



Conservation Planning Assistance

Development Authority of the North Country (DANC)

Rodman Landfill Expansion, Jefferson County, New York

Development Authority of the North Country (DANC), also known as Rodman Landfill, is located at 23400 NYS Route 177 in the Town of Rodman, Jefferson County, New York. The applicant proposes to expand the existing landfill to provide additional landfill space (19,400,000 cubic yards) with a projected site life of approximately 50 years. The expansion project will impact 12.85 acres of wetland and 4,220 linear feet of intermittent stream.

A Clean Water Act permit application was submitted to the Corps.

Project Background: On March 29, 2007, the Corps of Engineers issued a 30-day Public Notice (PN). The Service responded to the PN on April 7, 2007, and recommended that the Corps not issue a permit for the project as proposed due to the fact that off- and on-site alternatives and hydrological impacts had not been addressed and that a mitigation plan had not been submitted.

The Corps of Engineers, Buffalo District received a response letter from DANC on July 26, 2007. The Corps stated that off-site alternatives had been sufficiently addressed. The Corps and the Service met with the applicant and consultants on October 23, 2007, to discuss on-site alternatives. The applicant stated that the southern alternative, which had more wetland impacts than the northern alternative, was the preferred alternative. This alternative is not the least damaging environmental alternative, therefore, the Service objected to the permit issuance. The applicant explained that the northern alternative, which located the expansion adjacent to Route 177, was not feasible due to site visibility from Route 177 that would negatively impact town residents. A resolution was passed that would ban siting the landfill adjacent to the road (eliminating the northern alternative from consideration).

The applicant subsequently submitted an on-site mitigation plan. The Service provided comments on December 12, 2008 including support for preservation of uplands, wetlands and stream habitat on the project site. The mitigation plan was found to be unacceptable due to the location of Mitigation Area A. We also requested that DANC include mitigation for the potential loss of over 4,200 linear feet of stream habitat. The applicant is currently working to revise the mitigation plan.

Issues:

- The project, as proposed, remains in non-compliance of the Clean Water Act, specifically USEPA 404(b)1 Guidelines.
- Wetland and stream impacts have not been minimized to the greatest extent possible.
- DANC consultants are working on evaluating secondary (indirect) impacts to waters of the U.S. and a revised mitigation plan. When completed, the applicant will submit the information to the Corps, U.S. Environmental Protection Agency, and the Service for review and comment.



Endangered Species:

On February 13, 2008, the Service concurred with the USACE effects determination that the project is not likely to adversely affect an endangered species (Indiana bat), thereby concluding the Section 7 process.

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January 2009

