

**SEQRA
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

Date: March 31, 2025

This notice is pursuant to the State Environmental Quality Review Act, Article 8 of the NYS Environmental Conservation Law and its implementing regulations at Part 617 of the New York State Code of Rules and Regulations (collectively referred to as "SEQRA").

The Town of Macedon Town Board has determined that the proposed action described below will not have a significant adverse environmental impact, and a draft Environmental Impact Statement will not be prepared.

Proposed Action: WMRE Renewable Natural Gas (RNG) Facility at the High Acres Landfill & Recycling Center

Applicant: WM Renewable Energy, LLC (WMRE)

Lead Agency: Macedon Town Board, 32 Main Street Macedon, NY 14502

Contact Person: Scott Allen, Town Engineer, 32 Main Street Macedon, NY 14502
315-986-5932 / buildinginspector@macedontown.net

SEQR Status: Unlisted Action, Coordinated Review

Description of Action:

The Proposed Action consists of 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, in the Town of Macedon, New York.

Reasons Supporting This Determination:

The Town Board has carefully considered whether the Proposed Action has the potential to result in any significant adverse environmental impacts on the environment. For the reasons set forth below, a SEQRA Negative Declaration is appropriate and an environmental impact statement will not be required for the Proposed Action.

1. The Town Board has given due consideration to the Proposed Action as defined in 6 NYCRR 617.2 (b)((1) and 617.3 (g).
2. The Town Board has reviewed Part 1 of the Full Environmental Assessment Form (FEAF) provided by the Applicant for the Proposed Action, the Town Engineer has completed Parts 2 and 3 of the FEAF, and the Town Board has concluded that the environmental effects of the Proposed Action will not exceed any of the criteria for determining significance found in 6 NYCRR 617.7(c), as more fully described below:
 - (a) No substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems

will result from the Proposed Action. Further details to support this conclusion are provided below:

Air Quality:

This type of processing facility requires receipt of an Air Facility Permit from the New York State Department of Environmental Conservation (NYSDEC). The Proposed Action will significantly reduce criteria pollutants, greenhouse gases (GHG), and hazardous air pollutants (HAPs). Air dispersion modeling of the project emissions shows compliance with the national ambient air quality standards (NAAQS) and all short-term guideline concentration (SGC) limits, and annual guideline concentration (AGCs) limits set forth in DAR-1.

Stormwater/Surface Water:

The Proposed Project will include development that will disturb more than 1 acre of land but less than 10 acres. The Proposed Project will be covered under the landfill's existing State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Industrial Activity. Before commencing any earthwork, coverage under said permit will be obtained from the New York State Department of Environmental Conservation (NYSDEC). Modifications to the existing SWPPP will be completed by adding an appendix insert to account for the proposed project. In general, stormwater runoff from the project area will be handled by infiltration dry swales and the existing Stormwater Detention Pond #9, located outside the project limits to the north. This pond ultimately discharges to a stream channel traveling east beneath Wayneport Road. Maintenance of this permanent pond is included in High Acres Landfill's MSGP Stormwater Pollution Prevention Plan (SWPPP). Erosion and sediment controls are included in the SWPPP to address temporary construction activities. The final outfall locations will remain consistent, and no changes are required to the facility's MSGP NOI.

Traffic:

The NYSDEC has prepared a workbook to assist applicants in completing the EAF. In doing so, NYSDEC has identified certain thresholds for whether impacts could be considered significant. For traffic, the NYSDEC's workbook instructs that "a project generating fewer than 100 peak hour vehicle trips per hour will not result in any significant increases in traffic." Any projects that anticipate generating more than 100 peak-hour trips should be considered significant, and a Traffic Impact Study should be provided. It was concluded that traffic volumes associated with the RNG Facility will only be about 5% of the threshold NYSDEC has established in its SEQR EAF workbook as significant. This conclusion is based on knowledge of the operation of RNG facilities, the fact that the facility is not intended for public access, and that the traffic levels that typically occur at these facilities range from an increase of 3-5 peak hour trips per day from employees and miscellaneous deliveries. Given that the anticipated traffic volume generated from the Proposed Project is roughly 5% of the significant threshold, additional traffic studies or mitigation measures are not required.

Noise:

A Noise Impact Assessment was performed to evaluate sound levels projected to be received at the site boundaries and the nearest residences during peak operations of the Proposed Project. The assessment, completed by Aurora Acoustical Consultants, concluded that the predicted received sound levels at the residential boundary of the RNG Facility and nearby residences produced by the indoor and outdoor equipment will not exceed the daytime and nighttime permissible sound level limit specified in the Town of Macedon code for residential receivers. Furthermore, it is concluded that potential sound level increases from RNG Facility sources combined with the existing ambient sound levels, compared to ambient sound levels alone, will not exceed the NYSDEC (DEP-00-1) specified limit to sound level increases. Regarding human reaction, the ambient sound level increases are projected to have no appreciable effect on receptors or be potentially perceptible only to the most sensitive receptors.

- (b) There will be no removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; no impacts on a significant wildlife habitat area; no substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to the natural resources as a result of the Proposed Action. Further details to support this conclusion are provided below:

Water Resources (Wetlands) & Streams:

No temporary or permanent disturbance of wetlands, or potential 100-foot buffer of a wetland, is proposed. The Proposed Project does not impact State Wetlands PR-1, PR-23, MA-12, or MA-15, nor does it impact any tributaries of Thomas Creek or White Brook. Stormwater runoff will be managed as noted above, and there is no encroachment, filling, or excavation anywhere near a wetland or stream; as such, no negative impacts are anticipated.

Threatened or Endangered Species:

Available mapping indicates that the proposed project site does not contain any significant natural communities or any threatened/endangered/rare species (including both plants and animals).

- (c) The Proposed Action will not create an impairment of the environmental characteristics of a critical environmental area (CEA) as designated pursuant to Section 617.14 (g). There are no designated CEAs on or near the Proposed Action.
- (d) The Proposed Action will not create a material conflict with a community's current plans or goals as officially approved or adopted. The Proposed Action is in general conformance with the adopted town-wide Master Plan
- (e) The Proposed Action will not impair the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character. The project information was submitted to the NYS Department of Parks, Recreation and Historic Preservation (OPRHP). It is the opinion of OPRHP that no properties, including archaeological and/or historic

resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

- (f) The Proposed Action will not create a major change in the use of either the quantity or type of energy. Conversely, the project will generate energy.
- (g) The Proposed Action will not create a hazard to human health.
- (h) The Proposed Action will not create a substantial change in the use or intensity of use, of land including agricultural, open space or recreational resources or in its capacity to support existing uses.
- (i) The Proposed Action will not encourage or attract a large number of people to the project as it is on private land.
- (j) The Proposed Action will not create a material demand for other actions that would result in one or the above consequences.
- (k) No cumulative adverse impacts on the environment will result from the Proposed Action.