

IDA Board Member Joseph Semione introduced the following Resolution and moved its adoption:

**Resolution designating the IDA to serve as the lead agency on Vireo Health's
amended pharmaceutical project,
To issue a negative declaration and
To authorize filing the negative declaration per
SEQR regulations**

WHEREAS, in 2015, Empire State Health Solutions (ESHS) proposed to construct and operate a pharmaceutical manufacturing facility in the Tryon Technology Park, and

WHEREAS, ESHS's original Environmental Assessment Form (EAF) that was filed with the Fulton County Industrial Development Agency (IDA) described the project as a proposed pharmaceutical manufacturing facility that would involve:

- Construction of approximately 200,000+/- sf of buildings in three (3) phases.
- Site grading and tree clearing.
- Construction of access road and parking areas.
- Construction of stormwater facilities as part of a Stormwater Management Plan.
- Connecting into existing onsite water, sewer, gas, electric and communications lines.
- Construction of security system.
- Growing medical cannabis and manufacturing medicines.

WHEREAS, Section 617.4(b)(1) of NYS SEQR Regulations states that a project involving the construction of a facility more than 100,000 sf in a Town having a population of less than 150,000 shall be considered a Type 1 Action under SEQR, and

WHEREAS, the IDA designated the proposed project as a Type I Action, and

WHEREAS, ESHS submitted to the IDA Board a Part 1 EAF, and

WHEREAS, the EAF identified the Involved Agencies for this proposed action to be:

- Fulton County Industrial Development Agency
- Town of Perth Planning Board
- NYS Department of Environmental Conservation
- NYS Department of Health

WHEREAS, the following were considered Interested Agencies:

- Gloversville Water Board
- Gloversville Johnstown Joint Wastewater Treatment Plant (GJJWWTP)

WHEREAS, after conducting a Coordinated SEQR Review, the IDA Board issued a negative declaration and filed said negative declaration per SEQR requirements, and

WHEREAS, Empire State Health Solutions is now known as Vireo Health of New York, and

WHEREAS, Vireo Health has submitted an amended EAF and Site Plan to the IDA advising that the multi-phased project will now involve the construction 270,000+/- sf of new buildings, an increase from the 200,000 SF originally anticipated, and

WHEREAS, the IDA Board has, at its October 15, 2019 meeting, adopted a Resolution to reopen SEQR and conduct a new Coordinated SEQR review based upon the amended EAF and Site Plan, and

WHEREAS, the IDA Board proposed itself as the Lead Agency for the purposes of conducting a new Coordinated SEQR review of the amended pharmaceutical project, and

WHEREAS, the IDA Board classified Vireo Health of New York's amended pharmaceutical manufacturing project as a Type 1 Action, and

WHEREAS, copies of the amended Part I EAF and Site Plan were sent to all Involved Agencies informing them of the IDA Board's desire to serve as the Lead Agency for a Coordinated SEQR Review, to ask Involved Agencies to submit comments back to the IDA by 5:00 p.m. on Friday, November 4, 2019 on whether they consent to the IDA Board serving as Lead Agency and whether the Involved Agencies have any comments on whether the amended project may create any significant impacts on the environment, and

WHEREAS, no comments were received from Involved Agencies objecting to the IDA serving as Lead Agency or on whether the amended project would create any environmental impacts, and

WHEREAS, the IDA Board has reviewed Parts II and III of the EAF and determined that the amended project would not create any moderate or large environmental impacts,

NOW, THEREFORE BE IT

RESOLVED, that the IDA Board hereby declares itself the SEQR Lead Agency for the purpose of issuing a determination of significance on the amended Vireo Health Pharmaceutical Project, and be it further

RESOLVED, that based upon its review of Parts I, II and III of the EAF and Site Plan, the IDA Board determined that the amended project will not create any moderate or large environmental impacts, and be it further

RESOLVED, that the Executive Director is hereby authorized and directed to file this Negative Declaration per SEQR Regulations.

IDA Board Member Tim Munn seconded the motion.

The Resolution was approved by the following vote:

5 Ayes
 Nays
 Abstentions
 2 Absent