

FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

SENECA MEADOWS LANDFILL EXPANSION

SENECA FALLS, NEW YORK

Lead Agency

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 8
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Project 103278

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1 INTRODUCTION AND SUMMARY

This document is the Final Generic Environmental Impact Statement (FGEIS) for the proposed Seneca Meadows Landfill Expansion. Seneca Meadows, Inc. (SMI) has prepared initial permit applications and a Draft Generic Environmental Impact Statement (DGEIS) for a sequence of activities (collectively, the Project) required to secure authorization for an approximately 178-acre landfill expansion (the Landfill Expansion) proposed adjacent to its existing solid waste landfill in the Town of Seneca Falls, Seneca County, New York. The project applicant is Seneca Meadows, Inc. (SMI), with offices at 1786 Salcman Road, Waterloo, New York 13165.

The Project is defined as the series of physical activities leading to and including the Landfill Expansion. These are: the filling of regulated wetlands in the Project Area; the realignment of a portion of Black Brook and the construction of a replacement highway bridge; the relocation of the tire processing facility, maintenance shop and storage building, and access road; the construction of additional stormwater retention basins; the relocation of third party-owned utility lines; and the construction and operation of the Landfill Expansion.

The project purpose is to expand landfill capacity at or in close proximity to SMI's existing landfill in the Town of Seneca Falls in a timely fashion in order to provide critically needed solid waste disposal services locally and for the State. Development of the proposed Landfill Expansion will provide for approximately 14 years of this critically needed solid waste disposal capacity in an environmentally sound and cost effective manner.

This FGEIS has been prepared in accordance with the requirements of the State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law.

The two-volume DGEIS was accepted as complete by the lead agency, the New York State Department of Environmental Conservation (NYSDEC), on March 2, 2006 and noticed in the Environmental Notice Bulletin on March 8, 2006 and in the Reveille Between the Lakes on March 9, 2006. The DGEIS was available for public inspection at the NYSDEC Regional office, at several local repositories, and on the Seneca Meadows web site. A legislative hearing was held on May 16, 2006, and the public comment period closed on May 26, 2006.

This FGEIS consists of the DGEIS (which is incorporated by reference in its entirety), all written comments on the DGEIS (presented in Appendix A), the transcript of the legislative hearing held on May 16, 2006 (presented in Appendix B), SMI's response to the substantive written comments on the DGEIS that were forwarded to the NYSDEC (presented in Appendix C), and SMI's responses to other technical comments on the

Project that were also forwarded to the NYSDEC (presented in Appendix D). It is noted that all of the public comments at the legislative hearing and nearly all of the written comments (over 390 comment letters) received were favorable comments. As such, these comments are noted, but no specific responses have been prepared to these comments. It is also noted that discussions between SMI and the NYSDOT are ongoing with the intent of meeting their requirements as part of the Stage 2 permitting process. Section 2.4.6.10.9 of the DGEIS has been revised to address a comment from the Town of Seneca Falls. This revised section is presented in Appendix E.

After reviewing the comments and their respective responses, there are no substantive changes to the conclusions presented in the DGEIS with respect to impacts anticipated from the proposed Project.

The most significant environmental impact that will result from the Project is the permanent taking of 71 acres of regulated wetlands. In addition, the preferred alternative for the relocation of Black Brook (alternative 2) will result in the temporary disturbance of approximately 19 acres of wetlands during construction, about 16 acres less than would occur under alternative 1. The relocation of the petroleum and natural gas pipelines and pump station required in connection with the Project will also result in the temporary disturbance during construction of approximately 1.7 acres of wetlands. Wetlands that are temporarily impacted will be restored or enhanced upon completion of construction activities. During the course of project planning, special attention was paid to identify and evaluate alternatives that would avoid adverse impacts to wetlands. A wide range of both on-site and off-site alternatives were identified and examined. Unfortunately, no practicable alternative exist which can achieve the project purpose with less wetland impacts.

The wetland areas to be permanently altered are characterized as a mix of successional disturbed substrate swamp, shallow emergent marsh, shrub swamp, and red maple hardwood swamp. Much of this area is located on a hydric soil substrate that has been previously disturbed, for example by site remediation activities, previous mining activities and by underground utility crossings. The wetlands and uplands in the area where the Landfill Expansion is proposed have the lowest ecological significance of any wetland areas on the SMI Property.

As a result of this unavoidable wetlands impact, a mitigation plan has been developed which will result in the restoration, enhancement and long-term maintenance of approximately 585 acres of compensatory wetlands and adjacent uplands on the Dove Property within the Black Brook watershed. In addition, SMI's preferred alternative for the realignment of Black Brook will result in another 350 acres of wetland enhancement within a zone required for floodwater conveyance along the Black Brook corridor. The Project, through conditions established in the freshwater wetlands permit to be issued by the NYSDEC, will include mitigation measures that will avoid potential impacts on the habitat of the Indiana Bat.

The other unavoidable impacts associated with the Project are generally minor and are necessary in order for this Project to continue to supply uninterrupted, environmentally-sound and cost-effective waste disposal capacity to the residents and businesses of the SMI service area.

Finally, the proposed Project will have a significant positive impact on the local economy. This coupled with the environmental benefits of the wetlands mitigation and enhancement program and the much needed waste disposal capacity that will be provided by the Project will result in a significant public benefit to local residents and the State as a whole.

Therefore, this FGEIS concludes that the construction and operation of the proposed Project will result in the following unavoidable impacts:

- The alteration of approximately 260 acres within the SMI Property, including approximately 15 acres of agricultural land, 26 acres of upland vegetation, 3 acres on non-wetland ponded areas, 71 acres of wetland, and 145 acres of areas that have already been developed for landfill area, soil mine area, or other use in connection with the current facility operations. The permanent loss of 71 acres of wetlands can be considered significant. As described in Section 8.1 of the DGEIS, the restoration, enhancement and long term maintenance of approximately 585 acres of compensatory wetland and upland areas on the Dove Property within the Black Brook watershed, will mitigate the unavoidable taking of 71 acres of wetlands in connection with the Project. In addition, the realignment of Black Brook will serve to enhance existing natural vegetative features and potential wildlife habitat, especially if alternative 2 is selected.
- Increased fugitive dust generation potentially may occur in the Project Area during the construction of the Project and during the operation of the Landfill Expansion. This impact will be constantly monitored and mitigation measures will be implemented to minimize and avoid potential impacts.
- The operational and long-term visual impacts of the proposed Landfill Expansion will be consistent with the visual impacts that currently are experienced, or will be experienced upon completion and closure of the Southeast Landfill. In order to minimize potential visual impacts to the maximum practical extent, the proposed Landfill Expansion will include a number of mitigation measures, including the construction of landscaped screening berms.

In addition to the unavoidable impacts noted above, there will be several major benefits associated with the proposed Project that are summarized below:

- Long-term environmentally sound solid waste disposal, ensuring capacity for the disposal of local and regional wastes consistent with local solid waste

management plans and satisfying the goals and objectives of the New York State Solid Waste Management Plan.

- The Project, through Special Condition 29 of the freshwater wetlands permit to be issued by the NYSDEC, will include community education and other efforts to foster waste reduction, recycling and composting, a household hazardous waste (HHW) collection program as well as financial support to the local solid waste planning unit to assist in funding their HHW collection activities, and a construction and demolition waste recycling program. These measures will help further the State's solid waste goals by reducing the amount of solid waste, compostables, HHW, and construction and demolition debris that enter the landfill.
- The Project will continue to employ a significant local labor force at the landfill, for waste and construction material transporters.
- The Project will also create economic benefit to local vendors and suppliers utilized throughout the duration of the Project.
- The Project, through the realignment of Black Brook, will enable the brook to develop an improved ecological character more consistent with the natural environment of the area and will improve downstream water quality.
- The Project, through conditions established in the freshwater wetlands permit to be issued by the NYSDEC, will result in the protection in perpetuity of 949 acres through a Conservation Easement.
- The Project, through the utilization of landfill gas-to-energy technology, will provide a beneficial use of landfill gas by creating saleable energy, and will continue to promote local economic development.
- By developing the expanded facility at an existing landfill site, SMI is taking advantage of the infrastructure and systems that are in place and functioning.
- Fees paid to the Town of Seneca Falls and the Town of Waterloo are being used by the Towns to help keep down local property tax rates through at least the year 2009. Any agreement that replaces or succeeds the agreement that currently exists will extend the ability of the Towns to promote economic growth by providing additional services or maintaining a low tax rate.

The Closure Plan for the Landfill Expansion will provide for the establishment and maintenance of vegetative cover on the final cover system at the site. This vegetative cover will include a variety of herbaceous and woody species that will be maintained in a condition that will approximate an upland old field habitat. The implementation of this aspect of the project, in conjunction with the Community

Education Center and/or the Nature Center presently being developed by SMI, will enhance the potential for eco-tourism. It will also result in positive economic and environmental impacts for the Town of Seneca Falls and the surrounding area.