

PROPOSED RENEWABLE NATURAL GAS (RNG) FACILITY LOCATED AT HIGH ACRES LANDFILL & RECYCLING CENTER SPECIAL USE PERMIT SEQRA NEGATIVE DECLARATION

WHEREAS, WM Renewable Energy, LLC (WMRE), has applied to the Town of Macedon for approval to construct a 8,000 SCFM (standard cubic feet per minute) Renewable Natural Gas (RNG) Facility adjacent to the High Acres Landfill & Recycling Center, west of Wayneport Road;

AND WHEREAS, the Proposed Action will process biogas collected from the landfill into pipeline-quality gas for injection into the nearby commercial gas transmission and distribution network, displacing fossil fuel natural gas usage (since the project will not result in an increase in offsite fuel usage);

AND WHEREAS, the Proposed Action will treat the LFG and process it in an upgrading system that will remove carbon dioxide (CO₂), hydrogen sulfide (H₂S), oxygen (O₂) and nitrogen (N₂) into a separate tail gas stream, resulting in a product gas that is considered RNG;

AND WHEREAS, the Proposed Action is expected to recover and distribute roughly 2 million MMBtu per year of RNG;

AND WHEREAS, the recovered gas is expected to serve the heating needs of over 30,000 households in New York State;

AND WHEREAS, on February 21, 2024 and in support of the Town Board's review of the Proposed Action under the New York State Environmental Quality Review Act and its implementing regulations in 6 NYCRR Part 617 (collectively, "SEQRA"), the Applicant has submitted: (1) a cover letter and Special Use Permit Application; (2) a SEQRA Full Environmental Assessment Form (FEAF), Part 1; (3) an Agricultural Data Statement; (4) Full-size Site Plans, Floor Plans and Elevations; (5) SWPPP Insert; (6) Noise Impact Assessment; and (6) Office of Parks, Recreation, and Historic Preservation Correspondence;

AND WHEREAS, after reviewing the Application, the Town Board confirmed that the Proposed Action is an Unlisted action under SEQRA and conducted a coordinated review involving NYSDEC as an involved agency, and the Town of Perinton as an interested agency;

AND WHEREAS, the NYSDEC indicated they had no objection to the Town of Macedon Town Board being the SEQR lead agency;

AND WHEREAS, the Proposed Action does not involve a Federal Agency;

AND WHEREAS, the Macedon Town Board declared its intent to act as lead agency for the Proposed Action on May 9, 2024;

AND WHEREAS, the Wayne County Planning Board reviewed the Proposed Action at their April 24, 2024 meeting and made a positive recommendation to the Town Board;

AND WHEREAS, the Macedon Town Planning Board reviewed the Proposed Action at their August 5, 2024 meeting and made a positive recommendation to the Town Board;

AND WHEREAS, the SEQRA regulations provide that for an Unlisted action "the lead agency making a determination of significance must: (1) consider the action as defined in sections 6 NYCRR 617.2 (b) and 617.3 (g) of [SEQRA],) (2) review the EAF, the criteria [for determining significance contained in SEQRA] and any other supporting information to identify the relevant

areas of environmental concern; (3) thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and, (4) set forth its determination of significance in a written form containing a reasoned elaboration and providing reference to any supporting documentation”;

AND WHEREAS, the SEQRA regulations also provide that “[t]o determine whether a proposed...Unlisted action may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action must be compared against criteria in Section 617.7(c)(1) [of the SEQRA regulations]”;

AND WHEREAS, after reviewing the Application including Part 1 of the FEAf, the Town Engineer completed Parts 2 and 3 of the FEAf, and after reviewing the criteria for determining significance set forth under Section 617.7(c)(1) of the SEQRA regulations, the Town Board determined that the Proposed Action does not have the potential to result in any significant adverse environmental impacts;

AND WHEREAS, as required by SEQRA, the Town Board has prepared a written explanation providing its reasons why the Proposed Action will not have the potential to result in any significant adverse environmental impacts, and why the issuance of a Negative Declaration is appropriate.

BE IT RESOLVED, that the Town Board of the Town of Macedon, does hereby find and resolve as follows:

1. The proposed action is not located in a coastal area; and
2. The proposed action is not located in an agricultural district; and
3. The proposed action is in general conformance with the adopted town-wide Master Plan; and
4. The Town Board issues a SEQRA Negative Declaration for the proposed action, concluding that it does not have the potential to result in any significant adverse environmental impacts and that an environmental impact statement is not required; and
5. The Town Board adopts and incorporates and herein by reference the attached written Negative Declaration for the Proposed Action under SEQRA; and
6. The Town Board hereby directs the Clerk to immediately file the determination in accordance with section 6 NYCRR 617.12.

The above resolution was offered by BABCOCK and seconded by DORFNER at a meeting of the Town Board held on MARCH 27, 2025. Following discussion thereon, the following roll call vote was taken and recorded:

Kim Leonard	Aye
David Maul	Aye
David McEwen	Aye
Diane Dorfner	Aye
Bruce Babcock	Aye

I, *Karrie Bowers*, Town, do hereby attest to the accuracy of the above Resolution being acted upon and recorded in the minutes of the Macedon Town Board for the March 27, 2024, meeting.

Karrie Bowers

Karrie Bowers, Macedon Town Clerk