



State Environmental Quality Review (SEQR)
FINDINGS STATEMENT
April 10, 2025

The New York State Department of Environmental Conservation (NYSDEC) is required to issue a Findings Statement that considers the relevant environmental impacts, facts, and conclusions disclosed in an Environmental Impact Statement (EIS). Under Environmental Conservation Law (ECL) § 8-0109 and 6 NYCRR Part 617.11, agencies are required to choose an alternative which, consistent with social, economic, and other essential considerations, to the maximum extent practicable, minimizes or avoids adverse environmental effects by incorporating as conditions to the decision those mitigation measures that were identified as practicable.

As an Involved Agency, NYSDEC makes these findings pursuant to Article 8 - State Environmental Quality Review Act (SEQR) of the ECL and Title 6 of the New York Codes, Rules, and Regulations (6 NYCRR) Part 617.

Name of Action: Onondaga County Department of Water Environment Protection (OCDWEP) Industrial Wastewater Treatment Plant (IWWTP) and Industrial Wastewater Conveyance Line Construction and Operation.

Location(s):

- Oak Orchard Wastewater Treatment Plant, 4300 Oak Orchard Road, Town of Clay, Onondaga County
- Oak Orchard Wastewater Conveyance Corridor from the Micron Facility to the Oak Orchard Wastewater Treatment Plant
- Youngs Creek Wetland Mitigation Site (tax ID 048.-01-10.0), Mud Mill Road, Town of Clay, Onondaga County
- Fish Creek Wetland Mitigation Site, 274 Peter Scott Road, Town of Schroepfel, Oswego County

Project Sponsor: Onondaga County

SEQR Lead Agency: Onondaga County Industrial Development Agency (OCIDA)

NEPA Lead Agency: U.S. Department of Commerce-Chips Program Office (CPO)

Description of the Action(s):

The “Micron Semiconductor Manufacturing Project, Clay, NY Final Environmental Impact Statement” (FEIS) evaluated the construction and operation of Micron’s proposed semiconductor manufacturing facility (Micron Campus) at the White Pine Commerce Park in the Town of Clay, New York, including four dynamic random-access memory (DRAM) production fabrication facilities (Fabs) and ancillary support facilities. In addition to the Micron Campus project, the FEIS evaluated the construction, expansion, and operation of various utility improvements by National Grid, Onondaga County Water Authority (OCWA), OCDWEP, and others to support the electricity, natural gas, water supply, wastewater, and telecommunication needs of the Micron Campus project (Connected Actions). On December 12, 2025, NYSDEC issued a findings statement pertaining to permits issued on that date for site preparation at the Micron Campus¹. On March 31, 2026, NYSDEC issued a findings statement pertaining to permits issued for the construction and operation of regulated Micron air emission sources². On March 23, 2026, NYSDEC issued a findings statement pertaining to OCWA connected actions³. The findings issued today pertain to NYSDEC’s permit decisions listed below for OCDWEP Connected Action permits. Findings pertaining to the remaining Connected Actions not included within the list below will be issued at the time of the relevant NYSDEC permit decision(s).

OCDWEP operates and maintains the sanitary system that collects and treats domestic, commercial, and industrial wastewater within Onondaga County’s Consolidated Sanitary District. OCDWEP proposes to undertake 2 stages of wastewater infrastructure and capacity improvements at the existing Oak Orchard Wastewater Treatment Plant (OOWWTP) to serve the Micron Campus. The proposed stage 1 expansion includes a new IWWTP, and associated force mains designed and constructed to treat Micron industrial wastewater discharges from Fabs 1 and 2. The stage 1 expansion includes an interim “bridging” project to receive startup industrial wastewater flows and potentially initial manufacturing industrial flows from construction of the Micron Campus Fabs 1 and 2 while OCDWEP constructs the new IWWTP and reclaimed water facilities. Stage 2 would expand and upgrade the IWWTP to serve additional industrial wastewater flows from Fabs 3 and 4 at the Micron Campus and provide additional reclaimed water back to the Micron Campus. OCDWEP applied to NYSDEC to modify and renew its State Pollutant Discharge Elimination System (SPDES) permit for an increased surface water discharge to the Oneida River from 10 million gallons per day (MGD) to 30.8 MGD average design flow for the treatment of Fab 1 and 2 industrial wastewaters.

OCDWEP submitted a freshwater wetland permit application for impacts to state regulated freshwater wetlands from construction of the IWWTP.

¹ NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (12/12/2025) <https://dec.ny.gov/sites/default/files/2025-12/seqrfindingsstatementmicron.pdf>

² NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (03/31/2026) <https://dec.ny.gov/sites/default/files/2026-04/micronairtitlevseqrfindings.pdf>

³ NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (03/23/2026) <https://dec.ny.gov/sites/default/files/2026-03/micronseqrfindings.pdf>

OCDWEP proposes to construct a new conveyance pipeline network between the Micron Campus and the Oak Orchard site to send pretreated industrial wastewater to the IWWTP and return reclaimed water to the Micron Campus. OCDWEP submitted a freshwater wetland permit application for impacts to state regulated freshwater wetlands from construction of the conveyance line.

In addition to the IWWTP and the conveyance pipeline network, OCDWEP proposes to expand and upgrade the existing Oak Orchard municipal treatment plant which will increase the OOWWTP's municipal sanitary wastewater treatment capacity up to 25 MGD and create new facilities for biosolids processing and recycled water supply. The upgrades and expansion to the municipal treatment plant were reviewed under a separate coordinated SEQR. OCDWEP, as SEQR lead agency, issued a negative declaration associated with this project on November 9, 2025⁴.

NYSDEC Jurisdictions:

NYSDEC ID	Project	Description of NYSDEC Permit	Statutory and Regulatory Authority
7-3124-00018/00001	OCDWEP SPDES Renewal and Modification (NY0030317)	State Pollutant Discharge Elimination System (SPDES) Permit	ECL article 17 titles 7 and 8, 6 NYCRR Part 750
7-3124-00018/02005	OCDWEP IWWTP Construction	Freshwater Wetlands	ECL article 24, 6 NYCRR Part 663
7-3124-00615/00001	OCDWEP Conveyance Corridor Construction	Freshwater Wetlands	ECL article 24, 6 NYCRR Part 663
7-3124-00615/00002	OCDWEP Conveyance Corridor Construction	401 Water Quality Certification	Section 401, Clean Water Act
7-3124-00618/00001	Youngs Creek Wetland Mitigation	Freshwater Wetlands	ECL article 24, 6 NYCRR Part 663
7-3554-00280/00001	Fish Creek Wetland Mitigation	Freshwater Wetlands	ECL article 24, 6 NYCRR Part 663

⁴ Onondaga County, Oak Orchard Wastewater Treatment Plant (OOWWTP Expansion & Transmission Row Acquisition, (09/25/2025), https://static.ongov.net/WEP/OakOrchard_WWTP/permitting/SEQRA/Signed_OOWWTP_FEAF_Parts1-3.pdf

Facts and Conclusions in the NEPA EIS, Lead Agency Findings, and Supporting Documents Relied Upon to Support the Decision:

In preparing this Findings Statement, NYSDEC has considered the DEIS, FEIS, and the SEQR Lead Agency Findings prepared by OCIDA. Additionally, as a SEQR involved agency, NYSDEC has also relied on information in the applications submitted by the Project Sponsor for the NYSDEC Jurisdictions listed in the above table. DEC's Findings Statement considers the relevant environmental impacts associated with the actions for which the above referenced permits have been applied for.

Water Resources

Wetlands and Streams

Impacts on wetlands and streams were evaluated in FEIS Chapters 3.3.3.1 and 3.3.3.2, respectively, and further discussed in Appendix F. Wetlands provide vital habitats for a wide variety of plant and animal species that rely on them. They are beneficial for flood attenuation and filter potentially harmful nutrients out of the waters that pass through them.

Development of both projects, the IWWTP and the Oak Orchard Wastewater Conveyance Corridor (Conveyance Corridor), will result in unavoidable impacts to wetlands and associated 100-foot regulated wetland adjacent areas. Project activities causing impacts to these resources include filling for construction of facilities, vegetation clearing and removal, open-trench excavation, and sediment-laden stormwater runoff. Wetlands on both project sites were delineated and OCDWEP designed the projects to first avoid and then minimize impacts to the greatest extent practicable. Some impacts, particularly in the Conveyance Corridor, will be temporary and the regulated areas will be restored after installation is completed.

There were no NYSDEC jurisdictional streams identified in the IWWTP and Conveyance Corridors areas. The OOWWTP project will result in permanent loss of a New York State regulated palustrine shrub scrub (PSS) wetland and permanent loss of associated upland 100-foot adjacent area. Permanent impacts to regulated wetlands and the 100-foot adjacent areas will result from filling for facility construction. To mitigate unavoidable wetland impacts, OCDWEP developed a permittee responsible mitigation plan (PRM) for wetland and adjacent area losses. OCDWEP will restore and enhance wetlands at two sites, Fish Creek Wetland Mitigation Site (274 Peter Scott Road, Pennellville, NY) and Youngs Creek Wetland Mitigation Site (9022 Mud Mill Road, Brewerton, NY). No net loss of wetland acreage is anticipated since impacted wetlands will be replaced at a 2:1 ratio and adjacent area impacts will be replaced at a 1:1 ratio

The Conveyance Corridor project will result in permanent impacts on New York State regulated freshwater wetlands in the form of coertype conversion of forested wetlands (PFO). Wastewater lines must be protected from woody plant penetration and therefore shrub-scrub (PSS) and forested (PFO) coertypes cannot be re-established within the

project area. Forested wetlands (PFO) and forested wetland 100-foot adjacent areas within the conveyance corridor will be converted into palustrine emergent marsh (PEM). Covertypes conversion of PFO is considered a permanent loss of a coertype. Impacts to existing palustrine emergent marsh (PEM) wetlands within the conveyance corridor will be temporary since these wetland areas will be restored fully to PEM with native wetland vegetation and will not require offsite mitigation. OCDWEP will restore or enhance over 16 acres of wetlands to compensate for unavoidable impacts from the Conveyance Corridor project.

Based on the facts above, and in NYSDEC's previously issued findings for the construction of the Micron Facility and various connected actions⁵, DEC finds that impacts to wetlands will be avoided and minimized to the maximum extent practicable through the design of the IWWTP and Conveyance Corridor projects, unavoidable impacts to wetlands will be mitigated at the Fish Creek and Young's Creek Wetland PRM sites, and cumulative impacts will be avoided, minimized, and mitigated to the maximum extent practicable.

Surface Water

Surface water impacts were evaluated in FEIS Chapter 3.3.3.2, 3.3.4.2, and further discussed in Appendix F-3 Section F-3.2. As described in the FEIS, industrial wastewater generated at the Micron Campus that is not treated on site for reuse will be treated on the Micron Campus to levels necessary to meet discharge limitations and conditions contained in an Industrial Wastewater Discharge Permit (IWDP) to be issued to Micron by OCDWEP as part of its EPA-approved Industrial Pretreatment Program. OCDWEP will set limits in Micron's IWDP that must be met at the point of discharge from the Micron Campus, prior to being sent as pretreated wastewater via the conveyance pipeline to the IWWTP. These effluent limitations will be consistent with EPA pretreatment guidelines and the requirements of the OOWWTP SPDES permit. Micron's IWDP also will include monitoring and reporting of regulated parameters. Monitoring and reporting for these parameters will also be conducted by OCDWEP and reported to NYSDEC through the established SPDES permit prior to discharge to the Oneida River.

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

⁵ NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (12/12/2025) <https://dec.ny.gov/sites/default/files/2025-12/seqrfindingsstatementmicron.pdf>; NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (03/31/2026), <https://dec.ny.gov/sites/default/files/2026-04/micronairtitlevseqrfindings.pdf>; NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (03/23/2026) <https://dec.ny.gov/sites/default/files/2026-03/micronseqrfindings.pdf>

OCDWEP is designing the IWWTP to use advanced pollutant treatment and removal technologies (including membrane bioreactors). These technologies will be designed to treat industrial wastewater containing organic compounds, heavy metals, nitrogen, phosphorous, and other pollutants. To comply with its SPDES permit for the IWWTP, OCDWEP would be required to perform regular analytical testing of surface water and effluent samples collected using approved methods and would be subject to ongoing sampling, monitoring, and reporting requirements.

Based on the facts above and in NYSDEC's fact sheet for the SPDES permit, and through compliance with the OOWWTP SPDES permit, NYSDEC finds that the discharge from the long-term operation of the Project would not have a significant adverse effect on surface water quality.

Stormwater

Stormwater impacts were evaluated in FEIS Chapters 3.3.3.3, 3.3.4.2, and further discussed in Appendix F-3 Section F-3.3. Construction of the Proposed Project may alter existing land cover and soil type characteristics that influence stormwater infiltration. Project activities such as clearing, grubbing, excavation, grading, and land disturbance involve the removal or disturbance of vegetation and soil within construction footprints. Because vegetation and topography naturally slow the movement of stormwater, removing or altering these features can directly affect runoff by reducing infiltration time and increasing runoff flow. Consequently, this could exacerbate stream bank erosion and habitat destruction, or cause flooding and infrastructure damage, depending on precipitation intensity and the extent of impervious surface.

To avoid and minimize construction-related impacts, the project sponsors will be required to gain coverage under the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-0-25-001 (CGP) prior to any soil disturbances. To gain coverage under the CGP, a Stormwater Pollution Prevention Plan (SWPPP) must be prepared and certified by a Qualified Professional. Where construction activities fall within a Municipal Separate Storm Sewer System (MS4) municipal boundary, the SWPPP must be reviewed and accepted by the MS4 Official who signs a SWPPP Acceptance Form to certify that the SWPPP meets substantive requirements of the CGP. Among other requirements, the project sponsor must submit a complete electronic Notice of Intent (eNOI) to DEC along with SWPPP Preparer Certification, MS4 SWPPP Acceptance Form, and Owner/Operator Certification forms.

The CGP requires the SWPPP include the implementation of various best management practices (BMPs) and stormwater management practices (SMPs) designed in accordance with *NYS Standards and Specifications for Erosion and Sediment Control* (2016) and *NYS Stormwater Management Design Manual*, (2024). BMPs must be employed to control erosion on-site and effectively reduce and/or eliminate

contaminants in stormwater runoff using control measures. SMPs must be designed and constructed to protect stream channels from erosion and attenuate post-construction stormwater peak flows to pre-development runoff rates for the 10-year and 100-year 24-hour storm events. The designed practices will reduce stormwater runoff rates and future flooding risk, reduce erosion and downgradient sedimentation, and protect stormwater from contamination and water quality during and after construction activities.

Much of the County's Wastewater Conveyance Project would involve installation of underground utilities in trenches that would be returned to existing grade and revegetated once construction is complete. These activities would result in negligible stormwater runoff effects during operation. According to the FEIS, the project is designed to maintain existing drainage patterns to the greatest extent practicable, continue the conveyance of upland watershed runoff, control increases in stormwater runoff, prevent soil erosion and sedimentation, and provide runoff reduction using green infrastructure measures where feasible.

Based on the facts above, and in NYSDEC's previously issued findings for the construction and operation of the Micron Facility and various connected actions⁶, NYSDEC finds that cumulative impacts to land and stormwater will be minimized to the maximum extent practicable through the design of the County's Wastewater Treatment Plant and Conveyance Project and the Micron Campus Project. Impacts to stormwater from land disturbances from the County's Wastewater Treatment Plant and Conveyance Project and the Micron Campus Project will be minimized to the maximum extent practicable by adhering to the certified SWPPP and conditions in DEC's CGP.

Historic and Cultural Resources

Impacts to cultural and historic resources are discussed in Chapter 3.5 of the FEIS and supported by Appendix H-2 (NHPA Section 106 Process Summary). CPO is serving as the lead Federal agency for the Section 106 consultation process under the National Historic Preservation Act (NHPA) for the Proposed Project and Connected Actions. CPO, in consultation with the New York State Historic Preservation Office (NYSHPO), the Advisory Council on Historic Preservation, NYSDEC, and Indigenous Nations, has identified areas of potential effect (APE) for both historic architectural properties and archaeological resources.

⁶ NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (12/12/2025) <https://dec.ny.gov/sites/default/files/2025-12/seqrfindingsstatementmicron.pdf>; NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (03/31/2026), <https://dec.ny.gov/sites/default/files/2026-04/micronairtitlevseqrfindings.pdf>; NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (03/23/2026) <https://dec.ny.gov/sites/default/files/2026-03/micronseqrfindings.pdf>

A Programmatic Agreement (PA) pursuant to Section 106 of the NHPA between USACE, CPO, and NYSHPO was executed on December 16, 2025. Micron signed the PA on December 17, 2025; DEC signed the PA on December 29, 2025; and OCIDA signed the PA on January 5, 2026. The stipulations of the PA provide a framework to complete required archaeological investigations and an agreement that construction on a portion of the undertaking may not commence until CPO or USACE, as appropriate, has fulfilled its Section 106 responsibilities for such portion of the undertaking.

Based on available information, NYSHPO's review of the Oak Orchard Wastewater Treatment Plant is complete. Phase IA and Phase IB surveys were completed for the APE in coordination with Indigenous monitors. On February 9, 2026, NYSHPO issued a letter concurring with CPO's finding of No Adverse Effect. NYSHPO's review of the Industrial Wastewater Conveyance Force Mains is also complete. Phase IA and Phase IB surveys were completed for the APE in coordination with Indigenous monitors. On February 20, 2026, NYSHPO issued a letter concurring with CPO's finding of No Adverse Effect. Indigenous Nation monitors from the Onondaga Nation will be present during applicable ground-disturbing construction activities as outlined within the PA.

NYSHPO's review of the Fish Creek and Youngs Creek Wetland Mitigation sites remains incomplete, pending the Applicant's submission of archaeological survey reports and Nation Consultation. Construction of the Fish Creek and Youngs Creek Wetland Mitigation Sites may not commence until CPO has fulfilled Section 106 requirements for this specific project as conditioned in NYSDEC's permit.

Air Quality

Air quality impacts are discussed in Sections 3.6 and 4.3.6 of the FEIS and further discussed in Appendix I. Air quality impacts during construction include mobile source emissions associated with construction work commutes and hauling of materials, construction equipment exhaust, fugitive dust from site preparation and ground disturbance, and fugitive dust from paved and non-paved road traffic activity within the construction area.

OCDWEP submitted an Air Facility Registration (AFR) application to DEC in October of 2025 for air emissions associated with the construction and operation of the expanded OOWWTP. Pursuant to 6 NYCRR Part 201-4.1, the OOWWTP expansion is classified as a minor facility with air emissions less than fifty percent of the major source thresholds. As defined in 6 NYCRR Part 201-2.1(21), the major source thresholds for air permitting are as follows: 100 tons per year for nitrogen oxides (NO_x), carbon monoxide (CO), and particulate matter (PM); 50 tons per year for volatile organic compounds (VOCs); 25 tons per year for total hazardous organic pollutants (HAPs) and 10 tons per year for an individual HAP.

As a minor source, the Project is not subject to the requirements of the Prevention of Significant Deterioration (PSD) and the Non-attainment New Source Review (NNSR) programs. The Proposed Project does not have any emissions of persistent,

bioaccumulative, or toxic (PBT) compounds which exceed the limits listed in Table 1 of 6 NYCRR Part 201-9.

The IWWTP will operate multiple permitted stationary air emission sources which include, but are not limited to, the following: an equalization tank, screens, anoxic and aerobic biotreatment, membrane bioreactors, decarbonization units, solids handling, and natural gas-fired boilers. The emission sources at the IWWTP will meet all Federal and New York State air emission control regulations, most notably 6 NYCRR Part 212: Process Operations and 6 NYCRR Part 257: Air Quality Standards.

6 NYCRR Part 212 applies to process emission sources and emission points associated with process operations at the IWWTP. Toxchem, a compound fate model, was used to estimate emissions of toxic air contaminants from the IWWTP. The compounds included in modeling were those which are expected to be discharged by the Micron facility. Predicted emission rates were used in preliminary air dispersion modeling and will be used in final air dispersion modeling to demonstrate compliance with Part 212. Initial air dispersion modeling indicates that the maximum offsite air concentrations of emitted contaminants do not exceed their respective annual guideline concentrations (AGCs) and short-term guideline concentrations (SGCs). As detailed in NYSDEC's Program Policy in DAR-1, "Guidelines for the Evaluation and Control of Ambient Air Contaminants Under 6NYCRR Part 212," AGCs and SGCs are the maximum off-site concentrations of a specified contaminant that shall not be exceeded, on an annual (AGC) and 1-hour (SGC) basis. AGCs are chosen to protect the general population against adverse, long-lasting effects from chronic exposures, while SGCs are designed to protect the general population from adverse, acute exposures. Of note, the facility has not identified any high toxicity air contaminants (HTACs) that are to be emitted from the IWWTP. An updated Part 212 evaluation will be submitted to DEC to confirm compliance prior to the addition of any new industries that will discharge to the OOWWTP.

Based on the above assessments and conclusions, and through compliance with the Project's AFR, NYSDEC finds that the stationary and mobile source emissions from construction and long-term operation of the IWWTP will not have a significant adverse effect on air quality. Furthermore, DEC finds that cumulative air impacts from construction and long-term operation of the IWWTP, the Micron facility, and various connected actions for which NYSDEC findings have been issued⁷ would not have a significant adverse effect on air quality.

Greenhouse Gas Emissions, Climate Change, and Climate Resiliency

Greenhouse Gas Emissions, Climate Change, and Climate Resiliency are discussed in chapter 3.7 and appendix J of the FEIS.

⁷ NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (12/12/2025) <https://dec.ny.gov/sites/default/files/2025-12/seqrfindingsstatementmicron.pdf>; NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (03/31/2026) <https://dec.ny.gov/sites/default/files/2026-04/micronairtitlevseqrfindings.pdf>

GHG Emissions

Chapter 3.7 of the FEIS indicates that, along with the Micron Project as a whole, there will be GHG emissions from the OCDWEP Connected Actions, including from Oak Orchard's IWWTP. In order to reduce emissions, Micron will use biological wastewater treatment with aerobic digestion for process (industrial) wastewater prior to sending this pretreated wastewater to Oak Orchard's IWWTP, where any solids generated from biological treatment will be dewatered and sent to a landfill. Additionally, as part of the SPDES Permit Application, the OCDWEP submitted to NYSDEC a Climate Leadership and Community Protection Act (CLCPA) Analysis, dated November 7, 2025⁸, which although not required by SEQR, includes a discussion of alternatives and mitigation measures to further reduce GHG emissions pursuant to CLCPA Section 7(2). OCDWEP's CLCPA Analysis discussion of alternatives and mitigation measures includes several mitigation measures to further reduce GHG emissions impacts specifically from the combined Oak Orchard Project, which includes both the IWWTP and the municipal plant expansion. Furthermore, the Oak Orchard SPDES Permit includes a condition requiring development of, and compliance with, an approvable CLCPA Mitigation Plan, including establishing an ongoing emissions leak detection and repair program, as well as other emissions reduction measures for the IWWTP project.

As stated in DEC's December 12, 2025, and March 31, 2026, SEQR Findings Statements⁹, incorporated herein, DEC finds that the Micron Project and associated connected actions, including the Oak Orchard Project, creates a significant new source of GHG emissions. DEC further finds that by implementing the mitigation measures within Chapter 3.7 of the FEIS and the CLCPA Analysis, and through compliance with the permit conditions, adverse environmental impacts due to energy use and the increase in GHG emissions will be avoided or minimized to the maximum extent practicable.

Climate Resiliency

The designs and engineering of the IWWTP are described in OCDWEP's – Oak Orchard Industrial Wastewater Treatment Plant and Water Reclamation Facility Conceptual Design Engineering Report ("CDE Report") submitted with the SPDES Permit Application. The CDE Report also provides information about design features that relate to flooding and commits to an assessment related to climate risk more holistically during the design phase.

⁸ Onondaga County Department of Water Environment Protection, *Oak Orchard Wastewater Treatment Plant Climate Leadership and Community Protection Act Analysis* (November 2025), <https://onondaga.gov/wep/public-review-documents/> (last accessed Mar. 18, 2026)

⁹ NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (12/12/2025) <https://dec.ny.gov/sites/default/files/2025-12/seqrfindingsstatementmicron.pdf>; NYSDEC, *State Environmental Quality Review (SEQR) FINDINGS STATEMENT*, (03/31/2026) <https://dec.ny.gov/sites/default/files/2026-04/micronairtitlevseqrfindings.pdf>

As noted above, NYSDEC's Micron SEQR Findings, dated December 12, 2025, are incorporated herein, which includes incorporation of the climate resiliency findings for the Micron Project and connected actions. Such Findings Statement notes that the Micron FEIS and Micron CLCPA Analysis, dated October 2025¹⁰, discuss elevated risks to the geographic area of both the Micron Project and the IWWTP Project, which are associated with large areas affected by land cover changes, including the alteration of large areas of wetlands, citing in part to the New York State Climate Impacts Assessment ("NYSCIA"). The FEIS includes assessments of climate risks that generally extend to the conditions expected for the site of the IWWTP.

Based on the available information, some key climate related risks can be identified as relevant for the IWWTP Project. Flooding (including as it relates to stormwater impacts), extreme heat, as well as storms and extreme wind are identified and discussed in the Micron CLCPA Analysis. The NYSCIA also projects increased frequency of short-term seasonal droughts across the state, as mentioned in the FEIS and CLCPA Analysis, which focused on the Micron Campus, which is in the same general geographic area as the IWWTP.

Droughts, extreme heat, and flooding can lead to disruptions and otherwise adversely affect treatment, lead to effluent spillage, or can affect or exacerbate environmental impacts related to treatment, odor, and discharges, amongst others.

The IWWTP project includes a progressive design-build process where climate impacts, if identified, will be considered. The CDE Report states that future conditions will be integrated as part of that progressive design-build. The SPDES Permit for the IWWTP requires submission of a CLCPA Mitigation Plan. The IWWTP further requires a Construction General Permit and Stormwater Pollution Prevention Plan (SWPPP), which requires additional analysis of future physical risks due to climate change.

As part of the progressive design-build process, the CDE Report states that design and engineering will follow the State Flood Risk Management Guidance elevation guidelines to accommodate future flows, specifically by applying elevation adjustments. The report addresses this by providing that: "[n]on-critical equipment should be designed at least 2 feet above the [base flood elevation (BFE)] and the corresponding horizontal floodplain. Critical equipment should be designed at least 3 feet above BFE, or the 500-yr floodplain, whichever is more restrictive." (CAD report, p. 1-4).

The FEIS notes that, according to NYSCIA projections, drought conditions are expected to become more frequent and severe. The Proposed Project addresses drought concerns principally through extensive water re-use practices that are incorporated in the design to limit overall water consumption and reduce wastewater discharge by re-treating for further use. Facility design and protective measures as part of the

¹⁰ Micron, *Micron Semiconductor Fabrication Clay, NY: Climate Leadership and Community Protection Act Analysis (October 2025)*, <https://assets.micron.com/adobe/assets/urn:aaid:aem:60a75ad5-0759-47bc-beb6-b3fe5de0114f/renditions/original/as/clcpa-analysis-combined.pdf> (last accessed December 11, 2025).

progressive design-build process should account for vulnerabilities associated with more frequent, longer, and more extreme heat waves and higher average temperatures affecting water temperatures.

Based on the above facts, information from the FEIS, existing information about climate impacts from the NYSCIA, and future considerations of climate risk in the overall progressive design-build process (to be reviewed by NYSDEC), NYSDEC finds that compliance with the design-build process, permit conditions requiring GHG mitigation, and compliance with the CGP condition requiring consideration of future physical risk due to climate change pursuant to the Climate Risk and Resiliency Act, impacts will be minimized and mitigated (as required) to the maximum extent practicable.

Utilities and Supporting Infrastructure

Wastewater conveyance utilities and supporting infrastructure are outlined in Chapter 3.10 of the FEIS and further supported in FEIS subsections 3.10.2.4 and 3.10.3.2.

The County operates and maintains the sanitary system that collects and treats domestic, commercial, and industrial wastewater within Onondaga County's Consolidated Sanitary District. The County's system processes more than 33 billion gallons of wastewater per year through six wastewater treatment plants within the district. The existing OOWWTP has an average treatment rate for sanitary wastewater of approximately 6 MGD, with a permitted maximum month-rated treatment limit of 10 MGD.

The OOWWTP Expansion includes construction of a dedicated IWWTP, industrial water reuse treatment system, and associated conveyance system extending between the OOWWTP site and the Micron Site. To mitigate increases in industrial wastewater flow from the Micron site, the OOWWTP industrial treatment capacity will increase in phases over a multi-year construction period with an initial Phase 1 treatment capacity estimated to treat up to 8.25 MGD of industrial wastewater, 16.5 MGD in Phase 2, 23.6 MGD in Phase 3, and 33.5 MGD in the final Phase 4. The County will oversee the design, construction, operation, and maintenance of the IWWTP, water reuse facilities, and industrial wastewater and reclaimed water conveyances. The IWWTP and associated systems will be designed with redundancy measures to ensure continuous operation, enhance resilience, and minimize risk to service reliability in the event of failure.

To reduce the need for potable water supply and reduce overall demands on the wastewater systems, the County will develop a plan to reuse treated industrial effluent as makeup water for Micron's cooling towers and other mechanical systems. Any treated effluent from the IWWTP that is not recycled and returned to the Micron would be discharged to the Oneida River in accordance with the OOWWTP SPDES Permit. Independent of the IWWTP and the Conveyance Project, the County has planned two municipal sanitary wastewater projects: the OOWWTP Municipal Upgrade Project and the White Pine/NYS Route 31 Municipal Sewer Expansion Project, each reviewed under

separate coordinated SEQRs¹¹. The municipal upgrades will increase the OOWWTP's municipal sanitary wastewater treatment capacity up to 25 MGD and create new facilities for biosolids processing and recycled water supply. The municipal sewer expansion will consist of a municipal pump station and force main to provide public sewer service to accommodate anticipated higher sanitary flows and loads within the sewer district area.

To avoid and minimize industrial wastewater treatment and conveyance related impacts, in accordance with 6 NYCRR 750-2.10, the project sponsor will be required to submit prior to the construction of any new or modified waste disposal system or the modification of a facility or service area, an approvable engineering report, plans, and specifications that have been prepared by a person or firm licensed to practice professional engineering in the State of New York, for DEC's review and approval. The design of the system must conform to design standards accepted by DEC. This requirement applies to any facility or service area generating wastewater that could alter the design volume of, or the method or effect of, treatment of residential sewage and/or industrial waste from an existing disposal system. Construction of such new or modified disposal system shall not start until the discharger receives written approval of the designed system from the DEC, and construction shall be under the general supervision of a person or firm licensed to practice professional engineering the State of New York. Based on the facts above and information outlined in the FEIS and County's Individual SPDES permit application, DEC finds that impacts on the wastewater treatment and conveyance infrastructure capacity will be minimized to the maximum extent practical through the design of the Proposed Project, adherence to DEC-approved Basis of Design Reports, and adherences to DEC-approved design guidance (ref. 6 NYCRR Part 750-2.10(g)).

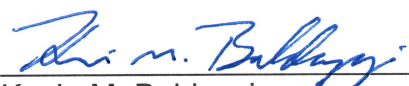
¹¹ Onondaga County, *Oak Orchard Wastewater Treatment Plant (OOWWTP Expansion & Transmission Row Acquisition*, (09/25/2025), https://static.ongov.net/WEP/OakOrchard_WWTP/permitting/SEQRA/Signed_OOWWTP_FEAF_Parts1-3.pdf

Certification of Findings to Approve/ Undertake

Having considered the EIS, Lead Agency Findings, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met:
2. Consistent with social, economic, and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.
3. This action is consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR 600.
4. This action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

NYS Department of Environmental Conservation-Region 7
Division of Environmental Permits
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Date: 04/10/2026

Kevin M. Balduzzi
Regional Permit Administrator
Division of Environmental Permits