

Public Notice

**U S Army Corps
of Engineers**
Huntington District

In reply refer to Public Notice No.	Issuance Date:
2004000235	October 22, 2004
Stream:	Closing Date:
UN Trib Grant Run	November 22, 2004

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Huntington District

ATTN: CELRH-OR-F Public Notice No. (*reference above*)

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5210

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

SECTION 10: The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Ohio Environmental Protection Agency to act on Section 401 Water Quality Certification for the following application.

APPLICANT: Solid Waste Authority of Central Ohio
6220 Young Road
Grove City, Ohio 43123

LOCATION: The proposed project would be located in an unnamed tributary of Grant Run and five jurisdictional wetlands at the Franklin County Landfill at 3851 London-Groveport Road in Grove City, Franklin County, Ohio. Figure 1 depicts the location of the proposed project.

DESCRIPTION OF THE PROPOSED WORK: The applicant proposes to place fill material into waters of the United States in conjunction with the proposed expansion activities at the Franklin County Landfill. The landfill provides solid waste disposal for Franklin County and portions of five surrounding counties. According to the applicant, the landfill has approximately 1.7 years of air space remaining within the existing landfill cells. To meet the future disposal demands of the service area, the applicant proposes a phased expansion of the existing landfill, which would provide an additional 29.2 years of air space for solid waste disposal.

The proposal would consist of the placement of fill material into 1,260' of an intermittent tributary of Grant Run and five Category 1 wetlands totaling 3.05 acres in order to accomplish the proposed expansion. These areas would be permanently excavated and/or filled during construction of the new cells, sedimentation ponds, and berm. It is anticipated impacts to jurisdictional waters at the site would occur incrementally over the next 1 to 10 years.

MITIGATION PLAN: In order to compensate for impacts to 1,260' of intermittent stream channel and 3.05 acres of jurisdictional wetlands, the applicant proposes to conduct mitigation activities on a 226-acre parcel located immediately north of the existing landfill on the north side of London-Groveport Road. The site consists primarily of agricultural fields, a forested area that contains 0.62 acre of jurisdictional wetland, and 1,335' of ephemeral stream channel. The applicant proposes to construct approximately 5.4 acres of wetland along the stream corridor. The mitigation wetlands would incorporate the existing wetland at the site. To construct the wetlands, the applicant proposes to conduct excavation/grading activities to obtain the desired elevations and contours. The elevations would range between 850 m.s.l. to 852 m.s.l. An earthen berm, measuring approximately 160' long x 46' wide (at the base) x 10' wide (at the top), would be constructed at the eastern end of the wetland across the outflow of the ephemeral stream channel. The berm would have 3:1 side slopes and would be approximately 8' high. Hydrology would be supplied to the wetland via the ephemeral stream channel which would flow through the center of the wetland. A concrete box stop-log overflow structure would be installed in the berm to maintain hydrology within the wetland and to allow water elevations higher than 852 m.s.l. to overflow into the stream. It is anticipated the maximum water depth within the wetland would be less than 2' and the average water depth would be less than 1'. The mitigation area is dominated by Kokomo soils, a hydric soil unit. It is anticipated the mitigated wetland would re-vegetated via native seed source within the soil unit and by volunteer species. After the first year of monitoring, if it is determined non-native, invasive species are becoming established or the desired cover of native vegetation is not being achieved, supplemental planting would be implemented. A minimum 50' vegetated buffer would be established around the wetland as well as along the 1,335' of ephemeral stream channel located east of the mitigation site. The mitigation wetland would be monitored for a period of five years.

Plans of the proposal are attached.

ALTERNATIVE ANALYSIS: This project is not considered to be water dependent; therefore, the applicant is required to show that other less damaging practicable alternatives are not available that would achieve the applicant's goal. The applicant has submitted an alternatives analysis, which is currently under review.

WATER QUALITY CERTIFICATION: A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain certification from the Ohio Environmental Protection Agency.

HISTORIC AND CULTURAL RESOURCES: The National Register of Historic Places has been consulted and it has been determined that there are no properties currently listed on the register that are in the area affected by the project. A copy of this public notice will be furnished to the Ohio State Historic Preservation Office for their review. Comments concerning archeological sensitivity of a project area should be based upon collected data.

ENDANGERED/THREATENED SPECIES REVIEW: The project is located within the known or historic range of the following endangered species:

Indiana bat
Peregrine falcon
Scioto madtom
Northern riffleshell
Clubshell mussel

The Huntington District has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENT: Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity.

Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general

environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

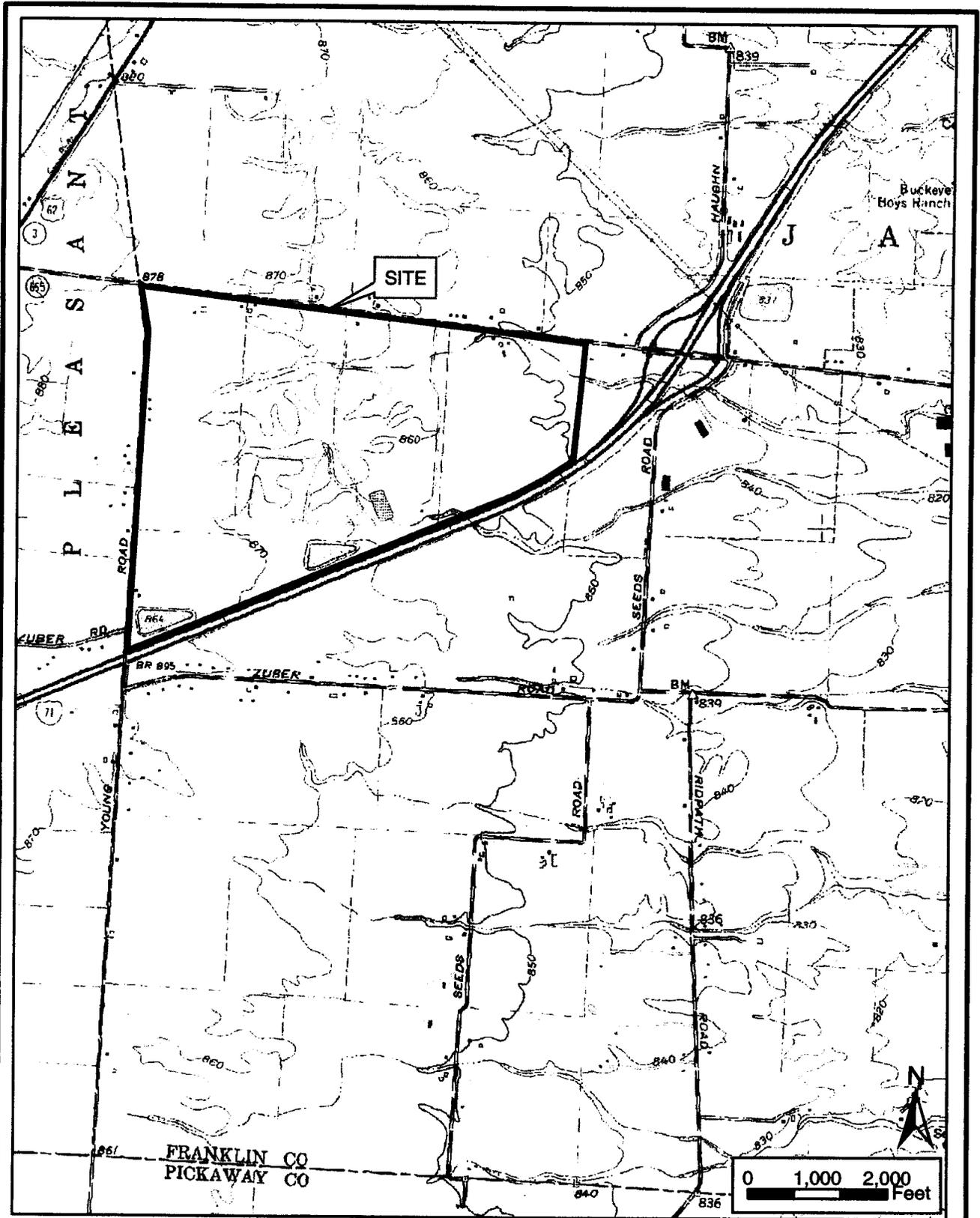
Persons wishing to submit comments, objections or requests for public hearings concerning the Corps of Engineers permit should write:

U. S. Army Corps of Engineers
ATTN: CEORH-OR-F Public Notice No. **200400235**
502 Eighth Street
Huntington, West Virginia 25701-2070

If you have any questions concerning this public notice, please contact Kimberly Courts-Brown at 304-399-5210.


Ginger Mullins, Chief
Regulatory Branch

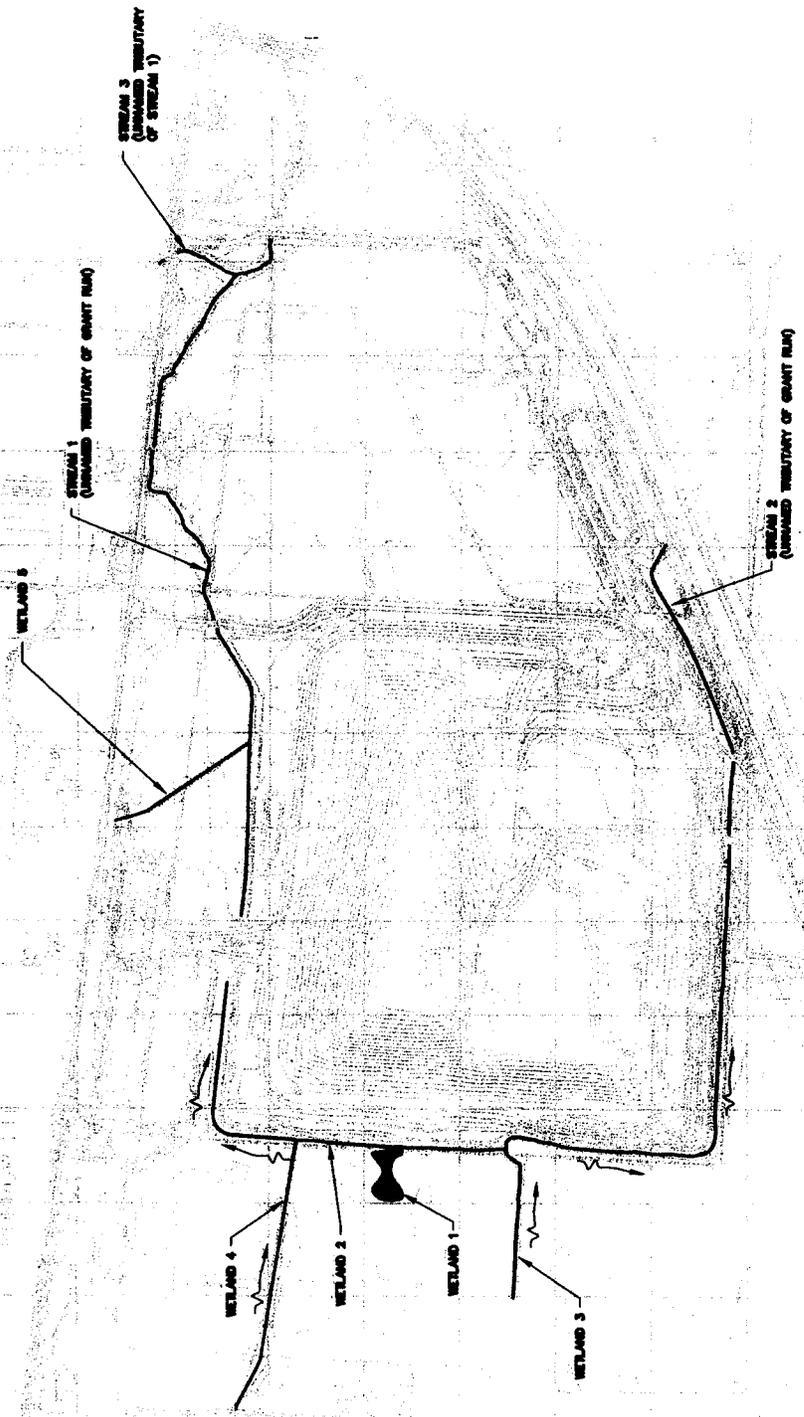
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SOURCE: USGS TOPOGRAPHIC MAP, COMMERCIAL POINT, OHIO QUADRANGLE, 1983.

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	SOLID WASTE AUTHORITY OF CENTRAL OHIO	FRANKLIN COUNTY LANDFILL VICINITY MAP	MALCOLM PIRNIE, INC
	404 INDIVIDUAL PERMIT APPLICATION		SHEET 1 OF 3



— APPROPRIATIONAL STREAM
 — APPROPRIATIONAL WETLAND



SCALE: 1" = 1000'

SOLID WASTE AUTHORITY OF CENTRAL OHIO
 FRANKLIN COUNTY, OHIO

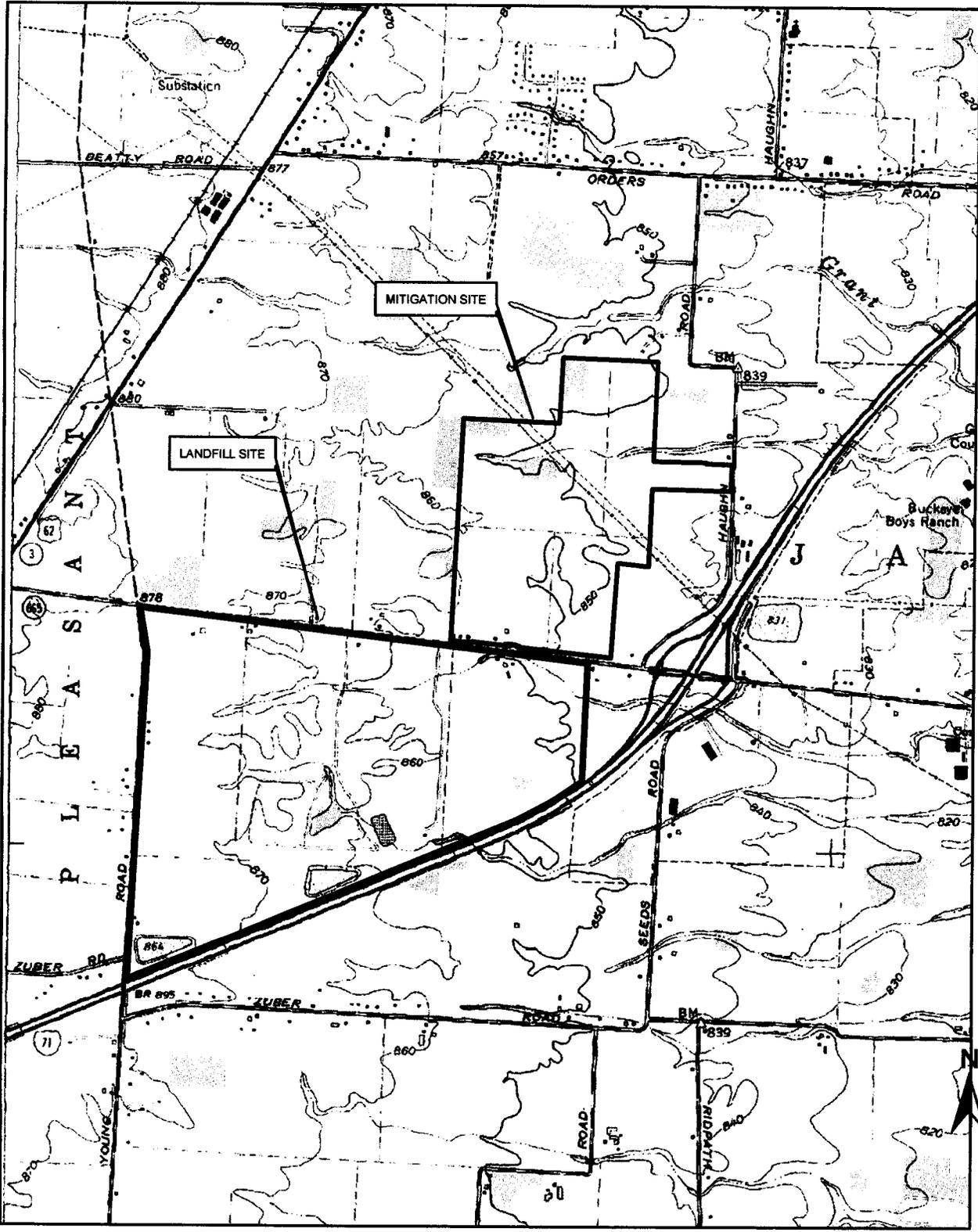
**MALCOLM
 PIRNIE**

SITE EXISTING CONDITIONS
 PLAN VIEW

MALCOLM PIRNIE, INC.

APRIL, 2004

SHEET 2 OF 3



Source: USGS Topographic Map, Commercial Point, Ohio Quadrangle, 1983.

**MALCOLM
PIRNIE**

**CONCEPTUAL MITIGATION DESIGN
SITE LOCATION MAP
SOLID WASTE AUTHORITY OF CENTRAL OHIO
FRANKLIN COUNTY SANITARY LANDFILL**

FIGURE 1

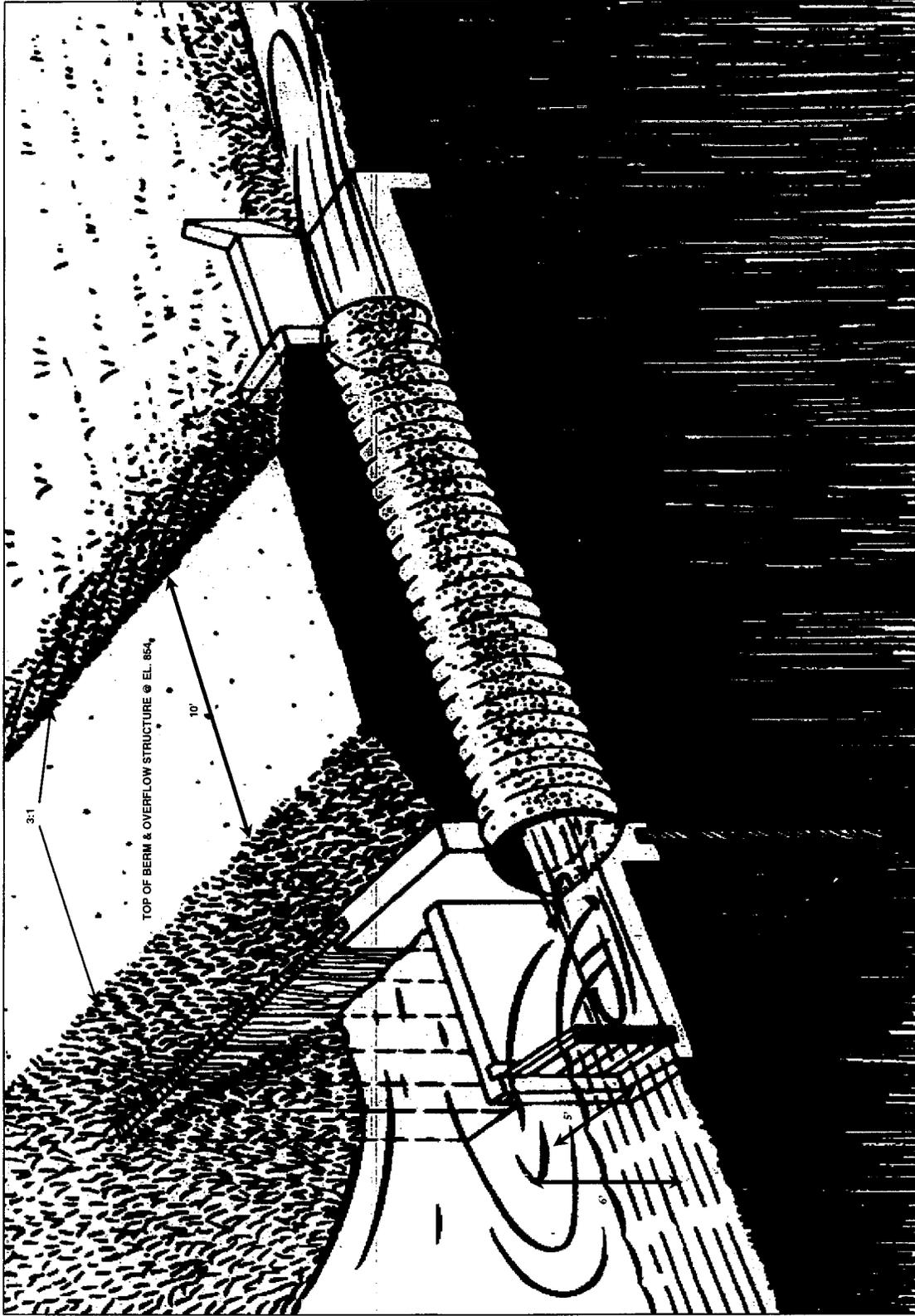
T:\15682\GIS\MITIGATION\FIGURE1.MXD



CONCEPTUAL MITIGATION DESIGN
 PROPOSED WETLAND LAYOUT
 SOLID WASTE AUTHORITY OF CENTRAL OHIO
 FRANKLIN COUNTY SANITARY LANDFILL

**MALCOLM
 PIRNIE**

FIGURE 2

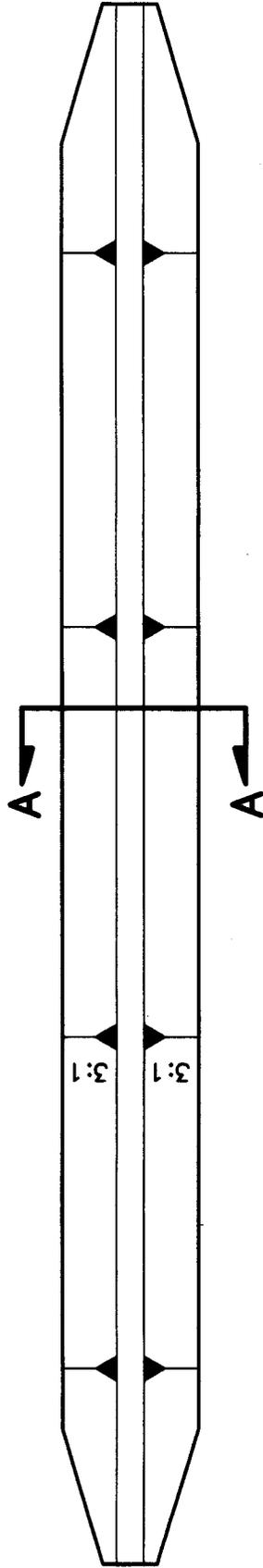


Source: U. S. Department of Agriculture, Natural Resource Conservation Service, Engineering Field Handbook, Chapter 13, Figure 6-40, Revised May 1997.

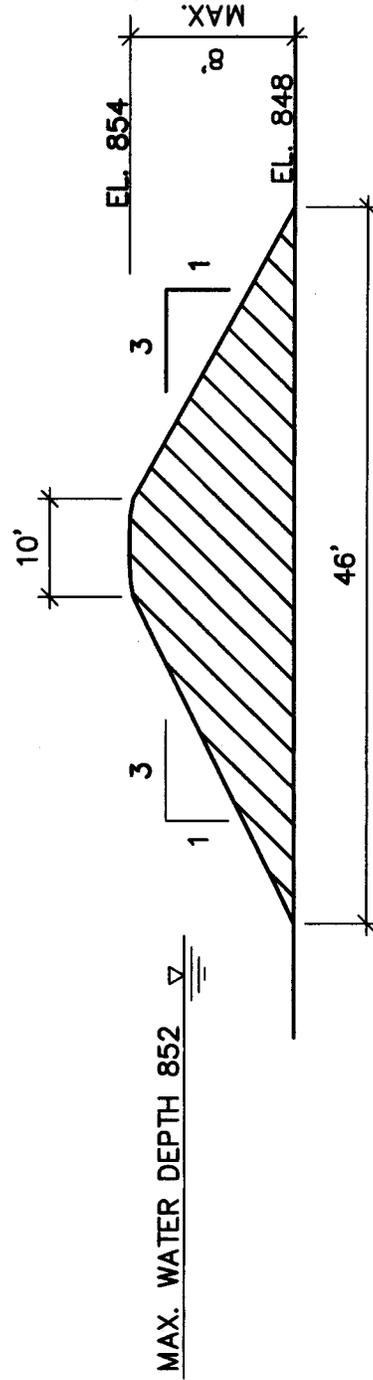
**MALCOLM
PIRNIE**

**CONCEPTUAL MITIGATION DESIGN
CONCRETE BOX INLET ON CULVERT WITH STOPLOGS DETAIL
SOLID WASTE AUTHORITY OF CENTRAL OHIO
FRANKLIN COUNTY SANITARY LANDFILL**

FIGURE 3



PLAN VIEW



SECTION A-A