. Operation of the National Grid improvements will not require chemical bulk storage or non-bulk containers of hazardous materials, or any increase in petroleum bulk storage capacity. OCWA anticipates that operation of its off-site utility improvements will require an increase in chemical bulk storage at the LOWTP Site and the Terminal Campus Site from a combined 30,720 gallons to approximately 50,000 gallons and an increase in petroleum bulk storage at the Terminal Campus Site from 3,420 gallons to approximately 5,000 gallons.

The growth inducing effects of the Preferred Action Alternative could result in the further gradual generation of significant quantities of solid and hazardous waste over time, but the longer-term modification and expansion of solid waste disposal facilities in the five-county region would be anticipated to accommodate those gradual, longer-term waste increases. Induced growth under the Preferred Action Alternative would be anticipated to gradually result in an increase in solid waste of approximately 35,200 tons of MSW per year (approximately 96 tons per day) within Onondaga County by 2041. Of the four other counties for which induced growth was estimated, Oswego County is anticipated to experience the greatest induced growth and therefore the greatest increase in MSW generation (similar to Onondaga County, an approximately 13 percent increase). Conversely, induced growth would not be anticipated to generate significant quantities of hazardous waste or result in significant effects relating to the use, storage, and management of hazardous materials.

Minimization and Mitigation

Micron's implementation of the Proposed Project will be subject to several Federal and State regulatory programs in this area and extensive plans and procedures developed pursuant to those programs. As part of or in addition to these plans, Micron also will implement several BMPs, as shown in FEIS Table 3.8-13, to reduce solid and hazardous waste generation and the use of hazardous materials over time and minimize the amount of waste that is generated and requires disposal. These BMPs include, but are not limited to: achieving LEED Gold and/or Platinum certification for the fab and Administration buildings and the childcare center, healthcare center, and recreation center; segregate food waste for composting and potentially other beneficial uses; and achieve 95% reuse, recycling, and recovery of solid waste by end of calendar year 2030; and material streams such as bulk solvent, drummed solvent, and contaminated debris will be reused/recovered in fuel blending/energy recovery at approved permitted cement kilns. Micron's RRR Program and other waste minimization procedures will help reduce waste-to-landfill volumes.

All solid waste, hazardous materials and hazardous waste at the Proposed Project and Connected Actions will be managed, stored and disposed of in compliance with all applicable local, federal and State requirements.

Findings

OCIDA finds that the Preferred Action Alternative will not result in significant adverse effects relating to the generation of solid or hazardous waste or the management of hazardous materials. Specific to PFAS, and based on available information, detection methods and existing regulatory landscape, OCIDA finds that the Proposed Project's storage, use, segregation, pretreatment of wastewater discharge and disposal of PFAS containing substances is not anticipated to result in significant adverse effects. No mitigation measures are required.

Human Health & Safety

Impacts

The Preferred Action Alternative, and the construction and operation of the Micron Campus in particular, poses potential human health and safety risks based on hazards to

construction workers and hazards present in the semiconductor manufacturing process. Construction of the Proposed Project will primarily involve human health and safety risks relating to construction site injuries (physical, chemical, biological, ergonomic, etc.). Proposed Project operations will primarily involve human health and safety risks relating to hazards to employees from the semiconductor manufacturing process, e.g., risks related to handling of hazardous materials and hazardous waste, air quality, noise, mechanical, slips and falls, radiation and electricity, among others. Potential effects from construction and operation of the Connected Actions are assumed to be similar to that of the Proposed Project but pose a lesser degree of risk.

Given the comparatively low incident rate in the semiconductor industry and the risk management programming Micron will be required to implement as part of the Proposed Project, the human health and safety risks to construction workers, employees, and the surrounding community are low. Although rail accidents cannot be ruled out, the use of the Rail Spur Site to transport construction material to the Micron Campus will substantially reduce the safety risks compared to relying entirely on truck transport.

The Preferred Action Alternative is not anticipated to result in any growth inducing effects on human health or safety.

Minimization and Mitigation

Micron will be required to implement the BMPs described in FEIS Table 3.9-5 to address the potential human health and safety effects of Proposed Project construction and operations. Among the required BMPs, Micron shall develop and implement a comprehensive set of procedures to manage construction and operation risks in accordance with all applicable laws and regulations, and consistent with EHS programs it has implemented at its other existing facilities. Micron also shall establish an on-site operational occupational health clinic (separate from the healthcare center at the Childcare Site and the construction clinic described above) to provide care to Micron Campus employees, focusing on occupational health, illness, and injury care and management. Micron also shall partner with local fire and EMS to provide documentation of hazardous materials stored on-site and coordinate emergency response readiness and preparedness.

The Rail Spur operator will be responsible for complying with all applicable regulations. Connected Actions will be subject to similar laws and regulations relating to human health and safety, and those project sponsors (National Grid, OCWA, and OCDWEP) will each be required to undertake construction and operational safety measures.

Findings

OCIDA finds that the Preferred Action Alternative will not result in significant adverse effects on human health and safety. No mitigation measures are required.

Utilities and Supporting Infrastructure

Impacts

The Proposed Project will require certain utility expansion and supporting infrastructure upgrades to meet its construction and operational needs for electricity, natural gas, water, wastewater discharge, and broadband internet service.

Electricity

The Proposed Project's utility and supporting infrastructure usage will increase over the course of its 16-year construction period as the fabs are built in phases. Micron and utility providers will address the increased usage through the Connected Action upgrades and long-term planning. Effects to utilities and supporting infrastructure from the Rail Spur or Childcare Sites, will be *de minimis* compared to the proposed Micron Campus needs and are not anticipated to materially change the degree of effects from the Proposed Project as a whole.

The Proposed Project will primarily draw power from local generation facilities in Load Zone C. Accounting for the staggered fab construction schedule, the Proposed Project as a whole is estimated to consume up to 3,261 GWh in 2029, 6,925 GWh in 2030, 11,042 GWh in 2035, and a maximum 15,674 GWh at full build-out in 2041. The Proposed Project's estimated electricity consumption, when added to current customer demand, ultimately will exceed Load Zone C's base case capacity by approximately two percent in or around 2041, assuming no other increase in demand. In addition, increased electricity demand from induced growth is expected to occur, expediting the time in which Load Zone C's current generation capacity is exhausted.

The NYISO is responsible for ensuring that such demand does not adversely impact the electricity grid and the grid can meet current and future demands, including substantial new interconnections. NYISO administers a Comprehensive System Planning Process to conduct long-term planning for additional energy generation and reliability in the State, which operates on an interconnected electricity grid.

To provide additional distribution capacity to the Proposed Project and account for future demand, National Grid will construct new underground 345 kV transmission service laterals between the Clay Substation and the proposed Micron Campus and to expand the existing footprint of the Clay Substation. National Grid anticipates completing these upgrades between 2025 and 2027 in accordance with its approval from the NYSPSC. National Grid has also tentatively identified a general location in Lysander, New York, near the intersection of the two series of lines referenced in the SIS report (i.e., the Clay – Pannell 1 & 2 345 kV lines and the Oswego – Elbridge/Lafayette 345 kV line) for a new substation/switchyard. A specific location has yet to be identified.

NYPA has awarded Micron a power allocation through the ReCharge NY program to meet the Proposed Project's short-term electricity requirements. Micron's initial ReCharge NY allocation consists of 140,000 kW (or 1,226 GWh), 50 percent of which is NYPA hydropower. In addition to the ReCharge NY allocation, Micron also has been approved for a 404,000 kW (or 3,539 GWh) High Load Factor (HLF) allocation for ten years. The ReCharge NY and HLF allocations would likely come from sources outside of Load Zone C.

Natural Gas

With respect to natural gas usage, the Proposed Project as a whole is conservatively estimated to consume up to 2.17 Bcf in 2029, 4.34 Bcf in 2030, 6.51 Bcf in 2035, and a maximum 9.7 Bcf during peak usage at full build-out in 2041, with an average daily natural gas consumption rate at full build-out of 0.03 Bcf per day or 27 MDth per day. Actual consumption will likely be lower when substitutable energy sources become available to replace natural gas in operations.

National Grid's existing gas supply and distribution system in Upstate New York will be able to readily accommodate the Proposed Project's natural gas demands from construction through full build-out while still preserving approximately 22 percent spare capacity, even in the absence of new supply growth. National Grid's Long-Term Plan Upstate Upgrade initiative is designing gas delivery and infrastructure capacity to accommodate anticipated needs of the Proposed Project and future anticipated growth in gas supply needs.

Water

The Proposed Project's water usage as a whole is conservatively estimated to use up to 7.85 MGD in 2029, 17.4 MGD in 2030, 30.3 MGD in 2035, and 48 MGD at full build-out in 2041. The 48 MGD that is required for the full build-out of the Proposed Project will be sourced from Lake Ontario through the LOWTP, which currently has a practical sustained output of approximately 54 MGD, a maximum capacity of 60 MGD, and a permitted water withdrawal limit of up to 62.5 MGD. Under the Preferred Action Alternative, Micron will commit to achieve up to a 75 percent water conservation rate by 2030 through on-site and off-site water reclamation, recycling, and reuse. Micron also currently plans to receive up to 12 MGD of reclaimed water from OCDWEP.

OCWA's existing infrastructure could accommodate the freshwater demand exclusively from fabs 1 and 2 with minor upgrades. However, to accommodate the freshwater demand beyond fabs 1 and 2 and induced growth, OCWA has commenced the process of amending its water withdrawal permit under NYSDEC regulations consistent with the Great Lakes Water Compact. The application seeks to increase OCWA's existing permitted withdrawal from 62.5 MGD to 93.5 MGD.

Wastewater

The Proposed Project will involve the discharge of two different types of wastewater streams: sanitary wastewater and industrial wastewater. The Proposed Project will result in the discharge of approximately 2.6 MGD of sanitary wastewater at full build-out in 2041 for treatment at the OOWWTP, which is within the OOWWTP's current maximum month-rated treatment capacity of 10 MGD and within OOWWTP's planned Major Upgrade Project capacity.

OCDWEP's planned Major Upgrade Project will increase the OOWWTP's sanitary wastewater treatment capacity up to 25 MGD to accommodate anticipated higher flows and loads within the Oak Orchard service area, with all construction planned to be completed by 2034. OCDWEP's planned White Pine/NYS Route 31 Municipal Sewer Expansion will consist of a municipal pump station and force main, with construction anticipated to be completed in 2025. Planning for these two expansion projects predates and is independent of the Proposed Project.

The Proposed Project's industrial wastewater usage as a whole is conservatively estimated to discharge up to 8.25 MGD of industrial wastewater in 2029, 16.5 MGD in 2030, 23.6 MGD in 2035, and 33.5 MGD at full build-out in 2041. Under the Preferred Action Alternative, OCDWEP will construct a new IWWTP and water reuse facilities on approximately 36 acres of land on its Oak Orchard site and a new industrial wastewater and reclaimed water conveyance system between the Oak Orchard site and the Micron Campus, both as Connected Actions to support the Proposed Project. Subject to NYSDEC approvals, the new IWWTP will be designed to serve the Micron Campus and anticipated industrial growth in the Oak Orchard service area.

During the construction stages of the IWWTP, in addition to receiving sanitary wastewater from the Proposed Project, the OOWWTP will receive startup industrial wastewater from the Micron Campus. OCDWEP would undertake additional improvements to the OOWWTP as needed, such as a bridging project between the OOWWTP and under-construction IWWTP to accommodate the Micron Campus startup industrial wastewater flows, which will vary throughout construction, with anticipated peak flows ranging from approximately one to 3.7 MGD. The bridging project is anticipated to provide interim treatment capacity and additional biological processes to accommodate and treat these startup flows until the Major Upgrade Project is completed.

Under the Preferred Action Alternative, the Proposed Project will seek to address longer-term industrial wastewater treatment and discharge needs as it approaches full build-out through two methods: water reclamation and water recycling. Any industrial wastewater that cannot be reclaimed will be pretreated by Micron to meet or exceed OCDWEP's pretreatment and water quality standards set by the IWDP before being discharged to the new IWWTP. At this stage of the Proposed Project and IWWTP planning processes, reclamation and remaining wastewater flow rate estimates are not yet available. After construction of the IWWTP, any treated effluent from the IWWTP that is not recycled or returned to the Micron Campus will be discharged into the Oneida River in accordance with OCDWEP's NYSDEC-issued SPDES permit.

Induced growth from the Proposed Project is anticipated to increase sanitary wastewater discharge from new residential and commercial development primarily in the City of Syracuse, which already has a robust infrastructure. The Preferred Action Alternative would require treating an increased volume of sanitary wastewater at the OOWWTP due to area growth and at other wastewater facilities within the broader five-county region. However, local wastewater management authorities plan for and accommodate this and other reasonably foreseeable growth. The Preferred Action Alternative would also require treating a high volume of industrial wastewater at the IWWTP, including IWDPs for certain potential users, which would be constructed to accommodate the needs of the Proposed Project. With the existing, planned, and future wastewater infrastructure, the Preferred Action Alternative is not anticipated to have a significant adverse effect on the wastewater treatment infrastructure capacity.

Broadband/Telecommunications

The existing fiber optic infrastructure is fully capable of providing high-speed broadband internet connectivity and capacity to accommodate the Proposed Project. As part of the Connected Actions, the existing fiber-optic lines along Caughdenoy Road and NYS Route 31 will be extended to connect to the Micron Campus. To the extent the Proposed Project would induce new residential

and commercial growth in the five-county region, such new development would likely occur primarily in existing high-density residential and business areas, where telecommunications infrastructure is already robust and relatively easy to expand to new units.

Minimization and Mitigation

As part of the Proposed Project design, Micron will be required to implement the list of BMPs provided in FEIS Table 3.10-5 intended to provide on-site electricity generation and reduce energy demand, including installation of solar panels where feasible and the use of energy-saving methods and practices at all Proposed Project facilities, including the Micron Campus, as a part of day-to-day operations. Micron has additionally committed to working with State entities, including NYPA, ESD, and NYSERDA to identify reasonably feasible opportunities to procure new renewable or carbon-free electricity projects in New York and is also reviewing opportunities for 24/7 and/or time-matching-based renewable energy sources related to storage.

Micron has committed to achieve up to a 75 percent water conservation rate by 2030 through on-site and off-site water reclamation, recycling, and reuse. Micron also is working with OCDWEP to develop additional methods for off-site water reuse, including evaluating two sources of recycled water to further reduce the Proposed Project's anticipated demand for freshwater supply from OCWA.

Findings

OCIDA finds that the Preferred Action Alternative will result in significant, but not adverse, effects on electricity demand and transmission resources given the state's robust planning process. As a result of planned upgrades, new infrastructure, and existing capacity, the Preferred Action Alternative will not have significant adverse effects on natural gas capacity, water capacity, wastewater treatment capacity, broadband internet connectivity or telecommunications infrastructure. No mitigation measures are required.

Transportation and Traffic

Impacts

The Preferred Action Alternative will affect transportation and traffic in the surrounding areas during certain periods of construction and operation. Construction activity on the Micron Campus will be continuous from as early as 2026 to 2041, impacting traffic volumes and the roadway network. Overall, although the number of workers on-site will fluctuate until construction and internal outfitting of fab 4 is complete. The number of workers will peak in 2041 (12,436 employees and workers) as construction of fab 4 is completed. During 2042, when fab 4 will be outfitted internally for full production, the headcount will remain elevated. From 2043 to 2045, as the campus ramps up to full production, the operational workforce will increase while the construction workforce will decrease until it reaches an expected final worker count.

A comprehensive assessment of the transportation impacts of the Proposed Project was conducted for the existing conditions in 2023-2024 as well as for forecast years 2027, 2031 and 2041. For forecast year 2027, the Preferred Action Alternative will significantly impact one freeway segment and 11 intersections. These temporary significant impacts will be partially

unmitigable, as proposed capacity improvements cannot be designed and constructed prior to this analysis year. For forecast year 2031, three freeway segments and 26 intersections will be significantly impacted by the Preferred Action Alternative, however, all significant impacts will be mitigated by implementation of the recommended mitigation measures, as ultimately determined by the NYSDOT and FHWA. For forecast year 2041, ten freeway segments and 27 intersections will be significantly impacted by the Preferred Action Alternative. All significant impacts along freeway segments will be mitigated by the recommended mitigations, as ultimately determined by the NYSDOT and FHWA. Significant impacts at intersections will be mitigated by the recommended mitigations except at five intersections. Those intersections are: (1) NYS Route 31 and I-81 SB Ramp; (2) NYS Route 31 and NYS Route 481 SB; (3) US Route 11 and NYS Route 31; (4) NYS Route 31 and Lakeshore Spur; (5) South Bay Road and NYS Route 31. These significant adverse traffic impacts are considered unavoidable because mitigation below the level of significance would require infeasible roadway reconfiguration. The Preferred Action Alternative is also expected to increase the crash rates with the increase in traffic.

The construction and operation of the Proposed Project under the Preferred Action Alternative will impact other means of transportation within the region. Minimal increases to bicycle and pedestrian trips (less than one percent, or 80 trips per day) are anticipated, with additional bicycle and pedestrian trips expected to occur on NYS Route 31 and U.S. Route 11. Similarly, minimal increases in transit trips (less than one percent, or 80 trips per day) are anticipated. At the Syracuse Hancock International Airport, passenger activity is expected to increase by about 20 percent to 2.4 million passenger enplanements by 2040.

With respect to the Rail Spur Site, two rail unloaders would run in series, capable of unloading 60 railcars in a 16-hour period. The Rail Spur Site would have a conveyance system expected to transport up to 1,500 short tons per hour of aggregate materials from the Rail Spur Site over NYS Route 31 to the Micron Campus. During periods when maximum aggregate is needed for construction, 60 rail cars would be offloaded at the Rail Spur Site each day, and a second set of 60 rail cars arriving from the aggregate supply sources to the Rail Spur Site would result in two trips at the NYS Route 31 crossing per day and two crossings per day at the Caughdenoy Road crossing during off peak hours. These crossings will require five to ten minutes to complete and stoppage of traffic.

Minimization and Mitigation

The Proposed Project was designed to include the Rail Spur Site to reduce truck trips and support construction of the Micron Campus. Further, the Preferred Action Alternative was selected over the U.S. Route 11 Alternative to minimize traffic impacts. The site access driveway from U.S. Route 11 is a vital access point to the Micron Campus that will ensure sufficiently streamlined construction traffic movement to avoid interference with local traffic patterns, particularly during construction of fabs 2 through 4. Moreover, the driveway will distribute site access more effectively across the area roadway network and would mitigate post-construction traffic effects from campus operations. In addition, Micron agreed to implement transportation demand management (TDM) measures including where necessary operating shuttles to bring construction workers to the Micron Campus and staggering work shifts of construction and operations employees.

Notwithstanding, significant adverse impacts to traffic remain. However, implementation of the recommended traffic mitigation measures (Traffic Mitigation Scenario C) will substantially mitigate the Proposed Project's significant adverse effect on traffic. Traffic Mitigation Scenario C would implement a broad array of traffic improvements specifically designed to reduce the severity of the Proposed Project's traffic effects, including interchanges, ramps, roadways, and operational equipment upgrades. These significant adverse traffic impacts are considered unavoidable because mitigation to reduce them below the level of significance would require roadway reconfiguration that is not feasible. NYSDOT anticipates having all necessary roadway improvements in place by 2031 to mitigate traffic effects in the County and region. Significant adverse impacts occurring before that time are considered temporary unmitigated impacts.

Mitigation for the above average crash rate at the ramp locations may include the reconfiguration of the NYS Route 481/NYS Route 31 and the I-81/NYS Route 481 interchanges to Divergent Diamond Interchanges (DDI), the additional interchanges proposed at the New Access Road/NYS Route 481 and I-81/Sneller Road, and ongoing NYSDOT project to reconfigure the I-81/NYS Route 481 interchange. At the intersection locations, the widening of U.S. Route 11 and NYS Route 31, the reconfiguration of the Caughdenoy Road/NYS Route 481 intersection and interchange, and the additional interchanges proposed for New Access Road/NYS Route 481 and I-81/Sneller Road would be expected to relieve traffic congestion from the project roadways and reduce crash rates.

The recommended mitigation measures are provided for consideration by the local, state, and federal traffic agencies with jurisdiction over the identified roadways. The detailed design and implementation of the recommended mitigations are subject to the discretion and approval of federal, state, and local transportation agencies. Accordingly, such measures will be subject to further environmental review and approval by NYSDOT, FHWA, and local transportation agencies. Specifically, NYSDOT and FHWA will undertake a separate NEPA/SEQRA environmental review of the recommended mitigations and implement these or other mitigations that the agencies deem appropriate to ensure the best overall operational performance of the transportation network with the Proposed Project. Recognizing the significant adverse effect of the Proposed Project on traffic, OCIDA relies on the specific expertise of the NYSDOT and FHWA to consider the recommended traffic mitigation measures (Traffic Mitigation Scenario C) as part of its evaluation and implementation of sufficient and appropriate traffic mitigation measures.

Mitigation for impacts to bicycle/pedestrian traffic include dedicated and continuous shared-use paths and sidewalks along NYS Route 31 and U.S. Route 11, connecting paths and sidewalks along existing corridors, adequate crosswalks provided at signalized intersections, as well as other safety improvements at intersections and interchanges. Rail transport will be limited to off-peak hours to ensure that the train crossing does not impact peak period traffic on NYS Route 31 or Caughdenoy Road. Adequate storage also will be provided at the Rail Spur Site to ensure that offloading trains do not block NYS Route 31. Updates to the airport's Master Plan and a 5-year improvement plan to accommodate this growth will mitigate impacts to air travel. For transit, Centro plans to evaluate the need for new routes following the start of the fabs' operations.

Findings

Even with implementation of the various avoidance and minimization measures discussed in the FEIS (e.g., Rail Spur Site, U.S. Route 11 access, staggered shifts, etc.), OCIDA finds that the Preferred Action Alternative will have significant adverse effects on traffic and transportation during construction and operation of the Proposed Project. With the implementation of the recommended transportation mitigations, as deemed appropriate by NYSDOT and FHWA using their technical expertise and as part of their subsequent environmental review, the significant adverse transportation effects posed by the Preferred Action Alternative would be mitigated and/or avoided to the maximum extent possible.

Noise and Vibration

Impacts

Under the Preferred Action Alternative, noise and vibrations will be generated by construction activity, traffic, outdoor mechanical systems and activities associated with operation of the Proposed Project and Connected Actions. With respect to vibrations, vibratory pile installation of approximately 6,300 piers per fab (25,200 total) is the primary source of vibration from construction and will occur only at the Micron Campus. No pile installation is proposed for the Rail Spur Site or the Childcare Site.

Construction hours will be required to comply with the Town of Clay Code, which prohibits noise associated with demolition and construction between 7:00 p.m. and 7:00 a.m. on weekdays, before 8:00 a.m. and after 5:00 p.m. on Saturday and any time on Sunday. Construction will be phased over the Micron Campus from west to east (fab 1 to fab 4), and noise effects will follow the same pattern, with noise or vibration levels dependent on the proximity of receivers to proposed construction activity. The Rail Spur Site will operate during construction of each fab. Activity at the Rail Spur Site will include arrival of up to 60 rail cars moving and unloading of the aggregate from the 60 rail cars to a storage pile on the site over 16 hours, and removal of the rail cars at the end of the day. The conveyor will run for 16 hours to transport aggregate over Caughdenoy Road to the Micron Campus.

Noise from construction and operation of the Micron Campus, Rail Spur Site, and Childcare Site is expected to exceed one or both of the thresholds for significant adverse effects at 51 of the 138 individual sensitive receptors in the noise and vibration study areas closest to the Proposed Project, including an apartment complex and nursing home east of the proposed Micron Campus, five residences north and south of the Rail Spur Site west of Caughdenoy Road, and three residences across the street from the Childcare Site. The peak (loudest) predicted construction noise at the Rail Spur Site will occur from January through April 2026 where, of the two receivers closest to the Rail Spur Site (R21, R22), noise levels would exceed one threshold for a significant effect at one receiver. The peak (loudest) construction noise for the Childcare Site will occur from March through April 2028 when construction noise increases is expected to exceed the threshold for significance at R26 and R27. Slightly lower noise levels that exceed the threshold are expected to occur from April 2030 through April 2031 due to construction of the healthcare and recreation facilities. The operation of the Childcare Site is not expected to generate significant noise.

By 2045, all four fabs at the Micron Campus will be fully operational. The noise levels generated by Micron Campus operational activities will occur 24 hours a day, 7 days a week at a

generally steady noise level. Construction and operation of the Proposed Project and Connected Actions will be subject to local noise ordinances, except where exception is granted.

Traffic noise will start to be generated by the Proposed Project when construction starts on the Rail Spur Site in 2026 and will increase with construction of fab 1. Traffic noise is expected to increase over time, with both peaks from construction of each fab and a steady climb from Micron employee vehicle trips as each fab comes online. By 2031, approximately 100 individual receptors are expected to be affected by significant adverse traffic noise. By 2041, when fabs 1-3 are operating and fab 4 is under construction, a total of 520 individual receptors (e.g., residences, medical facilities, public parks, places of worship, recreation areas, schools, crossings, offices, restaurants, hotels and motels) are expected to be affected by significant adverse traffic noise.

Once construction is complete, construction equipment is no longer traveling to and from the site, and the headcount on the Micron Campus is reduced from a 2041 peak of approximately 12,400 to 9,300 in 2045, slightly fewer receptors would still be affected by traffic noise. It is anticipated that the loudest noise effects from traffic will be experienced at the approximately 100 residences located along public roadways closest to the Micron Campus, where the most project-generated traffic would occur. In these areas, 2041 Preferred Action Alternative noise level estimates reach up to 75 dBA and noise level increases of 10 dBA or greater occur at receivers closest to portions of NYS Route 31, Caughdenoy Road, US Route 11, and I-81.

When traffic noise is combined with Micron Campus construction and/or operation noise, all but one of the receivers in the Micron Campus and Rail Spur Site construction and operations study area, R19, is expected to experience noise at a level that exceeds at least one of the thresholds for a significant adverse effect. This is expected to result in a total of 132 receptors adversely affected, including a nursing home, three places of worship and a park. The significant effects are almost entirely attributable to predicted higher traffic noise levels (from predicted higher traffic volumes) along NYS Route 31 and U.S. Route 11. Construction and operations only account for a small percentage of significant adverse effects; traffic is the loudest generator of noise, because it is the closest noise source to most of the receptors.

For the duration of the life of the Micron facility, 131 of the 132 closest receptors are expected to experience significant noise effects during daytime hours from combined traffic noise and noise associated with operation of all 4 fabs on the Micron Campus. At night, traffic volumes will be lower such that noise exposure levels at night are expected to be lower. Designs for most of the facility upgrades for the Connected Actions have not been sufficiently advanced by the owner/operators for a quantitative analysis of construction or operation noise effects. Construction activities at the Connected Actions are not expected to result in significant increases in noise at the receptors, absent traffic effects, and continue to be subject to hours and noise level limits of the applicable local noise ordinances.

All significant adverse noise effects related solely to construction and operations noise could be mitigated to below the significance thresholds at all the 51 affected receptors that could be affected by such noise. However, not all significant noise effects from the Preferred Action Alternative can be mitigated given that traffic is the largest contributor to noise effects. Traffic noise could be abated to below the significance thresholds at 18 of the approximately 520 receptors that are expected to be significantly affected by traffic noise. However, significant traffic noise

effects at approximately 500 dwelling unit equivalents cannot be mitigated to below the significance thresholds. The largest of the unmitigated traffic noise level in 2041 would range from 66 to 75 dBA and noise level increases of 10 dBA or greater occur at receivers closest to portions of NYS Route 31, Caughdenoy Road, Route 11, and I-81.

Minimization and Mitigation

Micron designed the Proposed Project to avoid and minimize noise effects. This included incorporation of the Rail Spur Site to reduce truck traffic and associated traffic noise. In addition, the Micron Campus has been sited setback from the WPCP property line and away from sensitive receptors to the maximum extent practicable.

To further avoid and minimize predicted noise effects associated with construction, Micron will require its contractors to implement BMPs as part of the Proposed Project, as provided in FEIS Section 3.12.6, including: compliance with NYSDEC regulations for idling vehicles, the use of vibratory drilling as opposed to pile driving, installation of ground level noise barriers and rooftop shielding elements, berms, sound attenuators or low noise packages on equipment, and strategic equipment locations. Even with the required BMPs, significant noise effects would exist such that additional noise mitigation measures are required.

As detailed in FEIS Section 3.12.6, noise mitigation measures will be required to sufficiently reduce noise effects to below significance thresholds. Micron shall construct noise barriers within the Micron Campus property boundaries to abate significant adverse construction and operation noise, and enclosures shall be installed around rooftop equipment on the Micron Campus on rooftop equipment that exceeds 65 dBA to abate significant adverse operational noise. Micron will be required to offer to construct temporary noise barriers within its property boundaries for affected property owners and shall consult owners about aesthetic considerations, such as landscaping, and for ideas about other potentially effective mitigation measures. Construction of the noise barriers for the control of traffic noise will be at the direction of NYSDOT based on their separate environmental review of roadway modifications.

Micron will be required to install a noise barrier around the exterior of the Rail Spur Site. This may include fencing that is fitted with acoustical abating material or other noise barriers as ultimately determined by the Town of Clay as part of its site plan approval process which is a prerequisite for construction of the Rail Spur Site. Additionally, Micron shall install and operate noise monitoring equipment to continuously monitor noise at the Rail Spur Site and Micron Campus and adapt noise mitigation measures as necessary to achieve the results specified in this section. As a result, the required noise mitigation measures may be amended throughout the construction and operation of the facility as informed by the continuous noise monitoring equipment and compliance with the required noise ordinance.

Findings

OCIDA finds that the Preferred Action Alternative will result in significant adverse noise effects. While BMPs and mitigation measures will be required to mitigate and/or minimize the impacts from noise to the maximum extent possible, most traffic-associated impacts will remain

unmitigated given the inherent difficulties in mitigating traffic-associated noise. The Proposed Project will not have a significant adverse effect from vibration.

Visual Effects and Community Character

Impacts

The Preferred Action Alternative, and construction and operation of the Micron Campus and Rail Spur Site in particular, will be highly visible from certain surrounding areas and will produce noticeable visual effects from multiple viewpoints. Because the Micron Campus fabs and supporting buildings will become operational in phases over a 16-year, visual impacts from construction and operations will be concurrent for a period of time. Overall, construction activities will be visible but temporary, though consistent with local land use regulations, policies, and plans. Visual effects of construction and operation will be most apparent from viewpoints closest to the Micron Campus, but will become less apparent or not occur beyond approximately a half-mile distance from the site due to distance and/or intervening vegetation. Although there are a number of designated aesthetic resources within range of the Proposed Project and Connected Actions, photo simulations of viewpoints indicate that there will be no significant aesthetic impacts on any designated aesthetic resources.

Construction of the Micron Campus will involve visible activity typical of a large construction project, with the other Proposed Project and Connected Action components involving similar visible activities to a lesser degree. The Proposed Project construction sites will be required to be surrounded with visible 10-foot chain-link fencing with green privacy screens to partially screen views, cranes and other large construction equipment. Construction of the Connected Actions, including construction of underground utility lines along existing easements, will involve construction vehicle traffic, construction equipment, and temporary construction lighting, as well as removal of existing vegetation in certain areas; activities that will be visible from surrounding areas. Tree clearing will also increase visibility and sight lines to areas of construction.

Once fully constructed, the Proposed Project will result in visual effects through the construction of permanent new structures and features on the landscape. The fabs will be the largest structures on the campus, each with a typical height of approximately 148 feet, with limited penthouse extensions up to 160 feet. The area to the north of the fabs will include four bulk gas yards, each with one or more gas storage columns approximately 170 feet tall. The area between the campus buildings and NYS Route 31 to the south will include smaller administration buildings, approximately 105 feet tall, that will be set back more than 600 feet from the road. Micron will also plan to install solar panels on the roofs of certain Micron Campus buildings. Under certain weather-related conditions, condensing water vapor plumes originating from cooling towers and process stacks on top of the four central utility buildings (CUBs) will be visible from surrounding areas.

The Childcare Site buildings will be one story tall and will be visible only from Caughdenoy Road. The Rail Spur Site conveyance system over Caughdenoy Road, construction lighting (approximately 20-to-30-foot-high portable light towers with multiple adjustable fixture heads on single poles) and construction truck traffic for all components will be visible activities. Site structures and operations at the Rail Spur Site would be set back at least 100 feet from adjacent

roads, with most development set farther back, abutting the railroad tracks. In addition, a substantial wooded buffer zone would be maintained between the developed portion of the site and the existing residences located to the south of the site.

Lighting at the Proposed Project and Connected Action sites during operations will result in visual effects. Parking areas at the Micron Campus will have warm white LED lights on shorter poles, approximately 13-16 feet tall. The height of ground-mounted light fixtures in the Micron Campus interior roadway network will not be higher than approximately 26 feet. Lighting design for the Rail Spur Site has not yet been finalized but is expected to include a total of 28 lighting fixtures mounted on 25-foot poles at entrances and parking areas and on 60- to 80-foot-tall poles at the rail yard and other operational areas. Outdoor lighting at the Childcare Site will include 26-foot-tall lights installed along the driveways and parking areas and around the buildings, and 80-foot-tall stadium-style lights installed along the borders of the tennis/pickleball court and soccer field (subject to nighttime limitations). Micron will be required to implement all lighting on the Micron Campus, Rail Spur Site and Childcare Site as approved and conditioned by the Town of Clay as part of its site plan approval process.

The OCWA LOWTP improvements will be confined within the treatment plant's existing footprint. The IWWTP will be located in the northern portion of the existing Oak Orchard site and would generally include structures with a maximum height of approximately 45 feet (up to three stories), though certain components, such as crystallizers, could be as tall as 75 feet, depending on final design. National Grid would expand its existing GRS 147 to the north and east, where the site already includes large overhead electric transmission lines.

As a result of these visual effects and other effects described in the FEIS, such as increased traffic and noise, and the effects of induced growth (reflecting an overall change from a low-density, rural, and undeveloped area to a site with a large industrial manufacturing facility), the Preferred Action Alternative will result in changes to community character. However, these changes will be consistent with local zoning designations, including the industrial zoning designation of the Micron Campus, and also will be generally consistent with local policies and comprehensive plans.

The growth inducing effects of the Preferred Action Alternative would gradually bring substantial changes to local communities and the wider region surrounding the Proposed Project over time. These changes would likely produce their own visual effects and changes to community character across the five-county region from increases in population and higher-density residential, commercial, and industrial development in the area takes shape. New development from induced growth would still be subject to local land use regulations, such as setbacks, height restrictions, and landscaping and lighting requirements. Other large projects also would be subject to site plan approvals and may be subject to the SEQRA process, which may include consideration, as here, of visual effects or aesthetic impacts on designated aesthetic resources.

Minimization and Mitigation

Changes in visibility of the Micron Campus and the Rail Spur Site will be minimized through required BMPs, as provided in FEIS Section 3.13, including various setbacks, perimeter vegetation screening, on-site vegetative screening, and downward directional, shielded, warm

lighting where feasible to help reduce overall visual effects on the surrounding area. The Childcare Site and the Connected Actions are not anticipated to result in highly noticeable visual effects on surrounding areas once completed.

All proposed lighting will be designed and installed in accordance with applicable local regulations and, where feasible, lighting eligible for the U.S. Green Building Council LEED light pollution reduction credit (SS8) for LZ1 land use zones. The lighting plans for the Proposed Project will be reviewed during the site plan approval process and will be required to adhere to Town of Clay lighting restrictions as well as any further required minimization/mitigation requirements.

Findings

OCIDA finds that the Preferred Action Alternative will have a significant visual effect and effect on community character but only within close distance. The Preferred Action Alternative will have no significant adverse aesthetic impacts on designated aesthetic resources. No mitigation is required.

Community Facilities, Open Space, and Recreation

Impacts

The affected environment for impacts to community facilities, open space, and recreation from the Preferred Action Alternative include: the Towns of Clay and Cicero for police, fire, emergency medical services (EMS), and school districts; Onondaga County for healthcare facilities; and a 1-mile radius around the WPCP for open space and recreational resources.

Construction of the Proposed Project may require occasional calls to local police and fire services and EMS. Police and local fire service calls during construction are anticipated to be relatively rare and consistent with the potential response needs for a typical large-scale construction project. Medical incidents are expected to be relatively more common than police and fire calls, given the nature of occupational hazards associated with large-scale construction project activities. With personnel and procedures in place, Micron and local EMS are anticipated to have adequate capacity to respond to medical and other EMS needs related to construction activities throughout the Proposed Project construction period. Construction of the Proposed Project is not anticipated to materially increase the number of visits to hospitals and urgent care centers or other healthcare facilities located throughout Onondaga County.

As with construction, operation of the Proposed Project is not anticipated to result in substantial increases in police calls and will not warrant an increase in patrols or a need to hire additional officers. Similarly, operation of the Proposed Project is not anticipated to result in substantial increases in calls to local fire services or EMS. Micron's Emergency Response Team (ERT) may place an average of approximately six calls to outside EMS per month at full campus build-out. Accordingly, operation of the Proposed Project is not anticipated to materially increase the number of visits to hospitals and urgent care centers or other healthcare facilities located throughout Onondaga County. An independent third-party rail operator will be responsible for managing and coordinating any police, fire, or EMS response activities in connection with operation of the Rail Spur Site.

Induced growth effects from the Proposed Project would potentially require expansion of some police, fire, EMS and healthcare services in the five-county region. Clay Fire and Cicero Fire, which are both currently staffed by volunteers, anticipate the potential need for additional resources, including professional firefighters, to accommodate anticipated growth. In general, because police and fire services are funded by taxes, the increased tax base associated with induced population growth would likely help to fund the needs of police and fire services to expand over time to keep pace with that growth. Additional mitigation measures are proposed to address the concerns to volunteer fire services. Additional revenues from induced growth would also be expected to allow EMS and healthcare facilities to gradually expand and hire additional employees as needed.

There will be minimal effects from Proposed Project construction activities on the school districts serving the Towns of Clay and Cicero, as only 1,400 of the 1,500 in-migrating construction workers for the Proposed Project are anticipated to be located within the regional study area. Similarly, increased demand for schools from in-migrating Micron employees and contractors as well as increased demands on schools and school districts from induced population growth in the five-county region is not expected to place substantial strains on schools or school districts in the five-county region and could potentially lead to benefits for school services. Because school districts in the region have already experienced declines in enrollment, this influx would not be expected to overburden public school district capacity, and private schools in the area could also help absorb some of the increase in school-aged children. Moreover, induced population growth and business activity would help expand the regional tax base to further fund area school districts, including contributing to school capacity (e.g., facility space and maintenance, staffing levels, and funding).

Open space and recreational resources identified in the 1-mile radius around the WPCP include the Greens at Beaumont, Meltzer Park, Clay Historical Park, and the Snow Owls Snowmobile Trail. Noise exceedances from construction are expected to occur at Meltzer Park, primarily as a result of construction traffic, primarily occurring during a 3- to 5-month construction noise peak period associated with the construction of fab 4, while fabs 1-3 are operating. Noise exceedances from construction also are expected to occur at Clay Historical Park, primarily from noise increases attributable to the Rail Spur Site and Micron Campus construction traffic along NYS Route 31 throughout the construction period.

During operations, the effects of traffic noise are expected to remain significant at Clay Historic Park during periods of peak traffic but are not considered significant during operations at either The Greens at Beaumont or Meltzer Park. Construction and operation of the Proposed Project and Connected Actions will require closing portions of the Snow Owls Snowmobile Trail, some permanently, beginning in late 2025. Induced residential growth also would be anticipated to increase use of public spaces but would contribute to property taxes and other fees that would support the maintenance of parks and recreational resources within the County, should any become close to capacity.

Minimization and Mitigation

Micron will be required to incorporate the BMPs listed in FEIS Table 3.14-8 as part of the Proposed Project to address the emergency response needs. Micron and its contractors will be

required to implement and follow these construction safety BMPs in order to avoid non-essential first responder calls and minimize construction incidents requiring police, fire, or EMS response, which would typically only include serious emergencies such as crime, active fires, and heart attacks, strokes, or other severe accidents or injuries.

As part of construction planning, Micron shall engage closely and collaboratively with local fire departments, including Clay Fire and Cicero Fire, to familiarize local fire service personnel with any potential Proposed Project construction hazards such as construction site fuel and chemical storage, jointly prepare to implement BMPs for construction fire safety, and ensure compliance with applicable fire protection code requirements. Micron's ERT will act as the initial line of response to any fire alarms on the Micron Campus and will provide an on-site dispatch system for deployment as well as on-site security personnel. Micron will also establish a dedicated and staffed on-site construction occupational health clinic.

To address the potential significant adverse effect on volunteer fire services as a result of induced growth associated with the Proposed Project, including on Clay Fire and the Town of Clay's fire response capacity, as a mitigation measure, Micron shall pay for and support ongoing Micron-related training efforts with Clay Fire and other local fire departments. Similarly, Micron shall work with Clay Fire to determine any future need for the development of a full-time professional fire service. The determination of future needs planning could be completed through a feasibility study or similar alternative method.

Findings

OCIDA finds that construction and operation of the Proposed Project will not result in any significant adverse effects on police services, fire services, EMS, healthcare facilities, or schools, nor would construction and operation of the Proposed Project and Connected Actions have any significant adverse effects on open space or recreational resources. The Preferred Action Alternative would not result in significant adverse growth inducing effects on police services, EMS, healthcare facilities, schools, or open space or recreational resources, but would potentially have significant adverse effects on volunteer fire services in the five-county region.

Mitigation measures are required to address the potential significant adverse effect on volunteer fire services as a result of induced growth associated with the Proposed Project.

Socioeconomic Conditions

Impacts

The Preferred Action Alternative is likely to affect population, housing, and economic activities due to the presence of future workers who seek to reside in communities within the local and broader regional area. The Proposed Project is anticipated to generate substantial new economic activity in the local and regional study areas. Between 2025 and 2055 construction and operations of a 4-fab facility at the WPCP is anticipated to generate an annual average of \$14.9 billion in real economic output (in 2025 dollars) within the five-county region and \$8.6 billion annually in real gross domestic product (GDP) impacts within the region. The Proposed Project's induced growth would encourage economic diversity, increasing regional competitiveness and strengthening regional supply chain industries. The supply chain and consumer spending activity

are expected to support existing businesses and would attract new businesses to the region. This is a significant beneficial, long-term effect of the Preferred Action Alternative within the local and regional study areas.

The Proposed Project is expected to lead to substantial job generation within the local and regional study areas. The construction of the Proposed Project will generate over 4,000 on-site construction jobs, providing new construction employment opportunities and additional income for unemployed, underemployed, and job-changing residents in the short-term (starting in 2025) and over the approximately 16-year construction period. Longer-term, the job skills and labor income generated from the Proposed Project would continue to have significant benefits to local and regional area construction workers and their families. By 2045, the Proposed Project is expected to generate over 9,000 permanent on-site operational jobs, providing long-term skilled employment opportunities for unemployed, underemployed, and job-changing residents in the local and regional study areas. The Proposed Project also would attract and retain working-age households, including young families that has been a diminishing cohort in many regional communities.

In addition to on-site benefits, the Proposed Project's construction and operational activities is expected to generate off-site economic activity and additional jobs and labor income within industries supporting Micron's construction, and within governments and businesses supporting workers' day-to-day spending. The Proposed Project is anticipated to generate over \$2 billion in induced disposable personal income in the five-county region by 2035 and over \$3.3 billion by 2041. By 2045 the Proposed Project is anticipated to generate demand for nearly 9,500 jobs at regional supply chain businesses and approximately 23,500 jobs at regional governments, institutions, and businesses supporting the growth in regional household spending (approximately 33,000 off-site jobs in total). This is anticipated to increase jobs in numerous industry sectors and increase income opportunities for the regional workforce, a significant benefit of the Proposed Project.

The Proposed Project's construction could result in the direct displacement of one household located on an OCIDA-owned parcel in the WPCP. This adverse effect would not substantively alter the population or demographics of the local or regional study areas. The Proposed Project's on-site labor demands—combined with off-site labor demand generated by its induced growth—could lead to temporary labor constraints within the local and regional economies, particularly in the construction sector, which could result in short-term increases in construction and other labor costs. Labor shortages would be met through in-migrating workers and job training for existing unemployed and underemployed workers as well as job-changers and, therefore, would not result in significant adverse effects on labor markets in the local or regional study areas.

While some municipalities and school districts would experience increases in costs associated with the Proposed Project's induced growth, new property taxes and other revenues generated by induced growth would avoid shortfalls in budgets that require significant increases in tax rates and/or the diminishment of public services. Construction and operation of a 4-fab facility is expected to generate nearly \$500 million annually in local government revenues for municipalities within the region. Specific to the Clay Fire local study area fire district, mitigation measures have been identified to address the potential significant adverse effect on Clay Fire and

the Town of Clay fire response. With this mitigation, the Proposed Project would not be expected to result in significant increases in tax rates or the diminishment of fire services.

The Proposed Project's induced growth would also lead to short-term challenges from increased housing demand, costs and rents, and the potential indirect displacement of residents unable to afford their homes. In the long-term, however, induced growth from the construction and operations of the Proposed Project is anticipated to lead to increased demand for housing, housing repair and development, and increased property values. An increase in demand for housing is anticipated to spur investment in neighborhoods where deferred maintenance and lack of housing production are present, as well as development of new types of housing.

Finally, given the projected population increase in some communities there is the potential loss of a more rural lifestyle. While this is a potential adverse effect, it will not lead to significant adverse socioeconomic effects because the Proposed Project will facilitate growth, consistent with applicable community plans; it would avoid the potential for stagnating conditions that can lead to neighborhood disinvestment or blight.

Minimization and Mitigation

The short-term potential significant adverse effect from induced population growth on housing will be addressed through the provision of additional affordable housing supply facilitated by investments from the State of New York through Governor Hochul's long-term statewide housing approach and New York Housing Compact initiatives; and local initiatives like the Onondaga County Housing Initiative Program (O-CHIP) and OCIDA's tax exemption program for housing projects. Micron will continue to work with agencies and local stakeholders to identify specific actionable measures to avoid or minimize the potential for this short-term significant adverse effect on the local housing market.

Findings

OCIDA finds that, overall, the socioeconomic effects of the Preferred Action Alternative will be significant and beneficial, although induced housing demand may result in short-term significant adverse socioeconomic effects within the local study area. No mitigation measures are required.

Environmental Justice

Impacts

The potential for adverse effects from construction and operation of the Preferred Action Alternative on disadvantaged communities (DACs) and low-income and minority communities is expected to be limited to those communities identified within an approximately 5-mile radius around the Proposed Project sites, and a ½ mile of the Connected Actions. There are five low-income communities, and portions of six DACs within ½-mile of the Connected Actions (and only within a ½-mile of the proposed water supply pipeline and facility upgrades; there are no DACs or minority or low-income communities located within a ½ mile of the other Connected Actions). Three of the low-income communities are also DACs.

Within the Town of Clay, where the majority of the Proposed Project will be located, two block groups were identified as minority communities; no minority communities were identified in the Town of Cicero, where a small portion of the Micron Campus is located. The nearest low-income community to the Proposed Project is located approximately one mile to the north in Brewerton in the Town of Cicero. Several additional low-income communities within the study area of the Proposed Project are located in the North Syracuse area of the Town of Clay and near Riverview Mobile Court. Within 5 miles of the Proposed Project are portions of two DACs, located along the southern edge of the affected area in North Syracuse. The Onondaga Nation is also identified as a minority population within the study area.

When analyzing the associated DAC burdens at or above the 80th percentile, the Preferred Action Alternative will not cause or increase a disproportionate burden from construction or operation of the Proposed Project or Connected Actions. Similarly, in the low-income and minority communities identified within the study area, the Preferred Action Alternative will not cause or increase a disproportionate burden within those communities, except a potential temporary adverse effect on housing and rent pricing. Instead, the Preferred Action Alternative will produce beneficial effects for the local and regional communities, including identified DACs, by generating thousands of new jobs both on- and off-site through business-to-business supply chain services, stimulating local and regional development through induced residential and worker spending, generating additional tax revenues and, over the 20-year term of the Green CHIPS Community Investment Fund (CIF), by investing \$500 million in local and regional initiatives that advance identified community needs.

Minimization and Mitigation

As addressed herein, the Preferred Action Alternative includes numerous project design elements and BMPs that avoid or minimize potential adverse environmental effects to the local and regional study areas, including identified DACs and low-income and minority communities. For certain resource areas, mitigation measures have been proposed to further reduce potential significant adverse environmental effects (e.g., noise, and transportation).

Findings

OCIDA finds that the Preferred Action Alternative will not cause or increase a disproportionate pollution burden on DACs or low-income and minority communities. No mitigation measures are required.

Cumulative Impacts

SEQRA requires the consideration of the cumulative effects of an action, to the degree they are determined to be relevant and significant to an action. Cumulative effects must be assessed when actions are proposed, or can be foreseen as likely, to take place simultaneously or sequentially in such a way that the combined impacts may be significant. Potential cumulative impacts of the Preferred Action Alternative have been evaluated and accounted for the full range of environmental parameters.

Under the Preferred Action Alternative, although most of the environmental effects of the Proposed Project and Connected Actions will generally occur within the vicinity of the Micron

Campus, Rail Spur Site, and Childcare Site or within or adjacent to the Connected Actions, the effects of other present or reasonably foreseeable future actions in the local or regional area, when added to the effects of the Proposed Project and Connected Actions, may potentially result in cumulative environmental effects. The FEIS identified all of the other ongoing and reasonably foreseeable future actions within the local and regional areas, as well as a description of each project, geographic proximity to the Micron Campus and planned timing vis-à-vis the Proposed Project. Using this information, each project was screened to determine which resource or resources would be mutually affected.

Across all the environmental resources analyzed in the FEIS, none of the ongoing or reasonably foreseeable future projects with effects that are cumulative with the Preferred Action Alternative would meaningfully alter or amplify the effects of the Preferred Action Alternative. None of the other ongoing or reasonably foreseeable future projects, either individually or cumulatively, would transform an otherwise insignificant effect of the Preferred Action Alternative into a significant effect. Nor would any of the other reasonably foreseeable projects, individually or cumulatively, meaningfully exacerbate any significant effect of the Preferred Action Alternative. Accordingly, there are no significant adverse cumulative effects.

Unavoidable Adverse Impacts

SEQRA requires agencies to identify any “adverse environmental impacts that cannot be avoided or adequately mitigated if the proposed action is implemented” (6 NYCRR § 617.9 (b)(5)(iii)(b)). A significant adverse impact is considered “unavoidable” if there are no reasonably practicable mitigation measures to eliminate the impact, or if there are no reasonable alternatives to the proposed project that would meet the purpose and need of the action, eliminate the impact, and not cause other or similar significant adverse impacts. As discussed herein, adverse impacts related to the construction and operation of the Proposed Project and Connected Actions will be minimized to the degree practicable; however, there still may be certain impacts that are unavoidable, including:

- The permanent loss of approximately 193.38 acres of Federal jurisdictional wetlands (approximately 174.77 acres of which are State jurisdictional wetlands), and approximately 10.5 acres of non-jurisdictional wetlands at the Micron Campus, Rail Spur Site, and Childcare Site, along with the ecosystem services those wetlands currently provide.
- Loss of most of the existing stream channels currently located in the area that would become the Micron Campus Site and Rail Spur Site.
- The loss of ecological communities, in particular, and the habitat they provide to these species of special concern, Federal and State listed threatened and endangered species, or species proposed for listing, including the Indiana bat, northern long-eared bat, tricolored bat, northern harrier, and short-eared owl.
- An overall increase in GHG emissions associated with operation of the Micron fabs and related facilities in the Five County Area and New York State. Most of these emissions are the result of natural gas combustion, energy consumption and process emissions needed for the DRAM manufacturing process.

- Significant affects to traffic at the following five intersections by 2041 regardless of whether proposed Traffic Mitigation Scenario C is implemented: (1) NYS Route 31 and I-81 SB Ramp; (2) NYS Route 31 and NYS Route 481 SB; (3) US Route 11 and NYS Route 31; (4) NYS Route 31 and Lakeshore Spur; (5) South Bay Road and NYS Route 31. These significant traffic impacts are considered unavoidable because mitigation below the level of significance would require impracticable roadway reconfiguration. In addition, the Preferred Action Alternative's transportation effects are presented here as potentially unavoidably significant because there is uncertainty as to whether, or under what circumstances, the proposed Traffic Mitigation Scenario C would be implemented by the responsible state agencies.
- Unmitigated noise associated with traffic.

Irreversible and Irretrievable Commitment of Resources

The irreversible and irretrievable commitment of environmental resources to the Preferred Action Alternative consists primarily of resources committed to the physical construction of the Proposed Project, related utility facilities, nonrenewable natural gas resources and other resources consumed by project operations. The Micron Campus will irretrievably devote approximately 1,000 acres of the 1,377 WPCP and related parcels to approximately five million sf of factory space, associated indoor facilities, and otherwise generally impermeable surface uses. These developable lands will no longer be available for other developments. Wetlands, stream systems, and vegetated areas within the construction area will be irretrievably lost or subsumed in this developed space. In addition, the removal of wetlands on the site will necessitate establishment of mitigation sites through the USACE Section 404 permitting process. These mitigation sites will be dedicated to the purpose of establishing additional wetlands. Mitigation sites were selected due to existing characteristics and the ability to meet the needs of the identified mitigation such as current or former agricultural fields, forested parcels, and adjacent to existing streams, wetlands or forests. Overall, restoration, re-establishment, or rehabilitation activities targeting stream, wetland, and grassland habitats are expected to enhance the biological and ecological diversity of the mitigation sites.

Construction will involve the permanent removal of soil and replacement with approximately nine million cubic yards of fill. Millions of tons of steel and other construction materials will be irreversibly committed to construction of the Proposed Project in these areas and unavailable for other uses.

Operations would necessitate the use of billions of standard cubic feet of natural gas per year, and, depending on the energy mix used to supply the NYISO grid over the life of the Proposed Project, any portion of electric supply derived from nonrenewable sources represents an irretrievable commitment of nonrenewable energy resources to the Preferred Action Alternative. Though the Proposed Project will utilize and return water to Lake Ontario, which is one of the largest renewable freshwater sources in North America, municipal water supply and wastewater resources will be irretrievably committed to supplying the Proposed Project with fresh water and wastewater delivery, treatment, and disposal.

A substantial portion of the water supply, and wastewater infrastructure needed by the Proposed Project will be constructed specifically to meet the demands of the Proposed Project. The resources required to construct these water and wastewater facilities represent an irretrievable commitment of environmental resources to the Preferred Action Alternative. The same is true for construction of any utility facilities intended for exclusive use by the Proposed Project. These include construction materials associated with OCDWEP's construction of a new IWWTP for the Proposed Project at the OCDWEP's Oak Orchard site, expansion of the National Grid Clay Substation and related power line installation to supply the Proposed Project, and gas line and water line infrastructure needed to supply the Proposed Project.

Raw material inputs needed to manufacture the finished DRAM chips also represent an irretrievable commitment of resources to the Preferred Action Alternative, as do the resources, facilities, and landfill space required to treat and dispose of the solid waste streams associated with the Proposed Project. Construction of the Rail Spur Site and Child Care Site similarly necessitates the irretrievable loss of vegetation, soils, and jurisdictional/non-jurisdictional wetlands, and will occupy developable land that would no longer be available for alternative development. Construction will require the irretrievable commitment of building resources to facilities, roads, loading areas, and impermeable or semi-permeable surfaces that will be unavailable for alternative uses.

9.0 DECISION

OCIDA has carefully and diligently considered the Preferred Action Alternative and other reasonable alternatives available, and has considered in detail the social, economic, fiscal, land use, and other relevant factors, as well as the reasonably anticipated environmental impacts and measures to avoid, minimize and mitigate impacts of the Preferred Action Alternative and reasonable alternatives available. Based on the foregoing facts and findings, OCIDA has selected the Preferred Action Alternative for construction and operation of the Micron Semiconductor Manufacturing Project. The Preferred Action Alternative was selected after weighing and balancing all relevant factors and considerations, including those provided through public comments, and allows for mitigation of all environmental impacts to the greatest extent reasonable and practicable.

CERTIFICATION TO APPROVE/FUND/UNDERTAKE:

Having considered the draft and final Environmental Impact Statement and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

SEQRA Lead Agency

Onondaga County Industrial Development Agency

Signature of Responsible Official

Name of Responsible Official

Title of Responsible Official

Date

Address of SEQRA Lead Agency:

Onondaga County Industrial Development Agency
333 W. Washington Street, Suite 130
Syracuse, New York 13202
315-435-3770

cc: Other Involved and Interested Agencies (SEQRA)
Applicant

MICRON NEW YORK SEMICONDUCTOR MANUFACTURING LLC

SEQRA RESOLUTION

A special meeting of the Onondaga County Industrial Development Agency (the “Agency”) was convened in public session on November 18, 2025, at 9:30 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:

ABSENT:

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

The following resolution was offered by _____ and seconded by _____:

RESOLUTION APPROVING THE ISSUANCE OF A FINDINGS STATEMENT PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT 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”), Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975 of the State of New York, as amended, constituting Section 895 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general

prosperity and economic welfare of the people of the State of New York (the “State”), to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to grant “financial assistance” (as defined in the Act) in connection with the acquisition, construction, reconstruction and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Micron New York Semiconductor Manufacturing LLC, a Delaware limited liability company on behalf of itself and/or entities formed or to be formed on its behalf (the “Company”), has submitted an application to the Agency, and a revised Application to the Agency (collectively, the “Application”), copies of which are on file at the office of the Agency, which Application requests that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A)(1) the acquisition of an interest in all or a portion of approximately 819.92 acres of land located on the westerly side of Brunet Road (tax map nos. 046.-02-01.0, 046.-02-02.1, 046.-02-02.2, 046.-02-03.1, 046.-02-04.0, 046.-02-05.1, 046.-02-05.2, 048.-01-01.0, 048.-01-02.2, 048.-01-23.1, 048.-01-23.2, 048.-01-23.3, 049.-01-15.0, 049.-01-16.0, 049.-01-17.0, 049.-01-18.4, 049.-01-19.1, 049.-01-19.2, 050.-01-01.0, 050.-01-02.1, 050.-01-03.1, 050.-01-04.1, 050.-01-04.2, 050.-01-04.3, 050.-01-04.4, 050.-01-05.0, 051.-01-10.1, 051.-01-10.6, 051.-01-10.7, 051.-01-10.8, 051.-01-10.9, 051.-01-12.0, 064.-01-06.3, 064.-01-08.0) in the Town of Clay, Onondaga County, New York (collectively, the “Land”); (2) the construction on the Land of two approximately 1.2 million square foot memory fabrication facilities (each a “Fab”) each consisting of approximately 600,000 square feet of cleanroom space, together with other ancillary interior and exterior support facilities and systems and sitework including but not limited to installation of a chilled water system, a process cooling water system, air handlers, electrical sub stations, switch gear, and compressed dry air systems, semiconductor manufacturing equipment, office and storage space, driveways, interior access roads, sidewalks, parking lots, landscaping, signage, electric and gas utility and internal communications infrastructure, electric substations, water and wastewater pre-treatment and storage and industrial gas storage (collectively, the “Facility”); and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “Equipment”) (the Land, the Facility and the Equipment being collectively referred to as the “Project Facility”); (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes and real estate transfer taxes (the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, acreage of the Land has been confirmed by the Agency and the Company based on surveys provided to the Agency in connection with the Project and which acreage differs slightly from, but is more accurate than, the acreage listed on the Onondaga County tax maps originally provided to the Agency in connection with the Application; and

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

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “SEQRA”), the whole “Action” for purposes of SEQRA as outlined in the EAF includes the above described Project Facility as well as the full buildout of the “Micron Campus” with four Fabs, all ancillary support facilities and certain utility and infrastructure improvements (“Proposed Micron Project”); this process will result in continuous construction activities on the site over the approximate 16-year period, with a significant portion of that construction occurring inside previously constructed Fab buildings; 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); and declared itself as Lead Agency pursuant to SEQRA for the purposes of conducting a coordinated environmental review;

WHEREAS, having received no objection to its Notice of Intent to Establish Lead Agency at its regular meeting on September 14, 2023, the Agency determined that the Proposed Micron Project may result in one or more significant adverse impacts on the environment, and that an environmental impact statement (“EIS”) must be prepared to further assess the impacts and possible mitigation, and to explore alternatives to avoid or reduce those impacts; and

WHEREAS, on December 14, 2023, the Agency 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, during development of the Draft EIS, the Agency regularly consulted with other SEQRA involved and interested agencies (including but not limited to New York State Department of Environmental Conservation and New York State Department of Transportation) to ensure that all environmental impacts were identified and fully evaluated in the Draft EIS while at the same time CPO regularly consulted with NEPA participating and cooperating agencies (including but not limited to the Environmental Protection Agency and U.S. Army Corps of Engineers); and

WHEREAS, the Agency created a working group to understand and evaluate the Proposed Micron Project and all potentially significant environmental impacts, including available

avoidance, minimization and mitigation measures, as well as to consider and assess preliminary drafts of the Draft EIS; and

WHEREAS, during May and June of 2025, Agency staff held numerous working group sessions during which the Agency's counsel and consultants discussed each environmental resource area evaluated in the Draft EIS and addressed all questions; 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, the Agency caused to be made the filing and distribution of the Draft EIS and Notice of Completion and Public Hearing pursuant to the requirements of SEQRA; 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, the Final EIS incorporated certain changes from the Draft EIS, including a potential revision to the Proposed Micron Project's construction schedule and commencement of construction for each fab as well as the Child Care Site, compared to what was presented in the Draft EIS, the recent decision by the New York Independent Systems Operator that a new electrical substation would be required for operations of fab 2, as well as other changes in response to agency or other public comments; and

WHEREAS, in response to public comments, the Final EIS also included a new appendix expanding on the discussion in the Draft EIS on the proposed use, management, and disposal of per- and polyfluoroalkyl substances by the Company as part of the Proposed Micron Project as well as a full responsiveness summary, responding to all public comments received on the Proposed Micron Project and the Draft EIS during the public comment period; and

WHEREAS, in early November 2025, Agency staff held additional working group sessions during which the Agency's counsel discussed the process and the changes from the Draft EIS to Final EIS and addressed all questions; and

WHEREAS, the Agency reviewed and considered the Final EIS and determined that none of the changes from Draft EIS to Final EIS materially changed the reasonably foreseeable effects

that were described in the Draft EIS for the Proposed Micron Project or alter the significance of those effects; and

WHEREAS, the Agency adopted a resolution on November 7, 2025 finding the Final EIS to be complete and adopted a Notice of Completion of Final EIS (“Notice of Completion”) concerning the Proposed Micron Project; and

WHEREAS, the Final EIS and Notice of Completion of Final EIS were filed in accordance with SEQRA on November 7, 2025; and

WHEREAS, the Agency caused the Notice of Completion of Final EIS to be published in the Environmental Notice Bulletin on November 12, 2025 in accordance with SEQRA (6 NYCRR § 617.12(c)(1)); and

WHEREAS, the Agency has received and considered input from involved and interested agencies, legal and engineering consultants, and other relevant information; and

WHEREAS, in consideration of the Final EIS, the Agency caused to be prepared a Findings Statement in accordance with SEQRA (6 NYCRR § 617.11); and

WHEREAS, following completion of the Final EIS, Agency staff held additional working group sessions during which the Agency’s counsel discussed the Findings Statement and addressed all questions; and

WHEREAS, a minimum of ten calendar days have passed since the acceptance and filings of the Final EIS; and

WHEREAS, as a result of its independent examination and review, the Agency finds that, on balance, and after due consideration of all relevant documentation and related information, it has more than adequate information to evaluate the relevant benefits and potential impacts of the Project and to issue this Resolution and accompanying Findings Statement; and

WHEREAS, the Agency has complied with SEQRA in all respects.

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

1. The Agency has given full consideration to the relevant environmental impacts, facts and conclusions set forth in the Final EIS.
2. The Agency has weighed and balanced the relevant environmental impacts with the social, economic and other essential considerations relating to the Proposed Micron Project.
3. The requirements of 6 NYCRR Part 617 have been met.

4. The Proposed Micron Project, from among reasonable alternatives, is one which minimizes or avoids adverse environmental effects to the maximum extent practicable.
5. Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the Final EIS process will be minimized or avoided by incorporating as conditions those mitigative measures which are identified as practicable throughout the annexed SEQRA Findings Statement and Final EIS.
6. The annexed SEQRA Findings Statement, which was prepared in accordance with Article 8 of the Environmental Conservation Law, is hereby adopted and incorporated herein by reference. The facts and conclusions set forth in the Findings Statement are derived from the Final EIS, including all appendices and applications for permits and approvals, other documents, reports, submittals and other relevant information, including the personal knowledge and familiarity of the Agency's members with the Project and surrounding area and information and expertise of other involved, interested, participating and cooperating federal and State agencies, comprising the record of these deliberations. The Findings Statement is appended to this Resolution as the basis of the Agency's decision and to document the factors and standards considered by the Agency in making this decision.
7. A copy of this Resolution, together with the attachment hereto, shall be filed and distributed in accordance with SEQRA and placed on file in the office of the Agency where the same shall be available for public inspection during business hours.
8. 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:

AYE

NAY

ABSENT

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

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 18, 2025, with the original thereof on file in my office, and that the same (including all exhibits) 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 insofar as the same relates to the subject matters referred to therein.

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 annexed 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 __ day of November, 2025.

Secretary

EXHIBIT A
Findings Statement

DRAFT



White Pine Commerce Park

Burnet Road, Caughdenoy Road, and State Route 31
Clay, New York 13041

APPRAISAL REPORT

Date of Report: November 7, 2025
Colliers File Number: SYR250262

Prepared for
John P. Sidd, Esquire
Hancock Estabrook, LLP
1800 AXA Tower I
100 Madison Street
Syracuse, NY 13202

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Letter of Transmittal



November 7, 2025

John P. Sidd, Esquire
Hancock Estabrook, LLP
1800 AXA Tower I
100 Madison Street
Syracuse, NY 13202

RE: White Pine Commerce Park

Burnet Road, Caughdenoy Road, and State Route 31
Clay, New York 13041

Colliers File #: SYR250262

Mr. Sidd:

Pursuant with our engagement, the above captioned property was appraised utilizing best practice appraisal principles for this property type. This appraisal report satisfies the scope of work agreed upon by Hancock Estabrook, LLP and Colliers Valuation & Advisory Services.

The date of this report is November 7, 2025. At the request of the client, this appraisal is presented in an Appraisal Report format as defined by *USPAP* Standards Rule 2-2(a). Our appraisal format provides a detailed description of the appraisal process, subject and market data and valuation analyses.

The purpose of this appraisal is to develop an opinion of the As-Is Market Value of the subject property's fee simple interest. The following table conveys the final opinion of market value of the subject property that is developed within this appraisal report:

Value Type	Portion of Subject	Interest Appraised	Date of Value	Value
As-Is Market Value	34 Parcels (819.92 Ac.) West of Burnet Road	Fee Simple	September 16, 2025	\$21,300,000
As-Is Market Value	37 Parcels (501.91 Ac.) East of Burnet Road	Fee Simple	September 16, 2025	\$13,000,000

The subject is a 1,321.83-acre site comprised of 71 contiguous tax parcels located on Burnet Road, Caughdenoy Road, and State Route 31 in Clay, New York. The client has requested we value the parcel as two phases. Phase 1 consists of 819.92 surveyed acres within 34 parcels west of Burnet Road. Phase 2 consists of 501.91 surveyed acres within 37 parcels east of Burnet Road. Our acreage is based on the surveys provided which are included in this document. It is noted that the combined acreage from the tax maps differs slightly, which we recognize but the survey provides the most accurate indication of the total acreage. The subject parcels have been purchased over a period and are considered an assemblage. The range of sale prices varies widely on a per acre basis as some were improved and/or were identified as key parcels and premiums needed to be paid in order to acquire the sites.

The client provided a copy of the Draft Environmental Impact Statement (DEIS) of the Micron Semiconductor Manufacturing Project, Clay, NY that was prepared for the U.S. Department of Commerce, CHIPS Program Office; Onondaga County Industrial Development Agency (OCIDA); U.S. Army Corps of Engineers; and U.S. Environmental Protection Agency which was published in June 2025.

The analyses, opinions and conclusions communicated within this appraisal report were developed based upon the requirements and guidelines of the current Uniform Standards of Professional Appraisal Practice (USPAP), the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.

The report, in its entirety, including all assumptions and limiting conditions, is an integral part of, and inseparable from, this letter. *USPAP* defines an Extraordinary Assumption as, "an assignment specific-assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions". *USPAP* defines a Hypothetical Condition as, "that which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis".

The Extraordinary Assumptions and/or Hypothetical Conditions that were made during the appraisal process to arrive at our opinion of value are fully discussed below. We advise the client to consider these issues carefully given the intended use of this appraisal, as their use might have affected the assignment results.

Extraordinary Assumptions

We also assume that the zoning will be changed for the entire subject site to allow for heavy industrial manufacturing.

Hypothetical Conditions

Several of the parcels are still improved with residences and storage buildings; however, it is the intent of the owner to demolish all of the structures to make the entire site available for industrial development. This Appraisal Report is contingent on the hypothetical condition that the improvements have been removed and neither the contributory value of those improvements nor the demolition cost of any existing improvements are considered for valuation purposes.

Reliance Language

The Appraisal is for the sole use of the Client; however, Client may provide only complete, final copies of the Appraisal report in its entirety (but not component parts) to third parties who shall review such reports. Colliers Valuation & Advisory Services is not required to explain or testify as to appraisal results other than to respond to the Client for routine and customary questions. Please note that our consent to allow the Appraisal prepared by Colliers Valuation & Advisory Services or portions of such Appraisal, to become part of or be referenced in any public offering, the granting of such consent will be at our sole and absolute discretion and, if given, will be on condition that Colliers Valuation & Advisory Services will be provided with an Indemnification Agreement and/or Non-Reliance letter, in a form and content satisfactory to Colliers Valuation & Advisory Services, by a party satisfactory to Colliers Valuation & Advisory Services. Colliers Valuation & Advisory Services does consent to your submission of the reports to rating agencies, or your auditors in its entirety (but not component parts) without the need to provide Colliers Valuation & Advisory Services with an Indemnification Agreement and/or Non-Reliance letter.

Colliers Valuation & Advisory Services hereby expressly grants to Client the right to copy the Appraisal and distribute it to other parties in the transaction for which the Appraisal has been prepared, including employees of Client, other lenders in the transaction, and the borrower, if any.

Our opinion of value reflects current conditions and the likely actions of market participants as of the date of value. It is based on the available information gathered and provided to us, as presented in this report, and does not predict future performance. Changing market or property conditions can and likely will have an effect on the subject's value.

The signatures below indicate our assurance to the client that the development process and extent of analysis for this assignment adhere to the scope requirements and intended use of the appraisal. If you have any specific questions or concerns regarding the attached appraisal report, or if Colliers Valuation & Advisory Services can be of additional assistance, please contact the individuals listed below.

Sincerely,

Colliers Valuation & Advisory Services



Donald Fisher, MAI, ARA
Valuation Services Director
Certified General Real Estate Appraiser
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Letter of Transmittal

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Certification

Assumptions & Limiting Conditions

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Professional Service Agreement
Valuation Glossary
Qualifications of Appraisers
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Executive Summary

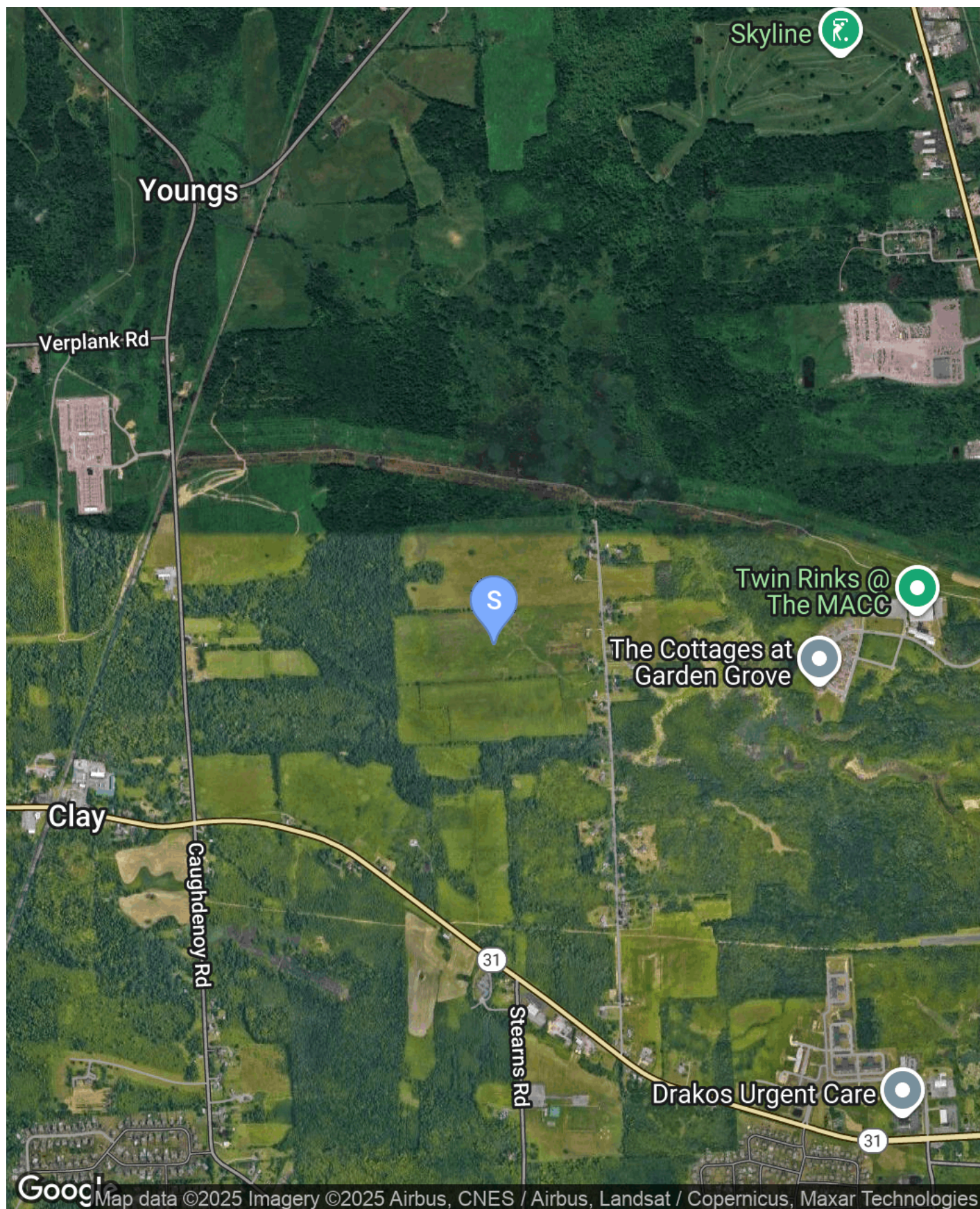
General Information

Property Name	White Pine Commerce Park
Property Type	Land - Industrial Land
Address	Burnet Road, Caughdenoy Road, and State Route 31
Town	Clay
State	New York
Zip Code	13041
County	Onondaga
Core Based Statistical Area (CBSA)	Syracuse, NY
Market	Syracuse
Submarket	Northeast Outer Onondaga County
Latitude	43.191352
Longitude	-76.152414
Number Of Parcels	71
Assessor Parcels	The full list of 71 parcels are in the Multiple Parcels table in the Site Description section.
Total Taxable Value	\$6,710
Census Tract Number	0113.00

Site Information

Land Area	Acres	Square Feet
Usable	1321.83	57,579,002
Unusable	0.00	0
Excess	0.00	0
<u>Surplus</u>	<u>0.00</u>	<u>0</u>
Total	1321.83	57,579,002
Topography	Level at street grade	
Shape	Irregular	
Access	Average	
Exposure	Average	
Current Zoning	Industrial 2 District (I-2), Residential / Agricultural District (RA-100), One Family Residential District (R-15), and General Commercial District (GC) (I-2, RA-100, R-15, and GC)	
Flood Zone	Zone X (Unshaded)	
Seismic Zone	Low Risk	

Valuation Summary		
Valuation Indices		As-Is
Interest Appraised		Market Value
Date of Value		Fee Simple
		September 16, 2025
Land Valuation		
Land Value	Phase 1 - 34 Parcels (819.92 Ac.) West of Burnet Road	\$21,300,000
Value/Acre		\$25,978.14
Land Value	Phase 2 - 37 Parcels (501.91 Ac.) East of Burnet Road	\$13,000,000
Value/Acre		\$25,901.06





Looking East Along Powerline Corridor



Looking Southeast Across Powerline Corridor



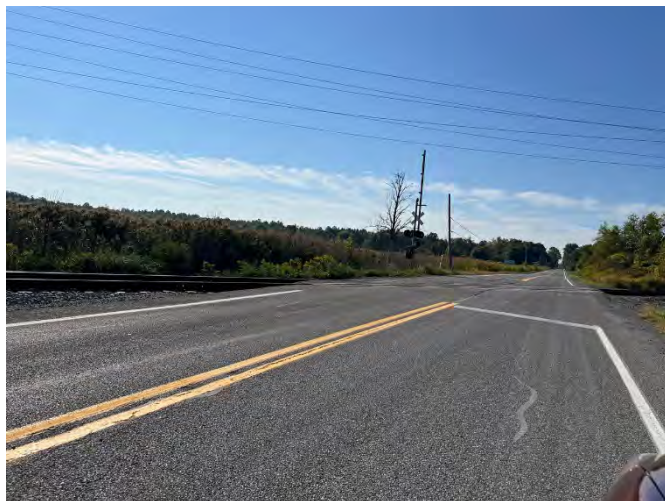
Looking South Along Caughdenoy Road From Northern Boundary



Looking East Across Open Area In Center Of Site



Driveway from Caughdenoy Road



Looking South Along Caughdenoy Road Across Railroad Crossing



Remaining House Along Caughdenoy Road



Property Sign



Looking East Across Open Area South Of Railroad Corridor



Looking East From Caughdenoy Road Across Southern Portion Of Site



Looking East From Caughdenoy Road



Looking East From End Of Driveway Off Caughdenoy Road



**Looking Northeast From End of Driveway Off
Caughdenoy Road**



Looking Northwest Along Route 31 Frontage



Looking East Along Route 31 From Caughdenoy Road



**Looking South Along Caughdenoy Road Toward Route
31**



Looking East Along Route 31 Frontage



Cell Tower North Of Route 31



Looking North Along Burnet Road From Route 31



Looking Southeast Along Route 31 From Burnet Road



Looking Northwest Along Route 31 From Burnet Road



Looking West From Burnet Road



Looking North Along Burnet Road From Center Of Site



Looking North At Center Of Site From Route 31



Looking West At Center Of Site From Burnet Road



Two-Story House Near End Of Burnet Road



Looking West Across Open Land From Burnet Road



Ranch-Style House Near North End Of Burnet Road



Looking East From North End Of Burnet Road



Looking At Powerline Corridor From End Of Burnet Road



Looking North From End Of Burnet Road



Looking East From Burnet Road At Remaining House



Looking East Along Route 31 East Of Burnet Road



House on East Side Of Burnet Road



Looking East At Open Land From Burnet Road



Looking North From Route 31 East Of Burnet Road

Property Identification

The subject a 1,321.83-acre site at Burnet Road, Caughdenoy Road, and State Route 31 in Clay, Onondaga County, New York. As discussed in the letter of transmittal, the site has been divided into two economic units. Phase 1 will be 819.92 acres and consist of the 34 parcels west of Burnet Road. Phase 2 will be 501.91 acres and consist of 37 parcels east of Burnet Road. parcel numbers are shown in the tables in the Site Description.

A detailed legal description was not provided.

Client Identification

The client of this specific assignment is Hancock Estabrook, LLP.

Purpose

The purpose of this appraisal is to develop an opinion of the As-Is Market Value of the subject property's fee simple interest.

Intended Use

The intended use of this appraisal is intended only for use in internal decision making - for purchase and sale purposes. The report is not intended for any other use.

Intended Users

Intended users of this report include Hancock Estabrook, LLP, Onondaga County Industrial Development Agency (OCIDA), and Micron. No other users are intended. Use of this report by third parties and other unintended users is not permitted. This report must be used in its entirety. Reliance on any portion of the report independent of others, may lead the reader to erroneous conclusions regarding the property values. Unless approval is provided by the authors no portion of the report stands alone.

Assignment Dates

Date of Report	November 7, 2025
Date of Inspection	September 16, 2025
Valuation Date - As-Is	September 16, 2025

Personal Intangible Property

No personal property or intangible items are included in this valuation.

Property and Sales History

Current Owner

The subject sale information is presented below:

Identification of Appraisal Assignment

Parcel	Owner	Recording Date	Sale Amount	Book/Page
046.-02-01.0	OCIDA	July 27, 2005	\$330,750	4900/188
046.-02-02.1	OCIDA	July 27, 2005	\$330,750	4900/188
046.-02-02.2	OCIDA	November 1, 2021	\$300,000	2021/58282
046.-02-03.1	OCIDA	November 15, 1999	\$111,250	4371/35
046.-02-04.0	OCIDA	December 10, 1999	\$115,000	4377/253
046.-02-05.1	OCIDA	November 23, 2021	\$450,000	2021/58133
046.-02-05.2	OCIDA	May 24, 2001	\$233,310	4555/82
048.-01-01.0	OCIDA	October 5, 2004	\$416,526	4853/965
048.-01-02.2	OCIDA	April 9, 2009	\$415,000	5082/257
048.-01-21.0	OCIDA	April 29, 2022	\$50,000	2022/19008
048.-01-22.0	OCIDA	March 2, 2022	\$75,000	2022/10906
048.-01-23.1	OCIDA	April 7, 2021	\$500,000	2021/15298
048.-01-23.2	OCIDA	September 23, 2024	\$3,008,000	2024/30425
048.-01-23.3	OCIDA	April 29, 2022	\$225,000	2022/18331
049.-01-01.0	OCIDA	September 23, 2024	\$3,008,000	2024/30425
049.-01-02.0	OCIDA	September 23, 2024	\$3,008,000	2024/30425
049.-01-03.0	OCIDA	January 24, 2022	\$90,000	2022/5618
049.-01-04.0	OCIDA	November 9, 2022	\$1,000,000	2022/47494
049.-01-05.0	OCIDA	September 19, 2022	\$650,000	2022/39168
049.-01-06.0	OCIDA	April 29, 2022	\$145,000	2022/19009
049.-01-08.1	OCIDA	July 15, 2022	\$325,000	2022/31397
049.-01-09.1	OCIDA	May 19, 2021	\$325,000	2021/23552
049.-01-10.1	OCIDA	August 16, 2021	\$400,000	2021/39848
049.-01-11.0	OCIDA	August 16, 2021	\$250,000	2021/39992
049.-01-12.2	OCIDA	June 13, 2022	\$225,000	2022/31025
049.-01-13.0	OCIDA	May 20, 2022	\$150,000	2022/24925
049.-01-14.0	OCIDA	October 22, 2021	\$325,000	2021/50746
049.-01-15.0	OCIDA	February 25, 2022	\$650,000	2022/10899
049.-01-16.0	OCIDA	April 29, 2022	\$125,000	2022/19054
049.-01-17.0	OCIDA	May 6, 2022	\$275,000	2022/20117
049.-01-18.4	OCIDA	November 14, 2019	\$504,000	2019/43907
049.-01-19.1	OCIDA	May 19, 2021	\$600,000	2021/23579
049.-01-19.2	OCIDA	May 19, 2021	\$310,000	2021/23534
050.-01-01.0	OCIDA	January 3, 2023	\$1,750,000	2023/4963
050.-01-02.1	OCIDA	November 14, 2019	\$396,000	2019/43906
050.-01-03.1	OCIDA	September 13, 2021	\$175,000	2021/47227
050.-01-04.1	OCIDA	August 5, 2022	\$1,600,000	2022/39166
050.-01-04.2	OCIDA	May 10, 2022	\$300,000	2022/22059
050.-01-04.3	OCIDA	March 11, 2022	\$375,000	2022/11706
050.-01-04.4	OCIDA	May 27, 2022	\$570,000	2022/22099
050.-01-05.0	OCIDA	May 27, 2022	\$295,000	2022/22393
050.-01-06.0	OCIDA	May 5, 2022	\$425,000	2022/19675
050.-01-07.1	OCIDA	March 11, 2022	\$750,000	2022/11707
050.-01-07.2	OCIDA	September 30, 2022	\$1,670,000	2022/41114
050.-01-08.1	OCIDA	April 28, 2022	\$300,000	2022/19049
050.-01-08.2	OCIDA	March 11, 2022	\$400,000	2022/11739
050.-01-09.0	OCIDA	April 29, 2022	\$300,000	2022/19045

Identification of Appraisal Assignment

050.-01-10.0	OCIDA	December 30, 2021	\$600,000	2022/3172
050.-01-11.1	OCIDA	November 11, 2022	\$2,500,000	2022/47566
050.-01-12.1	OCIDA	September 16, 2022	\$525,000	2022/39191
050.-01-13.2	OCIDA	November 11, 2022	\$25,000,000	2022/47566
050.-01-13.3	OCIDA	November 11, 2022	\$25,000,000	2022/47566
051.-01-05.1	OCIDA	July 15, 2022	\$900,000	2022/31411
051.-01-05.4	OCIDA	June 3, 2022	\$625,000	2022/24922
051.-01-10.1	OCIDA	March 25, 2021	\$50,000	2021/15599
051.-01-10.6	OCIDA	February 28, 2022	\$1,200,000	2022/10913
051.-01-10.7	OCIDA	December 22, 2021	\$200,000	2022/150
051.-01-10.8	OCIDA	December 22, 2021	\$200,000	2022/150
051.-01-10.9	OCIDA	August 5, 2022	\$1,000,000	2022/39182
051.-01-12.0	OCIDA	June 3, 2022	\$200,000	2022/31327
051.-01-13.1	OCIDA	March 18, 2022	\$400,000	2022/13581
051.-01-13.2	OCIDA	August 12, 2022	\$310,000	2022/36445
051.-01-13.3	OCIDA	January 24, 2023	\$680,000	2023/5017
051.-01-14.1	OCIDA	November 11, 2022	\$2,500,000	2022/47566
051.-01-14.2	OCIDA	January 24, 2022	\$858,000	2022/4596
064.-01-06.3	OCIDA	July 13, 2022	\$55,000	2022/31710
064.-01-08.0	OCIDA	March 18, 2022	\$250,000	2022/13540
092.-01-01.1	Onondaga County Industrial Dev Agency	October 12, 2023	\$1,700,000	2023/34346
092.-01-01.2	Onondaga County Industrial Dev Agency	October 12, 2023	\$1,700,000	2023/34346
092.-01-01.3	Onondaga County Industrial Dev Agency	October 12, 2023	\$1,700,000	2023/34346
120.-01-08.1	Onondaga County Industrial Development Agency	September 23, 2022	\$249,000	2022/40941

We have also been provided with the list of acquisitions by OCIDA by tax parcel which is shown in the following list. Some of the acquisition prices were not included and some of the tax parcels were included in the same transactions; therefore, the unit prices (\$/Acre) for some of the individual tax parcels are shown as N/A (Not Available).

Identification of Appraisal Assignment

Tax Parcel #	Address	Closing or Sale Date	Purchase Price	Acreage	\$/Acre	Property Type
092.-01-01.2	Brewerton Rd	10/12/2023	\$1,725,000.00	21.45	\$80,420	Vacant comm
046.-02-01.0	8700 Caughdenoy Road	7/27/2005		25.62	N/A	Vacant Industrial, Colonial
046.-02-02.1	Caudghdenoy Road	7/27/2005	\$330,750.00	21.63	\$15,291	Vacant Industrial
046.-02-02.2	8676 Caughdenoy Road	11/1/2021	\$300,000.00	3.17	\$94,637	1 Family Res, Old Style
046.-02-03.1	8632 Caughdenoy Road	11/15/1999	\$111,250.00	49.44	\$2,250	Vacant Industrial
046.-02-04.0	State Route 31	12/10/1999	\$115,000.00	18.06	\$6,368	Vacant Industrial
046.-02-05.1	5177 State Route 31	11/23/2021	\$450,000.00	3.70	\$121,622	3 Family Res, Old Style
046.-02-05.2	State Route 31	5/24/2001	\$235,000.00	37.27	\$6,305	Vacant Industrial
048.-01-01.0	8720 Caughdenoy Road	10/5/2004	\$416,526.60	99.24	\$4,197	Vacant Industrial
048.-01-02.2	Caudghdenoy Road	4/9/2009	\$415,000.00	88.15	\$4,708	Abandoned ag
048.-01-21.0	Burnet Road	4/29/2022	\$50,000.00	35.65	\$1,403	Rural Vacant
048.-01-22.0	Burnet Road	3/2/2022	\$75,000.00	26.24	\$2,858	Rural Vacant
048.-01-23.1	8739 Burnet Road	4/12/2021	\$500,000.00	198.33	\$2,521	Rural Residential, Manufactured Housing
048.-01-23.2	8765 Burnet Road	9/23/2024	\$3,007,550.00	4.44	\$677,376	1 Family Res
048.-01-23.3	8751 Burnet Road	4/29/2022	\$225,000.00	0.93	\$241,935	3 Family Res, Ranch
049.-01-01.0	Vacant	9/23/2024		0.12	N/A	Rural Vacant
049.-01-02.0	8756 Burnet Road	9/23/2024		16.75	N/A	1 Family Res
049.-01-03.0	Burnet Road (FI 28 1164087)	1/24/2022	\$90,000.00	33.36	\$2,698	Rural Vacant
049.-01-04.0	8722 Burnet Rd	11/9/2022	\$1,000,000.00	0.77	\$1,298,701	1 Family Res
049.-01-05.0	8718 Burnet Rd	9/16/2022	\$650,000.00	1.04	\$625,000	1 Family Res
049.-01-06.0	8710 Burnet Road	4/29/2022	\$145,000.00	0.73	\$198,630	1 Family Res, Ranch
049.-01-08.1	8694 Burnet Road	7/15/2022	\$325,000.00	5.44	\$59,743	1 Family Res
049.-01-09.1	8688 Burnet Road	5/19/2021	\$325,000.00	17.38	\$18,700	1 Family Res, Ranch
049.-01-10.1	8668 Burnet Road	8/16/2021	\$400,000.00	7.58	\$52,770	1 Family Res, Cape Cod
049.-01-11.0	8664 Burnet Road	8/16/2021	\$250,000.00	0.46	\$543,478	1 Family Res, Ranch
049.-01-12.2	Burnet Road	6/3/2022	\$225,000.00	36.97	\$6,086	Vacant Comm
049.-01-13.0	Burnet Road	5/16/2022	\$150,000.00	64.28	\$2,334	Rural Vacant
049.-01-14.0	8594 Burnet Road	9/27/2021	\$325,000.00	0.85	\$382,353	1 Family Res, Ranch
049.-01-15.0	8631 Burnet Road	2/25/2022	\$650,000.00	0.30	\$2,166,667	1 Family Res, Ranch
049.-01-16.0	8635 Burnet Road	4/29/2022	\$125,000.00	0.30	\$416,667	1 Family Res, Bungalow
049.-01-17.0	8647 Burnet Road	5/6/2022	\$275,000.00	0.30	\$916,667	1 Family Res, Ranch
049.-01-18.4	8653 Burnet Road	11/14/2019	\$504,000.00	43.34	\$11,629	Rural Res, Old Style
049.-01-19.1	8699 Burnet Road	5/19/2021	\$600,000.00	45.33	\$13,236	Rural Res, Ranch
049.-01-19.2	8677 Burnet Road	5/19/2021	\$310,000.00	4.86	\$63,786	1 Family Res, Old Style
050.-01-01.0	State Route 31	1/3/2023	\$1,750,000.00	9.95	\$175,879	Cell Tower
050.-01-02.1	5267 State Route 31	11/14/2019	\$396,000.00	64.65	\$6,125	1 Family Res, Old Style
050.-01-03.1	State Route 31 (FI 40)	9/24/2021	\$175,000.00	5.27	\$33,207	Vacant Industrial
050.-01-04.1	8543 Burnet Road	8/5/2022	\$1,600,000.00	52.73	\$30,343	Rural Res
050.-01-04.2	8531 Burnet Road	5/10/2022	\$300,000.00	0.46	\$652,174	Raised Ranch
050.-01-04.3	8549 Burnet Road	3/9/2022	\$370,000.00	3.00	\$123,333	1 Family Res, Ranch
050.-01-04.4	8617 Burnet Road	5/27/2022	\$570,000.00	2.39	\$238,494	1 Family Res, Colonial
050.-01-05.0	8623 Burnet Road	5/10/2022	\$295,000.00	0.62	\$475,806	1 Family Res, Ranch
050.-01-06.0	8574 Burnet Road	4/29/2022	\$425,000.00	0.79	\$537,975	1 Family Res, Ranch
050.-01-07.1	8558 Burnet Road	3/9/2022	\$750,000.00	7.77	\$96,525	1 Family Res, Ranch
050.-01-07.2	Burnet Road	9/30/2022	\$1,670,000.00	66.80	\$25,000	Rural vacant
050.-01-08.1	8546 Burnet Road	4/28/2022	\$300,000.00	0.66	\$454,545	1 Family Res, Old Style
050.-01-08.2	8526 Burnet Road	11/23/2021	\$400,000.00	0.53	\$754,717	1 Family Res, Colonial
050.-01-09.0	8536 Burnet Road	4/29/2022	\$300,000.00	0.53	\$566,038	1 Family Res, Colonial
050.-01-10.0	8516 Burnet Road	12/30/2021	\$600,000.00	0.82	\$731,707	1 Family Res, Ranch
050.-01-11.1	8512 Burnet Road	11/8/2022		0.77	N/A	1 Family Res
050.-01-12.1	8508 Burnet Road	9/16/2022	\$525,000.00	0.73	\$719,178	1 Family Res
050.-01-13.2	Burnet Road	11/8/2022		8.45	N/A	Rural vacant
050.-01-13.3	8502 Burnet Road	11/8/2022		1.15	N/A	Res vac land
051.-01-05.1	State Route 31	8/3/2022	\$900,000.00	44.27	\$20,330	Rural Vacant
051.-01-05.4	5397 Burnet Road	6/3/2022	\$625,000.00	3.43	\$182,216	1 Family Res, Ranch
051.-01-10.1	State Route 31 (Lands of Brown Phase II Lt 1A-1)	3/25/2021	\$50,000.00	2.29	\$21,834	Res Vacant
051.-01-10.6	8501 Burnet Road	2/28/2022	\$1,200,000.00	5.05	\$237,624	1 Family Res, Ranch
051.-01-10.7	Burnet Road (Lands of Brown Phase II Lt 1C)	12/22/2021	\$200,000.00	6.00	\$33,333	Res Vacant
051.-01-10.8	Burnet Road	12/22/2021		5.00	N/A	Res Vacant
051.-01-10.9	8447 Burnet Road	8/5/2022	\$1,000,000.00	5.50	\$181,818	1 Family Res
051.-01-12.0	8419 Burnet Road	6/3/2022	\$200,000.00	1.14	\$175,439	1 Family Res, Old Style
051.-01-13.1	8424 Burnet Road	3/18/2022	\$400,000.00	1.11	\$360,360	1 Family Res, Ranch
051.-01-13.2	5363 State Route 31	8/5/2022	\$310,000.00	0.97	\$319,588	1 Family Res
051.-01-13.3	5367 State Route 31	1/30/2023	\$680,000.00	5.30	\$128,302	Religious
051.-01-14.1	Burnet Road	11/8/2022	\$2,500,000.00	25.85	\$96,712	Rural vacant
051.-01-14.2	8450 Burnet Road	1/24/2022	\$858,000.00	0.79	\$1,086,076	1 Family Res, Old Style
064.-01-06.3	Caughdenoy Road	7/15/2022	\$55,000.00	0.62	\$88,710	Res Vacant Land
064.-01-08.0	5117 State Route 31	2/28/2022	\$250,000.00	1.05	\$238,095	1 Family Res, Ranch
092.-01-01.1	8765 Brewerton Rd	10/12/2023		9.22	N/A	Dealer-prod.
092.-01-01.3	Brewerton Rd	10/12/2023		23.53	N/A	Vacant comm
120.-01-08.1	8821 Brewerton Rd	9/23/2022	\$249,000.00	44.38	\$5,611	Vacant comm
	TOTALS		\$34,208,076.60	1327.05	\$25,778	

Three-Year Sales History

Please see the table for all sale transactions.

Subject Sale Status

Research of the applicable public records, private data services and an interview of the current owner and/or owner's attorney revealed that the subject property is under a current agreement of sale but is not currently offered for sale on the open market.

Definitions

This section summarizes the definitions of value, property rights appraised, and value scenarios that are applicable for this appraisal assignment. All other applicable definitions for this assignment are located in the Valuation Glossary section of the Addenda.

Definitions of Value

Given the scope and intended use of this assignment, the following definition of value is applicable:

Market Value

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.¹

Property Rights Appraised

The property rights appraised constitute the fee simple interest.

Fee Simple Estate

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat.²

Value Scenarios

As-Is Value

The estimate of the market value of real property in its current physical condition, use, and zoning as of the appraisal date.³

¹ Interagency Appraisal and Evaluation Guidelines, December 10, 2010, Federal Register, Volume 75 Number 237, Page 77472

² The Dictionary of Real Estate Appraisal, Seventh Edition, Appraisal Institute, Chicago, Illinois, 2022

³ The Dictionary of Real Estate Appraisal, Seventh Edition, Appraisal Institute, Chicago, Illinois, 2022

Introduction

The appraisal development and reporting processes requires gathering and analyzing information about those assignment elements necessary to properly identify the appraisal problem to be solved. The scope of work decision must include the research and analyses that are necessary to develop credible assignment results given the intended use of the appraisal. Sufficient information includes disclosure of research and analyses performed and might also include disclosure of research and analyses not performed. The scope of work for this appraisal assignment is outlined below:

- The appraisers analyzed the regional and local area economic profiles including employment, population, household income, and real estate trends. The local area was further studied to assess the general quality and condition, and emerging development trends for the real estate market. The immediate market area was inspected and examined to consider external influences on the subject.
- The appraisers confirmed and analyzed legal and physical features of the subject property including sizes of the site, flood plain data, seismic zone, zoning, easements and encumbrances, access and exposure of the site.
- The appraisers completed a land market analysis that included market and sub-market overviews. The Syracuse market and Northeast Outer Onondaga County sub-market overviews analyzed supply/demand conditions using vacancy, absorption, supply change and rent change statistics. Conclusions were drawn regarding the subject property's competitive position given its physical and locational characteristics, the prevailing economic conditions and external influences.
- The appraisers conducted Highest and Best Use analysis and conclusions were drawn for the highest and best use of the subject property As-Vacant. The analysis considered legal, locational, physical and financial feasibility characteristics of the subject site.
- The appraisers confirmed and analyzed financial features of the subject property including potential entitlement issues, and tax and assessment records. This information as well as trends established by confirmed market indicators was used to forecast performance of the subject property.
- Selection of the valuation methods was based on the identifications required in USPAP relating to the intended use, intended users, definition and date of value, relevant property characteristics and assignment conditions. This appraisal developed the Sales Comparison Approach to value, which was adjusted and reconciled as appropriate. The appraisal develops an opinion of the As-Is Market Value of the subject property's fee simple interest.
- Reporting of this appraisal is in an Appraisal Report format as required in USPAP Standard 2. The appraiser's analysis and conclusions are fully described within this document.
- We understand the Competency Rule of USPAP and the authors of this report meet the standards.
- No one provided significant real property appraisal assistance to appraisers signing this certification.

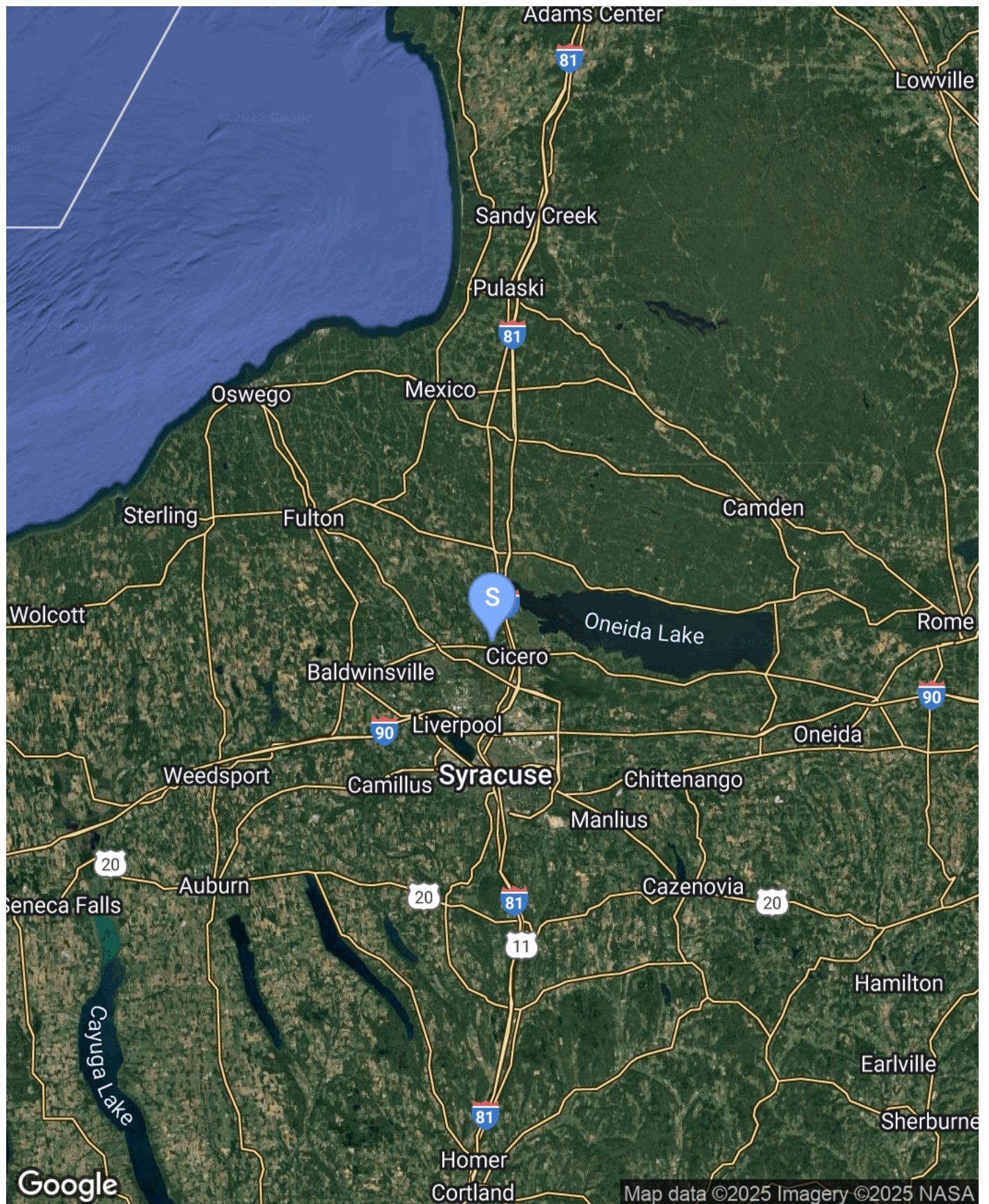
Sources of Information

The following sources were contacted to obtain relevant information:

Sources of Information	
Item	Source
Tax Information	Towns of Clay and Cicero Tax Records
Zoning Information	Town of Clay and Town of Cicero Zoning Code
Site Size Information	Town of Clay
Building Size Information	Town of Clay
Flood Map	InterFlood
Demographics	Pitney Bowes/Gadberry Group - GroundView®
Comparable Information	See Comparable Datasheets for details

Subject Property Inspection

Subject Property Inspection			
Appraiser	Inspected	Extent	Date of Inspection
Susan D. Baldwin, MAI, AI-GRS	No	-	-
Donald Fisher, MAI, ARA	Yes	Exterior Only	September 16, 2025



Introduction

The Syracuse, NY Metropolitan Statistical Area is in northwestern New York State and is comprised of Oswego, Onondaga, and Madison counties. The Syracuse, NY MSA is the fifth largest metropolitan area in New York State, with a population of 662,057 at the 2020 census. The city of Syracuse is the largest city in the Syracuse, NY MSA and is the county seat of Onondaga County. The region is served by Interstates 81 and 90. The MSA's economy is based on the agriculture/forestry, education, and healthcare/social assistance industries. Greater Syracuse is a transportation/warehousing hub, providing service along the north-south and east-west axis of many transportation routes in the Northeast.



In October 2022, Micron, the world's fourth largest semiconductor maker has announced they have selected a 1,400-acre site for development of a chip fabrication plant north of Syracuse, in the town of Clay, at the County-owned White Pine Commerce Park, on the north side of New York State Route 31, west of Interstate-81 and east of New York State Route 481, approximately nine miles from the subject. The investment will include up to \$100 billion dollars of development over a twenty-year period that will eventually employ up to 9,000 people directly at a 7.2 million-square foot facility with a 2.4 million-square foot cleanroom. Phase one site work will begin in 2025 for the first phase \$20 billion dollar mega-fab that will employ 3,000 people by 2030 with average salaries exceeding \$100,000. U.S. Senator Charles Schumer called the project "transformational" for the community, recognizing this as the largest single investment by a company in New York history. Total incentives to Micron before considering possible Federal aid are estimated at approximately six billion dollars, including \$5.5 billion in State tax credits through a 49-year PILOT, the State's commitment to build \$200 million of road and infrastructure improvements, and Onondaga County's commitment to grant \$10 million to Syracuse University to build a semiconductor research center and \$5 million to Onondaga Community College to develop relevant training programs. Onondaga County loaned OCIDA \$20 million to purchase the land this development will occupy, which must be repaid after development. Additionally, Micron and New York State have developed a \$500 million community benefits program for underserved communities in the area. Final site selection is required to apply for any portion of the Federal \$52 billion incentive package that was passed as the "Chips and Science Act", for which Micron is now eligible to apply.

Demographic Analysis

The following is a demographic study of the region sourced by *Esri ArcGIS®*, an on-line resource center that provides information used to analyze and compare the past, present, and future trends of geographical areas. Demographic changes are often highly correlated to changes in the underlying economic climate. Periods of economic uncertainty necessarily make demographic projections somewhat less reliable than projections in more stable periods. These projections are used as a starting point, but we also consider current and localized market knowledge in interpreting them within this analysis. Please note that our demographics provider sets forth income projections in constant dollars which, by definition, reflect projections after adjustment for inflation. We are aware of other prominent demographic data providers that project income in current dollars, which do not account for inflation. A simple comparison of projections for a similar market area made under the constant and current dollar methodologies can and likely will produce data points that vary, in some cases, widely. Further, all forecasts, regardless of demographer methodology(ies), are subjective in the sense that the reliability of the forecast is subject to modeling and definitional assumptions and procedures.

Population

According to Esri ArcGIS®, a Geographic Information System (GIS) Company, the Syracuse metropolitan area had a 2024 population of 652,264 and experienced an annual growth rate decrease of 0.34%, which was lower than the New York annual growth rate decrease of 0.33%. The metropolitan area accounted for 3.3% of the total New York population (19,924,635). Within the metropolitan area the population density was 273.5 people per square mile compared to the higher New York population density of 422.8 people per square mile and the lower United States population density of 95.8 people per square mile.

Population			
Year	US	NY	Cbsa
2020 Population	331,839,624	20,191,925	661,184
2024 Population	338,440,954	19,924,635	652,264
2029 Population	344,873,411	19,836,746	641,533
2020-2024 CAGR	0.5%	(0.33%)	(0.34%)
2024-2029 CAGR	0.4%	(0.1%)	(0.3%)

Source: Esri ArcGIS®

Population Density			
Year	US	NY	Cbsa
2024 Per Square Mile	95.8	422.8	273.5
2029 Per Square Mile	97.6	421.0	269.0

Source: Esri ArcGIS®

Education

The Syracuse, NY MSA has 44 private and state colleges, with a combined enrollment of approximately 215,000 students. Onondaga County is a center for higher education, with 32,000 students currently attending colleges within the county. Syracuse University is a private research university offering bachelor's, master's, and doctoral degrees in 200 majors. The university had an enrollment of more than 22,600 students.

Household Trends

The 2024 Households number of households in the metropolitan area was 269,454. The number of households in the metropolitan area is projected to grow by 0.1% annually, increasing the number of households to 271,275 by 2029 Households. The 2024 average household size for the metropolitan area was 2.32, which was 8.30% smaller than the United States average household size of 2.53 for 2024. The average household size in the metropolitan area is anticipated to decrease by 0.52% annually, reducing the average household size to 2.26 by 2029.

Number of Households			
Year	US	NY	Cbsa
2024 Households	130,716,571	7,705,781	269,454
2029 Households	134,930,577	7,795,409	271,275
2024-2029 CAGR	0.6%	0.2%	0.1%

Source: Esri ArcGIS®

Average Household Size			
Year	US	NY	Cbsa
2024	2.53	2.51	2.32
2029	2.50	2.47	2.26
2024-2029 CAGR	(0.24%)	(0.32%)	(0.52%)

Source: Esri ArcGIS®

The Syracuse metropolitan area had 35.17% renter occupied units, compared to the higher 48.75% in New York and the higher 35.64% in the United States.

Housing Units			
	US	NY	Cbsa
Owner Occupied	64.36%	51.25%	64.83%
Renter Occupied	35.64%	48.75%	35.17%

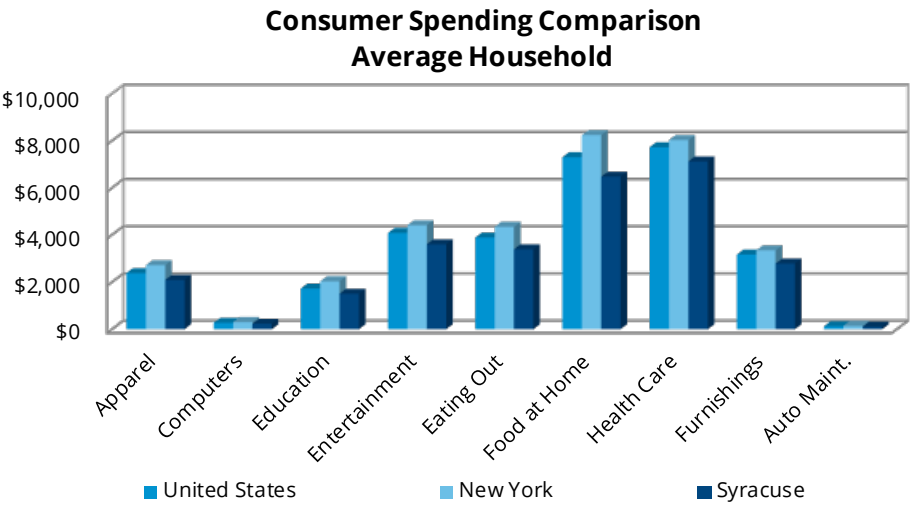
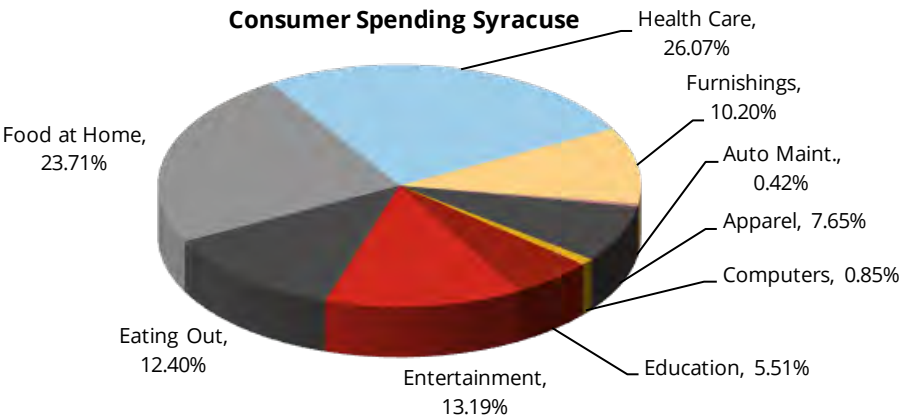
Source: Esri ArcGIS®

The 2024 median household income for the metropolitan area was \$70,309, which was 11.08% lower than the United States median household income of \$79,068. The median household income for the metropolitan area is projected to grow by 2.51% annually, increasing the median household income to \$79,606 by 2029.

According to the American Chamber of Commerce Researchers Association (ACCRA) Cost of Living Index, the Syracuse, NY MSA's cost of living is 103.0 compared to the national average score of 100. The ACCRA Cost of Living Index compares groceries, housing, utilities, transportation, health care and miscellaneous goods and services for over 300 urban areas.

Median Household Income			
Year	US	NY	Cbsa
2024	\$79,068	\$83,109	\$70,309
2029	\$91,442	\$95,658	\$79,606
2024-2029 CAGR	2.95%	2.85%	2.51%

Source: Esri ArcGIS®

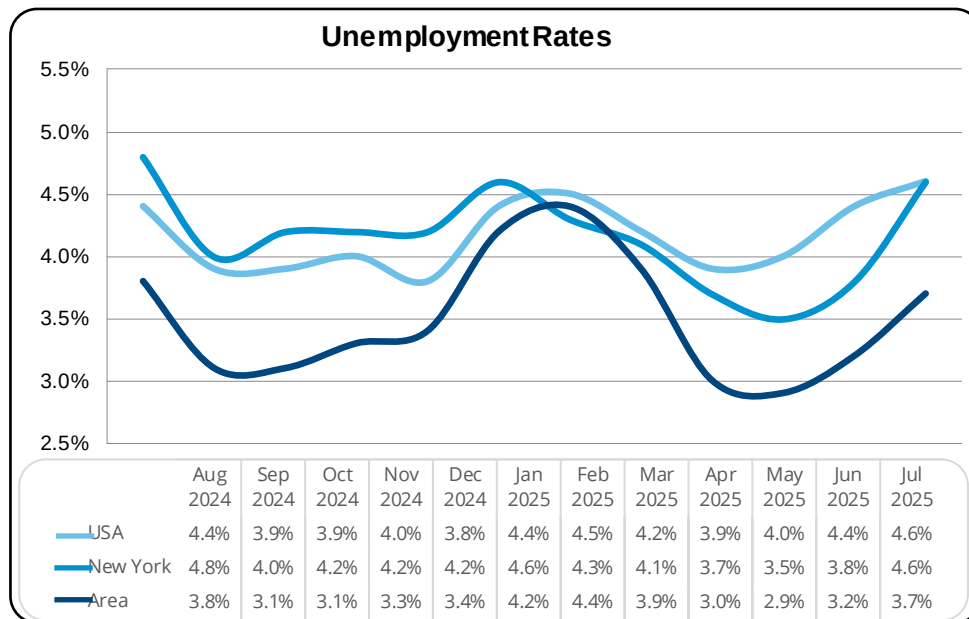


Employment

Total employment has increased annually over the past decade in the state of New York by 0.22% and increased annually by 0.15% in the area. From 2023 to 2024 unemployment increased in New York by 0.2% and increased by 0.1% in the area. In the state of New York unemployment has increased over the previous month by 0.8% and increased by 0.5% in the area..

Employment & Unemployment Statistics 2015 - 2024							
Total Employment					Unemployment Rate		
New York		Syracuse, NY Metropolitan Statistical Area			United States*	New York	Syracuse, NY Metropolitan Statistical Area
Year	Total	% Δ Yr Ago	Total	% Δ Yr Ago			
2015	9,227,736	1.7%	295,926	(0.2%)	5.3%	5.2%	5.4%
2016	9,291,888	0.7%	302,170	2.1%	4.9%	4.9%	4.9%
2017	9,378,155	0.9%	300,349	(0.6%)	4.4%	4.6%	5.0%
2018	9,425,796	0.5%	303,692	1.1%	3.9%	4.1%	4.2%
2019	9,479,771	0.6%	305,360	0.5%	3.7%	3.9%	4.0%
2020	8,631,409	(8.9%)	290,426	(4.9%)	8.1%	9.8%	8.0%
2021	8,864,556	2.7%	293,859	1.2%	5.3%	7.1%	5.0%
2022	9,205,464	3.8%	299,068	1.8%	3.6%	4.3%	3.5%
2023	9,376,673	1.9%	300,538	0.5%	3.6%	4.1%	3.5%
2024	9,411,747	0.4%	300,011	(0.2%)	4.0%	4.3%	3.6%
CAGR	0.22%	-	0.15%	-	-	-	-

Source: U.S. Bureau of Labor Statistics *Unadjusted Non-Seasonal Rate



The preceding chart depicts unemployment trends in the region, New York, and the U.S. Overall levels of unemployment in the region experienced a minor increase throughout the past three months. By the end of July 2025, unemployment in the region was 0.9% lower than New York's and 0.9% lower than the national average.

Top Employers		
Employer Name	Employees	Industry
SUNY Upstate Medical University	12,103	Education
Price Chopper-Market 32-Tops	6,600	Wholesale/Retail Trade
Syracuse University	5,696	Education
Wegmans Food Markets	5,110	Wholesale/Retail Trade
Walmart	4,600	Wholesale/Retail Trade
Lockheed Martin Corporation	4,100	Manufacturing
St. Joseph's Hospital Health Center	4,000	Healthcare/Social Assistance
National Grid/Niagara Mohawk	3,278	Utilities
Crouse Hospital	3,200	Healthcare/Social Assistance
Loretto	2,500	Healthcare/Social Assistance

Source: <http://www.ongov.net>

The preceding chart depicts the top employers in Onondaga County. Principal employers are spread throughout diverse sectors, including education and wholesale/retail trade. The largest employer is SUNY Upstate Medical University, a public medical school in Syracuse, part of the State University of New York (SUNY) system. The second largest employer is Price Chopper-Market 32-Tops, a locally owned Kansas City grocery store with 11 regional Feeding America food banks. The third largest employer is Syracuse University, a private university with an endowment of \$2.1 billion in 2025.

Airport Statistics

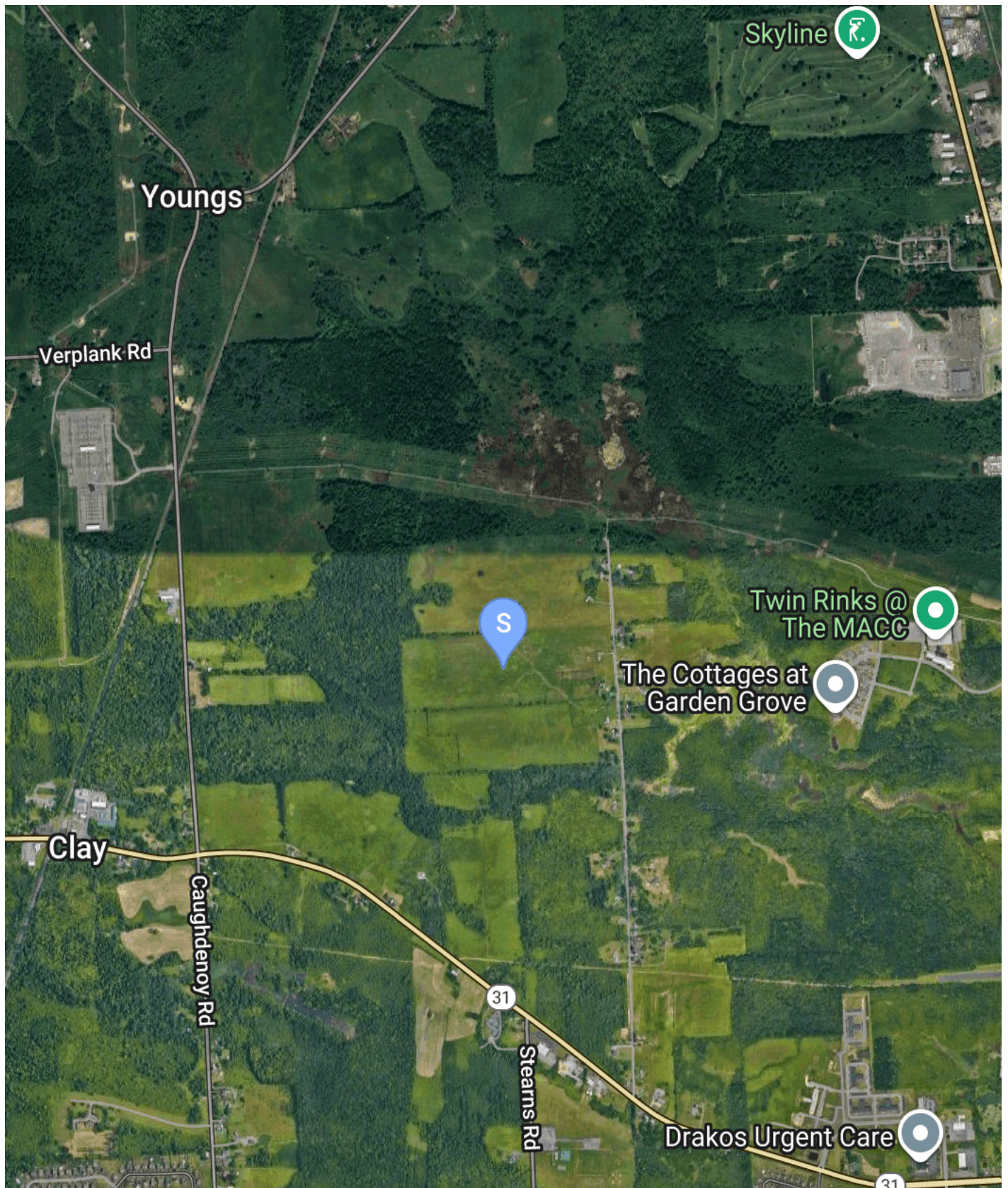
The following chart summarizes the local airport statistics.

Syracuse Hancock International Airport (SYR)		
Year	Enplaned Passengers	% Chg
2013	991,551	-
2014	987,169	(0.4%)
2015	987,640	0.0%
2016	988,496	0.1%
2017	1,013,149	2.5%
2018	1,139,568	12.5%
2019	1,271,872	11.6%
2020	433,775	(65.9%)
2021	840,994	93.9%
2022	1,244,921	48.0%
2023	1,412,853	13.5%

Source: U.S. Department of Transportation

Summary

The Syracuse, NY MSA is in a state of transitioning from a manufacturing to an educational, pharmaceutical, and renewable energy-based economy. The MSA has an increasing population and, as a result, an increasing labor force. The proximity of several highways provides good access to all areas of the region, making it a distribution hub for the Northeast.



Introduction

In this section of the report, we provide details about the local area and describe the influences that bear on the real estate market as well as the subject property. A map of the local area is presented on the prior page. Below are insights into the local area based on fieldwork, interviews, demographic data and experience working in this market.

Local Area Profile

The subject property is in Clay, New York, within Onondaga County. According to the 2020 census, the population was 60,527. The town is in the northern portion of the county, approximately 14 miles northwest of Syracuse and 90 miles east of Rochester. Clay is bordered by Oswego County to the north, Cicero to the east, Liverpool to the south, and the Seneca River to the west. State Routes 31 and 481 intersect the town. Air transportation is provided by Syracuse Hancock International Airport, approximately nine miles southeast of the town's central business district.

Demographic Profile

Below is a demographic study of the area, sourced by *Esri ArcGIS®*, an on-line resource center that provides information used to analyze and compare the past, present, and future trends of properties and geographical areas. Please note that our demographics provider sets forth income projections in constant dollars which, by definition, reflect projections after adjustment for inflation. We are aware of other prominent demographic data providers that project income in current dollars, which do not account for inflation. A simple comparison of projections for a similar market area made under the constant and current dollar methodologies can and likely will produce data points that vary, in some cases, widely. Further, all forecasts, regardless of demographer methodology(ies), are subjective in the sense that the reliability of the forecast is subject to modeling and definitional assumptions and procedures.

Local Area Demographics							
Description	1 mile	3 miles	5 miles	Description	1 mile	3 miles	5 miles
Population				Average Household Income			
2010 Population	224	20,978	73,777	2024	\$126,690	\$126,995	\$115,448
2020 Population	282	21,012	73,853	2029	\$141,587	\$138,042	\$125,656
2024 Population	265	20,504	72,446	Change 2024-2029	11.76%	8.70%	8.84%
2029 Population	344	20,590	71,636	Median Household Income			
Change 2010-2020	25.89%	0.16%	0.10%	2024	\$128,397	\$110,822	\$100,304
Change 2020-2024	(6.03%)	(2.42%)	(1.91%)	2029	\$137,552	\$120,196	\$107,344
Change 2024-2029	29.81%	0.42%	(1.12%)	Change 2024-2029	7.13%	8.46%	7.02%
Number of Households				Per Capita Income			
2010 Households	68	7,707	28,764	2024	\$55,442	\$51,742	\$48,544
2020 Households	87	8,153	30,074	2029	\$62,325	\$57,653	\$54,045
2024 Households	88	8,296	30,395	Change 2024-2029	12.41%	11.42%	11.33%
2029 Households	121	8,534	30,744	Households by Income (2022)			
Change 2010-2020	27.94%	5.79%	4.55%	Less than \$15,000	2.27%	5.06%	4.78%
Change 2020-2024	1.15%	1.75%	1.07%	\$15,000 - \$24,999	6.82%	3.08%	4.48%
Change 2024-2029	37.50%	2.87%	1.15%	\$25,000 - \$34,999	0.00%	3.06%	4.64%
Housing Units				\$35,000 - \$49,999	12.50%	6.10%	9.41%
Owner Occupied	68	7,004	23,964	\$50,000 - \$74,999	12.50%	13.41%	15.57%
Renter Occupied	20	1,292	6,431	\$75,000 - \$99,999	11.36%	14.52%	13.00%
Housing Units by Year Built				\$100,000 - \$149,999	10.23%	26.09%	24.24%
Built 2020 or Later	7	85	131	\$150,000 - \$199,999	28.41%	16.39%	14.07%
Built 2010 to 2019	17	684	1,716	\$200,000 or More	13.64%	12.27%	9.81%
Built 2000 to 2009	6	1,054	2,753	Housing by Units in Structure			
Built 1990 to 1999	1	1,236	3,221	1, Detached	87	7,228	25,304
Built 1980 to 1989	10	1,891	5,932	1, Attached	0	377	1,125
Built 1970 to 1979	4	1,584	6,375	2	3	86	403
Built 1960 to 1969	9	514	4,108	3 or 4	0	106	481
Built 1950 to 1959	38	871	4,594	5 to 9	0	128	1,192
Built 1940 to 1949	0	265	1,159	10 to 19	2	338	1,534
Built 1939 or Earlier	6	292	1,566	20 to 49	5	133	827
Home Values				50 or More	1	74	518
Average	\$432,536	\$280,017	\$266,947	Mobile Home	0	5	174
Median	\$339,474	\$228,243	\$223,282	Boat, RV, Van, etc.	0	0	0

Source: Esri ArcGIS®

Transportation Routes

Major traffic arteries are shown in the chart below:

Major Roadways & Thoroughfares			
Highway	Direction	Function	Distance From Subject
Interstate 81	north-south	Interstate Highway	This is within three miles of the subject property.
Interstate 481	north-south	Interstate Highway	This is within five miles of the subject property.
Interstate 90	east-west	Interstate Highway	This is within 10 miles of the subject property.
State Route 31	north-south	Local Highway	This is within one mile of the subject property.
U.S. Route 11	north-south	Local Highway	This is within two miles of the subject property.
Surface Streets	Direction	Function	Distance From Subject
Burnet Road	north-south	Secondary Arterial	The subject property fronts this street.

Public transportation is not available near the subject property.

Economic Factors

Clay is a suburban community for the Syracuse metropolitan area, with the economic environment impacted by the greater economy of the region. The local economy relies on retail services and small office properties. Retail presence consists of restaurants, convenience/grocery stores, and locally owned businesses.

Community Services

Community services and facilities are readily available in the surrounding area. These include public services such as fire stations, hospitals, police stations, and schools (all ages).

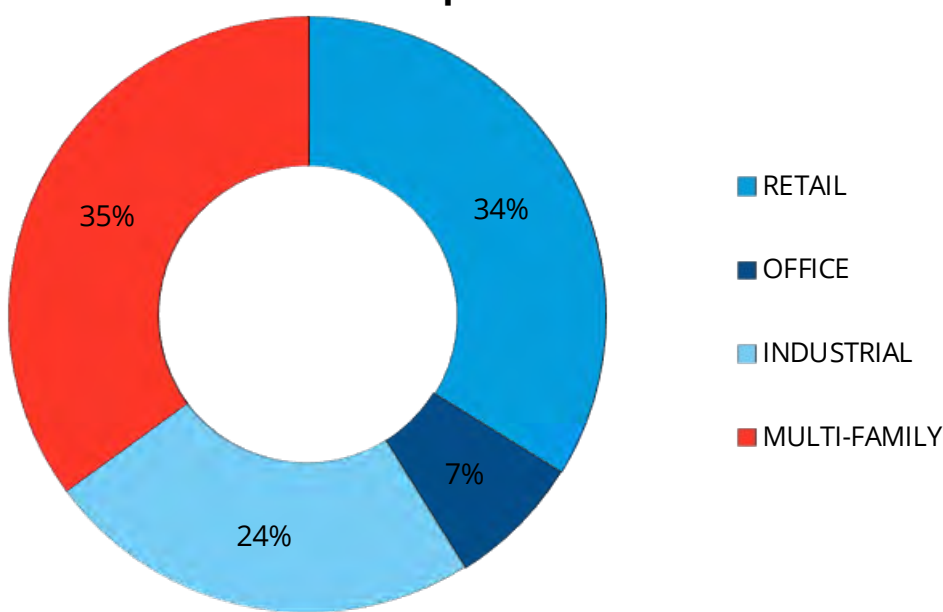
Immediate Area Profile

This section discusses uses and development trends in the immediate area that directly impact the performance and appeal of the subject property.

Predominant Land Uses

Significant development in the immediate area consists of retail and industrial uses along major arterials that are interspersed with multi-family complexes and single-family residential development removed from arterials. The local area has a mix of commercial uses nearby and the composition is shown in the following graph.

Commercial Area Composition



Residential Development

Residential users in the immediate area are primarily single-family residential.

Multi-Family Development

The following chart shows a summary of multi-family data by type in the immediate area from CoStar.

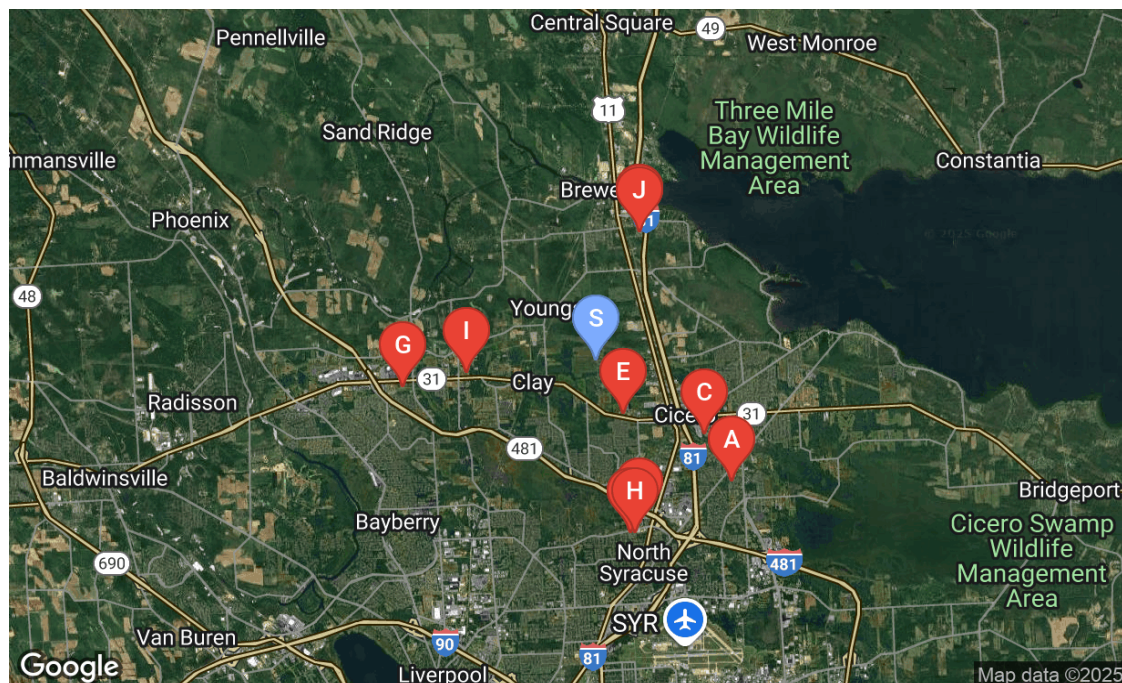
Multifamily Summary			
Class	Properties	NRA (SF)	Avg Yr Blt
A	1	50,000	2016
B	13	904,991	1993
C	9	1,075,394	1972
Total	23	2,030,385	1985

Source: CoStar

The three largest multi-family properties are at 6112 Cobblestone Drive, 5548 Bear Road and 8711-8755 New Country Drive with an NRA of 217,298 SF, 195,000 SF and 185,000 SF that were built in 1981, 1968 and 2002, respectively. The closest large multi-family property in proximity to the subject is at 8351 Pareti Plaza with an NRA of 155,334 SF that was built in 2017. The majority of properties were constructed before 2000. The following chart and map show the subject property and its location relative to the 10 largest multi-family properties in the immediate area from CoStar.

Largest Multi-family Properties						
Name	Distance	Map Pin	Class	NRA (SF)	Stories	Year Built
Cobblestone Square Apartments	3.5 Miles	A	C	217,298	2	1981
Clay Court Apartments	3.4 Miles	B	C	195,000	2	1968
Multi-family Building	2.5 Miles	C	B	185,000	3	2002
Windsor Place Apartments	3.3 Miles	D	C	171,502	2	1970
Multi-family Building	1.2 Miles	E	B	155,334	3	2017
Bayshore Apartments	2.7 Miles	F	C	127,458	2	-
Multi-family Building	3.7 Miles	G	B	119,427	3	2014
Multi-family Building	3.5 Miles	H	C	111,970	2	1968
Multi-family Building	2.5 Miles	I	B	96,000	3	2023
Multi-family Building	2.6 Miles	J	C	89,916	2	1978

Source: CoStar



Retail Development

The following chart shows a summary of retail data by type in the immediate area from CoStar.

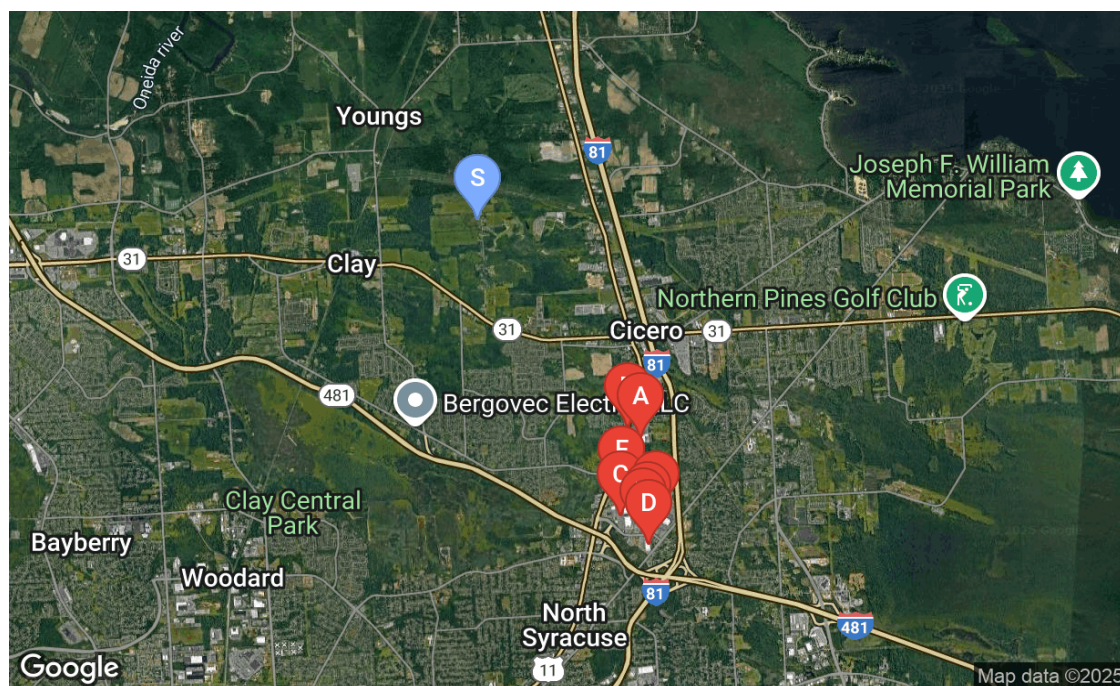
Retail Summary					
Type	Properties	NRA (SF)	Avg Yr Blt	Occupancy	Avg Rent
General Retail	252	1,958,359	1974	98.4	\$18.00
Total	252	1,958,359	1974	98.4	\$18.00

Source: CoStar

The three largest retail properties are at 8064 Brewerton Road, 8061-8075 Brewerton Road and 5701 East Circle Drive East with an NRA of 219,622 SF, 150,000 SF and 141,472 SF that were built in 2005, 2006 and 2005, respectively. The closest large retail property in proximity to the subject is the second property which is detailed above. The majority of properties were constructed after 2000. The following chart and map show the subject property and its location relative to the eight largest retail properties in the immediate area from CoStar.

Largest Shopping Centers							
Name	Distance	Map Pin	Type	NRA (SF)	% Leased	Year Built	Avg Rent
Cicero Market	2.6 Miles	A	Power Center	219,622	100.0	2005	N/Av
Retail Building	2.5 Miles	B	Community Center	150,000	100.0	2006	N/Av
Market Place Shopping Center	3.2 Miles	C	Power Center	141,472	100.0	2005	N/Av
Retail Building	3.5 Miles	D	Neighborhood Center	137,283	100.0	1986	N/Av
Retail Building	3.4 Miles	E	General Retail	112,511	100.0	1970	N/Av
The Home Depot	3.0 Miles	F	General Retail	103,005	100.0	1996	N/Av
Retail Building	3.3 Miles	G	General Retail	100,000	100.0	1975	N/Av
Retail Building	3.4 Miles	H	General Retail	92,844	100.0	2006	N/Av

Source: CoStar



Office Development

The following chart shows a summary of office data by class in the immediate area from CoStar.

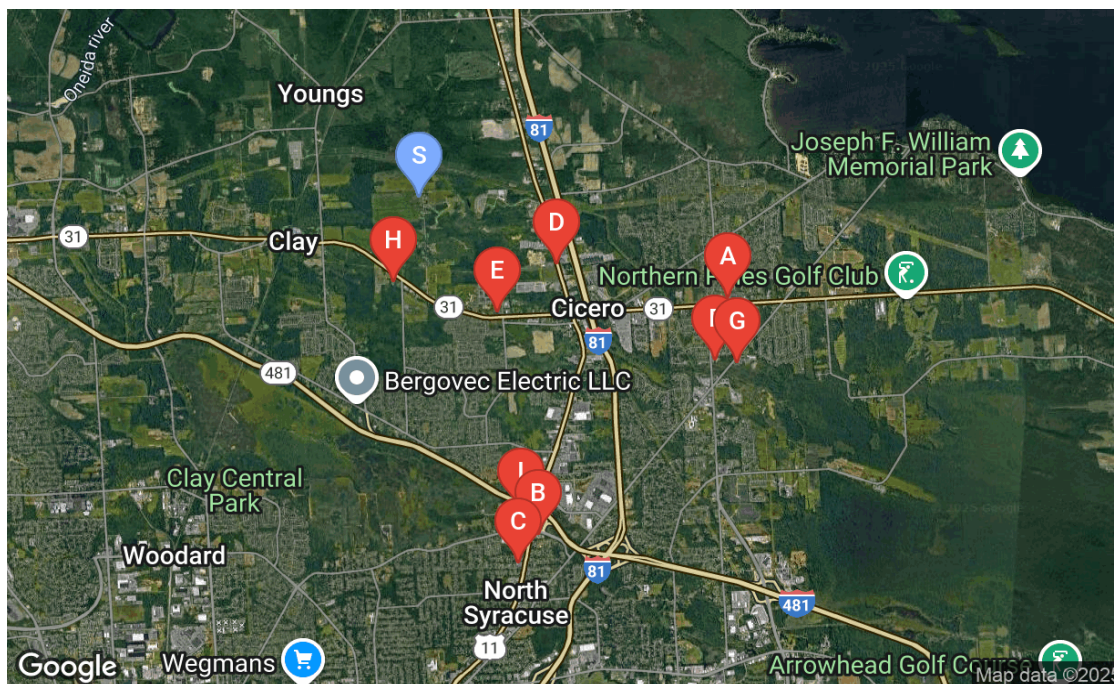
Office Summary					
Class	Properties	NRA (SF)	Avg Yr Blt	Occupancy	Avg Rent
B	43	301,045	1979	97.7	\$14.33
C	33	120,394	1967	99.2	\$14.00
Total	76	421,439	1974	98.3	\$14.18

Source: CoStar

The three largest office properties are at 6221 State Route 31, 792 North Main Street and 401 North Main Street with an NRA of 42,845 SF, 25,104 SF and 25,000 SF that were built in 1989, 1985 and 1995, respectively. The closest large office property in proximity to the subject is at 5252 State Route 31 with an NRA of 14,000 SF that was built in 2001. The majority of properties were constructed before 2000. The following chart and map show the subject property and its location relative to the nine largest office properties in the immediate area from CoStar.

Largest Office Buildings							
Name	Distance	Map Pin	Class	NRA (SF)	% Leased	Year Built	Avg Rent
Cicero Professional Building	3.1 Miles	A	B	42,845	78.1	1989	\$16.65
Village Medical Park	3.5 Miles	B	B	25,104	100.0	1985	N/Av
Office Building	3.7 Miles	C	B	25,000	23.6	1995	\$12.00
Office Building	1.5 Miles	D	B	22,000	100.0	2019	N/Av
Cicero Health Center	1.3 Miles	E	B	16,561	100.0	2001	N/Av
Office Building	3.2 Miles	F	B	16,146	100.0	2004	N/Av
Office Building	3.4 Miles	G	B	16,000	100.0	1986	N/Av
Office Building	0.9 Miles	H	C	14,000	100.0	2001	N/Av
Office Building	3.2 Miles	I	C	11,011	72.8	1985	\$14.00

Source: CoStar



Industrial Development

The following chart shows a summary of industrial data by type in the immediate area from CoStar.

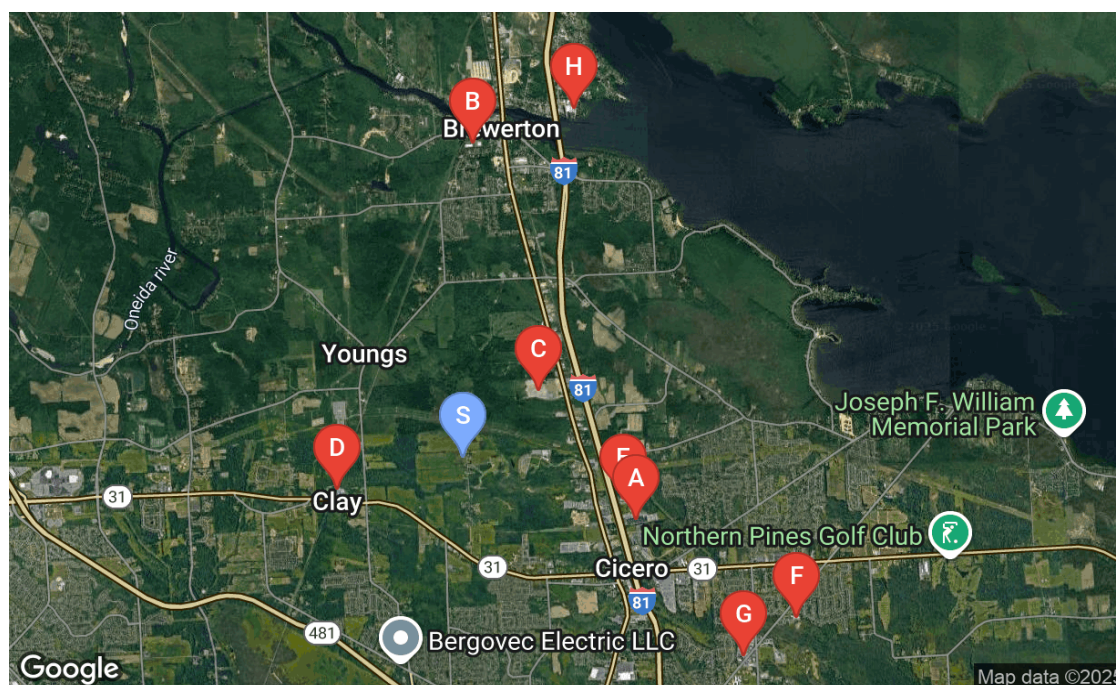
Industrial Summary					
Type	Properties	NRA (SF)	Avg Yr Blt	Occupancy	Avg Rent
Industrial	56	1,093,661	1985	100.0	-
Flex	39	286,863	1983	94.2	-
Total	95	1,380,524	1984	97.6	\$0.00

Source: CoStar

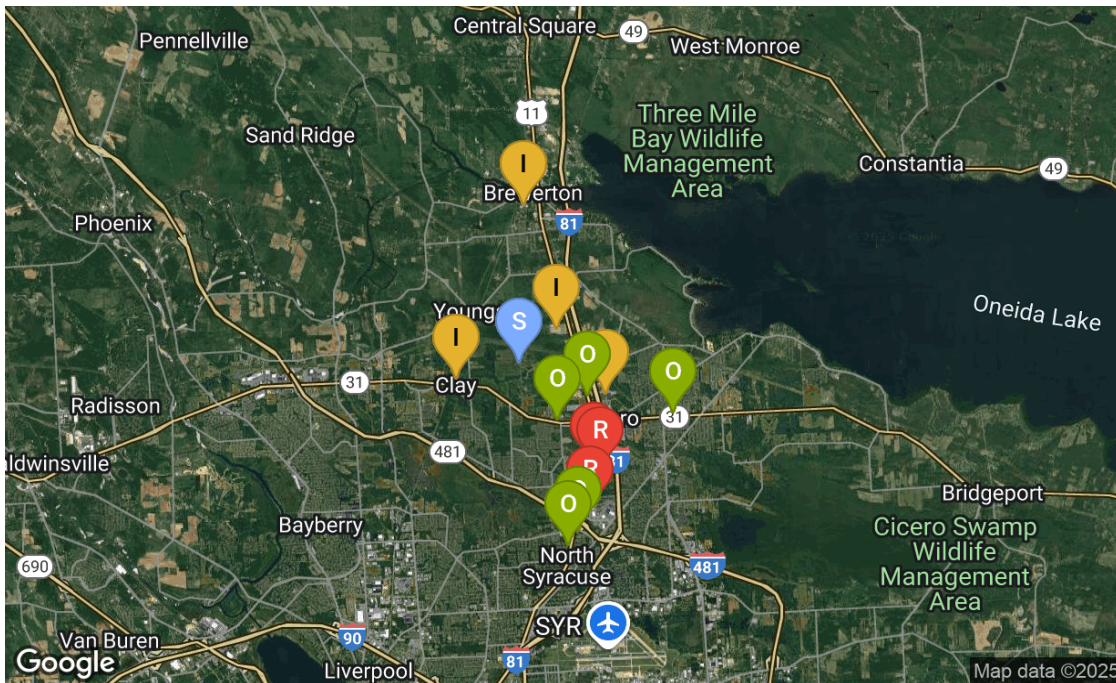
The three largest industrial properties are at 8478 Pardee Road, 5370 Guy Young Road and 8901 Brewerton Road with an NRA of 271,263 SF, 87,750 SF and 83,087 SF that were built in 1968, 1985 and 2005, respectively. The closest large industrial property in proximity to the subject is the third property which is detailed above. The majority of properties were constructed before 2000. The following chart and map show the subject property and its location relative to the eight largest industrial properties in the immediate area from CoStar.

Largest Industrial Properties							
Name	Distance	Map Pin	Type	NRA (SF)	% Leased	Year Built	Avg Rent
Industrial Building	1.7 Miles	A	Industrial	271,263	100.0	1968	N/Av
Industrial Building	3.1 Miles	B	Industrial	87,750	100.0	1985	N/Av
Industrial Building	1.0 Miles	C	Industrial	83,087	100.0	2005	N/Av
Industrial Building	1.2 Miles	D	Industrial	45,583	100.0	1995	N/Av
Industrial Building	1.6 Miles	E	Industrial	39,055	100.0	1990	N/Av
Industrial Building	3.5 Miles	F	Flex	33,776	100.0	1978	N/Av
Industrial Building	3.3 Miles	G	Industrial	31,200	100.0	1992	N/Av
Industrial Building	3.6 Miles	H	Industrial	25,311	100.0	2000	N/Av

Source: CoStar



The following map shows the subject property and the five largest retail, office, and industrial properties in the immediate area from CoStar.



Subject Property Analysis

The following discussion draws context and analysis on how the subject property is influenced by the local and immediate areas.

Subject Property Analysis

The uses adjacent to the property are noted below:

- › **North** - Vacant Land
- › **South** - State Route 31, Single-Family Residential Neighborhood, Vacant Land
- › **East** - Burnett Road, Single-Family Residential Neighborhood, Vacant Land
- › **West** - Vacant Land

Access

The subject site has frontage on two arterials and one dead-end road that extends into the center of the site. Based on our field work, the subject's access is rated average compared to other properties with which it competes.

Visibility

The subject is clearly visible in both directions along the streets. The visibility of the property is not hampered by adjacent properties, trees or other obstructions. In comparison to competitive properties, the subject property has good visibility.

Subject Conclusion

Trends in the local and immediate areas, adjacent uses and the property's specific location features indicate an overall typical external influence for the subject, which is concluded to have a good position in context of competing properties.

Summary

Clay has a strategic location near notable economic hubs, with convenient connections to well-traveled transportation networks. The region's economic development has a direct influence on the town's employment base. Clay has a stable economy supported by ongoing residential development and the retail sector.

General Description

The subject site consists of 71 parcels. As noted below, the subject site has 57,579,002 SF (1321.83 AC) of land area. The area is based on the provided survey. The following discussion summarizes the subject site size and characteristics.

Assessor Parcels

The full list of 71 parcels are shown in the Multiple Parcels

Number Of Parcels

71

Land Area

	Acres	Square Feet
Primary Parcel	1321.83	57,579,002
Unusable Land	0.00	0
Excess Land	0.00	0
<u>Surplus Land</u>	<u>0.00</u>	<u>0</u>
Total Land Area	1321.83	57,579,002

Total Land Area

Shape

See Multiple Parcel Chart For Breakdown

Topography

Level at street grade

Drainage

Assumed Adequate

Utilities

All available to the site

Street Improvements

Street	Direction	No. Lanes	Street Type	Curbs	Sidewalks	Streetlights	Center Lane	Gutters
Burnet Road,	Secondary Street	two-way	two-lane minor arterial					
State Route 31	Secondary Street	two-way	two-lane minor arterial		✓			
Caughdenoy Road	Secondary Street	two-way	two-lane minor arterial					

Frontage

The subject has approximately 6,495 feet of frontage on Burnet Road.

Accessibility

The accessibility of the subject is rated as average. The subject is accessed from four streets, Burnet Road, Caughdenoy Road, State Route 31 and Brewerton Road. Major transportation arterials within proximity to the subject include State Route 31, U.S. Route 11 and Interstate 81, providing linkage to the surrounding area.

Exposure

The subject has average exposure, as it is located along a minor arterial. The project's exposure rating takes into account its average visibility and its average traffic count. It also considers the subject's exposure from multiple streets.

Seismic

The subject is in Low Risk. The seismic zone factor (or Z factor) corresponds numerically to the effective horizontal peak bedrock acceleration (or equivalent velocity) that is estimated as a component of the design base shear calculation. In each seismic zone an earthquake-related event would create an effective peak bedrock acceleration of 0.1 times the force of gravity for Zone 1, 0.15 times the force of gravity for Zone 2A, 0.2 times the force of gravity for Zone 2B, 0.3 times the force of gravity for Zone 3 and 0.4 times the force of gravity for Zone 4. These values correspond to ground motion values with a 10% probability of being exceeded in 50 years.

Flood Zone

Zone X (Unshaded). This is referenced by Community Number 360573, Panel Number 36067C0084F, dated November 04, 2016. Zone X (unshaded) is a Non-Special Flood Hazard Area (NSFHA) of minimal flood hazard, usually depicted on Flood Insurance Rate Maps (FIRM) as above the 500-year flood level. This is an area in a low to moderate risk flood zone that is not in any immediate danger from flooding caused

by overflowing rivers or hard rains. In communities that participate in the National Flood Insurance Program (NFIP), flood insurance is available to all property owners and renters in this zone.

Site Rating Overall, the subject site is considered a good land site in terms of its location, exposure, and access to employment, education and shopping centers, recognizing its location along a minor arterial.

Easements A preliminary title report was not available for review. During the on-site inspection, no adverse easements or encumbrances were noted. This appraisal assumes that there is no negative value impact on the subject improvements. If questions arise regarding easements, encroachments, or other encumbrances, further research is advised.

Soils A detailed soils analysis was not available for review. Based on the development of the subject, it appears the soils are stable and suitable for the existing improvements.

Hazardous Waste We have not conducted an independent investigation to determine the presence or absence of toxins on the subject property. If questions arise, the reader is strongly cautioned to seek qualified professional assistance in this matter. Please see the Assumptions and Limiting Conditions for a full disclaimer.

Improvement Description As previously mentioned, our site inspection revealed that there ae still several residences and storage buildings and a cellular tower on the site. However, we have considered the site ready for development with all existing improvements theoretically demolished – considered as a hypothetical condition. We recognize that the cellular tower may be retained and/or relocated; however, it is included in the improvements that are considered to be demolished leaving the subject site vacant.

The total combined parcels (1,321.83 acres) are on the following table and as noted these parcels have been broken out into two phases – see the following two tables. Phase 1 will be 819.92 acres and consist of the 34 parcels west of Burnet Road. Phase 2 will be 501.91 acres and consist of the 37 parcels east of Burnet Road. The following indicates the tax map numbers as well as the tax map acreage for each lot. As previously discussed we have used the survey for total acreage and the allocated acreage for each Phase.

Multiple Parcel Site Description Grid

Parcel	Usable		Total	
	SF	AC	SF	AC
046.-02-01.0	1,116,007	25.62	1,116,007	25.62
046.-02-02.1	942,203	21.63	942,203	21.63
046.-02-02.2	138,085	3.17	138,085	3.17
046.-02-03.1	2,153,606	49.44	2,153,606	49.44
046.-02-04.0	786,694	18.06	786,694	18.06
046.-02-05.1	161,172	3.70	161,172	3.70
046.-02-05.2	1,623,481	37.27	1,623,481	37.27
048.-01-01.0	4,322,894	99.24	4,322,894	99.24
048.-01-02.2	3,839,814	88.15	3,839,814	88.15
048.-01-21.0	1,552,914	35.65	1,552,914	35.65
048.-01-22.0	1,143,014	26.24	1,143,014	26.24
048.-01-23.1	8,639,255	198.33	8,639,255	198.33
048.-01-23.2	193,406	4.44	193,406	4.44
048.-01-23.3	40,375	0.93	40,375	0.93
049.-01-01.0	5,035	0.12	5,035	0.12
049.-01-02.0	729,630	16.75	729,630	16.75
049.-01-03.0	1,453,162	33.36	1,453,162	33.36
049.-01-04.0	33,575	0.77	33,575	0.77
049.-01-05.0	45,425	1.04	45,425	1.04
049.-01-06.0	31,600	0.73	31,600	0.73
049.-01-08.1	236,966	5.44	236,966	5.44
049.-01-09.1	757,073	17.38	757,073	17.38
049.-01-10.1	330,185	7.58	330,185	7.58
049.-01-11.0	19,950	0.46	19,950	0.46
049.-01-12.2	1,616,947	37.12	1,616,947	37.12
049.-01-13.0	2,800,037	64.28	2,800,037	64.28
049.-01-14.0	37,125	0.85	37,125	0.85
049.-01-15.0	13,125	0.30	13,125	0.30
049.-01-16.0	13,125	0.30	13,125	0.30
049.-01-17.0	13,125	0.30	13,125	0.30
049.-01-18.4	1,887,890	43.34	1,887,890	43.34
049.-01-19.1	1,974,575	45.33	1,974,575	45.33
049.-01-19.2	211,702	4.86	211,702	4.86
050.-01-01.0	433,422	9.95	433,422	9.95
050.-01-02.1	2,816,154	64.65	2,816,154	64.65
050.-01-03.1	229,561	5.27	229,561	5.27
050.-01-04.1	2,296,919	52.73	2,296,919	52.73
050.-01-04.2	20,000	0.46	20,000	0.46
050.-01-04.3	130,680	3.00	130,680	3.00
050.-01-04.4	104,108	2.39	104,108	2.39
050.-01-05.0	27,000	0.62	27,000	0.62
050.-01-06.0	34,375	0.79	34,375	0.79
050.-01-07.1	338,461	7.77	338,461	7.77
050.-01-07.2	2,909,808	66.80	2,909,808	66.80
050.-01-08.1	28,600	0.66	28,600	0.66
050.-01-08.2	22,880	0.53	22,880	0.53
050.-01-09.0	22,880	0.53	22,880	0.53
050.-01-10.0	35,550	0.82	35,550	0.82
050.-01-11.1	33,575	0.77	33,575	0.77
050.-01-12.1	31,600	0.73	31,600	0.73
050.-01-13.2	368,082	8.45	368,082	8.45
050.-01-13.3	50,094	1.15	50,094	1.15
051.-01-05.1	1,928,401	44.27	1,928,401	44.27
051.-01-05.4	149,411	3.43	149,411	3.43
051.-01-10.1	99,752	2.29	99,752	2.29
051.-01-10.6	219,978	5.05	219,978	5.05
051.-01-10.7	261,360	6.00	261,360	6.00
051.-01-10.8	217,800	5.00	217,800	5.00
051.-01-10.9	239,580	5.50	239,580	5.50
051.-01-12.0	49,858	1.14	49,858	1.14
051.-01-13.1	48,352	1.11	48,352	1.11
051.-01-13.2	42,168	0.97	42,168	0.97
051.-01-13.3	230,868	5.30	230,868	5.30
051.-01-14.1	1,126,026	25.85	1,126,026	25.85
051.-01-14.2	34,448	0.79	34,448	0.79
064.-01-06.3	57,500	1.32	57,500	1.32
064.-01-08.0	45,662	1.05	45,662	1.05
092.-01-01.1	401,623	9.22	401,623	9.22
092.-01-01.2	934,362	21.45	934,362	21.45
092.-01-01.3	1,024,967	23.53	1,024,967	23.53
120.-01-08.1	1,933,193	44.38	1,933,193	44.38
Total	57,842,231	1,327.87	57,842,231	1,327.87

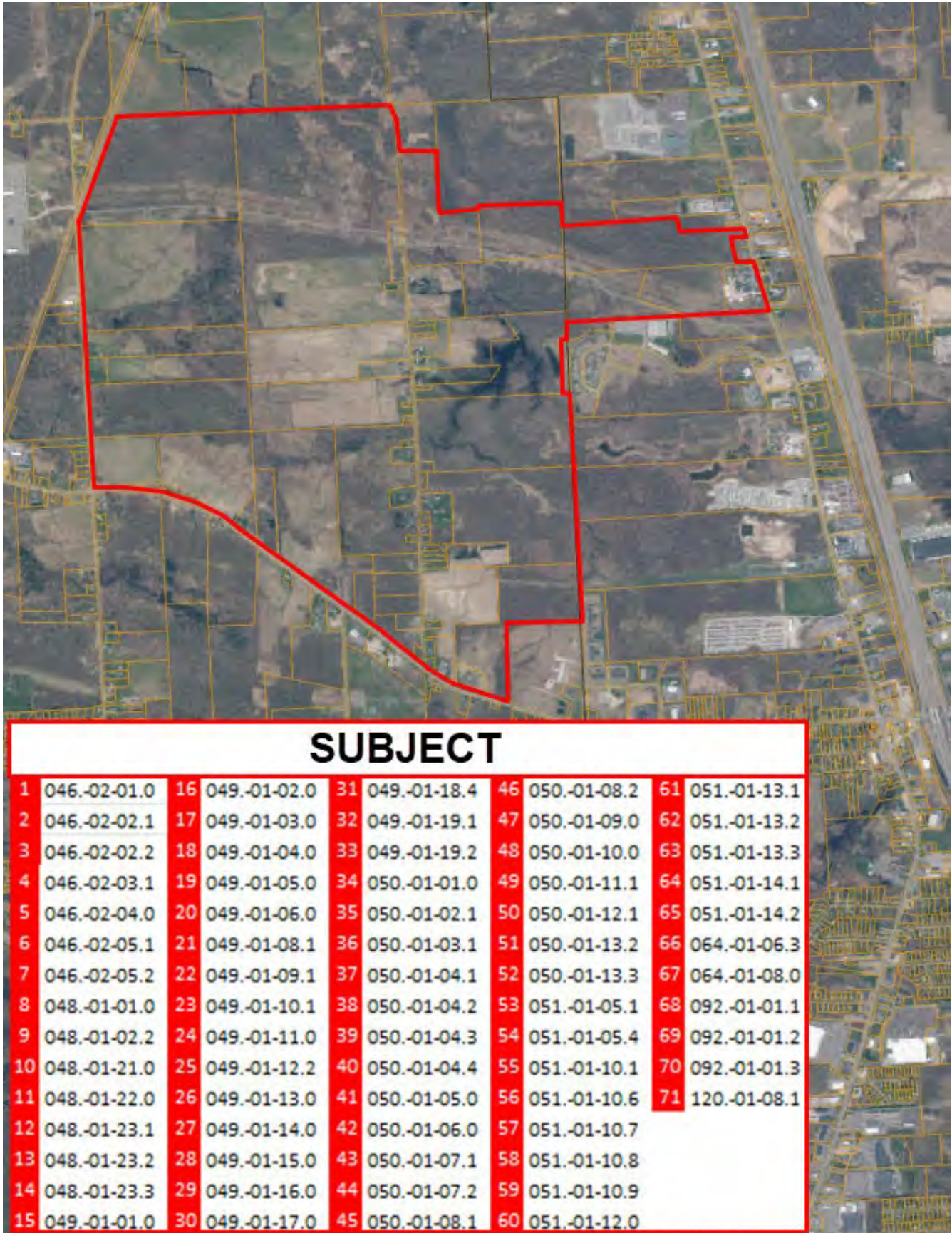
Phase 1 - 34 Parcels

Parcel	Usable		Total		Fronting Street
	SF	AC	SF	AC	
046.-02-01.0	1,116,007	25.62	1,116,007	25.62	Caughdenoy Road
046.-02-02.1	942,203	21.63	942,203	21.63	Caughdenoy Road
046.-02-02.2	138,085	3.17	138,085	3.17	Caughdenoy Road
046.-02-03.1	2,153,606	49.44	2,153,606	49.44	Caughdenoy Road
046.-02-04.0	786,694	18.06	786,694	18.06	State Route 31
046.-02-05.1	161,172	3.70	161,172	3.70	State Route 31
046.-02-05.2	1,623,481	37.27	1,623,481	37.27	State Route 31
048.-01-01.0	4,322,894	99.24	4,322,894	99.24	Caughdenoy Road
048.-01-02.2	3,839,814	88.15	3,839,814	88.15	Caughdenoy Road
048.-01-23.1	8,639,255	198.33	8,639,255	198.33	Burnet Road
048.-01-23.2	193,406	4.44	193,406	4.44	Burnet Road
048.-01-23.3	40,375	0.93	40,375	0.93	Burnet Road
049.-01-15.0	13,125	0.30	13,125	0.30	Burnet Road
049.-01-16.0	13,125	0.30	13,125	0.30	Burnet Road
049.-01-17.0	13,125	0.30	13,125	0.30	Burnet Road
049.-01-18.4	1,887,890	43.34	1,887,890	43.34	Burnet Road
049.-01-19.1	1,974,575	45.33	1,974,575	45.33	Burnet Road
049.-01-19.2	211,702	4.86	211,702	4.86	Burnet Road
050.-01-01.0	433,422	9.95	433,422	9.95	State Route 31
050.-01-02.1	2,816,154	64.65	2,816,154	64.65	State Route 31
050.-01-03.1	229,561	5.27	229,561	5.27	State Route 31
050.-01-04.1	2,296,919	52.73	2,296,919	52.73	Burnet Road
050.-01-04.2	20,000	0.46	20,000	0.46	Burnet Road
050.-01-04.3	130,680	3.00	130,680	3.00	Burnet Road
050.-01-04.4	104,108	2.39	104,108	2.39	Burnet Road
050.-01-05.0	27,000	0.62	27,000	0.62	Burnet Road
051.-01-10.1	99,752	2.29	99,752	2.29	State Route 31
051.-01-10.6	219,978	5.05	219,978	5.05	Burnet Road
051.-01-10.7	261,360	6.00	261,360	6.00	Burnet Road
051.-01-10.8	217,800	5.00	217,800	5.00	Burnet Road
051.-01-10.9	239,580	5.50	239,580	5.50	Burnet Road
051.-01-12.0	49,858	1.14	49,858	1.14	Burnet Road
064.-01-06.3	57,500	1.32	57,500	1.32	Caughdenoy Road
064.-01-08.0	45,662	1.05	45,662	1.05	Caughdenoy Road
Total	35,319,870	810.83	35,319,870	810.83	

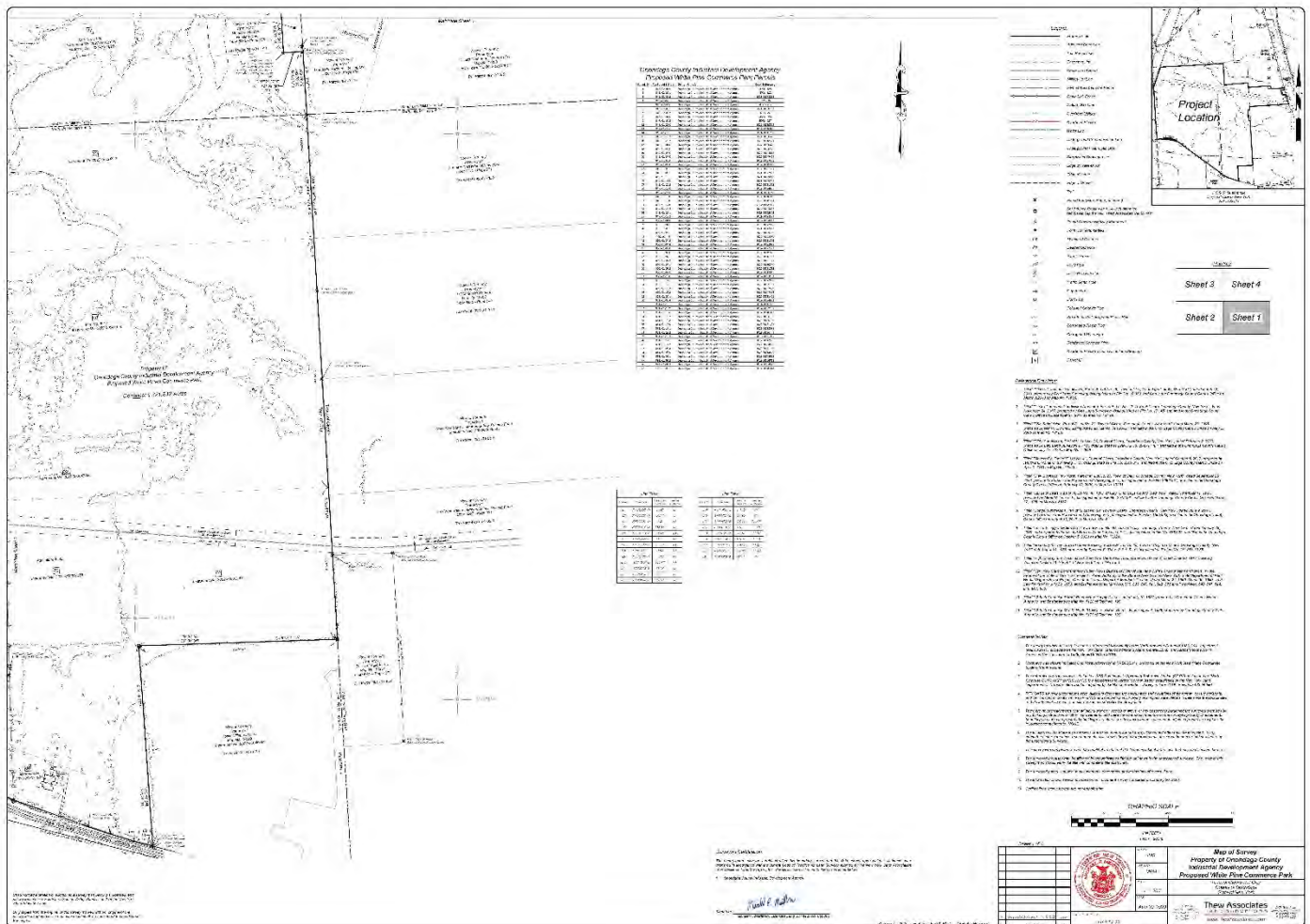
Phase 2 - 37 Parcels

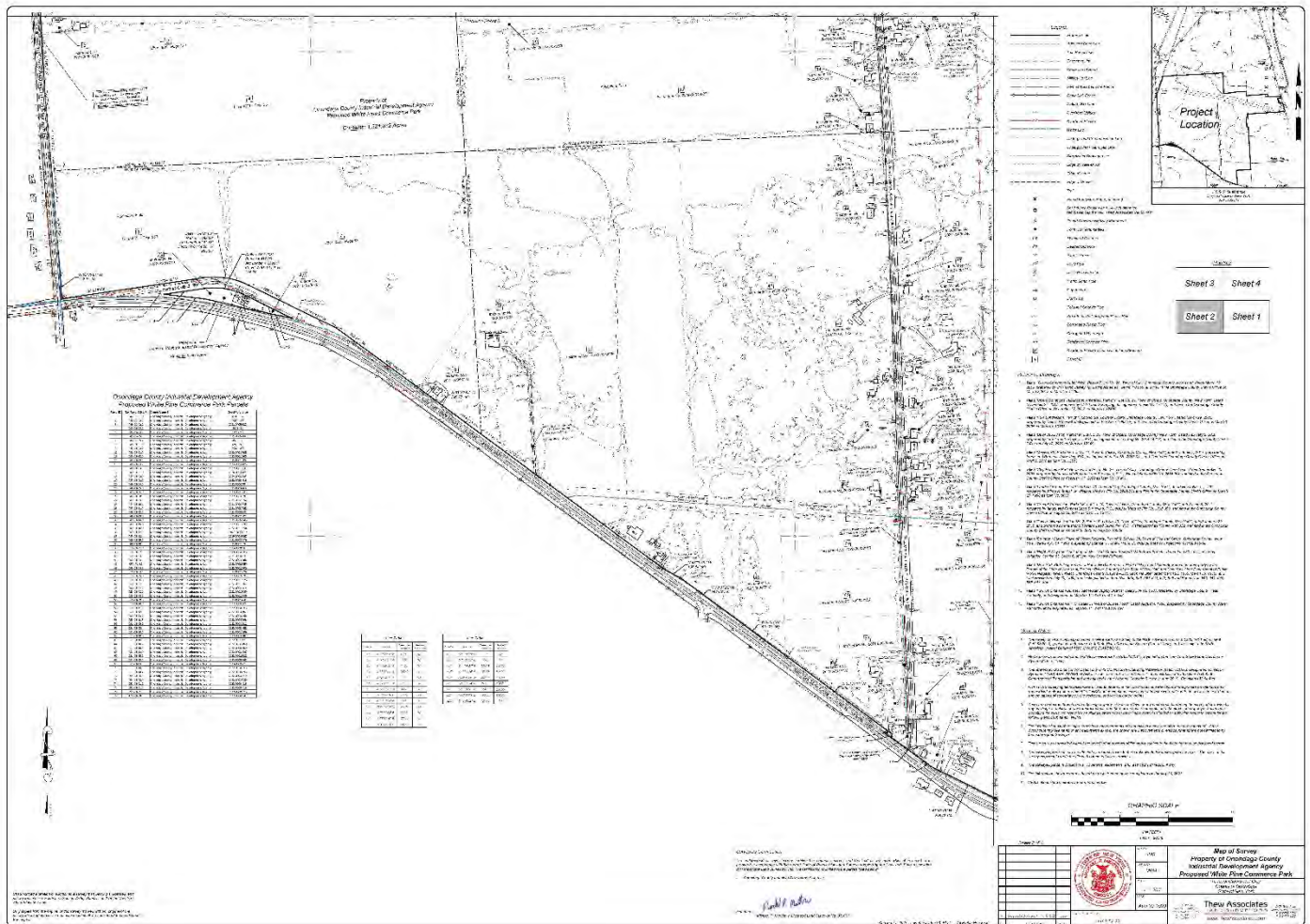
Parcel	Usable		Total		Fronting Street
	SF	AC	SF	AC	
048.-01-21.0	1,552,914	35.65	1,552,914	35.65	Burnet Road
048.-01-22.0	1,143,014	26.24	1,143,014	26.24	Burnet Road
049.-01-01.0	5,035	0.12	5,035	0.12	Burnet Road
049.-01-02.0	729,630	16.75	729,630	16.75	Burnet Road
049.-01-03.0	1,453,162	33.36	1,453,162	33.36	Burnet Road
049.-01-04.0	33,575	0.77	33,575	0.77	Burnet Road
049.-01-05.0	45,425	1.04	45,425	1.04	Burnet Road
049.-01-06.0	31,600	0.73	31,600	0.73	Burnet Road
049.-01-08.1	236,966	5.44	236,966	5.44	Burnet Road
049.-01-09.1	757,073	17.38	757,073	17.38	Burnet Road
049.-01-10.1	330,185	7.58	330,185	7.58	Burnet Road
049.-01-11.0	19,950	0.46	19,950	0.46	Burnet Road
049.-01-12.2	1,616,947	37.12	1,616,947	37.12	Burnet Road
049.-01-13.0	2,800,037	64.28	2,800,037	64.28	Burnet Road
049.-01-14.0	37,125	0.85	37,125	0.85	Burnet Road
050.-01-06.0	34,375	0.79	34,375	0.79	Burnet Road
050.-01-07.1	338,461	7.77	338,461	7.77	Burnet Road
050.-01-07.2	2,909,808	66.80	2,909,808	66.80	Burnet Road
050.-01-08.1	28,600	0.66	28,600	0.66	Burnet Road
050.-01-08.2	22,880	0.53	22,880	0.53	Burnet Road
050.-01-09.0	22,880	0.53	22,880	0.53	Burnet Road
050.-01-10.0	35,550	0.82	35,550	0.82	Burnet Road
050.-01-11.1	33,575	0.77	33,575	0.77	Burnet Road
050.-01-12.1	31,600	0.73	31,600	0.73	Burnet Road
050.-01-13.2	368,082	8.45	368,082	8.45	Burnet Road
050.-01-13.3	50,094	1.15	50,094	1.15	Burnet Road
051.-01-05.1	1,928,401	44.27	1,928,401	44.27	State Route 31
051.-01-05.4	149,411	3.43	149,411	3.43	State Route 31
051.-01-13.1	48,352	1.11	48,352	1.11	Burnet Road
051.-01-13.2	42,168	0.97	42,168	0.97	State Route 31
051.-01-13.3	230,868	5.30	230,868	5.30	State Route 31
051.-01-14.1	1,126,026	25.85	1,126,026	25.85	Burnet Road
051.-01-14.2	34,448	0.79	34,448	0.79	Burnet Road
092.-01-01.1	401,623	9.22	401,623	9.22	Brewerton Road
092.-01-01.2	934,362	21.45	934,362	21.45	Brewerton Road
092.-01-01.3	1,024,967	23.53	1,024,967	23.53	Brewerton Road
120.-01-08.1	1,933,193	44.38	1,933,193	44.38	Brewerton Road
Total	22,522,361	517.04	22,522,361	517.04	

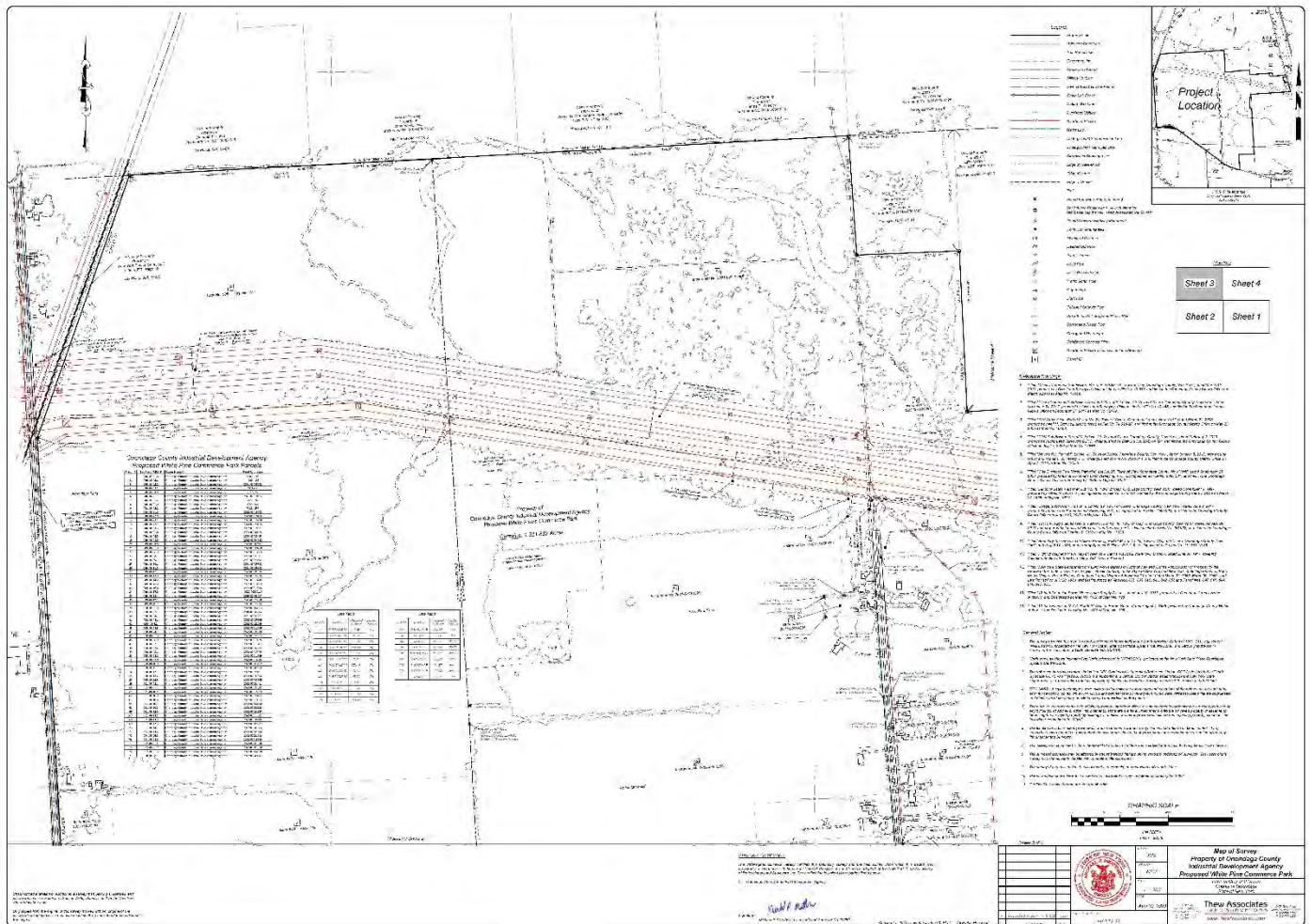
Parcel Map

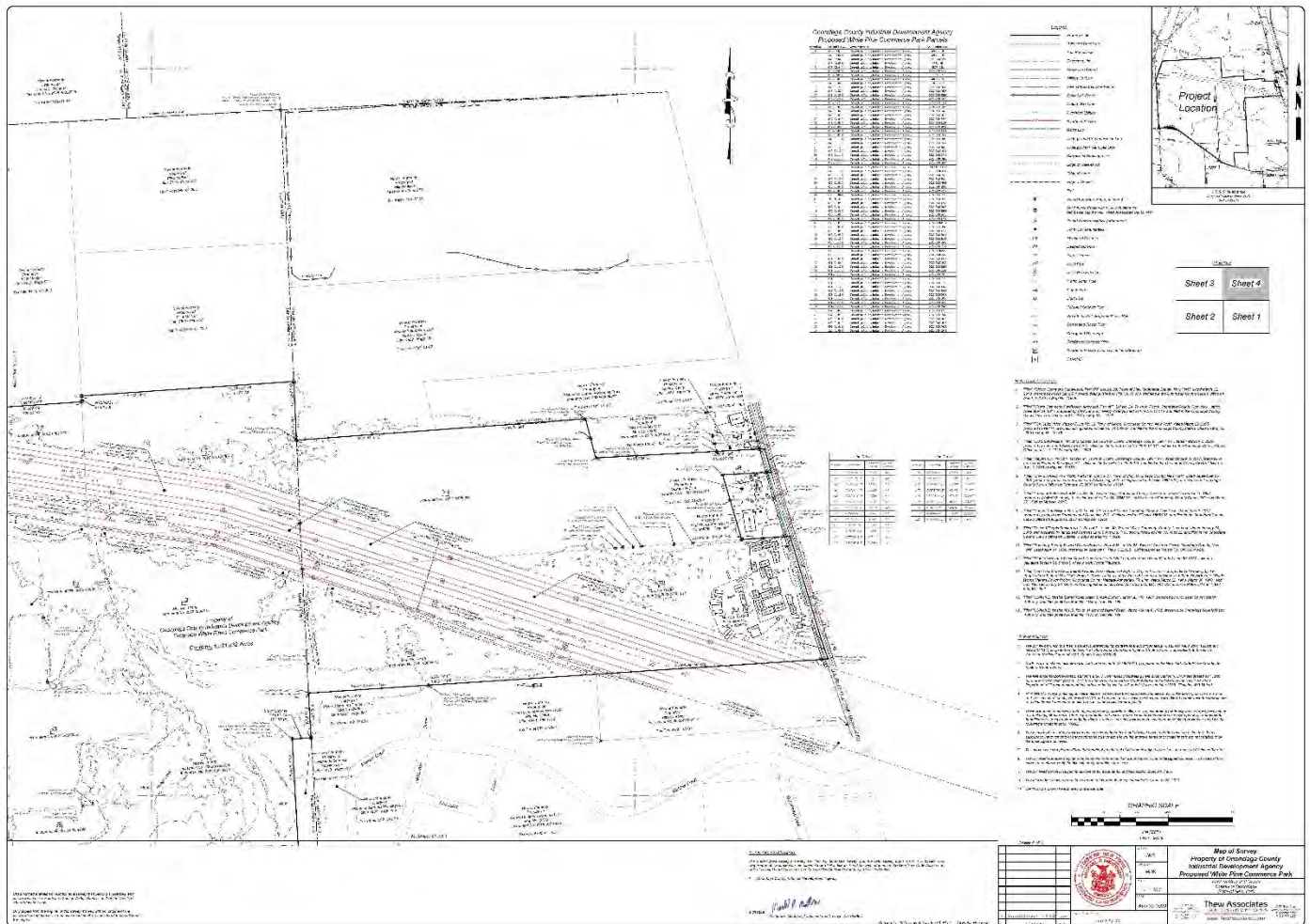


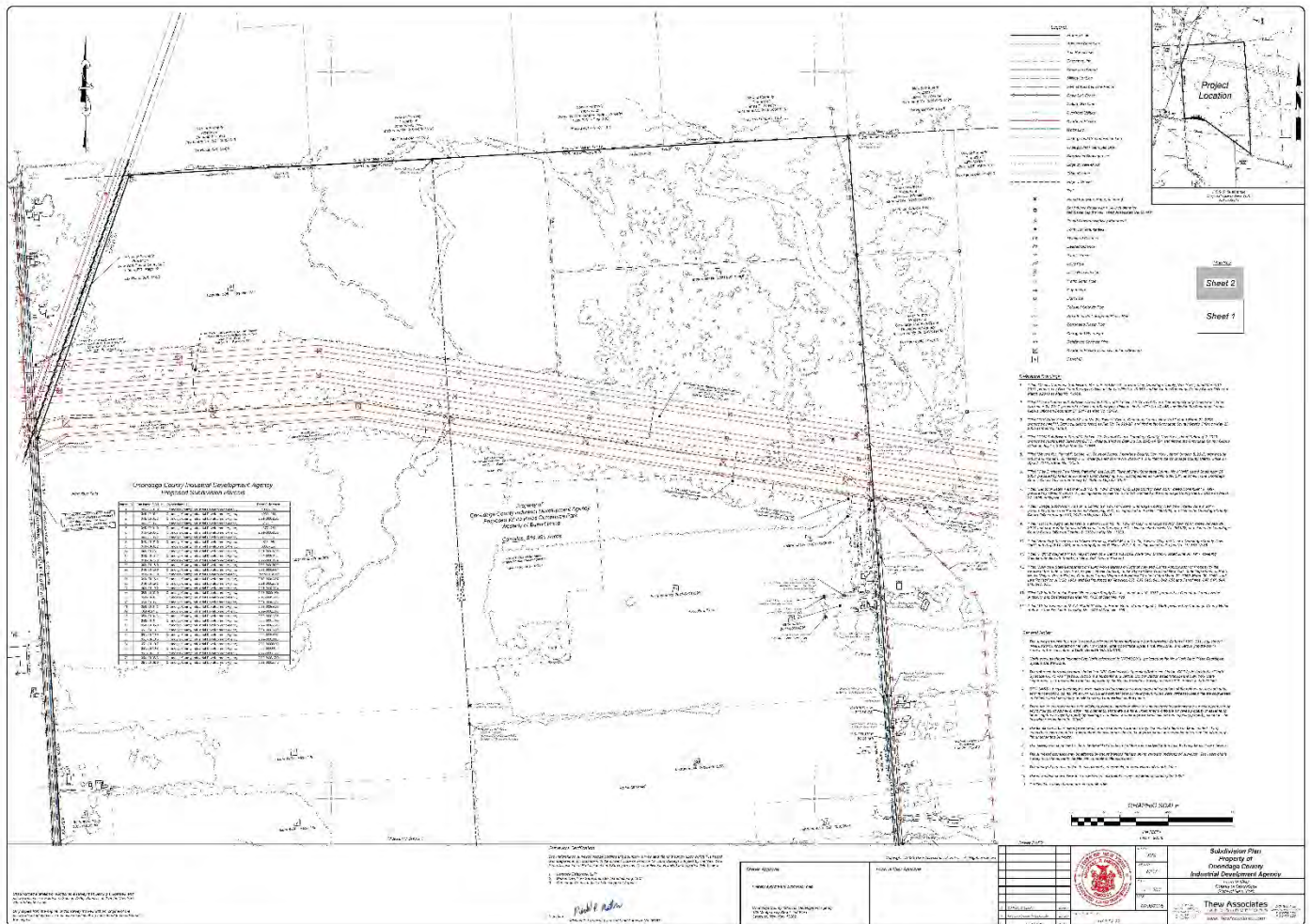
2023 Survey – Phases 1 and 2



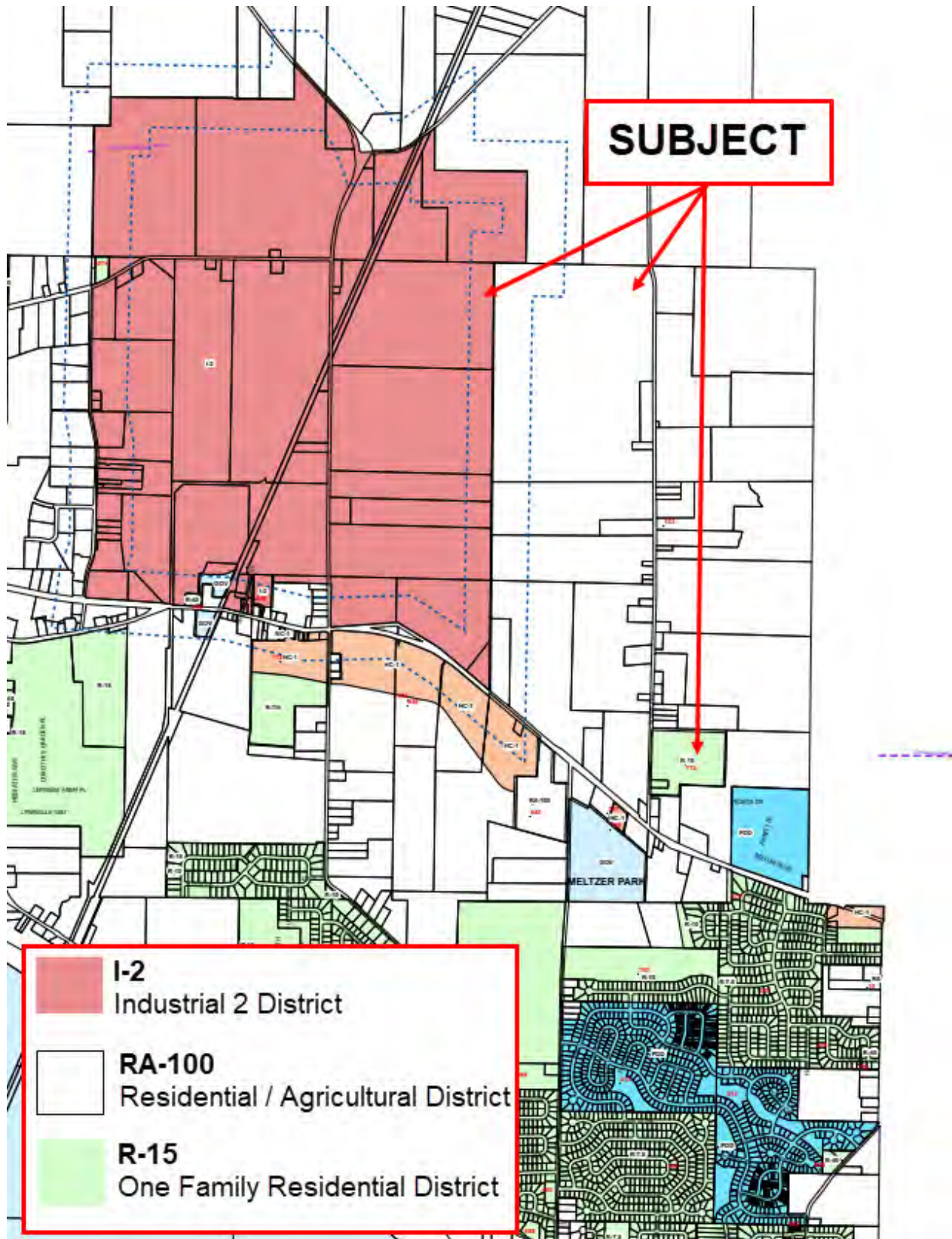


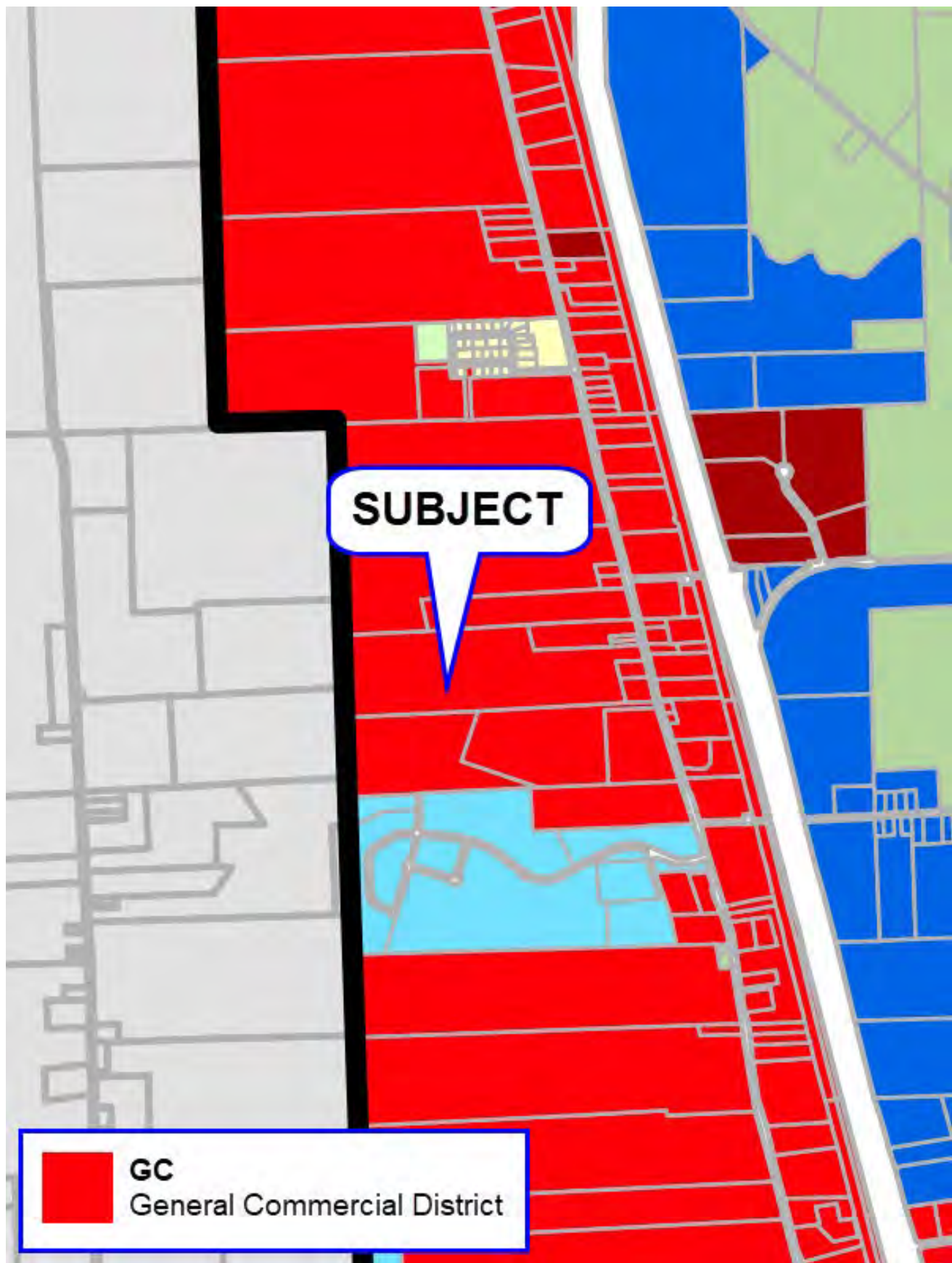






Zoning Maps

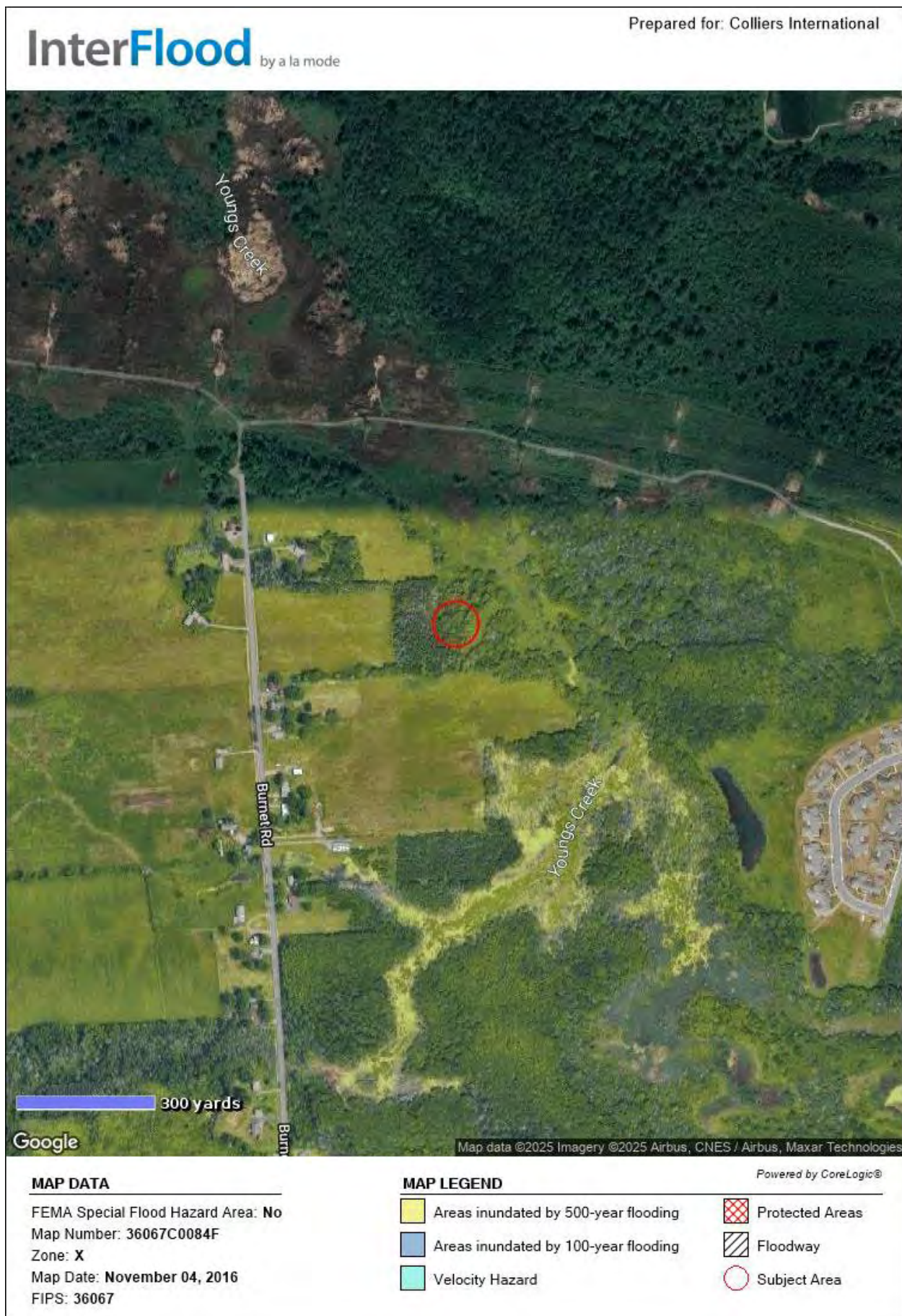




Flood Maps











Google

Map data ©2025 Imagery ©2025 Airbus, CNES / Airbus, Maxar Technologies

MAP DATA

FEMA Special Flood Hazard Area: No
 Map Number: 36067C0092F
 Zone: X
 Map Date: November 04, 2016
 FIPS: 36067

MAP LEGEND

- Areas inundated by 500-year flooding
- Areas inundated by 100-year flooding
- Velocity Hazard

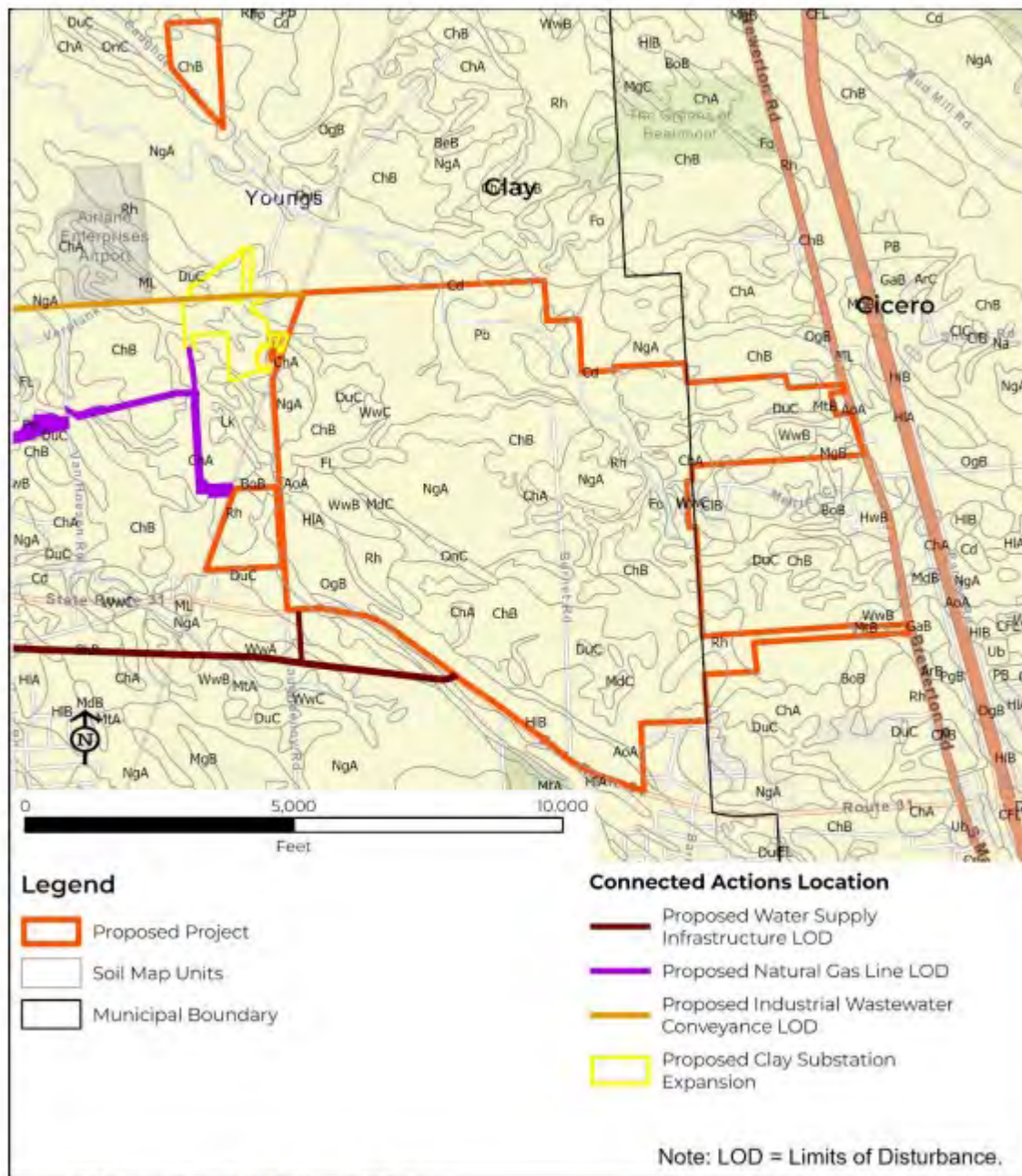
Powered by CoreLogic®

- Protected Areas
- Floodway
- Subject Area

The following exhibits were obtained from the Draft Environmental Impact Statement (DEIS)

MICRON SEMICONDUCTOR MANUFACTURING PROJECT, CLAY, NY, DRAFT ENVIRONMENTAL IMPACT STATEMENT

Figure 3.2-2 Soils at Proposed Project Sites and Clay Substation Expansion Area



Source: Soil Survey Geographic Database (SSURGO).

Table 3.2-2 Soil Types at Proposed Project and Connected Action Sites

Symbol	Soil Type	Percent of Site	Hydrologic Soil Group	Depth to Bedrock	Slope Percentage	Drainage
WPCP (Proposed Micron Campus)						
NgA	Niagara silt loam	36%	C/D	>60 in.	0-4%	Somewhat poorly drained
Cd	Canandaigua mucky silt loam	6%	C/D	18-60 in.	0-3%	Poorly drained
H1A, H1B	Hilton loam	5%	B/D	>60 in.	H1A: 0-3% H1B: 3-8%	Moderately well drained
Pb	Palms muck	5%	B/D	>50 in.	0-3%	Very poorly drained
ChA, ChB	Collamer silt loam	32%	C/D	>60 in.	ChA: 0-2% ChB: 2-6%	Moderately well drained
Rh	Rhinebeck silt loam	4%	C/D	>60 in.	0-3%	Somewhat poorly drained
OgB	Ontario loam	3%	B	>40 in.	3-8%	Well drained
WwB, WwC	Williamson silt loam	2%	D	>60 in.	WwB: 2-6% WwC: 8-15%	Moderately well drained
AoA	Appleton loam	1%	B/D	>60 in.	0-3%	Somewhat poorly drained
FL	Fluvaquents	1%	A/D	n/a	0-5%	Poorly drained
MdC	Madrid fine sandy loam	1%	B	>60 in.	8-15%	Well drained
MtA, MtB	Minoa fine sandy loam	1%	B/D	>60 in.	MtA: 0-2% MtB: 2-6%	Somewhat poorly drained
DuC	Dunkirk silt loam	1%	C	>60 in.	6-12%	Well drained
Fo	Fonda mucky silty clay loam	1%	C/D	>60 in.	0-3%	Very poorly drained
OnC	Ontario gravelly loam	<1%	B	>40 in.	8-15%	Well drained
MgB	Madrid gravelly loam	<1%	B	>60 in.	2-8%	Well drained
GaB	Galen very fine sandy loam	<1%	A/D	>90 in.	2-6%	Moderately well drained
W	Water	<1%	n/a	n/a	n/a	n/a
C1B	Colonie loamy fine sand	<1%	A	14-48 in.	0-6%	Somewhat excessively drained

BoB	Bombay gravelly loam	<1%	C/D	>60 in.	2-8%	Moderately well drained
Proposed Rail Spur Site						
Rh	Rhinebeck silt loam	43%	C/D	>60 in.	0-3%	Somewhat poorly drained
NgA	Niagara silt loam	42%	C/D	>60 in.	0-4%	Somewhat poorly drained
OgB	Ontario loam	8%	B	>40 in.	3-8%	Well drained
BoB	Bombay gravelly loam	4%	C/D	>60 in.	2-8%	Moderately well drained
WwB	Williamson silt loam	2%	D	>60 in.	2-6%	Moderately well drained
ChA, ChB	Collamer silt loam	1%	C/D	>60 in.	ChA: 0-2% ChB: 2-6%	Moderately well drained
DuC	Dunkirk silt loam	<1%	C	>60 in.	6-12%	Well drained
Proposed Childcare Site						
ChA, ChB	Collamer silt loam	99%	C/D	>60 in.	ChA: 0-2% ChB: 2-6%	Moderately well drained
NgA	Niagara silt loam	1%	C/D	>60 in.	0-4%	Somewhat poorly drained

Figure F-3 Micron Campus Delineated Federal Jurisdictional Wetlands

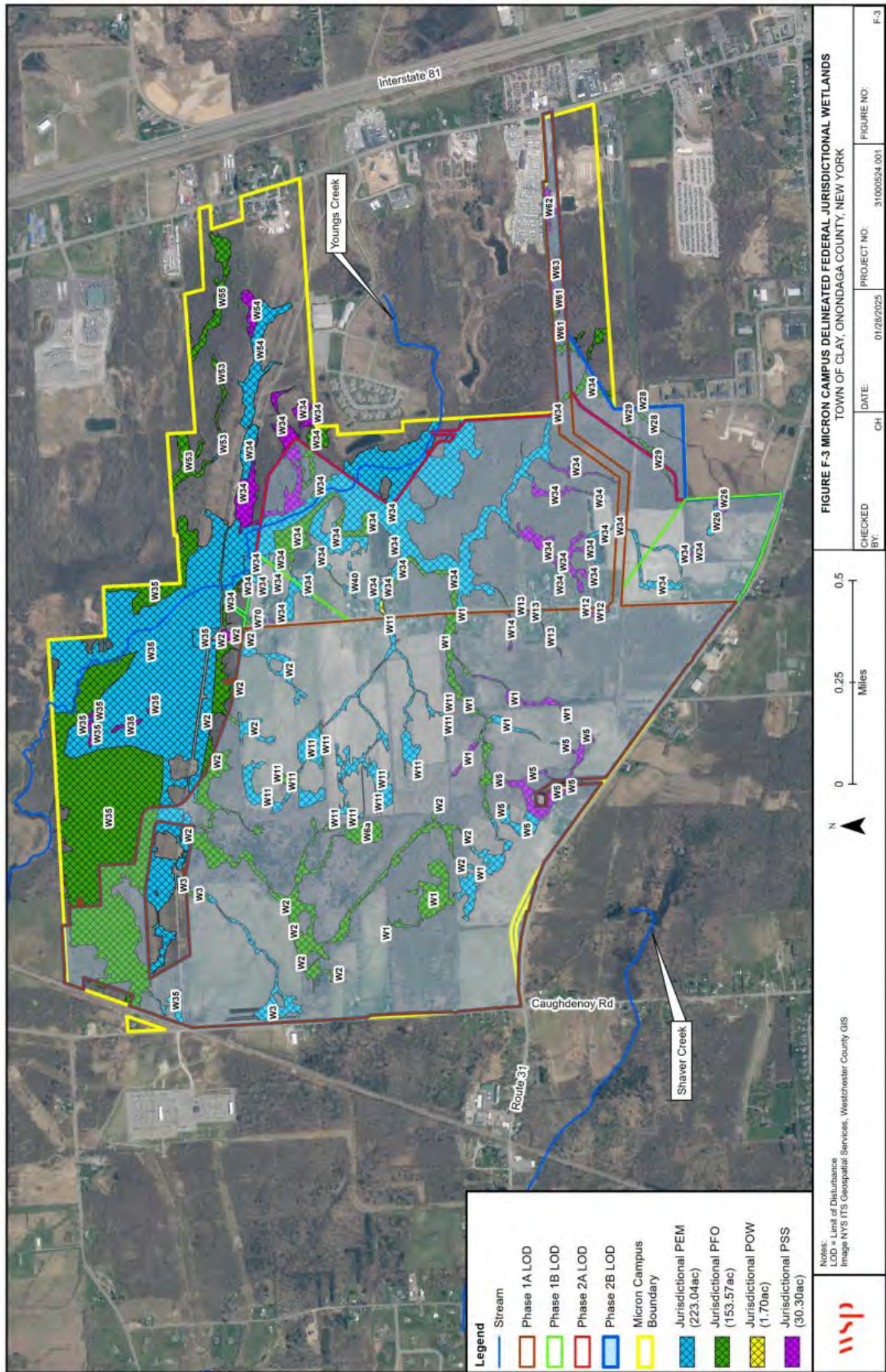


Figure F-4 Micron Campus Delineated State Jurisdictional Wetlands

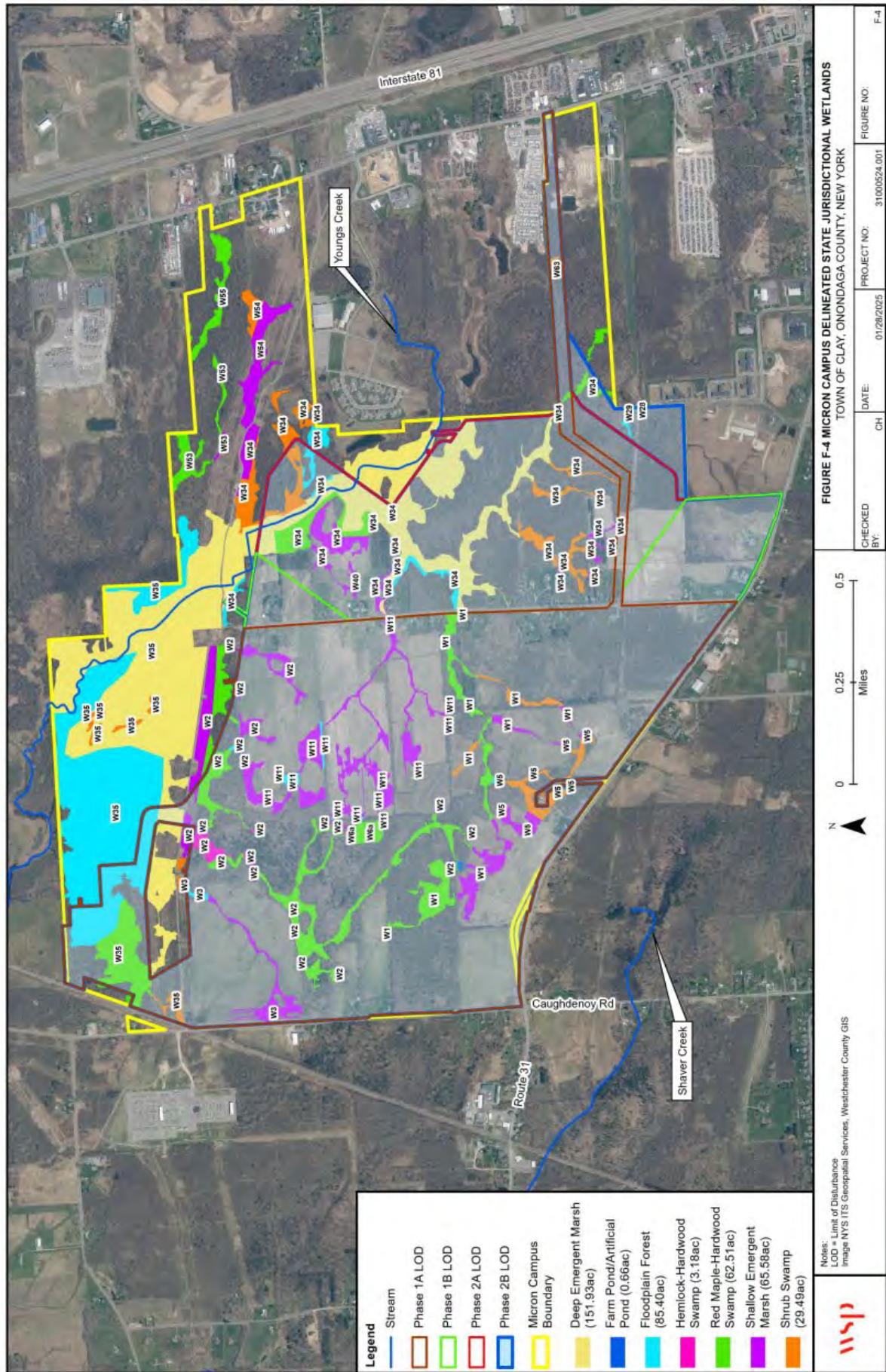
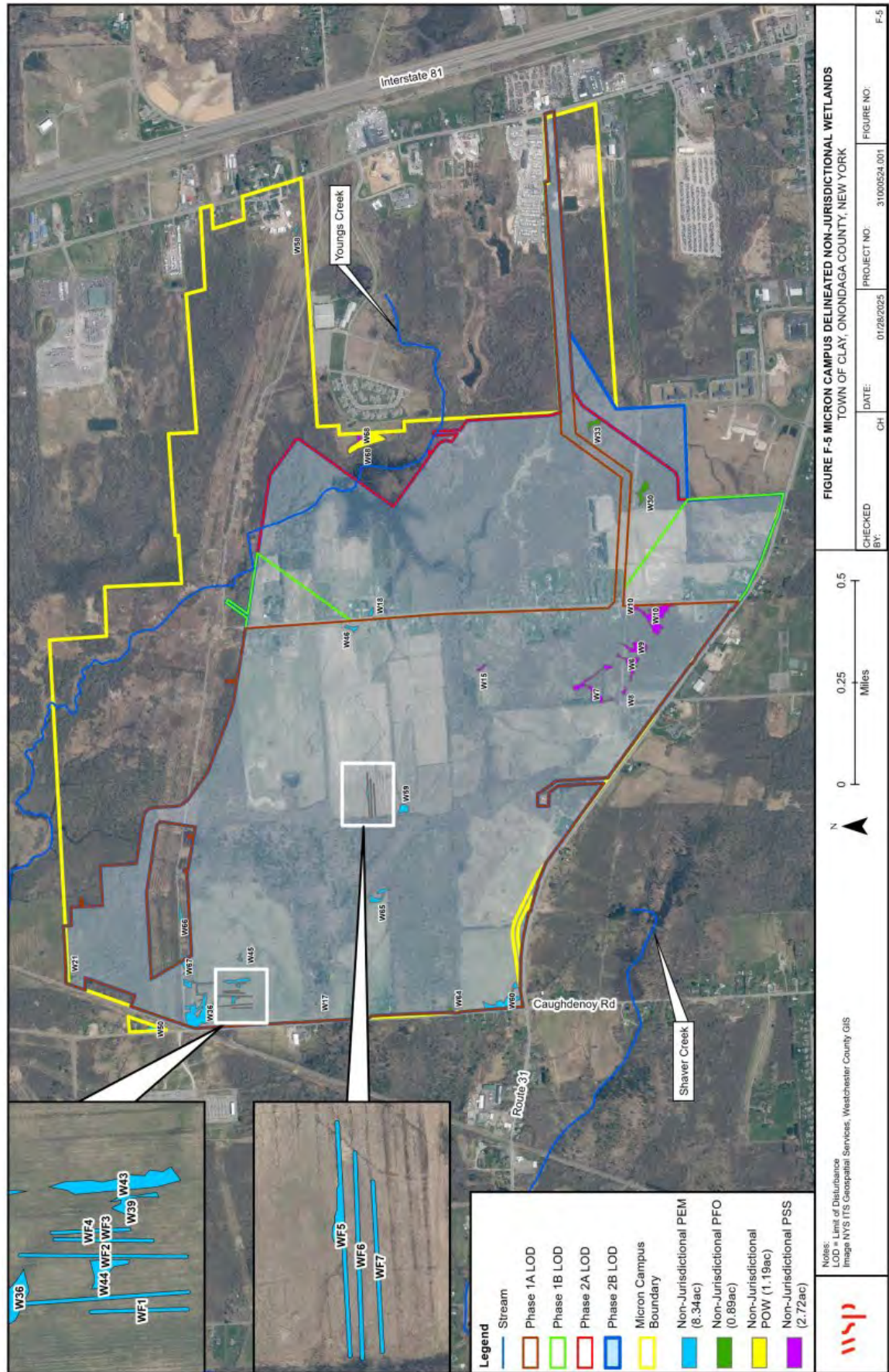
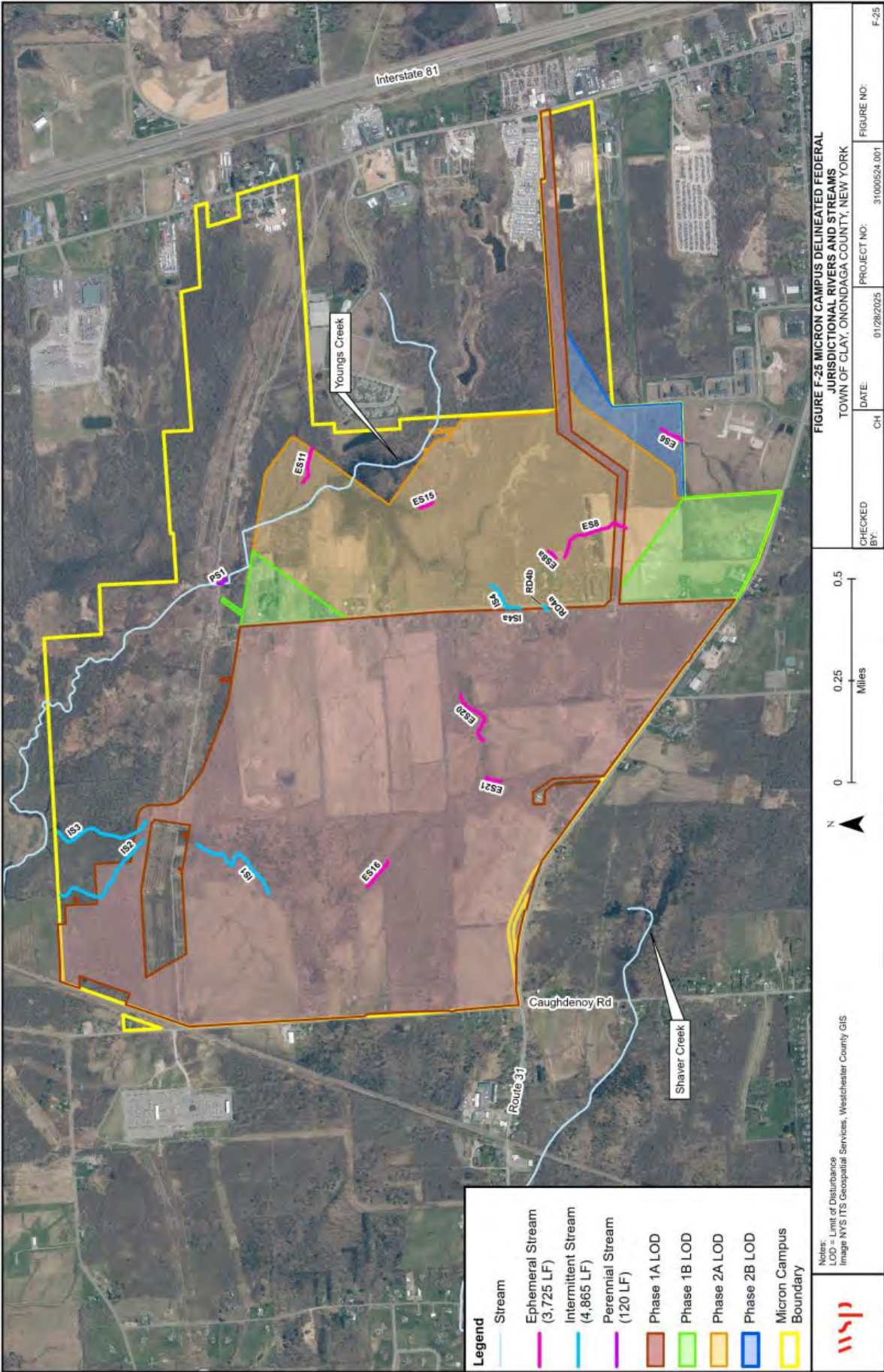


Figure F-5 Micron Campus Delineated Non-Jurisdictional Wetlands



MICRON SEMICONDUCTOR MANUFACTURING PROJECT, CLAY, NY, DRAFT ENVIRONMENTAL IMPACT STATEMENT

Figure F-25 Micron Campus Delineated Federal Jurisdictional Rivers and Streams



MICRON SEMICONDUCTOR MANUFACTURING PROJECT, CLAY, NY, DRAFT ENVIRONMENTAL IMPACT STATEMENT

Figure F-26 Micron Campus Delineated Non-Jurisdictional Rivers and Streams

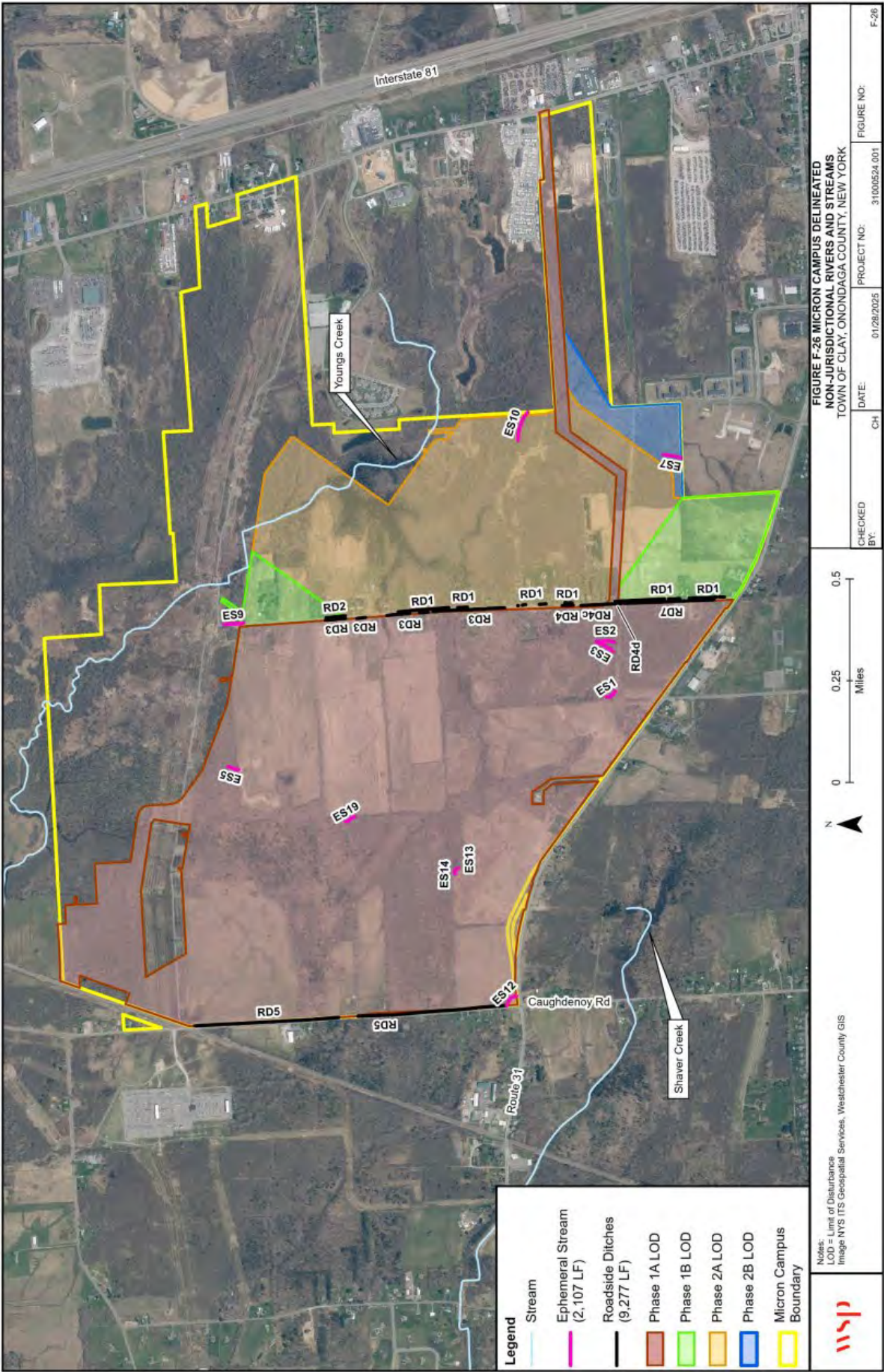
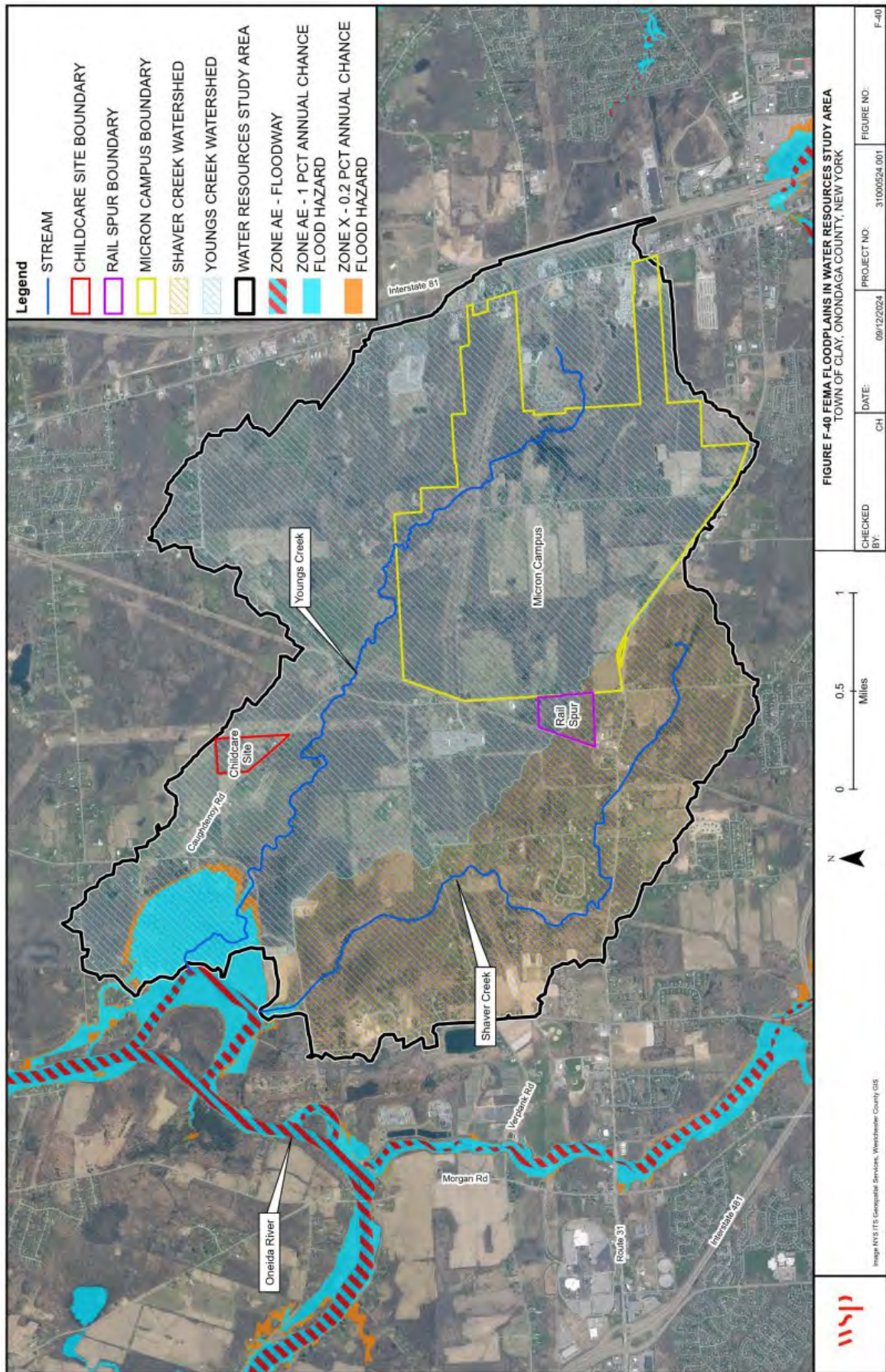


Figure F-40 FEMA Floodplains in Water Resources Study Area



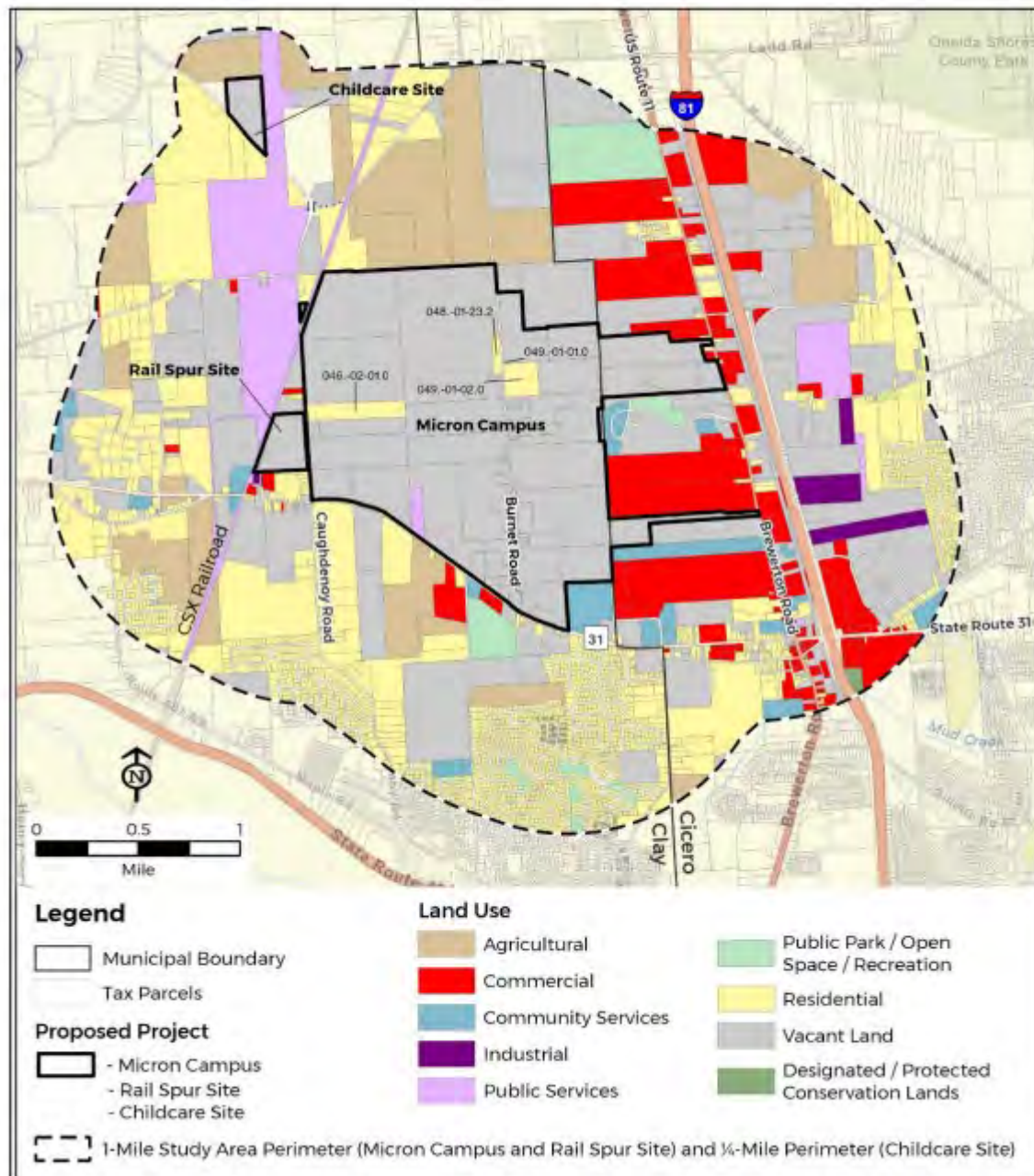
Concept Site Plan

Figure 2.1-2 Proposed Micron Campus Boundary



Proposed Site from Draft Environmental Impact Statement

Figure 3.1-1 Existing Land Uses in Land Use Study Area



Sources: World Street Map: Esri; TomTom; Garmin; SafeGraph; GeoTechnologies, Inc.; METI/NASA; U.S. Geological Survey (USGS); USEPA; National Park Service (NPS); USDA; USFWS. Data sources: NYS Office of Information Technology Services, Geospatial Services; NYS Department of Taxation and Finance, Office of Real Property Tax Services (OPRTS).

Existing Land Uses – From Draft Environmental Impact Statement

Introduction

Assessment of real property is established by an assessor that is an appointed or elected official charged with determining the value of each property. The assessment is used to determine the necessary rate of taxation required to support the municipal budget. A property tax is a levy on the value of property that the owner is required to pay to the municipality in which it is situated. Multiple jurisdictions may tax the same property.

The subject property is located within towns of Clay and Cicero. The assessed value and property tax for the current year are summarized in the following table.

Assessment & Taxes						
Tax Year	2025			Tax Rate	858.315571%	
SWIS Code	312489 / 312289			Tax Rate *	37.033585%	
				Taxes Current	Yes	
APN	Land	Improv.	Total	Exemptions	Taxable	Base Tax
046.-02-01.0	\$19,500	\$0	\$19,500	\$19,500	\$0	\$0
046.-02-02.1	\$16,500	\$0	\$16,500	\$16,500	\$0	\$0
046.-02-02.2	\$10,000	\$0	\$10,000	\$10,000	\$0	\$0
046.-02-03.1	\$53,000	\$0	\$53,000	\$53,000	\$0	\$0
046.-02-04.0	\$13,500	\$0	\$13,500	\$13,500	\$0	\$0
046.-02-05.1	\$15,000	\$0	\$15,000	\$15,000	\$0	\$0
046.-02-05.2	\$25,000	\$0	\$25,000	\$25,000	\$0	\$0
048.-01-01.0	\$75,400	\$0	\$75,400	\$75,400	\$0	\$0
048.-01-02.2	\$70,000	\$0	\$70,000	\$70,000	\$0	\$0
048.-01-21.0	\$35,000	\$0	\$35,000	\$35,000	\$0	\$0
048.-01-22.0	\$25,000	\$0	\$25,000	\$25,000	\$0	\$0
048.-01-23.1	\$19,750	\$0	\$19,750	\$19,750	\$0	\$0
048.-01-23.2	\$5,500	\$0	\$5,500	\$5,500	\$0	\$0
048.-01-23.3	\$6,800	\$0	\$6,800	\$6,800	\$0	\$0
049.-01-01.0	\$10	\$0	\$10	\$0	\$10	\$9
049.-01-02.0	\$6,700	\$0	\$6,700	\$0	\$6,700	\$5,751
049.-01-03.0	\$30,000	\$0	\$30,000	\$30,000	\$0	\$0
049.-01-04.0	\$29,900	\$0	\$29,900	\$29,900	\$0	\$0
049.-01-05.0	\$18,900	\$0	\$18,900	\$18,900	\$0	\$0
049.-01-06.0	\$4,400	\$0	\$4,400	\$4,400	\$0	\$0
049.-01-08.1	\$9,500	\$0	\$9,500	\$9,500	\$0	\$0
049.-01-09.1	\$10,800	\$0	\$10,800	\$10,800	\$0	\$0
049.-01-10.1	\$14,000	\$0	\$14,000	\$14,000	\$0	\$0
049.-01-11.0	\$9,100	\$0	\$9,100	\$9,100	\$0	\$0
049.-01-12.2	\$6,500	\$0	\$6,500	\$6,500	\$0	\$0
049.-01-13.0	\$60,000	\$0	\$60,000	\$60,000	\$0	\$0
049.-01-14.0	\$10,800	\$0	\$10,800	\$10,800	\$0	\$0
049.-01-15.0	\$19,700	\$0	\$19,700	\$19,700	\$0	\$0
049.-01-16.0	\$3,800	\$0	\$3,800	\$3,800	\$0	\$0
049.-01-17.0	\$8,300	\$0	\$8,300	\$8,300	\$0	\$0
049.-01-18.4	\$19,800	\$0	\$19,800	\$19,800	\$0	\$0
049.-01-19.1	\$20,000	\$0	\$20,000	\$20,000	\$0	\$0
049.-01-19.2	\$10,300	\$0	\$10,300	\$10,300	\$0	\$0
050.-01-01.0	\$40,000	\$0	\$40,000	\$40,000	\$0	\$0
050.-01-02.1	\$15,600	\$0	\$15,600	\$15,600	\$0	\$0
050.-01-03.1	\$5,800	\$0	\$5,800	\$5,800	\$0	\$0
050.-01-04.1	\$46,500	\$0	\$46,500	\$46,500	\$0	\$0
050.-01-04.2	\$9,100	\$0	\$9,100	\$9,100	\$0	\$0
050.-01-04.3	\$10,900	\$0	\$10,900	\$10,900	\$0	\$0
050.-01-04.4	\$17,300	\$0	\$17,300	\$17,300	\$0	\$0
050.-01-05.0	\$9,000	\$0	\$9,000	\$9,000	\$0	\$0
050.-01-06.0	\$12,900	\$0	\$12,900	\$12,900	\$0	\$0
050.-01-07.1	\$22,700	\$0	\$22,700	\$22,700	\$0	\$0
050.-01-07.2	\$48,500	\$0	\$48,500	\$48,500	\$0	\$0
050.-01-08.1	\$9,100	\$0	\$9,100	\$9,100	\$0	\$0
050.-01-08.2	\$12,100	\$0	\$12,100	\$12,100	\$0	\$0

Assessment & Taxation

050.-01-09.0		\$9,100	\$0	\$9,100	\$9,100	\$0	\$0
050.-01-10.0		\$18,200	\$0	\$18,200	\$18,200	\$0	\$0
050.-01-11.1		\$18,600	\$0	\$18,600	\$18,600	\$0	\$0
050.-01-12.1		\$15,300	\$0	\$15,300	\$15,300	\$0	\$0
050.-01-13.2		\$18,600	\$0	\$18,600	\$18,600	\$0	\$0
050.-01-13.3		\$18,600	\$0	\$18,600	\$18,600	\$0	\$0
051.-01-05.1		\$26,000	\$0	\$26,000	\$26,000	\$0	\$0
051.-01-05.4		\$18,800	\$0	\$18,800	\$18,800	\$0	\$0
051.-01-10.1		\$1,600	\$0	\$1,600	\$1,600	\$0	\$0
051.-01-10.6		\$31,200	\$0	\$31,200	\$31,200	\$0	\$0
051.-01-10.7		\$3,000	\$0	\$3,000	\$3,000	\$0	\$0
051.-01-10.8		\$3,000	\$0	\$3,000	\$3,000	\$0	\$0
051.-01-10.9		\$16,300	\$0	\$16,300	\$16,300	\$0	\$0
051.-01-12.0		\$5,800	\$0	\$5,800	\$5,800	\$0	\$0
051.-01-13.1		\$12,100	\$0	\$12,100	\$12,100	\$0	\$0
051.-01-13.2		\$9,000	\$0	\$9,000	\$9,000	\$0	\$0
051.-01-13.3		\$21,600	\$0	\$21,600	\$21,600	\$0	\$0
051.-01-14.1		\$18,600	\$0	\$18,600	\$18,600	\$0	\$0
051.-01-14.2		\$26,000	\$0	\$26,000	\$26,000	\$0	\$0
064.-01-06.3		\$1,600	\$0	\$1,600	\$1,600	\$0	\$0
064.-01-08.0		\$7,600	\$0	\$7,600	\$7,600	\$0	\$0
092.-01-01.1	*	\$400,000	\$0	\$400,000	\$400,000	\$0	\$0
092.-01-01.2	*	\$15,700	\$0	\$15,700	\$15,700	\$0	\$0
092.-01-01.3	*	\$19,500	\$0	\$19,500	\$19,500	\$0	\$0
120.-01-08.1	*	\$187,900	\$0	\$187,900	\$187,900	\$0	\$0
Totals		\$1,865,660	\$0	\$1,865,660	\$1,858,950	\$6,710	\$5,759
Total/SF		\$0.03	\$0.00	\$0.03	\$0.03	\$0.00	\$0.00

Additional Tax Charges	
046.-02-01.0	\$895
046.-02-02.1	\$759
046.-02-02.2	\$464
046.-02-03.1	\$2,416
046.-02-04.0	\$645
046.-02-05.1	\$681
046.-02-05.2	\$1,135
048.-01-01.0	\$3,434
048.-01-02.2	\$3,188
048.-01-21.0	\$1,599
048.-01-22.0	\$1,135
048.-01-23.1	\$907
048.-01-23.2	\$5,180
048.-01-23.3	\$318
049.-01-01.0	\$10.1
049.-01-02.0	\$514
049.-01-03.0	\$1,362
049.-01-04.0	\$1,367
049.-01-05.0	\$868
049.-01-06.0	\$209
049.-01-08.1	\$441
049.-01-09.1	\$500
049.-01-10.1	\$645
049.-01-11.0	\$423
049.-01-12.2	\$305
049.-01-13.0	\$2,734
049.-01-14.0	\$500
049.-01-15.0	\$904
049.-01-16.0	\$182
049.-01-17.0	\$387
049.-01-18.4	\$909
049.-01-19.1	\$918
049.-01-19.2	\$477
050.-01-01.0	\$15,209
050.-01-02.1	\$708
050.-01-03.1	\$263
050.-01-04.1	\$2,121
050.-01-04.2	\$423
050.-01-04.3	\$505
050.-01-04.4	\$795
050.-01-05.0	\$418
050.-01-06.0	\$595
050.-01-07.1	\$1,041
050.-01-07.2	\$2,212
050.-01-08.1	\$423
050.-01-08.2	\$559

050.-01-09.0	\$423
050.-01-10.0	\$836
050.-01-11.1	\$854
050.-01-12.1	\$704
050.-01-13.2	\$845
050.-01-13.3	\$854
051.-01-05.1	\$1,181
051.-01-05.4	\$854
051.-01-10.1	\$82.3
051.-01-10.6	\$1,427
051.-01-10.7	\$146
051.-01-10.8	\$146
051.-01-10.9	\$750
051.-01-12.0	\$273
051.-01-13.1	\$559
051.-01-13.2	\$418
051.-01-13.3	\$981
051.-01-14.1	\$854
051.-01-14.2	\$1,190
064.-01-06.3	\$82.3
064.-01-08.0	\$345
092.-01-01.1	\$484
092.-01-01.2	\$0
092.-01-01.3	\$0
120.-01-08.1	\$0
Total Additional Tax Charges	\$75,978
Total Additional Tax Charges Per SF	\$0.00
Total Base Tax & Additional Tax Charges	\$81,737
Total Base Tax & Additional Tax Charges Per SF	\$0.00

Source: towns of Clay and Cicero Assessment & Taxation

Subject Property Analysis

The total assessment for the subject property is \$1,865,660 or \$0.03/SF. Multiple parcels benefit from a Municipal Industrial Development Agency Exemption in the amount of \$1,858,950, fully exempting most of the parcels from ad-valorem taxes. As long as there is no change in the property's use or a change of ownership, the exemption will remain. Total taxes for the property are \$81,737 or \$0.00/SF.

As part of the scope of work, we researched assessment and tax information related to the subject property. The following are key factors related to local assessment and taxation policy. Real property in the towns of Clay and Cicero is assessed at 2.40% and 60% of market value, respectively. Real property is reassessed annually. The next scheduled reassessment date is July 1, 2026. In addition to scheduled reassessments, properties in the towns of Clay and Cicero are reassessed upon conversion, renovation or demolition.

According to the staff representative at the towns of Clay and Cicero receiver of taxes, real estate taxes for the subject property are current as of the date of this report.

Introduction

Zoning requirements typically establish permitted and prohibited uses, building height, lot coverage, setbacks, parking and other factors that control the size and location of improvements on a site. The zoning characteristics for the subject property are summarized below:

Industrial 2 District (I-2)

Zoning Summary	
Municipality Governing Zoning	Town of Clay Planning & Zoning Department
Current Zoning	Industrial 2 District (I-2)
Permitted Uses	Uses including but not limited to: warehouses, manufacturing facilities and self-storages.
Prohibited Uses	Any other use not listed as permitted nor compatible with the district purpose and intent.
Current Use	Single-Family Dwelling
Is Current Use Legally Permitted?	Yes
Zoning Change	Not Likely
Highest & Best Use	Industrial
Is This Use Legally Permitted?	Yes
Zoning Requirements	
Minimum Yard Setbacks	
Front For NYS Or County	200
Front For Town Or Private	50
Rear (Feet)	25
Side (Feet)	25
Maximum Building Coverage	60%
Maximum Building Coverage For Lots Surrounded By An Industrial District	75%
Maximum Total Coverage	80%
Maximum Total Coverage For Lots Surrounded By An Industrial District	90%
Parking Requirement	
Spaces Per 1,000 SF	4.00
Spaces Required	0

Source: Town of Clay Planning & Zoning Department

Residential / Agricultural District (RA-100)

Zoning Summary	
Municipality Governing Zoning	Town of Clay Planning & Zoning Department
Current Zoning	Residential / Agricultural District (RA-100)
Permitted Uses	Uses including but not limited to: residential uses and agricultural uses.
Prohibited Uses	Any other use not listed as permitted nor compatible with the district purpose and intent.
Current Use	Single-Family Dwelling
Is Current Use Legally Permitted?	Yes
Zoning Change	Not Likely
Highest & Best Use	Industrial
Is This Use Legally Permitted?	Yes

Zoning Requirements	
Minimum Lot Area (Acres)	5
Minimum Lot Width (Feet)	125
Minimum Yard Setbacks	
Front (Feet)	100
Rear (Feet)	50
Side (Feet)	50
Maximum Building Height (Feet)	50

Source: Town of Clay Planning & Zoning Department

One Family Residential District (R-15)

Zoning Summary	
Municipality Governing Zoning	Town of Clay Planning & Zoning Department
Current Zoning	One Family Residential District (R-15)
Permitted Uses	Residential uses.
Prohibited Uses	Any other use not listed as permitted nor compatible with the district purpose and intent.
Current Use	Single-Family Dwelling
Is Current Use Legally Permitted?	Yes
Zoning Change	Not Likely
Highest & Best Use	Industrial
Is This Use Legally Permitted?	Yes

Zoning Requirements

Minimum Lot Area (SF)	Based on design, parking, yards, etc.
Minimum Lot Width (Feet)	80
Minimum Yard Setbacks	
Front (Feet)	25
Rear (Feet)	10
Side (Feet)	15% lot width
Total Sides (Feet)	30% lot width
Maximum Building Height (Feet)	30

Source: Town of Clay Planning & Zoning Department

General Commercial District (GC)

Zoning Summary

Municipality Governing Zoning	Town of Cicero Planning & Zoning Department
Current Zoning	General Commercial District (GC)
Permitted Uses	Uses including but not limited to: retail uses, retail services, offices, hospitality facilities, care facilities, restaurants and civic uses.
Prohibited Uses	Any other use not listed as permitted nor compatible with the district purpose and intent.
Current Use	Single-Family Dwelling
Is Current Use Legally Permitted?	Yes
Zoning Change	Not Likely
Highest & Best Use	Industrial
Is This Use Legally Permitted?	Yes

Zoning Requirements

Minimum Lot Depth (Feet)	200
Minimum Building Line (Feet)	100
Minimum Yard Setbacks	
Front (Feet)	50
Rear (Feet)	25
Side (Feet)	15
Maximum Building Height (Feet)	60
Maximum Building Size (SF)	100,000
Maximum Lot Coverage	40%
Parking Requirement	As approved by the zoning authority

Source: Town of Cicero Planning & Zoning Department

Zoning Conclusions

Based on the interpretation of the zoning ordinance, the subject property is an outright permitted use that could be rebuilt if unintentionally destroyed. The subject's use is permitted via a site plan approval specific to the subject development. The current use is permitted for ongoing use, but is subject for review upon proposed major renovation and/or full redevelopment of the site.

Detailed zoning studies are typically performed by a zoning or land use expert, including attorneys, land use planners, or architects. The depth of our analysis correlates directly with the scope of this assignment, and it considers all

Legend

Proposed Project

- Micron Campus
- Rail Spur Site
- Childcare Site

Land Use Study Area Perimeter

Zoning - Clay

- Residential
- Residential / Agricultural
- Commercial
- I-2 - Industrial
- Planned Development
- GOV - Government

Zoning - Cicero

- Residential
- Agricultural
- Commercial
- Industrial
- Planned Unit Development

Sources: World Street Map; Esri; HERE; Garmin; SafeGraph; GeoTechnologies, Inc.; METI/NASA; USGS; USEPA; NPS; USDA
Town of Clay Planning Board. Note: the zoning districts in the Town of Clay in Figure 3.1-10 do not reflect the official zoning
map available on the Town of Clay website, <https://townofclay.org/forms-permits-info/zoning-codes-map>, but reflect the current
zoning based on information provided by the Town of Clay Planning Board.

Current Zoning – Provided from Draft Environmental Impact Statement

We have invoked an extraordinary assumption that the zoning will be changed to permit heavy industrial manufacturing which is Micron's planned use for this subject site.

Introduction

As concluded ahead, the highest and best use of the subject site as-vacant is development of an industrial property as market conditions warrant. Therefore, this section provides a brief study of industrial supply/demand conditions for the Syracuse Market and Northeast Outer Onondaga County Submarket, market participant interviews and transaction trends. These findings are used to support our conclusions for the competitive position, and exposure period of the subject site.

Syracuse Industrial Market

The following is an analysis of supply/demand trends in the Syracuse industrial market using information provided by CoStar, widely recognized as a credible source for tracking market statistics. The table below presents historical data for key market indicators.

Syracuse Historical Statistics (Last Ten Years)					
Period	Supply	Added Supply	Net Absorption	Vacancy	Asking Rent
2015	100,565,344 SF	83,000 SF	1,544,901 SF	6.6%	\$3.81/SF
2016	100,983,318 SF	417,974 SF	1,368,879 SF	5.0%	\$4.06/SF
2017	102,060,015 SF	1,076,697 SF	278,619 SF	4.5%	\$4.00/SF
2018	102,355,049 SF	295,034 SF	1,852,396 SF	4.7%	\$4.08/SF
2019	102,427,473 SF	72,424 SF	(264,431) SF	4.1%	\$4.56/SF
2020	102,572,735 SF	75,742 SF	(861,472) SF	5.2%	\$4.63/SF
2021	106,626,451 SF	4,053,716 SF	6,172,441 SF	3.9%	\$5.22/SF
2022	106,644,691 SF	18,240 SF	(663,330) SF	3.3%	\$5.98/SF
2023	106,751,239 SF	106,548 SF	(92,606) SF	3.8%	\$7.18/SF
2024	106,939,539 SF	188,300 SF	(2,045,649) SF	4.8%	\$7.83/SF
CAGR	0.6%	-	-	-	7.5%

*Supply numbers based on information which is amended/updated on an on-going basis by Costar.

Source: Costar®

The following table summarizes the trailing four quarter performance of the Syracuse market.

Syracuse Trailing Four Quarter Performance					
Period	Supply	Added Supply	Net Absorption	Vacancy	Asking Rent
2024 Q3	106,883,239 SF	0 SF	(529,522) SF	4.8%	\$7.78/SF
2024 Q4	106,939,539 SF	56,300 SF	(1,351,073) SF	6.1%	\$7.90/SF
2025 Q1	106,953,939 SF	14,400 SF	84,364 SF	6.0%	\$7.70/SF
2025 Q2	106,953,939 SF	0 SF	51,721 SF	6.0%	\$7.66/SF

Source: Costar®

Key supply/demand statistics for the most recent quarter, last year and historical averages are summarized below.

Syracuse Market Trend Analysis			
	Q2 2025	2024	Last 10
Total SF	106,953,939	106,939,539	103,792,585
Vacant SF	6,383,444	5,165,180	4,762,004
Market Vacancy	6.0%	4.8%	4.6%
Construction Growth Rate	0.0%	0.2%	0.6%
Absorption Rate	0.05%	(1.9%)	0.7%
Average Asking Rent/SF	\$7.66	\$7.83	\$5.14

Source: Costar®

Syracuse Market Conclusion

Based on the preceding analysis, the Syracuse industrial market demonstrates sound fundamentals. Analysis of supply and demand factors indicate the market is currently stable with no evidence to prove this will change any time soon. There are no observed weaknesses of the market that stand out.

Northeast Outer Onondaga County Industrial Submarket Overview

The following is an analysis of supply/demand trends in the Northeast Outer Onondaga County industrial submarket using information provided by CoStar. The table below presents historical data for key market indicators.

Northeast Outer Onondaga County Historical Statistics (Last Ten Years)					
Period	Supply	Added Supply	Net Absorption	Vacancy	Asking Rent
2015	11,072,033 SF	8,000 SF	85,971 SF	3.1%	\$4.18/SF
2016	11,142,733 SF	70,700 SF	95,368 SF	2.6%	\$4.33/SF
2017	11,142,733 SF	0 SF	144,015 SF	1.6%	\$4.39/SF
2018	11,142,733 SF	0 SF	37,554 SF	0.9%	\$4.86/SF
2019	11,142,733 SF	0 SF	(296,027) SF	2.0%	\$5.31/SF
2020	11,150,069 SF	0 SF	(85,916) SF	3.6%	\$5.35/SF
2021	14,950,069 SF	3,800,000 SF	3,968,514 SF	2.4%	\$5.30/SF
2022	14,950,069 SF	0 SF	(215,504) SF	2.8%	\$6.39/SF
2023	14,950,069 SF	0 SF	(74,519) SF	3.4%	\$6.95/SF
2024	14,962,069 SF	12,000 SF	(658,229) SF	5.2%	\$7.33/SF
CAGR	3.1%	-	-	-	5.8%

*Supply numbers based on information which is amended/updated on an on-going basis by Costar.

Source: Costar®

The following table summarizes the trailing four quarter performance of the Northeast Outer Onondaga County submarket.

Northeast Outer Onondaga County Trailing Four Quarters Performance					
Period	Supply	Added Supply	Net Absorption	Vacancy	Asking Rent
2024 Q3	14,962,069 SF	0 SF	(30,882) SF	3.8%	\$7.49/SF
2024 Q4	14,962,069 SF	0 SF	(729,640) SF	8.7%	\$7.07/SF
2025 Q1	14,962,069 SF	0 SF	162,744 SF	7.6%	\$7.38/SF
2025 Q2	14,962,069 SF	0 SF	608,683 SF	3.5%	\$5.93/SF

Source: Costar®

Key supply/demand statistics for the most recent quarter, last year and historical averages are summarized below.

Northeast Outer Onondaga County Market Trend Analysis			
	Q2 2025	2024	Last 10
Total SF	14,962,069	14,962,069	12,660,531
Vacant SF	524,479	782,516	347,658
Market Vacancy	3.5%	5.2%	2.7%
Construction Growth Rate	0.0%	0.1%	3.1%
Absorption Rate	4.1%	(4.4%)	2.0%
Average Asking Rent/SF	\$5.93	\$7.33	\$5.44

Source: Costar®

Northeast Outer Onondaga County Submarket Conclusion

Based on the preceding analysis, the Northeast Outer Onondaga County industrial submarket demonstrates sound fundamentals. Analysis of supply and demand factors indicate the market is currently stable with no evidence to prove this will change any time soon. There are no observed weaknesses of the submarket that stand out.

Inflation Impact / Macroeconomy Overview

Over the past two years, macroeconomic conditions have slowed commercial real estate activity and tightened debt markets. GDP growth has moderated. CPI trends indicate a continued but slower pace of inflation, reflecting the impact of tighter monetary policy. Inflation reached a high of 9.1% in June 2022 and declined to 2.5% in August 2024. Although above the goal of 2.0% targeted as normal for a healthy economy, the inflation break has paved the way for a shift in interest rates. With employment growth slowing, the unemployment rate reached 4.2% in August 2024. Macroeconomic changes of this nature suggest a softening economy or the potential for recession. In July 2024, bond markets began pricing to suggest federal funds rate cuts were imminent. Likewise, many economists believe the certainty of multiple rate cuts in 2024 has increased.

In the September 2024 meeting, the Federal Reserve announced a rate reduction of 50 basis points to 4.75% to 5.0%. Statements from the Chair suggest future 2024 rate cuts were being considered with a continued goal to reach 2% inflation objective. Forecasts project another 50-basis points in rate cuts by year end with the majority of traders expecting 75, with meeting dates on November 7th and December 18th. Messaging thus far has been centered on measured cuts going forward unless economic conditions warrant a more significant rate reduction. As of September 23, 2024, the 10-Year Treasury was at 3.75%. This shift marks a decrease from a high of 5% in the 4th Quarter of 2023 and a trend in the 4.25 to 4.5% range through most of 2024.

The higher cost of capital weighed on investment decisions in the real estate market from midyear 2022 through early 2024 and was reflected in transactions that closed through much of the 3Q24. As rates leveled in summer 2024 and began contracting with market participants anticipating further rate contractions and more favorable capital markets conditions looking forward, transaction activity in the form of recapitalizations, refinancing, and outright sales transactions, began to improve in August 2024, along with general market sentiment. The market for commercial real estate is still adjusting to these changes and their impact is likely to lag and not likely to be fully reflected in transaction activity until late 4Q24 and into 2025.

Transaction Trends

In the open market, the subject property type would command most interest from national and regional buyers that are actively pursuing similar large owner-user properties. The most probable buyer is an owner user.

Based on the preceding analysis, there is an established sales market for the subject property. Based on these factors, conditions favor sellers in regard to negotiating sale terms.

Subject Property Analysis

Based on our analysis of the subject property and investigation of substitute properties in the marketplace, the subject is considered to have Above Average overall buyer appeal with a Relatively Strong competitive position if the asset was exposed to the open market.

Exposure Time & Marketing Period

Exposure time is defined as "An opinion, based on supporting market data, of the length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal." (The Dictionary of Real Estate Appraisal, Appraisal Institute, 2022). Reasonable exposure time is impacted by the aggressiveness and effectiveness of a property's exposure to market participants, availability and cost of financing, and demand for similar investments. Exposure time is best established based the recent history of marketing periods for comparable sales, discussions with market participants and information from published surveys.

The availability of acquisition financing factors into exposure time. In recent quarters, financing has been available for well-positioned commercial real estate, particularly for stabilized assets within core MSAs and owner/user deals. For second tier or marginal properties, financing has been available but subject to more stringent requirements. Based on review of the local capital market, we conclude that adequate financing options would have been available to consummate a sale of the property on the date of value.

Exposure Time Conclusion

The preceding information generally supports an exposure time range from 12 to 36 months for sites similar to the subject. The fact that the subject is such a large parcel places upward pressure on the subject's likely exposure time. Based on its overall physical and locational characteristics, the subject site has below average overall appeal to developers and/or owner/users. Considering these factors, a reasonable estimate of exposure time for the subject property is more than 24 months.

Marketing Period Conclusion

Marketing period is very similar to exposure time, but reflects a projected time period to sell the property, rather than a retrospective estimate. Having reviewed open listings and discussed the market with local participants, and given the nature of this site, we feel that a time period of more than 24 months is supported for the subject's marketing period.

Introduction

The highest and best use of an improved property is defined as that reasonable and most probable use that will support its highest present value. The highest and best use, or most probable use, must be legally permissible, physically possible, financially feasible, and maximally productive. This section develops the highest and best use of the subject property As-Vacant.

As-Vacant Analysis

Legal Factors

The legal factors that possibly influence the highest and best use of the subject site are discussed in this section. Private restrictions, zoning, building codes, historic district controls, and environmental regulations are considered, if applicable to the subject site. Permitted uses of the subject's I-2, RA-100, R-15, and GC (Industrial 2 District (I-2), Residential / Agricultural District (RA-100), One Family Residential District (R-15), and General Commercial District (GC)) zoning were listed in the Zoning Analysis section and include a variety of residential, agricultural, commercial and industrial uses. The subject site has been assembled over the past 26 years with the intention of development as an industrial park. We have invoked an extraordinary assumption that the various zoning classifications will be changed to permit industrial -heavy manufacturing which has been the planned use for the subject site for decades. The potential use that meets the requirements of the legal permissibility test is industrial development.

Physical & Locational Factors

Regarding physical characteristics, the subject site is irregular in shape and has level topography with average access and average exposure. Of the outright permitted uses, physical and locational features best support development of an industrial property as market conditions warrant for the site's highest and best use as-vacant.

Feasibility Factors

The financial feasibility of those uses that meet the legal and physical tests discussed is analyzed further in this section. Supply and demand conditions affect the financial feasibility of possible uses. Indicators of feasibility, which typically indicate favorable or non-favorable supply and demand conditions, include construction financing and proposed projects.

As-Vacant Conclusion

Based on the previous discussion, the subject's highest and best use as-vacant is concluded to be development of an industrial property as market conditions warrant.

Introduction

The following presentation of the appraisal process deals directly with the valuation of the subject property. The As-Is Market Value of the subject's fee simple interest is estimated using the Sales Comparison Approach, which is recognized as the standard appraisal technique for commercial land. The Cost and Income Capitalization Approaches are not applicable when valuing unimproved commercial land and are therefore excluded. Their exclusion is not detrimental to the reliability or credibility of the final value conclusion.

Sales Comparison Approach

The Sales Comparison Approach is based on the principle of substitution, which asserts that no one would pay more for a property than the value of similar properties in the market. This approach analyzes comparable sales by applying transactional and property adjustments in order to bracket the subject property on an appropriate unit value comparison. The sales comparison approach is applicable when sufficient data on recent market transactions is available. Alternatively, this approach may offer limited reliability because many properties have unique characteristics that cannot be accounted for in the adjustment process.

Land Valuation

As previously discussed within the Valuation Methods section, the subject is valued as one marketable economic site in this appraisal. Land value is influenced by a number of factors; most prominent of which is development and use potential. These factors, as well as others, are considered in the following analysis.

Unit Of Comparison

The most relevant unit of comparison is the price per acre. This indicator best reflects the analysis used by buyers and sellers in this market for land with similar utility and zoning in this marketplace.

Comparable Selection

A thorough search was made for similar land sales in terms of proximity to the subject, size, location, development potential, and date of sale. In selecting comparables, emphasis was placed on confirming recent sales of commercial sites that are similar to the subject property in terms of location and physical characteristics. Overall, the sales selected represent the best comparables available for this analysis.

Adjustment Process

Quantitative adjustments are made to the comparable sales. The following adjustments or general market trends were considered for the basis of valuation.

Transactional Adjustments

Dollar adjustments to the comparable sales were considered and made when warranted for transactional adjustments in the sequence shown below:

Property Rights Transferred	The valuation of the subject site was completed on a fee simple basis. If warranted, leased fee, leasehold and/or partial interest land sales were adjusted accordingly.
Financing Terms	The subject site was valued on a cash equivalent basis. Adjustments were made to the comparables involving financing terms atypical of the marketplace.
Conditions of Sale	This adjustment accounts for extraordinary motivation on the part of the buyer or seller often associated with distressed sales and/or assemblages.
Expenditures After Purchase	Adjustments were applied if site conditions warranted expenditures on the part of the buyer to create a buildable site. Examples include costs for razing pre-existing structures, general site clearing and/or mitigation of environmental issues.
Market Conditions	Market conditions adjustments were based on a review of historical sale data, market participant interviews and review of current versus historical pricing. Based

on our research, the following table summarizes the market conditions adjustment applied in this analysis.

Market Conditions Adjustment			
Per Year As Of	September 2025	(As-Is)	3%

The analysis applies an upward market conditions adjustment of 3% annually reflecting the conditions between the oldest comparable sale date up through the effective valuation date.

Property Adjustments

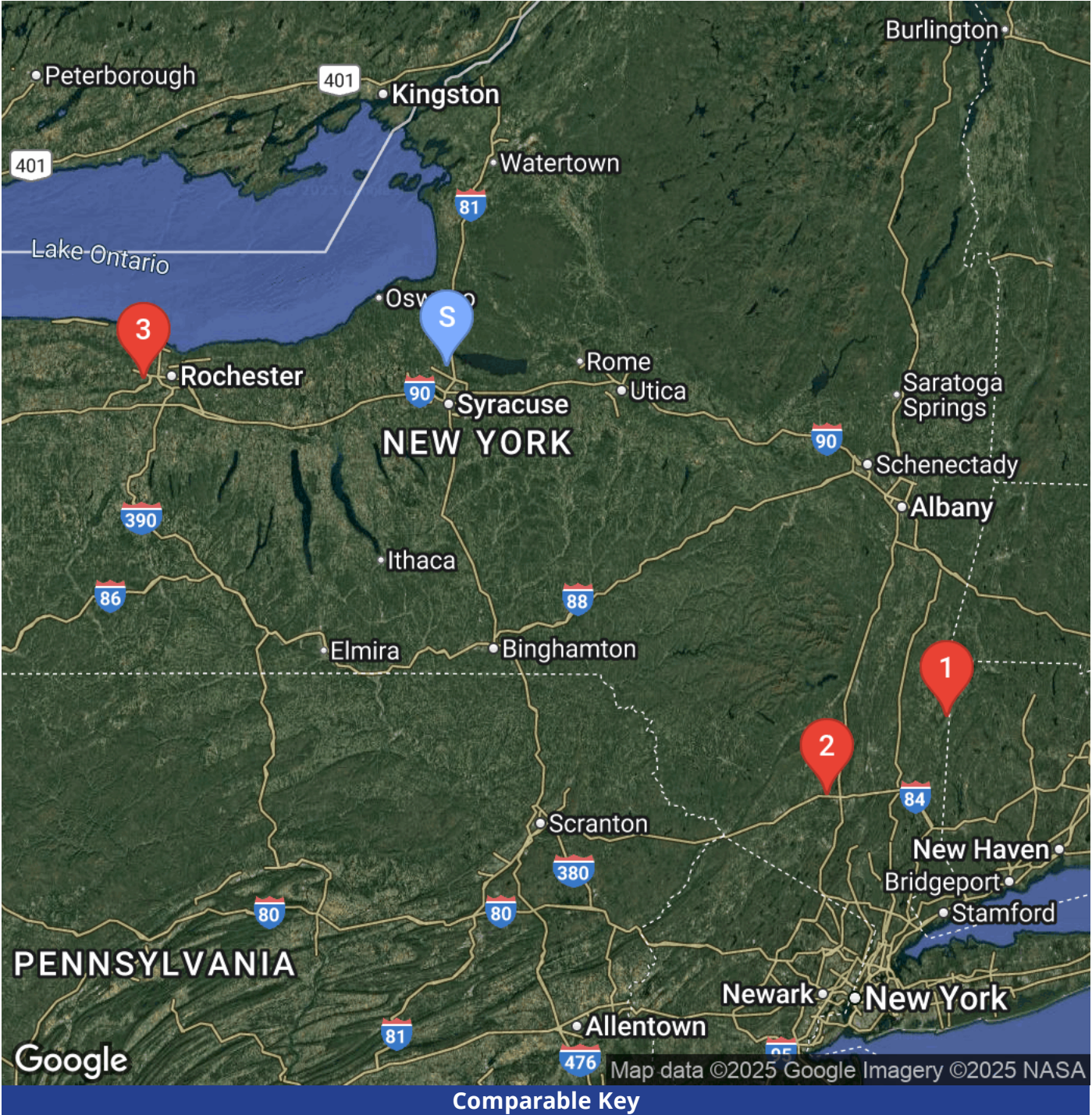
Quantitative percentage adjustments are also made for location and physical characteristics such as size, shape, access, exposure, topography, zoning and overall utility. Where possible the adjustments applied are based on paired data or other statistical analysis. For example, location adjustments are based primarily on review of land values in the market areas for the comparables relative to the subject. It should be stressed that the adjustments are subjective in nature and are meant to illustrate our logic in deriving a value opinion for the subject site.

Land Valuation Presentation – Phase 1

The following Land Sales Summation Table, Location Map and datasheets summarize the sales data used in this analysis. Following these items, the comparable land sales are adjusted for applicable elements of comparison and the opinion of site value is concluded.

Land Sales Summation Table - Phase 1				
Comparable	Subject	Comparable 1	Comparable 2	Comparable 3
Name	White Pine Commerce Park	Leedsville Rd Land	Vacant Land	PUD Land
Address	Burnet Road,	103 Leedsville Road	59 Maple Avenue	500 Frank Dimino Way
City	Clay	Amenia	Rock Tavern	Rochester
State	NY	NY	NY	NY
Zip	13041	12501	12575	14624
County	Onondaga	Dutchess	Orange	Monroe
APN	34 parcels	132000 7266-00-165686-0000	334289-031-000-0001-094.200-0000	118.13-1-8.11
Physical Information				
Acres	819.92	465.60	60.60	50.76
Location	Average	Average	Average	Average
Exposure	Average	Average	Average	Average
Access	Average	Average	Average	Average
Shape	Irregular	Irregular	Irregular	Generally Rectangular
Site Utility Rating	Average	Average	Average	Average
Sale Information				
Date		7/5/2024	2/14/2024	9/8/2023
Status		Recorded	Recorded	Recorded
Rights Transferred		Fee Simple	Fee Simple	Fee Simple
Transaction Price		\$11,417,247	\$1,108,200	\$2,325,000
Analysis Price		\$11,417,247	\$1,108,200	\$2,325,000
\$/Acre		\$24,522	\$18,287	\$45,804

Land Sales Location Map



Comparable 1

Location Information

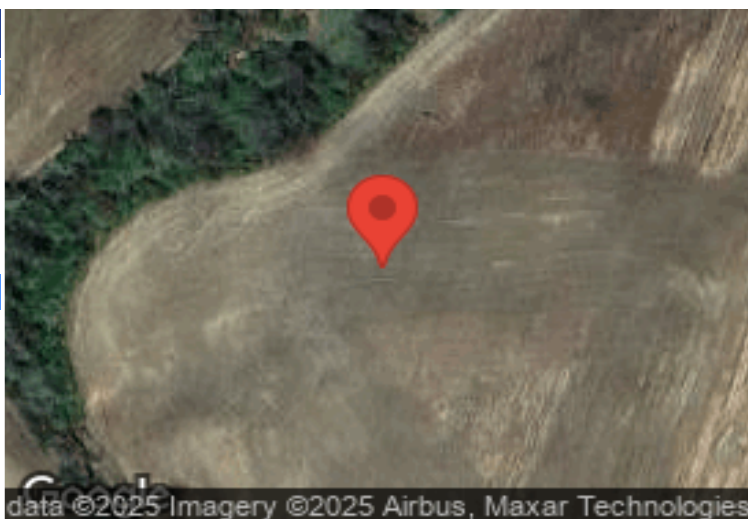
Name	Leedsville Rd Land
Address	103 Leedsville Road
City, State, Zip Code	Amenia, NY, 12501
County	Dutchess
APN	132000 7266-00-165686-0000

Sale Information

Buyer	Laurelbrook Heifer LLC
Seller	DESEGONZAC-LEVIN
Transaction Date	07/5/2024
Transaction Status	Recorded
Transaction Price	\$11,417,247
Analysis Price	\$11,417,247
Recording Number	2024-1941
Rights Transferred	Fee Simple
Financing	Undisclosed
Conditions of Sale	Arms-Length

Physical Information

Intended Use	Industrial Land
Location	Average
Flood Zone	X (Unshaded)
Site Size (Net)	465.60 Acres (20,281,536 SF)
Site Size (Gross)	465.60 Acres (20,281,536 SF)
Zoning	RA
Shape	Irregular
Topography	Generally Level
Access	Average
Exposure	Average
Corner	No
Utilities	No



Leedsville Rd Land

Analysis Information

Price	<u>\$/Acre</u>	<u>\$/SF</u>	<u>\$/Unit</u>
Gross	\$24,522	\$0.56	\$11,417,247
Net	\$24,522	\$0.56	\$11,417,247

Confirmation

Name	Confidential
Company	Confidential
Source	Local Tax Record
Date / Phone Numbe	08/15/2024 Confidential

Remarks

The property includes 12,788 SF of farm/utility buildings. These buildings are in fair condition and were built in 1920, 1966, and 1970. The buildings contribute little to no value to the overall site.

Comparable 2

Location Information

Name	Vacant Land
Address	59 Maple Avenue
City, State, Zip Code	Rock Tavern, NY, 12575
County	Orange
APN	334289-031-000-0001-094.200-0000

Sale Information

Buyer	Renewa I LLC
Seller	Matrix Maple Development LLC
Transaction Date	02/14/2024
Transaction Status	Recorded
Transaction Price	\$1,108,200
Analysis Price	\$1,108,200
Recording Number	15555-789
Rights Transferred	Fee Simple
Financing	Conventional
Conditions of Sale	Arms-Length

Physical Information

Intended Use	Vacant Land
Location	Average
Site Size (Net)	60.60 Acres (2,639,736 SF)
Site Size (Gross)	60.60 Acres (2,639,736 SF)
Zoning	I-3
Shape	Irregular
Topography	Generally Level
Access	Average
Exposure	Average
Corner	No
Utilities	No



Vacant Land

Analysis Information

Price	<u>\$/Acre</u>	<u>\$/SF</u>	<u>\$/Unit</u>
Gross	\$18,287	\$0.42	\$1,108,200
Net	\$18,287	\$0.42	\$1,108,200

Confirmation

Name	Confidential
Company	Confidential
Source	Knowledgeable Third Party
Date / Phone Numbe	07/12/2024 Confidential

Remarks

This property consists of a 60.60 acre tract of vacant land located in Rock Tavern (Town of Montgomery), Orange County, New York. The site is irregular in shape and has non-contiguous frontage on Maple Avenue. The property is generally level in topography and open land. The site is zoned I-3 Industrial. The property sold in February 2024 for \$1,108,200. The future use of the site was not disclosed.

Comparable 3

Location Information

Name	PUD Land
Address	500 Frank Dimino Way
City, State, Zip Code	Rochester, NY, 14624
County	Monroe
MSA	Rochester, NY
APN	118.13-1-8.11

Sale Information

Buyer	3410 Buffalo Road LLC
Seller	Italian American Community Center
Transaction Date	09/8/2023
Transaction Status	Recorded
Transaction Price	\$2,325,000
Analysis Price	\$2,325,000
Recording Number	12867-0597
Rights Transferred	Fee Simple
Financing	Conventional
Conditions of Sale	Arms-Length

Physical Information

Intended Use	Mixed Use
Location	Average
Site Size (Net)	50.76 Acres (2,211,105 SF)
Site Size (Gross)	50.76 Acres (2,211,105 SF)
Zoning	PUD- Planned Unit Development
Shape	Generally Rectangular
Topography	Gentle Slope
Access	Average
Exposure	Average
Corner	No
Utilities	Yes



PUD Land

Analysis Information

Price	<u>\$/Acre</u>	<u>\$/SF</u>	<u>\$/Unit</u>
Gross	\$45,804	\$1.05	\$2,325,000
Net	\$45,804	\$1.05	\$2,325,000

Confirmation

Name	Confidential
Company	Confidential
Source	Closing Statement
Date / Phone Numbe	04/8/2024 Confidential

Remarks

This parcel is located at the end of Frank Dimino Way which is accessed through Manitou Road, and is adjacent to Amazon's distribution warehouse delivered in 2022. The property has good access located 2 miles from Interstate-490 and 1 mile from Route 531. This represents the sale of 50.76 acres that was listed for 26 months including the pending sale period over the initial asking price of \$1,999,999.

Land Sales Adjustment Table - Phase 1

Comparable	Subject	Comparable 1	Comparable 2	Comparable 3
Name	White Pine Commerce Park	Leedsville Rd Land	Vacant Land	PUD Land
Address	Burnet Road,	103 Leedsville Road	59 Maple Avenue	500 Frank Dimino Way
City	Clay	Amenia	Rock Tavern	Rochester
APN	34 parcels	132000 7266-00- 165686-0000	334289-031-000- 0001-094.200- 0000	118.13-1-8.11
Acres	819.92	465.60	60.60	50.76
Location	Average	Average	Average	Average
Exposure	Average	Average	Average	Average
Access	Average	Average	Average	Average
Shape	Irregular	Irregular	Irregular	Generally Rectangular
Site Utility Rating	Average	Average	Average	Average
Sale Information				
Date		7/5/2024	2/14/2024	9/8/2023
Status		Recorded	Recorded	Recorded
Rights Transferred		Fee Simple	Fee Simple	Fee Simple
Analysis Price		\$11,417,247	\$1,108,200	\$2,325,000
Price/Acre		\$24,522	\$18,287	\$45,804
Transactional Adjustments				
Property Rights		0%	0%	0%
Financing		0%	0%	0%
Conditions of Sale		0%	0%	0%
Expenditures After the Sale		0%	0%	0%
Market Conditions¹		4%	5%	6%
Subtotal Transactional Adj Price		\$25,503	\$19,201	\$48,552
Property Adjustments				
Location		0%	0%	0%
Size		0%	-20%	-20%
Exposure		0%	0%	0%
Access		0%	0%	0%
Shape		0%	0%	0%
Site Utility Rating		0%	0%	0%
Subtotal Property Adjustment		0%	-20%	-20%
Total Adjusted Price		\$25,503	\$15,361	\$38,842
Statistics	Unadjusted	Adjusted		
Low	\$18,287	\$15,361		
High	\$45,804	\$38,842		
Median	\$24,522	\$25,503		
Average	\$29,538	\$26,569		

¹ Market Conditions Adjustment: 3%

Date of Value (for adjustment calculations): 9/16/25

Land Sales Analysis – Phase 1

Introduction

The comparable land sales indicate an adjusted value range from \$15,361 to \$38,842/Acre, with a median of \$25,503/Acre and an average of \$26,569/Acre. The range of total gross adjustment applied to the comparables was from 4% to 26%, with an average gross adjustment across all comparables of 18%. The level of total adjustment applied to the comparables is considered to be moderate. Overall, the availability of market data and extent of analysis was adequate to develop a reasonably credible opinion of land value. The adjustment process for each comparable land sale is discussed in the following paragraphs.

Discussion of Adjustments

Comparable 1 (\$25,503/Acre adjusted) required a total upward transaction adjustment of 4%. This comparable is adjusted upward for improving market conditions. This comparable did not require any property characteristic adjustments. The total gross adjustment applied to this comparable was 4%. The moderate level of gross adjustments required for this comparable indicates that it can be adequately relied upon for valuation of the subject. This comparable is given primary consideration as a value indicator for the subject.

Comparable 2 (\$15,361/Acre adjusted) required a total upward transaction adjustment of 5%. This comparable is adjusted upward for improving market conditions. This comparable required a total downward adjustment of -20% for property characteristics. Comparable 2 has a significantly smaller lot. Typically lots with less acreage sell for more per unit. However, large industrial parcels are sought after in the market and only a 20 % adjustment is taken for site size. The total gross adjustment applied to this comparable was 25%. The moderate level of gross adjustments required for this comparable indicates that it can be adequately relied upon for valuation of the subject. This comparable is given secondary consideration as a value indicator for the subject.

Comparable 3 (\$38,842/Acre adjusted) required a total upward transaction adjustment of 6%. This comparable is adjusted upward for improving market conditions. This comparable required a total downward adjustment of -20% for property characteristics. Comparable 2 has a significantly smaller lot. Typically lots with less acreage sell for more per unit. However, large industrial parcels are sought after in the market and only a 20 % adjustment is taken for site size. The total gross adjustment applied to this comparable was 26%. The moderate level of gross adjustments required for this comparable indicates that it can be adequately relied upon for valuation of the subject. This comparable is given secondary consideration as a value indicator for the subject.

Calculation of Value – Phase 1

The comparable land sales indicate an adjusted value range from \$15,361 to \$38,842/Acre, with a median of \$25,503/Acre and an average of \$26,569/Acre. Based on the results of the preceding analysis, Comparable 1 (\$25,503/Acre adjusted) is given primary consideration for the subject's opinion of land value.

The following table summarizes the analysis of the comparables, reports the reconciled price per acre value conclusion, and presents the concluded value of the subject site.

Calculation of Land Value								
Comp	Analysis	Adjustment				Net	Gross	Overall
	Price	Transactional ¹	Adjusted	Property ²	Final	Adj %	Adj %	Comparison
1	\$24,522	4%	\$25,503	0%	\$25,503	4%	4%	Primary
2	\$18,287	5%	\$19,201	-20%	\$15,361	-16%	25%	Secondary
3	\$45,804	6%	\$48,552	-20%	\$38,842	-15%	26%	Secondary
Low	\$15,361					Average		\$26,569
High	\$38,842					Median		\$25,503
Component		Subject Acres		\$/Acre Conclusion		Value		
Total Property - Phase 1		819.92		x \$26,000		= \$21,300,000		

¹Cumulative ²Additive

Rounded to nearest \$100,000

Adjustments To Land Value

As of the effective valuation date, the subject site was vacant, development ready and did not have any existing entitlements that would impact the raw land value. Based on analysis of the subject property, there were no value adjustments required in developing our opinion of the As-Is Market Value.

Demolition Costs

The subject's existing improvements were considered to be already removed from the property per the hypothetical condition invoked for this appraisal assignment.

Land Valuation – Phase 2

The following same land sales used for the valuation of Phase 1 are used in the valuation of Phase 2. Refer to the Sales Map and Sale Data Sheets in the Phase 1 section for details about the comparable land sales.

Land Sales Summation Table - Phase 2				
Comparable	Subject	Comparable 1	Comparable 2	Comparable 3
Name	White Pine Commerce Park	Leedsville Rd Land	Vacant Land	PUD Land
Address	Burnet Road,	103 Leedsville Road	59 Maple Avenue	500 Frank Dimino Way
City	Clay	Amenia	Rock Tavern	Rochester
State	NY	NY	NY	NY
Zip	13041	12501	12575	14624
County	Onondaga	Dutchess	Orange	Monroe
APN	37 parcels	132000 7266-00-165686-0000	334289-031-000-0001-094.200-0000	118.13-1-8.11
Physical Information				
Acres	501.91	465.60	60.60	50.76
Location	Average	Average	Average	Average
Exposure	Average	Average	Average	Average
Access	Average	Average	Average	Average
Shape	Irregular	Irregular	Irregular	Generally Rectangular
Site Utility Rating	Average	Average	Average	Average
Sale Information				
Date		7/5/2024	2/14/2024	9/8/2023
Status		Recorded	Recorded	Recorded
Rights Transferred		Fee Simple	Fee Simple	Fee Simple
Transaction Price		\$11,417,247	\$1,108,200	\$2,325,000
Analysis Price		\$11,417,247	\$1,108,200	\$2,325,000
\$/Acre		\$24,522	\$18,287	\$45,804

Land Sales Adjustment Table - Phase 2

Comparable	Subject	Comparable 1	Comparable 2	Comparable 3
Name	White Pine Commerce Park	Leedsville Rd Land	Vacant Land	PUD Land
Address	Burnet Road,	103 Leedsville Road	59 Maple Avenue	500 Frank Dimino Way
City	Clay	Amenia	Rock Tavern	Rochester
APN	37 parcels	132000 7266-00-165686-0000	334289-031-000-0001-094.200-0000	118.13-1-8.11
Acres	501.91	465.60	60.60	50.76
Location	Average	Average	Average	Average
Exposure	Average	Average	Average	Average
Access	Average	Average	Average	Average
Shape	Irregular	Irregular	Irregular	Generally Rectangular
Site Utility Rating	Average	Average	Average	Average
Sale Information				
Date		7/5/2024	2/14/2024	9/8/2023
Status		Recorded	Recorded	Recorded
Rights Transferred		Fee Simple	Fee Simple	Fee Simple
Analysis Price		\$11,417,247	\$1,108,200	\$2,325,000
Price/Acre		\$24,522	\$18,287	\$45,804
Transactional Adjustments				
Property Rights		0%	0%	0%
Financing		0%	0%	0%
Conditions of Sale		0%	0%	0%
Expenditures After the Sale		0%	0%	0%
Market Conditions¹		4%	5%	6%
Subtotal Transactional Adj Price		\$25,502	\$19,201	\$48,552
Property Adjustments				
Location		0%	0%	0%
Size		0%	-20%	-20%
Exposure		0%	0%	0%
Access		0%	0%	0%
Shape		0%	0%	0%
Site Utility Rating		0%	0%	0%
Subtotal Property Adjustment		0%	-20%	-20%
Total Adjusted Price		\$25,502	\$15,361	\$38,842
Statistics	Unadjusted	Adjusted		
Low	\$18,287	\$15,361		
High	\$45,804	\$38,842		
Median	\$24,522	\$25,502		
Average	\$29,537	\$26,568		

¹ Market Conditions Adjustment: 3%

Date of Value (for adjustment calculations): 9/16/25

Land Sales Analysis – Phase 2

Introduction

The comparable land sales indicate an adjusted value range from \$15,361 to \$38,842/Acre, with a median of \$25,502/Acre and an average of \$26,568/Acre. The range of total gross adjustment applied to the comparables was from 4% to 26%, with an average gross adjustment across all comparables of 18%. The level of total adjustment applied to the comparables is considered to be moderate. Overall, the availability of market data and extent of analysis was adequate to develop a reasonably credible opinion of land value. The adjustment process for each comparable land sale is discussed in the following paragraphs.

Discussion of Adjustments

Comparable 1 (\$25,502/Acre adjusted) required a total upward transaction adjustment of 4%. This comparable is adjusted upward for improving market conditions. This comparable did not require any property characteristic adjustments. The total gross adjustment applied to this comparable was 4%. The moderate level of gross adjustments required for this comparable indicates that it can be adequately relied upon for valuation of the subject. This comparable is given primary consideration as a value indicator for the subject.

Comparable 2 (\$15,361/Acre adjusted) required a total upward transaction adjustment of 5%. This comparable is adjusted upward for improving market conditions. This comparable required a total downward adjustment of -20% for property characteristics. Comparable 2 has a significantly smaller lot. Typically lots with less acreage sell for more per unit. However, large industrial parcels are sought after in the market and only a 20 % adjustment is taken for site size. The total gross adjustment applied to this comparable was 25%. The moderate level of gross adjustments required for this comparable indicates that it can be adequately relied upon for valuation of the subject. This comparable is given secondary consideration as a value indicator for the subject.

Comparable 3 (\$38,842/Acre adjusted) required a total upward transaction adjustment of 6%. This comparable is adjusted upward for improving market conditions. This comparable required a total downward adjustment of -20% for property characteristics. Comparable 2 has a significantly smaller lot. Typically lots with less acreage sell for more per unit. However, large industrial parcels are sought after in the market and only a 20 % adjustment is taken for site size. The total gross adjustment applied to this comparable was 26%. The moderate level of gross adjustments required for this comparable indicates that it can be adequately relied upon for valuation of the subject. This comparable is given secondary consideration as a value indicator for the subject.

Calculation of Land Sales Value – Phase 2

The comparable land sales indicate an adjusted value range from \$15,361 to \$38,842/Acre, with a median of \$25,502/Acre and an average of \$26,568/Acre. Based on the results of the preceding analysis, Comparable 1 (\$25,502/Acre adjusted) is given primary consideration for the subject's opinion of land value.

The following table summarizes the analysis of the comparables, reports the reconciled price per acre value conclusion, and presents the concluded value of the subject site.

Calculation of Land Value								
Comp	Analysis	Adjustment				Net	Gross	Overall
	Price	Transactional ¹	Adjusted	Property ²	Final	Adj %	Adj %	Comparison
1	\$24,522	4%	\$25,502	0%	\$25,502	4%	4%	Primary
2	\$18,287	5%	\$19,201	-20%	\$15,361	-16%	25%	Secondary
3	\$45,804	6%	\$48,552	-20%	\$38,842	-15%	26%	Secondary
Low	\$15,361					Average		\$26,568
High	\$38,842					Median		\$25,502
Component		Subject Acres		\$/Acre Conclusion		Value		
Total Property - Phase 2		501.91	x	\$26,000	=	\$13,000,000		

¹Cumulative ²Additive

Rounded to nearest \$100,000

Adjustments To Land Value

As of the effective valuation date, the subject site was vacant, development ready and did not have any existing entitlements that would impact the raw land value. Based on analysis of the subject property, there were no value adjustments required in developing our opinion of the As-Is Market Value.

Demolition Costs

The subject's existing improvements were considered to be already removed from the property per the hypothetical condition invoked for this appraisal assignment.

Land Value Conclusion

The Sales Comparison Approach was utilized for valuation of the subject site, as it best reflects the decision-making of buyers and sellers of development land in the local marketplace. The purpose of this appraisal is to develop an opinion of the As-Is Market Value of the subject property's fee simple interest.

We have also reviewed nine sales of large industrial sites from around the United States including Texas, Florida, California, and Arizona that have occurred over the past three years and ranged in size from 747.7 acres to 3,229 acres with unit prices ranging from \$21,204 to \$67,423 per acre. The following table summarizes the location, sale date, sale price, site size, and overall unit price of each of these transactions along with some comments about the sale parcels.

National Land Sales Summation Table						
Colliers ID	Location	Date of Sale	Sale Price	Gross Acreage	Price Per Acre	Comments
573829	960 Gipson Road Johnson City, TX 78636	8/13/2025	\$24,900,000	851.00	\$29,260	The property had been listed approximately one month and sold for asking price
583703	21000 FM 521 Rosharon, TX 77583	8/13/2025	\$45,246,600	1292.00	\$35,021	This is the sale of a large industrial lot which just sold in Texas.
580987	Acree Road Jacksonville, FL 32219	4/30/2025	\$30,360,000	1265.00	\$24,000	This was part of a larger mixed-use PUD although this portion was assumed to have the development potential for 1,607 residential lots. The seller was an entity related to Jacksonville-based developer Corner Lot. Although this was purchased by the State for conservation purposes the sale price was based on multiple appraisals assuming it would be a future/large subdivision site, and the price was reported to be at market level. Development as a large scale subdivision would have required extensions of water/sewer lines which would have reportedly cost about \$4,000,000. This sale was also analyzed on a Net Acreage (852.100) basis with a Price Per Net of \$35,630.
539695	Church House Road and Sabine-Neches Ship Channel Vidor, TX 77662	1/17/2025	\$35,000,000	938.00	\$37,313	Site sold for asking price, which according to the broker, was below market
541174	Canoe Creek Road St. Cloud, FL 34772	12/16/2024	\$110,000,000	3229.00	\$34,066	Large mixed-use tract with over a mile of frontage along Lake Tohopekaliga. The property is planned to be bisected by the Southport Connector Expressway although timing for construction was unknown. It is the last remaining parcel within the 25,000-acre South Lake Toho Element of the county's plan to encourage mixed-use development. Although the exact mixture of uses can be modified, the current recommendation included mostly commercial/industrial uses along with 6,472 residential units. This sale was also analyzed on a Net Acreage (2,841.0) basis with a Price Per Net of \$38,719.
573780	7700 Adohr Road Buttonwillow, CA 93206	11/14/2024	\$45,500,000	1056.50	\$43,067	There were structural improvements which offered utility, but did not offer any contributory value. Property closed after the 2024 harvest (seller retained the crop). Purchase price agreed to in July and was renegotiated in the Fall, as pistachio crop prices softened. The buyer is a large pistachio grower/handler.
575729	19300 West Yuma Road Buckeye, AZ 85326	10/21/2024	\$53,000,000	747.70	\$70,884	This sale is of RU-43 land intended for commercial development but the buyer intends on holding the land for future development.
522890	SW Yuma Road and Johnson Road Buckeye, AZ 85326	8/26/2024	\$136,069,993	2018.15	\$67,423	Large industrial lot which sold in Arizona.
527804	1700 US 1 Ormond Beach, FL 32174	12/5/2023	\$62,000,000	2924.00	\$21,204	Sale of a large mixed-use site that had approvals for the development of 2,950 residential units (combination of SFR and MF), 2.5 million SF of office/industrial, 200,000 SF of retail. This sale was also analyzed on a Net Acreage (2,100.0) basis with a Price Per Net of \$29,524.
TOTALS			\$542,076,593	14321.35	\$37,851	
AVERAGE			\$60,230,733	1591.26	\$37,851	
MEDIAN			\$45,500,000	1265.00	\$35,968	

As noted in the above table, the overall average and median property sizes were approximately 1,591 and 1,265 acres, respectively, and the overall average and median unit prices paid for these nine sites were \$37,851 and \$35,968 per acre, respectively. The parameters established from these national sales, subject's overall size of 1,321.83 acres is close to the statistical central tendencies of these nine sales, and the statistical unit prices are over 40% above the concluded unit values derived in the valuations of Phases 1 and 2.

In addition to the sales considered in this analysis, we are aware of a pending offer on a property bordering the north side of the subject site. Alpha Property Group / Isaac Markowitz provided an offer to Jonathan Lewis for the property at 6125 Mud Mill Road (immediately north of the Micron site) for his 120 acres including APN 42.-01-07.0, 048.-01-09.0 and 048.-01-10.0 for \$25,000 per usable acre with a signed purchase offer dated January 8, 2025. The price would include the contributory value of the improvements (2 houses and 2 barns) as part of the **\$25,000/acre**. Our measurement of the site is 111.27 acres, not the 120 acres referenced in the offer. The offer is good for up to 3-4 years if needed for subdivision and final approvals.

Our opinion of value reflects current conditions and the likely actions of market participants as of the date of value. It is based on the available information gathered and provided to us, as presented in this report, and does not predict future performance. Changing market or property conditions can and likely will have an effect on the subject's value.

Analysis of Value Conclusions	
Valuation Indices	As-Is Market Value
Interest Appraised	Fee Simple
Date of Value	September 16, 2025
Phase 1 - 34 Parcels (819.92 Ac.) West of Burnet Road	\$21,300,000
Phase 2 - 37 Parcels (501.91 Ac.) East of Burnet Road	\$13,000,000
Exposure Time	More than 24 Months
Marketing Period	More than 24 Months

We certify that, to the best of our knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions of the signers are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- The signers of this report has no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- Donald Fisher, MAI, ARA has performed no services, as an appraiser or in any other capacity regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. Susan D. Baldwin, MAI, AI-GRS has performed no services, as an appraiser or in any other capacity regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- The signers are not biased with respect to the property that is the subject of this report or to the parties involved with this assignment.
- The engagement in this assignment was not contingent upon developing or reporting predetermined results.
- The compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice* and the *Code of Professional Ethics and Standards of Professional Appraisal Practice* of the Appraisal Institute.
- Susan D. Baldwin, MAI, AI-GRS did not personally inspect the property that is the subject of this report. Donald Fisher, MAI, ARA personally inspected the property that is the subject of this report.
- No one provided significant real property appraisal assistance to appraisers signing this certification.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

Certification

As of the date of this report, Donald A. Fisher, MAI, ARA has completed the continuing education program for Designated Members of the Appraisal Institute and the American Society of Farm Managers and Rural Appraisers.

As of the date of this report Susan D. Baldwin, MAI, AI-GRS completed the continuing education program for Designated Members of the Appraisal Institute.



Donald Fisher, MAI, ARA
Valuation Services Director
Certified General Real Estate Appraiser
State of New York License #46000000060
+1 315 422 7107
donald.fisher@colliers.com

November 7, 2025

Date



Susan D. Baldwin, MAI, AI-GRS
Managing Director | Syracuse
Certified General Real Estate Appraiser
State of New York License #46000003166
+1 315 579 3160
susan.baldwin@colliers.com

November 7, 2025

Date

This appraisal is subject to the following assumptions and limiting conditions:

- We assume no responsibility for matters legal in character, nor do we render any opinion as to title, which is assumed to be marketable. All existing liens, encumbrances, and assessments have been disregarded, unless otherwise noted, and the property is appraised as though free and clear, under responsible ownership, and competent management.
- The exhibits in this report are included to assist the reader in visualizing the property. We have made no survey of the property and assume no responsibility in connection with such matters.
- Unless otherwise noted herein, it is assumed that there are no encroachments, zoning, or restrictive violations existing in the subject property.
- The appraisers assume no responsibility for determining if the property requires environmental approval by the appropriate governing agencies, nor if it is in violation thereof, unless otherwise noted herein.
- Information presented in this report has been obtained from reliable sources, and it is assumed that the information is accurate.
- This report shall be used for its intended purpose only, and by the party to whom it is addressed. Possession of this report does not include the right of publication.
- The appraisers may not be required to give testimony or to appear in court by reason of this appraisal, with reference to the property in question, unless prior arrangements have been made therefore.
- The statements of value and all conclusions shall apply as of the dates shown herein.
- There is no present or contemplated future interest in the property by the appraisers which is not specifically disclosed in this report.
- Without the written consent or approval of the authors neither all, nor any part of, the contents of this report shall be conveyed to the public through advertising, public relations, news, sales, or other media. This applies particularly to value conclusions and to the identity of the appraisers and the firm with which the appraisers are connected.
- This report must be used in its entirety. Reliance on any portion of the report independent of others, may lead the reader to erroneous conclusions regarding the property values. Unless approval is provided by the authors no portion of the report stands alone.
- The valuation stated herein assumes professional management and operation of the buildings throughout the lifetime of the improvements, with an adequate maintenance and repair program.
- The liability of Colliers Valuation & Advisory Services, its principals, agents, and employees is limited to the client. Further, there is no accountability, obligation, or liability to any third party. If this report is placed in the hands of anyone other than the client, the client shall make such party aware of all limiting conditions and assumptions of the assignment and related discussions. The appraisers are in no way responsible for any costs incurred to discover or correct any deficiency in the property.
- The appraisers are not qualified to detect the presence of toxic or hazardous substances or materials which may influence or be associated with the property or any adjacent properties, has made no investigation or analysis as to the presence of such materials, and expressly disclaims any duty to note the degree of fault. Colliers Valuation & Advisory Services and its principals, agents, employees, shall not be liable for any costs, expenses, assessments, or penalties, or diminution in value, property damage, or personal injury (including death) resulting from or otherwise attributable to toxic or hazardous substances or materials, including without limitation hazardous waste, asbestos material, formaldehyde, or any smoke, vapors, soot, fumes, acids, alkalis, toxic chemicals, liquids, solids or gasses, waste materials or other irritants, contaminants or pollutants.
- The appraisers assume no responsibility for determining if the subject property complies with the *Americans with Disabilities Act (ADA)*. Colliers Valuation & Advisory Services, its principals, agents, and employees, shall not be liable for any costs, expenses, assessments, penalties, or diminution in value resulting from non-compliance. This

appraisal assumes that the subject meets an acceptable level of compliance with *ADA* standards; if the subject is not in compliance, the eventual renovation costs and/or penalties would negatively impact the present value of the subject. If the magnitude and time of the cost were known today, they would be reduced from the reported value conclusion.

- An on-site inspection of the subject property was conducted. No evidence of asbestos materials on-site was noted. A Phase 1 Environmental Assessment was not provided for this analysis. This analysis assumes that no asbestos or other hazardous materials are stored or found in or on the subject property. If evidence of hazardous materials of any kind occurs, the reader should seek qualified professional assistance. If hazardous materials are discovered and if future market conditions indicate an impact on value and increased perceived risk, a revision of the concluded values may be necessary.
- A detailed soils study was not provided for this analysis. The subject's soils and sub-soil conditions are assumed to be suitable based upon a visual inspection, which did not indicate evidence of excessive settling or unstable soils. No certification is made regarding the stability or suitability of the soil or sub-soil conditions.
- This analysis assumes that the financial information provided for this appraisal, including rent rolls and historical income and expense statements; accurately reflect the current and historical operations of the subject property.

Professional Service Agreement

Valuation Glossary

Qualifications of Appraisers

Qualifications of Colliers International Valuation & Advisory Services

Professional Service Agreement



100 East Seneca Street
Suite 200
Manlius, NY 13104
www.colliers.com/valuationadvisory

August 19, 2025

Donald Fisher MAI, ARA
Valuation Services Director | Syracuse
donald.fisher@colliers.com

John P. Sidd, Esquire
Hancock Estabrook, LLP
1800 AXA Tower I
100 Madison Street
Syracuse, NY 13202
315 565 4559
jsidd@hancocklaw.com

RE: Appraisal of Micron Site

Dear Mr. Sidd:

Thank you for considering Colliers International Valuation & Advisory Services, LLC for the assignment identified in the below-stated Professional Service Agreement. Please sign one copy of the agreement and return it to me, thereby indicating your authorization for us to proceed with this assignment and your acceptance of the attached Terms and Conditions.

PROFESSIONAL SERVICE AGREEMENT **("Agreement")**

Project	Micron Site ("Property")
Location	Approximately 72 contiguous tax parcels to include locations along or near Burnet Road, Caughdenoy Road, State Route 31, and Brewerton Road, Clay, NY 13041 (see locations on parcel lists on pages 5 and 6 of this letter).
Project Description	The entire Micron site consisting of 72 Parcels for a total of 1,326.55 acres, allocated as: Phase 1 will be 34 parcels west of Burnet Road consisting of 809.50 acres Phase 2 will be 38 parcels east of Burnet Road consisting of 517.05 acres The tax parcels identified by the Town of Clay are shown on pages 5 and 6 of this letter. We recognize that the Onondaga County Industrial Development Agency has been acquiring parcels to assemble the subject property over the past several years, with these purchases ranging from small lots and residences to large tracts of rural land. We are also aware that there are approximately 200 acres of wetlands on the property. You have requested that we appraise both Phases 1 and 2 for this assignment. Based on our preliminary review of the subject property's size and configuration, we may find that the highest and best use of the Property is to be appraised as two or more economic units. Market research for comparable land sales will likely be expanded beyond Central New York.
Parties	Colliers International Valuation & Advisory Services, LLC ("CIVAS") and Hancock Estabrook, LLP (herein at times referred to as "Client")

Professional Service Agreement

Continued

Intended User	The appraisal will be prepared for Hancock Estabrook, LLP. Intended users include the Client, Onondaga County Industrial Development Agency (OCIDA), and Micron. No other users are intended. It should be noted that if this engagement is directly with the current and/or future owner of the Property, the Appraisal will not be accepted by federally insured lenders due to FIRREA Compliance, limiting the use of this report. Should this potentially impact your source of lenders, we recommend engagement be directed by a Federally Insured Lender.
Intended Use	The report to be performed under this Agreement ("Appraisal") is intended only for use in Internal Decision Making – To Support The Transfer Price of the Property from OCIDA to Micron. The report is not intended for any other use.
Purpose	Market Value
Type of Appraisal	CIVAS will produce an Appraisal Report in which the appraiser's analysis and conclusions will be fully described within this document.
Rights Appraised	Fee Simple Estate
Date of Value	Date of inspection (or other date defined by appraiser)
Scope of Work	CIVAS and/or its designated affiliate will provide the Appraisal in accordance with USPAP and the Code of Ethics and Certifications Standards of the Appraisal Institute and State Licensing Laws. CIVAS will research relevant market data and perform analysis to the extent necessary to produce credible appraisal results. Based on our discussions with the Client, the Client has requested the following valuation scenarios: › As Is CIVAS anticipates developing the following valuation approaches: › Land Value An inspection of the subject property will be performed. Please note if it's a requirement per the client's underwriting guidelines to analyze and report all approaches to value, this will be performed although some approaches may be limited in application. The scope of work will be included in the Appraisal. A copy of the Assumptions and Limiting Conditions, which appear in the Appraisal, is available upon request.
Delivery	Delivered thirty (30) days from the date of authorization, receipt of property specific information, and receipt of retainer.
Professional Fee	Appraisal of Phases 1 and 2 Combined: \$25,000 If consulting time is required beyond the scope of work for this appraisal assignment, including performing additional valuation scenarios, additional research, and conference calls, meetings, deposition preparation, deposition, trial testimony or travel, this time will be invoiced at an hourly rate for Donald A. Fisher and/or Susan D. Baldwin of \$450 per hour, and for associates at an hourly rate of \$350 per hour.
Expenses	Fees do include all associated expenses.
No. of Reports	One (1) Electronic Final Appraisal. No printed copies will be delivered to the client.

Professional Service Agreement

Continued

Retainer	A retainer of 50% of the fee is required prior to our proceeding. <u>To Pay By Check:</u> Please remit all payments to Colliers International Valuation & Advisory Services 26791 Network Place Chicago, IL 60673-1267 **Please include the property name or address on the memo line** <u>Wire Instructions:</u> JP Morgan Chase Bank, NA Chicago, IL 70-2322/719 Account Name: Colliers International Valuation & Advisory Services, LLC Account No. 899559074 ABA No. 021000021 ACH Payment Transit Routing Number: 071000013 Swift code for International Wires ONLY: CHASUS33 **Please include the property name or address in addenda/memo payment information** Please send notification to CIVASAccounting@colliers.com when payment has been sent.
Payment Terms	CIVAS will invoice Client for the Appraisal in its entirety (Less Retainer) at the delivery of the draft report. When a full retainer has been paid, invoice and amount due are \$0. Final payment is due and payable within five (5) business days upon delivery of the electronic copy of the final report or within thirty (30) days of your receipt of the draft report, whichever is sooner. If a draft report is requested, the fee is considered earned upon delivery of the draft report. If for any reason the client cancels the work before work was completed or for reasons beyond Colliers' control, then the client would pay for an agreed amount for work completed.
Acceptance Date	These specifications are subject to modification if this Agreement is not accepted within three (3) business days from the date of this letter.

Terms and Conditions

The attached Terms and Conditions and Specific Property Data Request are deemed a part of this Agreement as though set forth in full herein. The following is a list of information, if existing, that is needed to begin and complete our analysis. The Client signing this Agreement or the party sending the specific property data certifies that all the information provided is accurate and complete as of the date of this request, and that any updates, revisions or additional relevant information that comes into control or possession of the Client prior to the date on which the Appraisal is delivered shall be provided to CIVAS immediately. Please forward with the Agreement or as soon as possible all relevant information which may include the following:

- › Survey with Legal Description & Site Size
- › Title Report
- › Wetland Delineation Map (if applicable)
- › Engineering studies, soil tests or environmental assessments
- › Leases
- › Details on any Sale, Contract, or listing of the property in the past 3 years
- › Property Condition Report
- › Marketing plan and/or local competitive study, if available
- › Draft Environmental Impact Statement and/or a summary of the DEIS including all significant maps and property documents pertaining to the physical characteristics of the subject property land and neighborhood
- › All other maps and property documents available
- › Copy of recent Appraisals or Market Studies
- › Name and telephone number of property contact for physical inspection and additional information needed during the appraisal process
- › Property Contact _____

In addition to the items requested above, please forward any additional materials you would consider relevant in the analysis of the subject property.

Reliance Language

The Appraisal is for the sole use of the Client; however, Client may provide only complete, final copies of the Appraisal report in its entirety (but not component parts) to third parties who shall review such reports in connection with the stated Intended Use. CIVAS is not required to explain or testify as to appraisal results other than to respond to the Client for routine and customary questions. Please note that our consent to allow the Appraisal prepared by CIVAS or portions of such Appraisal, to become part of or be referenced in any public offering, the granting of such consent will be at our sole and absolute discretion and, if given, will be on condition that CIVAS will be provided with an Indemnification Agreement and/or Non-Reliance letter, in a form and content satisfactory to CIVAS, by a party satisfactory to CIVAS. CIVAS hereby expressly grants to client the right to copy the Appraisal and distribute it to employees of client and to your accountants/auditors in its entirety (but not component parts) without the need to provide CIVAS with an Indemnification Agreement and/or Non-Reliance letter.

Professional Service Agreement

Continued

If you have questions regarding the enclosed, please feel free to contact me. CIVAS appreciates this opportunity to be of service to you on this assignment and looks forward to serving you. If you have additional questions, please contact us.

I, **John Sidd/Hancock Estabrook, LLP**, agree to the above stated terms and authorize Colliers International Valuation & Advisory Services, LLC to prepare the above referenced appraisal.



Date:

8/19/2025

John Sidd
Hancock Estabrook, LLP

Respectfully,

Colliers International Valuation & Advisory Services, LLC



Donald Fisher MAI, ARA
Valuation Services Director | Syracuse
donald.fisher@colliers.com

Professional Service Agreement

Continued

MICRON PHASE I TAX PARCEL DUE DILIGENCE LIST

Tax Parcel ID	BD Lot No.:	Address	Title Docs Received	Survey	Acres
					809.50
046.-02-01.0	1	8700 Caughdenoy Road	Title Policy No.: 5305-25048 - Titor - 8/23/2005	NO	25.62
046.-02-02.1	2	0 Caughdenoy Road	Title Policy No.: 5305-25048 - Titor - 8/23/2005	NO	21.63
046.-02-02.2	3	8676 Caughdenoy Road	Title Policy No.: 2117-1844EC - Chicago - 12/2/2021	YES - 3/3/1984 - A. Scott Whittaker	3.17
046.-02-03.1	4	8632 Caughdenoy Road	Abstract of Title Received	NO	49.44
046.-02-04.0	5	0 State Route 31	Abstract of Title Received	NO	18.06
046.-02-05.1	6	5181 State Route 31	Title Policy No.: 2117-6270EC - Chicago - 12/2/2021	NO	3.70
046.-02-05.2	7	0 State Route 31	Title Policy No.: 201-025220 - Monroe - 5/25/2001	NO	37.27
048.-01-01.0	8	8720 Caughdenoy Road	Abstract of Title Received	NO	99.24
048.-01-02.2	9	0 Caughdenoy Road	Abstract of Title Received	NO	88.15
048.-01-23.1	14	8739 Burnet Road	Title Policy No.: 2017-6926ED - Chicago - 4/12/2021	YES - 12/28/2020 - Land Lines Surveying	198.33
048.-01-23.2	15	8765 Burnet Road	Title Policy Received - Serog	NO	4.44
048.-01-23.3	16	8751 Burnet Road	Title Policy No.: 2217-0845EC - Chicago - 5/5/2022	YES - 11/3/1976 - Rowell and Associates	0.93
049.-01-15.0	32	8631 Burnet Road	Title Policy No.: 2217-0129EC - Chicago - 3/15/2022	NO	0.30
049.-01-16.0	33	8635 Burnet Road	Title Policy No.: 2217-1496EC - Chicago - 5/11/2022	YES - 12/21/2021 - A. Scott Whittaker	0.30
049.-01-17.0	34	8647 Burnet Road	Title Policy No.: 2217-2610EC - Chicago - 5/19/2022	YES - 4/5/2022 - Michael J. McCully	0.30
049.-01-18.4	35	8653 Burnet Road	Abstract of Title Received	NO	43.34
049.-01-19.1	36	8699 Burnet Road	Title Policy No.: 2117-2096EC - Chicago - 5/27/2021	NO	45.53
049.-01-19.2	37	8677 Burnett Road	Title Policy No.: 2117-1753EC - Chicago - 5/27/2021	YES - 10/10/1991 - Robert C. Goodeve	4.86
050.-01-01.0	38	0 State Route 31	Abstract of Title Received	NO	9.95
050.-01-02.1	39	5267 State Route 31	Abstract of Title Received	NO	64.65
050.-01-03.1	40	0 State Route 31	Title Policy No.: 2117-1771EC - Chicago - 10/4/2021	NO	5.27
050.-01-04.1	41	8543 Burnet Road	Title Policy No.: 2217-2717EC - Chicago - 9/27/2022	YES - 12/4/1995 - Ryan Survey	52.73
050.-01-04.2	42	8531 Burnet Road	Title Policy No.: 2217-0998EC - Chicago - 6/2/2022	YES - 2/4/2022 - Lehr Land Surveyors	0.46
050.-01-04.3	43	8549 Burnet Road	Title Policy No.: 2117-3937EC - Chicago - 3/22/2022	YES - 7/14/1989 - RJ Lighton	3.00
050.-01-04.4	44	8617 Burnet Road	Title Policy No.: 2117-3938EC - Chicago - 6/2/2022	NO	2.39
050.-01-05.0	45	8623 Burnet Road	Title Policy No.: 211703939EC - Chicago - 6/6/2022	YES - 7/29/1986 - RJ Lighton	0.62
051.-01-10.1	73	0 State Route 31	Title Policy No.: 2117-0917EC - Chicago - 4/13/2021	YES - 3/31/2020 - Ianuzi & Romans	2.29
051.-01-10.6	62	8501 Burnet Road	Title Policy No.: 2217-0588EC - Chicago - 3/16/2022	YES - 4/4/2014 - Ianuzi & Romans	5.05
051.-01-10.7	63	0 Burnet Road	Title Policy No.: 2117-6713EC - Chicago - 1/3/2022	NO	6.00
051.-01-10.8	64	0 Burnet Road	Title Policy No.: 2117-6713EC - Chicago - 1/3/2022	NO	5.00
051.-01-10.9	61	8447 Burnet Road	Title Policy No.: 2217-3201EC - Chicago - 9/27/2022	NO	5.50
051.-01-12.0	65	8419 Burnet Road	Title Policy No.: 2217-3170EC - Chicago - 8/3/2022	YES - 4/4/2022 - Ianuzi & Romans	0.80
064.-01-06.3	71	0 Caughdenoy Road	Title Policy No.: 2217-3596EC - Chicago - 8/5/2022	YES - 4/11/2022 - Spaulding Land Survey	0.62
064.-01-08.0	72	5117 Caughdenoy Road	Title Policy No.: 2117-7263EC - Chicago - 4/4/2022	YES - 11/13/1992 - Lehr Land Surveyors	0.56

Professional Service Agreement

Continued

MICRON PHASE II TAX PARCEL DUE DILIGENCE LIST

Tax Parcel ID	BD Lot No.:	Address	Title Docs Received	Survey	Acres
048-01-21.0	12	0 Burnet Rd	NO	NO	517.05
048-01-22.0	13	0 Burnet Rd	NO	NO	35.65
049-01-01.0	17	0 Burnet Rd	Fee Title Policy Received - Serog	NO	26.24
049-01-02.0	18	8756 Burnet Rd	Fee Title Policy Received - Serog	NO	0.12
049-01-03.0	19	0 Burnet Rd	NO	NO	16.75
049-01-04.0	20	8722 Burnet Rd	NO	NO	33.36
049-01-05.0	21	8718 Burnet Rd	NO	NO	0.77
049-01-06.0	22	8710 Burnet Rd	NO	NO	1.04
049-01-08.1	23	8694 Burnet Rd	NO	NO	0.73
049-01-09.1	24	8688 Burnet Rd	NO	NO	5.44
049-01-10.1	25	8668 Burnet Rd	NO	NO	17.38
049-01-11.0	26	8664 Burnet Rd	NO	NO	7.58
049-01-12.2	27	0 Burnet Rd	NO	NO	0.46
049-01-12.3	28	0 Burnet Rd	No Longer Exists - Former New Dimensions Properties LLC	NO	36.97
049-01-13.0	30	0 Burnet Rd	NO	NO	0.13
049-01-14.0	31	8594 Burnet Rd	NO	NO	64.28
050-01-06.0	46	8574 Burnet Rd	NO	NO	0.85
050-01-07.1	47	8558 Burnet Rd	NO	NO	0.79
050-01-07.2	48	0 Burnet Rd	NO	NO	7.77
050-01-08.1	49	8546 Burnet Rd	NO	NO	66.80
050-01-08.2	50	8526 Burnet Rd	NO	NO	0.66
050-01-09.0	51	8536 Burnet Rd	NO	NO	0.53
050-01-10.0	52	8516 Burnet Rd	NO	NO	0.53
050-01-11.1	53	8512 Burnet Rd	NO	NO	0.82
050-01-12.1	54	8508 Burnet Rd	NO	NO	0.77
050-01-13.2	55	0 Burnet Rd	NO	NO	0.73
050-01-13.3	56	8502 Burnet Rd	NO	NO	8.45
051-01-05.1	59	0 State Route 31	NO	NO	1.15
051-01-05.4	60	5397 State Route 31	NO	NO	44.27
051-01-13.1	66	8424 Burnet Rd	NO	NO	3.43
051-01-13.2	67	5363 State Route 31	NO	NO	1.11
051-01-13.3	68	5367 State Route 31	NO	NO	0.97
051-01-14.1	69	0 Burnet Rd	NO	NO	5.30
051-01-14.2	70	8450 Burnet Rd	NO	NO	25.85
092-01-01.1	76	8765 Brewerton Rd/Cicero	NO	NO	0.79
092-01-01.2	77	0 Brewerton Rd/Cicero	NO	NO	9.22
092-01-01.3	78	0 Brewerton Rd/Cicero	NO	NO	21.45
120-01-08.1	101	8821 Brewerton Rd/Cicero	NO	NO	23.53
					44.38

Professional Service Agreement

Continued

Terms and Conditions

"T&C"

- 1) The Appraisal will be subject to Colliers International Valuation & Advisory Services, LLC's ("CIVAS") Assumptions and Limiting Conditions that are incorporated into each appraisal, and any Extraordinary Assumptions and Hypothetical Conditions that may be incorporated into each appraisal.
- 2) Any capitalized, non-defined words shall have the same meaning as defined in the Agreement to which these T&Cs are attached.
- 3) Client is defined as the party signing the Agreement and shall be responsible for payment of the fees stipulated in the Agreement. Payment of the fee for the Appraisal is not contingent on the appraised value(s) or the outcome of the report(s). Additional fees will be charged on an hourly basis for any work that may exceed the scope of this proposal, including performing additional valuation scenarios, additional research, and conference calls, meetings, deposition preparation, deposition, trial testimony or travel that may exceed the time allotted by CIVAS for an assignment of this nature. If CIVAS is requested to cease working on the Appraisal for any reason prior to the completion of the appraisal(s), CIVAS will be entitled to bill the Client for the time spent to date at CIVAS' hourly rates for the personnel involved. The Client will be billed a minimum \$500 or at a rate of \$300 per hour for associate time, \$400 per hour for valuation services director and managing director, and \$450 per hour for executive managing director. If the Client delays completion of the assignment beyond ninety (90) days, the fee may be renegotiated. This may result in the total fee exceeding the original agreed fee agreed upon cost.
- 4) Client agrees to pay all fees and expenses, including attorney's fees, incurred by CIVAS in connection with the collection or attempted collection of the fees and expenses. In the event Client fails to make payments when due and payable, the amount due shall bear interest at 1.5% per month or the maximum rate permitted in the state in which the CIVAS office executing the Agreement is located, whichever is lesser.
- 5) If a draft is requested, the fee is considered earned upon delivery of our draft report.
- 6) In the event that either party commences any legal action relating to the provisions of the Agreement, including collection, the prevailing party shall be entitled to its actual attorneys' fees and costs. The Agreement shall be governed by and construed in accordance with the laws of the state where the CIVAS office executing the Agreement is located. The venue of any action arising out of the Agreement shall be the county where the CIVAS office executing the Agreement is located. Client will have up to thirty (30) days from receipt of the Draft Appraisal to review and communicate its review to CIVAS. CIVAS reserves the right to bill Client for additional appraisal efforts that may arise from the Client not responding within with this time period.
- 7) CIVAS does not make any representation or warranty, express or implied, as to the accuracy or completeness of the information or the state of affairs of the Property furnished to CIVAS by Client. In the event that any such information is inaccurate, misleading or incomplete, CIVAS shall have no responsibility or liability for any matters relating thereto (whether to the Client or to any third party).
- 8) CIVAS shall have no responsibility for legal matters, questions of survey or title, soil or subsoil conditions, engineering, or other similar technical matters. The Appraisal will not constitute a survey of the Property analyzed.
- 9) Client shall provide CIVAS with such materials with respect to the Appraisal as requested by CIVAS and which are in the possession or under the control of Client. Client shall provide CIVAS with sufficient access to the Property to be analyzed and hereby grants permission for entry, unless discussed in advance to the contrary.
- 10) The data gathered in the course of the Appraisal (except data furnished by Client) and the Appraisal prepared pursuant to the Agreement are, and will remain, the property of CIVAS. With respect to data provided by Client, such data shall be confidential, and CIVAS shall not disclose any information identified as confidential furnished to CIVAS. Notwithstanding the foregoing, CIVAS is authorized by Client to disclose all or any portion of the Appraisal and the related data to appropriate representatives of the Appraisal Institute if such disclosure is required to enable CIVAS to comply with the Bylaws and Regulations of such Institute as now or hereafter in effect.
- 11) Unless specifically noted, CIVAS does not assume any duty to analyze or examine the Property or adjacent property for the possible presence of toxic and/or hazardous substances or materials (including but not exclusive to asbestos, PCB transformers, or other toxic, hazardous, or contaminated substances and/or underground storage tanks (hazardous material), or the cost of encapsulation or removal thereof) and accepts no liability regarding the issue. If such materials exist, CIVAS defers to the expertise of professionals specifically trained in analyzing the cost to remediate, which will not be a part of the appraisal fee proposal. The Appraisal will contain a comprehensive disclaimer to this effect.
- 12) CIVAS understands that there is no major or significant deferred maintenance in the Property which would require the expertise of a professional cost estimator or contractor. If such repairs are needed, the estimates are to be prepared by others, and are not a part of the fee contemplated in the Agreement.
- 13) Client acknowledges that CIVAS is being retained hereunder as an independent contractor to perform the services described herein and nothing in the Agreement shall be deemed to create any other relationship between Client and CIVAS. The Agreement shall be deemed concluded and the services hereunder completed upon delivery to Client of the Appraisal discussed herein.
- 14) Client agrees that its only remedy for losses or damages relating to the Agreement shall be limited to the amount of the appraisal fee paid by the Client and in no circumstances shall CIVAS be liable for any losses or damages in excess of this amount. Should the Client, or any other entitled party, make a claim against CIVAS, its directors, officers, employees and other affiliates and shareholders, relating to this engagement or the appraisal(s), the maximum damages recoverable from CIVAS, its directors, officers, employees and other affiliates and shareholders, shall be the amount of funds actually collected by CIVAS under the Agreement, and no claim shall be made for any consequential or punitive damages.
- 15) If CIVAS or any of its employees receives a subpoena or other judicial notification to produce documents or provide testimony involving the Appraisal in connection with a lawsuit or related proceeding, CIVAS will notify the Client of receipt of the subpoena

Professional Service Agreement

Continued

or notification. However, if CIVAS is not part of the lawsuit or proceedings, Client agrees to compensate CIVAS for the professional time required and to reimburse CIVAS for the expenses incurred in responding to any such subpoena or judicial notification, including any attorneys' fees, as they are incurred. CIVAS is to be compensated at the prevailing hourly rates of the personnel responding to the subpoena or command for testimony.

- 16) If expert witness testimony is required in connection with the Appraisal, the following hourly rates will apply. The Client will be billed at the rate of \$300 per hour for associate time, \$400 per hour for valuation services director and managing director, and \$450 per hour for executive managing director. The hourly billings pertain to court preparation, waiting and travel time, document review and preparation (excludes appraisal report) and all meetings related to court testimony.
- 17) Client shall indemnify and hold CIVAS, its parent, subsidiaries, affiliates, its officers, directors, employees and agents ("CIVAS Indemnities"), fully harmless against all losses, damages, claims, and expenses of any kind whatsoever (including costs and reasonable attorneys' fees), sustained or incurred by a third party as a result of the negligence or intentional acts or omissions of Client (including any failure to perform any duty imposed by law), any misrepresentation, distortion or if Client fails to provide complete and accurate information to CIVAS, for which recovery is sought against the CIVAS Indemnities; however, such obligation to defend and indemnify shall not apply to the extent caused by the negligent act or willful misconduct of CIVAS. Client shall indemnify and hold CIVAS Indemnities harmless from any claims, expenses, judgments or other items or costs arising as a result of the Client's failure or the failure of any of the Client's agents to provide a complete copy of the Appraisal to any third party. **LIMITATION OF LIABILITY.** EXCEPT FOR THE INDEMNIFICATION PROVISION ABOVE, ANYTHING IN THE AGREEMENT TO THE CONTRARY NOTWITHSTANDING, UNDER NO CIRCUMSTANCES WHATSOEVER SHALL EITHER PARTY BE LIABLE TO THE OTHER FOR ANY SPECIAL, CONSEQUENTIAL, PUNITIVE, OR INCIDENTAL DAMAGES OF ANY KIND WHATSOEVER.
- 18) CIVAS agrees to maintain Professional Liability Insurance in the amount of \$1,000,000 and General Liability insurance in the amount of \$2,000,000, as well as Workers Compensation per local regulatory requirements. CIVAS will endeavor to provide Client with written notice regarding any cancellation of any such insurance. CIVAS will provide Client with certificates of insurance naming Client as an additional insured on the General Liability policy upon request.
- 19) The Appraisal and the name Colliers International Valuation & Advisory Services may not be used in any marketing or investment material or offering memoranda without CIVAS' prior written consent. CIVAS, its employees and appraisers have no liability to any recipients of any prepared material and disclaim all liability to any party other than the Client.
- 20) Unless CIVAS consents in writing, the Appraisal cannot be used by any party or for any purpose other than the Client for the purposes specified in the Agreement. Should the Client provide a copy of this Appraisal to any person or entity not authorized by CIVAS in writing, Client hereby agrees to hold CIVAS, its directors, officers, employees and other affiliates and shareholders, harmless from all damages, expenses, claims and costs, including any attorney's fees. The Client acknowledges that any opinions and conclusions expressed by the professionals of CIVAS pursuant to the Agreement are made as employees and not as individuals. CIVAS' responsibility is limited to the Client, and the use of the Appraisal or related product by third parties shall be solely at the risk of the Client and/or third parties.
- 21) The use of this appraisal shall be used only for the purpose as set forth in the Intended Use section of the Agreement. In the event that the client wishes to use this report or portions of this report for any other purpose such as, to become part of or be referenced in, any offering or other material intended for the review of others, or to be submitted to others, will be at the Client's sole and absolute discretion and, if given, will be on condition that CIVAS will be provided with an Indemnification Agreement and/or Non-Reliance letter, in a form and content satisfactory to CIVAS and the Client, by a party satisfactory to CIVAS and the Client. CIVAS does consent to Client submission of the complete Appraisal to rating agencies, loan participants or your accountants/auditors without the need to provide us with an Indemnification Agreement and/or Non-Reliance letter.

Valuation Glossary 2024

Unless specified otherwise, these definitions were extracted or paraphrased from the following sources or publications:

- The Dictionary of Real Estate Appraisal, Seventh Edition, Appraisal Institute, Chicago, Illinois, 2022 (Dictionary).
- Uniform Standards of Professional Appraisal Practice, 2024 Edition (USPAP).
- The Appraisal of Real Estate, Fifteenth Edition, Appraisal Institute, Chicago, Illinois, 2020 (15th Edition).

Absolute Net Lease

A lease in which the tenant pays all expenses including structural maintenance, building reserves, and management; often a long-term lease to a credit tenant. *(Dictionary)*

Ad Valorem Tax

A real estate tax based on the assessed value of the property, which is not necessarily equivalent to its market value. *(15th Edition)*

Arm's-length Transaction

A transaction between unrelated parties who are each acting in his or her own best interest. *(Dictionary)*

As-Is Market Value

The estimate of the market value of real property in its current physical condition, use, and zoning as of the appraisal date. *(Dictionary)*

Assessed Value

The value of a property according to the tax rolls in ad valorem taxation; may be higher or lower than market value, or based on an assessment ratio that is a percentage of market value. *(Dictionary)*

Average Daily Room Rate (ADR)

In the lodging industry, the net rooms revenue derived from the sale of guest rooms divided by the number of paid occupied rooms. *(Dictionary)*

Band of Investment

A technique in which the capitalization rates attributable to components of an investment are weighted and combined to derive a weighted-average rate attributable to the total investment. *(Dictionary)*

Cash-Equivalent Price

The sale price of a property that is equivalent to what a cash buyer would pay. *(Dictionary)*

Common Area

The total area within a property that is not designed for sale or rental but is available for common use by all owners, tenants, or their invitees, e.g., parking and its appurtenances, malls, sidewalks, landscaped areas, recreation areas, public toilets, truck and service facilities. *(Dictionary)*

Contract Rent

The actual rental income specified in a lease. *(15th Edition)*

Cost Approach

A set of procedures through which a value indication is derived for the fee simple estate by estimating the cost new as of the effective date of the appraisal to construct a reproduction of (or replacement for) the existing structure, including an entrepreneurial incentive; deducting depreciation from the total cost; and adding the estimated land value. The contributory value of any site improvements that have not already been considered in the total cost can be added on a depreciated-cost basis. Adjustments may then be made to the indicated value of the fee simple estate in the subject property to reflect the value of the property rights being appraised. *(Dictionary)*

Curable Functional Obsolescence

An element of depreciation; a curable defect caused by a flaw involving the structure, materials, or design, which can be practically and economically corrected. *(Dictionary)*

Debt Coverage Ratio (DCR)

The ratio of net operating income to annual debt service, which measures the relative ability of a property to meet its debt service out of net operating income; also called *debt service coverage ratio (DSCR)*. *(Dictionary)*

Deferred Maintenance

Items of wear and tear on a property that should be fixed now to protect the value or income-producing ability of a property. *(Dictionary)*

Depreciation

In appraisal, a loss in the value of improvements from any cause; the difference between the cost of an improvement on the effective date of the appraisal and the value of the improvement on the same date. *(Dictionary)*

Direct Costs

Expenditures for the labor and materials used in the construction of improvements; also called *hard costs*. *(Dictionary)*

Discounted Cash Flow (DCF) Analysis

The procedure in which a discount rate is applied to a set of projected income streams and a reversion. The analyst specifies the quantity, variability, timing, and duration of the income streams and the quantity and timing of the reversion, and discounts each to its present value at a specified yield rate. *(Dictionary)*

Discount Rate

A rate of return on capital used to convert future payments or receipts into present value. *(Dictionary)*

Disposition Value

The most probable price that a specified interest in property should bring under the following conditions:

1. Consummation of a sale within a specified time, which is shorter than the typical exposure time for such a property in that market.
2. The property is subjected to market conditions prevailing as of the date of valuation.
3. Both the buyer and seller are acting prudently and knowledgeably.
4. The seller is under compulsion to sell.
5. The buyer is typically motivated.
6. Both parties are acting in what they consider their best interests.
7. An adequate marketing effort will be made during the exposure time.
8. Payment will be made in cash in U.S. dollars (or the local currency) or in terms of financial arrangements comparable thereto.
9. The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

This definition can also be modified to provide for valuation with specified financing terms. *(Dictionary)*

Easement

The right to use another's land for a stated purpose. Access or right-of-way easements may be acquired by private parties or public utilities. Governments may be the beneficiaries of easements placed on privately owned land that is dedicated to conservation, open space, or preservation. *(15th Edition)*

Economic Life

The period over which improvements to real estate contribute to property value. *(Dictionary)*

Effective Age

The age of property that is based on the amount of observed deterioration and obsolescence it has sustained, which may be different from its chronological age. *(Dictionary)*

Effective Date

The date on which the appraisal or review opinion applies (SVP) *(Dictionary)*

Effective Gross Income (EGI)

The anticipated income from all operations of the real estate after an allowance is made for vacancy and collection losses and an addition is made for any other income. *(Dictionary)*

Effective Gross Income Multiplier (EGIM)

The ratio between the sale price (or value) of a property and its effective gross income. *(Dictionary)*

Effective Rent

The total base rent, or minimum rent stipulated in a lease, over the specified lease term minus rent concessions - e.g. free rent, excessive tenant improvements, moving allowances, lease buyouts, cash allowances, and other lease incentives. *(15th Edition)*

Eminent Domain

The right of government to take private property for public use upon the payment of just compensation. The Fifth Amendment of the U.S. Constitution, also known as the *takings clause*, guarantees payment of just compensation upon appropriation of private property. *(Dictionary)*

Entrepreneurial Incentive

The amount an entrepreneur expects or wants to receive as compensation for providing coordination and expertise and assuming the risks associated with the development of a project. Entrepreneurial incentive is the expectation of future reward as opposed to the profit actually earned on the project. *(Dictionary)*

Entrepreneurial Profit

A market-derived figure that represents the amount an entrepreneur received for his or her contribution to a past project to compensate for his or her time, effort, knowledge, and risk; the difference between the total cost of a property (cost of development) and its market value (property value after completion), which represents the entrepreneur's compensation for the risk and expertise associated with development. An entrepreneur is motivated by the prospect of future value enhancement (i.e., the entrepreneurial incentive). An entrepreneur who successfully creates value through new development, expansion, renovation, or an innovative change of use is rewarded by entrepreneurial profit. Entrepreneurs may also fail and suffer losses. *(Dictionary)*

Excess Land

Land that is not needed to serve or support the existing use. The highest and best use of the excess land may or may not be the same as the highest and best use of the improved parcel. Excess land has the potential to be sold separately and is valued separately. *(Dictionary)*

Excess Rent

The amount by which contract rent exceeds market rent at the time of the appraisal; created by a lease favorable to the lessor and may reflect superior management, a lease execution in an earlier, stronger rental market, or an agreement of the parties. Due to the higher risk inherent in the receipt of excess rent, it may be calculated separately and capitalized or discounted at a higher rate in the income capitalization approach. *(15th Edition)*

Expense Stop

A clause in a lease that limits the landlord's expense obligation, which results in the lessee paying any operating expenses above a stated level or amount. (*Dictionary*)

Exposure Time

An opinion, based on supporting market data, of the length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. (*USPAP*)

Extraordinary Assumption

An assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions. Uncertain information might include physical, legal, or economic characteristics of the subject property; or conditions external to the property, such as market conditions or trends; or the integrity of data used in an analysis. An extraordinary assumption may be used in an assignment only if:

- It is required to properly develop credible opinions and conclusions;
- The appraiser has a reasonable basis for the extraordinary assumption;
- Use of the extraordinary assumption results in a credible analysis; and
- The appraiser complies with the disclosure requirements set forth in USPAP for extraordinary assumptions. (*USPAP*)

External Obsolescence

A type of depreciation; a diminution in value caused by negative external influences and generally incurable on the part of the owner, landlord, or tenant. The external influence may be either temporary or permanent. There are two forms of external obsolescence: economic and locational. (*Dictionary*)

Fair Market Value

In nontechnical usage, a term that is equivalent to the contemporary usage of *market value*.

As used in condemnation, litigation, income tax, and property tax situations, a term that is similar in concept to market value but may be defined explicitly by the relevant agency or interpreted differently by court precedent. (*Dictionary*)

Feasibility Analysis

A study of the cost-benefit relationship of an economic endeavor. (*USPAP*)

Fee Simple Estate

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat. (*Dictionary*)

Floor Area Ratio (FAR)

The relationship between the above-ground floor area of a building, as described by the zoning or building code, and the area of the plot on which it stands; in planning and zoning, often expressed as a decimal, e.g., a ratio of 2.0 indicates that the permissible floor area of a building is twice the total land area. (*Dictionary*)

Functional Obsolescence

The impairment of functional capacity of improvements according to market tastes and standards. (*Dictionary*)

Functional Utility

The ability of a property or building to be useful and to perform the function for which it is intended according to current market tastes and standards; the efficiency of a building's use in terms of architectural style, design and layout, traffic patterns, and the size and type of rooms. (*Dictionary*)

Furniture, Fixtures, and Equipment (FF&E)

Business trade fixtures and personal property, exclusive of inventory. (*Dictionary*)

Going-concern

An established and operating business having an indefinite future life. (*Dictionary*)

Going-concern Value

An outdated label for the market value of all the tangible and intangible assets of an established and operating business with an indefinite life, as if sold in aggregate; more accurately termed the *market value of the going concern or market value of the total assets of the business*. (*Dictionary*)

Gross Building Area (GBA)

Total floor area of a building, excluding unenclosed areas, measured from the exterior of the walls of the above-grade area. This includes mezzanines and basements if and when typically included in the market area of the type of property involved. (*Dictionary*)

Gross Leasable Area (GLA)

Total floor area designed for the occupancy and exclusive use of tenants, including basements and mezzanines; measured from the center of joint partitioning to the outside wall surfaces. (*Dictionary*)

Gross Living Area (GLA)

Total area of finished, above-grade residential space area; calculated by measuring the outside perimeter of the structure and includes only finished, habitable, above-grade living space. (Finished basements and attic areas are not generally included in total gross living area. Local practices, however, may differ.) (*Dictionary*)

Highest & Best Use

The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity. The use of

an asset that maximizes its potential and that is possible, legally permissible, and financially feasible. The highest and best use may be for continuation of an asset's existing use or for some alternative use. This is determined by the use that a market participant would have in mind for the asset when formulating the price that it would be willing to bid (IVS). *(Dictionary)*

Hypothetical Condition

A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis. *(USPAP)*

Income Capitalization Approach

In the income capitalization approach, an appraiser analyzes a property's capacity to generate future benefits and capitalizes the income into an indication of present value. The principle of anticipation is fundamental to this approach. Techniques and procedures from this approach are used to analyze comparable sales data and to measure obsolescence in the cost approach. *(15th Edition)*

Incurable Functional Obsolescence

An element of depreciation; a defect caused by a deficiency or superadequacy involving the structure, materials, or design that cannot be practically or economically corrected as of the effective date of the appraisal. *(Dictionary)*

Indirect Costs

Expenditures or allowances for items other than labor and materials that are necessary for construction, but are not typically part of the construction contract. Indirect costs may include administrative costs, professional fees, financing costs and the interest paid on construction loans, taxes and the builder's or developer's all-risk insurance during construction, and marketing, sales, and lease-up costs incurred to achieve occupancy or sale. Also called *soft costs*. *(Dictionary)*

Interim Use

The use contemplated by the market participants that the subject real estate can be put to while waiting for certain subsequent factors to occur. *(Dictionary)*

Investment Value

The value of a property to a particular investor or class of investors based on the investor's specific requirements. Investment value may be different from market value because it depends on a set of investment criteria that are not necessarily typical of the market. *(Dictionary)*

Leased Fee Interest

The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversion right when the lease expires. *(Dictionary)*

Leasehold Estate

The right held by the lessee to use and occupy real estate for a stated term and under the conditions specified in the lease. *(Dictionary)*

Legal Nonconforming Use

A use that was lawfully established and maintained, but no longer conforms to the use regulations of its current zoning; sometimes known as a legally nonconforming use. *(Dictionary)*

Liquidation Value

The most probable price that a specified interest in property should bring under the following conditions:

1. Consummation of a sale within a short time period.
2. The property is subjected to market conditions prevailing as of the date of valuation.
3. Both the buyer and seller are acting prudently and knowledgeably.
4. The seller is under extreme compulsion to sell.
5. The buyer is typically motivated.
6. Both parties are acting in what they consider to be their best interests.
7. A normal marketing effort is not possible due to the brief exposure time.
8. Payment will be made in cash in U.S. dollars (or the local currency) or in terms of financial arrangements comparable thereto.
9. The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

This definition can also be modified to provide for valuation with specified financing terms. *(Dictionary)*

Market Area

The geographic region from which a majority of demand comes and in which the majority of competition is located. Depending on the market, a market area may be further subdivided into components such as primary, secondary, and tertiary market areas, or the competitive market area may be distinguished from the general market area. *(Dictionary)*

Market Rent

The most probable rent that a property should bring in a competitive and open market under all conditions requisite to a fair lease transaction, the lessee and lessor each acting prudently and knowledgeably, and assuming the rent is not affected by undue stimulus. *(Dictionary)*

Market Study

An analysis of the market conditions of supply, demand, and pricing for a specific property type in a specific area. *(Dictionary)*

Market Value (Most Common Non-FRT)

The most probable price, as of a specific date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue distress. *(Dictionary)*

Market Value (Interagency Guidelines)

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised, and acting in what they consider their own best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale. (12 CFR, Part 34, Subpart C - Appraisals, 34.42(h)).

Marketability Analysis

The study of how a specific property is expected to perform in a specific market. A marketability analysis expands on a market analysis by addressing a specific property. *(Dictionary)*

Neighborhood Analysis

The objective analysis of observable or quantifiable data indicating discernible patterns of urban growth, structure, and change that may detract from or enhance property values; focuses on four sets of considerations that influence value: social, economic, governmental, and environmental factors. *(Dictionary)*

Net Net Net Lease

An alternative term for a type of net lease. In some markets, a net net net lease is defined as a lease in which the tenant assumes all expenses (fixed and variable) of operating a property except that the landlord is responsible for

structural maintenance, building reserves, and management. Also called *NNN lease*, *triple net lease*, or *fully net lease*. *(Dictionary)*

Net Operating Income (NOI)

The actual or anticipated net income that remains after all operating expenses are deducted from effective gross income but before mortgage debt service and book depreciation are deducted. Note: This definition mirrors the convention used in corporate finance and business valuation for EBITDA (earnings before interest, taxes, depreciation, and amortization). *(15th Edition)*

Obsolescence

One cause of depreciation; an impairment of desirability and usefulness caused by new inventions, changes in design, improved processes for production, or external factors that make a property less desirable and valuable for a continued use; may be either functional or external. *(Dictionary)*

Off-site Costs

Costs incurred in the development of a project excluding on-site costs such as grading and construction of the building and other improvements; also called *common costs* or *off-site improvement costs*. *(Dictionary)*

On-site Costs

Costs incurred for the actual construction of buildings and improvements on a particular site. *(Dictionary)*

Overage Rent

The percentage rent paid over and above the guaranteed minimum rent or base rent; calculated as a percentage of sales in excess of a specified breakeven sales volume. *(15th Edition)*

Overall Capitalization Rate (OAR)

The relationship between a single year's net operating income expectancy and the total property price or value. *(Dictionary)*

Parking Ratio

The ratio of parking area or parking spaces to an economic or physical unit of comparison. Minimum required parking ratios for various land uses are often stated in zoning ordinances. *(Dictionary)*

Potential Gross Income (PGI)

The total income attributable to property at full occupancy before vacancy and operating expenses are deducted. *(Dictionary)*

Potential Gross Income Multiplier (PGIM)

The ratio between the sale price (or value) of a property and its annual potential gross income. *(Dictionary)*

Present Value (PV)

The value of a future payment or series of future payments discounted to the current date or to time period zero. *(Dictionary)*

Prospective Opinion of Value

A value opinion effective as of a specified future date. The term does not define a type of value. Instead, it identifies a value opinion as effective at some specific future date. An opinion of value as of a prospective date is frequently sought in connection with projects that are proposed, under construction, or under conversion to a new use, or those that have not achieved sellout or a stabilized level of long-term occupancy. *(Dictionary)*

Qualitative Adjustment

An indication that one property is superior, inferior, or similar to another property. Note that the common usage of the term is a misnomer in that an adjustment to the sale price of a comparable property is not made. Rather, the indication of a property's superiority or inferiority to another is used in relative comparison analysis, bracketing, and other forms of qualitative analysis. *(Dictionary)*

Quantitative Adjustment

In the application of the sales comparison and income capitalization approaches, a numerical (dollar or percentage) adjustment to the sale price, rent, or expense amount of a comparable property to account for the effect on value of a difference between each comparable property and the subject property. *(Dictionary)*

Rentable Area

The amount of space on which the rent is based; calculated according to local practice. *(Dictionary)*

Replacement Cost

The estimated cost to construct, at current prices as of a specific date, a substitute for a building or other improvements, using modern materials and current standards, design, and layout. *(Dictionary)*

Replacement Cost for Insurance Purposes

The estimated cost, at current prices as of the effective date of valuation, of a substitute for the building being valued, using modern materials and current standards, design and layout for insurance coverage purposes guaranteeing that damaged property is replaced with a new property (i.e., depreciation is not deducted). *(Dictionary)*

Reproduction Cost

The estimated cost to construct, at current prices as of the effective date of the appraisal, an exact duplicate or replica of the building being appraised, using the same or similar materials, construction standards, design, layout, and quality of workmanship and embodying all the deficiencies, superadequacies, and obsolescence of the subject building. *(Dictionary)*

Retrospective Value Opinion

A value opinion effective as of a specified historical date. The term *retrospective* does not define a type of value. Instead, it identifies a value opinion as being effective at some specific prior date. Value as of a historical date is frequently sought in connection with property tax appeals, damage models, lease renegotiation, deficiency judgments, estate tax, and condemnation. Inclusion of the type of value with this term is appropriate, e.g., "retrospective market value opinion." *(Dictionary)*

Sales Comparison Approach

The process of deriving a value indication for the subject property by comparing sales of similar properties to the property being appraised, identifying appropriate units of comparison, and making adjustments to the sale prices (or unit prices, as appropriate) of the comparable properties based on relevant, market-derived elements of comparison. The sales comparison approach may be used to value improved properties, vacant land, or land being considered vacant when an adequate supply of comparable sales is available. *(Dictionary)*

Scope of Work

The type and extent of research and analysis in an appraisal or appraisal review assignment. Scope of work includes, but is not limited to:

- The extent to which the property is identified;
- The extent to which tangible property is inspected;
- The type and extent of data researched; and
- The type and extent of analysis applied to arrive at opinions or conclusions. *(USPAP)*

Shopping Center Types

Neighborhood Shopping Center: The smallest type of shopping center, generally with a gross leasable area of between 30,000 and 100,000 square feet. Typical anchors include supermarkets. Neighborhood shopping centers offer convenience goods and personal services and usually depend on a market population support of 3,000 to 40,000 people.

Community Shopping Center: A shopping center of 100,000 to 400,000 square feet that usually contains one junior department store, a variety store, discount or department store. A community shopping center generally has between 20 and 70 retail tenants and a market population support of 40,000 to 150,000 people.

Regional Shopping Center: A shopping center of 300,000 to 900,000 square feet that is built around one or two full-line department stores of approximately 200,000 square feet each plus small tenant spaces. This type of center is typically supported by a minimum population of 150,000 people.

Super-Regional Center: A large center of 600,000 to 2.0 million square feet anchored by three or more full-line department stores. This type of center is typically supported by a population area of 300,000 people. *(15th Edition)*

Sum of the Retail Values

The sum of the separate and distinct market value opinions for each of the units in a condominium; subdivision development, or portfolio of properties, as of the date of valuation. The aggregate of retail values does not represent the value of all the units as sold together in a single transaction; it is simply the total of the individual market value conclusions. An appraisal has an effective date, but summing the sales prices of multiple units over an extended period of time will not be the value on that one day unless the prices are discounted to make the value equivalent to what another developer or investor would pay for the bulk purchase of the units. Also called the *aggregate of the retail values* or *aggregate retail selling price*. (Dictionary)

Superadequacy

An excess in the capacity or quality of a structure or structural component; determined by market standards. (Dictionary)

Surplus Land

Land that is not currently needed to support the existing use but cannot be separated from the property and sold off for another use. Surplus land does not have an independent highest and best use and may or may not contribute value to the improved parcel. (Dictionary)

Tenant Improvements (TIs)

1. Fixed improvements to the land or structures installed for use by a lessee.
2. The original installation of finished tenant space in a construction project; subject to periodic change for succeeding tenants. (Dictionary)

Usable Area

The area that is actually used by the tenants measured from the inside of the exterior walls to the inside of walls separating the space from hallways and common areas. (Dictionary)

Useful Life

The period of time over which a structure or a component of a property may reasonably be expected to perform the function for which it was designed. (Dictionary)

Vacancy and Collection Loss

A deduction from potential gross income (PGI) made to reflect income deductions due to vacancies, tenant turnover, and nonpayment of rent; also called *vacancy and credit loss* or *vacancy and contingency loss*. (Dictionary)

Yield Capitalization

A method used to convert future benefits into present value by (1) discounting each future benefit at an appropriate yield rate, or (2) developing an overall rate that explicitly reflects the investment's income pattern, holding period, value change, and yield rate. (Dictionary)



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Susan D. Baldwin, MAI, AI-GRS

Area of Expertise

Susan D. Baldwin serves as the Managing Director for Colliers' Syracuse Office which provides valuation and advisory services throughout Upstate New York. Prior to joining Colliers, Susan was the President CNY Pomeroy Appraisers, Inc.

Susan has valuation experience in numerous types of real property including restaurants, apartment complexes, warehouses, offices, retail properties, self-storage facilities, auto service facilities, manufacturing plants, hotels, motels, inns, golf courses, and single-family homes.

In 2005, Susan served as President of the Upstate New York Chapter of the Appraisal Institute and has always been active with the local chapter to include being on the Board of Directors, and Syracuse District Chair. She was also a Candidate Advisor for practicing Affiliates of the Appraisal Institute. She has provided expert testimony in the New York State Supreme Court.

Professional Background

CNY Pomeroy Appraisers, Inc.
Armory Square Valuation Services, Inc.
Summit Associates
The Peatfield Company, Ltd.
National Bank and Trust Company

Affiliations or Memberships

Member – Appraisal Institute (MAI, AI-GRS)
Past President – Upstate Chapter of the Appraisal Institute
New York State Department of Transportation Approved
New York State Board of Real Estate Appraisal.

Community Activities

Chairman for Light Up Fenner. Raised \$125,000 to install lights on the fields for the Cazenovia School District.
Served on the Cazenovia Youth Soccer Board for 12 years.
Served on Cazenovia Youth Lacrosse for 5 years.
Served on the YMCA board for 7 years.
Current serving on the Board of Directors for the Cazenovia Golf Club.
Serving on the Town of Cazenovia Grievance Board for over 15 years.

Education or Qualifications

State University College at
Cortland – B.A. Economics

State Certifications

New York
Pennsylvania

UNIQUE ID NUMBER

46000003166

State of New York
Department of State

DIVISION OF LICENSING SERVICES

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1559643

PURSUANT TO THE PROVISIONS OF ARTICLE 6E OF THE
EXECUTIVE LAW AS IT RELATES TO R.E. APPRAISERS.

EFFECTIVE DATE

MO.	DAY	YR.
09	12	25

BALDWIN SUSAN D
C/O COLLIERS INTERNATIONAL VAL
100 EAST SENECA ST
MANILUS, NY 13104

EXPIRATION DATE

MO.	DAY	YR.
09	11	27

HAS BEEN DULY CERTIFIED TO TRANSACT BUSINESS AS A
R. E. GENERAL APPRAISER

In Witness Whereof, The Department of State has caused
its official seal to be hereunto affixed.

WALTER T. MOSLEY
SECRETARY OF STATE



Donald A. Fisher, MAI, ARA

Valuation Services Director | Syracuse
Valuation & Advisory Services

donald.fisher@colliers.com
Direct: +1 315 422 7107
Mobile: +1 315 430 6444
colliers.com

100 E. Seneca Street
Suite 200
Manlius, NY 13104
United States

Education or Qualifications

Cornell University: Bachelor of
Science – College of Agriculture
& Life Sciences

Syracuse University: graduate
studies

State Certifications

New York

Area of Expertise

Donald Fisher is a Valuation Services Director in the Syracuse office of Colliers Valuation & Advisory Services throughout Upstate New York. Prior to joining Colliers, Donald was the Executive Vice President CNY Pomeroy Appraisers, Inc.

Donald has valuation experience in numerous types of real property including all types of agriculture and rural properties, restaurants, apartment complexes, warehouses, offices, retail properties, self-storage facilities, auto service facilities, manufacturing plants, hotels, motels, inns, golf courses, and single-family homes.

In 2011 and 2012, Donald served as President of the Upstate New York Chapter of the Appraisal Institute and has always been active with the local chapter to include being on the Board of Directors, Chairperson for Candidate Admissions, and served on the AIREA/SREA Unification Community and Regional Standards Panel. He has been active with the American Society of Farm Managers and Rural Appraisers since 1975 including Executive Council for three years, Chair of the National Appraisal Review Committee for six years, and Chair of the National Editorial Committee for 19 years. He also served as Chapter President from 1991 through 1993.

Affiliations or Memberships

MAI #6935 Appraisal Institute
Appraisal Institute (1979-present)

ARA #623 American Society of Farm
Managers & Rural Appraisers [ASFMRA]
American Society of Farm Managers &
Rural Appraisers (1975-present)

International Right-of-Way Association -
Chapter #18 (1982-2023)

International Association of Assessing
Officers (1982-2020)

Professional Background

2023-current: Valuation Services Director,
Colliers Valuation & Advisory Services

2016-2023: Executive Vice President – CNY
Pomeroy Appraisers, Inc.

1994-2015: President - Pomeroy Appraisal
Associates, Inc.

1986-1994: Executive Vice-President -
Pomeroy Appraisal Associates, Inc.

1984-1986: Vice-President / Secretary -
Pomeroy Appraisal Associates, Inc.

1974-1984: Staff Appraiser - Pomeroy
Appraisal Associates, Inc.

Awards

- Appraisal Professional of the Year by
ASFMRA - 2012
- G. Richard Kelley Memorial Award
(formerly President's Award)- 2014,
presented by Upstate New York
Chapter, Appraisal Institute
- Gold Quill Award for journalism from
ASFMRA – 1985, 2011, and 2025
- Volunteer of the Year Award – ASFMRA -
2017
- Silver Plow Award - 10+ years as
Chapter Secretary/Treasurer from
ASFMRA (1989)
- Silver Cow Award for Contribution to
Agribusiness from Onondaga County
Dairy Promotion Committee (1999)

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Licensing and Certifications

Certified by Appraisal Institute through December 31, 2028 (5-year renewal period)

Certified by ASFMRA through December 31, 2025 (3-year renewal period)

NYS Certified General Appraiser #46-000000060 (1991 to present)

Certified by NY Department of State through October 7, 2025 (2-year renewal period)

Certificate of Completion – Valuation of Conservation Easements course – AI/ASFMRA/ASA (2008)

Certificate of Completion – Yellow Book – Uniform Appraisal Standards for Federal Land Acquisitions

–ASFMRA (2006 and 2018)

NYS Consultant Appraiser - New York State (1978 to present)

NYS Qualified Appraisal Course Instructor – all appraisal course levels (1991 to present)

Certificate of Appreciation - Appraisal Review Committee Chairman (6 years)

Certificate of Appreciation – Editorial Committee Chairman (19 years)

Publications

"A Case Study Measuring Solar Array Impacts on New York Residential Values" - Journal of the ASFMRA, May 2025

"A Case Study of Upstate New York Landlocked and Restricted Access Land Values" – Journal of the ASFMRA, May 2020

"An Environmental Trade Case Study: Agricultural Conservation Easement Pays Off Environmental Penalty" –Journal of the ASFMRA, June 2011 (ASFMRA 2011 Gold Quill Award)

"Is Your Forest Land Fairly Assessed?" – Empire Envoy, Empire State Forest Products Association, Vol. 97, No. 5, August 2004

"Conservation Easements: A Review of Alternative Valuation Methods" – Journal of Property Economics, co-published by American Society of Appraisers, American Society of Farm Managers and Rural Appraisers, International Association of Assessing Officers and National Association of Independent Fee Appraisers, Volume 1, Issue 1, 2004

The Appraisal of Rural Property, 2nd Edition, 2000, co-published by ASFMRA and Appraisal Institute – Dairy Farm Chapter

"Timberland Assessments" – Farming, January 2001

"Gas Pipelines: Are They a Detriment or an Enhancement for Crops?" Journal of ASFMRA, 2000; republished in International Right-of-Way Magazine, Dec. 2000

"Timberland Valuation" – CFA News, Catskill Forest Association, Inc., Fall 1999

"Understanding Development Rights from Both the Appraiser and Consultant Perspective" Seminar for ASFMRA, May 1997

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Publications (continued)

"Farm Assessment Problems" (5-part series) - New York Farmer, 1996-1997
"Conservation Easements & Valuation Issues" - Appraisal Views, Valuation International, Ltd., 2nd Quarter, 1996
Rural Appraisal Manual, ASFMRA, 6th Edition, 1986 - Revision Committee
"Using the Income Approach for Specialized Agricultural Properties"-Journal of the ASFMRA, April 1985 (ASFMRA 1985 Gold Quill Award)
"Do You Need a Professional Appraiser?" - American Agriculturist, January 1983

Teaching and Lecturing Experience

Upstate NY Chapter (Appraisal Institute): Valuations in Indian Land Claims, Eminent Domain Analysis, Catastrophic Event, Natural (Tourist) Attraction, Current Use v. Highest and Best Use, Land Under Elevated Highway, Avigation Easements, Wind Development Rights, Utility Easements, Determination of Economic Units, Market Value Impact from Solar Systems on Residential Properties, Effects of Stigma, Landlocked and Restricted Access Land
ASFMRA & Northeast Chapter: Agricultural Valuation, Conservation Easements, Avigation Easements, Wind Development Rights, Dairy Farms, Cost Approach; Utility Easements
ASFMRA Ohio Chapter: Conservation Easements
International Right-of-Way Association Chapter 18: Conservation Easement Valuation, Avigation Easements, Wind Development Rights, Effects of Stigma, Landlocked and Restricted Access Land
NYS Assessors Association: Farm Valuation, Income Capitalization Approach, Conservation Easement Valuation, Waterfront Valuation, Mini-Marts and Convenience Stores, Partial Interests Valuation, Appraisal Report Review, Mixed-Use Property Valuation
NYS Association of County Directors: Conservation Easements: Alternative Valuation Methods
Cornell Cooperative Extension: Farm Assessment Problems, Agricultural Conservation Easements
Cornell University: Appraisal Issues, Eminent Domain, Conservation Easements, Indian Land Claims
Federal Land Bank: Highest & Best Use Analysis
US Army / Tug Hill Tomorrow Land Trust / Ducks Unlimited: Fort Drum Army Compatible Use Buffer Program (2012): Conservation Easements
New York Farm Show / Woodsmen's Field Days (2010, 2011, 2012): Conservation Easements
Ohio State University: Conservation Easement Valuation
Onondaga Community College: Real Estate Principles
Onondaga County Assessors Assoc.: Farm Valuation, Conservation Easements, Convenience Stores, Property Classifications and Current Use v. Highest and Best Use Issues

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Court Experience

Testified before US Federal District Court*; NY State Court of Claims; NY State Supreme Court^; Massachusetts Court; Commissions and Hearings throughout NY State;

2010 NY Court of Appeals favorable decision on current use valuation certiorari project (Gordon v. Town of Esopus);

2 Appellate Division favorable decisions on current use and economic unit valuation for certiorari (Adirondack Mountain Reserve v. Towns of Keene and North Hudson; Corvetti v. Town of Lake Pleasant)

*1981 Oneida Nation Land Claim was reviewed and upheld by the US Supreme Court (March 1984)

Community Activities

Cornell University Athletics: Heavyweight Rowing National Champion – Varsity 1971 and Freshman 1970; International Rowing – Silver Medalist, Brazil 1972

Cornell University: Alumni Admissions Ambassador Network (1989-2006); Alumni Career Link (1989-present)

Onondaga County Waste-to-Energy Facility: Citizens Advisory Committee (1991-2000), Chairman (1993-1994); Property Value Stabilization, Sub-Committee Chairman (1991-2000)

Town of Onondaga: Environmental Advisory Council (1976-81); Fire Training Center Bylaws (Chairman 1986); Length Of Service Awards Program (Town Committee Chairman 1989-91, 2000-02, 2004-05, 2017-18, 2019)

Onondaga Central Schools Committees: Facilities Advisory (1989-90); Citizens Advisory (1994-96); Building Planning (1994-96); Facilities Development (1997); Academic/Building Advisory (2000-2003); Capital Project Advisory (2005-12); Citizens' Budget Advisory (2015-16)

St. Camillus Health & Rehabilitation Center: Trustee (1987-1992); Development Comm. (1990-1992)

South Onondaga Fire Department: Member (1970-present); President (1978-85, 1989-94, 2000-2014); Immediate Past President (2014-2025); Director (1985-87; 1988-89; 1994-2000); supervised new fire station construction (1990-91); Life Member (since 2004); Length of Service Awards Program Trustee/Administrator (1989-present); Sign amendment to Town zoning (2022); 75th Anniversary (2023-2024); Quarter Century Firefighter Award (1994-2024)

Onondaga County Volunteer Firemen's Association Red Jacket Distinction Award - 2012

New York State Emergency Medical Technician for over 30 years

Corpus Christi Catholic Church: Building Committee (1991-92); Lector (2006-2016)

South Onondaga Water District – proposed and approved (2000-01); extension project (2022-23)

UNIQUE ID NUMBER

46060000060

State of New York
Department of State

DIVISION OF LICENSING SERVICES

FOR OFFICE USE ONLY

Control
No.

1579017

PURSUANT TO THE PROVISIONS OF ARTICLE 6E OF THE
EXECUTIVE LAW AS IT RELATES TO R. E. APPRAISERS.

EFFECTIVE DATE

MO.	DAY	YR.
10	08	25

EXPIRATION DATE

MO.	DAY	YR.
10	07	27

FISHER DONALD A
C/O COLLIERS VALUATION & ADVIS
LIBERTY SQUARE
100 EAST SENECA ST
MANLIUS, NY 13104

HAS BEEN DULY CERTIFIED TO TRANSACT BUSINESS AS A
R. E. GENERAL APPRAISER

In Witness Whereof, The Department of State has caused
its official seal to be hereunto affixed.

WALTER T. MOSLEY
SECRETARY OF STATE

Valuation & Advisory Services



Valuation & Advisory Services

Real estate valuations play a pivotal role in today's business climate. An accurate and well supported opinion of property value can mean the difference between reaching a critical goal—securing a loan, closing a sale, reporting to investors, choosing the best asset—or failing to achieve it altogether.

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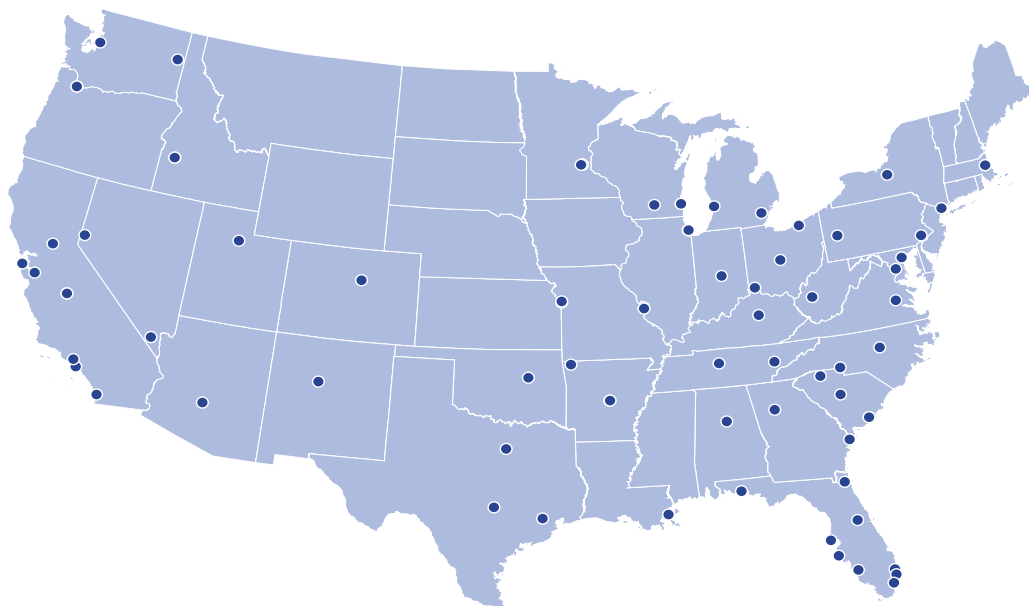
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TECHNOLOGY

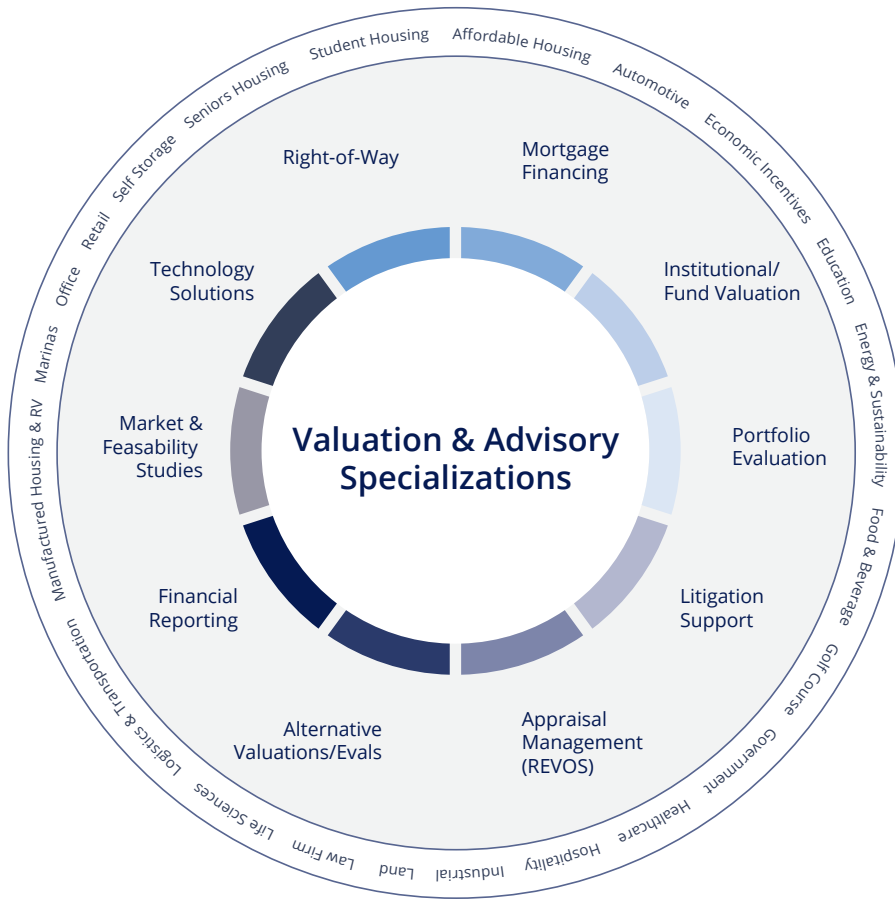
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Today's business climate places valuation in a more pivotal position than ever before. All our appraisals are evaluated and approved by an experienced review team to ensure our clients receive concise and timely appraisals. With clear, prompt reporting and a comprehensive, big picture approach, Colliers' valuation and advisory reports give our clients the information they need to make better business decisions.

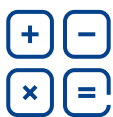


What We Do



400+

licensed appraisers and staff



26,000+

assignments completed annually



60+

Valuation & Advisory Services
market locations across the country

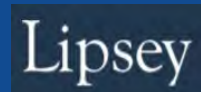
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Building Council



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real estate firm



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global commercial real
estate brands by The
Lipsey Company



Ranked in the world's
top female-friendly
companies.



Valuation & Advisory Services National Leadership

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Our Experts

To learn more about our Regional and Market Valuation Experts, please click on or scan the QR code.



Why work with Colliers?



We act as an extension of your team.

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We attract an exemplary roster of top valuation experts across the United States – specialists who save you time and money by cutting through the noise to deliver the most favorable outcome.

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**RESOLUTION AUTHORIZING SALE AND/OR LEASE OF PROPERTY SUBJECT TO
COMPLIANCE WITH PUBLIC AUTHORITIES LAW**

A regular meeting of the Onondaga County Industrial Development Agency (the “Agency”) was convened in public session on November 18, 2025, at 9:30 a.m., local time, at 401 Montgomery Street, Room #407, Syracuse, New York.

The meeting was called to order by the _____ of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

ABSENT:

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

The following resolution was offered by _____, seconded by _____, to wit:

**RESOLUTION APPROVING THE SALE AND/OR LEASE OF PROPERTY
IN THE TOWN OF CLAY AND AUTHORIZING THE EXECUTION OF
DOCUMENTS IN CONNECTION THEREWITH, SUBJECT TO
COMPLIANCE WITH THE REQUIREMENTS OF THE PUBLIC
AUTHORITIES LAW, AND DETERMINING OTHER MATTERS IN
CONNECTION THEREWITH**

WHEREAS, the Agency is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”), Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975 of the State of New York, as amended, constituting Section 895 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York (the “State”), to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to 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, the Agency currently owns approximately 1,322 acres of land consisting of certain real properties located on Burnet Road, Caughdenoy Road and State Route 31 commonly referred to as the White Pine Commerce Park in the Town of Clay, Onondaga County, New York (the “Property”), as more fully described in the Appraisal (as hereinafter defined); and

WHEREAS, the Agency has received an appraisal of the Property (the “Appraisal”) from Colliers Valuation & Advisory Services, which appraises the fair market value of the Property consisting of (i) 34 parcels (approximately 819.92 acres) located on the west side of Burnet Road, the tax map numbers of which are listed in Schedule A attached hereto, at \$21,300,000 (the “Phase I Parcels”) and (ii) 37 parcels (approximately 501.91 acres) located on the east side of Burnet Road at \$13,000,000 (the “Phase II Parcels”); and

WHEREAS, the Agency is contemplating the lease and/or sale of all or a portion of the Phase I Parcels to Micron New York Semiconductor Manufacturing LLC, a Delaware limited liability company on behalf of itself and/or entities formed or to be formed on its behalf (the “Micron”) by negotiation for a sale price of \$30,000,000 (the “Sale Price”); and

WHEREAS, the Agency has received an application from Micron (the “Application”) seeking benefits in connection with the redevelopment of the Property; and

WHEREAS, Micron intends to invest over \$50 billion in the Phase I Parcels to build a semiconductor chip manufacturing facility (the “Proposed Micron Project”), simulating significant economic growth to the County including the creation of new infrastructure in a 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, thereby advancing the job opportunities, health, general prosperity, and economic welfare of the people of the County of Onondaga and the State of New York; and

WHEREAS, Micron desires to lease and/or purchase all or a portion of the Phase I Parcels for the Sale Price in furtherance of the Proposed Micron Project; and

WHEREAS, the Agency has determined that (i) the Phase I Parcels are not needed by the Agency for its purposes, (ii) the lease and/or sale of all or a portion of the Phase I Parcels to Micron will promote economic development in that it will further the Proposed Micron Project which will provide the benefits to the Town of Clay and County of Onondaga as detailed in the Application; and (iii) it is in the best interests of the Agency to dispose of the Phase I Parcels; and

WHEREAS, the lease and/or sale of all or a portion of the Phase I Parcels to Micron is within the purpose, mission or governing statute of the Agency; and

WHEREAS, prior to the lease and/or sale of all or a portion of the Phase I Parcels, the Agency is required to comply with the applicable requirements of Article 5-A of the Public Authorities Law (the “Act”), and the Agency’s Property Disposition Policy; 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 Proposed Micron Project had been subject to an environmental review resulting in the acceptance of a final Environmental Impact Statement on November 7, 2025 and the adoption of a Findings Statement by the Agency by resolution dated November 18, 2025 (the “SEQRA Determination”).

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

Section 1. The Agency hereby approves the lease and/or purchase all or a portion of the Phase I Parcels to Micron for the Sale Price,; provided, however, that the Agency shall not convey all or a portion of the Phase I Parcels to Micron until such time as the Agency has complied with the requirements of the Act and the Policy. The Agency hereby authorizes and directs the Executive Director to take such actions as may be required to comply with requirements of the Act and the Policy, including but not limited to preparation and delivery of an explanatory statement of disposal by negotiation as required by Section 2897 of the Act not less than ninety (90) days in advance of such disposal, and the preservation of a copy of such explanatory statement in the Agency files.

Section 2. (A) Subject to the limitation in Section 1, the Chairperson (or Vice Chairperson) and/or Executive Director of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver such documents as may be necessary to convey all or a portion of the Phase I Parcels to Micron (collectively, the “Agency Documents”), and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same.

(B) The Chairperson (or Vice Chairperson) and/or Executive Director of the Agency are hereby further authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency.

Section 3. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required in order to convey all or a portion of the Phase I Parcels to Micron, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and the provisions of the Agency Documents.

Section 4. 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:

AYE

NAY

ABSENT

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

The Resolution was thereupon declared duly adopted.

DRAFT

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 18, 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 __ day of November, 2025.

(SEAL)

Secretary

SCHEDULE A

046.-02-01.0

046.-02-02.1

046.-02-02.2

046.-02-03.1

046.-02-04.0

046.-02-05.1

046.-02-05.2

048.-01-01.0

048.-01-02.2

048.-01-23.1

048.-01-23.2

048.-01-23.3

049.-01-15.0

049.-01-16.0

049.-01-17.0

049.-01-18.4

049.-01-19.1

049.-01-19.2

050.-01-01.0

050.-01-02.1

050.-01-03.1

050.-01-04.1

050.-01-04.2

050.-01-04.3

050.-01-04.4

050.-01-05.0

051.-01-10.1

051.-01-10.6

051.-01-10.7

051.-01-10.8

051.-01-10.9

051.-01-12.0

064.-01-06.3

064.-01-08.0

Project Summary

10/21/2025

Project	Micron New York Semiconductor Manufacturing LLC	2. Project Number	3101-23-07A
Location	Town of Clay	4. School District	North Syracuse Central School District
Tax Parcel(s)	See Application Detail	6. Project Type	New Construction
		Village:	N/A

7.Total Project Cost	\$	51,500,000,000	8. Total Jobs	4,514
Land Acquisition	\$	30,000,000	8A. Job Retention	-
Site Work/Demo	\$	50,000,000	8B: Job Creation	4,514
Building Construction & Renovation	\$	25,000,000,000	See Detail Schedule	
Furniture & Fixtures	\$	20,000,000		
Equipment	\$	25,000,000,000		
Project Soft Cost	\$	1,400,000,000		

Community Investment/Abatement

	Fiscal Impact (\$)
Abatement Summary	\$2,043,882,226
Sales Tax	\$1,760,000,000
Mortgage Tax	\$0
Property Tax Relief (PILOT)	\$283,882,226

Community Investment	\$54,551,157,104
PILOT Payments	\$84,501,999
Project Salaries Estimate (10 year)	\$2,104,339,105
Construction Benefit Estimate (50 Months)	\$862,316,000
Total Project Cost	\$51,500,000,000

Investment:Abatement Ratio **27 :1**

Project Description

Construction of a leading-edge semiconductor manufacturing complex in the Town of Clay.

Micron New York Semiconductor Manufacturing LLC

10/21/2025

A) PILOTS Estimate Table Worksheet

PILOT YEAR	Exemption %	Onondaga County	Town of Clay	North Syracuse CSD	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100%	\$ 169,269	\$ 88,848	\$ 773,143	\$ 1,031,259.34	\$ 4,495,748	\$ 3,464,488
2	100%	\$ 172,655	\$ 90,625	\$ 788,605	\$ 1,051,884.53	\$ 4,585,663	\$ 3,533,778
3	100%	\$ 176,108	\$ 92,437	\$ 804,377	\$ 1,072,922.22	\$ 4,677,376	\$ 3,604,454
4	100%	\$ 179,630	\$ 94,286	\$ 820,465	\$ 1,094,380.67	\$ 4,770,924	\$ 3,676,543
5	100%	\$ 183,222	\$ 96,171	\$ 836,874	\$ 1,116,268.28	\$ 4,866,342	\$ 3,750,074
6	100%	\$ 186,887	\$ 98,095	\$ 853,612	\$ 1,138,593.64	\$ 4,963,669	\$ 3,825,075
7	100%	\$ 190,625	\$ 100,057	\$ 870,684	\$ 1,161,365.52	\$ 5,062,942	\$ 3,901,577
8	100%	\$ 194,437	\$ 102,058	\$ 888,098	\$ 1,184,592.83	\$ 5,164,201	\$ 3,979,608
9	100%	\$ 198,326	\$ 104,099	\$ 905,860	\$ 1,208,284.68	\$ 5,267,485	\$ 4,059,200
10	100%	\$ 202,292	\$ 106,181	\$ 923,977	\$ 1,232,450.38	\$ 5,372,835	\$ 4,140,384
11	100%	\$ 206,338	\$ 108,305	\$ 942,456	\$ 1,257,099.39	\$ 5,480,291	\$ 4,223,192
12	100%	\$ 210,465	\$ 110,471	\$ 961,306	\$ 1,282,241.37	\$ 5,589,897	\$ 4,307,656
13	100%	\$ 214,674	\$ 112,680	\$ 980,532	\$ 1,307,886.20	\$ 5,701,695	\$ 4,393,809
14	100%	\$ 218,968	\$ 114,934	\$ 1,000,142	\$ 1,334,043.92	\$ 5,815,729	\$ 4,481,685
15	100%	\$ 223,347	\$ 117,233	\$ 1,020,145	\$ 1,360,724.80	\$ 5,932,044	\$ 4,571,319
16	100%	\$ 227,814	\$ 119,577	\$ 1,040,548	\$ 1,387,939.30	\$ 6,050,685	\$ 4,662,745
17	100%	\$ 232,370	\$ 121,969	\$ 1,061,359	\$ 1,415,698.09	\$ 6,171,698	\$ 4,756,000
18	100%	\$ 237,018	\$ 124,408	\$ 1,082,586	\$ 1,444,012.05	\$ 6,295,132	\$ 4,851,120
19	100%	\$ 241,758	\$ 126,896	\$ 1,104,238	\$ 1,472,892.29	\$ 6,421,035	\$ 4,948,143
20	100%	\$ 246,593	\$ 129,434	\$ 1,126,323	\$ 1,502,350.13	\$ 6,549,456	\$ 5,047,105
21	100%	\$ 251,525	\$ 132,023	\$ 1,148,849	\$ 1,532,397.14	\$ 6,680,445	\$ 5,148,048
22	100%	\$ 256,556	\$ 134,663	\$ 1,171,826	\$ 1,563,045.08	\$ 6,814,054	\$ 5,251,009
23	100%	\$ 261,687	\$ 137,357	\$ 1,195,263	\$ 1,594,305.98	\$ 6,950,335	\$ 5,356,029
24	100%	\$ 266,921	\$ 140,104	\$ 1,219,168	\$ 1,626,192.10	\$ 7,089,341	\$ 5,463,149
25	100%	\$ 272,259	\$ 142,906	\$ 1,243,551	\$ 1,658,715.94	\$ 7,231,128	\$ 5,572,412
26	100%	\$ 277,704	\$ 145,764	\$ 1,268,422	\$ 1,691,890.26	\$ 7,375,751	\$ 5,683,861
27	100%	\$ 283,258	\$ 148,679	\$ 1,293,791	\$ 1,725,728.07	\$ 7,523,266	\$ 5,797,538
28	100%	\$ 288,923	\$ 151,653	\$ 1,319,667	\$ 1,760,242.63	\$ 7,673,731	\$ 5,913,488
29	100%	\$ 294,702	\$ 154,686	\$ 1,346,060	\$ 1,795,447.48	\$ 7,827,206	\$ 6,031,758
30	100%	\$ 300,596	\$ 157,780	\$ 1,372,981	\$ 1,831,356.43	\$ 7,983,750	\$ 6,152,393
31	100%	\$ 306,608	\$ 160,935	\$ 1,400,441	\$ 1,867,983.56	\$ 8,143,425	\$ 6,275,441
32	100%	\$ 312,740	\$ 164,154	\$ 1,428,449	\$ 1,905,343.23	\$ 8,306,293	\$ 6,400,950
33	100%	\$ 318,995	\$ 167,437	\$ 1,457,018	\$ 1,943,450.09	\$ 8,472,419	\$ 6,528,969
34	100%	\$ 325,375	\$ 170,786	\$ 1,486,159	\$ 1,982,319.10	\$ 8,641,868	\$ 6,659,548
35	100%	\$ 331,882	\$ 174,201	\$ 1,515,882	\$ 2,021,965.48	\$ 8,814,705	\$ 6,792,739
36	100%	\$ 338,520	\$ 177,685	\$ 1,546,200	\$ 2,062,404.79	\$ 8,990,999	\$ 6,928,594
37	100%	\$ 345,290	\$ 181,239	\$ 1,577,124	\$ 2,103,652.88	\$ 9,170,819	\$ 7,067,166
38	100%	\$ 352,196	\$ 184,864	\$ 1,608,666	\$ 2,145,725.94	\$ 9,354,235	\$ 7,208,509
39	100%	\$ 359,240	\$ 188,561	\$ 1,640,839	\$ 2,188,640.46	\$ 9,541,320	\$ 7,352,680
40	100%	\$ 366,425	\$ 192,332	\$ 1,673,656	\$ 2,232,413.27	\$ 9,732,146	\$ 7,499,733
41	100%	\$ 373,753	\$ 196,179	\$ 1,707,129	\$ 2,277,061.53	\$ 9,926,789	\$ 7,649,728
42	100%	\$ 381,228	\$ 200,103	\$ 1,741,272	\$ 2,322,602.76	\$ 10,125,325	\$ 7,802,722
43	100%	\$ 388,853	\$ 204,105	\$ 1,776,097	\$ 2,369,054.82	\$ 10,327,832	\$ 7,958,777
44	100%	\$ 396,630	\$ 208,187	\$ 1,811,619	\$ 2,416,435.92	\$ 10,534,388	\$ 8,117,952
45	100%	\$ 404,562	\$ 212,350	\$ 1,847,852	\$ 2,464,764.63	\$ 10,745,076	\$ 8,280,311
46	100%	\$ 412,654	\$ 216,597	\$ 1,884,809	\$ 2,514,059.93	\$ 10,959,978	\$ 8,445,918
47	100%	\$ 420,907	\$ 220,929	\$ 1,922,505	\$ 2,564,341.13	\$ 11,179,177	\$ 8,614,836
48	100%	\$ 429,325	\$ 225,348	\$ 1,960,955	\$ 2,615,627.95	\$ 11,402,761	\$ 8,787,133
49	100%	\$ 437,911	\$ 229,855	\$ 2,000,174	\$ 2,667,940.51	\$ 11,630,816	\$ 8,962,875
TOTAL		\$ 13,870,019	\$ 7,280,224	\$ 63,351,755	\$ 84,501,999	\$ 368,384,225	\$ 283,882,226



**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
APPLICATION FOR FINANCIAL ASSISTANCE**

1. Fill in all blanks using “none”, “not applicable” or “not available”. If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency (the “Agency” or “OCIDA”) at 315-435-3770.
2. In accordance with Section 224-a(8)(d) of Article 8 of the New York Labor Law, the Agency has identified that any “financial assistance” (within the meaning of Section 858 of the General Municipal Law) granted by the Agency to the Applicant consisting of sales and use tax exemption benefits, mortgage recording tax exemption benefits and real property tax exemption benefits, constitutes “public funds” within the meaning of Section 224-a(2)(b) of Article 8 of the New York Labor Law and such funds are not excluded under Section 224-a(3) of Article 8 of the New York Labor Law. The Agency hereby notifies the Applicant of the Applicant’s obligations under Section 224-a (8)(a) of Article 8 of the New York Labor Law.
3. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents.
4. All projects approved for benefits by the OCIDA Board will close with the Agency within 6-months of the OCIDA Board approval date. If this schedule cannot be met, the Applicant will need to submit a closing schedule modification written request to the Executive Director that will be presented to OCIDA Board for consideration.
5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the project which is the subject of this Application. The form is available at https://extapps.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart1.pdf
6. Public Officers Law stipulates all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and reproduction. Should the Applicant believe there are project elements which are trade secrets if publicly disclosed or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, the Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the Agency may also redact personal, private, and/or proprietary information from publicly disseminated documents.
7. A final Application (OCIDA staff reviewed/approved) and associated fees MUST be received at least 10 business days prior to the upcoming Board meeting to be placed on the agenda. A signed application may be submitted by mail and/or electronically in PDF format to Alexis Rodriguez at alexisrodriguez@ongov.net.
 - A check payable to the Agency in the amount of \$1,000
 - A check payable to Barclay Damon LLP in the amount of \$2,500

This Application was adopted by the OCIDA Board on February 15, 2024.

Submit completed application to:
Onondaga County Industrial Development Agency
335 Montgomery Street, Floor 2M Syracuse, NY 13202
Phone: 315-435-3770
alexisrodriguez@ongov.net

Section I: Applicant Information

Submittal Date: 7/24/2023 Amended and restated Oct 20th, 2025

A) Applicant/Project Operator information (company receiving benefits):

1. Applicant/Project Operator: Micron New York Semiconductor Manufacturing LLC

Applicant/Project Operator Address: 8000 S. Federal Way, Boise, ID 83716

Phone: 208-368-4000

Fax: 208-368-4617

Website: www.micron.com

Email: kbirchenaugh@micron.com

Federal ID#: 92-0692507

NAICS: 334413

State of Incorporation: Delaware

See link for your NYS incorporation information. <https://apps.dos.ny.gov/publicInquiry>

2. Owner (if different from Applicant/Project Operator): N/A

Owner Address: _____

Federal ID#: _____

State of Incorporation: _____

List of stockholders, members, or partners of Owner: _____

B) Applicant Business Organization (check appropriate category):

☐ Corporation

☐ Partnership

☐ Public Corporation

☐ Joint Venture

☐ Sole Proprietorship

☒ Limited Liability Company

☐ Other, explain

List all stockholders, members, or partners with % of ownership greater than 5%:

Name	% of ownership
<u>Micron Technology, Inc.</u>	<u>100%</u>
_____	_____
_____	_____
_____	_____

C) Applicant Business Description: See Exhibit A: US Sales Projection Narrative

Estimated % of sales within Onondaga County: 0.09%

Estimated % of sales outside Onondaga County but within New York State: 5%

Estimated % of sales outside New York State but within the U.S.: 59%

Estimated % of sales outside the U.S.: (*Percentage to equal 100%) 35%

Applicant /Owner History:

1. Is the Owner and/or Applicant or any manager or owner of the Owner and/or Applicant now a plaintiff or defendant in any civil or criminal litigation? ☐ No ☒ Yes, explain

Micron Technology, Inc. is a large company with shares trading on the NASDAQ and is a party (either as plaintiff or defendant) in civil litigation in the ordinary course of business. Additional details regarding certain litigation is provided as part of our public filings with the SEC, including in Micron Technology, Inc.'s recent 10-K annual filing filed on October 3, 2025."

2. Has any owner of manager of the Owner and/or Applicant listed above ever been convicted of a criminal offense (other than a minor traffic violation)? ☒ No ☐ Yes, explain
3. Has any person listed in Section I ever been in receivership or declared bankruptcy?
☒ No ☐ Yes, explain

D) Has the Applicant/Owner received assistance from Onondaga County Industrial Development Agency (OCIDA, Syracuse Industrial Development Agency (SIDA), New York State or the Onondaga Civic Development Corporation (OCDC) in the past?

☒ No ☐ Yes, explain (Provide year, project name, benefit description, amounts, address)

E) Individual Completing Application:

Name: Scott Gatzemeier Title: CVP, Front End US Expansion

Address: 8000 S. Federal Way, Boise, ID 83707 Phone: 208-368-4000

Cell Phone: _____ E-mail: sngatzemeier@micron.com

F) Company Contact (if different from individual completing application):

Name: Katie Birchenough Title: Senior Assistant General Counsel

Address: 8000 S. Federal Way, Boise, ID 83707 Phone: 208-368-4000

Cell Phone: N/A Email: kbirchenough@micron.com

G) Company Counsel:

Name of Attorney: John P. Sidd

Firm Name: Hancock Estabrook LLP

Address: 1800 AXA Tower I, 100 Madison Street, Syracuse, NY 13202

Phone: 315-565-4500

Cell Phone: N/A

Email: jsidd@hancocklaw.com

Section II: Project and Site Information

A) Project Location is where the investment will take place. If Applicant is moving, the new location should be entered here and the current location should be in Section I.

Address: White Pine Commerce Park

Legal Address (if different): 5171 NYS Route 31

City: N/A

Town: Clay

Village: N/A

Zip Code: 13041

School District: North Syracuse Central School District

Tax Map Parcel ID(s): See Exhibit B: Tax Map Numbers

Full Market Value: \$21,100,000

Square Footage of Existing Building(s): All existing building to be removed by OCIDA

B) Project Activity (Check all that apply):

- | | |
|--|---|
| ☒ New construction | ☐ Acquisition of existing facility |
| ☐ Expansion to current facilities | ☐ Brownfield/Remediated Brownfield |
| ☐ Renovation of existing facility | ☐ Demolition and construction |
| | ☒ Purchase of machinery/equipment |

C) Select Project Type or Project End Use at site (you may check more than one):

- | | |
|--|--|
| ☒ Manufacturing | ☐ Mixed Use |
| ☐ Retail (see Section V) | ☐ Facility of Aging |
| ☐ Housing Project (see Section VII) | ☐ Distribution/Wholesale |
| ☐ Civic Facility (not for profit) | ☐ Commercial |
| ☒ Industrial | ☐ Renewable Energy Project (see Section VI) |
| ☐ Other, explain | |

D) Project Narrative: Please check one of the two boxes below and attach statement.

- ☒ A statement that the Project described in this application would not be undertaken but for the financial assistance provided by the Agency. See Exhibit C: Project Narrative
- ☐ If the Project is going to advance regardless of any financial assistance from the Agency, please provide a statement indicating why the project should be considered by the Agency for any financial assistance.

E) Description of Project: Please attach a detailed narrative of the proposed Project. Please attached copies of site plans, sketches or maps. This narrative should include, but is not limited to:

- ☒ (i) a description of your Company's background, customers, goods and services and the principal products to be produced and/or the principal activities that will occur on the Project site;
- ☒ (ii) the size of the Project in square feet and a breakdown of square footage per each intended use;
- ☒ (iii) the size of the lot upon which the Project sits or is to be constructed;
- ☒ (iv) the current use of the site and the intended use of the site upon completion of the Project;
- ☒ (v) describe your method for site control (Own, lease, other).

F) Will the completion of the Project result in the removal of an industrial or manufacturing plant of the company from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the company located within the state?

☒ No ☐ Yes

G) Please describe any compelling circumstances the Agency should be aware of while reviewing this application.

H) Local Approvals (Site Plan and Environmental Review)

Have site plans been submitted to the appropriate town or local planning department?

☐ No. When will the plans be submitted? 8/28/2025 ☒ Yes, what is the status? Pending

Has the project received site plan approval from the town or local planning board?

☒ No, anticipated approval date. 12/2025 ☐ Yes, date _____

If yes, provide the Agency with a copy of the Planning Board's approval resolution along with the related SEQR determination. **(NOTE: SEQR determination is required for final approval and sales tax agency appointment.)**

1. Environmental Review Information

a. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: https://extapps.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart1.pdf

b. Has Lead Agency been established? ☐ No ☒ Yes, name of Lead Agency

OCIDA

c. Have any environmental issues been identified on the property?

☐ No ☒ Yes, explain See Exhibit D: Environmental Review Information

Section III: FINANCIAL AND EMPLOYMENT INFORMATION

A) Project Costs and Finances

Description of Costs	Total Budget Amount
Land Acquisition	\$ 30,000,000
Site Work/Demo	\$ 50,000,000
Building Construction & Renovation	\$ 25,000,000,000
Furniture & Fixtures	\$ 20,000,000
Equipment	\$ 25,000,000,000
Project Soft Cost	\$ 1,400,000,000
Total Project Cost	\$ 51,500,000,000

Please have documentation available upon request. Do not include OCIDA fees, OCIDA application fees or OCIDA legal fees as part of the Total Project Cost.

Sources of Funds for Project Costs:

- | | |
|---|-------------------|
| 1. Bank Financing | \$ 5,771,200,000 |
| 2. Equity | \$ 23,084,800,000 |
| 3. Tax Exempt Bond Issuance (if applicable) | \$ 0 |
| 4. Taxable Bond Issuance (if applicable) | \$ 0 |
| 5. Total Sources of Funds for Project Costs | \$ 51,500,000,000 |
| 6. Public Sources (Include sum total of all state and federal grants and tax credits) | \$ 22,644,000,000 |

-Identify each state and federal grant/credit:

United States CHIPS and Science Act	\$ 3,400,000,000
Investment Tax Credit	\$ 17,000,000,000
NY State Green Chips	\$ 2,244,000,000

B) Employment and Payroll Information

Full Time Equivalent (FTE) is defined as one employee working no less than 35 hours per week or two or more employees together working a total of 35 hours per week.

1. Are there people currently employed at the project site?

☒ No ☐ Yes, provide number of FTE jobs at the project site _____

If you are relocating, are all employees moving to new site? ☐ No, explain ☐ Yes

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	0
Estimate the number of construction jobs to be created by this Project:	4200
Estimate the average length of construction jobs to be created (months):	50
Current annual payroll including the benefit cost:	0
Average annual growth salary/wage rate (%)	3%

C) New Employment Benefits

Complete the following chart indicating the number of FTE jobs currently employed by the Applicant, FTE jobs currently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, and third, years after the Project is completed. Jobs should be listed by title of category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. Do not include construction workers.

Please use this chart to illustrate the current employment:

Job Title/Category	Current Annual Pay	Current Employment (FTE)
N/A	N/A	N/A

Please use this chart to illustrate the projected employment growth: **See Exhibit E: Projected Employment Growth**

Job Title/Category	Projected Annual Pay	FTE Jobs Created Year 1	FTE Jobs Created Year 2	FTE Jobs Created Year 3	FTE Jobs Created Year 4	FTE Jobs Created Year 5

D) Financial Assistance sought:

☒ Real Property Tax Abatement (PILOT): *Agency Staff will provide draft and final PILOT schedule:* _____

☐ Mortgage Recording Tax Exemption (.75% of mortgage): _____

☒ Sales and Use Tax Exemption (4% Local, 4% State): 1,760,000,000

☐ Tax Exempt Bond Financing (Amount Requested): N/A

☐ Taxable Bond Financing (Amount Requested): N/A

E) Mortgage Recording Tax Exemption Benefit Calculator: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): \$ N/A

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above, multiplied by .0075): \$ N/A

F) Sales and Use Tax Benefit Calculator: Gross amount of costs for goods and services that are subject to State and local Sales and Use Tax: \$ 22,000,000,000

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above): \$ 1,760,000,000

Section IV: Estimate of Real Property Tax Abatement Benefits

This section of the Application will be: (i) completed by Agency Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application prior to the completed application being provided to the OCIDA Board.

A) PILOTS Estimate Table Worksheet

OCIDA estimate of current value	
New construction and renovation costs	
OCIDA estimate of increase in value	
OCIDA estimated value of completed project	
OCIDA estimate of taxes that would have been collected if the project did not occur	
Scheduled PILOT payments	

PILOT Year	Exemption %	County PILOT mount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100						
2	90						
3	80						
4	70						
5	60						
6	50						
7	40						
8	30						
9	20						
10	10						
TOTAL							

Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff.

SECTION: V For Retail Projects Only

1. Will the cost of the retail portion of the Project exceed one-third of the total project cost?

☐ Yes ☐ No

If yes, please answer, questions 2, 3 and/or 4 below.

If yes, please explain how much the project will exceed one-third of the total project cost.

2. Is the Project located in a distressed area? A distressed area is a census tract that has
a) A poverty rate of at least 20% or at least 20% of households receiving public assistance, and (b) an unemployment rate of least 1.25 times the statewide unemployment rate for the year to which the date relates.

☐ Yes ☐ No

If yes, please provide the data and explain.

3. Is the Project likely to attract a significant number of visitors from outside of the economic development region?

☐ Yes ☐ No

If yes, please provide a third party market study.

4. Is the predominate purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the Town, City, County or Village of where the Project will be located.

☐ Yes ☐ No

If yes, please provide data and explain.

SECTION VI: For Solar Projects Only

Please answer all the questions as an addendum to this application:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the Project would be affected if these benefits were not provided. [see Section II (C)]
2. Is the Applicant leasing the property?
 - ☐ Yes, please provide a copy of the lease
 - ☐ No, purchased the property. Please provide documentation.
3. Has the Applicant provided written communication to the affected taxing jurisdictions notifying them of its intent to construct a renewable energy project?
 - ☐ Yes
 - ☐ No
4. Has the Applicant received a letter of support for the megawatt cost to be used as a basis for the PILOT from the town, city, and village where the Project is located?
 - ☐ Yes, please provide copy of the letter.
 - ☐ No
5. Has the Applicant received a letter of support for the megawatt cost to be used as a basis for PILOT from the school district?
 - ☐ Yes, please provide copy of the letter.
 - ☐ No
6. Is the entire parcel being used for the solar project?
 - ☐ Yes
 - ☐ No, have you reached out to the town assessor to discuss a subdivision or slash parcel? Explain:
7. Will the Applicant enter into a decommissioning plan with the host community, including financial assurance the plan can be executed?
 - ☐ Yes, explain.
 - ☐ No

**PLEASE SEE FOLLOWING PAGE FOR OCIDA SOLAR GUIDANCE & BEST PRACTICE*

OCIDA SOLAR PILOTs GUIDANCE AND BEST PRACTICE

To be placed on the Agency meeting agenda, proposed solar projects must provide the Agency with the following in advance of the Project's first OCIDA Board meeting:

1. Fully completed OCIDA application.
2. Copy of Environmental Assessment Form.
3. A SEQR resolution approved by a local municipality indicating the municipality that is lead agency, the type of action (I, II, or unlisted) and, if completed, the SEQR determination made by the municipality.
4. Copies of your zoning applications submitted to the local municipality.
5. Verification of parcel subdivision process with the town (if the entire parcel will not be used for the solar project).
6. A statement clarifying whether the applicant will lease or purchase the real property on which the Project is situated. If leased, provide a copy of the proposed or executed lease. If lease parcel is less than entire parcel then see 5 above.
7. A supporting document from the local town, village, city, and/or school district outlining the agreed upon cost per megawatt to be used as a basis for the PILOT. The Agency cannot create the PILOT schedule without this information.
8. Absent a showing otherwise by the Company, deemed acceptable by the Agency in the sole and absolute discretion, the Company must close with the Agency on a project prior to consideration of any requested organizational structure or project entity ownership changes.

You will receive a draft Cost Benefit Analysis and a Draft PILOT schedule from this office. You may use these documents as your Project progresses through the Agency approval process. Agency staff are available to update these two documents as needed.

SECTION VII: For Housing Projects Only

Please answer all the questions as an addendum to this application:

Defined terms:

“Market Rate Housing”: Housing units priced at the current rental rate for the area.

“Workforce Housing”: Housing consisting of a specified percentage of units (at least 10-15% per the PILOT Exemption Scale) with rent rates designated to an 80% household AMI as identified in the Workforce Housing AMI chart located in Housing Exhibit A on the Agency's website. Income levels for individuals living in the specified Workforce Housing units shall not exceed 120% AMI.

“Senior Lifestyle Communities”: Housing communities for individuals 55 years or older. Communities may offer a variety of amenities, including but not limited to pools, community rooms, fitness centers, playgrounds, firepits, bocce/pickleball/tennis courts, picnic areas, spaces for relaxation and entertainment, safety amenities, on-site medical services, entertainment and dining, walkability, bike trails, and dog parks, playgrounds.

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the project would be impacted if these benefits were not provided. {Section II (D)}
2. Describe how the proposed housing project fulfills an unmet need in the community.
3. Please provide a market study documenting a need for the proposed project.
4. Describe how the proposed project aligns with the Plan Onondaga County comprehensive plan. ([Plan Onondaga](#))
5. Is the Project considered infill in a populated area? If yes, please explain.
6. Is there additional infrastructure necessary to service the project? If yes, please explain.
7. Is the project a part of a larger mixed-use development? If yes, please describe.

Section VIII: Local Access Policy Agreement

In absence of a waiver permitting otherwise, every project seeking the assistance of the Onondaga County Industrial Development Agency (Agency) must use local general contractors, sub-contractors, and labor for one-hundred percent (100%) of the construction of new, expanded, or renovated facilities. The project's construction or project manager need not be a local company.

Noncompliance may result in the revocation and/or recapture of all benefits extended to the project by the Agency. Local Labor is defined as laborers permanently residing in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins, and Wayne. Local (General/Sub) Contractor is defined as a contractor operating a permanent office in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins and Wayne. The Agency may determine on a case-by-case basis to waive the Local Access Policy for a project or for a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services or other compelling circumstances exist. The procedure to address a local labor waiver can be found in the OCIDA handbook, which is available upon request.

In consideration of the extension of financial assistance by the Agency Micron New York Semiconductor Manufacturing LLC (the Company understands the Local Access Policy and agrees to abide by it. The Company understands that an Agency tax-exempt certificate is typically valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands that any request for a waiver to this policy must be submitted in writing and approved by the Agency.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of 10/20/2025 (date).

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

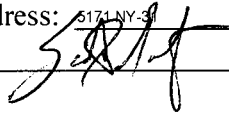
Applicant(s) Company: Micron New York Semiconductor Manufacturing LLC

Representative for Contract: Scott Gatzemeier

Address: 8000 S. Federal Way City: Boise State: ID Zip: 83716

Phone: 208-363-4000 Email: sngatzemeier@micron.com

Project Address: 5171 NY-31 City: Clay State: NY Zip: 13041

Signature: 

General Contractor: TBD

Contact Person: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Authorized Representative: _____ Title: _____

Signature: _____

Section IX: Agency Fee Schedule

* Minimum Fee to be applied to all project receiving OCIDA benefits is 1% of the Total Project Cost (TPC)

ACTIVITY	FEES	COMMENTS
Non- refundable Application Fee (All projects except Solar Projects)	\$1,000	Due at time of application
Non-refundable Application Fee (Solar Projects Only)	\$10,000	
Legal Deposit (All projects except Solar Projects)	\$2,500	Due at time of application
Legal Deposit (Solar Projects Only)	\$5,000	
Minimum Fee of 1% of TPC		Due at closing
1. Sales and Use Tax Exemption	.01 X TPC	
2. Mortgage Recording Tax		
3. PILOT is an additional fee	.0025 X TPC (total X .0125)	
4. Bond refinancing	.0025 X TPC (total X .015)	
Projects that exceed \$250,000,000 in Total Project Cost and/or create in excess of 500 new jobs, may be eligible to negotiate a non-standard Agency fee with the Executive Director.	TBD based on Executive Director determination	Due at closing
Agency Legal Fees		Due at closing
Fee for first \$20 million	.0025 X of the project cost or bond amount	
Fee for expenses above \$20 million	.00125 X of project cost or bond amount	
Amendment or Modification of IDA documents, including but not limited to name or organization change, refinancing, etc. Consent to the amendment or modification of IDA documents prior to closing on the project shall be given at OCIDA's sole and absolute discretion.	\$2500 All Projects (except Solar Project) \$4500 Solar Projects Attorney fees determined by OCIDA Legal Representative.	Due at time of Request

OCIDA reserves the right to modify this schedule at any time and assess fees and charges in connection with other transactions such as grants of easement or lease or sale of OCIDA-owned property.

Section X: Recapture of Tax Abatement/Exemptions

Information to be Provided the Company: Each Company agrees that to receive benefits from the Agency it must, whenever requested by the Agency or required under applicable statutes or project documents, provide and certify or cause to be provided and certified such information concerning the Company, its finances, its employees and other topics which shall, from time to time, be necessary or appropriate, including but not limited to, such information as to enable the Agency to make any reports required by law or governmental regulation.

Please refer to the OCIDA Uniform Tax Exemption Policy ([UTEP](#)).

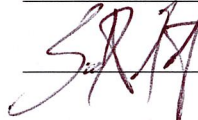
I have read the foregoing and agree to comply with all the terms and conditions contained therein as well as policies of the Onondaga County Industrial Agency.

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

Name of Applicant(s) Company

Micron New York Semiconductor Manufacturing LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Scott Gatzemeier: CVP, Front End US Expansion

Date: 10/20/2025

Section XI: Conflict of Interest

Agency Board Members

Patrick Hogan, Chairperson
Janice Herzog, Vice Chairperson
Susan Stanczyk
Fanny Villarreal
Cydney Johnson
Elizabeth Dreyfuss
Garard Grannell

Agency Officers/Staff

Robert M. Petrovich, Executive Director
Nathaniel Stevens, Treasurer
Alexis Rodriguez, Secretary
Evan Carter, Assistant Secretary
Robert Schoneck, Assistant Treasurer

Agency Legal Counsel & Auditor

Jeffrey Davis, Esq., Barclay Damon LLP
Amanda Fitzgerald, Esq., Barclay Damon LLP
Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

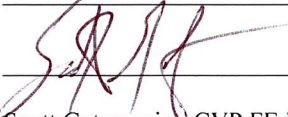
The Applicant(s) has received a list of members, officers and staff of the Agency. To the best of my knowledge, no member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

Name of Applicant(s) Company

Micron New York Semiconductor Manufacturing, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Scott Gatzemeier, CVP FE US Expansion

Date: 10/20/2025

Section XII: Representations, Certifications, and Indemnification

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

Scott Gatzemeier (Name of CEO or other authorized representative of Applicant)(s) confirms and says that he/she is the CVP Front End US Expansion (title) of Micron New York Semiconductor Manufacturing LLC (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

- A. First Consideration for Employment:** In accordance with §858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in WIA programs who shall be referred by the CNY Works for new employment opportunities created as a result of the Project.
- B. Annual Sales Tax Filings:** In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant. For additional information on NYS sales and use tax see [here](#).
- C. Outstanding Bonds:** The Applicant understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the project that is requested by the Comptroller of the State of New York.
- D. Employment Reports:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant agrees to file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an event of default under the Project closing documents. Please see this page for [ST-340](#) form required in the above referenced employment report.

- E. Housing Reports and Information:** The Applicant understands and agrees that if the Project is a housing project, the Applicant shall file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of revenue-generating units constructed or reconstructed and the household income or tenant age, as applicable. Upon request of the Agency, the Applicant shall provide supporting documentation for all housing related information provided. Failure to provide such reports and supporting information shall be an event of default under the Project closing documents
- F. Prevailing Wage:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant shall determine whether the Project is a “covered project” pursuant to Section 224-a of Article 8 of the New York Labor Law and, if applicable, the Applicant shall comply with Section 224-a of Article 8 of the New York Labor Law; and the Applicant further covenants that the Applicant shall provide such evidence of the foregoing as requested by the Agency.
- G. Compliance:** The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations. The Applicant confirms and acknowledges that the owner, occupant or operator receiving financial assistance for the proposed Project is in substantial compliance with applicable local, state, and federal tax, worker protection and environmental laws, rules and regulations.
- H.** The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the Agency. (1) No funds of the Agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- I.** The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency’s involvement in the Project.
- J.** The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statement contained herein not misleading.

- K. The Agency has the right to request and inspect supporting documentation regarding attestations made on this application.
- L. **Hold Harmless Agreement:** Applicant hereby releases Onondaga County Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax-exemptions and other assistance requested therein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, reconstruction, equipping and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all cause of action and attorney's fees and any other expenses incurred in defending any suits or action which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the process of the Application, including attorney's fees, if any.

Name of Applicant Company:

Micron New York Semiconductor Manufacturing LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Scott Gatzemeier: CVP, Front End US Expansion

Date: 10/20/2025

STATE OF IDAHO)

COUNTY OF ADA) ss.;

Scott Gatzemeier, being first duly sworn, deposes and says:

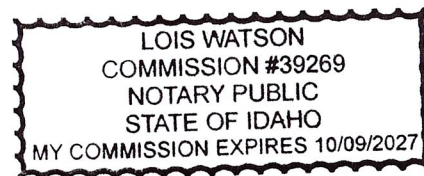
1. That I am the CVP, Front End US Expansion (Corporate Officer) of Micron New York Semiconductor Manufacturing LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 20th day of October, 2025.

Lois Watson

(Notary Public)



End of Application

Rev 2.15.23

Exhibit A: US Sales Projections

Micron is the only US manufacturer of leading-edge dynamic random-access memory (DRAM). Micron's planned US investments will increase the global percentage of DRAM manufactured in the US from 1% to 12% over the next twenty years. The capacity at Micron's first two Fabs in Clay, New York will be enough to supply the most critical needs of the US market, including applications in military equipment, cybersecurity technology, the aerospace industry, artificial intelligence (AI), and other cutting-edge uses as well as more common areas of the domestic consumer economy. While Micron does not provide state-specific sales data, memory is an integral part of the US economy and thus the percentage of DRAM sold in New York State is expected to be proportional to the size of the New York State economy.

Exhibit B: Tax Map Numbers

Tax Map Numbers (West of Burnet Road)

Tax Parcel ID
046.-02-01.0
046.-02-02.1
046.-02-02.2
046.-02-03.1
046.-02-04.0
046.-02-05.1
046.-02-05.2
048.-01-01.0
048.-01-02.2
048.-01-23.1
048.-01-23.2
048.-01-23.3
049.-01-15.0
049.-01-16.0
049.-01-17.0
049.-01-18.4
049.-01-19.1
049.-01-19.2
050.-01-01.0
050.-01-02.1
050.-01-03.1
050.-01-04.1
050.-01-04.2
050.-01-04.3
050.-01-04.4
050.-01-05.0
051.-01-10.1
051.-01-10.6
051.-01-10.7
051.-01-10.8
051.-01-10.9
051.-01-12.0
064.-01-06.3
064.-01-08.0

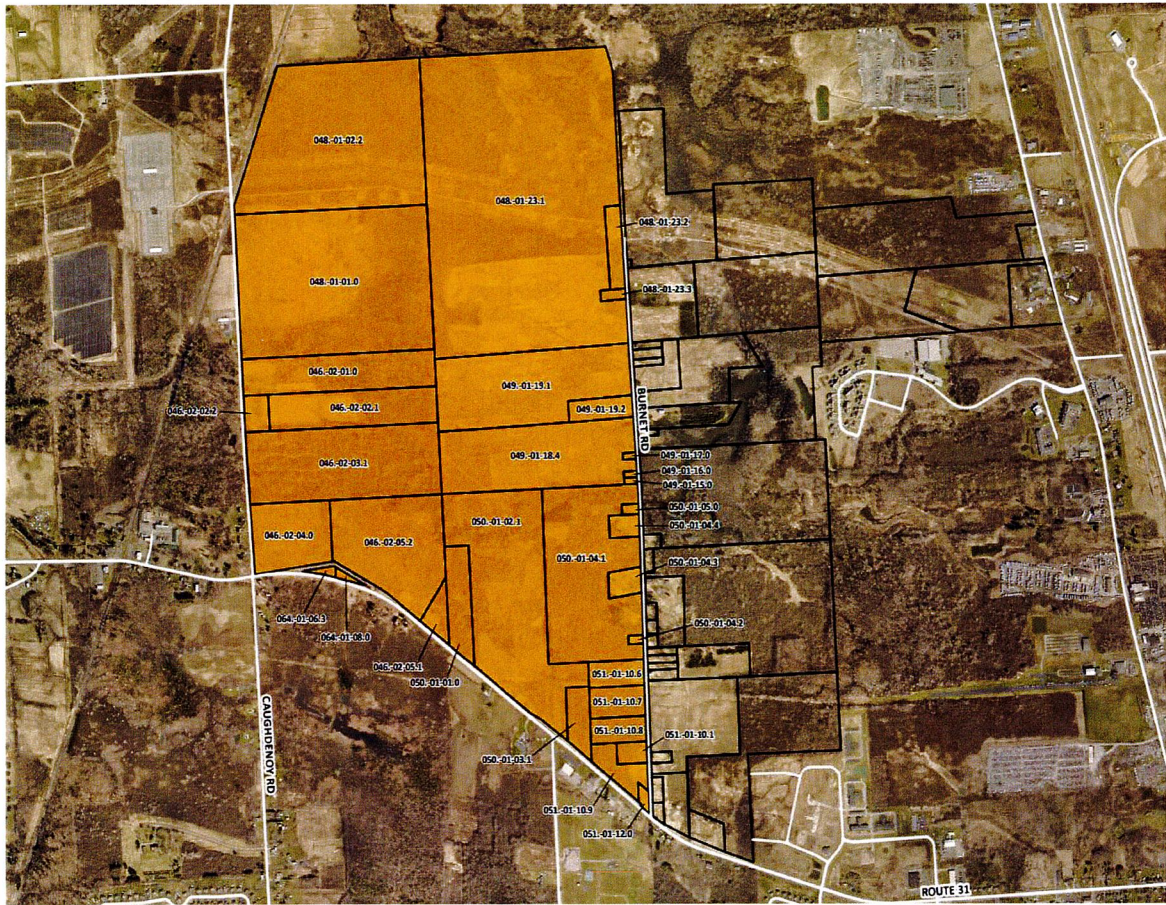


Exhibit C: Project Narrative

Micron New York Semiconductor Manufacturing LLC, a Delaware limited liability company, is a wholly owned subsidiary of Micron Technology, Inc. ("Micron"), a publicly traded Delaware corporation (NASDAQ: MU), the fourth largest semiconductor company in the world and the only U.S.-based manufacturer of digital memory. Micron was founded in 1978 and is headquartered in Boise, Idaho with approximately 48,000 employees worldwide. Micron is ranked 170th on the 2025 Fortune 500 list with fiscal year 2024 revenue of \$25.1 billion. Micron is a world leader in innovating memory and storage solutions that accelerate the transformation of information into intelligence, inspiring the world to learn, communicate and advance faster than ever. Micron delivers the world's broadest portfolio of technologies at the core of today's most significant disruptive breakthroughs such as artificial intelligence and autonomous vehicles. Micron delivers a rich portfolio of high-performance Dynamic Random-Access Memory (DRAM), Not-AND (NAND) and Not-OR (NOR) memory and storage products through our Micron® and Crucial® brands. Every day, the innovations that Micron employees create fuel the data economy, enabling advances in artificial intelligence and 5G applications that unleash opportunities from the data center to the intelligent edge and across the client and mobile user experience.

Micron intends to invest approximately \$100 billion over the next 16 years to build a leading-edge semiconductor manufacturing complex in the Town of Clay, New York. Micron is proposing to purchase the approximately 1,377-acre White Pine Commerce Park (WPCP), located at 5171 Route 31, Clay, NY 13041, from the Onondaga County Industrial Development Agency (OCIDA) and construct the semiconductor manufacturing facility. At its current state, WPCP consists of predominantly vacant land with some residential land uses.

Specifically, Micron proposes to construct and operate a large-scale, state-of-the-art dynamic random-access memory (DRAM) semiconductor manufacturing facility (the Micron Campus) at the WPCP. The Micron Campus would include four DRAM production fabs, ancillary support facilities, driveways, parking, and ingress and egress roads with access from New York State (NYS) Route 31, U.S. Route 11, and Caughdenoy Road. Each fab would occupy approximately 1.2 million square feet (sq. ft.) of land and contain approximately 600,000 sq. ft. of semiconductor cleanroom manufacturing space. The fabs would be supported by central utility buildings, warehouse space, and product testing space.

Micron also proposes to construct a rail spur and construction material conveyance facility to reduce truck trips and support construction of the Micron Campus (the Rail Spur Site) and a childcare center, healthcare center, and recreation center (the Childcare Site) to serve its employees, and to lease existing warehouse space within 20 miles of the

Micron Campus (the Warehouse Site). The Micron Campus, Rail Spur Site, Childcare Site, and Warehouse Site are collectively referred to as the Proposed Project.

The Micron Campus financial assistance application is specifically seeking benefits for construction of Fabs 1 and 2 of the Micron Campus only. A Micron Rail Spur financial assistance will be submitted as a separate application, seeking benefits for the rail spur construction. The Childcare Site and the Warehouse Site are not included in either financial assistance application.

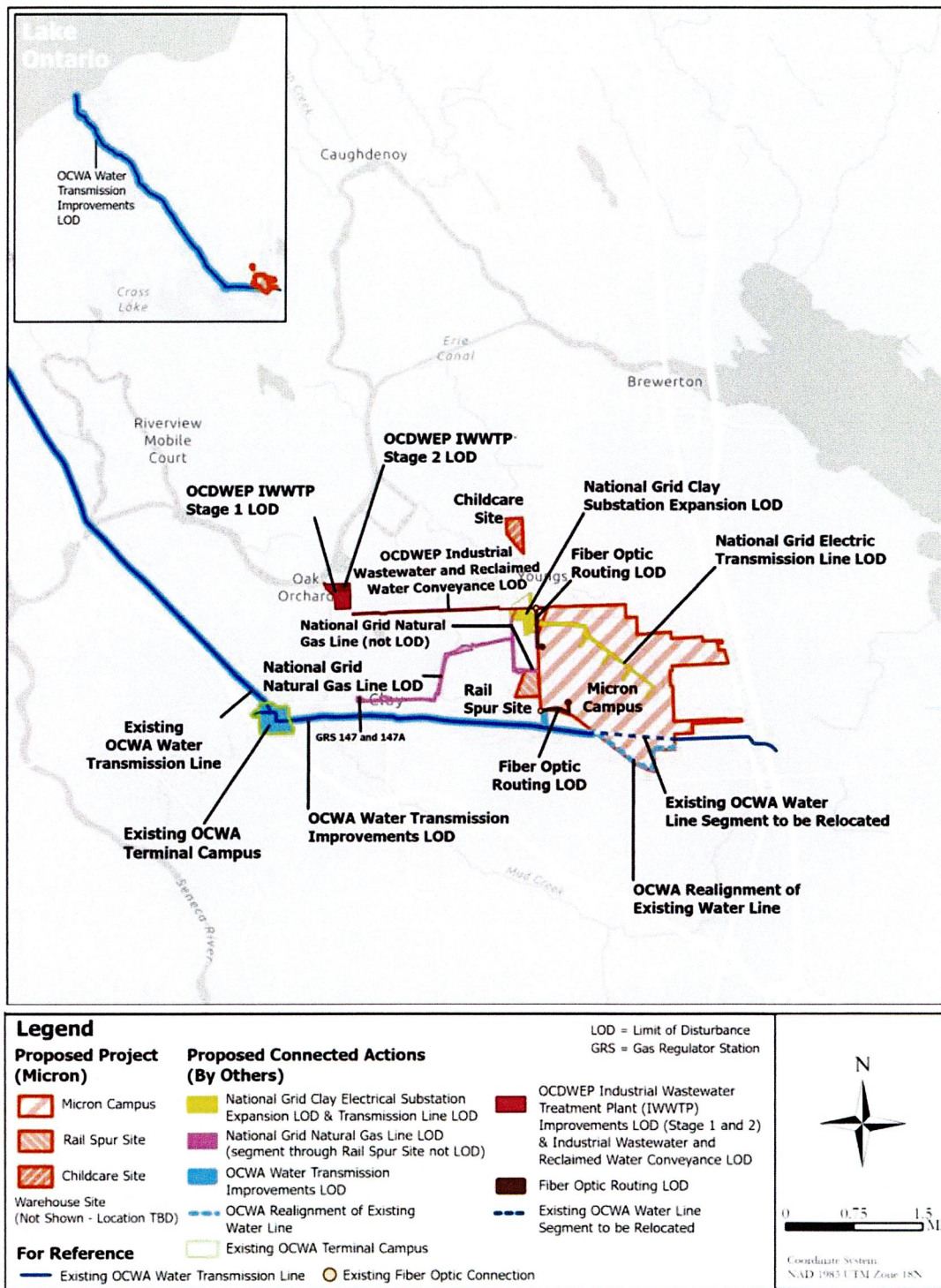
The construction of the Proposed Project would take place in stages over approximately 16 years. Subject to the receipt of all applicable permits, authorizations, and approvals, Micron would mobilize for initial site preparation for the Proposed Project beginning in the fourth quarter of 2025, with the first two DRAM manufacturing facilities (Fabs 1 and 2) estimated to be operational by 2030 and 2033, respectively, and the remaining fabs (Fabs 3 and 4) estimated to be operational by 2037 and 2041, respectively. The manufacturing facility would ramp up to full production output by 2045.

Micron intends to employ approximately 9,000 people on site upon the completion of the four Fabs. In addition to Micron's direct employment, Micron anticipates the creation of additional ancillary jobs, including vendor, supply chain, construction, and community jobs in the Syracuse area and throughout New York State.

At the time of this application, neither OCIDA nor Micron has control over certain off-site utility corridors vital to connect White Pines Commerce Park to utility infrastructure. Therefore, in support of and in keeping with the Proposed Project's public purpose, and in furtherance of and to carry out OCIDA's express corporate purpose to "promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing manufacturing facilities," acquisition of certain real property, or rights or easements therein, by negotiated purchase or the exercise of OCIDA's eminent domain authority pursuant to New York Eminent Domain Procedure Law ("EDPL") and General Municipal Law ("GML") §858(4) may be required. This includes Town of Clay tax parcels 030.-01-01.0 and 031.-01-16.1, both owned by SSO Holdings, LLC on which real property interests may need to be acquired via purchase or by eminent domain pursuant to the EDPL and GML. Additional real property interests and parcels may hereafter be identified for Fabs 1 and 2 and Fabs 3 and 4 (as defined below).

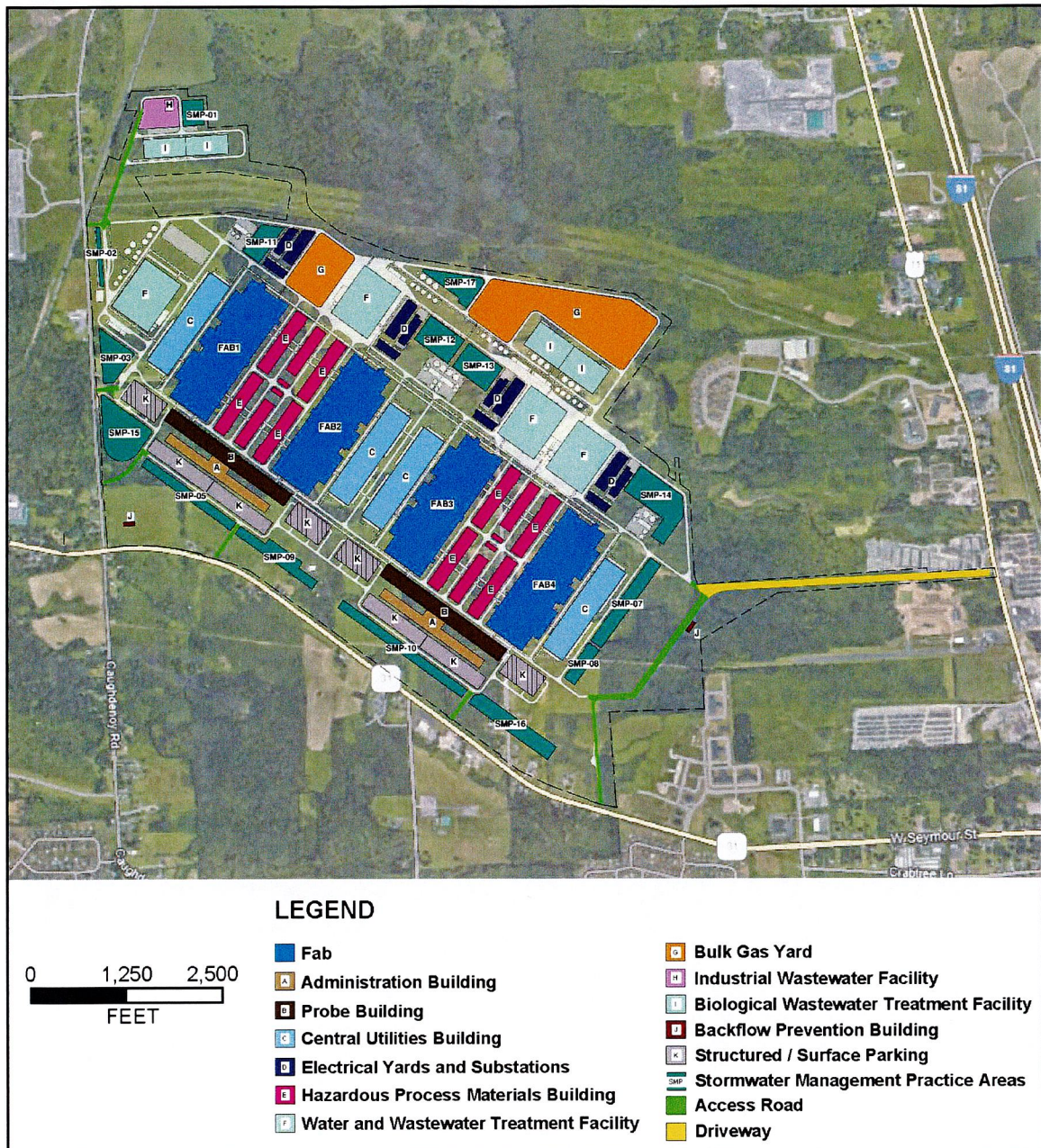
Micron's planned investment in domestic memory manufacturing in Clay, New York is only possible because of federal, state, and local financial assistance. The CHIPS Act forms a holistic strategy to restore U.S. leadership in semiconductor manufacturing by leveling the playing field and making U.S. manufacturing cost competitive. Likewise, Micron would be unable to proceed with its Proposed Project in the Town of Clay without the tax incentives from the State of New York and financial assistance from the Onondaga County Industrial Development Agency in the form of sales and real property tax exemptions. Federal, state, and local financial assistance is critical to the undertaking of the Proposed Project and enabling ongoing business profitability comparable to that in lower-cost markets.

Micron New York - Overview Map



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community. Sources: Esri, TomTom, Garmin, © OpenStreetMap contributors, and the GIS User Community.

Micron Campus Site Plan



Micron Campus Components

Note: The full proposed build out of the Micron campus will include four fabs and supporting buildings. This application is for Phase 1 of the project which is two fabs and the supporting buildings.

Exhibit D: Environmental Review Information

The Proposed Project (as defined in Exhibit C: Project Narrative) anticipates completion of an environmental impact statement that complies with the requirements of the New York State Environmental Quality Review Act (SEQRA) and the National Environmental Policy Act (NEPA). The EIS will support decision-making among the Federal, State, and local agencies responsible for evaluating the Proposed Project pursuant to their respective legal and regulatory authorities. While the EIS addresses environmental impacts related to all four Fabs, this current application is seeking financial assistance for Fabs 1 and 2. Micron anticipates applying for financial assistance for Fabs 3 and 4 at a later time.

On July 28, 2023, OCIDA held a public meeting and circulated a notice of intent to all involved agencies to serve as SEQRA lead agency. No objection to that notice was received during the subsequent 30-day comment period.

On September 14, 2023, OCIDA issued a Positive Declaration indicating the need for an EIS and scheduled a public scoping meeting to be held on October 11, 2023. The comment period for the SEQRA scoping process was extended beyond the required 30 days from September 20, 2023, to October 31, 2023. During this period, OCIDA held the public scoping meeting at 6:30 p.m. on October 11, 2023, to obtain input from the public. Comments also were accepted during the scoping period via U.S. and electronic mail. OCIDA considered each comment received during the SEQRA scoping period to determine the final scope of the Draft EIS under SEQRA and inform the related technical analyses and environmental resources to be evaluated.

On December 14, 2023, OCIDA adopted the Final SEQRA Scope, which was made available to the previously noticed agencies and posted on OCIDA's website.

Thereafter, OCIDA released a draft EIS (DEIS) on June 12, 2025, a notice of which was provided in the Environmental Notice Bulletin. Written comments on the DEIS were accepted by US and electronic mail through August 11, 2025. During this time, OCIDA and CPO also held three public comment sessions on July 24, 2025.

OCIDA is currently reviewing public comments on the DEIS. It is anticipated that OCIDA will issue a final EIS later this year.

Exhibit E: Projected Employment Growth

Year		2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
		FTE Jobs Created Year									
Job Title/Category	Projected Annual Pay	1	2	3	4	5	6	7	8	9	10
Management & Executives	\$176,109	9	4	8	8	17	12	2	20	20	20
Engineers	\$100,573	25	14	173	345	323	222	99	400	401	400
Technicians	\$72,778	0	0	58	126	212	228	55	226	227	226
Manufacturing Support	\$164,184	0	51	65	88	71	39	3	106	105	106

Exhibit F: Local Access Policy Waiver

Micron New York Semiconductor Manufacturing LLC is requesting a Local Access Policy Waiver for the Early Works phase of Fab 1 construction. The request is based on the estimated percentage of available local labor provided by trade unions within the ten-county region of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins, and Wayne Counties.

Micron makes every effort to maximize the employment of local labor.

MICRON NEW YORK SEMICONDUCTOR MANUFACTURING LLC

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

A special meeting of the Onondaga County Industrial Development Agency (the “Agency”) was convened in public session on November 18, 2025, at 9:30 a.m., local time, 401 Montgomery Street, Room #407, Syracuse, New York.

The meeting was called to order by the _____ of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

ABSENT:

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

The following resolution was offered by _____, seconded by _____, to wit:

**RESOLUTION APPROVING A PROJECT AND AUTHORIZING
EXECUTION OF DOCUMENTS IN CONNECTION WITH A
LEASE/LEASEBACK TRANSACTION FOR MICRON NEW YORK
SEMICONDUCTOR MANUFACTURING LLC**

WHEREAS, the Agency is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”), Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975 of the State of New York, as amended, constituting Section 895 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York (the “State”), to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to 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, Micron New York Semiconductor Manufacturing LLC, a Delaware limited liability company on behalf of itself and/or entities formed or to be formed on its behalf (the “Company”), has submitted an application (as amended, the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requests that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A)(1) the acquisition of an interest in all or a portion of approximately 819.92 acres of land located on the westerly side of Burnet Road (tax map nos. 046.-02-01.0, 046.-02-02.1, 046.-02-02.2, 046.-02-03.1, 046.-02-04.0, 046.-02-05.1, 046.-02-05.2, 048.-01-01.0, 048.-01-02.2, 048.-01-23.1, 048.-01-23.2, 048.-01-23.3, 049.-01-15.0, 049.-01-16.0, 049.-01-17.0, 049.-01-18.4, 049.-01-19.1, 049.-01-19.2, 050.-01-01.0, 050.-01-02.1, 050.-01-03.1, 050.-01-04.1, 050.-01-04.2, 050.-01-04.3, 050.-01-04.4, 050.-01-05.0, 051.-01-10.1, 051.-01-10.6, 051.-01-10.7, 051.-01-10.8, 051.-01-10.9, 051.-01-12.0, 064.-01-06.3, 064.-01-08.0) in the Town of Clay, Onondaga County, New York (collectively, the “Land”); (2) the construction on the Land of two approximately 1.2 million square foot memory fabrication facilities (each a “Fab”) and each containing approximately 600,000 square feet of cleanroom space, together with other ancillary interior and exterior support facilities and systems and sitework including but not limited to installation of a chilled water system, a process cooling water system, air handlers, electrical sub stations, switch gear, and compressed dry air systems, semiconductor manufacturing equipment, office and storage space, driveways, interior access roads, sidewalks, parking lots, landscaping, signage, electric and gas utility and internal communications infrastructure, electric substations, water and wastewater pre-treatment and storage and industrial gas storage (collectively, the “Facility”); and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “Equipment”) (the Land, the Facility and the Equipment being collectively referred to as the “Project Facility”); (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes and real estate transfer taxes (the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, acreage of the Land has been confirmed by the Agency and the Company based on surveys provided to the Agency in connection with the Project and which acreage differs slightly from, but is more accurate than, the acreage listed on the Onondaga County tax maps originally provided to the Agency in connection with the Application; and

WHEREAS, the Agency previously has adopted a Uniform Tax Exemption Policy (the “UTEP”); and

WHEREAS, the Company requested that the Agency enter into a payment in lieu of tax agreement (the “Proposed PILOT Agreement”) with respect to the Project Facility; and

WHEREAS, the terms of the Proposed PILOT Agreement deviate from the UTEP; and

WHEREAS, the members of the Agency adopted a resolution on October 23, 2025 (the “Public Hearing Resolution”) authorizing a public hearing with respect to the Project in compliance with the provisions of Section 859-a of the Act and the deviation process in compliance with the provisions of Section 874 of the Act and the UTEP; and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Executive Director of the Agency (A) caused notice of a public hearing of the Agency (the “Public Hearing”) pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the Financial Assistance being contemplated by the Agency with respect to the Project, to be mailed on October 24, 2025 to the chief executive officers of the county and of each city, town, village and school district (collectively the “Affected Tax Jurisdictions”) in which the Project Facility is or is to be located, (B) caused notice of the Public Hearing to be published on October 26, 2025 in The Post-Standard, a newspaper of general circulation available to the residents of the Town of Clay, Onondaga County, New York, (C) conducted the Public Hearing on November 6, 2025 at 6:00 p.m., local time at the Town of Clay Townhall, located at 4401 State Route 31 in the Town of Clay, New York, and (D) prepared a report of the Public Hearing (the “Public Hearing Report”) fairly summarizing the views presented at such Public Hearing and caused copies of said Public Hearing Report to be made available to the members of the Agency; and

WHEREAS, in accordance with the requirements of Section 859-a of the Act, written notice of the Public Hearing dated October 24, 2025 and a copy of the Public Hearing Resolution was delivered by the Agency by certified mail, return receipt requested, to the chief executive officer of each affected local taxing jurisdiction, including the school board and district superintendent of North Syracuse Central School District; and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution and in compliance with the provisions of Section 874(4)(b) of the Act, the Agency caused letters to be mailed by certified mail, return receipt requested, on November 10, 2025 and November 14, 2025 to the chief executive officers of each Affected Tax Jurisdiction, informing said individuals that the Agency would, at its meeting to be held on November 18, 2025, consider a proposed deviation from the UTEP with respect to the payment in lieu of tax agreement to be entered into by the Agency with respect to the Project Facility based upon the schedule of payments in lieu of taxes set forth in Exhibit A; and

WHEREAS, prior to the date hereof, the Agency responded to all communications and correspondence received from the Affected Tax Jurisdictions regarding the proposed deviation from the UTEP; and

WHEREAS, the Agency allowed representatives from the Affected Tax Jurisdictions present at this meeting to address the Agency regarding such proposed deviation from the UTEP; and

WHEREAS, the Agency has given due consideration to the Application and to representations by the Company that (A) the granting by the Agency of the Financial Assistance with respect to the Project will be an inducement to the Company to undertake the Project in Onondaga County, New York and (B) the completion of the Project will not result in the removal of a plant or facility of any proposed occupant of the Project Facility from one area of the State to another area in the State and will not result in the abandonment of one or more plants or facilities of any occupant of the Project Facility located in the State; and

WHEREAS, the Agency desires to encourage the Company to advance the job opportunities, health, general prosperity and economic welfare of the people of Onondaga County, New York by undertaking the Project in Onondaga County, New York; 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 Project had been subject to an environmental review resulting in the acceptance of a final Environmental Impact Statement on November 7, 2025 and the adoption of a Findings Statement by the Agency by resolution dated November 18, 2025 (the “SEQRA Determination”); and

WHEREAS, in order to begin the construction of the Project Facility and the acquisition of Equipment prior to the execution and delivery of the Agency Documents, the Company has requested the appointment of the Company as agent of the Agency for sales and use tax exemption purposes; and

WHEREAS, in connection with the appointment of the Company as agent of the Agency for sales and use tax exemption purposes, the Agency and the Company will enter into a project and preliminary sales tax exemption agreement and certain related documents (collectively, the “Interim Documents”) with respect to the Project; and

WHEREAS, simultaneously with the execution of the Interim Documents, the Agency will file with the New York State Department of Taxation and Finance the form entitled a Thirty-Day Sales Tax Form pursuant to Section 874(9) of the Act.

WHEREAS, in order to consummate the Project and the granting of the Financial Assistance described in the notice of the Public Hearing, the Agency proposes to enter into the following documents (hereinafter collectively referred to as the “Agency Documents”): (A) a certain underlying lease agreement (and a memorandum thereof) (the “Underlying Lease”) by and between the Company and the Agency pursuant to which the Company will lease to the Agency the Company’s interest in the Land and all improvements now or hereafter located on the Land; (B) a certain lease agreement (and a memorandum thereof) (the “Lease Agreement”) by and between the Company and the Agency pursuant to which the Company agrees to undertake the Project as agent of the Agency and the Company further agrees to lease the Project Facility from the Agency and, as rental thereunder, to pay the Agency’s administrative fee, as provided for herein, relating to the Project and to pay all expenses incurred by the Agency with respect to the Project; (C) a payment in lieu of tax agreement (the “PILOT Agreement”) by and between the Agency and the Company, pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Project Facility; (D) an amended and restated project agreement (the “Project Agreement”) by and between the Agency and the Company that complies with the requirements of Section 859-a(6) of the Act; (E) a New York State Department of Taxation and Finance form entitled “IDA Appointment of Project Operator or Agency for Sales Tax Purposes” (the form required to be filed pursuant to Section 874(9) of the Act) (the “Thirty-Day Sales Tax Report”) and any additional report to the Commissioner of the State Department of Taxation and Finance concerning the amount of sales and use tax exemption benefits for the Project (the “Additional Thirty-Day Project Report”); (F) if the Company intends to finance the Project with borrowed money, one or more mortgages, assignments of leases and rents and such other loan documents satisfactory to the Agency, upon advice of counsel, in both form and substance (collectively, the “Mortgage”), as may be reasonably required by a lender or lenders yet to be determined (collectively, the “Lender”), which Mortgage will grant a lien on and security interest in the Project Facility to secure a loan or loans from the

Lender to the Company with respect to the financing, refinancing or permanent financing of the costs of acquiring, constructing, installing and equipping of the Project Facility; and (G) various certificates relating to the Project; and

WHEREAS, simultaneously with the execution and delivery of the Lease Agreement, the Company will execute and deliver to the Agency one or more bills of sale from the Company to the Agency pursuant to which the Company will sell to the Agency the Equipment; and

WHEREAS, the Agency will file with the assessor and mail to the chief executive officers of each “affected tax jurisdiction” (within the meaning of such quoted term in Section 854(16) of the Act) a copy of a New York State Board of Real Property Services Form RP-412-a (the form required to be filed by the Agency in order for the Agency to obtain a real property tax exemption with respect to the Project Facility under Section 412-a of the Real Property Tax Law) (a “Real Property Tax Exemption Form”) relating to the Project; and

WHEREAS, simultaneously with the execution and delivery of the Agency Documents, the Agency will file with the State Department of Taxation and Finance the Thirty-Day Sales Tax Report and provide a copy of the Thirty-Day Sales Tax Report to the Company; and

WHEREAS, for purposes of exemption from the State sales and use taxation as part of the Financial Assistance requested, “sales and use taxation” shall mean sales and compensating use taxes and fees imposed by article twenty-eight or twenty-eight-A of the State tax law but excluding such taxes imposed in a city by section eleven hundred seven or eleven hundred eight of such article twenty-eight; and

WHEREAS, pursuant to the Act, the Agency desires to adopt a resolution approving the Project and the grant by the Agency of Financial Assistance to the Company with respect to the Project; and

WHEREAS, the Agency agreed to accept an aggregate administrative fee of \$10,000,000 (the “Agency Fee”), the terms of which are to be memorialized in a letter from the Agency to the Company.

WHEREAS, the Agency has adopted a Local Access Policy (the “Policy”) that requires any project receiving Financial Assistance from the Agency to use local general contractors, sub-contractors and labor for one-hundred percent (100%) of the construction of a project facility; and

WHEREAS, the Policy defines “local” as permanently residing or having a permanent office in the counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins or Wayne, in the State (collectively, the “Local Labor Area”); and

WHEREAS, the Policy permits the Agency to grant a waiver to the Policy (a “Waiver”) on a case-by-case basis where warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services or other compelling circumstances exist; and

WHEREAS, in accordance with the Policy, in its Application, the Company requested a Waiver which such Waiver shall be further reviewed by the Executive Director along with any

additional necessary information from the Company and which such Waiver shall be decided on by the Board at a future date.

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

Section 1. The Agency, based upon the representations made by the Company to the Agency in the Application, hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act;

(B) The Project constitutes a “project,” as such term is defined in the Act;

(C) The Project site is located entirely within the boundaries of Onondaga County, New York;

(D) It is estimated at the present time that the costs of the planning, development, construction and installation of the Project Facility (collectively, the “Project Costs”) will be approximately \$51,500,000,000;

(E) The completion of the Project will not result in the removal of a plant or facility of any proposed occupant of the Project Facility from one area of the State to another area of the State and will not result in the abandonment of one or more plants or facilities of any occupant of the Project Facility located in the State;

(F) (1) The Project Facility does not constitute a project where facilities or property that are primarily used in making retail sales of goods and/or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Project, and accordingly the Project is not prohibited by the provisions of Section 862(2)(a) of the Act, and (2) accordingly the Agency is authorized to provide Financial Assistance in respect of the Project pursuant to Section 862(2)(a) of the Act;

(G) The acquisition, construction, installation and equipping of the Project Facility and the leasing of the Project Facility to the Company is reasonably necessary to induce the Company to construct the Project in the State;

(H) Based upon representations of the Company and counsel to the Company, the Project Facility conforms with, or prior to the Agency entering into the Agency Documents, will conform with the local zoning laws and planning regulations of Onondaga County and all regional and local land use plans for the area in which the Project Facility is located;

(I) The granting of the Financial Assistance by the Agency with respect to the Project will promote the job opportunities, general prosperity and economic welfare of the citizens of Onondaga County, New York and the State and improve their standard of living, and thereby serve the public purposes of the Act;

(J) The Agency has reviewed the Public Hearing Report and has fully considered all comments contained therein;

(K) The Project should receive the Financial Assistance in the form of exemptions from certain sales and use taxes, real property taxes and real estate transfer taxes based on the description of expected public benefits to occur as a result of this Project, as described in the Application, and failure by the Company to meet the expected public benefits will result in a recapture event, as described in the Project Agreement;

(L) It is desirable and in the public interest for the Agency to enter into the Agency Documents;

(M) The Agency has assessed all material information included in connection with the Application necessary to afford a reasonable basis for the decision by the Agency to provide the Financial Assistance for the Project as described herein;

(N) The Agency has prepared a written cost-benefit analysis identifying the extent to which the Project will create or retain permanent, private sector jobs, the estimated value of any tax exemption to be provided, the amount of private sector investment generated or likely to be generated by the Project, the likelihood of accomplishing the Project in a timely fashion, and the extent to which the Project will provide additional sources of revenue for municipalities and school districts, and any other public benefits that might occur as a result of the Project; and

(O) The Company has provided a written statement confirming that the Project as of the date of the Application is in substantial compliance with all provisions of the Act.

(P) The Agency has complied with deviation procedures as contained within the UTEP and as required by the Act and based upon its review of the following factors, finds and determines that it is desirable and in the public interest of the Agency to deviate from its UTEP and to approve the execution and delivery of the PILOT Agreement with the payments specified in Exhibit A:

1. When fully operational, the Company anticipates the Project's end user will create approximately 4,500 new full time equivalent jobs.

2. The construction phase of the Project, which entails construction of a state of the art, modern warehousing and distribution facility and all appurtenant infrastructure (site work, utilities, roadway improvements, landscaping) and associated exterior improvements (parking and loading areas, sidewalks, lighting and signage) and is estimated to last approximately fifty (50) months and create approximately 4,200 construction jobs.

3. The Company intends to build a leading-edge semiconductor manufacturing complex. The construction of the Project Facility demonstrates the Company's long-term commitment to community investment in the Affected Tax Jurisdictions.

4. The Company estimates that it will expend approximately \$51,500,000,000 on the acquisition, construction, and equipping of the Project Facility.

5. Given the magnitude of the Project, the economic benefits provided by the Project are anticipated to extend beyond those provided directly by the Project and include the growth of ancillary businesses that will be necessary to support the Project and its employees. Additionally, there will be an anticipated influx of spending in the community, spurred by the Project and its employees.

6. The Company's willingness to undertake mitigation and remediation measures with consideration the Project's anticipated effect on the environment.

7. It is estimated that the Project will generate \$84,501,999 in PILOT payments during the forty-nine-year term of the Proposed PILOT Agreement. The real property taxes on the Project Facility without the Proposed PILOT Agreement over the same term using current tax rates would produce approximately \$368,384,225 in real property tax revenue.

8. As a prerequisite to the Agency undertaking the Project, the Company will enter into an agreement that any financial assistance it receives from the Agency will be subject to recapture in the event the Project does not fulfill the purposes for which the tax exemptions were granted.

9. The distribution of PILOT payments to the Affected Tax Jurisdictions under the Proposed PILOT Agreement will comply with the provisions of the Act.

Section 2. In consequence of the foregoing, the Agency hereby determines to: (A) proceed with the Project; (B) acquire a leasehold or a subleasehold interest in the Land and all improvements now or hereafter located on the Land from the Company pursuant to the Underlying Lease and acquire the Equipment pursuant to a bill of sale from the Company; (C) lease or sublease the Project Facility to the Company pursuant to the Lease Agreement; (D) acquire, construct, install and equip the Project Facility, or cause the Project Facility to be acquired, constructed, installed and equipped, as provided in the Lease Agreement; (E) secure any loan, the proceeds of which will be used to finance or refinance the costs of the acquisition, construction, installation and equipping of the Project Facility by granting a mortgage lien on the Agency's interest in the Project Facility and entering into one or more mortgages and/or assignments of leases and rents in favor of the Lender; and (F) grant to the Company the Financial Assistance with respect to the Project.

Section 3. Notwithstanding anything herein to the contrary, the amount of State and local sales and use tax exemption benefit comprising the Financial Assistance approved herein shall not exceed **\$1,760,000,000 and shall last no longer than four years from the earlier of the execution and delivery of the Interim Documents or the Agency Documents.** The Agency may consider any requests by the Company for increases to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 4. Notwithstanding anything herein to the contrary, the amount of real property tax abatement benefit comprising the Financial Assistance approved herein shall be approximately **\$283,882,226**, which such amount reflects the total estimated real property tax

exemptions for the Project Facility (which constitute those taxes that would have been paid if the Project Facility were on the tax rolls and not subject to the Proposed PILOT Agreement of approximately **\$368,384,225**, less the total payments in lieu of taxes of **\$84,501,999** to be made by the Company to the affected tax jurisdictions with respect to the Project Facility during the term of the Proposed PILOT Agreement). The amount of estimated real property tax exemptions is estimated based on an assumed assessed value of the Project Facility and assumed future tax rates of the affected tax jurisdictions; therefore the real property tax abatement benefit is estimated because it is calculated using the estimated real property tax exemptions. The actual amount of real property tax abatement benefit is subject to change over the term of the Proposed PILOT Agreement depending on any changes to assessed value and/or tax rates of the affected tax jurisdictions. Exhibit A attached hereto reflects an annual breakdown of the payments in lieu of taxes to be made to the affected tax jurisdictions in each year during the term of the Proposed PILOT Agreement (“Total PILOT”), an estimated value of the real property tax (“Full Tax Payment without PILOT”), and an estimated value of the real property tax abatement benefits (“Net Exemptions”).

Section 5. The Agency is hereby authorized to acquire, construct, install and equip the Project Facility as described in the Agency Documents, to appoint the Company as agent of the Agency to undertake such acquisition, construction, installation and equipping of the Project Facility as described in the Agency Documents, and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition, construction, installation and equipping are hereby ratified, confirmed and approved.

Section 6. The Chairperson (or Vice Chairperson) and the Executive Director of the Agency, with the assistance of Agency Counsel, are each authorized to negotiate and approve the form and substance of the Agency Documents.

Section 7. (A) The Chairperson (or Vice Chairperson) and the Executive Director of the Agency are each hereby authorized, on behalf of the Agency, to execute and deliver the Agency Documents, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in the forms thereof as the Chairperson (or Vice Chairperson) or the Executive Director shall approve, the execution thereof by the Chairperson (or Vice Chairperson) or the Executive Director to constitute conclusive evidence of such approval.

(B) The Chairperson (or Vice Chairperson) and the Executive Director of the Agency are each hereby further authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Lease Agreement).

Section 8. For purposes of providing the terms and conditions for which the Company will receive the benefit of certain State and local sales and use tax exemptions in connection with the Project, the Interim Documents in such form as the Chairperson, Vice Chairperson and/or Executive Director of the Agency shall (with the advice of Agency counsel) deem advisable, be, and the same are, hereby approved; and the Chairperson, Vice Chairperson and/or Executive Director of the Agency are each hereby authorized and directed to execute, acknowledge and deliver the Interim Documents in the name of the Agency. The execution and delivery of the Interim Documents shall be conclusive evidence of due authorization and approval of the Interim

Documents in their respective final form. The Chairperson, Vice Chairperson and/or Executive Director of the Agency shall determine the date of expiration of the Company's appointment as temporary agent of the Agency; provided, however, that such expiration date shall be not later than six (6) months from the execution and delivery of the Interim Documents unless either (a) the Agency and the Company have entered into a "straight-lease" transaction (as defined in the Act) prior to such date; or (b) the Agency has agreed to an extension of such expiration date. The foregoing shall be subject to payment by the Company of the full amount of the Agency's administrative fee in the amount of \$10,000,000 with respect to the Project.

Section 9. The Agency shall maintain records of the amount of State and local sales and use tax exemption benefits provided to the Project and each agent or Project operator and shall make such records available to the State Commissioner of Taxation and Finance (the "Commissioner") upon request. The Agency shall, within thirty (30) days of providing any State sales and use tax exemption benefits, report to the Commissioner the amount of such benefits for the Project, identifying the Project, along with any such other information and specificity as the Commissioner may prescribe. As a condition precedent to the Company's receipt of, or benefit from, any State or local sales and use tax exemptions, the Company must acknowledge and agree to make, or cause its agents and/or operators to make, all records and information regarding State and local sales and use tax exemption benefits available to the Agency upon request. The provisions of Section 875 of the Act are hereby incorporated herein as if set forth herein and the Agency agrees that it shall comply with the requirements of such Section 875 of the Act.

Section 10. The Agency shall maintain records of the amount of State and local sales and use tax exemption benefits provided to the Project and each agent or Project operator and shall make such records available to the State Commissioner of Taxation and Finance (the "Commissioner") upon request. The Agency shall, within thirty (30) days of providing any State sales and use tax exemption benefits, report to the Commissioner the amount of such benefits for the Project, identifying the Project, along with any such other information and specificity as the Commissioner may prescribe. As a condition precedent to the Company's receipt of, or benefit from, any State or local sales and use tax exemptions, the Company must acknowledge and agree to make, or cause its agents and/or operators to make, all records and information regarding State and local sales and use tax exemption benefits available to the Agency upon request. The provisions of Section 875 of the Act are hereby incorporated herein as if set forth herein and the Agency agrees that it shall comply with the requirements of such Section 875 of the Act.

Section 11. The Agency hereby delegates to the Company, as agent of the Agency, the authority to designate (following the execution and delivery of the Interim Documents or the Agency Documents, as the case may be), agents and sub-agents of the Agency (each, a "Sub-Agent") for purposes of utilizing the Agency sales and use tax exemption with respect to the acquisition, construction, installation and equipping of the Project Facility; provided that any such sub-agency designation shall become effective only upon submission to the Agency within fifteen (15) days of such agency and sub-agency designation: (1) an executed sub-agent appointment agreement (in a form approved by the Agency) and (2) a completed Form ST-60 of the New York State Department of Taxation and Finance (IDA Appointment of Project Operator or Agent for Sales Tax Purposes). Such agents and sub-agents may include contractors and subcontractors involved in the acquisition, construction, installation and equipping of the Project Facility.

Section 12. The terms and conditions of subdivision 3 of Section 875 of the Act are herein incorporated by reference and the Company and/or any Sub-Agent shall agree to such terms as a condition precedent to receiving or benefiting from an exemption from State and local sales and use tax exemptions benefits.

Section 13. As a condition precedent to the granting of the Financial Assistance, the Company agrees to execute an agreement with the Agency setting forth the preliminary undertakings of the Agency and the Company with respect to the Project. The form and substance of the proposed agreement, a form of which was available to the members of the Agency (the "Agreement") are hereby approved. The Chairperson (or Vice Chairperson) and the Executive Director of the Agency are each hereby authorized, on behalf of the Agency, to execute and deliver the Agreement, in substantially the same form as presented at this meeting with changes in terms and form as shall be consistent with this Resolution and as the Executive Director or (Vice) Chairperson shall approve. The execution thereof by the Executive Director or (Vice) Chairperson shall constitute conclusive evidence of such approval.

Section 14. Due to the nature of the Project, the cost of the acquisition, construction and equipping of the Project Facility, the number of jobs to be created and the importance of the Project to Onondaga County, the Agency hereby agrees to accept a reduced administrative fee for the Project of \$10,000,000.

Section 15. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Interim Documents and the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Interim Documents and the Agency Documents binding upon the Agency.

Section 16. This Resolution shall take effect immediately upon adoption.

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

AYE

NAY

ABSENT

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

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 18, 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 __ day of November, 2025.

(SEAL)

Secretary

EXHIBIT A
PILOT SCHEDULE

PILOT YEAR	Exemption %	Onondaga County	Town of Clay	North Syracuse CSD	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100%	\$ 169,269	\$ 88,848	\$ 773,143	\$ 1,031,259.34	\$ 4,495,748	\$ 3,464,488
2	100%	\$ 172,655	\$ 90,625	\$ 788,605	\$ 1,051,884.53	\$ 4,585,663	\$ 3,533,778
3	100%	\$ 176,108	\$ 92,437	\$ 804,377	\$ 1,072,922.22	\$ 4,677,376	\$ 3,604,454
4	100%	\$ 179,630	\$ 94,286	\$ 820,465	\$ 1,094,380.67	\$ 4,770,924	\$ 3,676,543
5	100%	\$ 183,222	\$ 96,171	\$ 836,874	\$ 1,116,268.28	\$ 4,866,342	\$ 3,750,074
6	100%	\$ 186,887	\$ 98,095	\$ 853,612	\$ 1,138,593.64	\$ 4,963,669	\$ 3,825,075
7	100%	\$ 190,625	\$ 100,057	\$ 870,684	\$ 1,161,365.52	\$ 5,062,942	\$ 3,901,577
8	100%	\$ 194,437	\$ 102,058	\$ 888,098	\$ 1,184,592.83	\$ 5,164,201	\$ 3,979,608
9	100%	\$ 198,326	\$ 104,099	\$ 905,860	\$ 1,208,284.68	\$ 5,267,485	\$ 4,059,200
10	100%	\$ 202,292	\$ 106,181	\$ 923,977	\$ 1,232,450.38	\$ 5,372,835	\$ 4,140,384
11	100%	\$ 206,338	\$ 108,305	\$ 942,456	\$ 1,257,099.39	\$ 5,480,291	\$ 4,223,192
12	100%	\$ 210,465	\$ 110,471	\$ 961,306	\$ 1,282,241.37	\$ 5,589,897	\$ 4,307,656
13	100%	\$ 214,674	\$ 112,680	\$ 980,532	\$ 1,307,886.20	\$ 5,701,695	\$ 4,393,809
14	100%	\$ 218,968	\$ 114,934	\$ 1,000,142	\$ 1,334,043.92	\$ 5,815,729	\$ 4,481,685
15	100%	\$ 223,347	\$ 117,233	\$ 1,020,145	\$ 1,360,724.80	\$ 5,932,044	\$ 4,571,319
16	100%	\$ 227,814	\$ 119,577	\$ 1,040,548	\$ 1,387,939.30	\$ 6,050,685	\$ 4,662,745
17	100%	\$ 232,370	\$ 121,969	\$ 1,061,359	\$ 1,415,698.09	\$ 6,171,698	\$ 4,756,000
18	100%	\$ 237,018	\$ 124,408	\$ 1,082,586	\$ 1,444,012.05	\$ 6,295,132	\$ 4,851,120
19	100%	\$ 241,758	\$ 126,896	\$ 1,104,238	\$ 1,472,892.29	\$ 6,421,035	\$ 4,948,143
20	100%	\$ 246,593	\$ 129,434	\$ 1,126,323	\$ 1,502,350.13	\$ 6,549,456	\$ 5,047,105
21	100%	\$ 251,525	\$ 132,023	\$ 1,148,849	\$ 1,532,397.14	\$ 6,680,445	\$ 5,148,048
22	100%	\$ 256,556	\$ 134,663	\$ 1,171,826	\$ 1,563,045.08	\$ 6,814,054	\$ 5,251,009
23	100%	\$ 261,687	\$ 137,357	\$ 1,195,263	\$ 1,594,305.98	\$ 6,950,335	\$ 5,356,029
24	100%	\$ 266,921	\$ 140,104	\$ 1,219,168	\$ 1,626,192.10	\$ 7,089,341	\$ 5,463,149
25	100%	\$ 272,259	\$ 142,906	\$ 1,243,551	\$ 1,658,715.94	\$ 7,231,128	\$ 5,572,412
26	100%	\$ 277,704	\$ 145,764	\$ 1,268,422	\$ 1,691,890.26	\$ 7,375,751	\$ 5,683,861
27	100%	\$ 283,258	\$ 148,679	\$ 1,293,791	\$ 1,725,728.07	\$ 7,523,266	\$ 5,797,538
28	100%	\$ 288,923	\$ 151,653	\$ 1,319,667	\$ 1,760,242.63	\$ 7,673,731	\$ 5,913,488
29	100%	\$ 294,702	\$ 154,686	\$ 1,346,060	\$ 1,795,447.48	\$ 7,827,206	\$ 6,031,758
30	100%	\$ 300,596	\$ 157,780	\$ 1,372,981	\$ 1,831,356.43	\$ 7,983,750	\$ 6,152,393
31	100%	\$ 306,608	\$ 160,935	\$ 1,400,441	\$ 1,867,983.56	\$ 8,143,425	\$ 6,275,441
32	100%	\$ 312,740	\$ 164,154	\$ 1,428,449	\$ 1,905,343.23	\$ 8,306,293	\$ 6,400,950
33	100%	\$ 318,995	\$ 167,437	\$ 1,457,018	\$ 1,943,450.09	\$ 8,472,419	\$ 6,528,969
34	100%	\$ 325,375	\$ 170,786	\$ 1,486,159	\$ 1,982,319.10	\$ 8,641,868	\$ 6,659,548
35	100%	\$ 331,882	\$ 174,201	\$ 1,515,882	\$ 2,021,965.48	\$ 8,814,705	\$ 6,792,739
36	100%	\$ 338,520	\$ 177,685	\$ 1,546,200	\$ 2,062,404.79	\$ 8,990,999	\$ 6,928,594
37	100%	\$ 345,290	\$ 181,239	\$ 1,577,124	\$ 2,103,652.88	\$ 9,170,819	\$ 7,067,166
38	100%	\$ 352,196	\$ 184,864	\$ 1,608,666	\$ 2,145,725.94	\$ 9,354,235	\$ 7,208,509
39	100%	\$ 359,240	\$ 188,561	\$ 1,640,839	\$ 2,188,640.46	\$ 9,541,320	\$ 7,352,680
40	100%	\$ 366,425	\$ 192,332	\$ 1,673,656	\$ 2,232,413.27	\$ 9,732,146	\$ 7,499,733
41	100%	\$ 373,753	\$ 196,179	\$ 1,707,129	\$ 2,277,061.53	\$ 9,926,789	\$ 7,649,728
42	100%	\$ 381,228	\$ 200,103	\$ 1,741,272	\$ 2,322,602.76	\$ 10,125,325	\$ 7,802,722
43	100%	\$ 388,853	\$ 204,105	\$ 1,776,097	\$ 2,369,054.82	\$ 10,327,832	\$ 7,958,777
44	100%	\$ 396,630	\$ 208,187	\$ 1,811,619	\$ 2,416,435.92	\$ 10,534,388	\$ 8,117,952
45	100%	\$ 404,562	\$ 212,350	\$ 1,847,852	\$ 2,464,764.63	\$ 10,745,076	\$ 8,280,311
46	100%	\$ 412,654	\$ 216,597	\$ 1,884,809	\$ 2,514,059.93	\$ 10,959,978	\$ 8,445,918
47	100%	\$ 420,907	\$ 220,929	\$ 1,922,505	\$ 2,564,341.13	\$ 11,179,177	\$ 8,614,836
48	100%	\$ 429,325	\$ 225,348	\$ 1,960,955	\$ 2,615,627.95	\$ 11,402,761	\$ 8,787,133
49	100%	\$ 437,911	\$ 229,855	\$ 2,000,174	\$ 2,667,940.51	\$ 11,630,816	\$ 8,962,875
TOTAL		\$ 13,870,019	\$ 7,280,224	\$ 63,351,755	\$ 84,501,999	\$ 368,384,225	\$ 283,882,226

PRELIMINARY AGREEMENT

THIS PRELIMINARY AGREEMENT dated as of _____, 2025 between the ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (the “Agency”), a public benefit corporation organized and existing under the laws of the State of New York and MICRON NEW YORK SEMICONDUCTOR MANUFACTURING LLC, a limited liability company organized and existing under the laws of the State of Delaware (the “Company”).

WITNESSETH:

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 1970 Laws of the State of New York and Chapter 676 of the 1975 Laws 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, the purposes of the Act are to promote industry and develop trade and thereby advance the job opportunities, health, general prosperity and economic welfare of the inhabitants of Onondaga County, New York and the State, to improve their prosperity and standard of living and to prevent unemployment and economic deterioration; and

WHEREAS, by resolution adopted by the members of the Agency on November 18, 2025 (the “Approving Resolution”), the Agency determined to undertake a project (the “Project”) on behalf of the Company and/or entities formed or to be formed on behalf of the foregoing, consisting of the following: (A)(1) the acquisition of an interest in all or a portion of approximately 819.92 acres of land located on the westerly side of Burnet Road (tax map nos. 046.-02-01.0, 046.-02-02.1, 046.-02-02.2, 046.-02-03.1, 046.-02-04.0, 046.-02-05.1, 046.-02-05.2, 048.-01-01.0, 048.-01-02.2, 048.-01-23.1, 048.-01-23.2, 048.-01-23.3, 049.-01-15.0, 049.-01-16.0, 049.-01-17.0, 049.-01-18.4, 049.-01-19.1, 049.-01-19.2, 050.-01-01.0, 050.-01-02.1, 050.-01-03.1, 050.-01-04.1, 050.-01-04.2, 050.-01-04.3, 050.-01-04.4, 050.-01-05.0, 051.-01-10.1, 051.-01-10.6, 051.-01-10.7, 051.-01-10.8, 051.-01-10.9, 051.-01-12.0, 064.-01-06.3, 064.-01-08.0) in the Town of Clay, Onondaga County, New York (collectively, the “Land”); (2) the construction on the Land of two approximately 1.2 million square foot memory fabrication facilities and each containing approximately 600,000 square feet of cleanroom space, together with other ancillary interior and exterior support facilities and systems and sitework including but not limited to installation of a chilled water system, a process cooling water system, air handlers, electrical sub stations, switch gear, and compressed dry air systems, semiconductor manufacturing equipment, office and storage space, driveways, interior access roads, sidewalks, parking lots, landscaping, signage, electric and gas utility and internal communications infrastructure, electric substations, water and wastewater pre-treatment and storage and industrial gas storage (collectively, the “Facility”); and (3) the

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

WHEREAS, the Company will be the owner and/or operator of the Project Facility.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Agency and the Company agree as follows:

Article 1. Representations.

Among the representations that have resulted in the execution of this Preliminary Agreement are the following:

Section 1.01. The Company hereby represents to the Agency that:

(A) The completion of the Project Facility will not result in the removal of a plant or facility of the Company or any other proposed occupant of the Project Facility from one area of the State to another area of the State or in the abandonment of a plant or facility of the Company or of any proposed occupant of the Project Facility located in the State.

(B) The Project Facility does not and will not constitute a project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Project.

(C) The Project Facility is located entirely within the boundaries of Onondaga County, New York.

(D) The granting of the Financial Assistance by the Agency with respect to the Project will promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of Onondaga County, New York and the State and improve their standard of living, and thereby serve the public purposes of the Act and will encourage and assist the Company in providing the Project.

Article 2. Undertaking on the Part of the Agency.

Based upon the statements, representations and undertakings of the Company and subject to the conditions set forth herein, the undertakings on the part of the Agency are as follows:

Section 2.01. If the Company complies with all conditions set forth in this Preliminary Agreement, then the Agency will (A) undertake the Project, and (B) grant certain Financial Assistance with respect to the Project; PROVIDED HOWEVER, that the foregoing obligation of

the Agency to undertake the Project and to grant the Financial Assistance relating to the Project is subject to the conditions hereinafter contained in this Preliminary Agreement, including but not limited to the following conditions:

(A) An interest in the Project Facility shall be retained or acquired by the Agency from the Company pursuant to one or more deeds, lease agreements, license agreements, bills of sale or other documentation to be negotiated between the Agency and the Company (hereinafter, collectively, the "Acquisition Agreement") which contains terms mutually acceptable to the Agency and the Company for retaining or conveying an interest in the Project Facility to the Agency. The Acquisition Agreement and any other documents to be executed by the Agency and the Company in connection with the Project (collectively, the "Project Documents") shall in all respects comply with the requirements of, and limitations contained in, the Act;

(B) The Company shall have executed the Project Documents between the Agency and the Company the terms of which shall be acceptable in form and content to the Agency and the Company and pursuant to which, among other things, the Company shall be obligated to pay all costs incurred by the Agency with respect to the Project and/or the Project Facility, including all costs of operation and maintenance of the Project, all taxes and other governmental charges, any required payments in lieu of taxes, and the reasonable fees and expenses incurred by the Agency with respect to or in connection with the Project and/or the Project Facility (including reasonable counsel fees and out-of-pocket expenses), it being understood that the Company will, prior to or contemporaneously with the granting of the Financial Assistance, enter into such Project Documents;

(C) No event shall have occurred that constitutes (or that after notice or lapse of time or both would constitute) an event of default under the Project Documents;

(D) The Agency shall receive, in form and substance satisfactory to the Agency, such rulings, approvals, resolutions, consents, certificates, opinions of counsel and other instruments and proceedings as shall be specified by the Agency in connection with the Financial Assistance, the Project and the Project Documents, such rulings, approvals, resolutions, consents, certificates, opinions of counsel and other instruments and proceedings to be obtained from transaction counsel, counsel to the Agency and such other governmental and nongovernmental agencies and entities as may have or assert competence or jurisdiction over or interest in matters pertaining thereto, and the same shall be in full force and effect at the time of the granting of the Financial Assistance; and

(E) Agreements shall be made as to (1) payments by the Company to or on behalf of the Agency of any required amounts in lieu of real property taxes, (2) indemnity by the Company of the Agency and the members and officers of the Agency, and (3) payment by the Company of the expenses incurred by the Agency in connection with the Project (including reasonable counsel fees and out-of-pocket expenses) and the administrative fee of the Agency, and such agreements shall be satisfactory in form and substance to the Agency.

Section 2.02. The obligations of the Agency pursuant to this Preliminary Agreement are subject to the conditions elsewhere contained in this Preliminary Agreement.

Article 3. Undertakings on the Part of the Company.

Based upon the statements, representations and undertakings of the Agency and subject to the conditions set forth herein, the undertakings on the part of the Company are as follows:

Section 3.01. The Company will enter into the Project Documents with the Agency containing the terms and conditions described in Section 2.01 hereof.

Section 3.02. The Company agrees that the Agency, its directors, members, officers, agents (except the Company) and employees shall not be liable for and agrees to defend, indemnify, release and hold the Agency, its director, members, officers, agents (except the Company) and employees harmless from and against any and all (i) liability for loss or damage to property or injury to or death of any and all persons that may be occasioned by, directly or indirectly, any cause whatsoever pertaining to the Project Facility or arising by reason of or in connection with the use thereof or under this Preliminary Agreement, or (ii) liability arising from or expense incurred by the Agency's acquiring, constructing, equipping, installation, owning and leasing of the Project Facility, including without limiting the generality of the foregoing, all claims arising from the breach by the Company of any of its covenants contained herein and all causes of action and reasonable attorneys' fees (whether by reason of third party claims or by reason of the enforcement of any provision of this Preliminary Agreement (including, without limitation, this Section)) and any other expenses incurred in defending any claims, suits or actions which may arise as a result of the foregoing, provided that any such losses, damages, liabilities or expenses of the Agency are not incurred or do not result from the gross negligence or intentional or willful wrongdoing of the Agency or any of its directors, members, officers, agents (except the Company) or employees. The foregoing indemnities shall apply notwithstanding the fault or negligence on the part of the Agency, or any of its members, directors, officers, agents, or employees and irrespective of the breach of a statutory obligation or the application of any rule of comparative or apportioned liability. The foregoing indemnities are limited only to the extent of any prohibitions imposed by law, and upon the application of such prohibition by the final judgment or decision of a competent court of law, the remaining provisions of these indemnities shall remain in full force and effect.

Section 3.03. The Company will take such further action and adopt such further proceedings as may be required to implement the aforesaid undertakings or as it may deem appropriate in pursuance thereof.

Article 4. General Provisions.

Section 4.01. All commitments of the Agency under Article 2 hereof are subject to the condition that the following events shall have occurred not later than twelve (12) months from the date hereof (or such other date as shall be mutually satisfactory to the Agency and the Company):

(A) The Agency and the Company shall have agreed on mutually acceptable terms and conditions of the Project Documents and any other agreements referred to in Articles 2 or 3 hereof;

- (B) All necessary governmental approvals shall be obtained; and
- (C) All other conditions expressed in this Preliminary Agreement shall have been satisfied.

Section 4.02. Subject to the terms and conditions of Section 4.03 hereof, the Company shall have the right to unilaterally cancel this Preliminary Agreement at any time on or before November 30, 2026 by written notice of cancellation delivered to the Agency at the address set forth in Section 4.04 hereof.

Section 4.03. If the events set forth in Section 4.01 hereof do not take place within the time set forth in said Section 4.01, or any extension thereof, or if the Company exercises its right of cancellation as set forth in Section 4.02 hereof, the Company agrees that (A) it will promptly reimburse the Agency (and its officers, members, agents or employees) for all reasonable and necessary actual out-of-pocket expenses (including reasonable legal fees and expenses) which the Agency (and its officers, members, agents or employees) may incur with respect to the execution of this Preliminary Agreement and the performance of its obligations hereunder; and (B) the obligations of the Company set forth in Section 3.02 hereof shall survive the termination of this Preliminary Agreement and shall remain in full force and effect until the expiration of the period stated in the applicable statute of limitations during which a claim, cause of action or prosecution relating to the matters described therein may be brought and payment in full or the satisfaction of such claim, cause of action or prosecution and the payment of all expenses and charges incurred by the Agency (and its officers, members, agents or employees) relating to the enforcement of the provisions therein stated.

Section 4.04. (A) All notices and other communications hereunder shall be in writing and shall be deemed given when mailed by United States registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

(i) TO THE AGENCY:

Onondaga County Industrial Development Agency
335 Montgomery Street, 2nd Floor
Syracuse, New York 13202

WITH A COPY TO:

Barclay Damon Tower
125 East Jefferson Street
Syracuse, New York 13202
Attention: Jeffrey W. Davis, Esq.

(ii) IF TO THE COMPANY:

Micron New York Semiconductor Manufacturing LLC

800 S. Federal Way
Boise, Idaho 83716
Attention: Katie Birchenough, Senior Assistant General Counsel

WITH A COPY TO:

Hancock Estabrook LLP
1800 AXA Tower I
100 Madison Street
Syracuse, New York 13202
Attention: John P. Sidd, Esq.

(B) The Agency and the Company may, by notice given hereunder, designate any other or different addresses to which subsequent notices, certificates and other communications shall be sent.

Section 4.05. All covenants and agreements herein contained by or on behalf of the Agency and the Company shall bind and inure to the benefit of the respective successors and assigns of the Agency and the Company whether so expressed or not provided, however, upon execution and delivery of the Project Documents, this Preliminary Agreement shall terminate.

Section 4.06. The obligations and agreements of the Agency contained herein shall be deemed the obligations and agreements of the Agency, and not of any member, officer, agent or employee of the Agency in his or her individual capacity, and the members, officers, agents and employees of the Agency shall not be liable personally hereon or be subject to any personal liability or accountability based upon or in respect hereof or of any action contemplated hereby. The obligations and agreements of the Agency contained herein shall not constitute or give rise to an obligation of the State or of Onondaga County, New York and neither the State nor Onondaga County, New York shall be liable thereon, and further, such obligations and agreements shall not constitute or give rise to a general obligation of the Agency, but rather shall constitute limited obligations of the Agency payable solely from the revenues of the Agency derived and to be derived from the lease, sale or other disposition of the Project.

Section 4.07. Notwithstanding any provision of this Preliminary Agreement to the contrary, the Agency shall not be obligated to take any action pursuant to any provision hereof unless (A) the Agency shall have been requested to do so in writing by the Company; and (B) if compliance with such request is reasonably expected to result in the incurrence by the Agency (or any member, officer, agent or employee of the Agency) of any liability, fees, expenses or other costs, the Agency shall have received from the Company security or indemnity satisfactory to the Agency for protection against all such liability and for the reimbursement of all such fees, expenses and other costs.

IN WITNESS WHEREOF, the parties hereto have entered into this Preliminary Agreement as of the day and date first written above.

ONONDAGA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: _____
Robert M. Petrovich
Executive Director

DRAFT

Signature Page to Preliminary Agreement
Page 1 of 2

MICRON NEW YORK SEMICONDUCTOR
MANUFACTURING LLC

By: _____
Name:
Title:

DRAFT

Signature Page to Preliminary Agreement
Page 2 of 2



ONONDAGA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

Project Summary

10/21/2025

Project:	Micron New York Semiconductor Manufacturing LLC (Rail Spur)	Project Number:	3101-25-06A
Location:	Town of Clay	School District:	North Syracuse
		Project Type:	New Construction
Tax Parcel(s):	046.-02-03.2, 046.-01-19.1	Village:	N/A

Total Project Cost:	\$	51,607,240
Land Acquisition	\$	5,007,240
Site Work/Demo	\$	13,800,000
Building Construction & Renovation	\$	19,500,000
Furniture & Fixtures	\$	-
Equipment	\$	12,100,000
Project Soft Cost	\$	1,200,000

8. Total Jobs	17
8A. Job Retention	0
8B: Job Creation	17
(Next 5 Years)	

Community Investment /Abatement

	Fiscal Impact (\$)
Abatement Summary	\$3,572,710
Sales Tax Abatement	\$3,178,400
Mortgage Tax Abatement	\$0
Property Tax Relief (PILOT)	\$394,310
Community Investment	\$67,088,826
PILOT Payments	\$730,877
Project Salaries Estimate	\$13,642,016
Construction Benefit Estimate	\$1,108,692
Total Project Cost	\$51,607,240

Investment:Abatement Ratio

19 :1

Project Description

Construct a Rail Spur Site in the Town of Clay

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Micron New York Semiconductor Manufacturing LLC (Rail Spur)

10/20/2025

A) PILOTS Estimate Table Worksheet

for 10 years

PILOT YEAR	Exemption %	County PILOT Amount	Town	School District	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100%	\$ 4,966	\$ 2,790	\$ 27,526	\$ 35,282	\$ 102,759	\$ 67,478
2	90%	\$ 6,034	\$ 3,390	\$ 33,446	\$ 42,870	\$ 104,815	\$ 61,944
3	80%	\$ 7,143	\$ 4,013	\$ 39,592	\$ 50,748	\$ 106,911	\$ 56,163
4	70%	\$ 8,294	\$ 4,659	\$ 45,971	\$ 58,924	\$ 109,049	\$ 50,125
5	60%	\$ 9,488	\$ 5,330	\$ 52,589	\$ 67,406	\$ 111,230	\$ 43,824
6	50%	\$ 10,726	\$ 6,025	\$ 59,453	\$ 76,204	\$ 113,455	\$ 37,250
7	40%	\$ 12,010	\$ 6,747	\$ 66,571	\$ 85,328	\$ 115,724	\$ 30,396
8	30%	\$ 13,341	\$ 7,495	\$ 73,949	\$ 94,785	\$ 118,038	\$ 23,253
9	20%	\$ 14,721	\$ 8,270	\$ 81,596	\$ 104,587	\$ 120,399	\$ 15,812
10	10%	\$ 16,151	\$ 9,073	\$ 89,520	\$ 114,743	\$ 122,807	\$ 8,064
TOTAL		\$ 102,874	\$ 57,790	\$ 570,213	\$ 730,877	\$ 1,125,187	\$ 394,310

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**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
APPLICATION FOR FINANCIAL ASSISTANCE**

1. Fill in all blanks using “none”, “not applicable” or “not available”. If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency (the “Agency” or “OCIDA”) at 315-435-3770.
2. In accordance with Section 224-a(8)(d) of Article 8 of the New York Labor Law, the Agency has identified that any “financial assistance” (within the meaning of Section 858 of the General Municipal Law) granted by the Agency to the Applicant consisting of sales and use tax exemption benefits, mortgage recording tax exemption benefits and real property tax exemption benefits, constitutes “public funds” within the meaning of Section 224-a(2)(b) of Article 8 of the New York Labor Law and such funds are not excluded under Section 224-a(3) of Article 8 of the New York Labor Law. The Agency hereby notifies the Applicant of the Applicant’s obligations under Section 224-a (8)(a) of Article 8 of the New York Labor Law.
3. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents.
4. All projects approved for benefits by the OCIDA Board will close with the Agency within 6-months of the OCIDA Board approval date. If this schedule cannot be met, the Applicant will need to submit a closing schedule modification written request to the Executive Director that will be presented to OCIDA Board for consideration.
5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the project which is the subject of this Application. The form is available at https://extapps.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart1.pdf
6. Public Officers Law stipulates all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and reproduction. Should the Applicant believe there are project elements which are trade secrets if publicly disclosed or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, the Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the Agency may also redact personal, private, and/or proprietary information from publicly disseminated documents.
7. A final Application (OCIDA staff reviewed/approved) and associated fees MUST be received at least 10 business days prior to the upcoming Board meeting to be placed on the agenda. A signed application may be submitted by mail and/or electronically in PDF format to Alexis Rodriguez at alexisrodriguez@ongov.net.
 - A check payable to the Agency in the amount of \$1,000
 - A check payable to Barclay Damon LLP in the amount of \$2,500

This Application was adopted by the OCIDA Board on February 15, 2024.

Submit completed application to:
Onondaga County Industrial Development Agency
335 Montgomery Street, Floor 2M Syracuse, NY 13202
Phone: 315-435-3770
alexisrodriguez@ongov.net

Section I: Applicant Information

Submittal Date: 10/20/2025

A) Applicant/Project Operator information (company receiving benefits): Note: See narrative for additional explanation

1. Applicant/Project Operator: Micron New York Semiconductor Manufacturing LLC

Applicant/Project Operator Address: 8000 S. Federal Way, Boise, ID 83716

Phone: 208-368-4000 Fax: 208-368-4617

Website: www.micron.com Email: kbirchenough@micron.com

Federal ID#: 92-0692507 NAICS: 334413

State of Incorporation: Delaware

See link for your NYS incorporation information. <https://apps.dos.ny.gov/publicInquiry>

2. Owner (if different from Applicant/Project Operator): N/A

Owner Address: _____

Federal ID#: _____

State of Incorporation: _____

List of stockholders, members, or partners of Owner: _____

B) Applicant Business Organization (check appropriate category):

- | | |
|--|---|
| ☐ Corporation | ☐ Partnership |
| ☐ Public Corporation | ☐ Joint Venture |
| ☐ Sole Proprietorship | ☒ Limited Liability Company |
| ☐ Other, explain | |

List all stockholders, members, or partners with % of ownership greater than 5%:

Name	% of ownership
<u>Micron Technology, Inc.</u>	<u>100%</u>
_____	_____
_____	_____
_____	_____

C) Applicant Business Description:

Note: The Rail Spur will simply be a flow through location for materials to construct the Micron facility and for possible future operations materials

Estimated % of sales within Onondaga County: N/A

Estimated % of sales outside Onondaga County but within New York State: N/A

Estimated % of sales outside New York State but within the U.S.: N/A

Estimated % of sales outside the U.S.: (*Percentage to equal 100%) N/A

Applicant /Owner History:

1. Is the Owner and/or Applicant or any manager or owner of the Owner and/or Applicant now a plaintiff or defendant in any civil or criminal litigation? ☐ No ☒ Yes, explain

Micron Technology, Inc. is a large company with shares trading on the NASDAQ and is a party (either as plaintiff or defendant) in civil litigation in the ordinary course of business. Additional details regarding certain litigation is provided as part of our public filings with the SEC, including in Micron Technology, Inc.'s recent 10-K annual filing filed on October 3, 2025.

2. Has any owner or manager of the Owner and/or Applicant listed above ever been convicted of a criminal offense (other than a minor traffic violation)? ☒ No ☐ Yes, explain

3. Has any person listed in Section I ever been in receivership or declared bankruptcy?
☒ No ☐ Yes, explain

- D) Has the Applicant/Owner received assistance from Onondaga County Industrial Development Agency (OCIDA, Syracuse Industrial Development Agency (SIDA), New York State or the Onondaga Civic Development Corporation (OCDC) in the past?**

☐ No ☒ Yes, explain (Provide year, project name, benefit description, amounts, address)
Refer to Micron Technology Main Campus IDA Financial Assistance Application

E) Individual Completing Application:

Name: Scott Gatzemeier Title: CVP, Front End US Expansion

Address: 8000 S. Federal Way, PO Box 6, Boise, ID 83707 Phone: 208-363-4000

Cell Phone: None E-mail: sngatzemeier@micron.com

F) Company Contact (if different from individual completing application):

Name: Katie Birchenough Title: Senior Assistant General Counsel

Address: 8000 S. Federal Way, PO Box 6, Boise, ID 83707 Phone: 208-363-4000

Cell Phone: None Email: kbirchenough@micron.com

G) Company Counsel:

Name of Attorney: John P Sidd

Firm Name: Hancock Estabrook LLP

Address: 1800 AXA Tower I, 100 Madison Street, Syracuse, New York 13202

Phone: 315-565-4500

Cell Phone: None

Email: jsidd@hancocklaw.com

Section II: Project and Site Information

A) Project Location is where the investment will take place. If Applicant is moving, the new location should be entered here and the current location should be in Section I.

Address: 8625 Caughdenoy Road

Legal Address (if different): N/A

City: N/A

Town: Clay

Village: N/A

Zip Code: 13041

School District: North Syracuse Central School District

Tax Map Parcel ID(s): 046.-02-03.2, 046.-01-19.1

Full Market Value: \$5,007,240

Square Footage of Existing Building(s): 0

B) Project Activity (Check all that apply):

- | | |
|--|---|
| ☒ New construction | ☐ Acquisition of existing facility |
| ☐ Expansion to current facilities | ☐ Brownfield/Remediated Brownfield |
| ☐ Renovation of existing facility | ☐ Demolition and construction |
| | ☒ Purchase of machinery/equipment |

C) Select Project Type or Project End Use at site (you may check more than one):

- | | |
|---|--|
| ☐ Manufacturing | ☐ Mixed Use |
| ☐ Retail (see Section V) | ☐ Facility of Aging |
| ☐ Housing Project (see Section VII) | ☐ Distribution/Wholesale |
| ☐ Civic Facility (not for profit) | ☐ Commercial |
| ☒ Industrial | ☐ Renewable Energy Project (see Section VI) |
| ☒ Other, explain Rail Spur | |

D) Project Narrative: Please check one of the two boxes below and attach statement.

- ☒ A statement that the Project described in this application would not be undertaken but for the financial assistance provided by the Agency. See Exhibit A: Project Narrative
- ☐ If the Project is going to advance regardless of any financial assistance from the Agency, please provide a statement indicating why the project should be considered by the Agency for any financial assistance.

E) Description of Project: Please attach a detailed narrative of the proposed Project. Please attached copies of site plans, sketches or maps. This narrative should include, but is not limited to:

- ☒ (i) a description of your Company's background, customers, goods and services and the principal products to be produced and/or the principal activities that will occur on the Project site;
- ☒ (ii) the size of the Project in square feet and a breakdown of square footage per each intended use;
- ☒ (iii) the size of the lot upon which the Project sits or is to be constructed;
- ☒ (iv) the current use of the site and the intended use of the site upon completion of the Project;
- ☒ (v) describe your method for site control (Own, lease, other).

F) Will the completion of the Project result in the removal of an industrial or manufacturing plant of the company from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the company located within the state?

☒ No ☐ Yes

G) Please describe any compelling circumstances the Agency should be aware of while reviewing this application.

H) Local Approvals (Site Plan and Environmental Review)

Have site plans been submitted to the appropriate town or local planning department?

☐ No. When will the plans be submitted? 9/2/2025 ☒ Yes, what is the status? Pending

Has the project received site plan approval from the town or local planning board?

☒ No, anticipated approval date. 12/2025 ☐ Yes, date _____

If yes, provide the Agency with a copy of the Planning Board's approval resolution along with the related SEQR determination. **(NOTE: SEQR determination is required for final approval and sales tax agency appointment.)**

1. Environmental Review Information

a. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: https://extapps.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart1.pdf

b. Has Lead Agency been established? ☐ No ☒ Yes, name of Lead Agency

OCIDA

c. Have any environmental issues been identified on the property?

☐ No ☒ Yes, explain See Exhibit B: Environmental Review Information

Section III: FINANCIAL AND EMPLOYMENT INFORMATION

A) Project Costs and Finances

Description of Costs	Total Budget Amount
Land Acquisition	\$5,007,240
Site Work/Demo	\$13,800,000
Building Construction & Renovation	\$19,500,000
Furniture & Fixtures	-
Equipment	\$12,100,000
Project Soft Cost	\$1,200,000
Total Project Cost	\$51,607,240

Please have documentation available upon request. Do not include OCIDA fees, OCIDA application fees or OCIDA legal fees as part of the Total Project Cost.

Sources of Funds for Project Costs:

1. Bank Financing \$ _____
2. Equity \$ \$51,607,240
3. Tax Exempt Bond Issuance (if applicable) \$ _____
4. Taxable Bond Issuance (if applicable) \$ _____
5. Total Sources of Funds for Project Costs \$ _____
6. Public Sources (Include sum total of all state and federal grants and tax credits) \$ _____

-Identify each state and federal grant/credit:

_____ \$ _____

_____ \$ _____

_____ \$ _____

B) Employment and Payroll Information

Full Time Equivalent (FTE) is defined as one employee working no less than 35 hours per week or two or more employees together working a total of 35 hours per week.

1. Are there people currently employed at the project site?

☒ No ☐ Yes, provide number of FTE jobs at the project site _____

If you are relocating, are all employees moving to new site? ☐ No, explain ☐ Yes

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	0
Estimate the number of construction jobs to be created by this Project:	30
Estimate the average length of construction jobs to be created (months):	9
Current annual payroll including the benefit cost:	0
Average annual growth salary/wage rate (%)	3%

C) New Employment Benefits

Complete the following chart indicating the number of FTE jobs currently employed by the Applicant, FTE jobs currently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, and third, years after the Project is completed. Jobs should be listed by title of category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. Do not include construction workers.

Please use this chart to illustrate the current employment:

Job Title/Category	Current Annual Pay	Current Employment (FTE)
N/A	N/A	N/A

Please use this chart to illustrate the projected employment growth: Note: Jobs created are employees of the independent contractor operating the rail spur site

Job Title/Category	Projected Annual Pay	FTE Jobs Created Year 1	FTE Jobs Created Year 2	FTE Jobs Created Year 3	FTE Jobs Created Year 4	FTE Jobs Created Year 5
Rail Yard & Conveyance Operations Personnel	\$70,000	17	0	0	0	0

D) Financial Assistance sought:

☒ Real Property Tax Abatement (PILOT): *Agency Staff will provide draft and final PILOT schedule:* _____

☐ Mortgage Recording Tax Exemption (.75% of mortgage): N/A

☒ Sales and Use Tax Exemption (4% Local, 4% State): \$3,178,400

☐ Tax Exempt Bond Financing (Amount Requested): N/A

☐ Taxable Bond Financing (Amount Requested): N/A

E) Mortgage Recording Tax Exemption Benefit Calculator: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): \$ N/A

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above, multiplied by .0075): \$ N/A

F) Sales and Use Tax Benefit Calculator: Gross amount of costs for goods and services that are subject to State and local Sales and Use Tax: \$ 39,730,000

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above): \$ 3,178,400

Section IV: Estimate of Real Property Tax Abatement Benefits

This section of the Application will be: (i) completed by Agency Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application prior to the completed application being provided to the OCIDA Board.

A) PILOTS Estimate Table Worksheet

OCIDA estimate of current value	
New construction and renovation costs	
OCIDA estimate of increase in value	
OCIDA estimated value of completed project	
OCIDA estimate of taxes that would have been collected if the project did not occur	
Scheduled PILOT payments	

PILOT Year	Exemption %	County PILOT mount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100						
2	90						
3	80						
4	70						
5	60						
6	50						
7	40						
8	30						
9	20						
10	10						
TOTAL							

Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff.

SECTION: V For Retail Projects Only

1. Will the cost of the retail portion of the Project exceed one-third of the total project cost?

☐ Yes ☐ No

If yes, please answer, questions 2, 3 and/or 4 below.

If yes, please explain how much the project will exceed one-third of the total project cost.

2. Is the Project located in a distressed area? A distressed area is a census tract that has
a) A poverty rate of at least 20% or at least 20% of households receiving public assistance, and (b) an unemployment rate of least 1.25 times the statewide unemployment rate for the year to which the date relates.

☐ Yes ☐ No

If yes, please provide the data and explain.

3. Is the Project likely to attract a significant number of visitors from outside of the economic development region?

☐ Yes ☐ No

If yes, please provide a third party market study.

4. Is the predominate purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the Town, City, County or Village of where the Project will be located.

☐ Yes ☐ No

If yes, please provide data and explain.

SECTION VI: For Solar Projects Only

Please answer all the questions as an addendum to this application:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the Project would be affected if these benefits were not provided. [see Section II (C)]
2. Is the Applicant leasing the property?
 - ☐ Yes, please provide a copy of the lease
 - ☐ No, purchased the property. Please provide documentation.
3. Has the Applicant provided written communication to the affected taxing jurisdictions notifying them of its intent to construct a renewable energy project?
 - ☐ Yes
 - ☐ No
4. Has the Applicant received a letter of support for the megawatt cost to be used as a basis for the PILOT from the town, city, and village where the Project is located?
 - ☐ Yes, please provide copy of the letter.
 - ☐ No
5. Has the Applicant received a letter of support for the megawatt cost to be used as a basis for PILOT from the school district?
 - ☐ Yes, please provide copy of the letter.
 - ☐ No
6. Is the entire parcel being used for the solar project?
 - ☐ Yes
 - ☐ No, have you reached out to the town assessor to discuss a subdivision or slash parcel? Explain:
7. Will the Applicant enter into a decommissioning plan with the host community, including financial assurance the plan can be executed?
 - ☐ Yes, explain.
 - ☐ No

**PLEASE SEE FOLLOWING PAGE FOR OCIDA SOLAR GUIDANCE & BEST PRACTICE*

OCIDA Solar PILOTs Guidance and Best Practice

OCIDA SOLAR PILOTs GUIDANCE AND BEST PRACTICE

To be placed on the Agency meeting agenda, proposed solar projects must provide the Agency with the following in advance of the Project's first OCIDA Board meeting:

1. Fully completed OCIDA application.
2. Copy of Environmental Assessment Form.
3. A SEQR resolution approved by a local municipality indicating the municipality that is lead agency, the type of action (I, II, or unlisted) and, if completed, the SEQR determination made by the municipality.
4. Copies of your zoning applications submitted to the local municipality.
5. Verification of parcel subdivision process with the town (if the entire parcel will not be used for the solar project).
6. A statement clarifying whether the applicant will lease or purchase the real property on which the Project is situated. If leased, provide a copy of the proposed or executed lease. If lease parcel is less than entire parcel then see 5 above.
7. A supporting document from the local town, village, city, and/or school district outlining the agreed upon cost per megawatt to be used as a basis for the PILOT. The Agency cannot create the PILOT schedule without this information.
8. Absent a showing otherwise by the Company, deemed acceptable by the Agency in the sole and absolute discretion, the Company must close with the Agency on a project prior to consideration of any requested organizational structure or project entity ownership changes.

You will receive a draft Cost Benefit Analysis and a Draft PILOT schedule from this office. You may use these documents as your Project progresses through the Agency approval process. Agency staff are available to update these two documents as needed.

SECTION VII: For Housing Projects Only

Please answer all the questions as an addendum to this application:

Defined terms:

“Market Rate Housing”: Housing units priced at the current rental rate for the area.

“Workforce Housing”: Housing consisting of a specified percentage of units (at least 10-15% per the PILOT Exemption Scale) with rent rates designated to an 80% household AMI as identified in the Workforce Housing AMI chart located in Housing Exhibit A on the Agency's website. Income levels for individuals living in the specified Workforce Housing units shall not exceed 120% AMI.

“Senior Lifestyle Communities”: Housing communities for individuals 55 years or older. Communities may offer a variety of amenities, including but not limited to pools, community rooms, fitness centers, playgrounds, firepits, bocce/pickleball/tennis courts, picnic areas, spaces for relaxation and entertainment, safety amenities, on-site medical services, entertainment and dining, walkability, bike trails, and dog parks, playgrounds.

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the project would be impacted if these benefits were not provided. {Section II (D)}
2. Describe how the proposed housing project fulfills an unmet need in the community.
3. Please provide a market study documenting a need for the proposed project.
4. Describe how the proposed project aligns with the Plan Onondaga County comprehensive plan. ([Plan Onondaga](#))
5. Is the Project considered infill in a populated area? If yes, please explain.
6. Is there additional infrastructure necessary to service the project? If yes, please explain.
7. Is the project a part of a larger mixed-use development? If yes, please describe.

Section VIII: Local Access Policy Agreement

In absence of a waiver permitting otherwise, every project seeking the assistance of the Onondaga County Industrial Development Agency (Agency) must use local general contractors, sub-contractors, and labor for one-hundred percent (100%) of the construction of new, expanded, or renovated facilities. The project's construction or project manager need not be a local company.

Noncompliance may result in the revocation and/or recapture of all benefits extended to the project by the Agency. Local Labor is defined as laborers permanently residing in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins, and Wayne. Local (General/Sub) Contractor is defined as a contractor operating a permanent office in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins and Wayne. The Agency may determine on a case-by-case basis to waive the Local Access Policy for a project or for a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services or other compelling circumstances exist. The procedure to address a local labor waiver can be found in the OCIDA handbook, which is available upon request.

In consideration of the extension of financial assistance by the Agency Micron New York Semiconductor Manufacturing LLC (the Company understands the Local Access Policy and agrees to abide by it. The Company understands that an Agency tax-exempt certificate is typically valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands that any request for a waiver to this policy must be submitted in writing and approved by the Agency.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of 10/20/2025 (date).

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

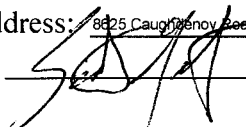
Applicant(s) Company: Micron New York Semiconductor Manufacturing LLC

Representative for Contract: Scott Gatzemeier

Address: 8000 S. Federal Way City: Boise State: ID Zip: 83716

Phone: 208-363-4000 Email: sngatzemeier@micron.com

Project Address: 8825 Caugheny Road City: Clay State: NY Zip: 13041

Signature: 

General Contractor: RailWorks Track Services

Contact Person: Jeremy Urlacher

Address: 4280 South Duck Creek Road City: North Jackson State: Ohio Zip: 44451

Phone: 815.641.8029 Email: jurlacher@railworks.com

Authorized Representative: Jeremy Urlacher Title: Project Manager

Signature: _____

Section IX: Agency Fee Schedule

* Minimum Fee to be applied to all project receiving OCIDA benefits is 1% of the Total Project Cost (TPC)

ACTIVITY	FEES	COMMENTS
Non- refundable Application Fee (All projects except Solar Projects)	\$1,000	Due at time of application
Non-refundable Application Fee (Solar Projects Only)	\$10,000	
Legal Deposit (All projects except Solar Projects)	\$2,500	Due at time of application
Legal Deposit (Solar Projects Only)	\$5,000	
Minimum Fee of 1% of TPC		
1. Sales and Use Tax Exemption	.01 X TPC	Due at closing
2. Mortgage Recording Tax		
3. PILOT is an additional fee	.0025 X TPC (total X .0125)	
4. Bond refinancing	.0025 X TPC (total X .015)	
Projects that exceed \$250,000,000 in Total Project Cost and/or create in excess of 500 new jobs, may be eligible to negotiate a non-standard Agency fee with the Executive Director.	TBD based on Executive Director determination	Due at closing
Agency Legal Fees		
Fee for first \$20 million	.0025 X of the project cost or bond amount	Due at closing
Fee for expenses above \$20 million	.00125 X of project cost or bond amount	
Amendment or Modification of IDA documents, including but not limited to name or organization change, refinancing, etc. Consent to the amendment or modification of IDA documents prior to closing on the project shall be given at OCIDA's sole and absolute discretion.	\$2500 All Projects (except Solar Project) \$4500 Solar Projects Attorney fees determined by OCIDA Legal Representative.	Due at time of Request

OCIDA reserves the right to modify this schedule at any time and assess fees and charges in connection with other transactions such as grants of easement or lease or sale of OCIDA-owned property.

Section X: Recapture of Tax Abatement/Exemptions

Information to be Provided the Company: Each Company agrees that to receive benefits from the Agency it must, whenever requested by the Agency or required under applicable statutes or project documents, provide and certify or cause to be provided and certified such information concerning the Company, its finances, its employees and other topics which shall, from time to time, be necessary or appropriate, including but not limited to, such information as to enable the Agency to make any reports required by law or governmental regulation.

Please refer to the OCIDA Uniform Tax Exemption Policy ([UTEP](#)).

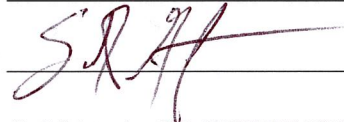
I have read the foregoing and agree to comply with all the terms and conditions contained therein as well as policies of the Onondaga County Industrial Agency.

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

Name of Applicant(s) Company

Micron New York Semiconductor Manufacturing LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Scott Gatzemeier: CVP, FRONT END US EXPANSION

Date: 10/20/2025

Section XI: Conflict of Interest

Agency Board Members

Patrick Hogan, Chairperson
Janice Herzog, Vice Chairperson
Susan Stanczyk
Fanny Villarreal
Cydney Johnson
Elizabeth Dreyfuss
Garard Grannell

Agency Officers/Staff

Robert M. Petrovich, Executive Director
Nathaniel Stevens, Treasurer
Alexis Rodriguez, Secretary
Evan Carter, Assistant Secretary
Robert Schoneck, Assistant Treasurer

Agency Legal Counsel & Auditor

Jeffrey Davis, Esq., Barclay Damon LLP
Amanda Fitzgerald, Esq., Barclay Damon LLP
Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

The Applicant(s) has received a list of members, officers and staff of the Agency. To the best of my knowledge, no member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

Name of Applicant(s) Company

Micron New York Semiconductor Manufacturing LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Scott Gatzemeier: CVP, FRONT END US EXPANSION

Date: 10/20/2025

Section XII: Representations, Certifications, and Indemnification

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

Scott Gatzemeier (Name of CEO or other authorized representative of Applicant)(s) confirms and says that he/she is the CVP Front End US Expansion (title) of New York Semiconductor Manufacturing LLC (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

- A. First Consideration for Employment:** In accordance with §858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in WIA programs who shall be referred by the CNY Works for new employment opportunities created as a result of the Project.
- B. Annual Sales Tax Filings:** In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant. For additional information on NYS sales and use tax see [here](#).
- C. Outstanding Bonds:** The Applicant understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the project that is requested by the Comptroller of the State of New York.
- D. Employment Reports:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant agrees to file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an event of default under the Project closing documents. Please see this page for [ST-340](#) form required in the above referenced employment report.

E. Housing Reports and Information: The Applicant understands and agrees that if the Project is a housing project, the Applicant shall file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of revenue-generating units constructed or reconstructed and the household income or tenant age, as applicable. Upon request of the Agency, the Applicant shall provide supporting documentation for all housing related information provided. Failure to provide such reports and supporting information shall be an event of default under the Project closing documents

F. Prevailing Wage: The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant shall determine whether the Project is a “covered project” pursuant to Section 224-a of Article 8 of the New York Labor Law and, if applicable, the Applicant shall comply with Section 224-a of Article 8 of the New York Labor Law; and the Applicant further covenants that the Applicant shall provide such evidence of the foregoing as requested by the Agency.

G. Compliance: The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations. The Applicant confirms and acknowledges that the owner, occupant or operator receiving financial assistance for the proposed Project is in substantial compliance with applicable local, state, and federal tax, worker protection and environmental laws, rules and regulations.

H. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the Agency. (1) No funds of the Agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

I. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency’s involvement in the Project.

J. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

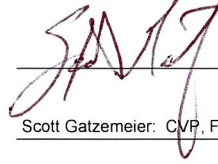
The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statement contained herein not misleading.

- K.** The Agency has the right to request and inspect supporting documentation regarding attestations made on this application.
- L. Hold Harmless Agreement:** Applicant hereby releases Onondaga County Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax-exemptions and other assistance requested therein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, reconstruction, equipping and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all cause of action and attorney's fees and any other expenses incurred in defending any suits or action which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the process of the Application, including attorney's fees, if any.

Name of Applicant Company:

Micron New York Semiconductor Manufacturing LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Scott Gatzemeier: CVP, FRONT END US EXPANSION

Date: 10/20/2025

STATE OF IDAHO)

COUNTY OF ADA) ss.;

Scott Gatzemeier, being first duly sworn, deposes and says:

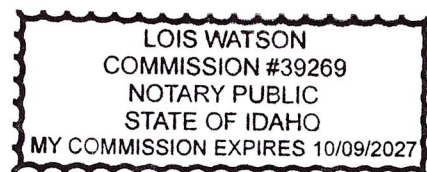
1. That I am the CVP, FRONT END US EXPANSION (Corporate Officer) of Micron New York Semiconductor Manufacturing LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 20th day of October, 20 25.

Lois Watson

(Notary Public)



End of Application

Rev 2.15.23

Exhibit A: Project Narrative

Overview

Micron New York Semiconductor Manufacturing LLC, a Delaware limited liability company, is a wholly owned subsidiary of Micron Technology, Inc. ("Micron"), a publicly traded Delaware corporation (NASDAQ: MU), the fourth largest semiconductor company in the world and the only U.S.-based manufacturer of digital memory. Micron was founded in 1978 and is headquartered in Boise, Idaho with approximately 48,000 employees worldwide. Micron is ranked 170th on the 2025 Fortune 500 list with fiscal year 2024 revenue of \$25.1 billion. Micron is a world leader in innovating memory and storage solutions that accelerate the transformation of information into intelligence, inspiring the world to learn, communicate and advance faster than ever. Micron delivers the world's broadest portfolio of technologies at the core of today's most significant disruptive breakthroughs such as artificial intelligence and autonomous vehicles. Micron delivers a rich portfolio of high-performance Dynamic Random-Access Memory (DRAM), Not-AND (NAND) and Not-OR (NOR) memory and storage products through our Micron® and Crucial® brands. Every day, the innovations that Micron employees create fuel the data economy, enabling advances in artificial intelligence and 5G applications that unleash opportunities from the data center to the intelligent edge and across the client and mobile user experience.

Micron intends to invest approximately \$100 billion over the next 16 years to build a leading-edge semiconductor manufacturing complex in the Town of Clay, New York. Micron is proposing to purchase the approximately 1,377-acre White Pine Commerce Park (WPCP), located at 5171 Route 31, Clay, NY 13041, from the Onondaga County Industrial Development Agency (OCIDA) and construct the semiconductor manufacturing facility. At its current state, WPCP consists of predominantly vacant land with some residential land uses.

Specifically, Micron proposes to construct and operate a large-scale, state-of-the-art dynamic random-access memory (DRAM) semiconductor manufacturing facility (the Micron Campus) at the WPCP. The Micron Campus would include four DRAM production fabs, ancillary support facilities, driveways, parking, and ingress and egress roads with access from New York State (NYS) Route 31, U.S. Route 11, and Caughdenoy Road. Each fab would occupy approximately 1.2 million square feet (sq. ft.) of land and contain approximately 600,000 sq. ft. of semiconductor cleanroom manufacturing space. The fabs would be supported by central utility buildings, warehouse space, and product testing space.

Micron Semiconductor Manufacturing Project, Clay, NY, Final Environmental Impact
Statement

Micron also proposes to construct a rail spur and construction material conveyance facility to reduce truck trips and support construction of the Micron Campus (the Rail Spur Site).

Micron proposes to construct a rail spur and construction material conveyance facility on approximately 38 acres west of 8625 Caughdenoy Road, Clay, NY to economically transport fill and other aggregate construction material to the Micron Campus by rail.

Due to existing soil conditions at the WPCP that would be unsuitable for large building construction, as part of the construction process for the Micron Campus, Micron would need to excavate and remove 1.5 million cubic yards (CY) of soil from the WPCP and import 9 million CY of fill or other aggregate construction material to the site in order to provide sufficient clean and stable soils on which to construct the Micron Campus facility foundations. For a detailed explanation of this process, see Section 3.2 (Geology, Soils, and Topography).

Micron therefore proposes to build the Rail Spur Site as part of the Proposed Project to facilitate a more efficient construction timeline, minimize the need to rely on transportation of construction material by truck over the Proposed Project's 16-year construction period, and avoid or minimize the environmental effects such truck transportation would cause, particularly effects relating to increased transportation emissions, noise, and traffic congestion.

For the proposed Rail Spur Site location, Micron has purchased two contiguous parcels of land adjacent to the western side of the WPCP between the CSX Railroad line and Caughdenoy Road (Town of Clay tax parcels 046.-02-03.2 and 046.-01-19.1). Currently both parcels are undeveloped, vacant industrial land.

Micron's planned investment in domestic memory manufacturing in Clay, New York is only possible because of federal, state, and local financial assistance. The CHIPS Act forms a holistic strategy to restore U.S. leadership in semiconductor manufacturing by leveling the playing field and making U.S. manufacturing cost competitive. Likewise, Micron would be unable to proceed with its Proposed Project in the Town of Clay, including the Rail Spur, without the combination of tax incentives from the State of New York and/or financial assistance from the Onondaga County Industrial Development Agency in the form of sales and real property tax exemptions. Federal, state, and local financial assistance is critical to the undertaking of the Proposed Project and enabling ongoing business profitability comparable to that in lower-cost markets.

Construction

Micron Semiconductor Manufacturing Project, Clay, NY, Final Environmental Impact
Statement

Construction of the proposed Rail Spur Site would start in Q4 2025 and take approximately one year, concluding in Q3 2026 with operations also starting in Q3 2026. Construction would require approximately 22 acres of tree clearing, approximately 24 acres of ground disturbance, the excavation and removal of 85,000 CY of soil, the import of 150,000 CY of fill, the laying of 4.3 acres of impervious surface, and the construction of approximately 7,300 sq. ft. of new building space. Micron would re-use excavated soil and fill material in construction of the site, and transport unusable or excess material for off-site reuse, to the greatest extent practicable, subject to relevant approvals and disposal site capacity.

All construction staging and activity would be contained within the Rail Spur Site property boundaries except for those elements of the conveyance system that would extend east across Caughdenoy Road onto the Micron Campus. Site clearing and associated construction activities would not commence until Micron has obtained all applicable permits and approvals. Construction activities on the Rail Spur Site would be limited to between 6 a.m. to 10 p.m. daily.

Operation

The Rail Spur Site is and will be owned by Micron and will be operated by an independent contractor pursuant to an agreement with Micron. Construction material for the Micron Campus would be sourced off-site and arrive at the Rail Spur Site by rail car on the CSX Railroad line. Rail cars would be anticipated to transport up to 1,500 short tons per hour of aggregate materials to the site for off-loading of material from the rail cars onto an aggregate conveyance system comprised of belt conveyors designed to move material up and over Caughdenoy Road onto the Micron Campus.

Each day, one set of 60 rail cars would be off-loaded at the Rail Spur Site, while another set of 60 rail cars returns to the aggregate supply sources, and a third set of 60 rail cars is in transport from the sources to the Rail Spur Site. This rotating activity would occur until aggregate material is no longer required for a particular construction phase.

It is anticipated that the independent contractor operating the Rail Spur Site will create 17 fulltime equivalent jobs at the Rail Spur Site for which Micron would be responsible for reporting to the IDA. The independent contractor operating the Rail Spur would operate two rail off-loaders in rotation to off-load a set of 60 rail cars in a 16-hour period each day, during the 6 a.m. to 10 p.m. daily window. The Rail Spur Site would operate daily from 6 a.m. to 10 p.m. for receiving arriving and departing rail cars, and off-loading aggregate material from the rail cars onto the conveyor system. Off-loading would continue until aggregate is no longer required for a particular construction phase.

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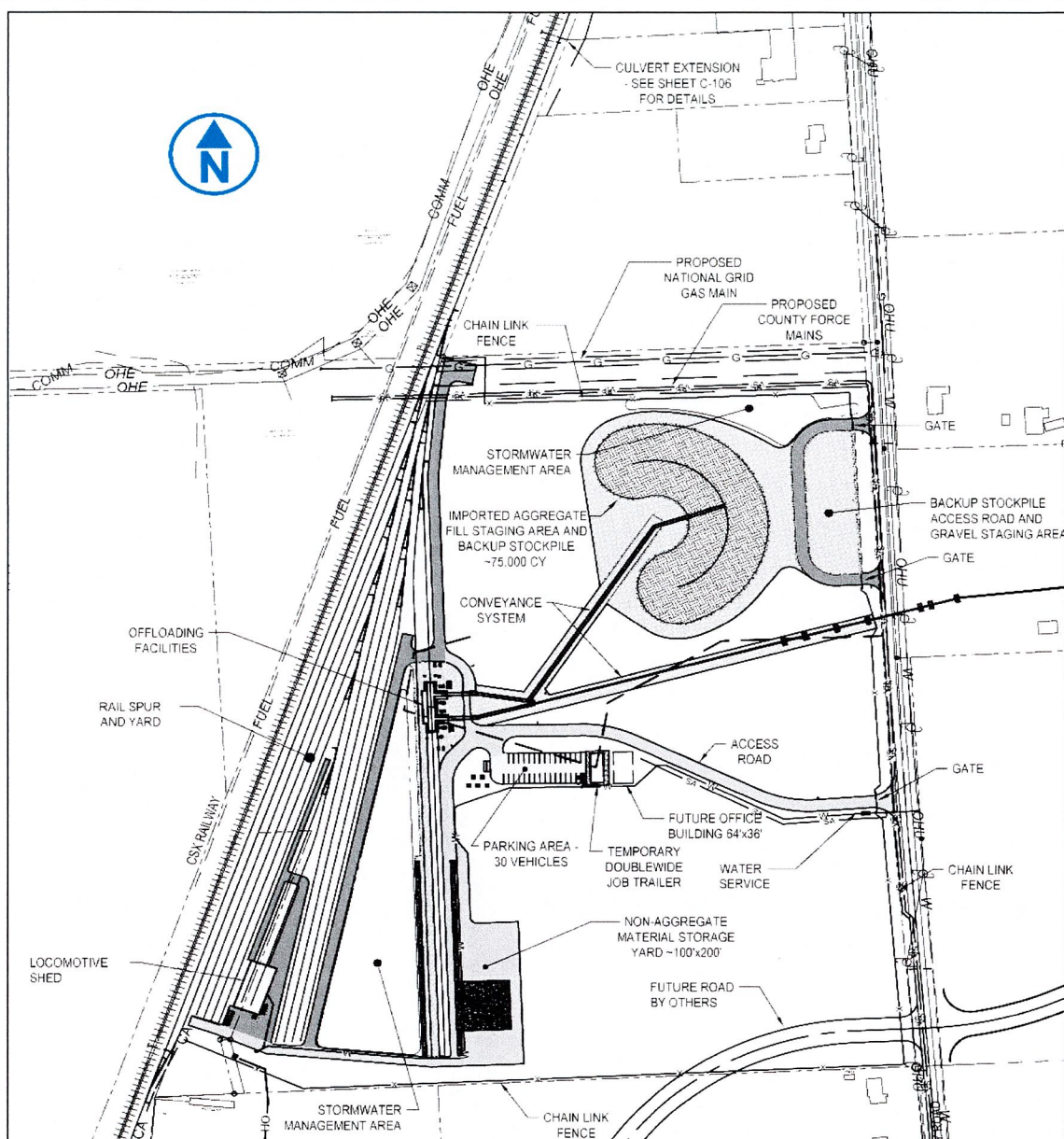
The rail spur and conveyance system would remain active during each of the four fab construction phases (i.e., from Q2 2026 to Q3 2030, Q4 2030 to Q4 2033, Q3 2035 to Q3 2037, and Q3 2039 to Q4 2041). As construction of each phase of the Micron Campus transitions from the site preparation and foundation stage to the structural stage, mobile elements of the aggregate conveyance system would either be removed or would remain in place unused, until construction of the next phase of the Micron Campus commences.

During the structural stage of construction for each fab, the rail spur would continue to be used to bring off-site manufactured construction materials to the Micron Campus, such as pre-cast concrete and facades. These materials would be trucked a short distance from the Rail Spur Site to the Micron Campus and offsite development in support of the Micron Campus Operations. Once a fab becomes operational, the rail spur may also be used to bring in equipment and non-hazardous materials required for semiconductor manufacturing. The Rail Spur Site would not be used to transport any hazardous materials for use in Micron Campus operations.

Components

The Rail Spur Site would include the following components: rail siding, rail yards, and an off-loading track and facility; the aggregate materials conveyance system; an office building and trailer; a locomotive shed; paved access roads and a parking area; paved storage areas; a backup stockpile area; a stormwater management area; and lighting. The figure below provides a site plan, and the table below provides additional detail on the components.

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Component	Area	Description
Rail Siding, Rail Yards, and Off-loading Track and Facility	227,000 sq. ft.	A rail siding track would be located east of and parallel to the CSX Railway mainline with a 70-rail car storage capacity, two railyards (A and B) with a combined storage capacity for 165 additional rail cars, and an off-loading track and facility with storage capacity for 15 additional rail cars. The Rail Spur Site would require this total 250-rail car storage capacity to

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		facilitate the required daily off-loading rate for the Micron Campus construction schedule. Two rail off-loaders would run in series capable of off-loading construction material from 60 rail cars in a 16-hour period each day, from 6 a.m. to 10 p.m. Each day, one set of 60 rail cars would be off-loaded at the Rail Spur Site, while another set of 60 rail cars returns to the aggregate supply sources, and a third set of 60 rail cars is in transport from the sources to the Rail Spur Site. Rail transport and receiving activity at the Rail Spur Site would be limited to 6 a.m. to 10 p.m. daily. This rotating activity would occur until aggregate is no longer required for a particular construction phase.
Aggregate Materials Conveyance System	NA	An aggregate materials conveyance system would be constructed on-site capable of transporting up to 1,500 short tons per hour of aggregate materials from the Rail Spur Site over Caughdenoy Road onto the Micron Campus. The two-pronged system would be comprised of 23 belt conveyors, the majority of which would be modular and could be re-positioned as necessary. The central component of the system would be a 42-inch wide, 825-foot-long stationary conveyor with side guards to convey materials up and over Caughdenoy Road with an 18-foot clearance. The conveyor would be used solely for the construction phases on the Micron Campus. The conveyor would require concrete foundations for the head and tail sections supporting the 100-foot-long clear-span section crossing over the roadway. The modular conveyor segments on the land on either side of Caughdenoy Road would be built on crushed stone. The central stationary conveyor would feed a telescoping radial conveyor that would discharge aggregate materials onto the Micron Campus. A smaller conveyance system would serve the backup stockpile area (described below). All conveyors would meet mine duty specifications. To reduce noise, rubber disk return rollers and urethane or rubber liners would be used in high impact areas. To reduce dust at transfer points, head chutes would be installed, and coverings would be used at loading zones and over Caughdenoy Road.
Office Building and Trailer	2,300 sq. ft.	A detached temporary double-wide trailer would be located on-site to oversee operations while a permanent 2,300 sq. ft. office building is constructed.

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Locomotive Shed	5,000 sq. ft. sqft	A 5,000 sq. ft. locomotive shed would be located at the southern end of the rail yard. The shed would be used for maintenance of the rail cars as necessary. The shed would not include any sewer drains; all fluids generated on-site would be captured in a sump and hauled off-site when disposal becomes necessary.
Paved Access Roads and Parking Areas	10,000 sq. ft.	An access driveway would extend west from Caughdenoy Road to the office building and a 10,000 sq. ft. 30-space surface parking lot. Internal access roads would run from along the eastern edge of the rail yard and off-loading track to the locomotive shed.
Paved Storage Area	20,000 sq. ft.	A 20,000 sq. ft. non-aggregate materials storage area would be located immediately east of the locomotive shed. This area would be used to temporarily store prefabricated concrete components that would be delivered by rail before being transported to their final installation locations. The size of the area was determined based on the estimated number and size of precast pieces needed per day.
Backup Stockpile Area	74,000 sq. ft.	A 75,000-CY stockpile area allowing for rail car off-loading activities would be maintained in the event of an unexpected equipment failure with the main conveyance system. Aggregate material would be loaded onto the backup stockpile access road and gravel staging area along the northeast portion of the Rail Spur Site boundary, then trucked a short distance across Caughdenoy Road to the Micron Campus until main conveyance system operations are re-established.
Stormwater Management Area	107,000 sq. ft.	Micron would provide stormwater management on the Rail Spur Site. Site plans currently propose stormwater management facilities, including two stormwater management areas, which would be designed in accordance with the sizing criteria outlined in the 2024 NYS Stormwater Design Manual. Approval and sizing of these areas is subject to NYSDEC and Town of Clay review.

Exhibit B: Environmental Review Information

The Proposed Project (as defined in Exhibit A: Project Narrative) anticipates completion of an environmental impact statement that complies with the requirements of the New York State Environmental Quality Review Act (SEQRA) and the National Environmental Policy Act (NEPA). The EIS will support decision-making among the Federal, State, and local agencies responsible for evaluating the Proposed Project pursuant to their respective legal and regulatory authorities.

On July 28, 2023, OCIDA held a public meeting and circulated a notice of intent to all involved agencies to serve as SEQRA lead agency. No objection to that notice was received during the subsequent 30-day comment period. On September 14, 2023, OCIDA issued a Positive Declaration indicating the need for an EIS and scheduled a public scoping meeting to be held on October 11, 2023. The comment period for the SEQRA scoping process was extended beyond the required 30 days from September 20, 2023, to October 31, 2023. During this period, OCIDA held the public scoping meeting at 6:30 p.m. on October 11, 2023, to obtain input from the public. Comments also were accepted during the scoping period via U.S. and electronic mail. OCIDA considered each comment received during the SEQRA scoping period to determine the final scope of the Draft EIS under SEQRA and inform the related technical analyses and environmental resources to be evaluated.

On December 14, 2023, OCIDA adopted the Final SEQRA Scope, which was made available to the previously noticed agencies and posted on OCIDA's website.

Thereafter, OCIDA released a draft EIS (DEIS) on June 12, 2025, a notice of which was provided in the Environmental Notice Bulletin. Written comments on the DEIS were accepted by US and electronic mail through August 11, 2025. During this time, OCIDA and CPO also held three public comment sessions on July 24, 2025. OCIDA is currently reviewing public comments on the DEIS. It is anticipated that OCIDA will issue a final EIS later this year

Exhibit C: Local Access Policy Waiver

Micron is seeking waiver from the requirement of 100% local access policy for this project. The request is based on the estimated percentage of available local labor within the ten-county region of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins, and Wayne Counties. Estimates were provided by RailWorks Track Services, the General Contractor performing construction of the rail spur. RailWorks is a leading railroad infrastructure company headquartered in New York, with operations in Ohio and across North America. It specializes in track construction, transit system development, and maintenance services for public transit agencies and industrial clients.

Micron makes every effort to maximize the employment of local labor.

**MICRON NEW YORK SEMICONDUCTOR MANUFACTURING LLC
RAIL SPUR FACILITY**

**APPROVING RESOLUTION
(3101-25-06A)**

A special meeting of the Onondaga County Industrial Development Agency (the “Agency”) was convened in public session on November 18, 2025, at 9:30 a.m., local time, at 401 Montgomery Street, Room #407, Syracuse, New York.

The meeting was called to order by the _____ of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

ABSENT:

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

The following resolution was offered by _____, seconded by _____, to wit:

**RESOLUTION APPROVING A PROJECT AND AUTHORIZING
EXECUTION OF DOCUMENTS IN CONNECTION WITH A
LEASE/LEASEBACK TRANSACTION FOR MICRON NEW YORK
SEMICONDUCTOR MANUFACTURING LLC**

WHEREAS, the Agency is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”), Chapter 435 of the Laws of 1970 of the State of New York and Chapter 676 of the Laws of 1975 of the State of New York, as amended, constituting Section 895 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York (the “State”), to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to 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, Micron New York Semiconductor Manufacturing LLC, a Delaware limited liability company on behalf of itself and/or entities formed or to be formed on its behalf (the “Company”), has submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requests that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A)(1) the acquisition of an interest in all or a portion of approximately 38 acres of land located west of 8625 Caughdenoy Road (tax map nos. 046.-02-03.2 and 046.-01-19.1) in the Town of Clay, Onondaga County, New York (collectively, the “Land”); (2) the remediation of environmental issues, and the construction on the Land of a rail spur and construction material conveyance facility consisting of approximately 7,300 square feet of new building space, together with other ancillary interior and exterior support systems and sitework including but not limited to the following components: rail siding, rail yards and off-loading track and facility, materials conveyance system; office building and trailer, locomotive shed; paved access roads and parking area; paved storage areas; backup stockpile area; stormwater management facilities and areas; lighting, landscaping and signage (collectively, the “Facility”); and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “Equipment”) (the Land, the Facility and the Equipment being collectively referred to as the “Project Facility”) which Project Facility is to be leased and subleased by the Agency to the Company and further subleased by the Company to a third-party tenant; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes and real estate transfer taxes (the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, the Agency previously has adopted a Uniform Tax Exemption Policy (the “UTEP”); and

WHEREAS, the Company requested that the Agency enter into a payment in lieu of tax agreement (the “Proposed PILOT Agreement”) with respect to the Project Facility; and

WHEREAS, the Proposed PILOT Agreement does not contain terms that deviate from the UTEP; and

WHEREAS, the members of the Agency adopted a resolution on October 23, 2025 (the “Public Hearing Resolution”) authorizing a public hearing with respect to the Project in compliance with the provisions of Section 859-a of the Act; and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Executive Director of the Agency (A) caused notice of a public hearing of the Agency (the “Public Hearing”) pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the Financial Assistance being contemplated by the Agency with respect to the Project, to be mailed on October 24, 2025 to the chief executive officers of the county and of each city, town, village and

school district (collectively the “Affected Tax Jurisdictions”) in which the Project Facility is or is to be located, (B) caused notice of the Public Hearing to be published on October 26, 2025 in The Post-Standard, a newspaper of general circulation available to the residents of the Town of Clay, Onondaga County, New York, (C) conducted the Public Hearing on November 6, 2025 at 6:05 p.m., local time at the Town of Clay Townhall, located at 4401 State Route 31 in the Town of Clay, New York, and (D) prepared a report of the Public Hearing (the “Public Hearing Report”) fairly summarizing the views presented at such Public Hearing and caused copies of said Public Hearing Report to be made available to the members of the Agency; and

WHEREAS, in accordance with the requirements of Section 859-a of the Act, written notice of the Public Hearing dated October 24, 2025 and a copy of the Public Hearing Resolution was delivered by the Agency by certified mail, return receipt requested, to the chief executive officer of each affected local taxing jurisdiction, including the school board and district superintendent of North Syracuse Central School District; and

WHEREAS, the Agency has given due consideration to the Application and to representations by the Company that (A) the granting by the Agency of the Financial Assistance with respect to the Project will be an inducement to the Company to undertake the Project in Onondaga County, New York and (B) the completion of the Project will not result in the removal of a plant or facility of any proposed occupant of the Project Facility from one area of the State to another area in the State and will not result in the abandonment of one or more plants or facilities of any occupant of the Project Facility located in the State; and

WHEREAS, the Agency desires to encourage the Company to advance the job opportunities, health, general prosperity and economic welfare of the people of Onondaga County, New York by undertaking the Project in Onondaga County, New York; 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 Project had been subject to an environmental review resulting in the acceptance of a final Environmental Impact Statement on November 7, 2025 and the adoption of a Findings Statement by the Agency by resolution dated November 18, 2025 (the “SEQRA Determination”); and

WHEREAS, in order to begin the construction of the Project Facility and the acquisition of the Equipment prior to the execution and delivery of the Agency Documents (as defined herein), the Company has requested the appointment of the Company as agent of the Agency for sales and use tax exemption purposes; and

WHEREAS, in connection with the appointment of the Company as agent of the Agency for sales and use tax exemption purposes, the Agency and the Company will enter into a project and preliminary sales tax exemption agreement and certain related documents (collectively, the “Interim Documents”) with respect to the Project; and

WHEREAS, simultaneously with the execution of the Interim Documents, the Agency will file with the New York State Department of Taxation and Finance the form entitled a Thirty-Day Sales Tax Form pursuant to Section 874(9) of the Act.

WHEREAS, in order to consummate the Project and the granting of the Financial Assistance described in the notice of the Public Hearing, the Agency proposes to enter into the following documents (hereinafter collectively referred to as the “Agency Documents”): (A) a certain underlying lease agreement (and a memorandum thereof) (the “Underlying Lease”) by and between the Company and the Agency pursuant to which the Company will lease to the Agency the Land and all improvements now or hereafter located on the Land; (B) a certain lease agreement (and a memorandum thereof) (the “Lease Agreement”) by and between the Company and the Agency pursuant to which the Company agrees to undertake the Project as agent of the Agency and the Company further agrees to lease the Project Facility from the Agency and, as rental thereunder, to pay the Agency’s administrative fee relating to the Project and to pay all expenses incurred by the Agency with respect to the Project; (C) a payment in lieu of tax agreement (the “PILOT Agreement”) by and between the Agency and the Company, pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Project Facility; (D) an amended and restated project agreement (the “Project Agreement”) by and between the Agency and the Company that complies with the requirements of Section 859-a(6) of the Act; (E) a New York State Department of Taxation and Finance form entitled “IDA Appointment of Project Operator or Agency for Sales Tax Purposes” (the form required to be filed pursuant to Section 874(9) of the Act) (the “Thirty-Day Sales Tax Report”) and any additional report to the Commissioner of the State Department of Taxation and Finance concerning the amount of sales and use tax exemption benefits for the Project (the “Additional Thirty-Day Project Report”); (F) if the Company intends to finance the Project with borrowed money, one or more mortgages, assignments of leases and rents and such other loan documents satisfactory to the Agency, upon advice of counsel, in both form and substance (collectively, the “Mortgage”), as may be reasonably required by a lender or lenders yet to be determined (collectively, the “Lender”), which Mortgage will grant a lien on and security interest in the Project Facility to secure a loan or loans from the Lender to the Company with respect to the financing, refinancing or permanent financing of the costs of acquiring, constructing, installing and equipping of the Project Facility; and (G) various certificates relating to the Project; and

WHEREAS, simultaneously with the execution and delivery of the Lease Agreement, the Company will execute and deliver to the Agency one or more bills of sale from the Company to the Agency pursuant to which the Company will sell to the Agency the Equipment; and

WHEREAS, the Agency will file with the assessor and mail to the chief executive officers of each “affected tax jurisdiction” (within the meaning of such quoted term in Section 854(16) of the Act) a copy of a New York State Board of Real Property Services Form RP-412-a (the form required to be filed by the Agency in order for the Agency to obtain a real property tax exemption with respect to the Project Facility under Section 412-a of the Real Property Tax Law) (a “Real Property Tax Exemption Form”) relating to the Project; and

WHEREAS, simultaneously with the execution and delivery of the Agency Documents, the Agency will file with the State Department of Taxation and Finance the Thirty-Day Sales Tax Report and provide a copy of the Thirty-Day Sales Tax Report to the Company; and

WHEREAS, for purposes of exemption from the State sales and use taxation as part of the Financial Assistance requested, “sales and use taxation” shall mean sales and compensating use taxes and fees imposed by article twenty-eight or twenty-eight-A of the State tax law but excluding such taxes imposed in a city by section eleven hundred seven or eleven hundred eight of such article twenty-eight; and

WHEREAS, pursuant to the Act, the Agency desires to adopt a resolution approving the Project and the grant by the Agency of Financial Assistance to the Company with respect to the Project; and

WHEREAS, the Agency has adopted a Local Access Policy (the “Policy”) that requires any project receiving Financial Assistance from the Agency to use local general contractors, sub-contractors and labor for one-hundred percent (100%) of the construction of a project facility; and

WHEREAS, the Policy defines “local” as permanently residing or having a permanent office in the counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins or Wayne, in the State (collectively, the “Local Labor Area”); and

WHEREAS, the Policy permits the Agency to grant a waiver to the Policy (a “Waiver”) on a case-by-case basis where warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services or other compelling circumstances exist; and

WHEREAS, in accordance with the Policy, in its Application, the Company requested a Waiver which such Waiver shall be further reviewed by the Executive Director along with any additional necessary information from the Company and which such Waiver shall be decided on by the Board at a future date.

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

Section 1. The Agency, based upon the representations made by the Company to the Agency in the Application, hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act;

(B) The Project constitutes a “project,” as such term is defined in the Act;

(C) The Project site is located entirely within the boundaries of Onondaga County, New York;

(D) It is estimated at the present time that the costs of the planning, development, construction and installation of the Project Facility (collectively, the “Project Costs”) will be approximately \$51,607,240;

(E) The completion of the Project will not result in the removal of a plant or facility of any proposed occupant of the Project Facility from one area of the State to another area

of the State and will not result in the abandonment of one or more plants or facilities of any occupant of the Project Facility located in the State;

(F) (1) The Project Facility does not constitute a project where facilities or property that are primarily used in making retail sales of goods and/or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Project, and accordingly the Project is not prohibited by the provisions of Section 862(2)(a) of the Act, and (2) accordingly the Agency is authorized to provide Financial Assistance in respect of the Project pursuant to Section 862(2)(a) of the Act;

(G) The acquisition, construction, installation and equipping of the Project Facility and the leasing of the Project Facility to the Company is reasonably necessary to induce the Company to construct the Project in the State;

(H) Based upon representations of the Company and counsel to the Company, the Project Facility conforms with, or prior to the Agency entering into the Agency Documents, will conform with the local zoning laws and planning regulations of Onondaga County and all regional and local land use plans for the area in which the Project Facility is located;

(I) The granting of the Financial Assistance by the Agency with respect to the Project will promote the job opportunities, general prosperity and economic welfare of the citizens of Onondaga County, New York and the State and improve their standard of living, and thereby serve the public purposes of the Act;

(J) The Agency has reviewed the Public Hearing Report and has fully considered all comments contained therein;

(K) The Project should receive the Financial Assistance in the form of exemptions from certain sales and use taxes, real property taxes and real estate transfer taxes based on the description of expected public benefits to occur as a result of this Project, as described in the Application, and failure by the Company to meet the expected public benefits will result in a recapture event, as described in the Project Agreement;

(L) It is desirable and in the public interest for the Agency to enter into the Agency Documents;

(M) The Agency has assessed all material information included in connection with the Application necessary to afford a reasonable basis for the decision by the Agency to provide the Financial Assistance for the Project as described herein;

(N) The Agency has prepared a written cost-benefit analysis identifying the extent to which the Project will create or retain permanent, private sector jobs, the estimated value of any tax exemption to be provided, the amount of private sector investment generated or likely to be generated by the Project, the likelihood of accomplishing the Project in a timely fashion, and the extent to which the Project will provide additional sources of revenue for municipalities and school districts, and any other public benefits that might occur as a result of the Project; and

(O) The Company has provided a written statement confirming that the Project as of the date of the Application is in substantial compliance with all provisions of the Act.

Section 2. In consequence of the foregoing, the Agency hereby determines to: (A) proceed with the Project; (B) acquire a leasehold interest in the Land and all improvements now or hereafter located on the Land from the Company pursuant to the Underlying Lease and acquire the Equipment pursuant to a bill of sale from the Company; (C) lease the Project Facility to the Company pursuant to the Lease Agreement; (D) acquire, construct, install and equip the Project Facility, or cause the Project Facility to be acquired, constructed, installed and equipped, as provided in the Lease Agreement; (E) secure any loan, the proceeds of which will be used to finance or refinance the costs of the acquisition, construction, installation and equipping of the Project Facility by granting a mortgage lien on the Agency's interest in the Project Facility and entering into one or more mortgages and/or assignments of leases and rents in favor of the Lender; and (F) grant to the Company the Financial Assistance with respect to the Project.

Section 3. Notwithstanding anything herein to the contrary, the amount of State and local sales and use tax exemption benefit comprising the Financial Assistance approved herein shall not exceed **\$3,178,400 and shall last no longer than two years from the execution and delivery of the Agency Documents.** The Agency may consider any requests by the Company for increases to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 4. Notwithstanding anything herein to the contrary, the amount of real property tax abatement benefit comprising the Financial Assistance approved herein shall be approximately **\$394,310**, which such amount reflects the total estimated real property tax exemptions for the Project Facility (which constitute those taxes that would have been paid if the Project Facility were on the tax rolls and not subject to the Proposed PILOT Agreement of approximately **\$1,125,187**, less the total payments in lieu of taxes of **\$730,877** to be made by the Company to the affected tax jurisdictions with respect to the Project Facility during the term of the Proposed PILOT Agreement). The amount of estimated real property tax exemptions is estimated based on an assumed assessed value of the Project Facility and assumed future tax rates of the affected tax jurisdictions; therefore the real property tax abatement benefit is estimated because it is calculated using the estimated real property tax exemptions. The actual amount of real property tax abatement benefit is subject to change over the term of the Proposed PILOT Agreement depending on any changes to assessed value and/or tax rates of the affected tax jurisdictions. Exhibit A attached hereto reflects an annual breakdown of the payments in lieu of taxes to be made to the affected tax jurisdictions in each year during the term of the Proposed PILOT Agreement ("Total PILOT"), an estimated value of the real property tax ("Full Tax Payment without PILOT"), and an estimated value of the real property tax abatement benefits ("Net Exemptions").

Section 5. The Agency is hereby authorized to acquire, construct, install and equip the Project Facility as described in the Agency Documents, to appoint the Company as agent of the Agency to undertake such acquisition, construction, installation and equipping of the Project Facility as described in the Agency Documents, and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition, construction, installation and equipping are hereby ratified, confirmed and approved.

Section 6. The Chairperson (or Vice Chairperson) and the Executive Director of the Agency, with the assistance of Agency Counsel, are each authorized to negotiate and approve the form and substance of the Agency Documents.

Section 7. (A) The Chairperson (or Vice Chairperson) and the Executive Director of the Agency are each hereby authorized, on behalf of the Agency, to execute and deliver the Agency Documents, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in the forms thereof as the Chairperson (or Vice Chairperson) or the Executive Director shall approve, the execution thereof by the Chairperson (or Vice Chairperson) or the Executive Director to constitute conclusive evidence of such approval.

(B) The Chairperson (or Vice Chairperson) and the Executive Director of the Agency are each hereby further authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Lease Agreement).

Section 8. For purposes of providing the terms and conditions for which the Company will receive the benefit of certain State and local sales and use tax exemptions in connection with the Project, the Interim Documents in such form as the Chairperson, Vice Chairperson and/or Executive Director of the Agency shall (with the advice of Agency counsel) deem advisable, be, and the same are, hereby approved; and the Chairperson, Vice Chairperson and/or Executive Director of the Agency are each hereby authorized and directed to execute, acknowledge and deliver the Interim Documents in the name of the Agency. The execution and delivery of the Interim Documents shall be conclusive evidence of due authorization and approval of the Interim Documents in their respective final form. The Chairperson, Vice Chairperson and/or Executive Director of the Agency shall determine the date of expiration of the Company's appointment as temporary agent of the Agency; provided, however, that such expiration date shall be not later than six (6) months from the execution and delivery of the Interim Documents unless either (a) the Agency and the Company have entered into a "straight-lease" transaction (as defined in the Act) prior to such date; or (b) the Agency has agreed to an extension of such expiration date. The foregoing shall be subject to payment by the Company of the full amount of the Agency's administrative fee with respect to the Project.

Section 9. The Agency shall maintain records of the amount of State and local sales and use tax exemption benefits provided to the Project and each agent or Project operator and shall make such records available to the State Commissioner of Taxation and Finance (the "Commissioner") upon request. The Agency shall, within thirty (30) days of providing any State sales and use tax exemption benefits, report to the Commissioner the amount of such benefits for the Project, identifying the Project, along with any such other information and specificity as the Commissioner may prescribe. As a condition precedent to the Company's receipt of, or benefit from, any State or local sales and use tax exemptions, the Company must acknowledge and agree to make, or cause its agents and/or operators to make, all records and information regarding State and local sales and use tax exemption benefits available to the Agency upon request. The provisions of Section 875 of the Act are hereby incorporated herein as if set forth herein and the Agency agrees that it shall comply with the requirements of such Section 875 of the Act.

Section 10. The Agency hereby delegates to the Company, as agent of the Agency, the authority to designate (following the execution and delivery of the Interim Documents or the Agency Documents, as the case may be), agents and sub-agents of the Agency (each, a “Sub-Agent”) for purposes of utilizing the Agency sales and use tax exemption with respect to the acquisition, construction, installation and equipping of the Project Facility; provided that any such sub-agency designation shall become effective only upon submission to the Agency within fifteen (15) days of such agency and sub-agency designation: (1) an executed sub-agent appointment agreement (in a form approved by the Agency) and (2) a completed Form ST-60 of the New York State Department of Taxation and Finance (IDA Appointment of Project Operator or Agent for Sales Tax Purposes). Such agents and sub-agents may include contractors and subcontractors involved in the acquisition, construction, installation and equipping of the Project Facility.

Section 11. The terms and conditions of subdivision 3 of Section 875 of the Act are herein incorporated by reference and the Company and/or any Sub-Agent shall agree to such terms as a condition precedent to receiving or benefiting from an exemption from State and local sales and use tax exemptions benefits.

Section 12. As a condition precedent to the granting of the Financial Assistance, the Company agrees to execute an agreement with the Agency setting forth the preliminary undertakings of the Agency and the Company with respect to the Project. The form and substance of the proposed agreement, a form of which was available to the members of the Agency (the “Agreement”) are hereby approved. The Chairperson (or Vice Chairperson) and the Executive Director of the Agency are each hereby authorized, on behalf of the Agency, to execute and deliver the Agreement, in substantially the same form as presented at this meeting with changes in terms and form as shall be consistent with this Resolution and as the Executive Director or (Vice) Chairperson shall approve. The execution thereof by the Executive Director or (Vice) Chairperson shall constitute conclusive evidence of such approval.

Section 13. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Interim Documents and the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Interim Documents and the Agency Documents binding upon the Agency.

Section 14. This Resolution shall take effect immediately upon adoption.

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

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 18, 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 __ day of November, 2025.

(SEAL)

Secretary

EXHIBIT A

PILOT SCHEDULE

PILOT YEAR	Exemption %	County PILOT Amount	Town	School District	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100%	\$ 4,966	\$ 2,790	\$ 27,526	\$ 35,282	\$ 102,759	\$ 67,478
2	90%	\$ 6,034	\$ 3,390	\$ 33,446	\$ 42,870	\$ 104,815	\$ 61,944
3	80%	\$ 7,143	\$ 4,013	\$ 39,592	\$ 50,748	\$ 106,911	\$ 56,163
4	70%	\$ 8,294	\$ 4,659	\$ 45,971	\$ 58,924	\$ 109,049	\$ 50,125
5	60%	\$ 9,488	\$ 5,330	\$ 52,589	\$ 67,406	\$ 111,230	\$ 43,824
6	50%	\$ 10,726	\$ 6,025	\$ 59,453	\$ 76,204	\$ 113,455	\$ 37,250
7	40%	\$ 12,010	\$ 6,747	\$ 66,571	\$ 85,328	\$ 115,724	\$ 30,396
8	30%	\$ 13,341	\$ 7,495	\$ 73,949	\$ 94,785	\$ 118,038	\$ 23,253
9	20%	\$ 14,721	\$ 8,270	\$ 81,596	\$ 104,587	\$ 120,399	\$ 15,812
10	10%	\$ 16,151	\$ 9,073	\$ 89,520	\$ 114,743	\$ 122,807	\$ 8,064
TOTAL		\$ 102,874	\$ 57,790	\$ 570,213	\$ 730,877	\$ 1,125,187	\$ 394,310

PRELIMINARY AGREEMENT

THIS PRELIMINARY AGREEMENT dated as of _____, 2025 between the ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (the “Agency”), a public benefit corporation organized and existing under the laws of the State of New York and MICRON NEW YORK SEMICONDUCTOR MANUFACTURING LLC, a limited liability company organized and existing under the laws of the State of Delaware (the “Company”).

W I T N E S S E T H:

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 1970 Laws of the State of New York and Chapter 676 of the 1975 Laws 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, the purposes of the Act are to promote industry and develop trade and thereby advance the job opportunities, health, general prosperity and economic welfare of the inhabitants of Onondaga County, New York and the State, to improve their prosperity and standard of living and to prevent unemployment and economic deterioration; and

WHEREAS, by resolution adopted by the members of the Agency on November 18, 2025 (the “Approving Resolution”), the Agency determined to undertake a project (the “Project”) on behalf of the Company and/or entities formed or to be formed on behalf of the foregoing, consisting of the following: (A)(1) the acquisition of an interest in all or a portion of approximately 38 acres of land located west of 8625 Caughdenoy Road (tax map nos. 046.-02-03.2 and 046.-01-19.1) in the Town of Clay, Onondaga County, New York (collectively, the “Land”); (2) the remediation of environmental issues, and the construction on the Land of a rail spur and construction material conveyance facility consisting of approximately 7,300 square feet of new building space, together with other ancillary interior and exterior support systems and sitework including but not limited to the following components: rail siding, rail yards and off-loading track and facility, materials conveyance system; office building and trailer, locomotive shed; paved access roads and parking area; paved storage areas; backup stockpile area; stormwater management facilities and areas; lighting, landscaping and signage (collectively, the “Facility”); and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “Equipment”) (the Land, the Facility and the Equipment being collectively referred to as the “Project Facility”) which Project Facility is to be leased and subleased by the Agency to the Company and further subleased by the Company to a third-party tenant; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and

use taxes, real property taxes and real estate transfer taxes (the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, the Company will be the initial owner and/or operator of the Project Facility.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Agency and the Company agree as follows:

Article 1. Representations.

Among the representations that have resulted in the execution of this Preliminary Agreement are the following:

Section 1.01. The Company hereby represents to the Agency that:

(A) The completion of the Project Facility will not result in the removal of a plant or facility of the Company or any other proposed occupant of the Project Facility from one area of the State to another area of the State or in the abandonment of a plant or facility of the Company or of any proposed occupant of the Project Facility located in the State.

(B) The Project Facility does not and will not constitute a project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Project.

(C) The Project Facility is located entirely within the boundaries of Onondaga County, New York.

(D) The granting of the Financial Assistance by the Agency with respect to the Project will promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of Onondaga County, New York and the State and improve their standard of living, and thereby serve the public purposes of the Act and will encourage and assist the Company in providing the Project.

Article 2. Undertaking on the Part of the Agency.

Based upon the statements, representations and undertakings of the Company and subject to the conditions set forth herein, the undertakings on the part of the Agency are as follows:

Section 2.01. If the Company complies with all conditions set forth in this Preliminary Agreement, then the Agency will (A) undertake the Project, and (B) grant certain Financial Assistance with respect to the Project; PROVIDED HOWEVER, that the foregoing obligation of the Agency to undertake the Project and to grant the Financial Assistance relating to the Project is subject to the conditions hereinafter contained in this Preliminary Agreement, including but not limited to the following conditions:

(A) An interest in the Project Facility shall be retained or acquired by the Agency from the Company pursuant to one or more deeds, lease agreements, license agreements, bills of sale or other documentation to be negotiated between the Agency and the Company (hereinafter, collectively, the "Acquisition Agreement") which contains terms mutually acceptable to the Agency and the Company for retaining or conveying an interest in the Project Facility to the Agency. The Acquisition Agreement and any other documents to be executed by the Agency and the Company in connection with the Project (collectively, the "Project Documents") shall in all respects comply with the requirements of, and limitations contained in, the Act;

(B) The Company shall have executed the Project Documents between the Agency and the Company the terms of which shall be acceptable in form and content to the Agency and the Company and pursuant to which, among other things, the Company shall be obligated to pay all costs incurred by the Agency with respect to the Project and/or the Project Facility, including all costs of operation and maintenance of the Project, all taxes and other governmental charges, any required payments in lieu of taxes, and the reasonable fees and expenses incurred by the Agency with respect to or in connection with the Project and/or the Project Facility (including reasonable counsel fees and out-of-pocket expenses), it being understood that the Company will, prior to or contemporaneously with the granting of the Financial Assistance, enter into such Project Documents;

(C) No event shall have occurred that constitutes (or that after notice or lapse of time or both would constitute) an event of default under the Project Documents;

(D) The Agency shall receive, in form and substance satisfactory to the Agency, such rulings, approvals, resolutions, consents, certificates, opinions of counsel and other instruments and proceedings as shall be specified by the Agency in connection with the Financial Assistance, the Project and the Project Documents, such rulings, approvals, resolutions, consents, certificates, opinions of counsel and other instruments and proceedings to be obtained from transaction counsel, counsel to the Agency and such other governmental and nongovernmental agencies and entities as may have or assert competence or jurisdiction over or interest in matters pertaining thereto, and the same shall be in full force and effect at the time of the granting of the Financial Assistance; and

(E) Agreements shall be made as to (1) payments by the Company to or on behalf of the Agency of any required amounts in lieu of real property taxes, (2) indemnity by the Company of the Agency and the members and officers of the Agency, and (3) payment by the Company of the expenses incurred by the Agency in connection with the Project (including reasonable counsel fees and out-of-pocket expenses) and the administrative fee of the Agency, and such agreements shall be satisfactory in form and substance to the Agency.

Section 2.02. The obligations of the Agency pursuant to this Preliminary Agreement are subject to the conditions elsewhere contained in this Preliminary Agreement.

Article 3. Undertakings on the Part of the Company.

Based upon the statements, representations and undertakings of the Agency and subject to the conditions set forth herein, the undertakings on the part of the Company are as follows:

Section 3.01. The Company will enter into the Project Documents with the Agency containing the terms and conditions described in Section 2.01 hereof.

Section 3.02. The Company agrees that the Agency, its directors, members, officers, agents (except the Company) and employees shall not be liable for and agrees to defend, indemnify, release and hold the Agency, its director, members, officers, agents (except the Company) and employees harmless from and against any and all (i) liability for loss or damage to property or injury to or death of any and all persons that may be occasioned by, directly or indirectly, any cause whatsoever pertaining to the Project Facility or arising by reason of or in connection with the use thereof or under this Preliminary Agreement, or (ii) liability arising from or expense incurred by the Agency's acquiring, constructing, equipping, installation, owning and leasing of the Project Facility, including without limiting the generality of the foregoing, all claims arising from the breach by the Company of any of its covenants contained herein and all causes of action and reasonable attorneys' fees (whether by reason of third party claims or by reason of the enforcement of any provision of this Preliminary Agreement (including, without limitation, this Section)) and any other expenses incurred in defending any claims, suits or actions which may arise as a result of the foregoing, provided that any such losses, damages, liabilities or expenses of the Agency are not incurred or do not result from the gross negligence or intentional or willful wrongdoing of the Agency or any of its directors, members, officers, agents (except the Company) or employees. The foregoing indemnities shall apply notwithstanding the fault or negligence on the part of the Agency, or any of its members, directors, officers, agents, or employees and irrespective of the breach of a statutory obligation or the application of any rule of comparative or apportioned liability. The foregoing indemnities are limited only to the extent of any prohibitions imposed by law, and upon the application of such prohibition by the final judgment or decision of a competent court of law, the remaining provisions of these indemnities shall remain in full force and effect.

Section 3.03. The Company will take such further action and adopt such further proceedings as may be required to implement the aforesaid undertakings or as it may deem appropriate in pursuance thereof.

Article 4. General Provisions.

Section 4.01. All commitments of the Agency under Article 2 hereof are subject to the condition that the following events shall have occurred not later than six (6) months from the date hereof (or such other date as shall be mutually satisfactory to the Agency and the Company):

(A) The Agency and the Company shall have agreed on mutually acceptable terms and conditions of the Project Documents and any other agreements referred to in Articles 2 or 3 hereof;

(B) All necessary governmental approvals shall be obtained; and

(C) All other conditions expressed in this Preliminary Agreement shall have been satisfied.

Section 4.02. Subject to the terms and conditions of Section 4.03 hereof, the Company shall have the right to unilaterally cancel this Preliminary Agreement at any time on or before June 30, 2026 by written notice of cancellation delivered to the Agency at the address set forth in Section 4.04 hereof.

Section 4.03. If the events set forth in Section 4.01 hereof do not take place within the time set forth in said Section 4.01, or any extension thereof, or if the Company exercises its right of cancellation as set forth in Section 4.02 hereof, the Company agrees that (A) it will promptly reimburse the Agency (and its officers, members, agents or employees) for all reasonable and necessary actual out-of-pocket expenses (including reasonable legal fees and expenses) which the Agency (and its officers, members, agents or employees) may incur with respect to the execution of this Preliminary Agreement and the performance of its obligations hereunder; and (B) the obligations of the Company set forth in Section 3.02 hereof shall survive the termination of this Preliminary Agreement and shall remain in full force and effect until the expiration of the period stated in the applicable statute of limitations during which a claim, cause of action or prosecution relating to the matters described therein may be brought and payment in full or the satisfaction of such claim, cause of action or prosecution and the payment of all expenses and charges incurred by the Agency (and its officers, members, agents or employees) relating to the enforcement of the provisions therein stated.

Section 4.04. (A) All notices and other communications hereunder shall be in writing and shall be deemed given when mailed by United States registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

(i) TO THE AGENCY:

Onondaga County Industrial Development Agency
335 Montgomery Street, 2nd Floor
Syracuse, New York 13202

WITH A COPY TO:

Barclay Damon Tower
125 East Jefferson Street
Syracuse, New York 13202
Attention: Jeffrey W. Davis, Esq.

(ii) IF TO THE COMPANY:

Micron New York Semiconductor Manufacturing LLC
800 S. Federal Way
Boise, Idaho 83716
Attention: Katie Birchenough, Senior Assistant General Counsel

WITH A COPY TO:

Hancock Estabrook LLP
1800 AXA Tower I
100 Madison Street
Syracuse, New York 13202
Attention: John P. Sidd, Esq.

(B) The Agency and the Company may, by notice given hereunder, designate any other or different addresses to which subsequent notices, certificates and other communications shall be sent.

Section 4.05. All covenants and agreements herein contained by or on behalf of the Agency and the Company shall bind and inure to the benefit of the respective successors and assigns of the Agency and the Company whether so expressed or not provided, however, upon execution and delivery of the Project Documents, this Preliminary Agreement shall terminate.

Section 4.06. The obligations and agreements of the Agency contained herein shall be deemed the obligations and agreements of the Agency, and not of any member, officer, agent or employee of the Agency in his or her individual capacity, and the members, officers, agents and employees of the Agency shall not be liable personally hereon or be subject to any personal liability or accountability based upon or in respect hereof or of any action contemplated hereby. The obligations and agreements of the Agency contained herein shall not constitute or give rise to an obligation of the State or of Onondaga County, New York and neither the State nor Onondaga County, New York shall be liable thereon, and further, such obligations and agreements shall not constitute or give rise to a general obligation of the Agency, but rather shall constitute limited obligations of the Agency payable solely from the revenues of the Agency derived and to be derived from the lease, sale or other disposition of the Project.

Section 4.07. Notwithstanding any provision of this Preliminary Agreement to the contrary, the Agency shall not be obligated to take any action pursuant to any provision hereof unless (A) the Agency shall have been requested to do so in writing by the Company; and (B) if compliance with such request is reasonably expected to result in the incurrence by the Agency (or any member, officer, agent or employee of the Agency) of any liability, fees, expenses or other costs, the Agency shall have received from the Company security or indemnity satisfactory to the Agency for protection against all such liability and for the reimbursement of all such fees, expenses and other costs.

IN WITNESS WHEREOF, the parties hereto have entered into this Preliminary Agreement as of the day and date first written above.

ONONDAGA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: _____
Robert M. Petrovich
Executive Director

DRAFT

Signature Page to Preliminary Agreement
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MICRON NEW YORK
SEMICONDUCTOR MANUFACTURING
LLC

By: _____
Name.
Title

DRAFT

Signature Page to Preliminary Agreement
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