

County of Cattaraugus
Industrial Development Agency

BOARD OF DIRECTORS MEETING - AGENDA

Monday November 21, 2022

CCIDA Office
9 E. Washington Street
Ellicottville, NY
11:15 a.m.

To access the Board meeting via Zoom/Conference Call, please see the applicable information at the end of the agenda to do so.

-Call the Meeting to Order-Time:

-Roll Call- Board of Directors of the CCIDA:

-Approval of October 27, 2022 CCIDA Board of Directors Meeting Minutes:

***Project from Prior Application ***

-Cimolai-HY, LLC:

Mr. Wiktor advised the CCIDA Board that this is a very exciting project that will bring back approximately 246 jobs to the Olean area and put a large manufacturing facility back to use. This project is very Capital intensive with the renovation of the existing plant in Olean, NY and outfitting the facility with the machinery, tools and equipment required for the fabrication of structural steel.

-The Total Project Investment: \$56,000,000(+,-).

A Public Hearing was held on November 15, 2022 at 9:30 a.m. in the City Hall in Olean, NY. No one was in attendance at the Public Hearing. A copy of the Public Hearing script and minutes of the Public Hearing were provided in each Board Members packet for their review.

✓ Inducement Resolution – Cimolai-HY, LLC

Zoom Meeting access Information:

Topic: CCIDA November Board Meeting

Time: Nov 21, 2022 11:15 AM Eastern Time EST

Join Zoom Meeting:

<https://us02web.zoom.us/j/81909394880?pwd=MzdKdTFMOEtoZEZhb2hvMWWtuVzEvZz09>

Meeting ID: 819 0939 4880

Passcode: 156254

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**COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY**

BOARD MEETING MINUTES

October 27, 2022
CCIDA Offices
9 East Washington Street
Ellicottville NY 14731
11:15 a.m. In Person or via Teleconference Call/Zoom

Roll Call: -Taken-

Members

Present:

Mr. Thomas Buffamante - Chairman
Mr. Joseph Higgins
Mr. Joseph Snyder
Mr. Brent Driscoll
Mr. Michael Wimer
Mr. John Stahley
Ms. Ginger Schroder

Excused:

Mr. Michael Wimer

CCIDA Staff/Counsel:

Mr. Corey R. Wiktor, Executive Director CCIDA
Mr. Robert Murray, Harris Beach PLLC Legal Counsel

Presenters/Guests:

Mr. Greg Sehr – *Upstate Consultants LLC*
Mr. Bob Clark – *Olean Times Herald*

Chairman, Thomas Buffamante called the meeting to order at 11:18a.m.

A roll call of the Board of Directors of the CCIDA was taken Mr. Buffamante, Mr. Higgins, Mr. Snyder, Ms. Schroder, Mr. Driscoll and Mr. Stahley were present. Mr. Wimer was excused.

A Motion was made by Brent Driscoll seconded by Jon Stahley to accept the Board Meeting Minutes from

September 8, 2022 as presented to the Board. All in favor. **Motion Carried.** Mr. Wimer was excused.

New Applications/Projects

(#1.) Campground Adventures:

This Project proposes to reinvest and upgrade to the Campground in the Town of Hinsdale. The new owners purchased the campground in 2021 and are looking to make some key and needed upgrades to the grounds and the infrastructure.

Campground Adventures (Formerly Valley View Campground) is located on Route 16 in Ischua NY, 13 miles north of Olean, NY. The site is made up of 36 acres of land on the banks of the Ischua Creek. The location has been a family-owned camping destination for 50+ years.

-The Total Project Investment: \$115,000(+,-).

Project Updates

(#1.) Cimolai-HY, LLC.:

Mr. Wiktor gave an update on the Cimolai Project that is being contemplated in Olean, NY. A Public hearing has been scheduled for November 15, 2022 at the Olean City Hall at 9:30 a.m.

Mr. Wiktor advised the CCIDA Board that this is a very exciting project that will bring back approximately 246 jobs to the Olean area and put a large manufacturing facility back to use. This project is very Capital intensive with the renovation of the existing plant in Olean, NY and outfitting the facility with the machinery, tools and equipment required for the fabrication of structural steel.

-The Total Project Investment: \$56,000,000(+,-).

(#2.) Olean Town Centre, LLC:

Mr. Wiktor advised the CCIDA Board that the developer is out of the Country until December and he will have an update as soon as the developer is available. Details are still being worked on as this is still an ongoing active project.

(#3.) Solar Moratorium:

Mr. Wiktor stated that he has had several calls in regards to the moratorium that we currently have placed on accepting new applications on Solar Projects. The CCIDA Board has asked Mr. Wiktor to research the cost of decommissioning a 5MW Community Solar Project.

A Motion was made by James Snyder, seconded by Brent Driscoll to keep the Moratorium in place until after decommissioning information has been reviewed by the Board. All in Favor. **Motion Carried.**

ELECTION OF OFFICERS: 2023 – COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY

Chairman: Mr. Thomas Buffamante
First Vice Chairman: Mr. Joseph Higgins
Secretary: Mr. James (Joe) Snyder
First Assistant Secretary: Mr. Michael Wimer
Treasurer: Mr. Brent Driscoll
Director: Mr. John Stahley
Director: Mrs. Ginger Schroder

Audit Committee Members of the CCIDA:

Chairman: Mr. Thomas Buffamante
Member: Mr. Brent Driscoll
Member: Mr. Michael Wimer

Governance Committee Members of the CCIDA:

Chairperson: Mr. Joseph Higgins
Member: Mr. James Snyder
Member: Mr. John Stahley
Member: Mr. Ginger Schroder

Finance Committee: Revenue Bond Issuances:

Chairperson: Mr. Brent Driscoll
Member: Mr. Thomas Buffamante
Member: Mr. Michael Wimer

A **Motion** was made by Mr. Joseph Higgins to accept the 2023 Slate of Officers for the County of Cattaraugus Industrial Development Agency as proposed, seconded by Mr. Brent Driscoll. All Board Members were in favor. Mr. Wimer was excused. **Motion-Carried**

A **Motion** was made by Mr. Brent Driscoll, seconded by Mr. Thomas Buffamante to accept the 2023 CCIDA Committee members as presented. All Board Members were in favor. Mr. Wimer was excused. **Motion-Carried**

The Proposed 2023 CCIDA Board of Director’s Meeting Schedule has been sent to all Board Members with their packets. If any Board Members has any conflict with a date, please send a message to Corey Wiktor and we will try to accommodate any changes to the schedule.

***CCIDA Financial Reports:**

A **Motion** was made by James Snyder seconded by Brent Driscoll to accept the September 2022 Operating Statement as presented to the Board. Mr. Wimer was excused. **All in Favor - Motion Carried.**

September 2022 had income of **\$94,867.00** from Application fees for HoliMont Inc. of **\$750** and Cimolai-HY LLC of **\$750.00**, and Administrative Fees from Allegany Crossing, LLC of **\$85,000.00** and HoliMont, Inc. of **\$6,867.28**.

Mr. Buffamante asked Corey Wiktor schedule a Finance Committee meeting within the next few weeks to review the 2022 Budget and the Engagement letter for the 2022 Year End Audit.

The Proposed 2023 CCIDA Operating Budget:

A Motion was made by Brent Driscoll, seconded by James Snyder to accept the Proposed CCIDA Operating Budget for 2023 as presented.

This Proposed 2023 CCIDA Operating Budget will be sent to the Cattaraugus County Treasurer for any comments and will also be posted on the CCIDA website prior to October 31st to be in compliance with the Authority Budget Office Reporting requirements.

ERC-Employee Retention Credit:

Mr. Wiktor informed the CCIDA Board that we have received our refund from the ERC-Employee Retention Credit which was applied for several months ago. The CCIDA was approved for **\$52,000.00** and paid **\$5,200.00** for the processing fees. Our net income was **\$49,296.00** with the interest paid which was additional income for the CCIDA.

The Agency is also working on closing documents relating to eight (8) active projects at this time as well.

Executive Directors Reports:

-Internal (IDA Meetings/Discussions):

- ✓ We met with a client who is launching their own business along with a few County Legislators to garner support for this proposed new business, which could be a true game changer for this County. Weekly meetings and discussions are on-going. Much more to follow and report on over the next few months.
- ✓ Met with a **local brewer** who will be submitting a project application to the IDA later this year. More details to follow on this very exciting project and investment. This project will be great for the County. This proposed project has unique project dimensions to it! This will be a great project and continued investment in the County!
- ✓ Continued discussions and meetings with Tom Cullen, Bob Dingman and Diana Chiak with respect to the proposed Rail Bike Project in the Village of Cattaraugus, with **Rev Rail**. More to follow as we work with various consultants. We've made a good deal of progress and will be presenting a project proposal to the Cattaraugus County Legislature in the near future.
- ✓ **We have spent much time with a few out of the area Companies** that continue to show interest for Industrial land & buildings in the Olean/Portville, NY area. These businesses are looking to make significant investments! We are hoping to land on the proposed Companies. More details to follow.
- ✓ **Met a few times with Mayor Aiello** over the past month regarding the Cimolai-HY, LLC. project. The IDA is looking to approve this project in November.

- ✓ I had a lunch meeting with Greg Sehr and Mark Heberling who are assisting us on trying to bring in continued investment and development into the Farmersville and Franklinville areas and the County as well. I will be proposing a Team meeting sometime in November.
- ✓ **Employee Recruiting!** From August 5-7 Corey spent the weekend with a proposed new hire for GLC. We are happy to announce that the proposed employee has accepted a position with GLC and will be living in Ellicottville with his wife! We had a great weekend and time together, as are thrilled that he accepted the position and will be moving here from Chicago!
- ✓ Met with Bill Paladino from **Ellicott Development** to discuss their County owned properties and sites, and ways the IDA can assist potential clients and redevelopment opportunities. I anticipate 1/2 project applications next month. We have been discussing three (3) projects in total with Ellicott Development
- ✓ We held a **Meeting** with Mark Storch, with Storch Development who is assisting the IDA with securing Funds for the road improvements that the NYSDOT is requiring on Route 16 as well as discussing other economic development projects.
- ✓ Met with Mike John from MJ Painting to discuss and get updates on his current project with the IDA. We also spoke about the land that he is remediating and will have available for development in 2023.
- ✓ Met with a local developer who is proposing a project on land that they own in the County. The site is roughly 20+ acres and some ideas and drawings have been discussed to date. More to follow in early 2023.
- ✓ Met with Dr. Courtney Curtalo, who heads up **SBDC in Jamestown and Olean**. We discussed several projects and financing options for some of the smaller projects that come across our desk. Very much appreciated Courtney's time and help!
- ✓ Attended a "Local Resources for small Businesses" in Cattaraugus County. The event was held at OBD. Very well ran event. Thanks Meme!
- ✓ Met the **local WNYIDA Group** for a working lunch meeting relating to area projects and developments. The CCIDA will be hosting the meeting on November 14th.
- ✓ Participated in Leadership Cattaraugus "Manufacturing Day" at Cutco. Always a great time!
- ✓ Attended OBDC Monthly meeting.
- ✓ Met with a WNY Real Estate broker who is looking at a property and building in Cattaraugus County. The proposed buyer is very interested in the property, and we discussed ways the IDA can help on the purchase and investment. Warehousing use.
- ✓ Had a **meeting with President DeMarte, Holger Ekanger and Kathleen Martell** to begin discussions on how they are looking to help proposed new hires at Cimolai in Olean. JCC has been excellent to work with and they are very happy to help us land this truly transformational project and focus on the workforce development element of this project with their MTI Center.
- ✓ Conference call with Crystal Abers and Richard Zink to discuss a proposed business sale within the County to someone who is in NY but is out the Region, so to speak. We have brought in NYSESD and our Agencies to see what we can offer and provide to the proposed owner.

- ✓ **Met with Mayor Burrell and Bill Paladino** to discuss a number of projects that the Village and the Developer are working on. The Village just recently submitted an application for the *NY Forward* grant program. Much more to follow.
- ✓ Attended the monthly **Cattaraugus County Economic Development Team** Meetings.
- ✓ We had a meeting with Legislator Schroder and Crystal Abers with Steelbound Brewery and his Team to discuss a significant project and investment at their location. Bill did provide us an overview and write-up.
- ✓ Met with Sherri Falack from Pursuit Lending to learn more about their small business loan programs, etc.
- ✓ Attended a meeting with our new Congressman along with Matt Wilkinson and partners of Great Lakes Cheese for a catch-up meeting and site tour of their construction and project.
- ✓ Took part in a business outreach event on Oct. 14th at the Fairgrounds in Little Valley from 12-2 PM. There also was job fair earlier that morning.
- ✓ Attended the STERA Board Meeting.
- ✓ Met with a local (new) owner of a campground that is located within the County. We do anticipate a project application and they are also going to be meeting with Crystal and Richard at STW to discuss financing as well.
- ✓ The IDA has been extremely busy working on a few very confidential projects at this time. More information and details will be provided when we are able to convey them to the open public. Fingers crossed on these projects that could be truly transformational and very positive for economic development in the County!

-External (Points of Interest relating to the CCIDA):

- ✓ **NYState Dairy:** The Economic Impact of Dairy Products in the United States, Statistic sheet.
- ✓ **Great Lakes Cheese:** GLC Site Drone Photos of progress being made on site.
- ✓ **Olean Times Herald:** Article "*Town Officials attend Solar Forum presented by Cattaraugus County.*" About 30 Cattaraugus County town officials attended the Solar Forum. The CCIDA currently has a moratorium on new applications for tax breaks for solar projects that expires next month. The County currently has more than a dozen solar projects of varying sizes.
- ✓ **Buffalo News Article:** "*New York pushing solar to meet green energy goals, but neighbors have their concerns.*" Neighbors are concerned that their view will soon be replaced with miles of fencing and thousands of solar panels, as the Genesee County towns of Elba and Oakfield become the site of the largest solar energy project in New York State.

- ✓ **Best Lawyers in Western NY by Business First:** Congratulations to Robert Murray from Harris Beach and Ginger Schroder of Schroder, Joseph & Associates!
- ✓ **St. Bonaventure Article:** *"Bonnies Athletics set for a bold future thanks to campaign vision:"* On September 12, St. Bonaventure publicly launched the largest fundraising campaign in its history. "A Bolder Bonaventure: Ignite, Inspire, Invest." They are seeking to raise \$125 million by May 31, 2025. Part of the overall campaign ins a focus on improving their athletics facilities.
- ✓ **Ellicottville Now Article:** *"Holiday Valley Implements RFID Ticketing."* One of the big changes that will be seen throughout the resort this winter is the use of Radio Frequency Identification (RFID) tickets, which will take the place of the lift tickets and season passes that Holiday Valley has utilized in the past.
- ✓ **Supply Management News & Reports:** *"Manufacturing PMI at 52.8%, August 2022 Manufacturing ISM Report on Business"* New Orders and Employment Expanding, production and backlogs growing. Supplies deliveries slowing at a Slower rate. Raw Materials inventories growing, Customers' Inventories too low, Prices Increasing at a slower rate, exports contracting, imports growing.
- ✓ **Reason.com Article:** *"Colorado Town Seizing Ski Resort's Land to Stop It Building Employee Housing."* The Vail Town Council says that while affordable housing is desperately needed in the community, Vail Resorts' Booth Heights project would threaten local bighorn sheep.

Adjournment:

A Motion was made by Brent Driscoll seconded by John Stahley to adjourn the meeting at 12:45p.m. All in Favor – Motion Carried

*** Next CCIDA Board of Directors Meeting: Monday, November 21, 2022 at 11:15 a.m. at the CCIDA Offices, 9 E. Washington Street, Ellicottville, NY, and also via Zoom.**

PUBLIC HEARING SCRIPT

**Cimolai-HY LLC and/or Individual(s) or
Affiliate(s), Subsidiary(ies), or Entity(ies)
formed or to be formed on its behalf
Project**

Public Hearing to be held on November 15, 2022 at 9:30 a.m.
at the Olean City Municipal Building, Conference Room #119,
101 East State Street, Olean, New York

ATTENDANCE:

Sean Donahue, Douglas Dimitroff, John, Kelly – via Zoom

Members of the General Public

1. WELCOME: Call to Order and Identity of Hearing Officer.

Hearing Officer: Welcome. This public hearing is now open; it is 9:30 a.m. My name is Corey R. Wiktor. I am the Executive Director of the County of Cattaraugus Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. This public hearing is being live-streamed and made accessible on the Agency's website at www.ccida.com.

2. PURPOSE: Purpose of the Hearing.

Hearing Officer: We are here to hold the public hearing on the Cimolai-HY LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf. This public hearing is being recorded and will be transcribed for the Board Members of the Agency for their review and comments before they take any further action. We have a sign in sheet for anyone who would like to participate in this public hearing either by presenting oral comments or we would be happy to take written statements. Notice of this hearing appeared in Olean Times Herald on Tuesday, November 1, 2022.

3. PROJECT SUMMARY: Description of Project and Contemplated Agency Benefits.

Hearing Officer: The proposed project (the "Project") consists of: (i) the acquisition by the Agency of a leasehold or other interest in an approximately 88 acre parcel of land located on 500 Paul Clark Drive, City of Olean, Cattaraugus County, New York (the "Land"), (ii) the acquisition and renovation of the approximately 950,000+/- sq. ft. existing industrial manufacturing facility consisting of 2 industrial plants, 1 large and 2 small office building and 7 satellite buildings for storage and testing (the "Improvements") and (iii) the acquisition in and around the Improvements of certain items of

machinery, equipment and other tangible personal property (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"). The Facility will be initially operated and/or managed by the Company.

The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits, mortgage recording tax exemption benefits, and real property tax abatement benefits (in compliance with Agency's uniform tax exemption policy).

The Company has made a request to the Agency that the Agency enter into a payment in lieu of tax agreement (the "PILOT Agreement") having terms that deviate from the Agency's Uniform Tax Exemption Policy ("UTEP") in connection with the Agency's undertaking of the Project. Under the Agency's UTEP, the Project qualifies for a standard Enhanced Manufacturing PILOT Agreement, as follows:

Tax Year	Percentage of Exemption
1 through 15	100%
16	85%
17	70%
18	55%
19	40%
20	25%
21 and thereafter	0%

The Company has requested that the Agency deviate from the terms of the Enhanced Manufacturing Facility PILOT and enter into a payment in lieu of tax agreement providing for a fixed PILOT payment amount as follows:

PILOT Year	Fixed Dollar Amount PILOT Payment
1	\$250,000
2	\$255,000
3	\$260,000
4	\$265,000
5	\$270,000
6	\$325,000
7	\$330,000
8	\$335,000
9	\$345,000
10	\$350,000
11	\$406,189
12	\$412,282
13	\$418,466
14	\$424,743
15	\$431,115
16	Full Tax, a real property tax payment to be made as if the Agency did not have an interest in the Property

As described herein, the requested PILOT Agreement deviates from the Agency's UTEP because the requested PILOT Agreement utilizes a fixed annual payment amount, rather than

payment based upon the Facility's assessed valued multiplied by a percentage abatement figure subject to annual varying tax rates.

In support of the proposed deviation and in compliance with the UTEP, the Agency shall consider the following factors prior to approving the proposed deviation from its Policy:

1. The nature of the proposed project (for example, manufacturing, commercial, civic, etc.). The Project is a manufacturing project providing significant employment opportunities in that it will allow for the creation of approximately 246 full time employee positions and indirect secondary benefits (manufacturing supply side purchases, employee expenditures on local goods and services) to residents of Cattaraugus County.
2. The nature of the property before the project begins. The Project will be located upon a vacant, abandoned, former industrial site and facility.
3. The economic condition of the area at the time of the application and the economic multiplying effect the project will have on the area. The Project involves the re-opening of an industrial manufacturing facility, that recently closed leading to the loss of approximately 800 FTE jobs. The Project involves the acquisition and renovation of the facility, and outfitting it with new machinery and equipment required for fabrication of structural steel. Payroll for creating approximately 246 direct employee positions will produce over \$15 million in new annual payroll for the region.
4. The extent to which the project will create or retain permanent, private sector jobs, the number of jobs to be created/retained and/or the salary ranges of such jobs. The Project will create 246 new full time employee positions. Salary/benefits range from \$54,000 to over \$180,000 per year.
5. The estimated value of tax exemptions to be provided. Sales tax exemption benefits are estimated at \$400,000, mortgage recording tax exemption benefits are estimated at \$125,000, and real property tax benefits are estimated at approximately \$760,000 over the term of the 15 year PILOT Agreement.
6. The economic impact of the project and the proposed tax exemptions on affected tax jurisdictions. The Project will produce over \$315,000,000 of economic benefits over the term of the PILOT Agreement, and receive \$1,285,000 in total tax exemptions.
7. The impact of the proposed project on existing and proposed businesses and economic development projects in the vicinity. The Project will utilize local existing supply chain and small business that previously provided services to the facility when it was in operation, including processing of scrap metals, trucking and logistics, facilities management, tools and hardware and industrial supply stores.
8. The amount of private sector investment generated or likely to be generated by the proposed project. The Project involves up to \$56,000,000 in private sector investment.

9. The likelihood of accomplishing the proposed project in a timely fashion. The Company will begin making investments in 2022 and anticipates completing the Project in July of 2026.
10. The effect of the proposed project upon the environment and surrounding property. The Project will be subject to environmental review under the New York State Environmental Quality Review Act ("SEQR") and no determination or approval will be made with respect to the Project until SEQR is fully complied with.
11. The extent to which the proposed project will require the provision of additional services including, but not limited to, educational, transportation, emergency medical or police and fire services. The Project will have no impacts on such services, other than providing additional new revenues for same.
12. The extent to which the proposed project will provide additional sources of revenue for municipalities and school districts in which the project is located. The proposed Project will most likely increase local sales tax revenues resulting from direct purchases made by the Company and its employees within Cattaraugus County. PILOT Agreement payments will provide tax stability in comparison to what may otherwise result in the event that the proposed Project does not move forward and the Facility continues to remain vacant.
13. The extent to which the proposed project will provide a benefit (economic or otherwise) not otherwise available within the municipality in which the project is located. The Project will create good paying full time employment opportunities, thus increasing local wages and related incidental spending, locally and within the region, providing wealth creation. The impact of the Project is a positive one on the community, as it will continue to promote job opportunities, general prosperity and economic welfare for the residents of Cattaraugus County.

Prior to taking final action on the Project and the proposed deviation from the Policy, the Agency will review and respond to any correspondence received from any affected tax jurisdiction regarding such proposed deviation. The Agency will allow any representative of an affected tax jurisdiction present at the meeting to consider the proposed deviation to address the Agency regarding such proposed deviation.

4. FORMAT OF HEARING: Review rules and manner in which the hearing will proceed.

Hearing Officer: All those who have joined this conference call will be given an opportunity to make statements and/or comments on the Project if they so desire.

Minutes of the Public Hearing will be transcribed and posted on the Agency's website (www.cattcoida.com). Additional information can be obtained from, and written comments may be addressed to: Corey R. Wiktor, Executive Director, County of Cattaraugus Industrial Development Agency, 9 East Washington Street, P.O. Box 1749,

Ellicottville, New York 14731; Telephone: 716-699-2005 and electronically at corey@cattcoida.com or Info@cattcoida.com.

5. PUBLIC COMMENT: Hearing Officer gives the Public an opportunity to speak.

Hearing Officer: Those interested in making a statement or comment will be called upon. Please begin by stating your name and address; if you are representing a company, please identify the company. I request that speakers keep statements and/or comments to 5 minutes, and if possible, 3 minutes.

The Hearing Moderator introduces each participant in the order they registered for this meeting.

[Insert transcription of public comments here.]

-OR-

Hearing Officer: Note that no one in attendance wished to make a statement or comment.

6. ADJOURNMENT:

As there were no further statements and/or comments, the Hearing Officer closed the public hearing at 9:50 a.m.

**COUNTY OF CATTARAUGUS INDUSTRIAL
DEVELOPMENT AGENCY
INDUCEMENT RESOLUTION**

**CIMOLAI-HY LLC, AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES),
OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF**

A regular meeting of the County of Cattaraugus Industrial Development Agency was convened on Monday, November 21, 2022 at 11:15 a.m.

The following resolution was duly offered and seconded, to wit:

RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF CIMOLAI-HY LLC, AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF (INDIVIDUALLY, AND/OR COLLECTIVELY, THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT DESCRIBED BELOW; (ii) RATIFYING THE SCHEDULING, NOTICING, AND CONDUCTING OF A PUBLIC HEARING IN CONNECTION WITH THE PROJECT; (iii) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; and (iv) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION BENEFIT FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX EXEMPTION BENEFIT FOR FINANCING RELATED TO THE PROJECT, AND (C) A PARTIAL ABATEMENT FROM REAL PROPERTY TAXES BENEFIT THROUGH THE PILOT AGREEMENT; AND (vi) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, A PAYMENT-IN-LIEU-OF-TAX AGREEMENT, AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT, AND RELATED DOCUMENTS

WHEREAS, County of Cattaraugus 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 536 of the 1971 Laws of New York, as amended, constituting Section 890-b of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general

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

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Company has submitted an application to the Agency (the "Application") requesting the Agency's assistance with a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold or other interest in an approximately 88 acre parcel of land located on 500 Paul Clark Drive, City of Olean, Cattaraugus County, New York (the "Land"), (ii) the acquisition and renovation of the approximately 950,000+/- sq. ft. existing industrial manufacturing facility consisting of 2 industrial plants, 1 large and 2 small office building and 7 satellite buildings for storage and testing (the "Improvements") and (iii) the acquisition in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"). The Facility will be initially operated and/or managed by the Company; and

WHEREAS, on September 8, 2022, the Agency resolved to accept the Company's Application, authorized the Agency to hold a public hearing pursuant to General Municipal Law Section 859-a, and authorized the Agency to undertake the appropriate review of the Project under and pursuant to the regulations promulgated with respect to the New York State Environmental Quality Review Act, and to coordinate such review, as may be required, with other interested or involved agencies; and

WHEREAS, pursuant to General Municipal Law Section 859-a, on November 15, 2022, at 9:30 a.m., at the Olean City Municipal Building, Conference Room #119, 101 East State Street, Olean, New York, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as hereinafter defined) being contemplated by the Agency (the "Public Hearing") whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, it is contemplated that the Agency will (i) designate the Company as its agent for the purpose of undertaking the Project pursuant to an Agent and Financial Assistance Project Agreement (the "Agent Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement") and related leaseback agreement (the "Leaseback Agreement") with the Company, pursuant to which the Agency will retain a leasehold interest in the Land, the Existing Improvements, the Improvements, the Equipment and personal property constituting the Facility; and (iii) provide Financial Assistance to the Company in the form of (a) an exemption benefit from all New York State and local sales and use taxes for purchases and rentals related to the Project with respect to the qualifying personal property included in or incorporated into the Facility or used in the acquisition, construction, reconstruction and/or renovation, rehabilitation or equipping of the Facility, (b) a mortgage recording tax exemption benefit for the financing related to the Project, and (c) a partial abatement from real property taxes benefit through a fifteen (15) year term PILOT Agreement for the benefit of each municipality and school district

having taxing jurisdiction over the Project, (collectively, the sales and use tax exemption benefit, the mortgage recording tax exemption benefit, and the partial abatement from real property taxes benefit, are hereinafter collectively referred to as the "Financial Assistance"); and

WHEREAS, the Agency contemplates that the Financial Assistance provided to the Company under the PILOT Agreement will deviate from the Agency's Uniform Tax Exemption Policy (the "UTEP") standard Enhanced Manufacturing Facility PILOT providing for a fixed PILOT Agreement payment amount as follows:

PILOT Year	Fixed Dollar Amount PILOT Payment
1	\$250,000
2	\$255,000
3	\$260,000
4	\$265,000
5	\$270,000
6	\$325,000
7	\$330,000
8	\$335,000
9	\$345,000
10	\$350,000
11	\$406,189
12	\$412,282
13	\$418,466
14	\$424,743
15	\$431,115
16	Full Tax, a real property tax payment to be made as if the Agency did not have an interest in the Property

WHEREAS, Notice Letters detailing the requested PILOT Agreement deviation as so described herein were mailed or delivered to the chief executive officers of each Affected Tax Jurisdiction on October 31, 2022; and

WHEREAS, at this November 21, 2022 regular meeting of the Agency, the Agency allowed representatives of all Affected Tax Jurisdictions present at the meeting to address the Agency with respect to the deviation from the Agency's UTEP; and

WHEREAS, by resolution adopted November 21, 2022, the Agency adopted a negative declaration in with respect to the Project in compliance with the New York State Environmental Quality Review Act; and

WHEREAS, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution describing the Project and the Financial Assistance that the Agency is contemplating with respect to the Project.

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

Section 1. The Company has presented an Application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Company's Application and any other correspondence submitted by the Company to the Agency, public hearing comments, if any, and Agency board member review of and recommendations related to the Project subject to the terms and conditions as described herein, the Agency board member review of the Project's cost benefit ratio, the costs of incentives so applied for, the anticipated new tax revenues to be generated by the Project, as well as the Project's contemplated community benefits, and Agency board member review, discussion, and consideration of same, 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) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of acquiring, constructing and/or renovating and equipping the Project; and

(C) The Agency has the authority to take the actions contemplated herein under the Act; and

(D) The action to be taken by the Agency will induce the Company to develop the Project, thereby increasing and/or retaining employment opportunities in Cattaraugus County, New York and otherwise furthering the purposes of the Agency as set forth in the Act; and

(E) The Project will not result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries, and, to the extent occupants are relocating from one plant or facility to another in another area of the State, the Agency has complied with the Intermunicipal Movement procedures as required in the Countywide Industrial Development Agency Uniform Tax Exemption Policy; and

(F) The Agency has assessed all material information included in connection with the Application necessary to afford a reasonable basis for the decision by the Agency to provide Financial Assistance for the Project as described herein; and

(G) The Agency has prepared a written cost-benefit analysis satisfactorily identifying the extent to which the Project will create or retain permanent, private sector jobs, the estimated value of any tax exemption to be provided, the amount of private sector investment generated or

likely to be generated by the Project, the likelihood of accomplishing the Project in a timely fashion, and the extent to which the Project will provide additional sources of revenue for municipalities and school districts, and any other public benefits that might occur as a result of the Project; and

(H) The Company has provided a written statement confirming that the Project as of the date of the Application is in substantial compliance with all provisions the Act.

(I) The Project qualifies for Agency Financial Assistance as it meets the Agency's general uniform criteria for project evaluation, said criteria established by New York State and the Agency as required under General Municipal Law Section 859-a(5) as evidenced by the following:

- (i) Extent to which the Project will create or retain jobs: The Project will retain create 246 new FTE employee positions within two years of the contemplated July, 2026 Project Completion Date.
- (ii) The estimated total value of Financial Assistance over the 25-year term of the PILOT Agreement is approximately \$1,285,951.
- (iii) The estimated amount of private sector investment to be made by the Company is \$55,855,544.
- (iv) Likelihood of the Project being accomplished in a timely fashion: There is a high likelihood that the Project will be completed in a timely manner, by July, 2026.
- (v) Extent of new revenue provided to local taxing jurisdictions: It is estimated that revenues will increase due to the undertaking of the Project, in contrast to the facility otherwise being vacant, susceptible to assessment challenges, and new sales tax revenues will be realized as so related to local spending associated with the 246 new FTE employees.
- (vi) Any additional public benefits: Cattaraugus County and the western New York region will positively benefit due to the creation of 246 new jobs, resulting in approximately \$15,000,000 in new annual payroll/wages, and the re-use of a vacant former manufacturing site.
- (vii) The extent to which the Project will create local construction jobs. The Company will utilize local construction workers with respect to construction related aspects of the Project.

(J) The proposed Financial Assistance to be provided under the PILOT Agreement with respect to the Project deviates from the terms of the UTEP and the Agency hereby approves of the PILOT Agreement deviation as described herein. In making this determination, the Agency has considered the following factors as required by the Act and its UTEP, no single one of which is determinative:

- The nature of the proposed project (for example, manufacturing, commercial, civic, etc.). The Project is a manufacturing project providing significant employment opportunities in that it will allow for the creation of approximately 246 full time employee positions and indirect secondary benefits (manufacturing supply side purchases, employee expenditures on local goods and services) to residents of Cattaraugus County.
- The nature of the property before the project begins. The Project will be located upon a vacant, abandoned, former industrial site and facility.
- The economic condition of the area at the time of the application and the economic multiplying effect the project will have on the area. The Project involves the re-opening of an industrial manufacturing facility, that recently closed leading to the loss of approximately 800 FTE jobs. The Project involves the acquisition and renovation of the facility, and outfitting it with new machinery and equipment required for fabrication of structural steel. Payroll for creating approximately 246 direct employee positions will produce over \$15 million in new annual payroll for the region.
- The extent to which the project will create or retain permanent, private sector jobs, the number of jobs to be created/retained and/or the salary ranges of such jobs. The Project will create 246 new full time employee positions. Salary/benefits range from \$54,000 to over \$180,000 per year.
- The estimated value of tax exemptions to be provided. Sales tax exemption benefits are estimated at \$400,000, mortgage recording tax exemption benefits are estimated at \$125,000, and real property tax benefits are estimated at approximately \$760,000 over the term of the 15 year PILOT Agreement.
- The economic impact of the project and the proposed tax exemptions on affected tax jurisdictions. The Project will produce over \$315,000,000 of economic benefits over the term of the PILOT Agreement, and receive \$1,285,000 in total tax exemptions.
- The impact of the proposed project on existing and proposed businesses and economic development projects in the vicinity. The Project will utilize local existing supply chains and small businesses that previously provided services to the facility when it was in operation, including processing of scrap metals, trucking and logistics, facilities management, tools and hardware and industrial supply stores.
- The amount of private sector investment generated or likely to be generated by the proposed project. The Project involves up to \$56,000,000 in private sector investment.

- The likelihood of accomplishing the proposed project in a timely fashion. The Company will begin making investments in 2022 and anticipates completing the Project in July of 2026.
- The effect of the proposed project upon the environment and surrounding property. The Project will not result in a significant adverse impact to the environment pursuant to the New York State Environmental Quality Review Act.
- The extent to which the proposed project will require the provision of additional services including, but not limited to, educational, transportation, emergency medical or police and fire services. The Project will have no impacts on such services.
- The extent to which the proposed project will provide additional sources of revenue for municipalities and school districts in which the project is located. The proposed Project will most likely increase local sales tax revenues resulting from direct purchases made by the Company and its employees within Cattaraugus County. PILOT Agreement payments will provide tax stability in comparison to what may otherwise result in the event that the proposed Project does not move forward and the Facility continues to remain vacant.
- The extent to which the proposed project will provide a benefit (economic or otherwise) not otherwise available within the municipality in which the project is located. The Project will create good paying full time employment opportunities, thus increasing local wages and related incidental spending, locally and within the region, providing wealth creation. The impact of the Project is a positive one on the community, as it will continue to promote job opportunities, general prosperity and economic welfare for the residents of Cattaraugus County.

Section 2. The Agency hereby authorizes the undertaking of the Project and the provision of the Financial Assistance to the Company as described herein.

Section 3. Subject to the Company executing an Agent Agreement and the delivery to the Agency of a binder, certificate or other evidence of insurance for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency: (i) to acquire, construct and/or renovate and equip the Project; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the Agency could do if acting in its own behalf; provided, however, the

appointment of the Company as agent of the Agency, if utilized, shall expire one year from the date of this resolution (unless extended for good cause by the Chair, the Vice Chair, and/or the Executive Director).

A. Financial Assistance. With respect to the foregoing, and based upon the representations and warranties made by the Company in its Application for Financial Assistance, the Agency hereby:

(i) authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount estimated up to \$5,000,000, and, therefore, the value of the sales and use tax exemption benefits ("sales and use tax exemption benefits") authorized and approved by the Agency cannot exceed \$400,000, however, the Agency may consider any requests by the Company for increases to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services; and

(ii) authorizes and approves that the value of the mortgage recording tax exemption benefit ("mortgage recording tax exemption benefits") shall not exceed \$125,000; and

(iii) authorizes and approves that the real property tax abatement benefits ("PILOT benefits") to be provided over the term of the PILOT Agreement are estimated to be approximately \$760,000, resulting in estimated total PILOT payments of \$5,077,795 over the term of the PILOT Agreement.

B. Terms and Conditions of Financial Assistance. Pursuant to Section 875(3) of the New York General Municipal Law, and per the policies of the Agency, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any New York State and local sales and use tax exemption benefits, and/or mortgage recording tax exemption benefits, and/or partial abatements from real property taxes benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the New York State and local sales and use tax exemption benefits; (ii) the New York State and local sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the New York State and local sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; (iv) the Company has made a material false statement on its application for Financial Assistance; and/or (v) the New York State and local sales and use tax exemption benefits and/or mortgage recording tax exemption benefits, and/or the partial abatement from real property taxes benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with the Investment Commitment and/or the Employment Commitment, said

commitments, as described below, being a material term or condition to use property or services in the manner approved by the Agency in connection with the Project.

As a condition precedent of receiving Financial Assistance, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, must cooperate with the Agency in its efforts to recover or recapture any Financial Assistance, and promptly pay over any such amounts to the Agency that the Agency demands.

(C) Commitments. As an additional condition precedent of receiving Financial Assistance, and as a material term or condition as approved by the Agency in connection with the Project, the Company covenants and agrees and understands that it must, subject to potential modification, termination and/or recapture of Financial Assistance for failure to meet and maintain the commitments and thresholds as described below, submit, on an annual basis or as otherwise indicated below through the termination of the PILOT Agreement, a certification, as so required by the Agency, confirming:

- (i) Investment Commitment - the total investment actually made with respect to the Project at the time of Project completion equals or exceeds \$55,855,544, being the total project cost as stated in the Company's application for Financial Assistance.
- (ii) Employment Commitment - that there are at least 246 existing full time equivalent ("FTE") employees located at, or to be located at, the Facility as stated in the Company's application for Financial Assistance (the "Baseline FTE"); and
 - the number of current FTE employees in the then current year at the Facility; and
 - that within two (2) years of Project completion, the Company has created FTE employment at the Facility equal to 246 FTE

Section 4. Subject to the terms of this Inducement Resolution, the Chair, the Vice Chair, and/or the Executive Director, are hereby authorized, on behalf of the Agency, to negotiate, execute and deliver (A) an Agent Agreement, (B) the Lease Agreement whereby the Company leases the Project to the Agency, (C) the related Leaseback Agreement whereby the Agency leases the Project back to the Company, and (D) the PILOT Agreement and (E) related documents; provided, however, that (i) the rental payments under the Leaseback Agreement to the Company include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project; and (ii) the terms of the PILOT Agreement are consistent with the Agency's Uniform Tax Exemption Policy, or procedures for deviation have been complied with accordingly.

Section 5. Subject to the terms of this Inducement Resolution, the Chair, the Vice Chair, and/or the Executive Director, are hereby authorized, on behalf of the Agency, to negotiate, execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") up to a maximum principal

amount necessary to undertake the Project, acquire the Facility and/or finance or refinance acquisition and Project costs or equipment and other personal property and related transactional costs (hereinafter, with the Lease Agreement, Leaseback Agreement, and related documents, collectively called the "Agency Documents"); and, where appropriate, the Secretary or the Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Chair, the Vice Chair, and/or the Executive Director of the Agency shall approve, the execution thereof by the Chair, the Vice Chair, and/or the Executive Director of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 6. 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 and to negotiate, execute and deliver all such 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 resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 8. The provision by the Agency of Financial Assistance with respect to the Project as described herein is subject to the Agency's policies.

Section 9. This resolution shall take effect immediately, and shall expire one (1) year from the date hereof unless extended for good cause by the Chair, the Vice Chair, and/or the Executive Director.

Dated: November 21, 2022

**COUNTY OF CATTARAUGUS INDUSTRIAL
DEVELOPMENT AGENCY
SEQRA NEGATIVE DECLARATION RESOLUTION**

A regular meeting of the County of Cattaraugus Industrial Development Agency was convened on Wednesday, November 21, 2021 at 9:00 a.m. The following resolution was duly offered and seconded, to wit:

**RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT
AGENCY ISSUING A NEGATIVE DECLARATION PURSUANT TO SEQRA FOR CIMOLAI-
HY LLC'S ACQUISITION AND RENOVATION PROJECT**

WHEREAS, the County of Cattaraugus 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 536 of the 1971 Laws of New York, as amended, constituting Section 890-b of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, 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, Cimolai-HY LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf (the "Company") has submitted an application to the Agency (the "Application") requesting the Agency's assistance with a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold or other interest in an approximately 88-acre parcel of land located at 500 Paul Clark Drive, City of Olean, Cattaraugus County, New York (the "Land"), (ii) the acquisition and renovation of approximately 950,000+/- square feet of existing industrial manufacturing facilities consisting of 2 industrial plants, 1 large and 2 small office buildings, and 7 satellite buildings for storage and testing (the "Improvements") and (iii) the acquisition in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the Improvements and the Land shall be hereinafter collectively referred to as the "Site"); and

WHEREAS, the Agency must comply with the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and the regulations adopted thereto at 6 N.Y.C.R.R Part 617 (collectively referred to as "SEQRA"); and

WHEREAS, to assist the Agency in determining whether the undertaking of the Project may have a potential significant adverse effect upon the environment, the Company has prepared

and submitted to the Agency a Full Environmental Assessment Form (the "EAF") and supporting studies and reports (the EAF and supporting studies and reports collectively referred to as the "SEQRA Materials"), and copies of said SEQRA Materials are on file in the office of the Agency and are readily accessible to the public; and

WHEREAS, by letter dated October 20, 2022, the Agency distributed notice of its intent to act as lead agency to complete the SEQRA review of the Project to all involved and interested agencies, forwarded copies of the SEQRA Materials to all such involved and interested agencies, and requested that each involved agency consent to the Agency acting as lead agency pursuant to SEQRA, as well as provide any applicable comments to be considered by the Agency in reaching its determination of environmental significance for the Project; and

WHEREAS, none of the involved agencies objected to the Agency acting as lead agency within the regulatory 30-day time period pursuant to SEQRA; and

WHEREAS, the Agency has reviewed all information provided in the Part 1 of the EAF and the SEQRA Materials submitted by the Company regarding the activities proposed for the Project and the potential impacts of the Project on the environment, and completed the responses required in Parts 2 and 3 of the EAF, copies of which are attached herein as Exhibit "A"; and

WHEREAS, the Agency has considered the significance of the potential adverse environmental impacts of the Project by: (a) using the criteria specified in 6 N.Y.C.R.R. § 617.7 of the SEQRA regulations; (b) examining the SEQRA Materials for the Project in order to identify potential environmental impacts; and (c) thoroughly analyzing the identified potential environmental impacts to determine their significance and scope.

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

Section 1. The Agency declares itself "Lead Agency" as that term is defined by 6 NYCRR § 617.2(v) with respect to undertaking a coordinated review of the Project pursuant to SEQRA.

Section 2. The Agency has classified its review of the Project as a Type I Action pursuant to the SEQRA regulations.

Section 3. The Agency adopts each of the matters set forth in the Whereas clauses herein, as well as the SEQRA Materials and Parts 1, 2 and 3 of the EAF, copies of which are attached hereto as Exhibit "A," and each shall have the same force and effect as each of the other findings made in this resolution;

Section 4. The Agency has considered the significance of the potential adverse environmental impacts of the Project by: (i) carefully reviewing and examining the SEQRA Materials, the responses to the EAF, the EAF Mapper results for the Project, comments received from involved and interested agencies including the New York State Department of Environmental Conservation ("DEC"), and the potential impacts associated with the Project to the Site, stormwater and groundwater, wetlands, other water resources, agriculture, historic,

archaeological and other recognized and/or protected resources, threatened or endangered plant and animal species, transportation and traffic, and community character and cumulative impacts, if any, and considered each of the other potential impacts as required by applicable regulation; (ii) considered the criteria set forth in 6 NYCRR § 617.7(c) in light of such impacts or potential impacts; and (iii) thoroughly analyzed the identified areas of relevant environmental concern.

Section 5. The Agency approves, adopts and incorporates by reference the SEQRA Materials and, in particular, the responses to the EAF, including Parts 1, 2 and 3, and finds that the Project will not result in any potentially significant adverse impact to the environment for the following reasons:

Impacts to Community Character and Site:

The Project will not have a significant adverse impact on the Site since the Project will take place on the Site that has for a significant period of time been developed and utilized for manufacturing purposes, and the Site will continue to be utilized for those or similar purposes when the Project is completed. The Site is located in an Industrial District created pursuant to the City of Olean Zoning Code. Ground disturbance associated with the Project will be in discrete locations totaling approximately 0.9 acres of the Site. The Company will keep excavated soils onsite as appropriate, and any such soils will be removed in accordance with a Soil and Groundwater Management Plan to be reviewed and approved by DEC.

Further, no significant adverse impact is anticipated to the surrounding areas since the Site will continue to be utilized in a similar manner as has been used for an extended period. The Site has a long history of industrial use beginning in the 1890s. These uses include a machine shop, foundry, sand storage, a grinding building, warehouse and office space. Most recently, Siemens Energy, Inc. manufactured large turbine and compressor products for the oil and gas industry at the Site.

Water Resources and Potential Stormwater Impacts:

The Project will not have a significant potential adverse impact on water resources or present a significant adverse impact with respect to stormwater. There are no surface water bodies at or adjacent to the Site that will be impacted by the Project. The EAF Mapper notes the presence of a Primary Aquifer and a Principal Aquifer, but they will not be impacted by the Project.

The Site has an existing National Pollutant Discharge Elimination System ("NPDES") permit issued by DEC that will be transferred to the Company. The Company will adhere to the current limitations of the NPDES permit and not add new point source discharges a result of the Project. In fact, the Project will result in less water usage and wastewater generation as compared to previous uses of the Site.

Further, the Company will be required to file for coverage pursuant to DEC's Multisector General Permit for Stormwater Discharges associated with Industrial Activity (GP-0-17-004 pursuant to SIC Code 3411-3499. To the extent any of the Project work will result in site disturbance greater than one (1) acre, and as otherwise appropriate, the Company shall also file for coverage pursuant to DEC's State Pollution Discharge Elimination System ("SPDES") General Permit for Construction Activity (GP-0-20-001). In seeking such coverage pursuant to the applicable SPDES permit program should same apply, the Company would be required to

demonstrate (and shall do so if such a permit is required and appropriate) that the Project's stormwater management system design meets the requirements set forth in the which will require that same meet NYS Stormwater Management Design Manual and the Company shall complete such application as appropriate and if necessary to insure such measures are instituted that will be in accord with such requirements. As such, because activities undertaken during construction of the Project will be completed in a manner so as to meet or exceed the referenced regulatory requirements, no significant adverse impact to drainage patterns, surface waters or groundwater including conveyances are anticipated, and therefore there will be no significant adverse impact to surface or groundwater quality and quantity.

Air Quality Impacts:

The Project will not result in any significant adverse impact to air quality. The Project will not create a significant adverse impact to air quality during the construction activities. The previous operations at the Site were subject to an Air Facility Permit issued by DEC, but the potential air emissions from the Project will be significantly less than the limitations set forth in the Air Facility Permit. The Company shall apply for a new Air Facility Permit for its future operations and adhere to all new limitations.

Impacts to Plants and Animals:

The Project will not result in a significant adverse impact on plants or animals. Given the nature of the work to be completed in constructing the Project, no significant adverse impact to plants and animals is anticipated, nor from operation of the Project, as the Site will continue to function in a similar manner as the manufacturing that has been conducted for many years.

Impacts on Agricultural Resources:

The Site is not located with a New York State Agricultural District, and the USDA NRCS soil survey indicates that although there is prime farmland located south of the Site, the Site itself consists primarily of urban land. As such, the Project will not result in a significant adverse impact on agricultural resources.

Impacts on Aesthetic Resources:

The Project will not have a significant adverse impact on aesthetic resources. The proposed renovations for the Site are consistent with the prior use of the property and buildings encompassed by the Project, and as a result, it is not anticipated that the Project will have any significant adverse impact to aesthetic resources, including to the areas in proximity to where Project work will be undertaken.

Impacts to Historic and Archeological Resources:

The Project will not result in a significant adverse impact to historic or archaeological resources. No historical or archeological resources on the Site have been identified. As a result, the Project will not present a potential significant adverse impact to any recognized historic or archeological resources.

Impacts on Open Space and Recreation:

The Project will not have a potential significant adverse impact on existing open space and recreation. As the Project contemplates work consistent with continued use of the Site for manufacturing purposes, no potential significant adverse impact is anticipated to open space and recreation.

Impacts on Critical Environmental Areas:

The Project will not have a significant adverse impact on any Critical Environmental Area as designated pursuant to 6 N.Y.C.R.R. § 617.14(g) of the SEQRA regulations.

Impacts on Transportation (Traffic):

The Project will not have a significant adverse impact on transportation or existing traffic patterns and flows. During operations, approximately 80 percent of inbound material is expected to be delivered to the Site by rail. The remaining inbound deliveries shall be made by trucks. The majority of outbound material will be trucked out and supported by onsite industrial rail lines running through the center of the Site and leading to the Buffalo Line and the Olean Secondary Line.

As recently as 2021, the previous manufacturer at the Site had approximately 860 employees. For comparison, the Project anticipates approximately 215 people would be employed in manufacturing roles at the Site, with an additional 35 office staff. The planned 10-hour staggered shifts will limit any traffic impacts on nearby roadways. Moreover, the number of parking spaces will remain the same. Further, truck traffic will be low, with only 10 inbound and outbound trucks per day anticipated. And given the Site's close proximity (0.35 miles) from the Southern Tier Expressway, the Project is unlikely to result in noticeable or adverse traffic impacts to surrounding roadways.

Based on the scope of the Project, the Agency determines there will be no significant adverse impact to transportation including from any Project-related traffic including associated with construction or otherwise.

Impacts on Energy:

The Project will not have a significant adverse impact on energy. The Project will be powered by electricity from an existing 115V substation owned by National Grid and natural gas for heating and cooling. The estimated electricity demand during operation is approximately 4.5 million kWh to 6 million kWh, and natural gas demand is expected to be 13.3 million cu ft. Nevertheless, no potential significant adverse impact is expected on local utilities from the Project, including to such utilities after the Project becomes operational, as no issue has been identified as to the capacity of such local utilities to provide services to the Project.

Impacts Related to Noise, Odor and Light:

The Project will not have a significant adverse impact from objectionable noise or from odor or light. While during construction there will be some noise and potential odors, including potentially from heavy equipment, they are not anticipated to be of any significant duration, and will be within the normal range of such noise and odor issues for construction projects of the size

proposed for the Project. Further impacts from construction activities will be mitigated by requirements and specifications the Company will insist any of its contractors meet, including limiting work on the Project reasonable daytime hours unless extraordinary circumstances arise. Further, once construction is complete, the Project is not anticipated to have any material impact from noise or odors significantly different from the historical activities conducted at the Site.

Impacts on Public Safety:

The Project will not have a significant adverse impact on public health or safety as none of the adjacent remediation sites have been identified as presenting a public safety issue and/or a safety issue at the Site. Moreover, the Project will not disturb any soils located on the adjacent sites or otherwise impact the controls in place to protect human health and the environment from any remaining contamination located at the adjoining sites.

Section 6. Based on the foregoing, the Agency finds that the Project will not have any significant adverse impact on the environment in accordance with SEQRA and, in particular, pursuant to the criteria set forth at 6 NYCRR §617.7(b)-(c) of the SEQRA regulations and as such, no environmental impact statement shall be prepared. The Agency thus issues a Negative Declaration for the Project pursuant to SEQRA.

Section 7. A Notice of Negative Declaration shall be filed and/or published to the extent required by the SEQRA regulations and as the Agency may deem advisable.

Section 8. This Resolution and Negative Declaration have been prepared in accordance with Article 8 of the New York Environmental Conservation Law by the County of Cattaraugus Industrial Development Agency with offices located at 9 W. Washington Street, Ellicottville, New York 14731, (585) 699-2005. Copies of this Resolution, together with Exhibit "A", and the SEQRA Materials shall be placed on file in the offices of the Agency where the same shall be made available for public inspection during business hours.

Section 9. The Secretary of the Agency is hereby authorized and directed to distribute copies of this Resolution and Exhibit "A" and the SEQRA materials to the Company and the involved and interested agencies, as well as do such further things, or perform such acts, as may be necessary to implement the provisions of this Resolution and/or comply with the applicable requirements of SEQRA.

Section 10. This Resolution and Negative Declaration shall take effect immediately.

Dated: November 21, 2022

STATE OF NEW YORK)
COUNTY OF CATTARAUGUS) SS.:

I, the undersigned Secretary of the County of Cattaraugus Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the County of Cattaraugus Industrial Development Agency (the "Agency"), including the resolution contained therein, held on November 21, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of the Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this _ day of November, 2022.

Corey R. Wiktor
Secretary

EXHIBIT A

Environmental Assessment Form Parts 1, 3, and 3

(See Attached)

**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 applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information

Name of Action or Project: Cimolai-HY Proposed Structural Steel Fabrication Plant		
Project Location (describe, and attach a general location map): 500 Paul Clark Drive, City of Olean, Cattaraugus County, New York 14760 (SBL No. 94.048-1-2.1)		
Brief Description of Proposed Action (include purpose or need): Cimolai-HY LLC ("Applicant"), a joint venture between Cimolai USA LLC and HY Steel LLC, seeks financial assistance in the form of a Payment in Lieu of Taxes ("PILOT") Agreement (the "Proposed Action") from the Cattaraugus County Industrial Development Association ("IDA") for the interior renovation of two manufacturing plants ("Project") on an approximately 88.1 acre parcel located at 500 Paul Clark Drive, City of Olean, Cattaraugus County, New York 14760 (SBL No. 94.048-1-2.1) (the "Site"). The Site currently contains 13 buildings, including two large manufacturing plants (Plant 1 and Plant 2), multiple storage buildings, an office building, and 1,200 parking spaces. Plant 1 is at the South-Eastern portion of the Site and is 457,535 gross square feet, Plant 2 is in close proximity and is 310,910 gross square feet. The Project will retrofit Plant 1 and Plant 2 interiors for the fabrication of structural steel to be used in building and large infrastructure projects. Additional site improvements involve the installation of a concrete pad and footings to support a conveyor partially located outside Plants 1 and 2 which will load steel into the plant. Any ground disturbance related to conveyor installation would be in discrete locations three to four feet deep to support the conveyor foundations. The site is well served by rail and 80% of inbound material will arrive via rail, the remainder will be delivered by truck. Approximately 10 inbound/outbound truck trips are expected per day. The site is 0.35 miles from Southern Tier Expressway. The plants will be powered by electricity with natural gas for heating and cooling.		
Name of Applicant/Sponsor: John Kelly	Telephone: 646-582-2184	E-Mail: john.kelly@related.com
Address: 30 Hudson Yards, 82nd Floor		
City/PO: New York	State: NY	Zip Code: 10001
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

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 checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City of Olean (Building Permit)	Proposed Project - Building permit after funding approval
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Cattaraugus County Industrial Development Agency	September 2022
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Empire State Development (ESD) financial assistance; DEC Permits, as required	ESD Application submitted 8/18/22, response on 8/31/22, with financial support offered
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" 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? Yes No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part I

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? Yes No

City of Olean 2005-2025 Comprehensive Plan
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes 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?) Yes No

If Yes, identify the plan(s):
N/A

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? Yes No

If Yes, identify the plan(s):
N/A

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?

Industrial

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? Olean City School District: 410 W Sullivan St, District Office Suite - 1st Floor, Olean, NY 14760

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

Olean Police Department: 101 E State St, Olean, NY 14760

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

Olean Fire Department Station: 843 N Union St, Olean NY 14760

d. What parks serve the project site?

Polo Park (0.50 miles from Project Site); and Oak Hill Park (0.45 miles from the Project Site)

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)? continued industrial use

b. a. Total acreage of the site of the proposed action? _____ 88.1 acres

b. Total acreage to be physically disturbed? _____ 0.9 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 88.1 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 the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ 9 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? Yes 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)? Yes 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? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams 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? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Site prep will include excavation 3-4 ft deep in discrete areas for conveyors on the exterior of Plants 1 and 2; all soil will be removed in accordance with local, State, and Federal regulations.
 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?

- 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? Yes 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? Yes 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? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): No wetlands on or adjacent to the Project Site per DEC Environmental Resource Mapper. _____

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 the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the 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: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

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: _____ 1,200 - 4,000 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: Olean Water Department
- 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), what is the 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: _____ 1,200 - 4,000 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): _____

Liquid waste is expected to be mostly sanitary wastewater and gray water from cleaning the plant floors.

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: Olean Waste Water Treatment Plant
- Name of district: Olean Wastewater Treatment Plant: 174 S. 19th Street, Olean, NY 14760
- 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

Less demand on the wastewater treatment plant is expected than the previous manufacturer. Yes No

Yes No
 Yes No

• Do existing sewer lines serve the project site?
 • Will a line extension within an existing district be necessary to serve the project?
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

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):
 N/A; Using public wastewater treatment facility

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____
 None to date - generation rates will be significantly less than previous owner

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? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources: _____

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)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

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? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
 Cranes, delivery trucks carrying on average 16 tons and up to 22 tons, and smaller delivery vehicles (Subject to Change)
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
 Crane, trucks, man-lifts, excavators, other hand-held tools (Subject to Change)
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
 Shot Blasting Machines, Drilling machines, Milling equipment, Plasma cutting/drilling, Edge grinding machine, painting cabins (Subject to Change)

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? Yes No
 If Yes:
 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)
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ 11,470 Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ 0.21 Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ 0 Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ 0 Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ 0 Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ 1.09 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):
 All operations minus the movement of materials will be performed inside. Any emissions will be regulated, if required, and best practices such as dust collector, filters, and baffles will be used, if required.

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 truck trips/day and type (e.g., semi trailers and dump trucks): _____
 Total of 12-18 inbound/outbound tractor trailers or trucks per day

iii. Parking spaces: Existing 1,200 Proposed 1,200 Net increase/decrease 0

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 1/2 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:
 Total projected electric demand: 4,500,000 - 6,000,000 kWh; Total annual projected demand of natural gas: 13.3 million cu-ft (137,500 Therms)

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

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: 7:30AM-3:30PM
- Saturday: 7:30AM-3:30PM (As needed)
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: 7:30AM-3:30AM (two 10hr shifts)
- Saturday: 7:30AM-3:30AM (As needed)
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
Noise-producing manufacturing activity will occur in the interior of Plants 1 and 2 during operating hours.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: No existing natural noise barriers/screening will be removed. Noise attenuating insulation will be used on certain equipment to lessen noise impacts.

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Outdoor lighting will generally remain as is currently configured.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: No existing natural light barriers/screening will be removed.

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:
Manufacturing will occur within the building; emissions will be filtered and in accordance with all required air permits. Odor emissions, if any, are expected to be minimal.

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? Yes No

If Yes:

i. Product(s) to be stored 1,000-gallon Diesel Tank and 1,000-gallon Oil/Water Separation Tank

ii. Volume(s) 257 cf per unit time year (e.g., month, year)

iii. Generally, describe the proposed storage facilities:
Diesel will be in aboveground storage tank (AST) and Oil/Water Separation will be in an underground storage tank (UST). Both are already located on-site.

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):
Minimal herbicide and pesticide usage is expected during renovation and operations by a landscaping or pest control professional.

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
General industrial waste will be produced. The greatest waste stream will be scrap metal, which will be recycled.

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: TBD tons per year (unit of time)
- Operation: 5,885 (estimate) tons per year (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: During construction, the Applicant will have policies in place to minimize waste, and to recycle in accordance with local and state policies and manufacturing best practices.
- Operation: During plant operations, the Applicant will have policies in place to minimize waste, and to recycle in accordance with local and state policies and manufacturing best practices.

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Disposal of all solid waste during construction will follow local, state (DEC), and federal regulations and guidance.
- Operation: Disposal of all solid waste during operations will follow local, state (DEC), and federal regulations and guidance.

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 the 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: _____
Paint

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
Painting of steel members

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

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____
The Applicant will seek a Hazardous Waste ID and follow all applicable requirements per DEC guidance.

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

If Yes: provide name and location of facility: _____
Facility name and location to be determined, but any facility will be fully permitted and will comply with the requirements under 6 NYCRR Part 373.

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 Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	59.1	59.1	0
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: Unpaved urban land	29	29	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:
Olean Intermediate Middle School (0.17 miles) and Olean Day Care Center (0.08 miles)

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:
Previous industrial uses: machine shop, blacksmith, foundry, turbine and compressor manufacturing, electrical substation. Previous adjoining property uses: a petroleum bulk storage and chromium plating facility. Surrounding property uses: a petroleum refinery and bulk storage facility. The Phase I ESA notes the possibility that hazardous substances have impacted the groundwater and/or soil vapor at the Project Site based on historic/surrounding uses.

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): 0408322/0811369
 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:
The Project Site was previously operating as a Resource Conservation and Recovery Act (RCRA) Large Quantity Generator (LQIG) with the following hazardous wastes: D001 (ignitable waste); D002 (corrosive waste); D005 (barium); D006 (chromium); D006 (lead); D011 (silver); D035 (methyl ethyl ketone); and K062 (spent pickle liquor from steel finishing operations that produce iron or steel). Further information found in the ESA Phase I
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): C905031; C905032; C905033; C905036; C905038; C905042; C905043; C905047; E905027; 905007; 905008;
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
The last annual hazardous waste report was prepared for the 2016 calendar year. Several historic spills have been noted at the Project Site and are currently closed: 9102979, 9109193, 9110616, 9208507, 9212687, 9212970, and 9311272. All spills have been closed by NYSDEC.

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

- If yes, DEC site ID number: Not yet established
- Describe the type of institutional control (e.g., deed restriction or easement): Deed restriction
- Describe any use limitations: Industrial use only, groundwater is prohibited without treatment, and excavated soil must be analyzed
- Describe any engineering controls: N/A
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: Per the deed restriction, the site will remain an industrial use.

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 250-650 below grade 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:

urban land/historic fill	_____	73 %
Siltstone	_____	8 %
Gravelly Silt	_____	4.2 %

d. What is the average depth to the water table on the project site? Average: 14-23 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: 100 % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 100 % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: Level terrain with a gentle slope downwards to the southwest mostly comprised of historic fill, gravel, 'debris', ash and slag.

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 _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

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: The EAF Mapper notes the presence of a Principal Aquifer and a Primary Aquifer

m. Identify the predominant wildlife species that occupy or use the project site: _____
 N/A _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____

 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • 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? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 According to the IPac statement provided by the New York Ecological Services Field Office, the surrounding area could contain Clubshell, Northern Riffleshell, and Bayed Bean Clams (Endangered), as well as Northern Long-eared Bats (Threatened). As the Project Site has been operating as an industrial site for over 110 years, it is unlikely that the site has been a habitat for threatened or endangered species for over a century and the Proposed Action would continue to allow for industrial uses.

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? Yes No
 If Yes:
 i. Species and listing: _____
 The EAF Mapper notes: Streamline Chub and Black Redhorse, both fish species which will not be impacted by the Project.

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes 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? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name John Kelly

Date 10/17/2022

Signature _____



Title Member Board of Managers

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.

	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
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) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	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 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 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 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 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 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 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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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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) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input type="checkbox"/> NO	<input checked="" 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 require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: <u>Project is located above a primary and principal aquifer.</u> _____		<input checked="" 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) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input type="checkbox"/> NO	<input checked="" 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 development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" 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 checked="" 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. <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES (See Part I. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	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)	D2g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochlorofluorocarbons (HFCs) emissions	D2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input checked="" 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 I. E.2. m.-q.) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	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.)

NO

YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input 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 type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input 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.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<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.	Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input 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 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 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 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 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 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.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<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 occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State 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 "Moderate to large impact may occur", 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.

NO 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.

NO 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. NO YES
 (See Part 1. D.2.j)
 If "Yes", answer questions a - f. 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" 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. NO YES
 (See Part 1. D.2.k)
 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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. NO YES
 (See Part 1. D.2.m., n., and o.)
 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		<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'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) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<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 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"/>

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.

See attached reasons supporting determination.

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
Project Narrative Addendum

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Cattaraugus County Industrial Development Agency _____ 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: Cimolai-HY Proposed Structural Steel Fabrication Plant

Name of Lead Agency: Cattaraugus County Industrial Development Agency

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

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>

Project Narrative

Cimolai-HY LLC (the “Applicant”) seeks financial assistance in the form of a Payment in Lieu of Taxes (“PILOT”) Agreement (the “Proposed Action”) from the Cattaraugus County Industrial Development Association (IDA) for the interior renovation of two manufacturing plants (“Project”) on an approximately 88.1 acre parcel located at 500 Paul Clark Drive, City of Olean, Cattaraugus County, New York 14760 (SBL No. 94.048-1-2.1) (the “Site”), see Figure 1. Until recently, the Site was home to a manufacturer of gas turbines and centrifugal compressor products used in oil and gas production, oil and gas transmission, and refining. As demand for these products slowed, the manufacturer decided to terminate operations at the Site and offer it up for sale.

The Site currently contains 13 buildings, including two large manufacturing plants, multiple storage buildings, an office building, and 1,200 parking spaces, see Figure 2. The plant in the southeastern portion of the Site (“Plant 1”) is 457,535 square feet, and the plant at the northwestern portion of the Site is 310,910 square feet (“Plant 2”), see Figure 3.

The Project will involve the renovation of the interiors of Plant 1 and Plant 2 which will be retrofitted for structural steel fabrication (“Renovations”), and the steel produced in the renovated plants will be used in building and large infrastructure projects. Additionally, the Project involves the installation of a concrete pad and footings to support a conveyor and steel shot blaster partially located outside Plants 1 and 2, and a paint spray area will be located within Plant 2. Additional concrete may be required to support infeed roller conveyors and other equipment. The renovations contemplated by the Project will be contained within the interior of the Site to limit any adverse impacts on neighboring properties.

The Site is directly served by freight rail and is 0.35 miles from the Southern Tier Expressway that provides connections to Upstate New York, Pennsylvania, and Ohio. The Project Site is generally bounded by a solar farm to the north; railroad tracks, residential uses, and the Van Der Horst Corporation State Superfund Site to the east; commercial and residential uses along Wayne Street to the south; and vacant land and a hotel along Jack Murphy Boulevard to the west.

Impact on Land Resources

The Site is located in an Industrial District (“ID”) per the City of Olean zoning map.¹ The manufacturing use proposed by the Project is a permitted principal use in the ID. See City of Olean City Code § 4.7.2.1.13 (allowing “Manufacture, fabrication, extraction, assembly, and other handling of material, including offices . . .”). The surrounding area includes a mix of industrial, residential, and commercial uses which will not be disturbed by the Project. Several industrial sites are located near or adjoining to the Site, and some such sites are included on the New York State Department of Environmental Conservation (“NYSDEC”) Site Remediation Database for spills or cleanup programs, but all of those sites have been closed by NYSDEC and have controls in place, including use restrictions, operation and maintenance requirements, prohibitions on use of groundwater for drinking, site covers, soil vapor extraction systems, and active slab depressurization

¹ <https://cityofolean.org/wp-content/uploads/2022/02/zonemap.pdf>

systems. The Project will not disturb any soil on the nearby remediated properties or otherwise impact the controls in place to protect human health and the environment from remaining contaminants.

Ground disturbance associated with the concrete pad and footings to support the conveyor foundations will be in discrete locations totaling approximately 0.9 acres and three to four feet deep. The Applicant will keep excavated soil onsite as appropriate, and any excavated soil will be removed in accordance with a Soil and Groundwater Management Plan ("SGMP") to be reviewed and approved by NYSDEC.

During construction, trucks and other machinery will be utilized to excavate and haul away debris, packaging, and other materials, pour concrete, and deliver material to be used in the improvements. During operation, waste management will be conducted in accordance with applicable federal, state, and local law.

Manufacturing operations will produce scrap metal waste which will be removed from the site for recycling or reuse.

Impact on Water Resources

There are no surface water bodies at or adjacent to the Site that would be impacted by the Project. The NYSDEC Environmental Assessment Form Mapper ("EAF Mapper") notes the presence of a Primary Aquifer and a Principal Aquifer; however, these will be undisturbed by the project.

The Site is currently located in a Zone B District, defined by the Federal Emergency Management Agency (FEMA) as an area between the limits of the base flood and the 0.2-percent-annual-chance (500-year) flood.

The Site has an existing National Pollutant Discharge Elimination System ("NPDES") permit issued by NYSDEC, which may be transferred to the Applicant, or the Applicant will obtain its own NPDES permit. The Applicant will adhere to the terms of any permit, and no new point sources will result from the Project. The anticipated water usage and liquid waste are 1,200 to 4,000 gallons per day. Liquid waste will be primarily sanitary wastewater, and no new water demand in excess of the previous use prior to the winding down of its operations is anticipated.

Water demand will be markedly less than the previous use, as the production of steel products contemplated by the project will use less water and the number of employees at the site will be significantly less.

Impact on Air Resources

Minor air emissions will result from the Project during construction and operation. During construction, cranes, trucks, man-lifts, excavators, and other handheld tools that may result in air emissions are planned. During operation, mobile sources of emissions will be limited to cranes, delivery trucks, and smaller vehicles. Process-related emissions include air emissions from blasting machines, drilling machines, milling equipment, and painting cabins.

The previous use included an Air State Facility permit issued by NYSDEC.² By comparison, the air emissions that will result from the Project are a fraction of the air emissions allowed under the previous permit. For example, the last permit allowed 95 tons per year of oxides of nitrogen, and the Project expects 0.21 tons per year of nitrous oxide. Similarly, the previous air permit allowed the release of 23 tons per year of hazardous air pollutants (“HAPs”), and the Project anticipates only 1.09 tons per year of HAPs.

The Applicant will likely need to apply for an air permit. In that case, the Applicant will comply with the terms of its air permit. State of the art air filtering and venting equipment will be used and the required DEC air permits will be obtained in conjunction with plant startup.

Impact on Ecological Resources (Plants and Animals)

According to the EAF Mapper³, there are no state regulated wetlands or significant natural communities on or adjacent to the Project Site. U.S. Fish and Wildlife Service correspondence shows the potential for threatened or endangered species including Clubshell, Northern Rifleshell, and Rayed Bean Clams (Endangered), as well as Northern Long-eared Bats (Threatened). Additionally, the EAF Mapper also notes the potential presence of Wavyrayed lamp mussel and Longhead darter nearby. However, there are no waterbodies on the site so the presence of aquatic fauna is unlikely. Similarly, there will be no tree clearing that would impact the Northern Long-eared Bat or its habitat. The long term industrial use of the Project Site most likely precludes it for habitat for the Northern Long-eared Bat. Further, the plant renovations contemplated by the Project are interior only and would be unlikely to disturb any nearby habitats. As the Project Site has been operating as an industrial site for over 110 years, it is unlikely that the site has been a habitat for threatened or endangered species for over a century and the Project would continue to allow for industrial uses.

Impact on Agricultural Resources

The Site is not in a designated agricultural district, and the USDA NRCS soil survey indicates that although there is prime farmland to the south of the site, the site itself consists of primarily urban land, see App’x A. Further, the Site has not been used for farming and not for industrial purposes. Given the longstanding industrial use at the Site, the site is not suitable for agricultural use.

Impact on Transportation

During operations, approximately 80 percent of inbound material is expected to be delivered by rail to a staging area between Plant 1 and Plant 2. Material will be loaded on the conveyor for entry to the respective plant. The remaining inbound material would be delivered by truck. The majority of outbound material will be trucked out and supported by onsite industrial rail lines running through the center of the Site and leading to the Buffalo Line and the Olean Secondary Line. The number of parking spaces and use of outdoor lights is not expected to change. With the exception of the movement of material, all steel fabrication operations will occur within Plant 1 and Plant 2. No outdoor industrial

² https://www.dec.ny.gov/dar/data/boss/afs/permits/904120001200055_r1_1.pdf

³ <https://giservices.dec.ny.gov/gis/erm>

manufacturing except for the shot blaster is expected. The plants will operate in two shifts, from 7:30AM - 3:30AM.

As recently as 2021, the previous manufacturer at the Site had approximately 860 employees.⁴ For comparison, the Project anticipates approximately 215 people would be employed in manufacturing roles at the Site, with an additional 35 office staff. The planned 10-hour staggered shifts will limit any traffic impacts on nearby roadways. Moreover, the number of parking spaces will remain the same.

Further, truck traffic will be low, with only 10 inbound and outbound trucks per day anticipated. And given the Site's close proximity (0.35 miles) from the Southern Tier Expressway, the Project is unlikely to result in noticeable or adverse traffic impacts to surrounding roadways.

Impact on Energy

The plant will be powered by electricity from an existing 115V substation owned by National Grid and natural gas for heating and cooling. The estimated electricity demand during operation is approximately 4.5 million kWh to 6 million kWh, and natural gas demand is expected to be 13.3 million cu-ft.

Impact on Odor, Noise, and Light

The Project will be completed in a single phase and is anticipated to take approximately 9 months. Some odor during construction and operation is possible. Noise levels are anticipated to exceed ambient levels, particularly during construction but will be limited and comply with any local ordinance governing noise. Operational noise will be internal to the plants, and no industrial operations will be conducted outside.

Impact on Public Health

The EAF Mapper notes that there are sites near or adjacent to the Site that are NYSDEC remediation parcels. However, all of the adjacent Brownfield Cleanup Program sites have received certificates of completion. Regardless of the existence of remaining contaminants and engineering controls, including a cover system, the Project will not disturb the soil in any of these areas or otherwise impact them.

While herbicide and pesticide may be used during construction and operations, it will be done sparingly to avoid impacts to public health and ecological systems.

The Project has been designed to minimize waste and recycle, and the Applicant will follow laws and regulations governing the disposal of solid waste during construction and operations.

The Project anticipates approximately 1 ton of characteristic hazardous industrial paint waste. The Applicant will seek a Hazardous Waste ID and follow all applicable requirements.

⁴ https://www.oleantimesherald.com/news/siemens-energy-downsizing-olean-operation-530-of-860-jobs-affected/article_6613c5e7-3595-526c-a5a7-1ce0039f2e16.html

Impact on Growth and Character of the Community and Neighborhood

The Project Site has a long history of industrial use beginning in the 1890s, see Appendices B and C. Sanborn Maps from the turn of the century show residential units and a railroad transect, but by the 1930s, only industrial uses are shown. These uses include a machine shop, foundry, sand storage, a grinding building, warehouse and office space. Most recently Siemens Energy, Inc. manufactured large turbine and compressor products for the oil and gas industry at the Site. Because of its prior use, the Site was operating as a Resource Conservation and Recovery Act (RCRA) Large Quantity Generator (LQG) with ignitable, corrosive, and other hazardous chemicals. The Phase I Environmental Site Assessment performed on August 24, 2022 notes the likely impact to groundwater and soil because of past industrial uses.

Conclusion

As shown above, the Project is not likely to have any significant adverse impacts on the environment. This is because the renovations to the Facility will be entirely internal, and the footprint of the buildings will remain unchanged and the soil undisturbed. Further, when compared to the prior manufacturer, the Project will result in fewer workers onsite, less traffic, and less energy and water usage than the last manufacturing use.

Based on the foregoing, we respectfully submit that the Project will not have any adverse impacts on the environment.

Figure 1: Project Site Location



Figure 2: Project Site




 Project Site

Figure 3: Plant Locations



Appendix A

USDA NRCS Soil Survey

Soil Map—Cattaraugus County, New York
 (500 Paul Clark Drive, Olean, NY)



Soil map may not be valid at this scale.

Map Scale: 1:5,400 if printed on A landscape (11" x 8.5") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge (s): UTM Zone 17N WGS84

0 50 100 200 300 Meters

0 50 100 200 300 Feet

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 Erodible Spot
 - Sinkhole
 - Slide or Slip
 - Sodic Spot
- Water Features
 - Streams and Canals
- Transportation
 - Rails
 - Interstate Highways
 - US Routes
 - Major Roads
 - Local Roads
- Background
 - Aerial Photography
- Spot Area
 - Stony Spot
 - Very Stony Spot
 - Wet Spot
 - Other
 - Special Line Features

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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: Cattaraugus County, New York
Survey Area Data: Version 23, Sep 10, 2022

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

Date(s) aerial images were photographed: Jun 15, 2020—Jun 17, 2020

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.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
22A	Allard silt loam, 0 to 3 percent slopes	8.0	9.0%
25A	Chenango gravelly silt loam, 0 to 3 percent slopes	2.7	3.0%
46	Swormville silt loam	4.1	4.6%
Ur	Urban land	74.4	83.4%
Totals for Area of Interest		89.2	100.0%

Appendix B

Certified Sanborn Map Report

500 Paul Clark Drive
500 Paul Clark Drive
Olean, NY 14760

Inquiry Number: 6742832.3
November 10, 2021

Certified Sanborn® Map Report



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

Certified Sanborn® Map Report

11/10/21

Site Name:

500 Paul Clark Drive
500 Paul Clark Drive
Olean, NY 14760
EDR Inquiry # 6742832.3

Client Name:

Langan Engineering, Inc.
360 W. 31st Street
New York, NY 10001
Contact: Ellie Seery



The Sanborn Library has been searched by EDR and maps covering the target property location as provided by Langan Engineering, Inc. were identified for the years listed below. The Sanborn Library is the largest, most complete collection of fire insurance maps. The collection includes maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow, and others. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by the Sanborn Library LLC, the copyright holder for the collection. Results can be authenticated by visiting www.edrnet.com/sanborn.

The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

Certified Sanborn Results:

Certification # 76EB-4C37-A40B
PO # NA
Project NA

Maps Provided:

1969
1949
1932
1915
1909
1904
1898



Sanborn® Library search results

Certification #: 76EB-4C37-A40B

The Sanborn Library includes more than 1.2 million fire insurance maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow and others which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

- ✓ Library of Congress
- ✓ University Publications of America
- ✓ EDR Private Collection

The Sanborn Library LLC Since 1888™

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Sanborn Sheet Key

This Certified Sanborn Map Report is based upon the following Sanborn Fire Insurance map sheets.



1969 Source Sheets



Volume 1, Sheet 17
1969



Volume 1, Sheet 18
1969

1949 Source Sheets



Volume 1, Sheet 17
1949



Volume 1, Sheet 18
1949

1932 Source Sheets



Volume 1, Sheet 17
1932

1915 Source Sheets



Volume 1, Sheet 15
1915

Sanborn Sheet Key

This Certified Sanborn Map Report is based upon the following Sanborn Fire Insurance map sheets.



1909 Source Sheets



Volume 1, Sheet 22
1909

1904 Source Sheets



Volume 1, Sheet 21
1904

1898 Source Sheets



Volume 1, Sheet 14
1898



Block: 301 Paul Clark Drive
 Address: 301 Paul Clark Drive
 City, St, Zip: Dixon, KY 40302
 Date: Large Engineering, Inc.
 ACI Inquiry: 6742832-3
 Order No: 11703321
 Contributor: 78EB-4C37-A408
 Display: 1932

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Certification # 78EB-4C37-A408

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Volume 1, Sheet 17

0 Feet 150 300 600

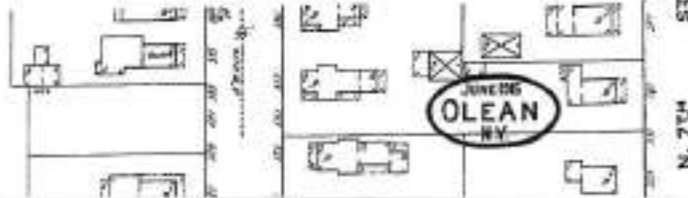
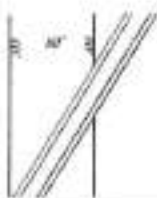




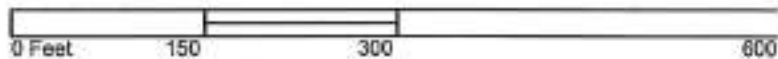
Site Name: 300 Paul Calk Drive
Address: 300 Paul Calk Drive
City, St. ZIP: Olean, NY 14850
Client: Langan Engineering Inc.
ESR Inquiry: 6742832
Order Date: 11/16/2021
Collection: 66E-4C37-A40B
Copyright: 1915

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Certification # 76EB-4C37-A40B



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Volume 1, Sheet 15

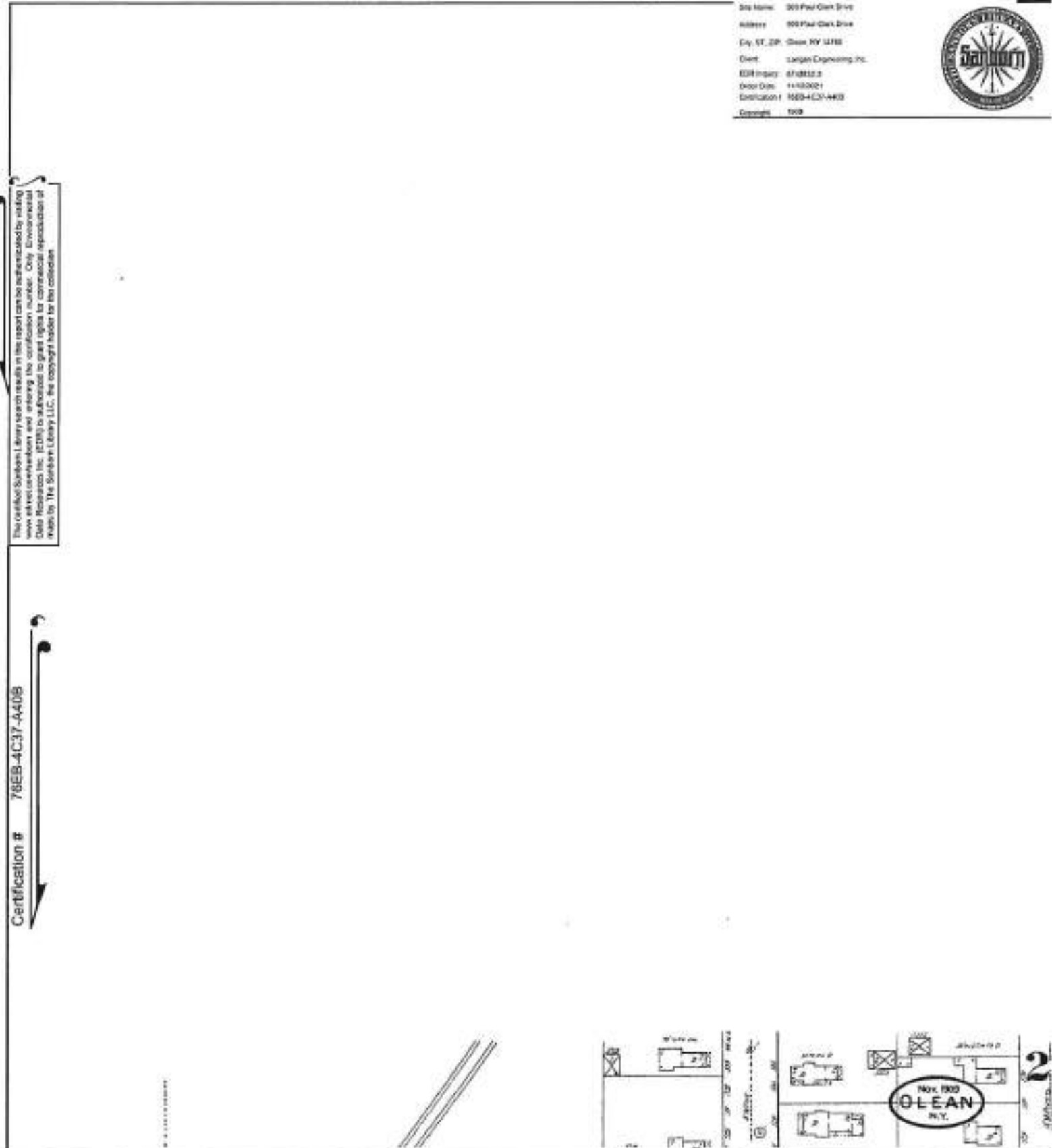




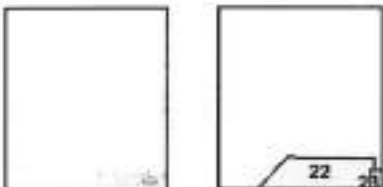
Site Name: 300 Paul Clerk Drive
 Address: 300 Paul Clerk Drive
 City, ST, ZIP: Olean, NY 14753
 Client: Langan Engineering, Inc.
 EDR Inquiry: 6742832-3
 Order Date: 11/13/2021
 Certification: 78EB-4C37-A409
 Drawing: 1909

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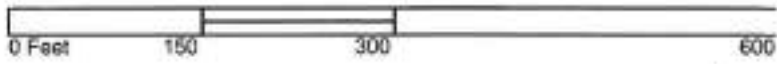
Certification # 78EB-4C37-A409



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Volume 1, Sheet 22

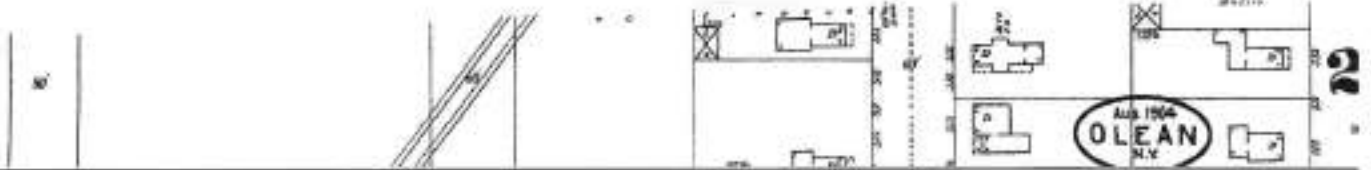




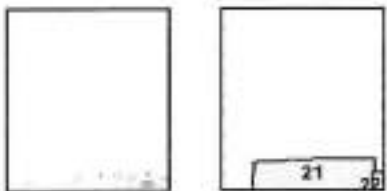
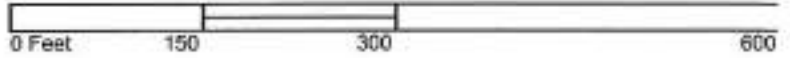
Site Name: 308 Paul Clark Drive
 Address: 308 Paul Clark Drive
 City, St, ZIP: Ghent, NY 14456
 Client: Leggett Engineering, Inc.
 EDR Inquiry: 674850.3
 Detail Date: 11/16/2021
 Certification: 75EB-4C37-A40B
 Copyright: 1904

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Certification # 75EB-4C37-A40B



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Volume 1, Sheet 21



No. 4246 300 Post Oak Drive
 Address 300 Post Oak Drive
 City, St., Zip Onea, NY 14188
 Client Langan Engineering Inc.
 EDR Inquiry #192223
 Order Date 11/19/2021
 Certification 76EB-4C37-A40B
 Copyright 1898

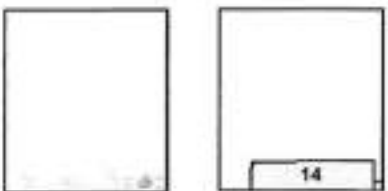
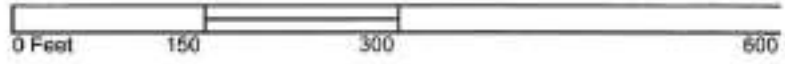


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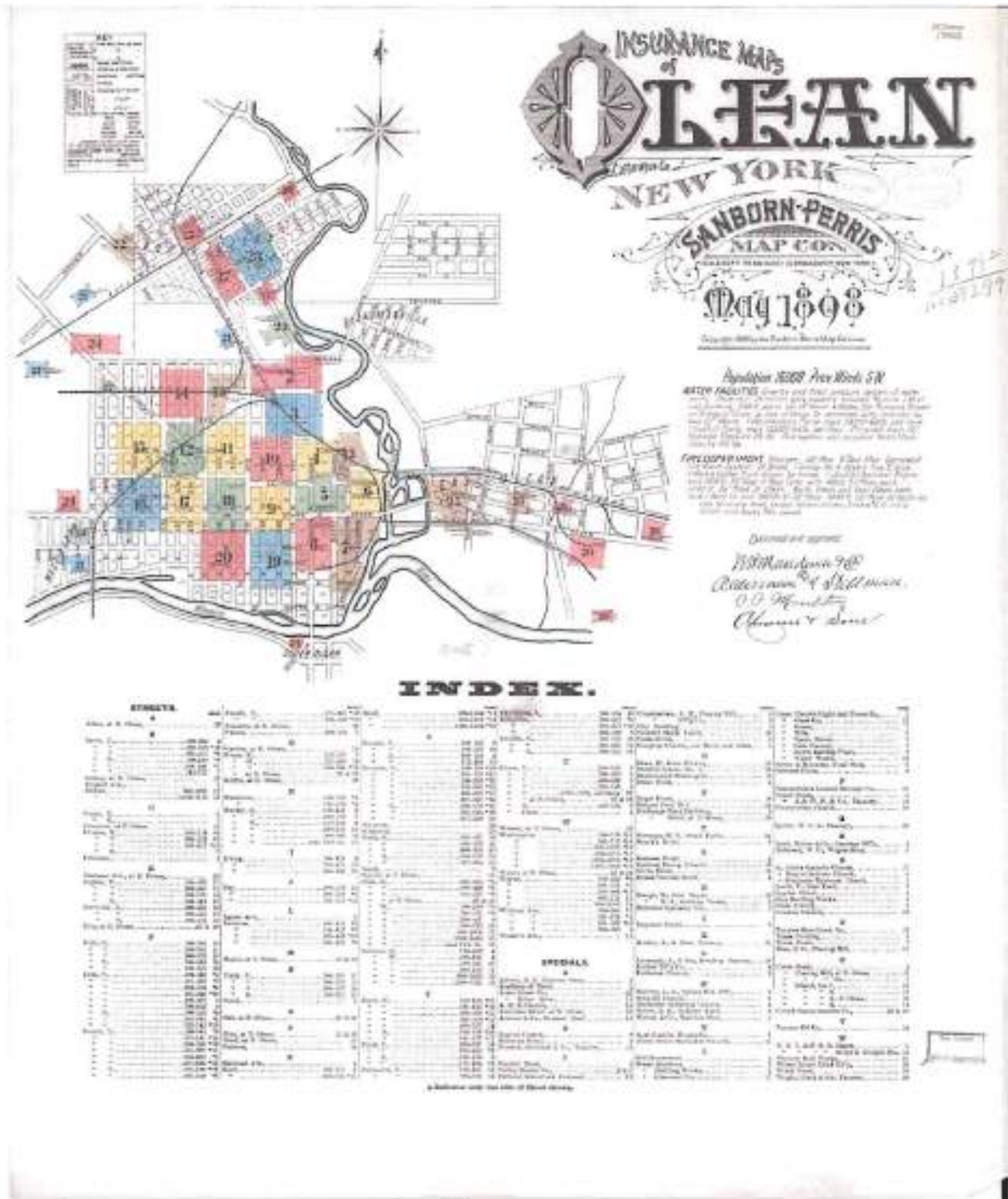


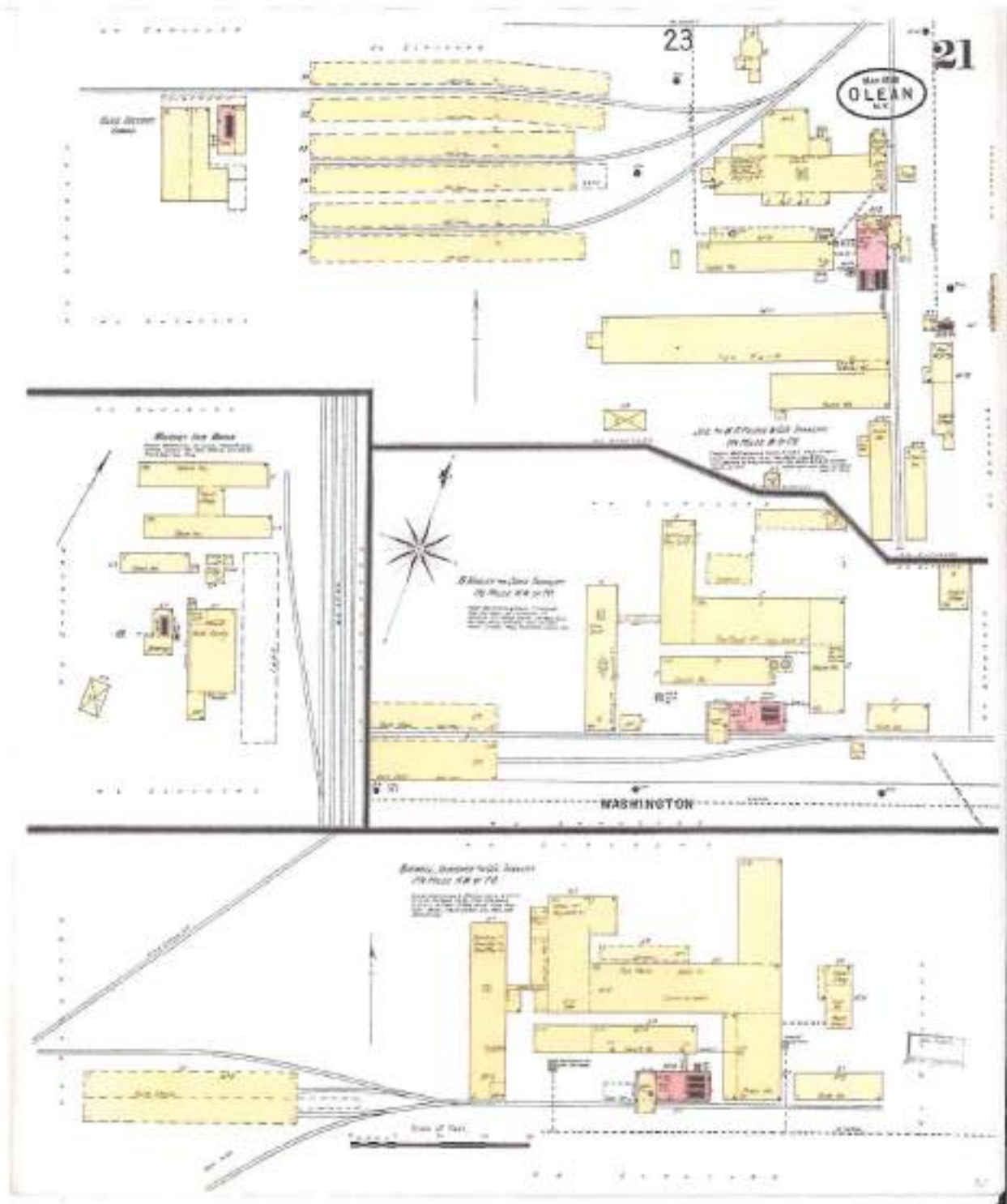
Volume 1, Sheet 14

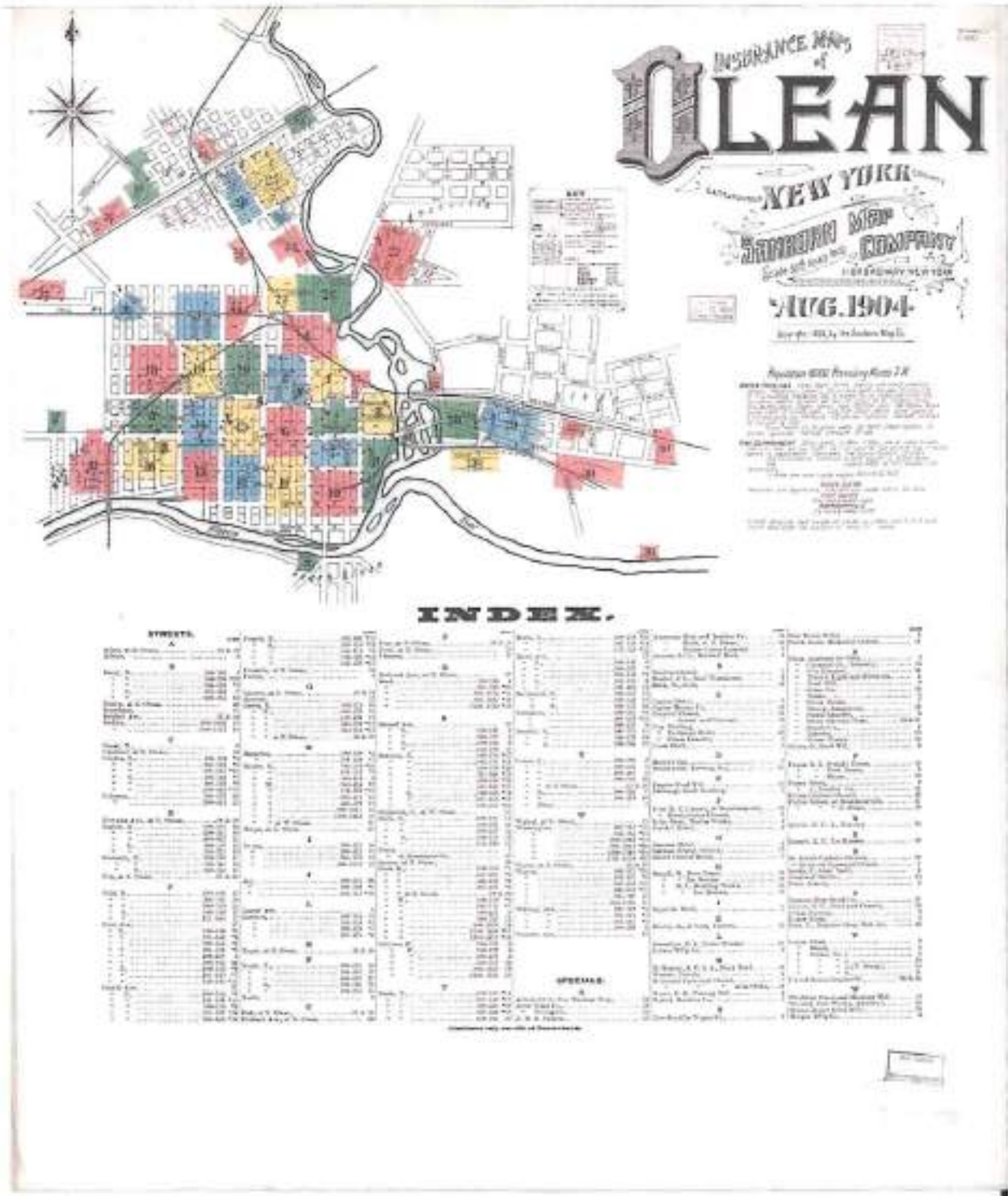


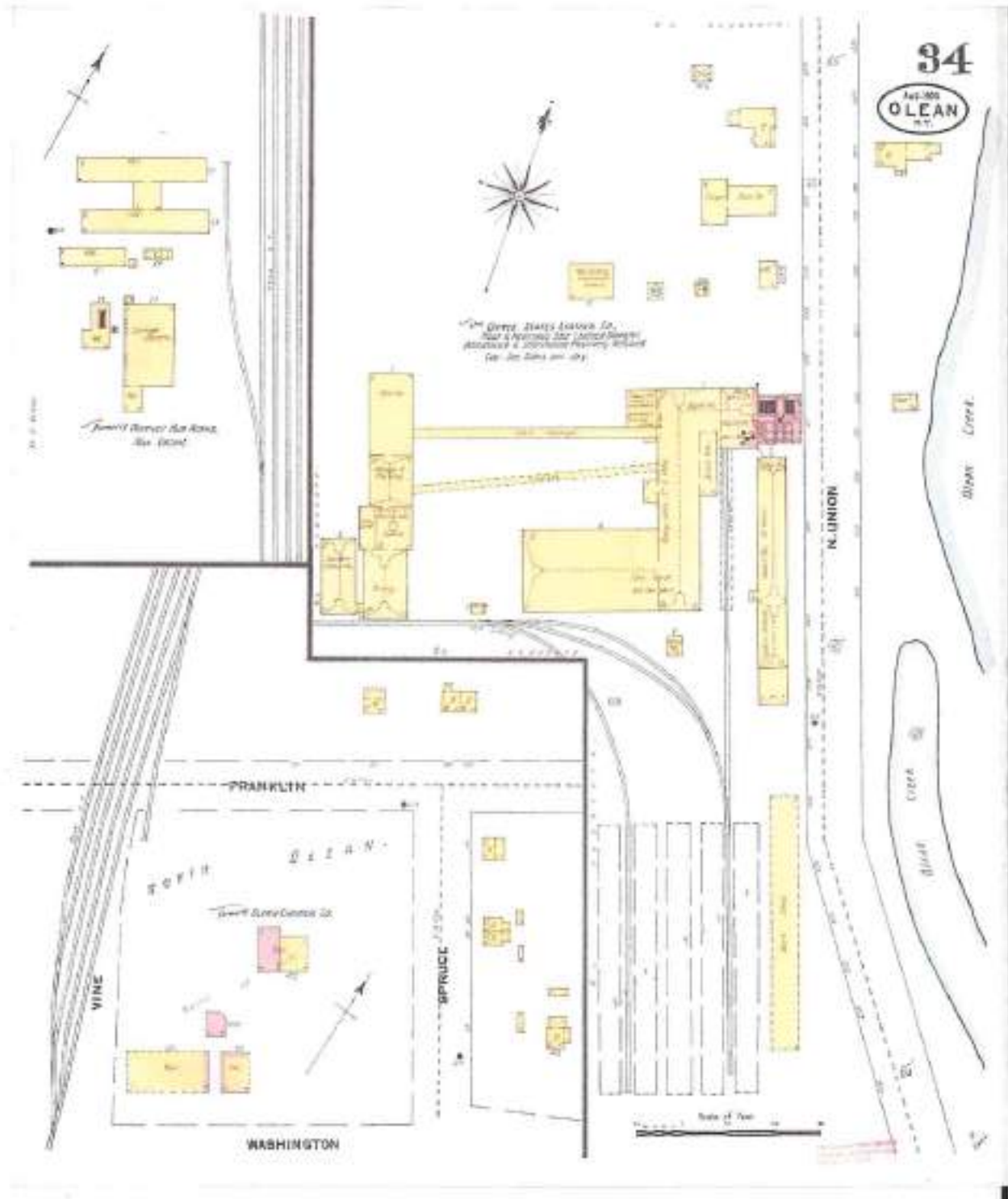
Appendix C

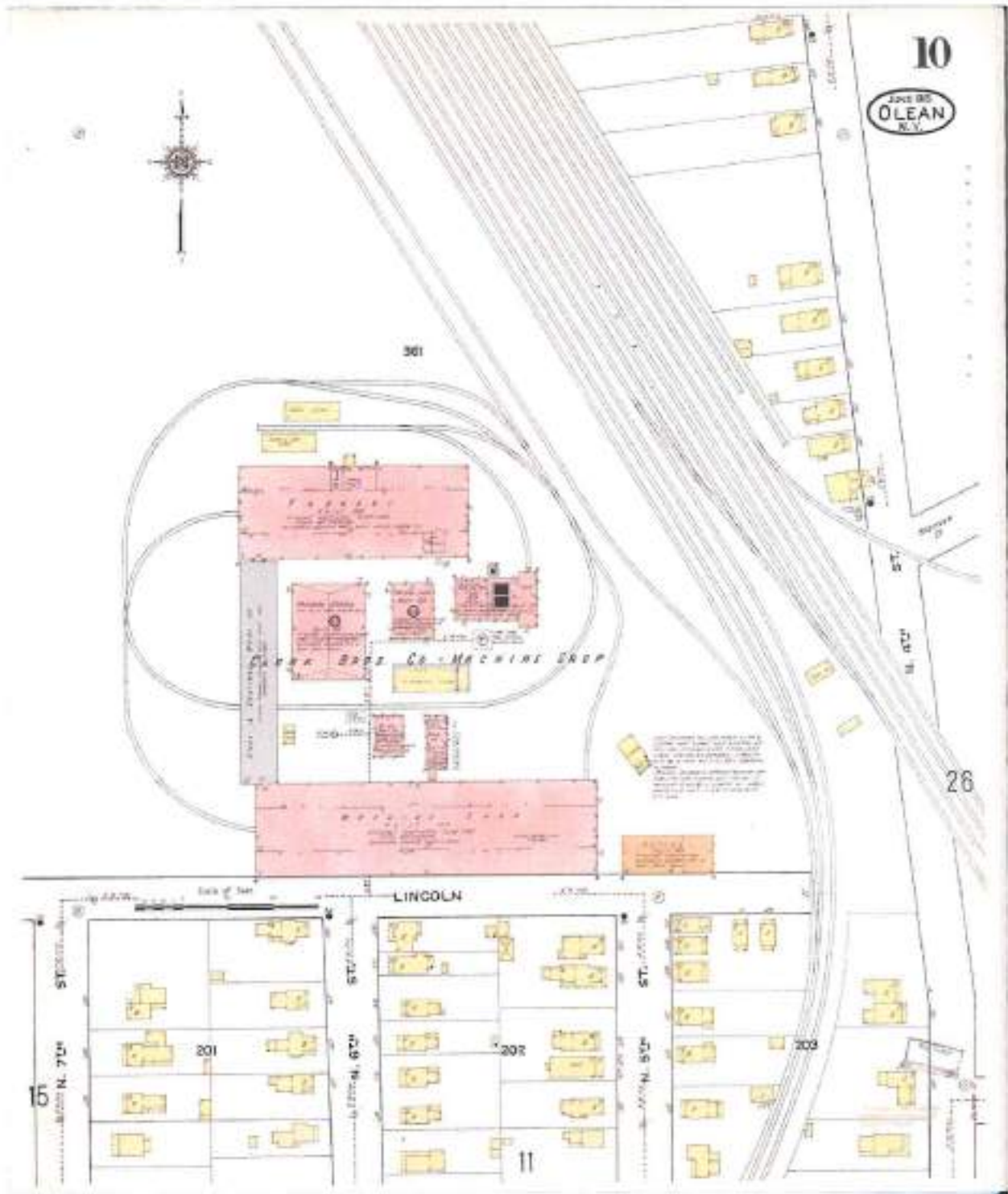
Additional Sanborn Maps














Appendix A



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
Phone: (607) 753-9334 Fax: (607) 753-9699
Email Address: fw5es_nyfo@fws.gov

In Reply Refer To:
Project Code: 2022-0086745
Project Name: 500 Paul Clark Drive

September 19, 2022

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

(c). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

Project Summary

Project Code: 2022-0086745

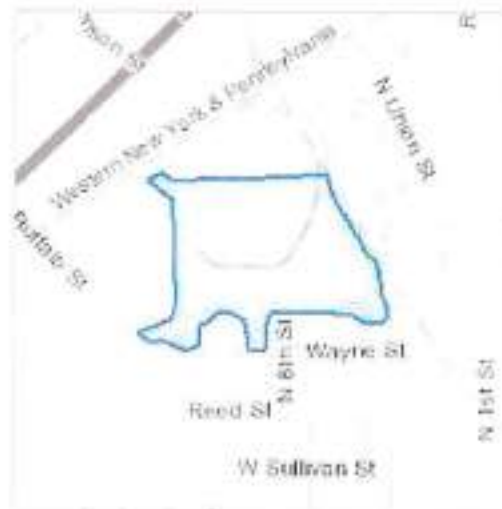
Project Name: 500 Paul Clark Drive

Project Type: Acquisition of Lands

Project Description: The Applicant, Cimolai-HY LLC, is a joint venture between Cimolai USA LLC and HY Steel LLC. Cimolai-HY LLC seeks discretionary state funding (the "Proposed Actions") from the Cattaraugus County Industrial Development Association (IDA) for the interior renovation of an industrial site located within Olean, New York (the "Project Site").

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.08798395,-78.44041377889488,14z>



Counties: Cattaraugus County, New York

Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [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.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Clams

NAME	STATUS
Clubshell <i>Pleurobema clava</i> Population: Wherever found; Except where listed as Experimental Populations No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3789	Endangered
Northern Riffleshell <i>Epioblasma rangiana</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/527	Endangered
Rayed Bean <i>Villosa fabalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5862	Endangered

Insects

NAME

STATUS

Monarch Butterfly *Danaus plexippus***Candidate**

No critical habitat has been designated for this species.

Species profile: <https://ecos.fws.gov/ecp/species/9743>**Critical habitats**

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

IPaC User Contact Information

Agency: Langan Engineering
Name: Taylor Huizenga
Address: 360 W 31st St
Address Line 2: 8th floor
City: New York
State: NY
Zip: 10001
Email: taylorhuizenga27@gmail.com
Phone: 2146800240

MRB Cost Benefit Calculator

Cattaraugus County Industrial Development Agency

Date: September 8, 2022
 Project Title: Cimodal - HF LLC
 Project Location: 500 Paul Clark Drive, Olean NY
 Incentive Proposal #1

Construction Phase - Project Assumptions

Project Costs

Enter total project costs:
 Local Construction Spending*
 % of locally sourced materials and labor
 In-region construction spending

Value
 \$55,855,546
 52%
 \$27,827,772

Industry	Construction Economic Impacts	% of Total Investment	Investment by Type
Industrial Building Construction		2362/8	
(Not Applicable)		0	\$7,827,772
(Not Applicable)		0	\$0
		30.0%	\$27,827,772

*Most projects will only have one line related to construction type.

Operation Phase - Project Assumptions

Jobs and Earnings from Operations

NAICS Codes

Year 1 - Enter NAICS	Count	Per Job Annual Earnings	Total Earnings
Fabricated Structural Metal Manufacturing	1	\$180,000	\$180,000
Fabricated Structural Metal Manufacturing	1	\$32,500	\$32,500
Fabricated Structural Metal Manufacturing	0	\$395,000	\$0
Fabricated Structural Metal Manufacturing	0	\$395,000	\$0
Fabricated Structural Metal Manufacturing	0	\$54,080	\$0
Fabricated Structural Metal Manufacturing	1	\$111,250	\$111,250
Total	3		\$623,750

Year 2

NAICS	Count	Per Job Annual Earnings	Total Earnings
Fabricated Structural Metal Manufacturing	4	\$90,000	\$360,000
Fabricated Structural Metal Manufacturing	10	\$92,500	\$925,000
Fabricated Structural Metal Manufacturing	7	\$105,000	\$735,000
Fabricated Structural Metal Manufacturing	5	\$105,000	\$525,000
Fabricated Structural Metal Manufacturing	215	\$54,080	\$11,627,200
Fabricated Structural Metal Manufacturing	345	\$111,250	\$38,381,250
Total	365		\$115,088,450

Year 3+ (Full Employment)

NAICS	Count	Per Job Annual Earnings	Total Earnings
Fabricated Structural Metal Manufacturing	4	\$180,000	\$720,000
Fabricated Structural Metal Manufacturing	10	\$92,500	\$925,000
Fabricated Structural Metal Manufacturing	7	\$105,000	\$735,000
Fabricated Structural Metal Manufacturing	5	\$105,000	\$525,000
Fabricated Structural Metal Manufacturing	215	\$54,080	\$11,627,200
Fabricated Structural Metal Manufacturing	345	\$111,250	\$38,381,250
Total	365		\$115,088,450

Estimated Costs of Incentives

Sales Tax Exemption					
Local Sales Tax Rate	4.00%	\$400,000		PILOT Term (Years)	15
State Sales Tax Rate	4.00%	\$200,000		Escalation Factor	2%
		\$200,000		Discount Factor	2%
Mortgage Recording Tax Exemption					
Local	0.75%	\$175,000			
State	0.50%	\$75,000			
		\$50,000			
Total Costs			\$1,285,951		

Does the IDA believe the project can be accomplished in a timely fashion?

Yes

	A	B	C	D	E	F
2	CCIDA October 2022		OPERATING STATEMENT			
3						
4		2022	2022	2022	2022	2021
5		APPROVED	M-T-D	Y-T-D	BALANCE	Y-T-D
6		BUDGET	ACTUAL	ACTUAL	REMAINING	COMPARISON
7		ADJUSTED				
8	INCOME:					
9	Interest on Accounts	\$250	\$0	\$236	\$14	\$60
10	Apps & Fees	\$334,325	\$54,496	\$700,932	-\$366,607	\$258,215
11	CCRC/Other Misc. Income	\$0	\$0	\$228,778	-\$228,778	\$5,077
12	Total	\$334,575	\$54,496	\$927,946	-\$593,371	\$263,352
13						
14						
15	EXPENSES:					
16	Wages	\$157,250	\$13,680	\$147,379	\$9,871	\$132,799
17	Fringe Benefits	\$87,400	\$5,033	\$51,170	\$36,230	\$49,017
18						
19	Board Meeting/Operations	\$2,000	\$99	\$1,714	\$286	\$1,287
20	Business Development (E)	\$15,000	\$911	\$36,279	-\$21,279	\$11,451
21	Office Supplies/Service Contracts	\$2,000	\$109	\$1,503	\$497	\$1,587
22	Office Maint./Repairs/Equip.(A)	\$5,000	\$100	\$17,711	-\$12,711	\$10,282
23	Office Phones/Cell/fax/internet service	\$6,000	\$621	\$6,361	-\$361	\$5,516
24	Postage	\$1,500	\$123	\$1,775	-\$275	\$1,558
25	Public Hearings	\$800	\$0	\$1,621	-\$821	\$804
26	Travel/Mileage	\$4,500	\$551	\$1,657	\$2,843	\$1,723
27						
28	Rent	\$16,200	\$1,425	\$13,650	\$2,550	\$13,500
29	Real Estate Taxes	\$150	\$0	\$90	\$60	\$88
30	Utilities	\$2,500	\$336	\$2,673	-\$173	\$1,981
31	Property/Fire/Liability Insurance	\$5,200	\$0	\$4,702	\$498	\$5,177
32						
33	Professional Associations (F)	\$7,000	\$0	\$12,427	-\$5,427	\$4,136
34	Professional Services (C)	\$10,000	\$294	\$24,464	-\$14,464	\$9,261
35	Publications	\$200	\$160	\$160	\$40	\$0
36						
37	Railroad Services	\$25	\$0	\$0	\$25	\$0
38	Miscellaneous	\$100	\$0	\$36	\$64	\$0
39	Project Expenses - (D)	\$1,000	\$0	\$25,385	-\$24,385	\$25,950
40	Consulting Expense (G)	\$0	\$3,000	\$34,000	-\$34,000	\$0
41	Great Lakes Cheese Expenses- (B)	\$0	\$0	\$71,407	-\$71,407	\$60,180
42	Total Expenses	\$323,825	\$26,442	\$456,164	-\$132,339	\$336,297
43						
44	Net Difference	\$10,750	\$28,054	\$471,782	-\$461,032	-\$72,945
45						
46	A - Overage due to Computer Repairs & Painting Office					
47	B - Expenses for GLC Project - over amount funded by Catt. County.					
48	C - Professional Services for Paris Reporting/Policies and Procedure					
49	D - Project Expenses - GLC add'l development expense.					
50	E - Bus. Dev. - Add'l expenses due to GLC & other projects.					
51	F - Prof. Assoc. - Annual Invest Buffalo Niagara dues					
52	G - Consulting Exp. - Added Grant writer on month to month basis					
53						