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Damian M. Ulatowski

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Councilors

David Capria
Deborah Magaro-Dolan
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Edward Wisnowski
Eugene Young

Date: August 8, 2025

To:

- The Honorable Howard Lutnick, Secretary, U.S. Department of Commerce
- The Honorable Kathy Hochul, Governor of New York
- Mr. Sanjay Mehrotra, Chief Executive Officer, Micron Technology
- The Honorable J. Ryan McMahon II, County Executive, Onondaga County
- Mr. Robert Petrovich, Executive Director, Onondaga County Industrial Development Agency (OCIDA) & Deputy County Executive – Economic Development and Planning

Re: Town of Clay Comments and Expectations Regarding the Draft Environmental Impact Statement for the Micron Project

On behalf of the entire Town Board of the Town of Clay, we respectfully submit this letter as our formal public comment on the Draft Environmental Impact Statement (DEIS) for the Micron project. This letter is a unified statement of the Town's expectations, responsibilities, and guiding principles. It sets the framework as we prepare for the unprecedented growth and change that this project will bring.

Micron's decision to locate its landmark semiconductor manufacturing campus in the Town of Clay represents the most significant economic opportunity in our history. We are proud to serve as the host community and deeply appreciate the leadership demonstrated by Micron, New York State, Onondaga County, and the Onondaga County Industrial Development Agency (OCIDA) in bringing this investment to Central New York. The promise of this project is transformational, and the Town of Clay stands ready to be a full and responsible partner in ensuring its success.

At the same time, the DEIS makes clear that the project will have far-reaching impacts on the Town's infrastructure, municipal services, environment, traffic operations, public safety, and long-term planning responsibilities. Identified effects include significant increases in traffic volumes along major corridors and changes to roadway configurations. Other impacts include potential constraints on emergency service response times, expansion of hazardous materials handling and transport, relocation of utilities, and measurable changes in community noise exposure. The scale of construction activity, combined with the operational footprint of four large semiconductor fabs, will also create sustained demand for expanded municipal capacity in areas such as engineering, planning, code enforcement, stormwater management, snow removal, and public safety readiness.

While we have taken an important first step through the execution of a reimbursable expenses agreement with Micron, that agreement alone cannot address the timing or magnitude of the impacts identified. This project is unique among CHIPS Act investments. While others are dispersed across large metropolitan regions or involve expansions of existing facilities, Micron will construct four massive fabrication plants entirely within a single community, transforming the Town of Clay over a period of up to 16 years. This pace and concentration of change is unlike anything any other municipality in the nation has ever experienced. Many of these impacts fall directly on the Town and its residents, and we are committed to managing them responsibly and in good faith.

As a matter of public policy, the cost of accommodating this project shall not be placed on our current taxpayers or local businesses. We expect Micron, New York State, Onondaga County, and OCIDA to provide the Town of Clay with the resources, coordination, and authority necessary to proactively mitigate and manage the impacts described in the DEIS and expanded upon in the comments below.

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Comment #1: Unfunded Service Impacts Require Upfront Investment

The Micron project will create immediate and sustained demands on core Town services. These include expansion of the highway garage and equipment fleet, additional planning, engineering, and code enforcement staff, upgraded permitting and recordkeeping systems, enhanced maintenance of parks and community facilities, and major improvements to snow removal and stormwater infrastructure. These are not distant possibilities. They are obligations that will begin as soon as site preparation and related development activity increases.

Traffic, utility, and hazardous materials considerations will further compound these demands. Roadway and intersection reconfigurations, utility relocations, and the introduction of raised medians will require close coordination with emergency services to maintain acceptable response times. The DEIS does not currently evaluate potential delays to fire and EMS stations located on Route 31 and Caughdenoy Road, nor does it address operational impacts to surrounding communities. Maintaining access during construction will require municipal oversight and technical capacity beyond our current staffing levels. Mitigation measures must include signal coordination or adaptive signal timing and emergency preemption at traffic signals.

In addition, the receipt, handling, and storage of large volumes of hazardous chemicals and petroleum products will necessitate specialized planning, training, and equipment at the local level. Federal- and state-mandated Spill Prevention, Containment, and Countermeasure (SPCC) Plans, Spill Prevention Reports (SPR), and Risk Management Plans (RMP) will govern Micron's on-site operations, but spills or releases during transport to and from the facility may occur on local roadways and in nearby neighborhoods. Effective response to such incidents will require our volunteer fire departments and other first responders to receive specialized training in the specific hazards posed by these materials. They must also be equipped with the necessary protective gear, containment tools, and monitoring equipment.

The Town of Clay is not seeking permanent subsidies. Over time, a growing tax base will restore fiscal self-sufficiency. However, to responsibly meet the early demands of this project, the Town requires a significant upfront investment to expand capacity in parallel with Micron's development. This funding must be committed prior to key construction milestones, with clear sources, disbursement schedules, and scope aligned to the actual service demand and facility impacts identified above. It must come through grants and direct appropriations from Micron, New York State, Onondaga County, or OCIDA.

The Town will not shift the financial burden of Micron-related impacts onto existing taxpayers or businesses, borrow or issue long-term debt for capital improvements or operations associated with this project, or divert resources from existing services to subsidize new development. The scale, speed, and complexity of this undertaking require early, sustained, and externally funded investment in municipal capacity to ensure that public health, safety, and quality of life are protected from the outset.

Comment #2: Regulatory Barriers Are Limiting Housing Capacity

The Town of Clay is facing a significant and growing challenge in meeting future housing demand due to recent changes in wetland setback regulations. Since the New York State Department of Environmental Conservation (NYSDEC) assumed jurisdiction from the U.S. Army Corps of Engineers, regulated wetland setbacks have expanded, sharply reducing the buildable area on key parcels throughout the Town. This constraint affects multiple sites already identified for residential growth and located near planned transportation improvements, making it more difficult to align housing development with infrastructure investments.

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This loss of developable land comes at a time of substantial workforce housing demand from the Micron project. The DEIS acknowledges the need for new housing but does not account for the combined effect of wetland setback restrictions, infrastructure capacity, and transportation network changes on where and how housing can be built. For example, concept roadway improvements on Route 31 introduce raised medians and cul-de-sacs that alter local access patterns, potentially impacting the viability of nearby residential development sites. Without careful coordination, new roadway configurations combined with reduced buildable acreage could further limit the number of suitable parcels for housing.

The Town of Clay supports responsible environmental stewardship and has demonstrated this commitment by earning recognition as a 2-Star Clean Energy Community under New York State's Clean Energy Communities program, with over 3,400 points from high-impact sustainability actions. However, the current regulatory framework is unintentionally working against the State's goals for housing supply and affordability. Local homebuilders have indicated that the expanded setbacks are preventing viable projects from moving forward, even in areas already served by utilities and transportation. If unaddressed, this will push workforce housing demand into adjacent communities, placing additional pressure on the regional housing market and increasing commuter traffic.

Public engagement during the Town's recent Land Use Study made clear that residents want future residential growth to reflect Clay's character as a suburban, family-friendly community. Survey results showed strong support for single-family homes at a range of densities, and far less support for high-density apartment complexes or urban-style infill. This preference is not solely a matter of aesthetics. It is tied to the Town's infrastructure capacity, preservation of neighborhood character, and long-term sustainability. Any solution to the current housing constraint must allow the Town to deliver housing types consistent with these priorities while ensuring that transportation, emergency services, and environmental protections are fully integrated into the planning process.

We therefore request targeted regulatory relief that balances environmental protection with the flexibility required to meet both local and state housing objectives. This relief should be paired with coordinated transportation and infrastructure planning to ensure that available parcels are accessible, serviceable, and compatible with community character. Without such action, the Town will be unable to provide sufficient housing to support Micron's workforce needs while maintaining the quality of life expected by our residents.

Comment #3: Townwide Noise Impacts Require Equitable and Lasting Mitigation

The DEIS identifies more than 520 individual receptors within the Town of Clay that are expected to experience significant increases in noise levels, primarily from traffic along major corridors such as Route 31, Caughdenoy Road, Route 11, and Interstate 481. However, this number underrepresents the full extent of the impact. The cumulative effect of employee commuting, freight movement, construction activity, and regional development linked to the Micron campus will raise baseline noise levels across much of the Town. This includes neighborhoods that have historically been insulated from high-intensity traffic or industrial operations.

Traffic pattern changes outlined in the DEIS will amplify this effect. New interchanges, access road reconfigurations, and raised medians will redirect traffic flows in ways that may concentrate noise along certain corridors and at key residential interfaces. The Verplank interchange, for example, is likely to draw additional east-west traffic through Clay, while cul-de-sac conversions and modified on/off-ramp designs may push more vehicles onto alternate local routes. These shifts have not been fully modeled to show their long-term noise implications.

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Noise mitigation must therefore go beyond the limited commitments currently described. Permanent sound barriers should be installed in all feasible locations, including residential areas near Barcaldine Drive, Route 31, Route 11, Caughdenoy Road, and the neighborhoods surrounding the I-481/Route 31 interchange. Where right-of-way or design constraints prevent barrier installation, alternative methods such as vegetated berms, low-noise pavement surfaces, or building façade improvements should be deployed.

Mitigation must also address construction-phase noise, which will occur over many years and could involve pile-driving, heavy vehicle traffic, and large-scale material handling. Best practices should include use of properly muffled and acoustically insulated equipment, restrictions on nighttime activities, and selection of lower-impact construction methods where feasible.

To protect public health and maintain accountability, the Town expects continuous noise monitoring at representative receptor locations during both construction and operation, with results made publicly available. This should be paired with adaptive mitigation measures—if monitored noise exceeds modeled levels, additional controls must be deployed. The monitoring network should also be integrated with the Town's broader communication strategy, enabling residents to access up-to-date information on noise conditions in their neighborhoods.

The Micron project's duration and scale make noise impact a permanent quality-of-life issue for the Town. Addressing it equitably from the start will require full funding for both physical infrastructure and ongoing operational controls, not temporary or piecemeal measures.

Comment #4: Best Management Practices Must Be Enforced and Fully Funded

The DEIS outlines a comprehensive set of Best Management Practices (BMPs) intended to protect public health, safety, and the environment during the construction and operation of the Micron campus. While these measures are essential, several critical gaps and clarifications are needed to ensure they are effective, enforceable, and fully funded.

Hazardous Materials and Spill Response

The facility will handle significant quantities of hazardous chemicals and petroleum products during operations, delivered by truck and rail. Compliance with federal and state requirements will require development and maintenance of a Spill Prevention, Containment, and Countermeasure (SPCC) Plan, a Spill Prevention Report (SPR), and a Risk Management Plan (RMP) under Section 112(r) of the Clean Air Act. Each plan must detail storage vessel specifications, operational safeguards, worst-case release scenarios, employee training, and emergency response protocols.

Each plan must include provisions for adequate on-site containment materials, such as manhole covers, absorbents, and temporary dikes, and must be reviewed by NYSDEC and USEPA. The Town also expects confirmation that Micron will maintain on-call contracts with trained private spill-response contractors capable of mobilizing quickly for on-site or off-site incidents. Given the complexity of materials involved, local fire departments will require additional specialized training and equipment to respond effectively to chemical emergencies.

Stormwater, Wastewater, and Water Quality

Stormwater and wastewater management systems must be designed, constructed, and operated to ensure that all discharges meet or exceed applicable federal and state water quality standards. This includes full

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implementation of proven best practices such as swales, check dams, detention facilities, and complete compliance with the State Pollutant Discharge Elimination System (SPDES).

The Oak Orchard Wastewater Treatment Plant (OWWTP) will require phased upgrades to handle wastewater from Micron's operations, with Phase 1 improvements in place before initial operations and a new treatment train completed prior to Phase 2. Air permitting modifications must also be completed as necessary. These upgrades must be fully funded by Micron and its partners to prevent any financial or service impacts on existing customers and to safeguard downstream water quality.

The same standard of protection must apply to winter maintenance of all roadways serving the Micron campus and surrounding neighborhoods. Many of these roads are maintained by New York State or Onondaga County, and both agencies need to work directly with the Town to develop and implement a coordinated, science-based strategy for snow and ice control that reduces environmental impacts. Consistent with the recommendations of the 2024 Adirondack Road Salt Reduction Task Force Report, this strategy must include brine and pre-wetting technologies, calibrated spreaders, alternative deicers, and comprehensive operator training to minimize salt use. These measures, already in use in sensitive areas such as Lake George, Wilmington, and Keene, have been proven to protect drinking water sources, prevent chloride contamination, and preserve aquatic ecosystems. This salt reduction strategy should be incorporated into and measured against the DEIS-proposed water quality monitoring program to ensure that its effectiveness is documented, and corrective actions are taken when necessary.

Traffic, Transportation Demand Management, and Multimodal Access

Transportation BMPs must go beyond current DEIS commitments. Traffic signal coordination, particularly along Route 31 from Oswego Road to I-481, is needed to improve peak-hour flow and reduce congestion. Adaptive signal control should be deployed both during construction and permanently. Preemption systems should be installed to prioritize emergency and transit vehicles. Transportation demand management (TDM) measures, such as employee shuttle programs, carpool incentives, and parking management, must be implemented early to reduce single-occupancy vehicle trips. Side street pedestrian and bicycle connections, bus pull-off bays, and improved lighting at intersections should be added to ensure safe and efficient multimodal travel.

Construction Practices and Local Access

Construction staging and sequencing must be planned to minimize disruptions to local businesses, residents, and emergency service access. Raised medians, cul-de-sac conversions, and ramp reconfigurations, such as those proposed for Route 31, Caughdenoy Road, and the I-81/Route 31 interchange, must be evaluated for their impact on fire department response times and neighborhood connectivity before implementation. Where negative impacts are identified, alternative designs or mitigation measures must be adopted.

Enforcement and Local Oversight

The Town of Clay will use all available planning, zoning, and permitting authority to ensure compliance with BMPs throughout the life of the project. When uncertainty arises, the Town will prioritize public health and safety over cost or schedule considerations. To meet these responsibilities, Micron, Onondaga County, New York State, and OCIDA must provide funding and technical support to train, equip, and maintain the readiness of the Town's volunteer fire departments, police, and code enforcement staff.

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BMPs for the Micron project must be treated not as optional guidelines but as binding commitments, backed by enforceable agreements and sufficient funding. Without full implementation and oversight, the scale of the project poses unacceptable risks to community health, safety, and quality of life.

Comment #5: Community Engagement and Public Accountability Must Be Built In

The Micron project will have generational impacts on the Town of Clay, and its success will depend not only on technical execution but also on long-term transparency, responsiveness, and collaboration with the community. The scale and duration of this development requires a permanent structure for public engagement that is proactive, measurable, and accessible to all residents.

Micron must establish and maintain a formal community outreach and engagement program to serve as a direct and permanent channel between the company, its public partners, and the people of Clay. This program should include:

- Regular project updates on construction progress, operational changes, and anticipated impacts.
- Public reporting on compliance with key mitigation measures in areas such as transportation operations, environmental safeguards, hazardous materials management, and emergency response capacity.
- Clear and accessible channels for residents to raise concerns, receive timely responses, and track resolution of issues.

The outreach program must be staffed and funded for the life of the project and beyond. Public reporting should include measurable performance indicators. These may include traffic flow data, noise monitoring results, air and water quality compliance reports, and emergency response readiness metrics. These metrics will allow residents to independently verify that commitments are being met.

This level of transparency is not unprecedented. Other communities hosting large semiconductor manufacturing facilities, such as New Albany, Ohio, have implemented dedicated public engagement programs to keep residents informed and involved. Clay expects the same standard of practice with the added requirement that the Town play an active role in oversight and communication.

Trust will be built through visible action and open sharing of information. By formalizing and funding a permanent community engagement framework before major construction begins, Micron and its partners can ensure that public accountability is not an afterthought but a core component of the project's long-term success.

Conclusion

The Town of Clay is proud to serve as the home of Micron's historic investment. We believe in the mission behind this project and the future it represents for our region, our workforce, and our economy. We are committed to being a proactive and responsible partner in its success.

At the same time, we have a clear responsibility to protect the interests of our community. The scale, speed, and intensity of the changes ahead are unlike anything a single town has faced in the history of modern economic development. The comments outlined in this letter reflect the practical needs and core values of our residents, who have welcomed this opportunity with open minds and high expectations.

We respectfully request written acknowledgment of your commitment to working with the Town of Clay to address the five key areas identified in this letter: service impact mitigation, housing flexibility, noise relief,

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enforcement of best practices, and long-term public engagement. This acknowledgment should include a timeline and responsible parties for each area so that accountability is clear from the outset. With these expectations in place, we believe this project can become a national model for public-private collaboration and shared success.

We look forward to working together to make this vision a reality.

Sincerely,

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