

NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT
AND FINANCIAL ASSISTANCE
RELATING THERETO

Notice is hereby given that a public hearing (the “Public Hearing”) pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the “Act”) and Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), will be held by the St. Lawrence County Industrial Development Agency (the “Issuer”) on the 24th day of March, 2022 at 10:00 o’clock a.m., local time, at the Town of Lawrence Municipal Building located at 11403 US Highway 11, North Lawrence, St. Lawrence County, New York in connection with the following matters:

LF Bioenergy LF1 LLC, a Delaware limited liability company duly qualified and authorized to do business in the State of New York (the “Company”), has submitted an application (the “Application”) to the Issuer, a copy of which Application is on file at the office of the Issuer, which Application requested that the Issuer consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately eight (8) acre parcel of land located at 925 County Route 54 in the Town of Lawrence, St. Lawrence County, New York (the “Land”), (2) the construction on the Land of an anaerobic digester to process cow manure produced by approximately 4,500 dairy cows, including flushing systems, a new manure handling system, a hydrolyzer and agitators (collectively, the “Facility”), and (3) the acquisition and installation therein and thereon of certain machinery and equipment (the “Equipment”), all of the foregoing to constitute an anaerobic digester and other directly and indirectly related activities (the Land, the Facility and the Equipment being collectively referred to herein as the “Project Facility”); (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); (C) the financing of a portion of the costs of the foregoing by the issuance of its industrial development revenue bonds in one or more issues or series in an aggregate principal amount sufficient to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, presently estimated to be \$18,000,000 and in any event not to exceed \$20,000,000 (the “Obligations”); and (D) the lease (with an obligation to purchase) or sale of the facilities financed with the Obligations to the Company or such other person as may be designated by the Company and agreed upon by the Issuer.

The Issuer is considering whether (A) to undertake the Project and (B) to provide the Financial Assistance with respect to the Project, including (1) issuing the Obligations, (2) exemption from mortgage recording taxes with respect to any documents recorded by the Agency with respect to the Project in the office of the County Clerk of St. Lawrence County, New York or elsewhere, (3) exemption from sales taxes relating to the acquisition, construction and installation of the Project Facility and (4) exemption from deed transfer taxes and real estate transfer gains taxes on any real estate transfers with respect to the Project.

If the issuance of the Obligations is approved, with respect to any portion of the Obligations to be intended to be issued as federally tax-exempt obligations, the interest on such portion of the Obligations will not be excludable from gross income for federal income tax purposes unless, pursuant to Section 147(f) of the Code and the regulations of the United States Treasury Department thereunder (the “Treasury Regulations”), the issuance of such portion of the Obligations is approved by the St. Lawrence County Board of Legislators (the “Board of Legislators”) after the Issuer has held a public hearing on the nature and location of the Project Facility and the issuance of such portion of the Obligations.

If the Issuer determines to proceed with the Project and the issuance of the Obligations, (A) interest on the Obligations issued by the Issuer may be excluded from gross income for federal income tax purposes

pursuant to Section 142(a)(6) of the Code, (B) the Project Facility will be acquired, constructed, reconstructed, renovated and installed by the Issuer and will be sold or leased by the Issuer to the Company or its designee pursuant to a project agreement (the “Agreement”) requiring that the Company or its designee make payments equal to debt service on the Obligations and make certain other payments and (C) the Obligations issued by the Issuer will be a special obligation of the Issuer payable solely out of certain of the proceeds of the Agreement and certain other assets of the Issuer pledged to the repayment of the Obligations. THE OBLIGATIONS SHALL NOT BE A DEBT OF THE STATE OF NEW YORK OR ST. LAWRENCE COUNTY, NEW YORK, AND NEITHER THE STATE OF NEW YORK NOR ST. LAWRENCE COUNTY, NEW YORK SHALL BE LIABLE THEREON.

It is anticipated that the Issuer will determine that the Project constitutes a “Type II action”, as said quoted term is defined in the regulations issued pursuant to Article 8 of the Environmental Conservation Law (the “Regulations”), and accordingly, that no environmental impact statement or any other determination or procedure is required under the Regulations regarding the potential environmental impact of the Project.

The Issuer will at said time and place hear all persons with views on the location and nature of the proposed Project, the financial assistance being contemplated by the Issuer in connection with the proposed Project or the proposed plan of financing of the proposed Project by the issuance from time to time of the Obligations. A copy of the Application filed by the Company with the Issuer with respect to the Project is available for public inspection during business hours at the offices of the Issuer. A transcript or summary report of the hearing will be made available to the members of the Issuer and to the Board of Legislators. Approval of the issuance of any portion of the Obligations intended to be issued as federally tax-exempt obligations by the Board of Legislators is necessary in order for the interest on such portion of the Obligations to qualify for exemption from federal income taxation.

The Issuer has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the “SEQR Act”) regarding the potential environmental impact of the Project.

Minutes of the Public Hearing will be transcribed and posted on the Agency’s website (www.slcida.com). Additional information can be obtained from, and written comments may be submitted to the Agency at 19 Commerce Lane, Suite 1, Canton, New York 13617, or at rwilliams@slcida.com and must be received no later than 9:00 am on day prior to Public Hearing.

Dated: March 7, 2022

ST. LAWRENCE COUNTY
INDUSTRIAL DEVELOPMENT AGENCY
BY: Patrick J. Kelly, Chief Executive Officer