

Jefferson County Industrial Development Agency
800 Starbuck Avenue, Suite 800
Watertown, New York 13601
Telephone: (315) 782-5865 or (800) 553-4111 Facsimile (315) 782-7915
www.jcida.com

Notice of Annual Board Meeting

Date: September 19, 2019

To: Chairman David Converse
John Jennings
Robert Aliasso
W. Edward Walldroff
Paul Warneck
William Johnson
Lisa L'Huillier

From: Donald C. Alexander

Re: Notice of Annual Board of Directors' Meeting

The Jefferson County Industrial Development Agency will hold their annual Board Meeting on **Thursday, October 3, 2019 at 8:30 a.m.** in the board room at 800 Starbuck Avenue, Watertown, NY.

Please confirm your attendance with Peggy Sampson pssampson@jcida.com at your earliest convenience.

pss

c: David Zembiec
Lyle Eaton
Joseph Russell, Esq.
Media

REVISED ANNUAL BOARD MEETING AGENDA

Thursday, October 3, 2019 - 8:30 a.m.

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Privilege of the Floor**
- IV. Minutes of the Meeting of September 5, 2019**
- V. Treasurer's Report – as of September 30, 2019**
- VI. Committee Reports**
 - a. Governance Committee**
 - i. Consider Resolution Number 10.03.2019.01 for Annual Internal Policy and Procedure Review**
 - b. Nominating Committee**
 - i. Consider Resolution Number 10.03.2019.02 for Election of Officers for 2019-2020 FY**
 - c. Loan Review Committee**
- VII. Unfinished Business**
- VIII. New Business**
 - 1. Consider Resolution Number 10.03.2019.03 to charge off Administrative Services Billing to In-Kind Services**
 - 2. Concentrix (146 Arsenal Street, Watertown) Deck Replacement Bid Results**
- IX. Counsel**
 - 1. Consider Environmental Resolution Number 10.03.2019.04 for Hi-Lite Properties, LLC**
 - 2. Consider Authorizing Resolution Number 10.03.2019.05 for Hi-Lite Properties, LLC and Coffeen Street Properties, LLC**
 - 3. Consider Environmental Resolution Number 10.03.2019.06 for OYA**
 - 4. Consider Preliminary Inducement Resolution Number 10.03.2019.07 for OYA**
 - 5. Consider Preliminary Agreement with OYA**
- X. Adjournment**

**Jefferson County Industrial Development Agency
Board Meeting Minutes
September 5, 2019**

DRAFT

The Jefferson County Industrial Development Agency held their board meeting on Thursday, September 5, 2019 in the board room at 800 Starbuck Avenue, Watertown, NY.

Present: David Converse, Chair, John Jennings, Paul Warneck, Robert E. Aliasso, Jr., William Johnson, W. Edward Walldroff

Also Present: Joseph Russell, Esq., Christine Powers, Kent Burto, Ed Valentine

Staff Present: Donald Alexander, David Zembiec, Lyle Eaton, Peggy Sampson, Marshall Weir

Excused: Lisa L'Huillier

Absent: None

- I. Call to Order:** Chairman Converse called the meeting to order at 9:32 a.m.
- II. Privilege of the Floor:** Mr. Converse invited guests to speak. No one spoke.
- III. Minutes:** Minutes of the regular meeting held July 11, 2019 were presented. A motion to approve the minutes as presented was made by Mr. Aliasso, seconded by Mr. Johnson. All in favor. Carried.
- IV. Treasurer's Report:** Mr. Aliasso reviewed the financials for the period ending July 31, 2019 and August 31, 2019 along with the delinquent loans. Mr. Aliasso noted the closure of Mr. Rick's Bakery. Mr. Eaton said that Lyric Enterprises recently paid off their loan. After discussion, a motion was made by Mr. Aliasso to accept the financial reports as presented, seconded by Mr. Johnson. All in favor. Carried.
- V. Committee Reports:** None.
- VI. Unfinished Business:** None.
- VII. New Business:**
 - 1. Resolution Number 09.05.2019.01 to move Concentrix (Stream/Convergys) Capital Fund to the General Fund** – Mr. Alexander said that he is requesting board members to move funds from restricted to better manage the building over the next six months. After review, a motion was made by Mr. Aliasso to the approve the resolution as presented, seconded by Mr. Warneck. Roll call vote was taken. Mr. Converse – Yea, Mr. Jennings – Yea, Mr. Aliasso – Yea, Mr. Walldroff – Yea, Mr. Warneck – Yea, Mr. Johnson – Yea, and Ms. L'Huillier – Absent. Carried.
 - 2. Memorandum of Understanding with WLDC and Renzi Brothers Inc. regarding City Center Industrial Park Rail Spur** – Mr. Converse said this will allow Renzi Brothers and Roth Industries expand. After review and discussion, a motion was made by Mr. Aliasso to approve the MOU as presented, seconded by Mr. Warneck. All in favor. Carried.

Jefferson County Industrial Development Agency
Board Meeting Minutes
September 5, 2019

DRAFT

VIII. Counsel: None.

IX. Adjournment: With no further business before the board, a motion to adjourn was made by Mr. Aliasso, seconded by Mr. Johnson. All in favor. The meeting adjourned at 9:48 a.m.

RESOLUTION 09.05.2019.01
AMMENDMENT TO CAPITAL FUND RESERVE-
CONCENTRIX BUILDING
September 5, 2019

*A resolution of the Jefferson County Industrial Development Agency adopting
a revised Concentrix (STREAM) Capital Reserve Fund Board Restriction.*

WHEREAS, the Jefferson County Industrial Development Agency (JCIDA) owns the building at 146 Arsenal Street in Watertown, New York, currently housing the Concentrix Call Center; and

WHEREAS, Concentrix has given the JCIDA notice that it will cease operations and vacate the building on the 30th of September 2019; and

WHEREAS, as part of the building lease, a Board Restricted Capital Reserve Fund was established to insure large maintenance items were funded as a current and future obligation of JCIDA; and

WHEREAS, the lease agreement has obligated these monies to remain in the hands of and in complete control of JCIDA, following termination of the lease; and

WHEREAS, the Board of Directors believes it is critical to repurpose these funds for necessary items above and beyond capital expense; and

WHEREAS, JCIDA will need to operate and maintain the building until such time as future tenants are discovered; and

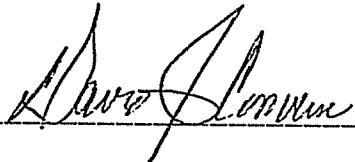
WHEREAS, expenses related to the building will be a temporary obligation of JCIDA; and

WHEREAS, these obligations would necessarily come from our Operating Fund; and


WHEREAS, the JCIDA's operating fund lacks the capacity to undertake the additional burden of present building administration; and

WHEREAS, any expense of the building will be considered during this development period as an obligation of the building and budgeted accordingly;

NOW, THEREFORE BE IT RESOLVED BY THE JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY (JCIDA); that the "Agency" Directors hereby direct the CEO/CFO to release restrictions on this Capital Reserve fund so monies can be used to continue operations of the building to include, but not restricted to capital set-asides. This Resolution is to take effect immediately.



David J. Converse, Chairman



Dated

Jefferson County Industrial Development Agency
Balance Sheet For The Period Ending September 30, 2019

Cash:	Unrestricted	PILOT	RLF	MICRO	City	Convergys	Airport	Total
Unrestricted	353,060.42					-	-	353,060.42
PILOT Checking	44,255.56							44,255.56
Convergys Cap. Res.						1,051,208.46		1,051,208.46
RCI Cash	0.00							-
Loan Funds Cash			3,779,247.65	61,259.95	117,203.22			3,957,710.82
Accounts Rec:								
PILOT	204,736.84	-						204,736.84
Miscellaneous	1,200.00							1,200.00
Rogers	21,784.51							21,784.51
Loans Receivable			654,166.85	326,254.74	160,215.77			1,140,637.36
Allow Bad Debt RLF			(275,325.05)					(275,325.05)
Bad Debt Micro				(30,641.75)				(30,641.75)
Prepaid Expense	0.00							-
Total Current Asset	625,037.33	0.00	4,158,089.45	356,872.94	277,418.99	1,051,208.46	0.00	6,468,627.17
Other Assets:								
WIP Airport							86,046.32	86,046.32
WIP Convergys						16,250.00		16,250.00
WIP Records								0.00
IT Server-Tablets	19,416.00							19,416.00
Corp. Park Impr.	209,995.14							209,995.14
Airport Property	884,326.02							884,326.02
Woolworth Building						505,000.00		505,000.00
Depreciation	(180,005.51)					(1,139,525.68)		(1,319,531.19)
Convergys Building	-					1,233,689.56		1,233,689.56
Total Other Assets	933,731.65	0.00	\$ -	\$ -	\$ -	599,163.88	86,046.32	1,635,191.85
Total Assets	1,558,768.98	0.00	4,158,089.45	356,872.94	277,418.99	1,650,372.34	86,046.32	8,103,819.02

	Liabilities And Capital							
	Unrestricted		RLF	MICRO	City	Convergys		Total
Current Liabilities:								
Accounts Payable	298,512.90							298,512.90
Apex Legal Deferred	0.00		0.00					-
A/P PILOT		248,992.40					-	248,992.40
Due HUD-Loan Intr.			5,090.75	8.15	1.90			5,100.80
Maintenance Reserve						14,965.48		14,965.48
Maint Exp. Fund						25,927.57		25,927.57
Other C/L	11,000.00							11,000.00
Total Current Liab.	309,512.90	248,992.40	5,090.75	8.15	1.90	40,893.05	-	604,499.15
L. Term Liabilities:								
NYS IAP Grant	180,159.78	0.00						180,159.78
Deferred - Rogers	21,784.51	0.00						21,784.51
Total LT Liabilities	201,944.29	0.00	0.00	0.00	0.00	0.00	0.00	201,944.29
Total Liabilities	511,457.19	248,992.40	5,090.75	8.15	1.90	40,893.05	-	806,443.44
Fund Balance	1,047,311.79	(248,992.40)	4,152,998.70	356,864.79	277,417.09	1,609,479.29	86,046.32	7,297,375.58
Liabilities & Capital								8,103,819.02

JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Income Statement for the Twelve Month Period Ending September 30, 2019

Prepared by Lyle Eaton, September 25, 2019

UNRECONCILED

	Current Year Budget	Year-to-Date Total	Current Month	Previous Month	Balance Remainin
Revenues					
Application & Process Fees	\$ 3,000.00	11,530.00	\$ 3,700.00	0.00	(8,530.00)
RCI Annual CD Fund	279,427.00	279,427.20	0.00	0.00	(0.20)
Bond Admin Fee	3,000.00	0.00	0.00	0.00	3,000.00
PILOT/Sale Leaseback Fees	597,029.00	23,500.00	0.00	0.00	573,529.00
Fee Income - RLF Program	43,424.00	43,422.72	3,618.56	3,618.56	1.28
Fee Income - Micro Program	25,137.00	25,167.36	2,097.28	2,097.28	(30.36)
Apex- Legal	10,000.00	1,175.00	0.00	0.00	8,825.00
Airport Study Grant	0.00	125,000.00	0.00	0.00	(125,000.00)
Concentrix City Parking Lease	20,000.00	20,000.00	0.00	0.00	0.00
Interest Income	2,500.00	4,060.62	166.84	353.33	(1,560.62)
Interest Income - RLF Program	50,000.00	31,353.12	682.52	2,894.56	18,646.88
Late Payment Penalty RLF	200.00	123.36	0.00	0.00	76.64
Interest Income - City Fund	7,700.00	6,806.18	188.27	560.02	893.82
Interest Income - Micro Prog.	8,000.00	13,559.39	1,387.26	1,332.27	(5,559.39)
Late Payment Penalty - Micro	300.00	677.52	15.22	101.97	(377.52)
Miscellaneous Income	2,000.00	6,264.15	148.07	146.97	(4,264.15)
Fee Income Convergys	18,000.00	16,305.50	958.22	2,150.95	1,694.50
FTZ Fees	2,400.00	0.00	0.00	0.00	2,400.00
Concentrix Capital Reserve	200,000.00	200,000.00	0.00	0.00	0.00
Total Revenues	1,272,117.00	808,372.12	12,962.24	13,255.91	463,744.88
Operations					
Office Expense	1,500.00	438.02	0.00	0.00	1,061.98
RCI Fee Sharing	139,714.00	139,713.60	0.00	0.00	0.40
Admin Services Exp	597,029.00	597,024.00	49,752.00	49,752.00	5.00
Depreciation Expense	900.00	22.90	0.00	0.00	877.10
D&O Insurance	12,000.00	12,570.04	1,047.54	1,047.50	(570.04)
Commercial Insurance	8,000.00	6,610.80	481.90	481.90	1,389.20
FTZ Expense	1,250.00	1,250.00	0.00	0.00	0.00
Airport Development	0.00	890.00	0.00	0.00	(890.00)
Legal - Unrestricted	9,000.00	11,000.00	1,000.00	1,000.00	(2,000.00)
Legal - RLF Program	2,000.00	984.10	0.00	0.00	1,015.90
Legal - Micro Program	2,000.00	570.25	0.00	0.00	1,429.75
Apex Legal	10,000.00	1,175.00	0.00	0.00	8,825.00
Legal Corp Park	0.00	1,587.25	0.00	0.00	(1,587.25)
Accounting & Auditing	10,000.00	10,025.00	0.00	0.00	(25.00)
Consultants	2,000.00	560.00	0.00	0.00	1,440.00
Coffeen Park Taxes	1,600.00	1,694.24	0.00	0.00	(94.24)
Airport Park Taxes	1,300.00	1,169.53	0.00	0.00	130.47
Fees Expense	300.00	140.50	140.50	0.00	159.50
Bad Debt--RLF	210,000.00	(2,048.48)	0.00	0.00	212,048.48
Bad Debt--Micro	22,000.00	(15,468.00)	0.00	0.00	37,468.00
RLF Program Expense	43,424.00	43,422.72	3,618.56	3,618.56	1.28
Microenterprise Program Exp	25,167.00	25,267.36	2,097.28	2,097.28	(100.36)
RLF Audit Expense	800.00	0.00	0.00	0.00	800.00
Concentrix Bldg Maintenance	6,000.00	5,867.11	0.00	2,252.98	132.89
IDA Concentrix Bldg Expense	15,000.00	18,487.50	1,250.00	2,450.00	(3,487.50)
City/County Parking Lot Fund	20,000.00	20,000.00	0.00	0.00	0.00
Building Depreciation	84,000.00	73,797.42	6,091.82	6,091.82	10,202.58
Concetrix Equip. Depreciation	18,000.00	17,482.89	397.72	397.72	517.11
Miscellaneous - Unrestricted	200.00	0.00	0.00	0.00	200.00
Total Operations	1,243,184.00	974,233.75	65,877.32	69,189.76	268,950.25
Total Revenue	1,272,117.00	808,372.12	12,962.24	13,255.91	463,744.88
Total Expenses	1,243,184.00	974,233.75	65,877.32	69,189.76	268,950.25
Net Income Over Expenditur	\$ 28,933.00	(165,861.63)	\$ (52,915.08)	(55,933.85)	194,794.63

For Interr-8- Jse Only

JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Income Statement for the Twelve Month Period Ending September 30, 2019
Unrestricted Income

	Current Year Budg	Year-to-Date Total	Current Month	Previous Month	% YTD of Budget
Revenues					
Application & Process Fees	\$ 3,000.00	11,530.00	\$ 3,700.00	0.00	384.33
RCI Annual CD Fund	279,427.00	279,427.20	0.00	0.00	100.00
Bond Admin Fee	3,000.00	0.00	0.00	0.00	0.00
PILOT/Sale Leaseback Fees	597,029.00	23,500.00	0.00	0.00	3.94
Fee Income - RLF Program	43,424.00	43,422.72	3,618.56	3,618.56	100.00
Fee Income - Micro Program	25,137.00	25,167.36	2,097.28	2,097.28	100.12
Interest Income	2,500.00	4,060.62	166.84	353.33	162.42
Miscellaneous Income	2,000.00	6,264.15	148.07	146.97	313.21
Fee Income Convergys	18,000.00	16,305.50	958.22	2,150.95	90.59
FTZ Fees	2,400.00	0.00	0.00	0.00	0.00
Total Revenues	975,917.00	409,677.55	10,688.97	8,367.09	41.98
Expenses					
Operations					
Office Expense	1,500.00	438.02	0.00	0.00	29.20
RCI Fee Sharing	139,714.00	139,713.60	0.00	0.00	100.00
Admin Services Exp	597,029.00	597,024.00	49,752.00	49,752.00	100.00
Depreciation Expense	900.00	22.90	0.00	0.00	2.54
D&O Insurance	12,000.00	12,570.04	1,047.54	1,047.50	104.75
Commercial Insurance	8,000.00	6,610.80	481.90	481.90	82.64
FTZ Expense	1,250.00	1,250.00	0.00	0.00	100.00
Airport Development	0.00	890.00	0.00	0.00	0.00
Legal - Unrestricted	9,000.00	11,000.00	1,000.00	1,000.00	122.22
Apex Legal	10,000.00	1,175.00	0.00	0.00	11.75
Legal Corp Park	0.00	1,587.25	0.00	0.00	0.00
Accounting & Auditing	10,000.00	10,025.00	0.00	0.00	100.25
Consultants	2,000.00	560.00	0.00	0.00	28.00
Coffeen Park Taxes	1,600.00	1,694.24	0.00	0.00	105.89
Airport Park Taxes	1,300.00	1,169.53	0.00	0.00	89.96
Fees Expense	300.00	140.50	140.50	0.00	46.83
City/County Parking Lot Fund	20,000.00	20,000.00	0.00	0.00	100.00
Building Depreciation	84,000.00	73,797.42	6,091.82	6,091.82	87.85
Concetrrix Equip. Depreciation	18,000.00	17,482.89	397.72	397.72	97.13
Miscellaneous - Unrestricted	200.00	0.00	0.00	0.00	0.00
Concetrrix Bldg Maintenance	6,000.00	5,867.11	0.00	2,252.98	97.79
IDA Concetrrix Bldg Expense	15,000.00	18,487.50	1,250.00	2,450.00	123.25
Total Operations	937,793.00	921,505.80	60,161.48	63,473.92	98.26
Total Income	975,917.00	409,677.55	10,688.97	8,367.09	41.98
Total Expenses	937,793.00	921,505.80	60,161.48	63,473.92	98.26
Profit (Loss)	\$ 38,124.00	(511,828.25)	\$ (49,472.51)	(55,106.83)	(1,342.54)

Jeff Co Industrial Development Agency
Balance Sheet
September 30, 2019

ASSETS

Current Assets		
General Checking	\$	28,625.82
Savings Account		1,375,643.06
PILOT Checking Account		44,255.56
Microenterprise Account		61,259.95
City Loan Account		117,203.22
Revolving Loan Fund Account		3,779,247.65
PILOT Monies Receivable		204,736.84
Miscellaneous Receivable		1,200.00
Acct Receivable - Rogers		21,784.51
RLF Loans Receivable		654,166.85
Microenterprise Loans Rec.		326,254.74
Watn. Economic Growth Fund Rec		160,215.77
Allowance for Bad Debt-RLF		(275,325.05)
Allow. for Bad Debts-MICRO		(30,641.75)
		<hr/>
Total Current Assets		6,468,627.17
Property and Equipment		
Accum Depr - Building		(1,139,525.68)
Accum Depr. Equipment		(180,005.51)
		<hr/>
Total Property and Equipment		(1,319,531.19)
Other Assets		
IT Server		6,050.00
Galaxy Tablets		13,366.00
Corp. Park Improvements		209,995.14
Airport Property		884,326.02
WIP Airport		86,046.32
Woolworth Building		505,000.00
Concentr Building Improvements		1,233,689.56
WIP Concentri Deck & Sidewalks		8,500.00
WIP 146 Arsenal- Engineering		7,750.00
		<hr/>
Total Other Assets		2,954,723.04
		<hr/>
Total Assets	\$	<u><u>8,103,819.02</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable - Unrestrict	\$	298,512.90
PILOT Monies Payable		248,992.40
Due HUD - RLF Interest		5,090.75
Due HUD - MICRO Interest		8.15
Due HUD - CITY Loan Interest		1.90
Maintenance Reserve Convergys		14,965.48
Maintenance Expense Convergys		25,927.57
Car Freshner Signage		11,000.00
		<hr/>
Total Current Liabilities		604,499.15
Long-Term Liabilities		
Due NYS/IAP L.T.		180,159.78

Unaudited - For Ma-10-ent Purposes Only

Jeff Co Industrial Development Agency
Balance Sheet
September 30, 2019

Deferred Revenue - Rogers	21,784.51	
Total Long-Term Liabilities		201,944.29
Total Liabilities		806,443.44
Capital		
General Fund Bal - Unrestrict.	1,387,027.63	
Fund Bal - RLF Restricted	4,419,309.27	
Fund Bal - Micro Restricted	414,850.76	
Fund Bal - City Restricted	262,489.22	
Cap. Impr. Convergys	979,560.33	
Net Income	(165,861.63)	
Total Capital		7,297,375.58
Total Liabilities & Capital	\$	8,103,819.02

JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY
146 Arsenal Expenses for the Twelve Month Period Ending September 30, 2019
Prepared by Lyle Eaton

	Current Year Budg	Year-to-Date Total	Current Month	Previous Month	% YTD of Budget
Expenses					
Concentrix Bldg Maintenance	\$ 6,000.00	5,867.11	\$ 0.00	2,252.98	97.79
IDA Concentrix Bldg Expense	15,000.00	18,487.50	1,250.00	2,450.00	123.25
City/County Parking Lot Fund	20,000.00	20,000.00	0.00	0.00	100.00
Building Depreciation	84,000.00	73,797.42	6,091.82	6,091.82	87.85
Concetrrix Equip. Depreciation	18,000.00	17,482.89	397.72	397.72	97.13
Salary Overhead	0.00	0.00	0.00	0.00	0.00
Total Expenses	\$ 143,000.00	135,634.92	\$ 7,739.54	11,192.52	94.85

Jeff Co Industrial Development Agency
General Checking Cash Receipts Journal
For the Period From Sep 1, 2019 to Sep 30, 2019

Filter Criteria includes: Report order is by Check Date. Report is printed in Detail Format.

Date	Account ID	Transaction	Line Description	Debit Amnt	Credit Amnt
9/5/19	207005	1246	9/19 DUE MICRO		134.93
	205602		9/19 DUE SHLDC		134.93
	100001		MAIN STREET CRAFTS & DRAFTS	269.86	
9/5/19	125501	2731	8/19 PRINCIPAL		148.07
	412501		8/19 INTEREST		166.84
	100001		KENNETH F. ROGERS	314.91	
9/5/19	125001	2160	Invoice: 3436		3,618.56
	100001		JEFFERSON COUNTY INDUSTRIAL	3,618.56	
9/5/19	125001	1206	Invoice: 3437		2,097.28
	100001		JEFFERSON COUNTY INDUSTRIAL	2,097.28	
9/12/19	205003	21440	DUE IDA RLF		15,265.71
	205501		DUE LDC RLF		9,766.70
	100001		HI LITE MARKINGS, INC.	25,032.41	
9/12/19	125001	2004	Invoice: 3438		2,500.00
	100001		HI LITE MARKINGS, INC.	2,500.00	
9/12/19	207005	182	DUE MICRO		358.55
	205602		DUE SHLDC		358.56
	100001		THE SANDWICH BAR	717.11	
9/18/19	207005	1645	DUE MICRO 9/19		565.35
	205602		DUE SHLDC 9/19		424.02
	100001		PAINFULL ACRES	989.37	
				<u>35,539.50</u>	<u>35,539.50</u>

Jeff Co Industrial Development Agency

RLF Cash Receipts Journal

For the Period From Sep 1, 2019 to Sep 30, 2019

Filter Criteria includes: Report order is by Check Date. Report is printed in Detail Format.

Date	Account ID	Transaction	Line Description	Debit Amnt	Credit Amnt
9/5/19	126002	1875	Invoice: 1405		1,173.54
	415002		9/19 INTEREST		123.35
	120102		MLR,LLC	1,296.89	
9/12/19	126002	2721	Invoice: 280RLF		1,170.85
	415002		9/19 INTEREST		54.78
	120102		MLR,LLC	1,225.63	
9/18/19	126002	72900	Invoice: 2526		2,438.14
	415002		9/19 INTEREST		441.18
	120102		MEADOWBROOK TERRACE	2,879.32	
9/18/19	126002	7088	Invoice: 2859		13,638.23
	126002		Invoice: 3258		1,564.27
	415002		9/19 INTEREST		63.21
	120102		HI LITE MARKINGS, INC.	15,265.71	
				<u>20,667.55</u>	<u>20,667.55</u>

Jeff Co Industrial Development Agency
Microenterprise Cash Receipts Journal
For the Period From Sep 1, 2019 to Sep 30, 2019

Filter Criteria includes: Report order is by Check Date. Report is printed in Detail Format.

Date	Account ID	Transaction	Line Description	Debit Amnt	Credit Amnt
9/5/19	127003	9721	Invoice: 3166		349.00
	416003		9/19 INTEREST		26.00
	103003		SERV-PRO	375.00	
9/5/19	127003	3345	Invoice: 1105		150.00
	103003		SACKETS HARBOR TRADING CO.	150.00	
9/5/19	127003	1050	Invoice: 3394		613.56
	416003		9/19 INTEREST		156.44
	103003		R.L.GOULD & SON, LLC	770.00	
9/5/19	127003	4776	Invoice: 3281		291.98
	416003		9/19 INTEREST		60.08
	103003		THE SCRUB HUB	352.06	
9/12/19	127003	1040	Invoice: 3411		1,264.98
	416003		9/19 INTEREST		156.19
	103003		COLLEEN'S CHERRY TREE INN	1,421.17	
9/12/19	127003	995004	Invoice: 1354		182.50
	416003		8/19 INTEREST		87.28
	416103		8/19 LATE FEE		15.22
	103003		TASTE OF DESIGN	285.00	
9/12/19	127003	7084	Invoice: 3329		109.60
	416003		9/19 INTEREST		25.33
	103003		MAIN STREET CRAFTS & DRAFTS	134.93	
9/12/19	127003	7082	Invoice: 3384		285.25
	416003		9/19 INTEREST		73.30
	103003		THE SANDWICH BAR	358.55	
9/12/19	127003	1496	Invoice: 3272		912.66
	416003		9/19 INTEREST		87.34
	103003		DAN B SAMPSON II	1,000.00	
9/18/19	127003	0962	Invoice: 2954		721.10
	416003		9/19 INTEREST		33.75
	103003		MEDICAL GAS TECHNOLOGIES	754.85	
9/18/19	127003	2738	Invoice: 3282		626.04
	416003		9/19 INTEREST		128.81
	103003		THOUSAND ISLANDS AREA HABITAT FOR HUMAN	754.85	
9/18/19	127003	2739	Invoice: 3402		593.10
	416003		9/19 INTEREST		161.75
	103003		ABOVE REALITY SPORTS COMPLEX	754.85	
9/18/19	127003	7964	Invoice: 2935		7.82
	416003		8/19, 9/19, 10/19 INTEREST		163.29
	103003		MR. RICKS BAKERY INC.	171.11	
9/18/19	416003	7964	8/19, 9/19, 10/19 INTEREST		227.70
	103003		MR RICK'S BAKERY 2	227.70	
				<u>7,510.07</u>	<u>7,510.07</u>

Jeff Co Industrial Development Agency
Watn. Economic Growth Fund
As of Sep 30, 2019

Filter Criteria includes: 1) Includes Drop Shipments. Report order is by ID. Report is printed in Summary Format.

Customer	Amount Due
CURRENT APPLICATIONS	160,215.77
	<u>160,215.77</u>

Jeff Co Industrial Development Agency**Unrestricted Aged Payables****As of Sep 30, 2019**

Filter Criteria includes: 1) Includes Drop Shipments. Report order is by ID. Report is printed in Detail Format.

Vendor	Invoice/CM #	Date	Net To Pay
JEFF COUNTY LDC	ADM FEE6	4/1/19	49,752.00
	ADM FEE7	5/1/19	49,752.00
	ADM FEE8	6/1/19	49,752.00
	ADM FEE9	7/1/19	49,752.00
	ADM FEE10	8/1/19	49,752.00
	ADM FEE11	9/1/19	49,752.00
JEFF COUNTY LDC			298,512.00
			298,512.00

Jeff Co Industrial Development Agency

Cash Disbursements Journal

For the Period From Sep 1, 2019 to Sep 30, 2019

Filter Criteria includes: Report order is by Date. Report is printed in Detail Format.

Date	Check #	Account ID	Line Description	Debit Amount	Credit Amount
9/3/19	7078	200001	Invoice: 2025 RETAINER	1,000.00	
		100001	BARCLAY DAMON LLP		1,000.00
9/3/19	7079	200001	Invoice: 19-867	3,150.00	
		100001	BERNIER, CARR & ASSOCIATES, P.C.		3,150.00
9/3/19	7080	200001	Invoice: SERVICE11	1,250.00	
		100001	WATERTOWN INDUSTRIAL CENTER		1,250.00
9/5/19	7082	200001	Invoice: 9/19	358.55	
		100001	SANDWICH JEFFERSON COUNTY INDUSTRIAL		358.55
9/5/19	7083	200001	Invoice: 9/19	358.56	
		100001	SANDWICH SACKETS HARBOR LDC		358.56
9/5/19	7084	200001	Invoice: 9/19 MAIN ST	134.93	
		100001	JEFFERSON COUNTY INDUSTRIAL		134.93
9/5/19	7085	200001	Invoice: 9/19 MAIN ST	134.03	
		100001	SACKETS HARBOR LDC		134.03
9/5/19	7086	200001	Invoice: 13646	1,200.00	
		100001	JAKES LAWN CARE		1,200.00
9/13/19	7087	200001	Invoice: 11147	1,060.25	
		200001	Invoice: 11177	687.50	
		100001	AUBERTINE & CURRIER		1,747.75
9/13/19	7088	200001	Invoice: 9/19 HI-LITE	15,265.71	
		100001	JEFFERSON COUNTY INDUSTRIAL		15,265.71
9/13/19	7089	200001	Invoice: 9/19 HI-LITE	9,766.70	
		100001	JEFF COUNTY LDC		9,766.70
9/13/19	7090	200001	Invoice: 3672901	505.23	
		100001	RSI ROOFING, INC		505.23
9/16/19	7091	200001	Invoice: ADM FEES	49,752.00	
		100001	JEFF COUNTY LDC		49,752.00
9/17/19	7092	715501	DISCHARGE OF MORTGAGE, ASSIGNMENT OF RENTS AND LEASES AND UCC	140.50	
		100001	JEFFERSON COUNTY CLI- 18-		140.50

Jeff Co Industrial Development Agency
Cash Disbursements Journal
For the Period From Sep 1, 2019 to Sep 30, 2019

Filter Criteria includes: Report order is by Date. Report is printed in Detail Format.

Date	Check #	Account ID	Line Description	Debit Amount	Credit Amount
9/24/19	7093	200001 100001	Invoice: 11221 AUBERTINE & CURRIER	7,750.00	7,750.00
9/24/19	7094	200001 100001	Invoice: 9/19 PAINFULL JEFFERSON COUNTY INDUSTRIAL	565.35	565.35
9/24/19	7095	200001 100001	Invoice: 9/19 PAINFULL SACKETS HARBOR LDC	424.02	424.02
Total				<u><u>93,503.33</u></u>	<u><u>93,503.33</u></u>

Jefferson County Industrial Development Agency
Fund Activity Report - Period Ending September 30, 2019

PILOTS

Current Month Receipts 44,255.56

Delinquent Accounts:	Amount Due	Due Date
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Revolving Loan Fund

Cash Balance	\$ 3,779,247.65
Less: Commitments	\$ -
Cash Available	<u>\$ 3,779,247.65</u>

Current Month Receipts	20,667.55
RLF Receivables	654,166.85

Delinquent Accounts:	Monthly Payment	Last Payment	Months Delinquent	Total Due
Wright Bros	1,612.45	8/5/2019	2	3,224.90
Benchmark	389.00	8/12/2019	1	389.00

-

Microenterprise Loan Fund

Funds Available	\$ 61,259.65
Less: Commitments	\$ -
Cash Available	<u>\$ 61,259.65</u>

Current Month Receipts	7,510.07
MICRO Receivables	326,254.74

Delinquent Accounts:	Monthly Payment	Last Payment	Months Delinquent	Total Due
				0.00
				0.00
Taste of Design	269.78	9/6/2019	1	269.78

City Loan Fund

Funds Available	\$ 117,203.22
Less: Commitments	\$ -
Cash Available	<u>\$ 117,203.22</u>

Current Month Receipts	3,364.51
CITY Receivables	160,215.77

Loan Receivable - Ken Rogers	\$ 21,784.51
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Jefferson County Industrial Development Agency
Revolving Loan Fund Receivables
September 30, 2019

	Recipient	Date Issued	Original Amount	Current Balance	Current Status	Purpose of Loan
1	Benchmark Family Services	January-03	326,000.00	155,599.64	Current	Build Specialized Daycare/Nursery
2	LCO Destiny, LLC	January-08	250,000.00	68,138.63	Current	Working Capital
2	Meadowbrook Terrace	August-12	250,000.00	103,445.86	Current	Working Cap During Construction
2	MLR, LLC	May-05	150,000.00	9,429.57	Current	Construct Refrigeration Warehouse
2	MLR, LLC	July-07	250,000.00	118,258.72	Current	Expand Warehouse
6	Wright Bros, LLC	June-12	241,743.00	199,294.43	Delinquent	Purchase Building
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
	Total RLF Receivables		1,467,743.00	654,166.85	-	

Jefferson County Industrial Development Agency

MICRO Loan Fund Receivables

September 30, 2019

	Recipient	Date Issued	Original Amount	Current Balance	Current Status	Purpose of Loan
1	Above Reality Sports Complex	May-19	40,000.00	38,228.09	Current	Open VR Sports Complex
2	Colleens Cherry Tree Inn	May-19	40,000.00	36,220.79	Current	Expand Restaurant - Ice Ceram Shop
3	R. L. Gould & Son, LLC	March-19	40,000.00	36,947.16	Current	Open UPS Store
4	Tl Area Habitat For Humanity	April-18	40,000.00	30,289.17	Current	Open ReStore
5	Lyric Enterprises	May-09	40,000.00	0.00	Paid Off	Coffee Shop
6	Main Street Crafts & Drafts	Sep-18	7,150.00	5,952.90	Current	Craft Shop & Bar
7	Medical Gas Technologies	Jun-15	40,000.00	7,378.29	Current	Service Medical Gas Systems
8	Mr. Ricks Bakery	Apr-15	40,000.00	13,056.20	Int. Only	Expand Existing Bakery
9	Mr. Ricks Bakery-2	Apr-18	20,000.00	18,212.45	Int. Only	Working Capital
10	Painfull Acres	Mar-18	40,000.00	33,413.97	Current	Amish Furniture Store
11	RC Spot, LLC	Mar-16	50,015.47	17,644.56	Current	Craft Brewery & Restaurant
12	Dan B. Sampson II	Mar-18	30,000.00	20,057.87	Current	Smoothie Bar
13	The Sandwich Bar	Feb-19	19,000.00	17,306.14	Current	Restaurant
14	The Scrub Hub	Apr-18	18,656.00	14,106.92	Current	Scrubs Clothing
15	Serv-Pro	Jan-17	20,000.00	9,254.67	Current	Water/Fire Damage Clean Up
16	Sackets Harbor Trading Company	Jan-06	40,000.00	7,048.37	Current	Retail Local Products
17	Taste of Design	Apr-07	40,000.00	21,137.19	Delinquent	Coffee Shop
18						
19						
20						
21						
22						
23						
24						
	Total RLF Receivables		564,821.47	326,254.74	-	

Jefferson County Industrial Development Agency
City Loan Fund Receivables
September 30, 2019

	Recipient	Date Issued	Original Amount	Current Balance	Current Status	Purpose of Loan
1	Current Applications	Apr-15	101,403.00	87,415.75	Current	Manufacturing Plant Expansion
2	Current Applications	Jan-16	150,000.00	72,800.02	Current	Purchase CNC Equipment
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
	Total RLF Receivables		251,403.00	160,215.77	-	

**Jefferson County Industrial Development Agency
Governance Committee Meeting Minutes
September 12, 2019**

The JCIDA governance committee meeting was held on Thursday, September 12, 2019 in the board room, 800 Starbuck Avenue, Watertown, NY.

Present: W. Edward Walldroff, Paul Warneck, William Johnson

Excused: None

Absent: None

Also Present: Donald Alexander, David Zembiec, Peggy Sampson, Lyle Eaton

- I. **Call to Order:** Mr. Walldroff called the meeting to order at 8:06 a.m.
- II. **Review Current Bylaws:** Committee members reviewed the current bylaws. There were no updates/changes.

Mr. Warneck asked if the special meeting section of the bylaws should align with the open meetings law for special meetings. He said a sentence could be added to the paragraph that states that a special meeting will be held in accordance with the open meeting law. Committee members agreed with the proposed language, subject to counsel review and approval.

- III. **Review Current Mission Statement/Performance Measurements:** There were no updates/changes made to the documents.
- IV. **Review Current Policies and Procedures:** There were no updates/changes to the current policies and procedures.

After review and discussion, a motion was made by Mr. Warneck to recommend approval of all the policies and procedures to the full board of directors, while seeking advice from counsel on proposed bylaw change, seconded by Mr. Johnson. All in favor. Carried.

- V. **Adjournment:** With no further business before the committee, a motion to adjourn the meeting was made by Mr. Warneck, seconded by Mr. Johnson. The meeting adjourned at 8:23 a.m.

JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Resolution Number 10.03.2019.01

For Annual Internal Policy and Procedure Review

DRAFT

WHEREAS, on September 12, 2019 the JCIDA Governance Committee met to review the current policies and procedures. After review and discussion, they recommended the following internal policies for the Board's consideration:

- Bylaws
- Mission Statement & Performance Measurements
- Adaptive Reuse Determination
- Audit and Finance Committee Charter
- CEO and CFO Annual Report Certification
- Certification of No Conflict of Interest & Jeff Co Financial Disclosure Form
- Code of Ethics
- Compensation, Reimbursement and Attendance Policy
- Defense and Indemnification Policy
- Discretionary Funds Policy
- Disposition of Real Property Guidelines
- Equal Employment Opportunity Policy
- Evaluative Criteria Project Type Listing and Matrix
- Extension of Credit to Board Members and Officers
- Fixed Asset Policy
- Governance Committee Charter
- Independent Director Certification
- Investment Policy with Internal Controls
- Lending/Collection Policy and Procedures
- Policy Regarding Possession and Use of Electronic Devices
- Post Issuance Compliance Procedures
- Procurement Policy
- Real Property Acquisition Guidelines
- Recapture Policy and flow chart
- Records Retention and Disposition Schedule MI-1
- Rules for Public Hearings Conducted by the Agency
- Travel Policy
- Uniform Guidance – Internal Controls
- Uniform Tax Exemption Policy
- Whistleblower Policy

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Jefferson County Industrial Development Agency that it herein approves the above internal policies and procedures as set forth in this Resolution, and be it further,

RESOLVED, that the Chairman, Vice Chairman, Secretary, and/or Chief Executive Officer are authorized and directed to execute any and all documents necessary to carry out the purposes of this Resolution.

This resolution shall take effect immediately.

W. Edward Walldroff, Secretary

**Jefferson County Industrial Development Agency
Nominating Committee Meeting Minutes
September 12, 2019**

A JCIDA nominating committee meeting was held on Thursday, September 12, 2019 in the board room, 800 Starbuck Avenue, Watertown, NY.

Present: Chairwoman Lisa L'Huillier, Bill Johnson

Absent: John Jennings

Also Present: Donald Alexander, Peggy Sampson, David Converse, W. Edward Walldroff

- I. **Call to Order:** Ms. L'Huillier called the meeting to order at 9:59 a.m.

Nominate Officers for 2019-2020 – Ms. L'Huillier indicated that the purpose of the meeting is to nominate officers for the 2019-2020 fiscal year. She said that the current slate of officers agreed to serve another year. They are as follows: Chairman – David J. Converse, Vice Chairman – John Jennings, Treasurer – Robert E. Aliasso, Jr., Secretary – W. Edward Walldroff.

A motion was made by Ms. L'Huillier to recommend the current slate of officers to the full board of directors, seconded by Mr. Johnson. All in favor.

- II. **Adjournment:** With no further business before the committee, a motion to adjourn the meeting was made by Ms. L'Huillier, seconded by Mr. Johnson. The meeting adjourned at 10:01 a.m.

DRAFT

JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Resolution Number 10.03.2019.02
For Election of Officers

WHEREAS, the Nominating Committee met on September 12, 2019 and recommended the current slate of officers for the 2018-2019 fiscal year:

Chairman	David J. Converse
Vice Chairman	John Jennings
Treasurer	Robert E. Aliasso, Jr.
Secretary	W. Edward Walldroff, and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Jefferson County Industrial Development Agency that it herein approves the slate of officers as set forth in this Resolution, and be it further,

RESOLVED, that the Chairman, Vice Chairman, Secretary, and/or Chief Executive Officer are authorized and directed to execute any and all documents necessary to carry out the purposes of this Resolution.

This resolution shall take effect immediately.

W. Edward Walldroff
Secretary

**Jefferson County Industrial Development Agency
Loan Review Committee Meetings Minutes
September 24, 2019**

Present: Robert Aliasso, Chair, John Jennings, David Converse (arrived at 8:13 a.m.)

Also Present: Don Alexander, David Zembiec, Lyle Eaton, Peggy Sampson, William Johnson, Lisa L'Huillier, Paul Warneck

Excused: None

I. Call to Order: Chair Aliasso called the meeting to order at 8:01 a.m.

II. Pledge of Allegiance

III. Hi-Lite Airfield Services, LLC (Hi-Lite Group) – A request for sales and mortgage recording tax abatement. Mr. Zembiec said that the company plans to consolidate their maintenance and service staff at the Coffeen Street location. He said that they will renovate the existing facility by adding a 20x80 bay and constructing a 6,400 square foot storage building on the property. He said that there are 29 existing employees and they plan to hire an additional 40 employees.

Committee Members reviewed the application and cost benefit analysis. Mr. Aliasso asked what took so long for the committee to review the application that is dated 7/23/19. Mr. Zembiec said that staff was waiting for more information from the company while our contact there was traveling. Mr. Aliasso asked which name will be used since they listed Hi-Lite Airfield Services, LLC and Hi-Lite Group. Mr. Eaton believes it will be Hi-Lite Group but said it will be confirmed before the board meeting.

It was noted that they will not seek a PILOT as indicated in the original application because of the project's minimal impact on the property assessment.

Mr. Converse entered the meeting.

Mr. Eaton said the estimated sales tax is \$85,600, the estimated mortgage recording tax is \$13,500 so the estimated savings will be \$99,100. Since the savings is under \$100,000 a public hearing is not required. Mr. Warneck asked what happens if the estimates go up over \$100,000. Mr. Alexander said that we will have to go back and address it.

After review and discussion, a motion was made by Mr. Converse, seconded by Mr. Jennings to move the request to the full board at the next monthly meeting. All in favor. Carried.

IV. Other/Unfinished Business: None.

V. Adjournment: With no further business before the committee, a motion was made by Mr. Converse to adjourn the meeting, seconded by Mr. Jennings. The meeting adjourned at 8:21 a.m.

DRAFT

JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Resolution Number 10.03.2019.03
Authorize Charge Off of Administrative Services Billing to In-Kind Services

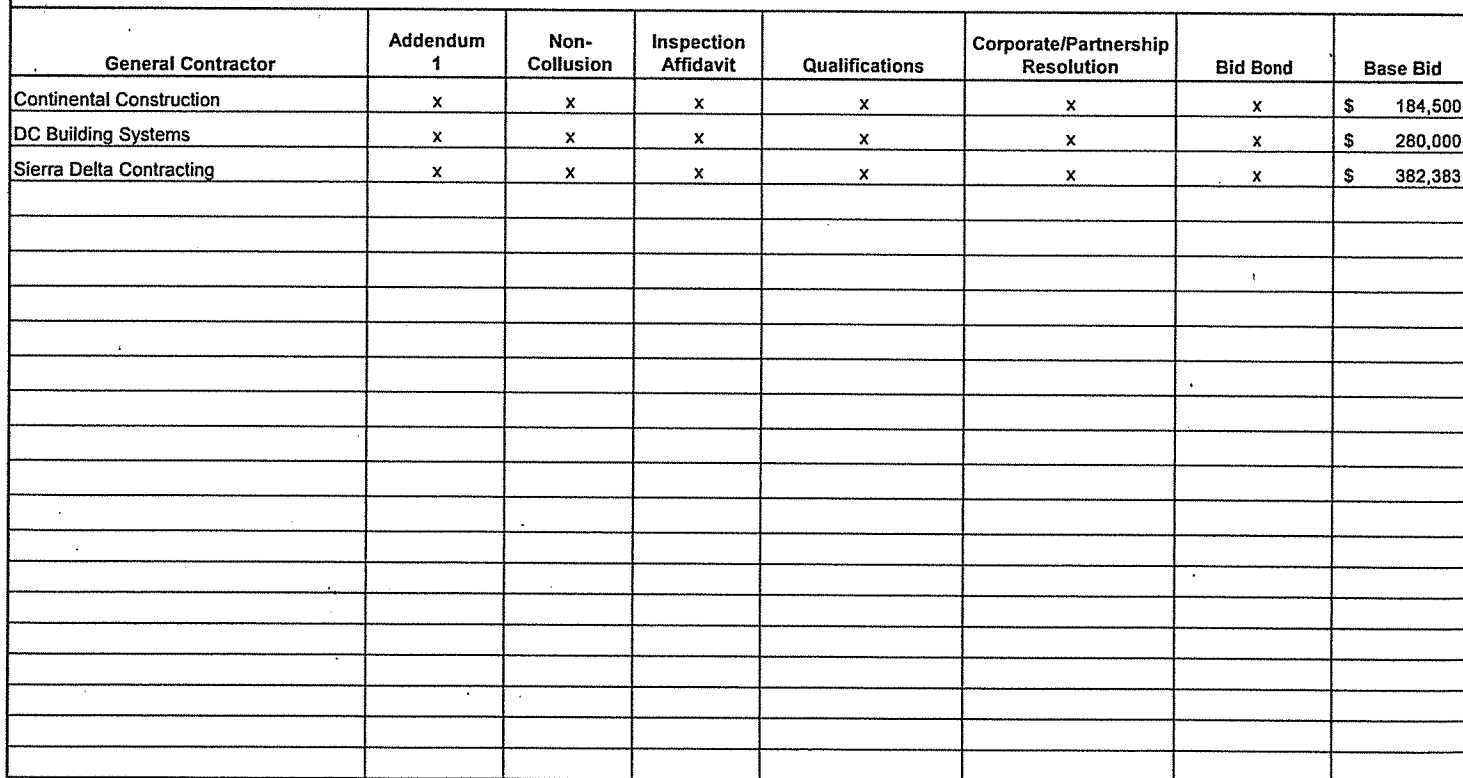
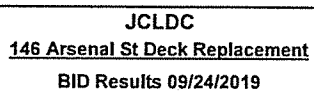
WHEREAS, CFO Lyle Eaton recommended charging of \$298,512 for the administrative services billing to in-kind services ending 9/30/19, and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Jefferson County Industrial Development Agency that it herein approves the recommendation as set forth in this Resolution, and be it further,

RESOLVED, that the Chairman, Vice Chairman, Secretary, and/or Chief Executive Officer are authorized and directed to execute any and all documents necessary to carry out the purposes of this Resolution.

This resolution shall take effect immediately.

W. Edward Walldroff
Secretary



ENVIRONMENTAL RESOLUTION

DRAFT

A meeting of Jefferson County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at 800 Starbuck Avenue in the City of Watertown, Jefferson County, New York on October 3, 2019, at 8:30 o'clock a.m., local time.

The meeting was called to order by the Chairman and, upon roll being called, the following members of the Agency were:

PRESENT:

ABSENT:

FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 10.03.2019.04

RESOLUTION DETERMINING THAT ACTION TOWARD THE ACQUISITION, RENOVATION, INSTALLATION AND LEASING OF A CERTAIN COMMERCIAL PROJECT FOR HI-LITE PROPERTIES, LLC("HI-LITE") WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

WHEREAS, Jefferson County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 369 of the 1971 Laws of New York, as amended, constituting Section 892-e 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 commercial 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

DRAFT

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

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install 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, Hi-lite has presented an application (the "Application") to the Agency, a copy of which was presented at this meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in land located at 20128 NY 12-F Watertown, New York (the "Land") and the existing building thereon (the "Existing Facility"), the renovation and expansion of the Existing Facility (the Land, the Existing Facility, and the Equipment being collectively referred to as the "Project Facility"), such Project Facility to be used expand and equip the current maintenance facility; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including exemption from certain sales and use taxes, and mortgage recording taxes (except as limited by Section 874 of the Act) (the "Financial Assistance") and; (C) the lease (with an obligation to purchase) or sale of the Project Facility to Hi-Lite or such other person as may be designated by Hi-Lite and agreed upon by the Agency; and

WHEREAS, the Agency is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the "Regulations"); and

WHEREAS, undertaking the Project is an Action as defined by SEQRA; and

WHEREAS, a short-form Environmental Assessment Form ("EAF"), dated September 18, 2019, was submitted to the Agency to facilitate a review of the potential environmental impacts of the Project; and

WHEREAS, the Agency has considered the Project and the EAF, together with the Agency's knowledge of the area surrounding the Project, and such further information as is available to the Agency; and

WHEREAS, the Agency has reviewed the classifications of actions contained in the Regulations; and

WHEREAS, the Agency has determined that the Action is an Unlisted Action, as that term is defined in the Regulations, and that coordinated environmental review is not required under SEQRA; and

DRAFT

WHEREAS, the Agency has applied the criteria for determining significance contained in 6 NYCRR Part 617 in order to determine whether the Project may result in a significant environmental impact; and

WHEREAS, the Agency has determined that the Project will not result in a significant environmental impact;

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

Section 1. The Project is an Unlisted Action pursuant to SEQRA.

Section 2. The Agency assumed responsibility as Lead Agency for its own uncoordinated environmental review of the Project.

Section 3. The Project will not result in a significant adverse environmental impact.

Section 4. Preparation of an Environmental Impact Statement is not required.

Section 5. The basis for this determination is set forth in Part 2 of the Environmental Assessment Form, attached as Attachment A hereto and incorporated by reference herein.

Section 6. A Negative Declaration of significant adverse environmental impact shall be prepared, filed, distributed and published in accord with 6 NYCRR shall be filed at the Agency as required by 6 NYCRR Section 617.12(b)(2).

Section 7. 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:

David J. Converse	VOTING	_____
John Jennings	VOTING	_____
Robert E. Aliasso, Jr.	VOTING	_____
W. Edward Walldroff	VOTING	_____
Paul Warneck	VOTING	_____
William Johnson	VOTING	_____
Lisa L'Huillier	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

DRAFT

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

I, the undersigned Chief Executive Officer of the Jefferson County Industrial Development Agency (the "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 October 3, 2019, 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 related to the subject matters 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 respect 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 given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 and affixed the seal of the Agency this 3rd day of October, 2019

W. Edward Walldroff
Secretary

Short Environmental Assessment Form

Part 1 - Project Information

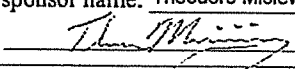
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: Hi-Lite Properties							
Project Location (describe, and attach a location map): 20128 State Route 12F - Watertown, NY							
Brief Description of Proposed Action: Addition of a 20ft bay on the north side of the existing shop and the construction of a 80'x80' storage building in the rear of the property							
Name of Applicant or Sponsor: Hi-Lite Properties		Telephone: 315-583-6111					
		E-Mail: thoe.misiewicz@hi-lite.com					
Address: 18249 Hi-Lite Drive							
City/PO: Adams Center		State: NY	Zip Code: 13606				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		11.43 acres					
b. Total acreage to be physically disturbed?		_____ acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		11.43 acres					
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Theodore Misiewicz, CFO</u> Date: <u>9/18/19</u> Signature: <u></u>		

Agency Use Only [If applicable]

Project: Hi-Lite Airfield Services

Date: October 3, 2019

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Short Environmental Assessment Form *Part 3 Determination of Significance*

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Jefferson County Industrial Development Agency	October 3, 2019
Name of Lead Agency	Date
Donald C. Alexander	Chief Executive Officer
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
David J. Zembiec, Deputy CEO	Signature of Preparer (if different from Responsible Officer)
Signature of Responsible Officer in Lead Agency	

PRINT FORM

AUTHORIZING RESOLUTION

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A meeting of Jefferson County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency at 800 Starbuck Avenue, in the City of Watertown, Jefferson County, New York on October 3, 2019 at 8:30 a.m., local time.

The meeting was called to order by the Chairperson and, upon being called, the following members of the Agency were:

PRESENT:

ABSENT:

FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit;

Resolution No.: 10.03.2019.05

RESOLUTION OF THE JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TOWARD THE LEASE-LEASEBACK TRANSACTION WITH HI-LITE PROPERTIES, LLC AND COFFEEN STREET PROPERTIES, LLC (THE OWNERS) FOR THE PURPOSE OF RENOVATING, EXPANDING AND EQUIPPING AN EXISTING MAINTENANCE FACILITY LOCATED AT 20128 NY 12-F IN THE TOWN OF WATERTOWN, JEFFERSON COUNTY, NEW YORK TO CONSOLIDATE MAINTENANCE AND ADMINISTRATIVE FUNCTIONS IN A SINGLE FACILITY.

WHEREAS, Jefferson County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of Laws of 1969 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 77 of the 1974 Laws of New York, as

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amended, constituting Section 902 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, renovating, improving, maintaining, equipping and furnishing of commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install 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, pursuant to an application, including a cost benefits analysis (the “Application”), submitted to the Agency by Hi-Lite Properties, LLC (the “Company”), wherein the Agency has been requested to consider undertaking a project (the “Project”), consisting of the following:

- (A) (1) The acquisition of an interest in that certain property located 20128 NY 12-F in the Town of Watertown, County of Jefferson, New York (the “Land”), to be more particularly described in the Lease Agreement, and

(2) The expansion, renovation and equipping of an existing building on the Land to increase the existing 6,000 square foot building by an additional 6,400 square feet (the “Facility”) and the acquisition and installation thereon of certain machinery and equipment (the “Equipment”) to consolidate the Company’s administrative functions with its maintenance functions. (the “Project”) (the Land and the Project being collectively referred to as the “Project Facility”); and
- (B) The granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including exemption from certain sales taxes, in an amount not to exceed \$85,600, and exemption from mortgage recording taxes in an amount not to exceed \$13,500 (collectively, the “Financial Assistance”); and
- (C) The lease 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

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WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act"), and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), the members of the Agency adopted a resolution on October 3, 2019, (the "SEQR Resolution") in which the Agency determined (A) that the Project constitutes an "Unlisted Action", (B) therefore that the coordinated review procedures outlined in the Regulations are strictly optional, (C) that the Project will not have a "significant effect on the environment" pursuant to SEQRA and, therefore that no environmental impact statement need be prepared with respect to the Project, and (D) that a negative declaration would be prepared with respect to the Project; and

WHEREAS, in order to consummate the Project and the granting of the Financial Assistance, the Agency proposes to enter into the following documents with the Company (hereinafter collectively referred to as the "**Agency Documents**");

- (A) A lease to the Agency (and a memorandum thereof) (the "**Underlying Lease**") by and between the Company, as landlord, and the Agency, as tenant pursuant to which the Company will lease to the Agency the Project Facility; and
- (B) A lease agreement (and a memorandum thereof) (the "**Lease Agreement**") by and between the Agency and the Company, pursuant to which, among other things, 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 to pay all legal fees and expenses incurred by the Agency with respect to the Project. The Lease Agreement shall serve as the Project Agreement pursuant to which the Company will agree to comply with certain recordkeeping and reporting requirements as a condition to relief from certain sales tax obligations including the agreement to comply with the reporting and recapture requirements of Section 875 of the General Municipal Law; and
- (C) Various certificates relating to the Project (the "**Closing Documents**"); and

WHEREAS, the Agency has given due consideration to the Application and to the representations by the Company that the granting by the Agency of the Financial Assistance with respect to the Project will be in an inducement to the Company to undertake the Project in Jefferson County, New York.

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

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Section 1 The Agency 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; and
- (B) The Project constitutes a "project", as such term is defined in the Act; and
- (C) The acquisition of the Project Facility and the lease of the Project Facility to the Company will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of Jefferson County, New York and the State of New York and improve their standard of living or more particularly described below; and
- (D) It is desirable and in the public interest for the Agency to grant to the Company the relief provided by the Project Agreement, and to enter into the Agency Documents upon the satisfaction of all conditions thereto.
- (E) The granting of the Financial Assistance shall result in the retention of 92 full time jobs and the creation of 40 full time jobs.

Section 2 In consequence of the foregoing, the Agency hereby determines that the granting of the Financial Assistance by the Agency with respect to the Project, through the granting of the tax exemptions described herein, will promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of Jefferson County, New York and the State of New York, and improve their standard of living, and thereby serve the public purposes of the Act.

Section 3 In consequence of the foregoing, and subject to the satisfactions of any conditions as imposed herein or as may be required by the Act, the Agency hereby determines to:

- (A) Proceed with the Project;
- (B) Acquire the Project Facility;
- (C) Accept an Underlying Lease of the Project on terms to be determined by the Agency;
- (D) Lease the Project Facility to the Company pursuant to a Lease Agreement on terms to be determined by the Agency;
- (E) Execute and deliver the other Agency Documents upon terms and conditions satisfactory to the Chief Executive Officer; and
- (F) Execute and deliver the Closing Documents upon terms and conditions satisfactory to the Chief Executive Officer; and

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(G) Grant the Financial Assistance with respect to the Project.

Section 4 The Agency is hereby authorized to acquire a leasehold interest in the Project Facility pursuant to an Underlying Lease 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 are hereby approved, ratified and confirmed.

Section 5 The Agency is hereby authorized to lease the Project Facility back to the Company pursuant to the Lease Agreement and to do all things necessary or appropriate to renovate, construct and equip the Project pursuant to the terms of the Lease Agreement.

Section 6 (A) The Chief Executive Officer of the Agency is 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 substantially the forms thereof presented to this meeting, with such changes, variations, omissions and insertions thereto as the Chief Executive Officer shall approve, the execution thereof by the Chief Executive Officer to constitute conclusive evidence of such approval.

(B) The Chief Executive Officer of the Agency is 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 7 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 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 Agency Documents binding upon the Agency.

Section 8 The Agency hereby determines and finds that the Project will not constitute a project where facilities or property are primarily used in making retail sales of goods or services to customers who personally visit such facilities.

Section 9 This Resolution shall take effect immediately.

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The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

<u>David Converse</u>	VOTING _____
<u>John Jennings</u>	VOTING _____
<u>Robert Aliasso</u>	VOTING _____
<u>W. Edward Walldroff</u>	VOTING _____
<u>Paul Warneck</u>	VOTING _____
<u>William Johnson</u>	VOTING _____
<u>Lisa L'Huillier</u>	VOTING _____

The foregoing Resolution was thereupon declared and duly adopted.

ENVIRONMENTAL RESOLUTION

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A meeting of Jefferson County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at 800 Starbuck Avenue in the City of Watertown, Jefferson County, New York on October 3, 2019, at 8:30 o'clock a.m., local time.

The meeting was called to order by the Chairman and, upon roll being called, the following members of the Agency were:

PRESENT:

ABSENT:

FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 10.03.2019.06

RESOLUTION DETERMINING THAT ACTION TOWARD THE ACQUISITION, CONSTRUCTION, INSTALLATION AND LEASING OF A CERTAIN COMMERCIAL PROJECT FOR OYA NYS RTE 12 LLC, OYA BLANCHARD ROAD LLC, OYA BLANCHARD ROAD 2 LLC, AND OYA GREAT LAKES SEAWAY LLC (COLLECTIVELY "OYA" WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

WHEREAS, Jefferson County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 369 of the 1971 Laws of New York, as amended, constituting Section 892-e 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 commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound

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commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install 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, OYA has presented an application (the "Application") to the Agency, a copy of which was presented at this meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in certain parcels of land located in the Towns of Orleans, to wit: tax parcels 13.00-2-51; 13.00-2-53; and 13.00-4-41.1; and a parcel located in the Town of Clayton, to wit: tax parcel 20.00-1-28, Jefferson County, New York (the "Land"), and (2) construction on the Land of four separate 5 megawatt solar photo-voltaic community distribution generation facilities (collectively the Facility") to be operated by the Company (the Land and the Facility 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 exemption from certain sales taxes, real estate transfer taxes, and real estate taxes (collectively the "Financial Assistance"); and (C) the lease (with and 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 is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the "Regulations"); and

WHEREAS, undertaking the Project is an Action as defined by SEQRA; and

WHEREAS, the Town of Orleans conducted a coordinated review of the Project, and although the Agency was not included as an involved agency in the review conducted by the Town of Orleans, a complete copy of the Full Environmental Assessment Form reviewed by the Town and of the environmental review proceedings conducted by the Town of Orleans (the "EAF") has been filed with the Agency and has been provided to the members of the Agency; and

WHEREAS, the Agency has considered the Project and the EAF, together with the Agency's knowledge of the area surrounding the Project, and such further information as is available to the Agency; and

WHEREAS, the Agency has reviewed the classifications of actions contained in the Regulations; and

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WHEREAS, the Agency has determined that the Action is a Type I Action, as that term is defined in the Regulations, and that although the Agency was not included as an involved agency in the coordinated review conducted by the Town of Orleans, the Agency as reviewed the proceedings conducted by the Town of Orleans and the EAF and concurs with the findings of the Town of Orleans that the Project will not result in a significant environmental impact.

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

Section 1. The Project is a Type I Action pursuant to SEQRA.

Section 2. The Agency has reviewed the environmental review conducted by the Town of Orleans and concurs with the findings of the Town of Orleans.

Section 3. The Project will not result in a significant adverse environmental impact.

Section 4. Preparation of an Environmental Impact Statement is not required.

Section 5. The basis for this determination is set forth in Part 2 of the Environmental Assessment Form, attached as Attachment A hereto and incorporated by reference herein.

Section 6. A Negative Declaration of significant adverse environmental impact shall be prepared, filed, distributed and published in accord with 6 NYCRR shall be filed at the Agency as required by 6 NYCRR Section 617.12(b)(2).

Section 7. 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:

David J. Converse	VOTING	_____
John Jennings	VOTING	_____
Robert E. Aliasso, Jr.	VOTING	_____
W. Edward Walldroff	VOTING	_____
Paul Warneck	VOTING	_____
William Johnson	VOTING	_____
Lisa L'Huillier	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

I, the undersigned Chief Executive Officer of the Jefferson County Industrial Development Agency (the "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 October 3, 2019, 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 related to the subject matters 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 respect 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 given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 and affixed the seal of the
Agency this 3rd day of October, 2019

- 49 -

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: OYA Jefferson Utility - Shaw/Garnsey Property - Scale Solar Project		
Project Location (describe, and attach a general location map): 40412 Route 12 Clayton NY 13624		
Brief Description of Proposed Action (include purpose or need): The proposed project would consist of 4 each 5000 kW AC, 7501 kW DC solar arrays on approximately 188 acres in the Town of Clayton and the Town of Orleans. Some portions of the rural and agriculturally zoned parcels will be cleared and made suitable for ground mount array.		
Name of Applicant/Sponsor: OYA Solar NY, LP/Town of Orleans	Telephone: 1-866-284-7980	
	E-Mail: greg.rossetti@oyasolar.com	
Address: 54 W 40th St/ 20558 Sunrise Ave orleanszoningofficer@gmail.com		
City/PO: New York/LaFargeville NY 13656	State: NY	Zip Code: 10018
Project Contact (if not same as sponsor; give name and title/role): Gregg Rossetti/Lee Shimmel	Telephone: 315/783.6384	
	E-Mail: Greg.rossetti@oyasolar.com	
Address: 54 W 40th St/20558 Sunrise Ave		
City/PO: New York, NY/LaFargeville, NY, 13656	State: NY	Zip Code: 13656
Property Owner (if not same as sponsor): Leland Bruce Shaw, Trustee/Harold Garnsey	Telephone:	
	E-Mail:	
Address: Bruce Shaw: 40920 NYS Route 12, Clayton NY 13624 Harold Garnsey: 18600 Robinson Rd, Clayton NY 13624		
City/PO: Clayton	State: NY	Zip Code: 13624

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Clayton Site Plan review/Town of Orleans Site Plan Review	
c. City Council, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Clayton and Town of Orleans	
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS Dept. of Environmental Conservation, SHPO, NYSEDA	
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	US Army Corps of Engineers, Section 404, Clean Water Act	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	

C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

The parcels are currently zoned as Rural, Residential, and Agriculture. A special permit will be obtained to proceed with this project.

- b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

- c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

- i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

- a. In what school district is the project site located? Thousand Islands Central School District and LaFargeville Central School District

- b. What police or other public protection forces serve the project site?

NYS Police, Jefferson County Sheriff

- c. Which fire protection and emergency medical services serve the project site?

Town of Clayton Fire District, Clayton Volunteer Fire Department, Thousand Island Emergency Rescue, Fishers Landing Volunteer Fire Department

- d. What parks serve the project site?

Not applicable

D. Project Details**D.1. Proposed and Potential Development**

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

Commercial

- b. a. Total acreage of the site of the proposed action? 188.9 acres
b. Total acreage to be physically disturbed? 93.45 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 188.9 acres

- c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

- d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

- i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

- ii. Is a cluster/conservation layout proposed? ☐ Yes ☒ No

- iii. Number of lots proposed? _____

- iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

- e. Will proposed action be constructed in multiple phases? ☐ Yes ☒ No

- i. If No, anticipated period of construction: _____ months

- ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
<ul style="list-style-type: none"> • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ 	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): <u>Four Freshwater Forested / Shrub Wetland. Two Freshwater ponds connected by a stream. Two Freshwater Emergent Wetland to be affected by solar garden</u>	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☒ No

If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?

☒ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: To be determined upon Wetland Delineation

- expected acreage of aquatic vegetation remaining after project completion: To be determined

- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):

Clear cut land for placement of ground mount solar array

- proposed method of plant removal: Mechanical clear cutting

- if chemical/herbicide treatment will be used, specify product(s): N/A

v. Describe any proposed reclamation/mitigation following disturbance:

N/A

c. Will the proposed action use, or create a new demand for water?

☐ Yes ☒ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☐ Yes ☐ No

If Yes:

- Name of district or service area:

- Does the existing public water supply have capacity to serve the proposal?

☐ Yes ☐ No

- Is the project site in the existing district?

☐ Yes ☐ No

- Is expansion of the district needed?

☐ Yes ☐ No

- Do existing lines serve the project site?

☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project:

- Source(s) of supply for the district:

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If Yes:

- Applicant/sponsor for new district:

- Date application submitted or anticipated:

- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☐ Yes ☒ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☒ No

If Yes:

- Name of wastewater treatment plant to be used:

- Name of district:

- Does the existing wastewater treatment plant have capacity to serve the project?

☐ Yes ☐ No

- Is the project site in the existing district?

☐ Yes ☐ No

- Is expansion of the district needed?

☐ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No • Will line extension within an existing district be necessary to serve the project? <input type="checkbox"/> Yes <input type="checkbox"/> No <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):</p> <p>_____</p> <p>_____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>	
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 40px;">_____ Square feet or <u>281.2</u> acres (parcel size)</p> <p>ii. Describe types of new point sources. Impervious solar panels</p> <p>_____</p>	
<p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p><u>Man - made drainage swales, ditches, etc</u></p> <p>_____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ <li style="padding-left: 40px;"><u>Two freshwater emergent wetlands, two freshwater forested/shrub wetland, one freshwater pond, one riverine</u> • Will stormwater runoff flow to adjacent properties? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 	
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>_____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p>	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: XX MW DC, XX MW AC

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Renewable on - site

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☒ No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 6 am - 4 pm
- Saturday: —
- Sunday: —
- Holidays: —

ii. During Operations:

- Monday - Friday: 24 Hours
- Saturday: 24 Hours
- Sunday: 24 Hours
- Holidays: 24 Hours

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration: <u>6 am - 4 pm during construction (Monday - Friday) due to heavy machinery</u></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>n.. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- ☒ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☒ Rural (non-farm)
☒ Forest ☒ Agriculture ☒ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Coverture	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	TBD based on size of array	and wetland delineation
• Forested	approx 100		
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	approx 141		
• Agricultural (includes active orchards, field, greenhouse etc.)	0		
• Surface water features (lakes, ponds, streams, rivers, etc.)	approx 3		
• Wetlands (freshwater or tidal)	approx 15		
• Non-vegetated (bare rock, earth or fill)	0		
• Other Describe: solar panel surfaces	0	↓	↓

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☒ No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
 If Yes:
 i. Has the facility been formally closed? ☐ Yes ☒ No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☒ No
 ☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
 ☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 ☐ Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >5 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Vergennes silty clay loam	17.3 %
Chaumont silty clay	11.6 %
Covington silty clay	8.4 %

d. What is the average depth to the water table on the project site? Average: _____ 0-2 feet

e. Drainage status of project site soils: ☐ Well Drained: _____ 6.1 % of site
☐ Moderately Well Drained: _____ 41.4 % of site
☐ Poorly Drained: _____ 46.5 % of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ 95 % of site
☐ 10-15%: _____ 5 % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 910-1655 Classification D
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) TP-18

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100 year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500 year Floodplain? ☐ Yes ☒ No

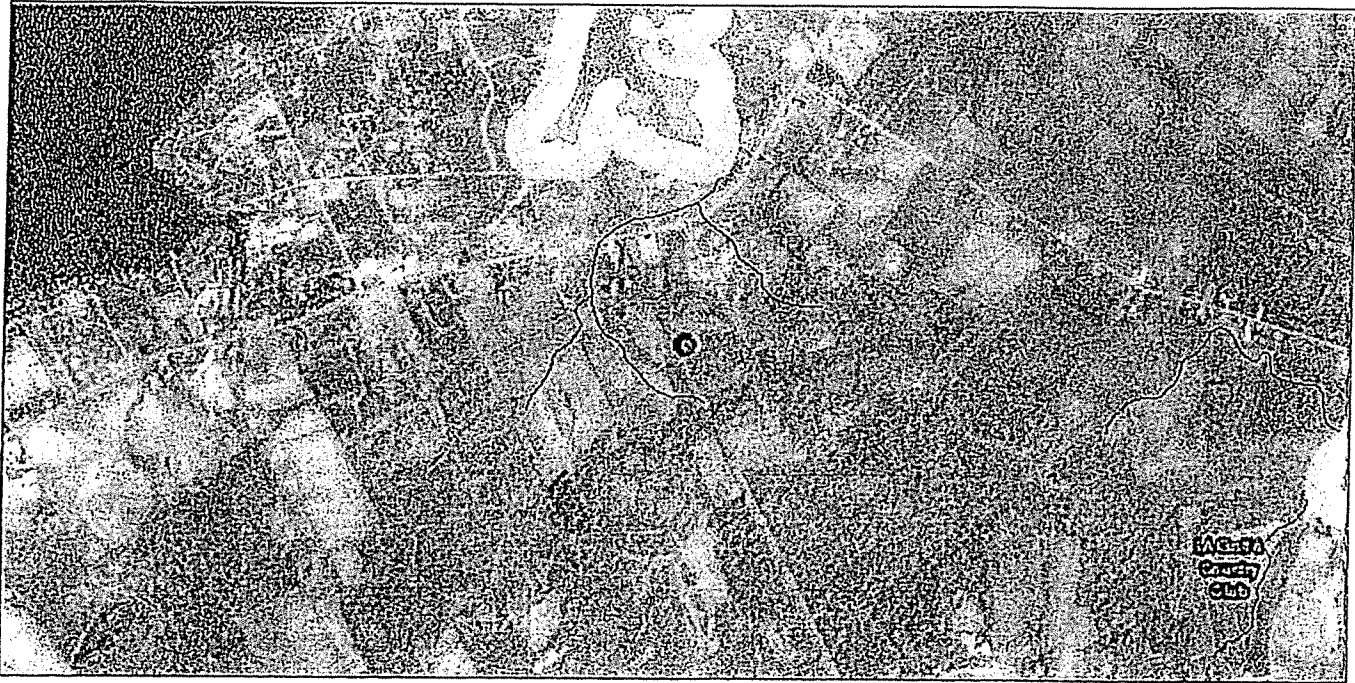
l. Is the project site located over, or immediately adjoining, a primary, principal or sole-source aquifer? ☐ Yes ☒ No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: <div style="display: flex; justify-content: space-between;"> <div> <u>Black Tern</u> <u>Canada Warbler</u> </div> <div> <u>White - tailed deer</u> </div> <div> <u>North American Raccoon</u> </div> </div>	
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <i>i. Describe the habitat/community (composition, function, and basis for designation):</i> _____ <i>ii. Source(s) of description or evaluation:</i> _____ <i>iii. Extent of community/habitat:</i> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Mammals- Indiana Bat (Endangered), Northern Long-eared Bat (Threatened)	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: <u>JEFF002</u>	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>i. If Yes: acreage(s) on project site?</i> _____ <i>ii. Source(s) of soil rating(s):</i> _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <i>i. Nature of the natural landmark:</i> <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii. Provide brief description of landmark, including values behind designation and approximate size/extent:</i> _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <i>i. CEA name:</i> _____ <i>ii. Basis for designation:</i> _____ <i>iii. Designating agency and date:</i> _____	

E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	JEFF002
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

Environmental Resource Mapper



The coordinates of the point you clicked on are:

UTM 18

Easting: 419073.851

Northing: 4900483.337

Longitude/Latitude

Longitude: -76.014

Latitude: 44.253

The approximate address of the point you clicked on is:

13624, Clayton, New York

County: Jefferson

Town: Clayton

USGS Quad: THOUSAND ISLAND PK

DEC Region

Region 6:

(Western Adirondacks/Eastern Lake Ontario) Herkimer, Jefferson, Lewis, Oneida and St. Lawrence counties. For more information visit <http://www.dec.ny.gov/about/613.html>.

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the possibility that a unique feature may also show in another



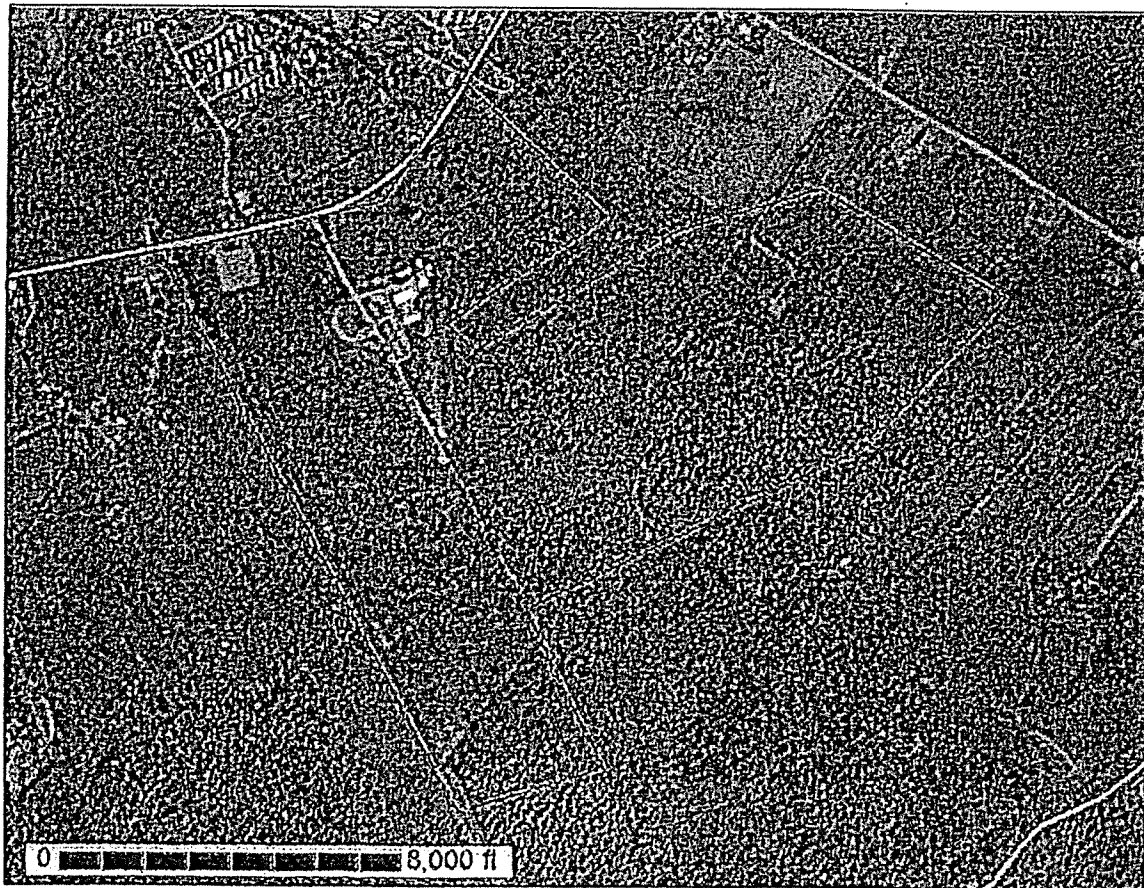
United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for **Jefferson County, New York**



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

Contents

Preface.....	2
How Soil Surveys Are Made.....	5
Soil Map.....	8
Soil Map.....	9
Legend.....	10
Map Unit Legend.....	11
Map Unit Descriptions.....	11
Jefferson County, New York.....	14
CIA—Chaumont silty clay, 0 to 3 percent slopes.....	14
CIB—Chaumont silty clay, 3 to 8 percent slopes.....	15
CnB—Collamer silt loam, 3 to 8 percent slopes.....	16
CoB—Collamer silt loam, bedrock substratum, 3 to 8 percent slopes.....	18
Cp—Covington silty clay.....	19
GIA—Galway silt loam, 0 to 3 percent slopes.....	20
GIC—Galway silt loam, 8 to 15 percent slopes.....	22
Gv—Guffin clay.....	23
HrB—Hollis-Rock outcrop complex, 0 to 8 percent slopes.....	24
KgA—Kingsbury silty clay, 0 to 2 percent slopes.....	26
KgB—Kingsbury silty clay, 2 to 6 percent slopes.....	27
Lc—Livingston mucky silty clay.....	29
NoB—Niagara silt loam, 3 to 8 percent slopes.....	30
VeB—Vergennes silty clay loam, 3 to 8 percent slopes.....	31
VeC—Vergennes silty clay loam 8 to 15 percent slopes.....	33
W—Water.....	34
WnB—Wilpoint silty clay loam, 3 to 8 percent slopes.....	35
WnC—Wilpoint silty clay loam, 8 to 15 percent slopes.....	36
References.....	38

Custom Soil Resource Report

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties:

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.





































After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report

MAP LEGEND

Area of Interest (AOI)		Area of Interest (AOI)
Soils		Soil Map Unit Polygons
		Soil Map Unit Lines
		Soil Map Unit Points
Special Point Features		
		Blowout
		Borrow Pit
		Clay Spot
		Closed Depression
		Gravel Pit
		Gravelly Spot
		Landfill
		Lava Flow
		Marsh or swamp
		Mine or Quarry
		Miscellaneous Water
		Perennial Water
		Rock Outcrop
		Saline Spot
		Sandy Spot
		Severely Eroded Spot
		Sinkhole
		Slide or Slip
		Sodic Spot
		Spoil Area
		Stony Spot
		Very Stony Spot
		Wet Spot
		Other
		Special Line Features
		Streams and Canals
		Rails
		Interstate Highways
		US Routes
		Major Roads
		Local Roads
		Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Jefferson County, New York
Survey Area Data: Version 15, Feb 24, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Apr 1, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Custom Soil Resource Report

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps.

Custom Soil Resource Report

Jefferson County, New York

CIA—Chaumont silty clay, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 9sms
Mean annual precipitation: 33 to 50 inches
Mean annual air temperature: 45 to 46 degrees F
Frost-free period: 110 to 170 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Chaumont and similar soils: 75 percent
Minor components: 25 percent
Estimates are based on observations, descriptions, and transects of the map unit.

Description of Chaumont

Setting

Landform: Lake plains
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Tread
Down-slope shape: Concave
Across-slope shape: Linear
Parent material: Clayey glaciolacustrine deposits or glaciomarine deposits

Typical profile

H1 - 0 to 5 inches: silty clay
H2 - 5 to 11 inches: clay
H3 - 11 to 22 inches: clay
H4 - 22 to 27 inches: silty clay
H5 - 27 to 31 inches: unweathered bedrock

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: 20 to 40 inches to lithic bedrock
Natural drainage class: Somewhat poorly drained
Capacity of the most limiting layer to transmit water (Ksat):— Very low to moderately high (0.00 to 0.20 in/hr)
Depth to water table: About 6 to 18 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 15 percent
Available water storage in profile: Low (about 3.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: D
Hydric soil rating: No

Minor Components

Kingsbury

Percent of map unit: 5 percent
Hydric soil rating: No

Custom Soil Resource Report

H5 - 27 to 31 inches: unweathered bedrock

Properties and qualities

Slope: 3 to 8 percent

Depth to restrictive feature: 20 to 40 inches to lithic bedrock

Natural drainage class: Somewhat poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.20 in/hr)

Depth to water table: About 6 to 18 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 15 percent

Available water storage in profile: Low (about 3.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4w

Hydrologic Soil Group: D

Hydric soil rating: No

Minor Components

Kingsbury

Percent of map unit: 5 percent

Hydric soil rating: No

Wilpoint

Percent of map unit: 5 percent

Hydric soil rating: No

Unnamed soils, rock fragments and rock outcrops

Percent of map unit: 3 percent

Covington

Percent of map unit: 3 percent

Landform: Depressions

Hydric soil rating: Yes

Guffin

Percent of map unit: 2 percent

Landform: Depressions

Hydric soil rating: Yes

Livingston

Percent of map unit: 2 percent

Landform: Depressions

Hydric soil rating: Yes

CnB—Collamer silt loam, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 9smx

Mean annual precipitation: 33 to 50 inches

Custom Soil Resource Report

CoB—Collamer silt loam, bedrock substratum, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 9sn0

Mean annual precipitation: 33 to 50 inches

Mean annual air temperature: 45 to 46 degrees F

Frost-free period: 110 to 170 days

Farmland classification: All areas are prime farmland

Map Unit Composition

Collamer, bedrock substratum, and similar soils: 80 percent

Minor components: 20 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Collamer, Bedrock Substratum

Setting

Landform: Lake plains

Landform position (two-dimensional): Summit

Landform position (three-dimensional): Tread

Down-slope shape: Concave

Across-slope shape: Convex

Parent material: Silty and clayey glaciolacustrine deposits

Typical profile

H1 - 0 to 8 inches: silt loam

H2 - 8 to 18 inches: silt loam

H3 - 18 to 32 inches: silty clay loam

H4 - 32 to 48 inches: stratified silt loam to very fine sand to clay

H5 - 48 to 52 inches: unweathered bedrock

Properties and qualities

Slope: 3 to 8 percent

Depth to restrictive feature: 40 to 60 inches to lithic bedrock

Natural drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.57 in/hr)

Depth to water table: About 18 to 24 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 15 percent

Available water storage in profile: Moderate (about 8.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2e

Hydrologic Soil Group: C/D

Hydric soil rating: No

Custom Soil Resource Report

Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 15 percent
Available water storage in profile: Low (about 5.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: D
Hydric soil rating: Yes

Minor Components

Livingston

Percent of map unit: 5 percent
Landform: Depressions
Hydric soil rating: Yes

Guffin

Percent of map unit: 5 percent
Landform: Depressions
Hydric soil rating: Yes

Unnamed soils, sandy areas and stony areas

Percent of map unit: 5 percent
Landform: Depressions
Hydric soil rating: Yes

Kingsbury

Percent of map unit: 5 percent
Hydric soil rating: No

Chaumont

Percent of map unit: 5 percent
Hydric soil rating: No

GIA—Galway silt loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 9snn
Elevation: 150 to 1,000 feet
Mean annual precipitation: 33 to 50 inches
Mean annual air temperature: 45 to 46 degrees F
Frost-free period: 110 to 170 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Galway and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the map unit.

Custom Soil Resource Report

Hydric soil rating: Yes

GIC—Galway silt loam, 8 to 15 percent slopes

Map Unit Setting

National map unit symbol: 9snq
Elevation: 150 to 1,000 feet
Mean annual precipitation: 33 to 50 inches
Mean annual air temperature: 45 to 46 degrees F
Frost-free period: 110 to 170 days
Farmland classification: Not prime farmland

Map Unit Composition

Galway and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Galway

Setting

Landform: Benches, ridges, till plains
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Crest
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Calcareous loamy till

Typical profile

H1 - 0 to 9 inches: silt loam
H2 - 9 to 23 inches: gravelly loam
H3 - 23 to 26 inches: very gravelly loam
H4 - 26 to 30 inches: unweathered bedrock

Properties and qualities

Slope: 8 to 15 percent
Depth to restrictive feature: 20 to 40 inches to lithic bedrock
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.60 in/hr)
Depth to water table: About 18 to 40 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 25 percent
Available water storage in profile: Low (about 3.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: C/D
Hydric soil rating: No

Custom Soil Resource Report

H3 - 19 to 22 inches: clay

H4 - 22 to 26 inches: unweathered bedrock

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: 20 to 40 inches to lithic bedrock

Natural drainage class: Poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.20 in/hr)

Depth to water table: About 0 to 6 inches

Frequency of flooding: None

Frequency of ponding: Occasional

Calcium carbonate, maximum in profile: 15 percent

Available water storage in profile: Low (about 3.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 4w

Hydrologic Soil Group: D

Hydric soil rating: Yes

Minor Components

Chaumont

Percent of map unit: 5 percent

Hydric soil rating: No

Covington

Percent of map unit: 5 percent

Landform: Depressions

Hydric soil rating: Yes

Livingston

Percent of map unit: 5 percent

Landform: Depressions

Hydric soil rating: Yes

Kingsbury

Percent of map unit: 5 percent

Hydric soil rating: No

Unnamed soils

Percent of map unit: 3 percent

Wilpoint

Percent of map unit: 2 percent

Hydric soil rating: No

HrB—Hollis-Rock outcrop complex, 0 to 8 percent slopes

Map Unit Setting

National map unit symbol: 9spd

Mean annual precipitation: 33 to 50 inches

Custom Soil Resource Report

Hydric soil rating: Unranked

Minor Components

Galoo

Percent of map unit: 5 percent

Hydric soil rating: No

Chaumont

Percent of map unit: 5 percent

Hydric soil rating: No

Chatfield

Percent of map unit: 3 percent

Hydric soil rating: No

Unnamed soils, steep slopes

Percent of map unit: 3 percent

Hydric soil rating: No

Ruse

Percent of map unit: 2 percent

Hydric soil rating: Yes

Guffin

Percent of map unit: 2 percent

Hydric soil rating: Yes

KgA—Kingsbury silty clay, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: 9spq

Elevation: 80 to 600 feet

Mean annual precipitation: 33 to 50 inches

Mean annual air temperature: 45 to 46 degrees F

Frost-free period: 110 to 170 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Kingsbury and similar soils: 80 percent

Minor components: 20 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Kingsbury

Setting

Landform: Lake plains

Landform position (two-dimensional): Footslope

Landform position (three-dimensional): Tread

Down-slope shape: Concave

Across-slope shape: Linear

Custom Soil Resource Report

Mean annual precipitation: 33 to 50 inches

Mean annual air temperature: 45 to 46 degrees F

Frost-free period: 110 to 170 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Kingsbury and similar soils: 80 percent

Minor components: 20 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Kingsbury

Setting

Landform: Lake plains

Landform position (two-dimensional): Footslope

Landform position (three-dimensional): Tread

Down-slope shape: Concave

Across-slope shape: Linear

Parent material: Calcareous, clayey glaciomarine deposits or glaciolacustrine deposits

Typical profile

H1 - 0 to 12 inches: silty clay

H2 - 12 to 28 inches: clay

H3 - 28 to 60 inches: silty clay

Properties and qualities

Slope: 2 to 6 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Somewhat poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Very low (0.00 in/hr)

Depth to water table: About 6 to 18 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 10 percent

Available water storage in profile: Moderate (about 8.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3w

Hydrologic Soil Group: D

Hydric soil rating: No

Minor Components

Vergennes

Percent of map unit: 4 percent

Hydric soil rating: No

Unnamed soils

Percent of map unit: 4 percent

Chaumont

Percent of map unit: 3 percent

Hydric soil rating: No

Rhinebeck

Percent of map unit: 3 percent

Custom Soil Resource Report

Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: About 0 to 12 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 15 percent

Available water storage in profile: Moderate (about 6.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 5w

Hydrologic Soil Group: C/D

Hydric soil rating: Yes

Minor Components

Kingsbury

Percent of map unit: 10 percent

Hydric soil rating: No

Guffin

Percent of map unit: 6 percent

Landform: Depressions

Hydric soil rating: Yes

Chaumont

Percent of map unit: 5 percent

Hydric soil rating: No

Unnamed soils

Percent of map unit: 4 percent

Landform: Depressions

Hydric soil rating: Yes

NoB—Niagara silt loam, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 9sqy

Mean annual precipitation: 33 to 50 inches

Mean annual air temperature: 45 to 46 degrees F

Frost-free period: 110 to 170 days

Farmland classification: Prime farmland if drained

Map Unit Composition

Niagara and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the map unit.

Description of Niagara

Setting

Landform: Lake plains

Custom Soil Resource Report

Frost-free period: 120 to 175 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Vergennes and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Vergennes

Setting

Landform: Lake terraces

Landform position (two-dimensional): Summit, shoulder

Landform position (three-dimensional): Tread

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Calcareous clayey estuarine deposits derived from limestone
and/or calcareous clayey glaciolacustrine deposits derived from limestone

Typical profile

Ap - 0 to 8 inches: silty clay loam

B/E - 8 to 10 inches: clay

Bt - 10 to 22 inches: clay

BC - 22 to 29 inches: silty clay

C1 - 29 to 37 inches: silty clay

C2 - 37 to 45 inches: silty clay

C3 - 45 to 79 inches: silty clay

Properties and qualities

Slope: 3 to 8 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Moderately well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately
low (0.00 to 0.06 in/hr)

Depth to water table: About 18 to 30 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 20 percent

Available water storage in profile: Moderate (about 8.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2e

Hydrologic Soil Group: D

Hydric soil rating: No

Minor Components

Cayuga

Percent of map unit: 5 percent

Landform: Drumlinoid ridges

Landform position (two-dimensional): Shoulder, summit

Landform position (three-dimensional): Crest, side slope

Down-slope shape: Convex

Across-slope shape: Convex

Hydric soil rating: No

Custom Soil Resource Report

Parent material: Clayey calcareous glaciolacustrine, glaciomarine, or estuarine deposits

Typical profile

H1 - 0 to 8 inches: silty clay loam

H2 - 8 to 12 inches: clay

H3 - 12 to 29 inches: clay

H4 - 29 to 72 inches: stratified clay to silt loam

Properties and qualities

Slope: 8 to 15 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)

Depth to water table: About 12 to 36 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 15 percent

Available water storage in profile: Moderate (about 6.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: D

Hydric soil rating: No

Minor Components

Kingsbury

Percent of map unit: 5 percent

Hydric soil rating: No

Unnamed soils

Percent of map unit: 5 percent

Hydric soil rating: Yes

Covington

Percent of map unit: 5 percent

Hydric soil rating: Yes

W—Water

Map Unit Setting

National map unit symbol: 9ss2

Mean annual precipitation: 33 to 50 inches

Mean annual air temperature: 45 to 46 degrees F

Frost-free period: 110 to 170 days

Farmland classification: Not prime farmland

Map Unit Composition

Water: 100 percent

Custom Soil Resource Report

Minor Components

Chaumont

Percent of map unit: 7 percent
Hydric soil rating: No

Unnamed soils

Percent of map unit: 5 percent
Hydric soil rating: Yes

Guffin

Percent of map unit: 3 percent
Hydric soil rating: Yes

WnC—Wilpoint silty clay loam, 8 to 15 percent slopes

Map Unit Setting

National map unit symbol: 9ssb
Mean annual precipitation: 33 to 50 inches
Mean annual air temperature: 45 to 46 degrees F
Frost-free period: 110 to 170 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Wilpoint and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Wilpoint

Setting

Landform: Lake plains
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Tread
Down-slope shape: Concave
Across-slope shape: Convex
Parent material: Clayey glaciolacustrine or glaciomarine deposits

Typical profile

Ap - 0 to 6 inches: silty clay loam
H2 - 6 to 9 inches: silty clay
H3 - 9 to 22 inches: clay
C - 22 to 29 inches: clay
2R - 29 to 33 inches: unweathered bedrock

Properties and qualities

Slope: 8 to 15 percent
Depth to restrictive feature: 20 to 40 inches to lithic bedrock
Natural drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.20 in/hr)

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Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are not shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information.
2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME

STATUS

Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A
BREEDING SEASON IS INDICATED
FOR A BIRD ON YOUR LIST, THE
BIRD MAY BREED IN YOUR
PROJECT AREA SOMETIME WITHIN
THE TIMEFRAME SPECIFIED,
WHICH IS A VERY LIBERAL
ESTIMATE OF THE DATES INSIDE
WHICH THE BIRD BREEDS
ACROSS ITS ENTIRE RANGE.
"BREEDS ELSEWHERE" INDICATES
THAT THE BIRD DOES NOT LIKELY
BREED IN YOUR PROJECT AREA.)

Bald Eagle *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Dec 1 to Aug 31

Black-billed Cuckoo *Coccyzus erythrophthalmus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9399>

Breeds May 15 to Oct 10

Bobolink *Dolichonyx oryzivorus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 20 to Jul 31

Dunlin *Calidris alpina arctica*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds elsewhere

Eastern Whip-poor-will *Antrostomus vociferus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 1 to Aug 20

Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.05 = 5$; at week 20 it is $0.05/0.05 = 1$.

3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

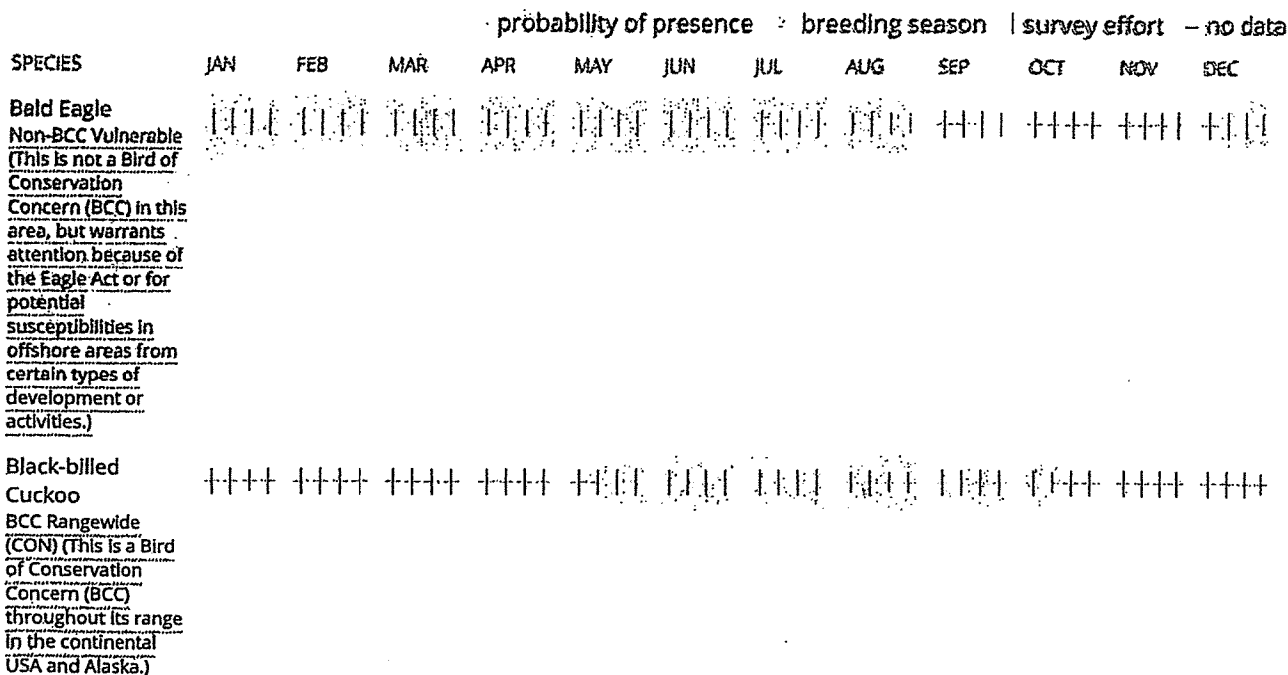
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

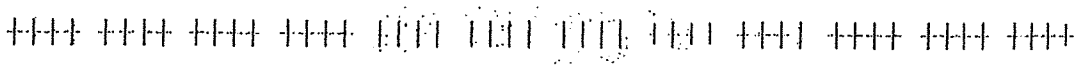
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Wood Thrush
BCC Rangewide
(CON) (This is a Bird
of Conservation
Concern (BCC)
throughout its range
in the continental
USA and Alaska.)



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource List includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the E-bird Explore Data Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources; The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Wildlife refuges and fish hatcheries

REFUGE AND FISH HATCHERY INFORMATION IS NOT AVAILABLE AT THIS TIME

Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

PEM1A

FRESHWATER FORESTED/SHRUB WETLAND

PSS1/EM1E

PSS1C

RIVERINE

R4SBA

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. 1_89_ habitats include seagrasses or submerged

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only (If applicable)

Project: _____
 Date: _____

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) If "Yes", answer questions a - j. If "No", move on to Section 2. <div style="text-align: right;"> <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO

☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO

☒ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____



4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☒ NO

☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air

The proposed action may include a state regulated air emission source.
(See Part 1. D.2.f., D.2.h, D.2.g)

☒ NO

☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

☐ NO

☒ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) If "Yes", answer questions a - g. If "No", go to Section 10. <div style="text-align: right;"> <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) If "Yes", answer questions a - e. If "No", go to Section 11. <div style="text-align: right;"> <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.
(See Part 1. D.2.j)

☒ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.
(See Part 1. D.2.k)

☒ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.
(See Part 1. D.2.m., n., and o.)

☐ NO ☒ YES

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO

☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

PRINT FULL FORM

Project : _____

Date : _____

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The project would involve the construction of 4 arrays on a portion approximately 188 acres of vacant and marginal land. shallow excavation is anticipated, but is not expected to impact any water table. No nearby residences exist. This is anticipated to have less an impact than conventional tilling, planting of fields, etc. But the resulting "green" energy is a benefit to the area. The location is removed and would not be readily visible to most persons given its remote location. As a result, the Planning Board considers this project to be a positive use of resources with the potential for only minimal impact.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☐ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
oral testimony and EAF mapper Summary report

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Planning Board as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: OYA-Jefferson Utility-Shaw/Gamsey Property - Scale Solar Project

Name of Lead Agency: Planning Board of the Town of Orleans

Name of Responsible Officer in Lead Agency: Terry Brown

Title of Responsible Officer: Chairman

Signature of Responsible Officer in Lead Agency: 

Date: 11/20/18

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

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Town Clerk
Tammy Donnelly 658-9950
Highway
Superintendent
Brian Kirkby 658-9920
Town Assessor
Dale Raymo 658-4309

Zoning Officer
Lee Shimel 658-2057

Town Council
Gwen Kirkby
Peter Wilson
Mary Ford Waterman
Thomas Johnston

**RESOLUTION
NEGATIVE DECLARATION (SEQR) FOR SOLAR ENERGY**

WHEREAS, the Planning Board for the Town of Orleans, New York has considered the application for Site Plan Approval and the application for a Special Use Permit in connection with a Solar Energy System submitted by OYA Solar NY, LP (the "Project"); and

WHEREAS, the Planning Board of the Town of Orleans has reviewed a Long Form Environmental Assessment Form with exhibits for the purpose of assisting the Planning Board in making a determination of significance in respect to the Project and whether it might have a significant adverse impact on the environment; and

WHEREAS, the Planning Board serves as Lead Agent and is performing a Coordinated Review after having received consent from other involved Agencies, or where such Agencies did not respond to a Lead Agency request; and

WHEREAS, the Town has reviewed the criteria for determining significance of an action as set forth at 6 NYCRR §617.7(c); and

WHEREAS, having considered the action and the potential for environmental impacts associated with such action, the Planning Board has determined to proceed.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Town of Orleans finds that the proposed action is subject to SEQR; and

BE IT FURTHER RESOLVED, that the action constitutes a Type 1 action under SEQR 617.4(b)(6)(i); and

BE IT FURTHER RESOLVED, by the Planning Board of the Town of Orleans, New York:

1. Based upon the examination and consideration of the Long Environmental Assessment Form and comparison of the proposed action and criteria set forth at 617.7, no adverse environmental impacts have been identified, and the potential for limited impacts identified have not been found to be significant.

2. The Planning Board Chair for the Town of Orleans is authorized to execute the Long Environmental Assessment Form to the effect that the Planning Board is issuing a "negative declaration" under SEQR.

3. The Secretary/Clerk of the Planning Board is hereby directed to file and circulate this determination in accordance with the requirements for a Type I action of the Long Environmental Assessment Form.

4. A complete copy of the EAF including this negative declaration shall be maintained in the Planning Board's file, and in the Town Clerk's office in a file that will be readily accessible by the Public. Further, the Secretary/Clerk is hereby authorized to publish a notice to that effect in the Environmental Notice Bulletin. All subsequent notices regarding the undertaking of the Project shall state that a negative declaration has been issued.

5. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, CHRISTOPHER LA BOW, and seconded by Board Member, BRIAN ECKERT, and upon roll call vote of the Board was duly adopted as follows:

Terry Brown, Chair	Yes <u>✓</u>	No <u> </u>
Christopher La Bow, Vice-Chair	Yes <u>✓</u>	No <u> </u>
Mathew W. Duffany	Yes <u>✓</u>	No <u> </u>
Brian Eckert	Yes <u>✓</u>	No <u> </u>
Damon Kirkby	Yes <u>✓</u>	No <u> </u>

Dated: November 20, 2018


Renee Zellar, Secretary/ Clerk

PRELIMINARY INDUCEMENT RESOLUTION

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A meeting of Jefferson County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at 800 Starbuck Avenue in the City of Watertown, Jefferson County, New York on October 3, 2019 at 8:30 o'clock a.m., local time.

The meeting was called to order by the Chairman and, upon roll being called, the following members of the Agency were:

PRESENT:

ABSENT:

FOLLOWING PERSONS WERE ALSO PRESENT:

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 10.03.2019.07

RESOLUTION TAKING PRELIMINARY OFFICIAL ACTION TOWARD THE ACQUISITION, CONSTRUCTION, INSTALLATION, AND LEASING OF A CERTAIN COMMERCIAL PROJECT FOR OYA NYS RTE 12 LLC, OYA BLANCHARD ROAD LLC, OYA BLANCHARD ROAD 2 LLC, AND OYA GREAT LAKES SEAWAY LLC (COLLECTIVELY THE "COMPANY") AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PRELIMINARY AGREEMENT WITH THE COMPANY WITH RESPECT TO SUCH TRANSACTION.

WHEREAS, Jefferson County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 77 of the 1974 Laws of New York, as amended, constituting Section 902 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 commercial facilities,

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among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install 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, OYA NYS Rte 12 LLC, OYA Blanchard Road LLC, OYA Blanchard Road 2 LLC, and OYA Seaway Great Lakes LLC (collectively the "Company") has presented an application (the "Application") to the Agency, a copy of which was presented at this meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in certain parcels of land located in the Towns of Orleans, to wit: tax parcels 13.00-2-51; 13.00-2-53; and 13.00-4-41.1; and a parcel located in the Town of Clayton, to wit: tax parcel 20.00-1-28, Jefferson County, New York (the "Land"), and (2) construction on the Land of four separate 5 megawatt solar photo-voltaic community distribution generation facilities (collectively the Facility") to be operated by the Company (the Land and the Facility 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 exemption from certain sales taxes, real estate transfer taxes, and real estate taxes (collectively the "Financial Assistance"); and (C) the lease (with and 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 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 Jefferson County, New York, (B) 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 of New York to another area of the State of New York or in the abandonment of a plant or facility of any proposed occupant of the Project Facility (other than the Company) located in the State of New York and (C) the completion of the Project Facility will not result in the abandonment of one or more plants or facilities of the Company located in the State of New York; and

WHEREAS, the Agency desires to encourage the Company to preserve and advance the job opportunities, health, general prosperity and economic welfare of the people of Jefferson County, New York by undertaking the Project in Jefferson County, New York; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act"), and the regulations (the "Regulations") adopted pursuant thereto by the Department of

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Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Agency on October 3, 2019 (the "SEQR Resolution"), the Agency has determined that the Project will not have a significant effect on the environment and, therefore, that an environmental impact statement is not required to be prepared with respect to the Project; and

WHEREAS, pursuant to the Act, any approval of the Project contained herein is contingent upon a determination by the members of the Agency to proceed with the Project following satisfaction of the public hearing and notice requirements and other procedural requirements contained in Section 859-a of the Act that relate to the Project; and

WHEREAS, although the resolution authorizing the Project has not yet been drafted for approval by the Agency, a preliminary agreement (the "Preliminary Agreement") relative to the proposed undertaking of the Project by the Agency has been presented for approval by the Agency.

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

Section 1. The Agency has reviewed the Application and based upon the representations made by the Company to the Agency in the Application and at this meeting and, based thereon, the Agency hereby makes the following findings and determinations with respect to the Project:

(A) The Project constitutes a "project" within the meaning of the Act; and

(B) 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 of New York to another area of the State of New York or in the abandonment of a plant or facility of any proposed occupant of the Project Facility (other than the Company) located in the State of New York and, although the completion of the Project Facility, will not result in the abandonment of one or more plants or facilities of the Company located in the State of New York; and

(C) The Project Facility 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; and

(D) The granting of the Financial Assistance by the Agency with respect to the Project, through the granting of the various tax exemptions described in Section 2(D) of this Resolution, will promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of Jefferson County, New York and the State of New York and improve their standard of living, and thereby serve the public purposes of the Act; and

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(E) Upon compliance with the provisions of the Act, the Agency would then be authorized under the Act to undertake the Project in order to promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of Jefferson County, New York and the State of New York and improve their standard of living.

Section 2. If, following full compliance with the requirements of the Act, including the public hearing requirements set forth in Section 859-a of the Act, the Agency adopts a future resolution (the "Future Resolution") determining to proceed with the Project and to grant the Financial Assistance with respect thereto and the Company complies with all conditions set forth in the Preliminary Agreement and the Future Resolution, then the Agency will (A) acquire an interest in the Project Facility from the Company pursuant to a deed, lease agreement or other documentation to be negotiated between the Agency and the Company (the "Acquisition Agreement"); (B) renovate the Facility and acquire and install the Equipment in the Facility or elsewhere on the Land; (C) lease (with the obligation to purchase) or sell the Project Facility to the Company pursuant to a lease agreement or an installment sale agreement (hereinafter the "Project Agreement") between the Agency and the Company whereby the Company will be obligated, among other things, (1) to make payments to the Agency in amounts and at times so that such payments will be adequate to enable the Agency to timely pay all amounts due on the Acquisition Agreement and (2) 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, 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, and (D) provide the Financial Assistance with respect to the Project, in accordance with the Agency's uniform tax exemption policy, including (1) exemption from mortgage recording taxes with respect to any documents recorded by the Agency with respect to the Project in the Office of the County Clerk of Jefferson County, New York or elsewhere, (2) exemption from sales taxes relating to the acquisition, construction and installation of the Project Facility, (3) exemption from deed transfer taxes and real estate transfer gains taxes on real estate transfers to and from the Agency with respect to the Project, and (4) exemption from real estate taxes (but not including special assessments and special ad valorem levies) relating to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility, all as contemplated by the Preliminary Agreement and the Future Resolution.

Section 3. If the Agency adopts the Future Resolution, the undertaking and completing of the Project by the Agency, and the granting of the Financial Assistance with respect to the Project as contemplated by Section 2 of this Resolution, shall be subject to: (A) the determination by the members of the Agency to proceed with the Project following a determination by the members of the Agency that all requirements of SEQRA that relate to the Project have been fulfilled; (B) execution and delivery by the Company of the Preliminary Agreement, which sets forth certain conditions for the undertaking and completing of the Project by the Agency, and satisfaction by the Company of all the terms and conditions of the Preliminary Agreement applicable to the Company; (C) agreement by

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the Agency and the Company on mutually acceptable terms for the conveyance of the Land to the Agency; (D) agreement between the Company and the Agency as to payment by the Company of payments in lieu of taxes with respect to the Project Facility, together with the administrative fee of the Agency with respect to the Project; (E) a determination by the members of the Agency to proceed with the granting of the Financial Assistance with respect to the Project following a determination by the members of the Agency that the public hearing and notice requirements and other procedural requirements contained in Section 859-a of the Act have been complied with; (F) the Agency's uniform tax exemption policy or if any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency must follow the procedures for deviation from such policy set forth in Section 874(b) of the Act prior to granting such portion of the Financial Assistance; and (G) the following additional condition(s): None.

Section 4. The form, terms and substance of the Preliminary Agreement (in substantially the form presented to this meeting and attached hereto) are in all respects approved, and the First Chairman (or Vice Chairman) of the Agency is hereby authorized, empowered and directed to execute and deliver said Preliminary Agreement in the name and on behalf of the Agency, said Preliminary Agreement to be substantially in the form presented to this meeting, with such changes therein as shall be approved by the officer executing same on behalf of the Agency, the execution thereof by such officer to constitute conclusive evidence of such officer's approval of any and all changes or revisions therein from the form now before this meeting.

Section 5. From and after the execution and delivery of the Preliminary Agreement, the officers, agents and employees of the Agency are hereby authorized, empowered and directed to proceed with the undertakings provided for therein on the part of the Agency and are further authorized to do all such acts and things and to execute all such documents as may be necessary or convenient to carry out and comply with the terms and provisions of the Preliminary Agreement as executed.

Section 6. Joseph W. Russell, of the law firm of Barclay Damon LLP of Watertown, New York is hereby appointed Counsel to the Agency with respect to all matters in connection with the Project. Counsel for the Agency is hereby authorized, at the expense of the Company, to work with the Company, counsel to the Company and others to prepare for submission to the Agency, all documents necessary to effect the transactions contemplated by this Resolution.

Section 7. The Agency hereby authorizes the Executive Director of the Agency, prior to the granting of any Financial Assistance with respect to the Project, after consultation with Counsel, (A) to establish a time, date and place for a public hearing of the Agency to hear all persons interested in the location and nature of the Project Facility and the proposed Financial Assistance being contemplated by the Agency with respect to the Project, said public hearing to be held in the city, town or village where the Project Facility will be located; (B) to cause notice of such public hearing to be given to the public by publishing a notice of such hearing in a newspaper of general circulation available to

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residents of the governmental units where the Project Facility is to be located, such notice to comply with the requirements of Section 859-a of the Act and to be published no fewer than ten (10) days prior to the date established for such public hearing; (C) to cause notice of said public hearing to be given to the chief executive officer of the county and each city, town, village and school district in which the Project Facility is or is to be located no fewer than ten (10) days prior to the date established for said public hearing; (D) to conduct such public hearing; and (E) to cause a report of said public hearing fairly summarizing the views presented at said public hearing to be promptly prepared and cause copies of said report to be made available to the members of the Agency.

Section 8. The First Chairman, Vice Chairman and Executive Director of the Agency are hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 9. 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:

David J. Converse	VOTING	_____
John Jennings	VOTING	_____
Robert E. Aliasso, Jr.	VOTING	_____
W. Edward Walldroff	VOTING	_____
Paul Warneck	VOTING	_____
William Johnson	VOTING	_____
Lisa L'Huillier	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

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

I, the undersigned Secretary of Jefferson County Industrial Development Agency (the "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 October 3, 2019 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 related to the subject matters therein referred to.

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I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respect 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 given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 and affixed the seal of the Agency this ____ day of _____, 2019.

W. Edward Walldroff, Secretary

PRELIMINARY AGREEMENT

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THIS PRELIMINARY AGREEMENT made as of October 3, 2019 between **JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (the "Agency"), a public benefit corporation organized and existing under the laws of the State of New York, and **OYA NYS RTE 12 LLC, OYA BLANCHARD ROAD LLC, OYA BLANCHARD ROAD 2 LLC, and OYA SEAWAY GREAT LAKES LLC** (collectively the "Company"), a limited liability companies, organized and existing under the laws of the State of New York;

WITNESSETH:

WHEREAS, the Agency is authorized and empowered by the provisions of the New York State Industrial Development Agency Act, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of the State of New York, as amended (the "Enabling Act") and Chapter 77 of the 1974 Laws of the State of New York, as amended, constituting Section 902 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to undertake the acquisition, construction, reconstruction and installation of one or more "projects" (as said quoted term is defined in the Act) and to lease (with an obligation to purchase) or sell the same upon such terms and conditions as the Agency may deem advisable; 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 Jefferson County, New York and the State of New York, 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 October 3, 2019 (the "Preliminary Inducement Resolution"), the Agency made a preliminary determination, subject to numerous conditions, to accept an application (the "Application") from the Company requesting that the Agency undertake a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in certain parcels of land located in the Towns of Orleans, to wit: tax parcels 13.00-2-51; 13.00-2-53; and 13.00-4-41.1; and a parcel located in the Town of Clayton, to wit: tax parcel 20.00-1-28, Jefferson County, New York (the "Land"), and (2) construction on the Land of four separate 5 megawatt solar photo-voltaic community distribution generation facilities (collectively the Facility") to be operated by the Company (the Land and the Facility 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 exemption from certain sales taxes, real estate transfer taxes, and real estate taxes (collectively the "Financial Assistance"); and (C) the lease (with and 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

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WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act"), and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Agency on October 3, 2019 (the "SEQR Resolution"), the Agency has determined that the Project will not have a significant effect on the environment and, therefore, that an environmental impact statement is not required to be prepared with respect to the Project;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Agency and the Company agree as follows:

Article 1. Representations.

Among the representations which 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 of New York to another area of the State of New York or in the abandonment of a plant or facility of any proposed occupant of the Project Facility (other than the Company) located in the State of New York and, although the completion of the Project Facility may result in the abandonment of one or more plants or facilities of the Company located in the State of New York, such abandonment is reasonably necessary to preserve the competitive position of the Company in its industry.

(B) The Project Facility 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 Facility.

(C) The Project site is located entirely within the boundaries of Jefferson County, New York.

(D) The granting of the Financial Assistance by the Agency with respect to the Project, through the granting of certain exemptions from taxation with respect to the Project, as further described in Section 2(D) of the Preliminary Inducement Resolution, will encourage and assist the Company in locating the Project Facility in Jefferson County, New York, and thereby serve the public purposes of the Act by promoting job opportunities in Jefferson County, New York.

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(E) It is estimated at the present time that the costs of the planning, development, acquisition, construction and installation of the Project Facility (collectively, the "Project Costs") will be approximately \$43,000,000.00.

(F) The Company will ensure that the acquisition, construction, installation and operation of the Project Facility will comply with all applicable federal, state and local laws, ordinances, rules and regulations (the applicability of same to be determined both as if the Agency were the owner of the Project Facility and as if the Company and not the Agency were the owner of the Project Facility), and the Company will obtain all necessary approvals and permits required thereunder.

Section 1.02. By the Preliminary Inducement Resolution, the Agency has approved the execution of this Preliminary Agreement. The Agency intends this Preliminary Agreement to constitute its official binding commitment, subject to the terms hereof, to accept the Application; provided, however, that this Preliminary Agreement shall not commit the Agency to undertake the Project or to grant to the Company any Financial Assistance with respect to the Project unless and until the Agency shall decide to undertake the Project and to grant such Financial Assistance following a determination by the Agency that the procedural requirements of Section 859-a of the Act that relate to the Project have been fulfilled.

Section 1.03. Pursuant to SEQRA, the Agency has made a preliminary determination that the Project will not have a "significant effect on the environment" (within the meaning of SEQRA) and, therefore, that an environmental impact statement is not required to be prepared with respect to the Project.

Article 2. Undertakings 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 Agency agrees as follows:

Section 2.01. If, following full compliance with the requirements of the Act, including the public hearing requirements set forth in Section 859-a of the Act, the Agency adopts a future resolution (the "Future Resolution") determining to proceed with the Project and to grant the Financial Assistance with respect thereto and the Company complies with all conditions set forth in this Preliminary Agreement and the Future Resolution, then the Agency will undertake the Project and will grant the Financial Assistance relating 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:

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(A) An interest in the Project Facility shall be acquired by the Agency from the Company pursuant to a deed, lease agreement or other documentation to be negotiated between the Agency and the Company (hereinafter, the "Acquisition Agreement") which contains terms mutually acceptable to the Agency and the Company for the conveyance of an interest in the Project Facility to the Agency. Any Equipment acquired by the Company prior to the execution and delivery of the Project Agreement (as hereinafter defined) shall be conveyed to the Agency by a bill of sale from the Company to the Agency. After the Project Agreement (as hereinafter defined) has been executed and delivered by the Agency and the Company then, pursuant to the Project Agreement, any Equipment acquired by the Company as part of the Project will be acquired by the Company as agent of the Agency. The lease (with an obligation to purchase) or sale of the Project Facility by the Agency to the Company shall be effected by a lease agreement or an installment sale agreement (hereinafter, the "Project Agreement") between the Agency and the Company whereby the Company will be obligated, among other things, to make payments to the Agency in amounts and at such times so that such payments will be adequate to enable the Agency to timely pay all amounts due on the Acquisition Agreement. The Acquisition Agreement and the Project Agreement and any other documents to be executed by the Agency in connection with the Project (collectively, the "Project Documents") shall, in all respects, comply with the requirements of, and limitations contained in, the Act and shall further specifically provide that the obligations of the Agency thereunder are payable solely from the revenues derived by the Agency from the sale, lease or other disposition of the Project Facility; that the obligations of the Agency thereunder shall not be a general obligation of the Agency and shall not constitute an indebtedness or pledge of the general credit of the Agency; that no beneficiary of the obligations of the Agency thereunder shall have the right to compel any exercise of the taxing power of the Agency (if any), or of the State of New York or any political subdivision thereof, including Jefferson County, New York; and that the obligations of the Agency thereunder shall not create a debt or loan of credit of Jefferson County, New York or the State of New York, but such obligations shall be a special obligation of the Agency secured and payable solely as provided in the Acquisition Agreement or the Project Agreement, as the case may be, and such facts shall be plainly stated in each of such documents;

(B) The Company shall have executed the Project Agreement between the Agency and the Company, the terms of which shall be acceptable in form and content to the Company and the Agency, 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 Facility, all taxes and other governmental charges, any required payments in lieu of

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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;

(C) No event shall have occurred which constitutes (or which after notice or lapse of time or both would constitute) an event of default under the Project Agreement;

(D) The Company shall provide the Agency with all information and statements which may be required by the Agency in order to facilitate compliance by the Agency with SEQRA;

(E) 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 Project and the various documents to be executed in connection with the Project, such rulings, approvals, resolutions, consents, certificates, opinions of counsel and other instruments and proceedings to be obtained from 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;

(F) Agreements shall be made as to (1) payments by the Company to or on behalf of the Agency of 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 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;

(G) The Agency shall have made a determination to proceed with the granting of the Financial Assistance following a determination by the Agency that all the public hearing and notice requirements and other procedural requirements of Section 859-a of the Act that relate to the Project have been complied with;

(H) If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency must follow the procedures for deviation from such policy set forth in Section 874(b) of the Act prior to granting such portion of the Financial Assistance; and

(I) The following additional conditions: None.

Section 2.02. The obligations of the Agency pursuant to this Preliminary Agreement are subject to the conditions elsewhere contained in this Preliminary

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Agreement and to the additional condition that the Agency shall not undertake the Project, nor grant any Financial Assistance with respect to the Project, unless and until the Agency shall have complied with the provisions of SEQRA.

Section 2.03. Subject to the conditions stated in this Preliminary Agreement, the Agency, from time to time, will adopt, or cause to be adopted, such proceedings and authorize the execution of such documents as may be necessary or advisable for: (A) the authorization, undertaking and completion of the Project; and (B) the sale or lease of the Project Facility to the Company, all as shall be authorized by law and be mutually satisfactory to the Agency and the Company.

Section 2.04. The Agency will take or cause to be taken such other acts and adopt such further proceedings as may be required to implement the aforesaid undertakings or as it may deem appropriate in pursuance thereof.

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 Company agrees as follows:

Section 3.01. Contemporaneously with the execution and delivery by the Agency of the Acquisition Agreement, the Company will enter into the Project Agreement with the Agency containing the terms and conditions described in Section 2.01 hereof. The Company agrees that the Company will pay all of the Project Costs and shall not be entitled to any reimbursement for any such payment from the Agency. THE AGENCY MAKES NO WARRANTY, EITHER EXPRESS OR IMPLIED, THAT THE PROJECT FACILITY WILL BE SUITABLE FOR THE COMPANY'S PURPOSES OR NEEDS.

Section 3.02. The Company hereby agrees to indemnify and hold the Agency (and its members, officers, agents and employees) harmless from all losses, expenses, claims and liabilities arising out of or based on labor, services, materials and supplies, including equipment, ordered or used in connection with the acquisition, construction and installation of the Project Facility, including any expenses incurred by the Agency (and its members, officers, agents and employees) in defending any claims, suits or actions which may arise as a result of any of the foregoing. The Company shall not permit to stand, and will, at its own expense, take steps reasonably necessary to remove, any mechanic's or other liens against the Project Facility for labor or material furnished in connection with the acquisition, construction and installation of the Project Facility.

Section 3.03. The Company hereby agrees to indemnify, defend and hold the Agency (and its members, officers, agents and employees) harmless from any and all (A) claims and liabilities for the loss or damage to property or any injury to or death of any person that may be occasioned subsequent to the date hereof by any cause whatsoever in relation to the Project and/or the Project Facility, including any

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expenses incurred by the Agency (and its members, officers, agents and employees) in defending any claims, suits or actions which may arise as a result of the foregoing; and (B) claims and liability arising from or expenses incurred in connection with the Project or the Agency's acquisition, construction and installation, owning, leasing and/or sale of the Project Facility, including all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. The Company shall include the Agency (and its members, officers, agents and employees) as a named insured under all public liability insurance policies obtained by the Company with respect to the Project.

Section 3.04. The Company will take such further action and adopt such further proceedings as may be required to implement its 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 and of the Company under Article 3 hereof (excepting the obligations of the Company set forth in Sections 3.02 and 3.03 hereof, which shall survive the termination of this Preliminary Agreement) are subject to the condition that the following events shall have occurred not later than two (2) years 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 Acquisition Agreement, the Project Agreement 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 prior to the time that the Acquisition Agreement is signed by the Agency upon thirty (30) days prior 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 direct out-of-pocket expenses (including 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

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(B) the obligations of the Company set forth in Section 3.02 and 3.03 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:

(1) To the Agency:

Jefferson County Industrial Development Agency
800 Starbuck Avenue
Watertown, New York 13601
Attention: Donald C. Alexander

With a copy to:

Joseph W. Russell, Esq.
Barclay Damon LLP
120 Washington Street, Suite 500
Watertown, NY 13601

(2) To the Company:

OYA Solar NY, LP
Att: Greg Rossetti
54 W. 40th St.
New York, NY 10018

With a copy to:

Daniel A. Spitzer, Esq.
Hodgson Russ LLP
605 Third Ave., Suite 2300
New York, NY 10158

(B) The Agency and the Company may, by notice given hereunder, designate any further or different addresses to which subsequent notices, certificates and other communications shall be sent.

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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.

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 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 base upon or in respect hereof or of any transaction contemplated hereby. The obligations and agreements of the Agency contained herein shall not constitute or give rise to an obligation of the State of New York or of Jefferson County, New York and neither the State of New York nor Jefferson 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 Facility.

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 has 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.

**JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT
AGENCY**

By: _____
Donald C. Alexander, Chief Executive Officer

OYA NYS RTE 12 LLC

By: _____
Authorized Officer

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OYA BLANCHARD ROAD LLC

By: _____
Authorized Officer

OYA BLANCHARD ROAD 2 LLC

By: _____
Authorized Officer

OYA SEAWAY GREAT LAKES LLC

By: _____
Authorized Officer

2018-2019 Board Attendance

Name	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Aliasso, Robert	P	P	P	P	P	P	P	P	P	P	No Mtg.	P
Converse, David	P	P	P	P	P	P	E	P	P	P	No Mtg.	P
Jennings, John	P	P	P	P	P	P	P	E	P	P	No Mtg.	P
Johnson, William	P	P	P	P	E	P	P	P	P	P	No Mtg.	P
L'Huillier, Lisa	P	E	P	P	P	E	P	P	P	P	No Mtg.	E
Walldroff, W. Edward	P	P	P	P	P	P	P	P	P	A	No Mtg.	P
Warneck, Paul	P	P	P	P	P	P	P	P	P	P	No Mtg.	P
Totals:	7	6	7	7	6	6	6	6	7	6	-	6
Present												
Excused												
Absent												