

US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date:15 June 2005
Comment Deadline:14 July 2005
Corps Action ID #:200531884

All interested parties are hereby advised that the Wilmington District, Corps of Engineers (Corps) has received an application for work within jurisdictional waters of the United States. Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant: Joe Hack: c/o Mecklenburg County Solid Waste Dept.
700 N. Tryon Street
Charlotte, North Carolina 28202

AGENT (if applicable): Chris Mathews
HDR, Inc.
128 S. Tryon Street, Suite 1400
Charlotte, North Carolina 28202

Authority:

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to Section 404 of the Clean Water Act.

Location

The proposed project is located at and adjacent to the existing US Hwy 521 "Foxhole" Landfill, located on the east side of US Hwy 521, adjacent to Six-Mile Creek, and on the border of Union County and the South Carolina State Line, south-east of Charlotte, Mecklenburg County, North Carolina (35.0091000°N; 80.8419103°W). The site contains stream channels and wetlands that are adjacent to Six Mile Creek. Six Mile Creek is a tributary to the Catawba River, which enters the Atlantic Ocean through the Santee-Cooper River in South Carolina.

Existing Site Conditions:

Currently, the permitted landfill facility includes four non-contiguous landfill units totaling 205-lined acres. To date, one of the four permitted landfill units (approximate 45 lined acre unit) has been constructed, which is currently in operation. The remainder of the property consists of wooded, relatively undisturbed hardwood forest. Wetlands and stream channels are located throughout the property, which are adjacent to Six Mile Creek in the Catawba River Basin. All

jurisdictional areas have been delineated/surveyed and are depicted on the attached maps. The wetlands and stream channels on site are considered fair to good quality. The soils on the site are listed by the USDA-NRCS 1980 Soil Survey as (figure attached): Helena Sandy Loam (HeB), Cecil Sandy Clay Loam (Ce), Vance Sandy Loam (Va), Appling Sandy Loam (Ap), Pacolet Sandy Loam (PaE), Monocan (Mo), and Mecklenburg Fine Sandy Loam (Me).

Applicant’s Stated Purpose:

As provided by the applicant, the purpose of this project is two-fold: To expand the existing solid-waste landfill facility and to convert the borrow areas used to construct the landfill cells into a multi-use recreational park.

Project Description:

The applicant has provided the following information. The proposed project consists of the development of a 149-acre subtitle “D” solid waste landfill facility as well as a supporting borrow area that will be developed into a county park facility. The applicant has stated that the proposed expansion is a modification to the originally approved Facility Plan that identified 4 landfill cells that have been consolidated into 1 landfill cell under the current proposal. Impacts are to intermittent stream channels and adjacent wetlands that are not located within the 100-year floodplain. The table below lists the proposed impacts associated with the excavation of borrow areas, discharge of fill for preparation of landfill cells, and construction of sediment and erosion control devices. Total proposed impacts are 2.105 acres of wetlands and 3,940 linear feet of stream channel.

Wetland Impact Site Number	Impact (acres)	Stream Impact Site Number	Impact (linear feet)
A	0.320	SC	366
B	0.268	SH	1,190
C	0.039	SJ	802
WE	0.008	SBB	623
WU	0.021	SDD	959
WX	0.157	Site numbers refer to labels on attached Figures.	
WDD	0.002		
WPP	0.263		
WQQ	0.495		
WRR	0.084		
WSS	0.056		
WHH	0.034		
SP	0.358		

In general, the majority of the proposed impacts to the Waters of the U.S. associated with landfill borrow/park development portion of the site result from excavations rather than fills. Filling of wetlands "WQQ", "WRR", and "WSS" and portions of streams "SH", "SJ", and "SP" will be necessary for construction of permanent sediment and erosion control structures. No other filling is proposed for the landfill borrow/park development portion of the site.

Excavations of material taken from the borrow area will be used for landfill construction and operations including daily cover, intermediate cover, and final cover. These excavations are generally located in uplands, however wetlands "WSS", "WRR", "WQQ", "WPP", "WU", and "WX" are proposed for excavation and impact. Additionally, storm water management associated with the borrow excavations and planned final use park facility grading will also result in excavations and impacts to portions of streams "SH", "SJ", and "SP". In these Waters, the initial surface layer of topsoil will be stripped and stockpiled for subsequent use during final cover operations. Underlying soil layers shall be excavated, loaded, hauled, and placed in temporary stockpiles or immediately used for landfill activities (construction, operations, and closure) or filling for storm water management and park grading.

Construction of the proposed landfill facility and ancillary features is estimated to result in about 1,848,000 cubic yards of subgrade excavation and about 385,000 cubic yards of subgrade fill to establish landfill and ancillary facility base grades. A composite base liner and leachate collection system will then be constructed over the structural fill base grades. About 130 vertical feet of solid waste will be placed over the base liner and leachate collection systems. With final waste disposal grades reached, a final cover ("cap") shall be constructed over the landfilled waste. Development of the landfill project shall also include the installation of a groundwater monitoring network and a landfill gas monitoring and extraction system. Equipment used in the construction and development of the landfill is anticipated to include excavators, dozers, off-road articulating dump trucks, graders, soil and trash compactors, and water trucks for dust suppression.

Master planning for the final-use park is a joint effort between the Mecklenburg County Solid Waste Department, Charlotte Mecklenburg School System and the Mecklenburg County Parks and Recreation Department. The Master Plan has been developed with the participation of both departments as well as the public and interested user groups. To provide long-term community benefits, a Park Master Plan has been developed for the northeast portion of the site and surrounding areas. Formerly known as the Elon Property, this 120-acre site has been planned to include the development of a specialty community park complex complete with athletic fields, nature areas, and an environmental education center.

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for

certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Ms Cyndi Karoly (all other projects) by July 14, 2005

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps is not aware of the presence of species listed as threatened or endangered or their critical habitat formally designated pursuant to the Endangered Species Act of 1973 (ESA) within the project area. A final determination on the effects of the proposed project will be made upon additional review of the project and completion of any necessary biological assessment and/or consultation with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service.

Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impacts, 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 which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), 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. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

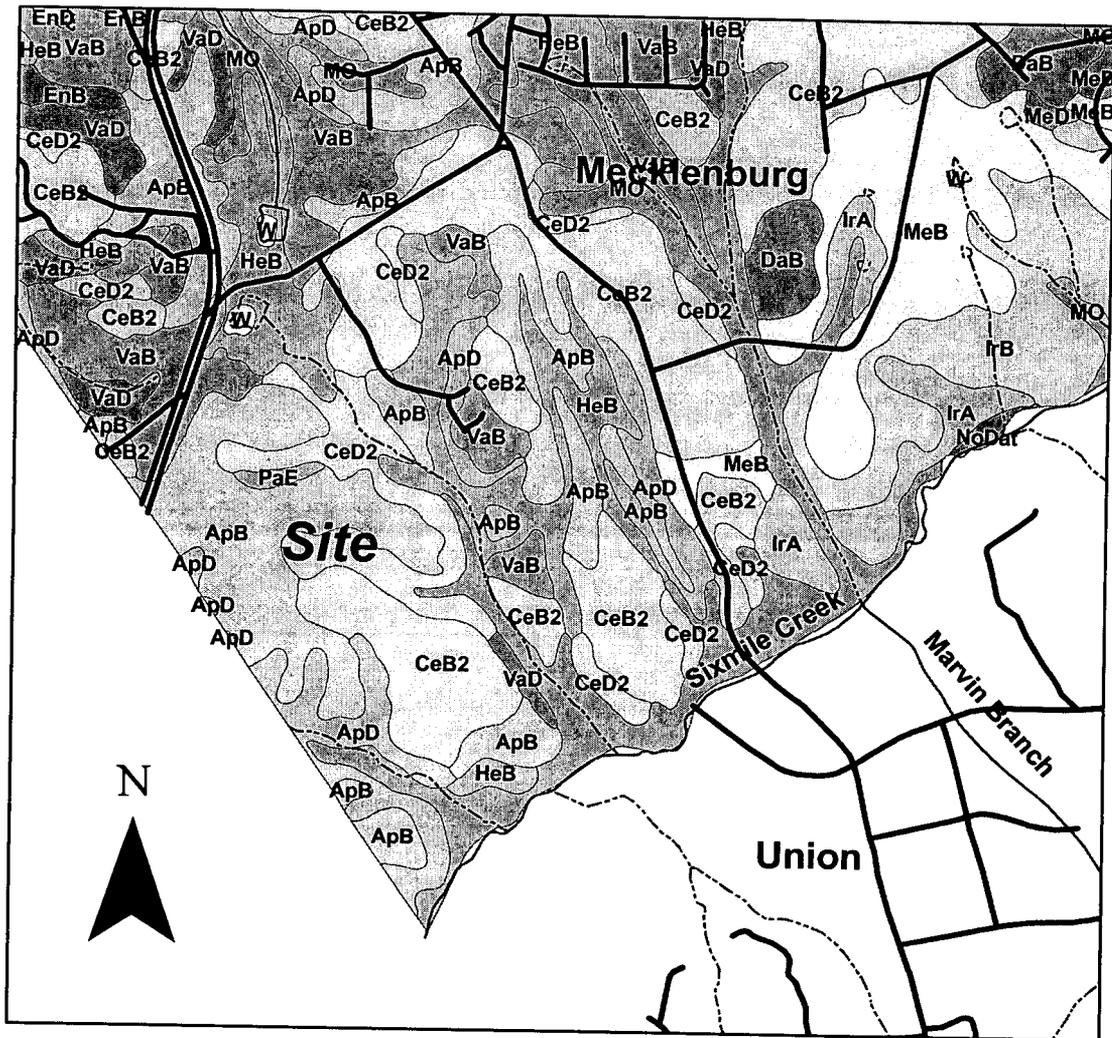
Commenting Information

The Corps 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 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 (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

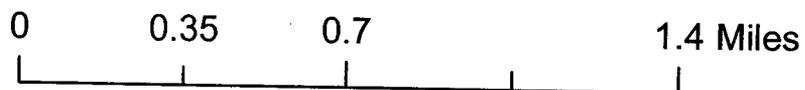
Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, July 14, 2005. Comments should be submitted to Ms. Amanda Jones, 151 Patton Avenue, Room 208, Asheville, North Carolina 28801.

200531884



Legend

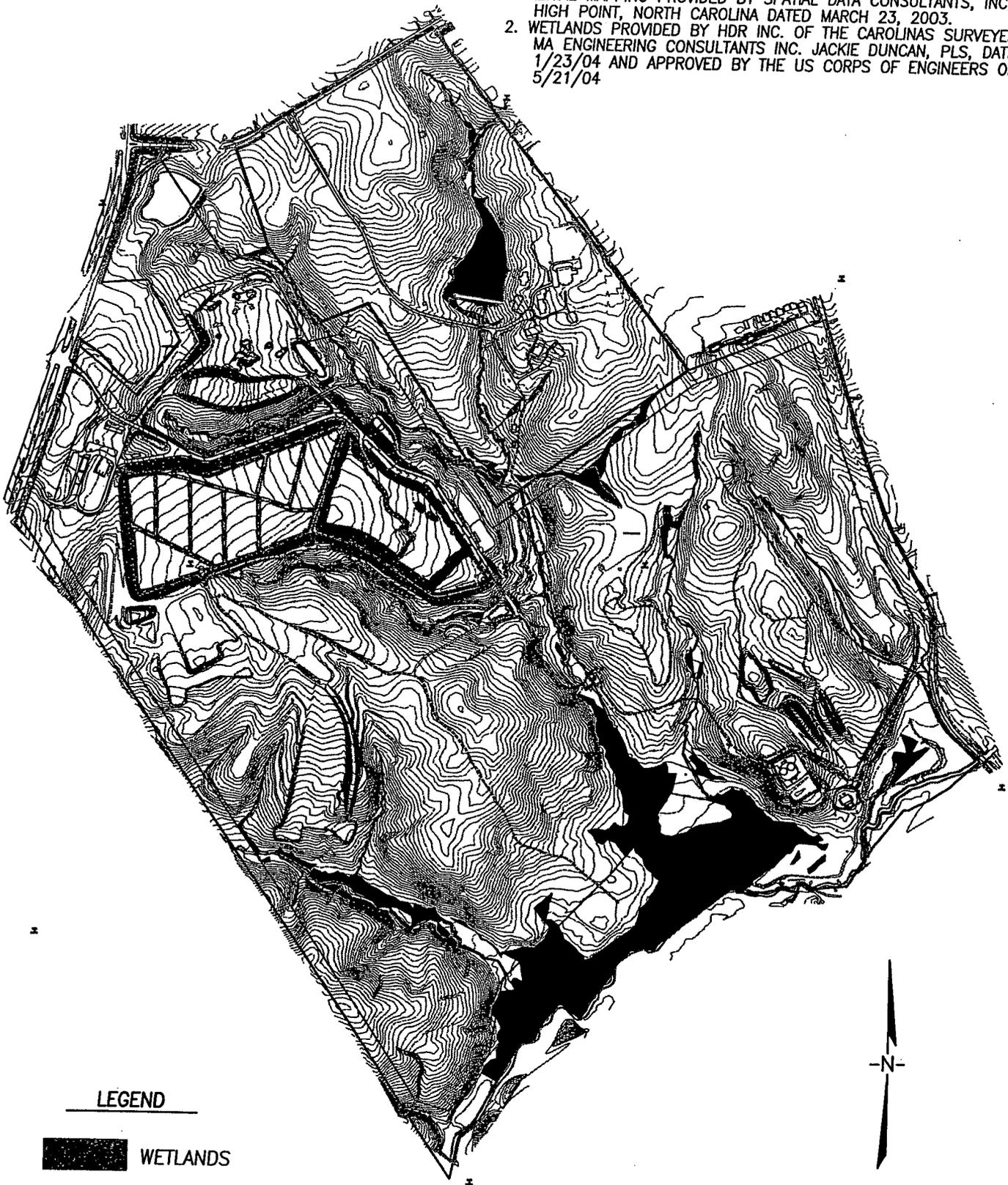
- Unnamed Tributaries
- Streams
- Roads



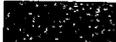
Soil Map: Source USDA, NRCS; Map created by Amanda Jones

NOTES:

1. AERIAL MAPPING PROVIDED BY SPATIAL DATA CONSULTANTS, INC. HIGH POINT, NORTH CAROLINA DATED MARCH 23, 2003.
2. WETLANDS PROVIDED BY HDR INC. OF THE CAROLINAS SURVEYED BY MA ENGINEERING CONSULTANTS INC. JACKIE DUNCAN, PLS, DATED 1/23/04 AND APPROVED BY THE US CORPS OF ENGINEERS ON 5/21/04



LEGEND

-  WETLANDS
-  STREAMS

GRAPHIC SCALE

1" = 1000'



0 1000 2000 3000

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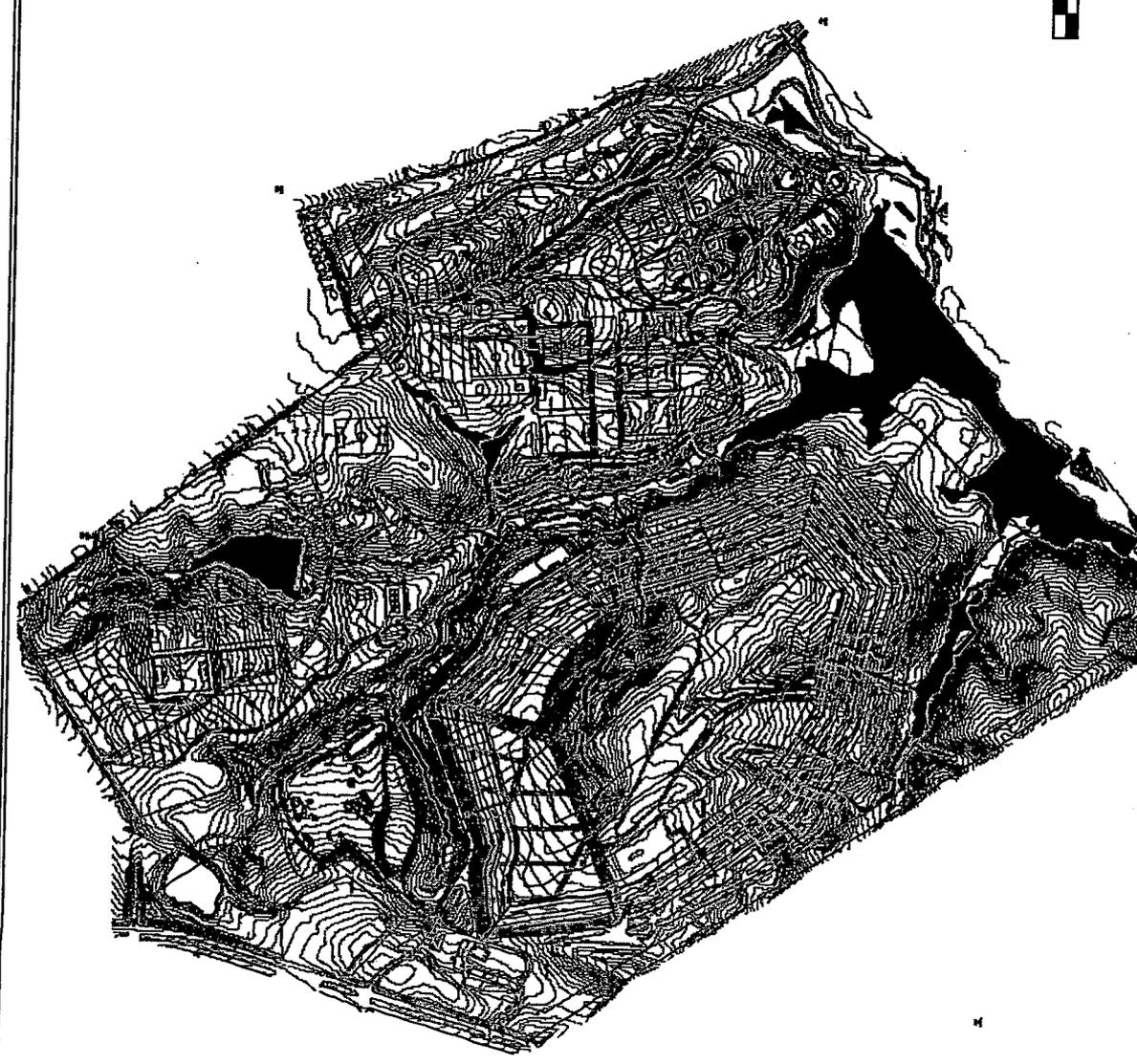
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U.S. 521 LANDFILL

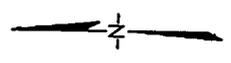
EXISTING SITE CONDITIONS

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APPROVED BY:	DATE
SB	3/28/05

FIGURE NO.
3
JOB NO.:
202129.05



- LEGEND**
- WETLANDS
 - STREAMS
 - PROPOSED 10' CONTOUR
 - PROPOSED 2' CONTOUR



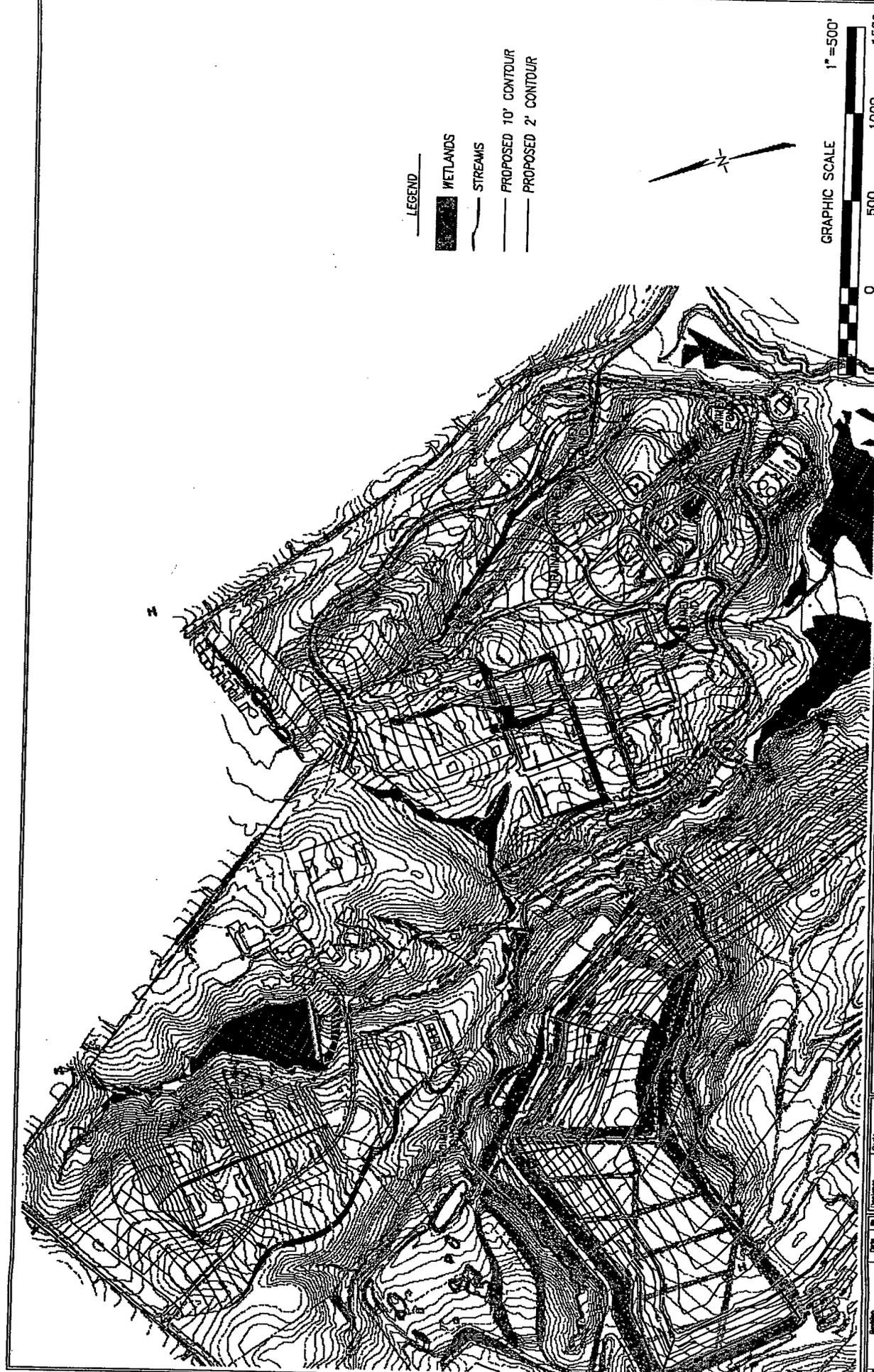
Sheet No. **A**

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 770 Massachusetts Drive, Cary, North Carolina 27511
 919.469.0048 www.wit-rav.com 800.576.6145

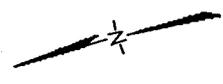
PROPOSED OVERALL SITE DEVELOPMENT PLAN

U.S. 571 LANDFILL

No.	Revision	Date	By	Check	Scale	Sheet No.	Total No. of Sheets



- LEGEND**
- WETLANDS
 - STREAMS
 - PROPOSED 10' CONTOUR
 - PROPOSED 2' CONTOUR



Sheet No. **C**

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**PROPOSED BORROW/FINAL-USE PARK
 DEVELOPMENT PLAN**

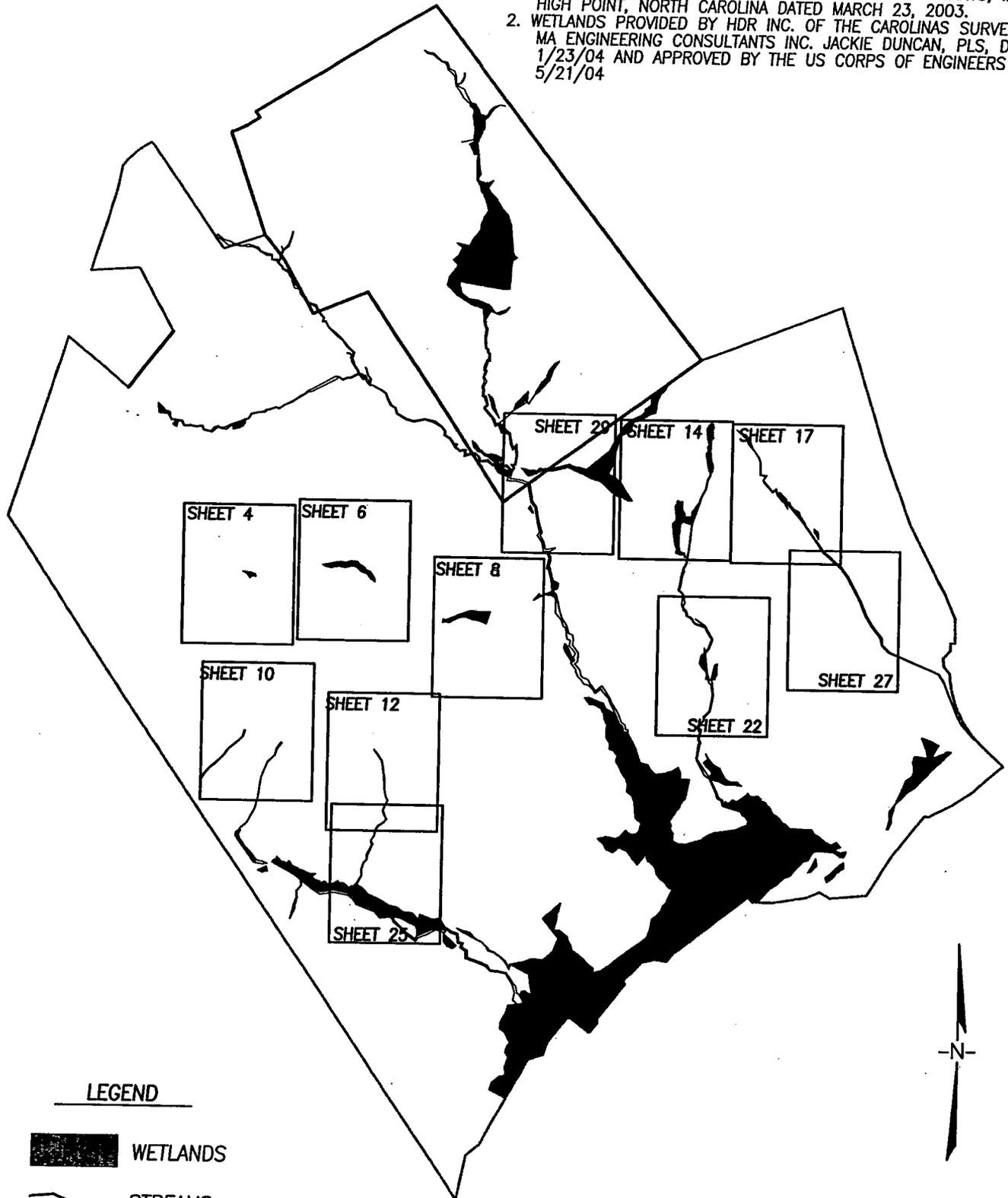
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DATE	BY	REVISION

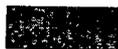
DESIGNER	DATE	SCALE

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LEGEND

-  WETLANDS
-  STREAMS

GRAPHIC SCALE

1" = 1000'



0 1000 2000 3000

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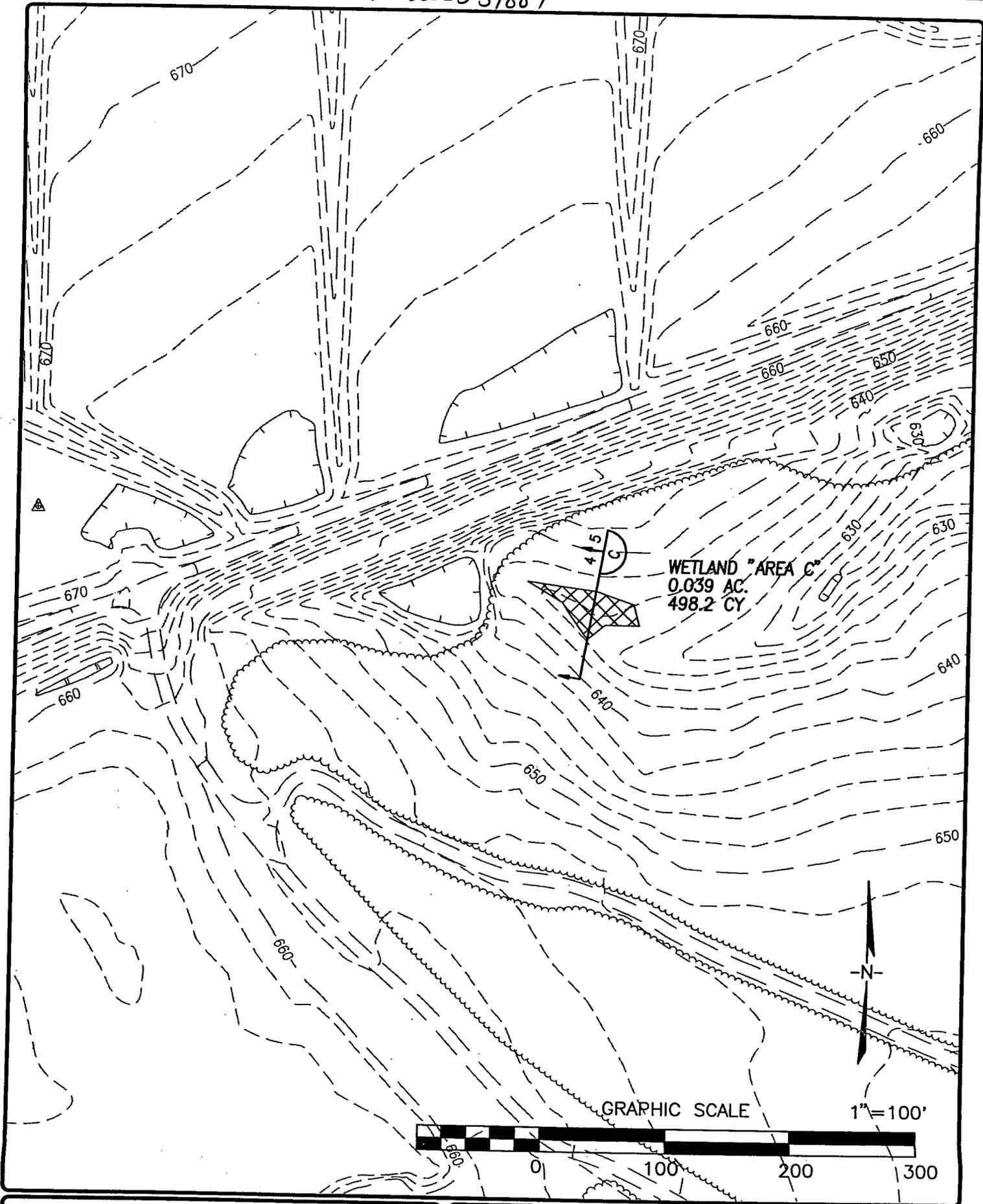
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U.S. 521 LANDFILL

SHEET INDEX MAP

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SB	3/28/05

FIGURE NO.
2
JOB NO.
202129.05

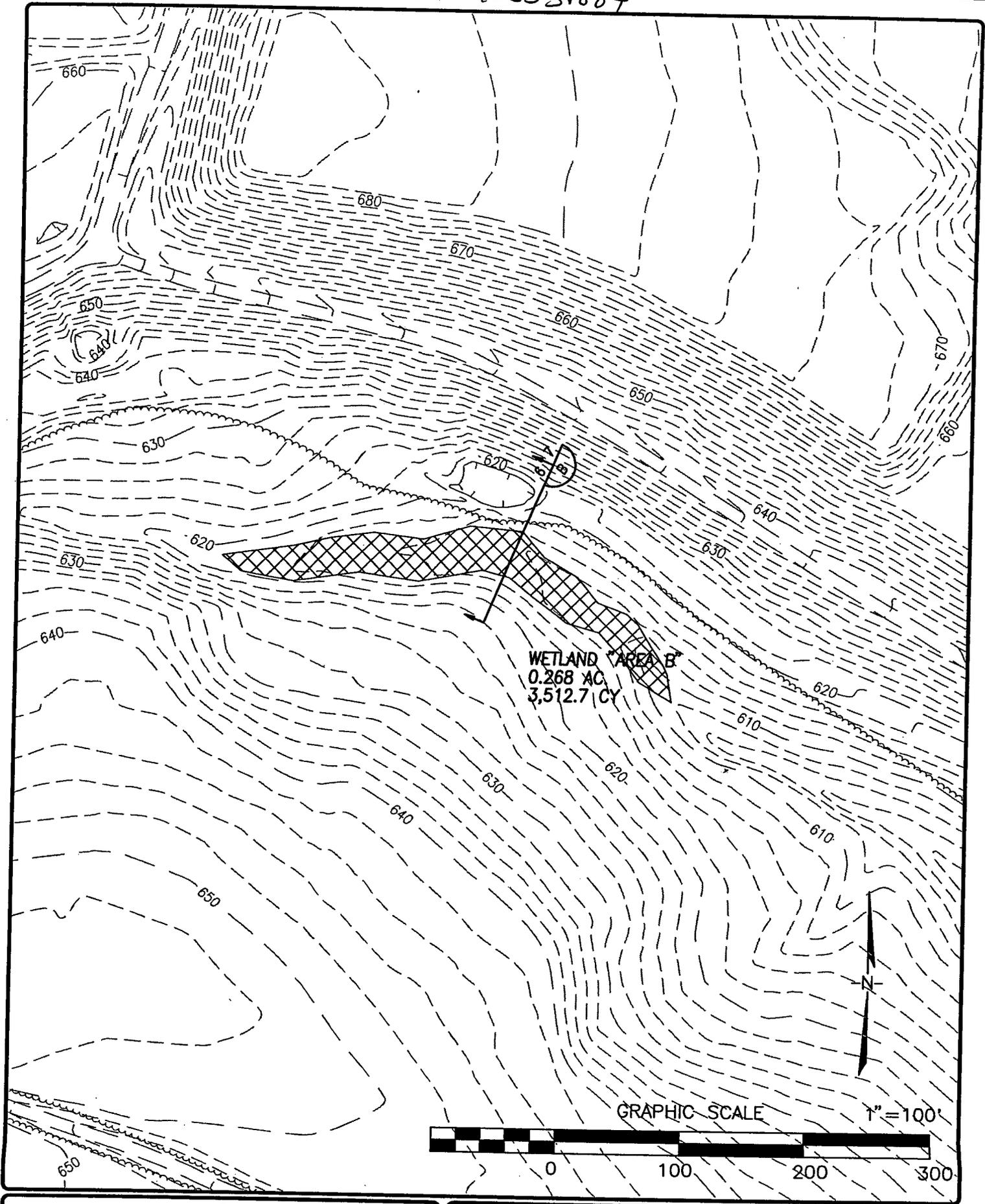


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U.S. 521 LANDFILL
WETLAND "C"

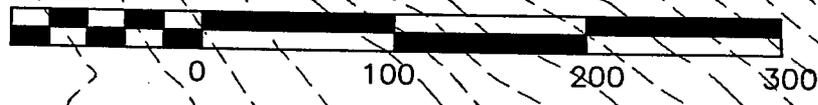
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SB	3/28/05	202129.05

202129.05



WETLAND "AREA B"
 0.268 AC
 3,512.7 CY

GRAPHIC SCALE 1" = 100'

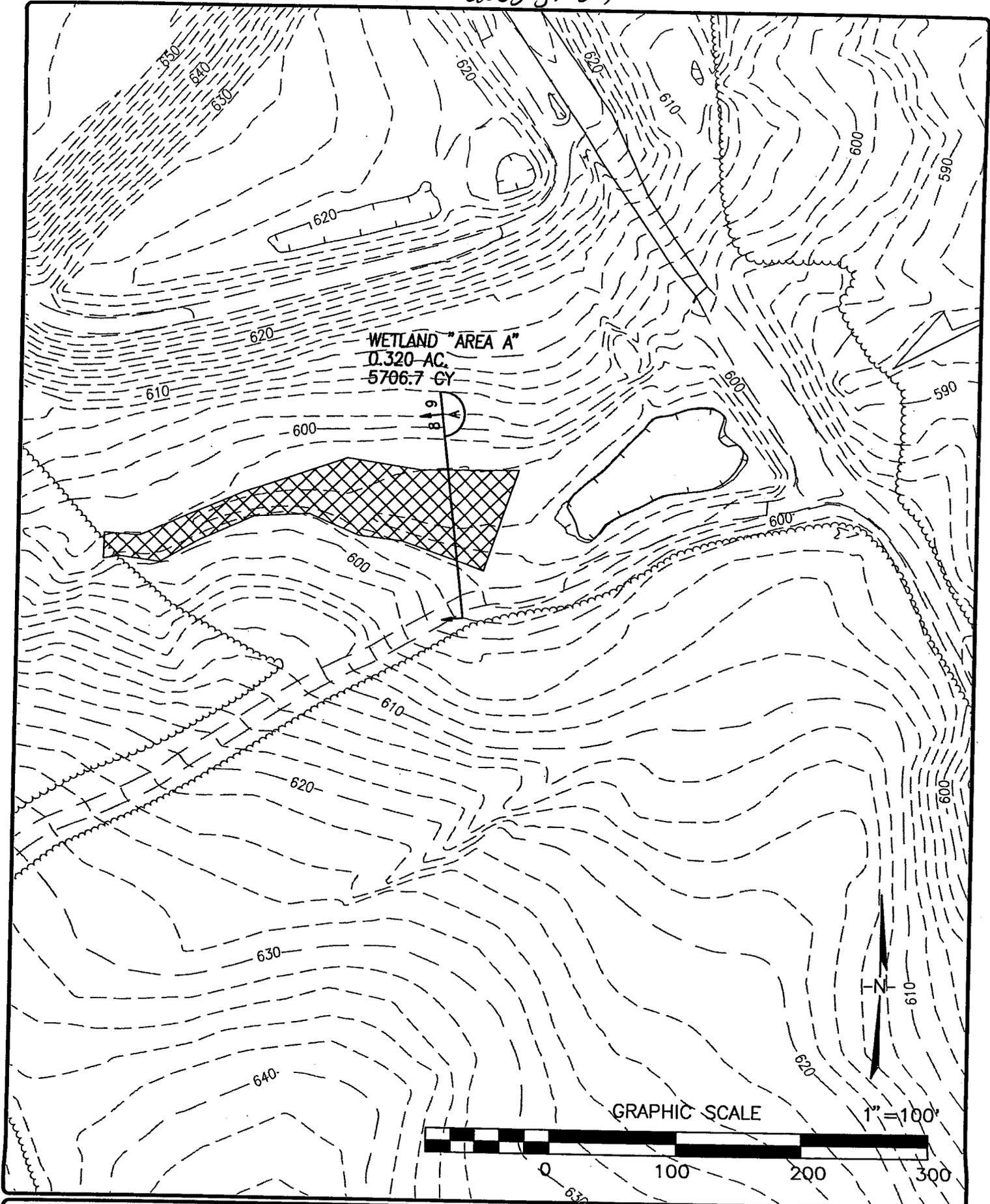


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 WETLAND "B"

DRAWN BY:	SCALE
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SB	3/28/05

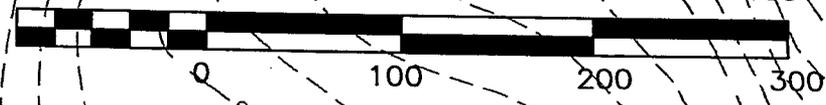
FIGURE NO.
6
JOB NO.
202129.05



WETLAND "AREA A"
 0.320 AC.
 5706.7 GY

GRAPHIC SCALE

1" = 100'

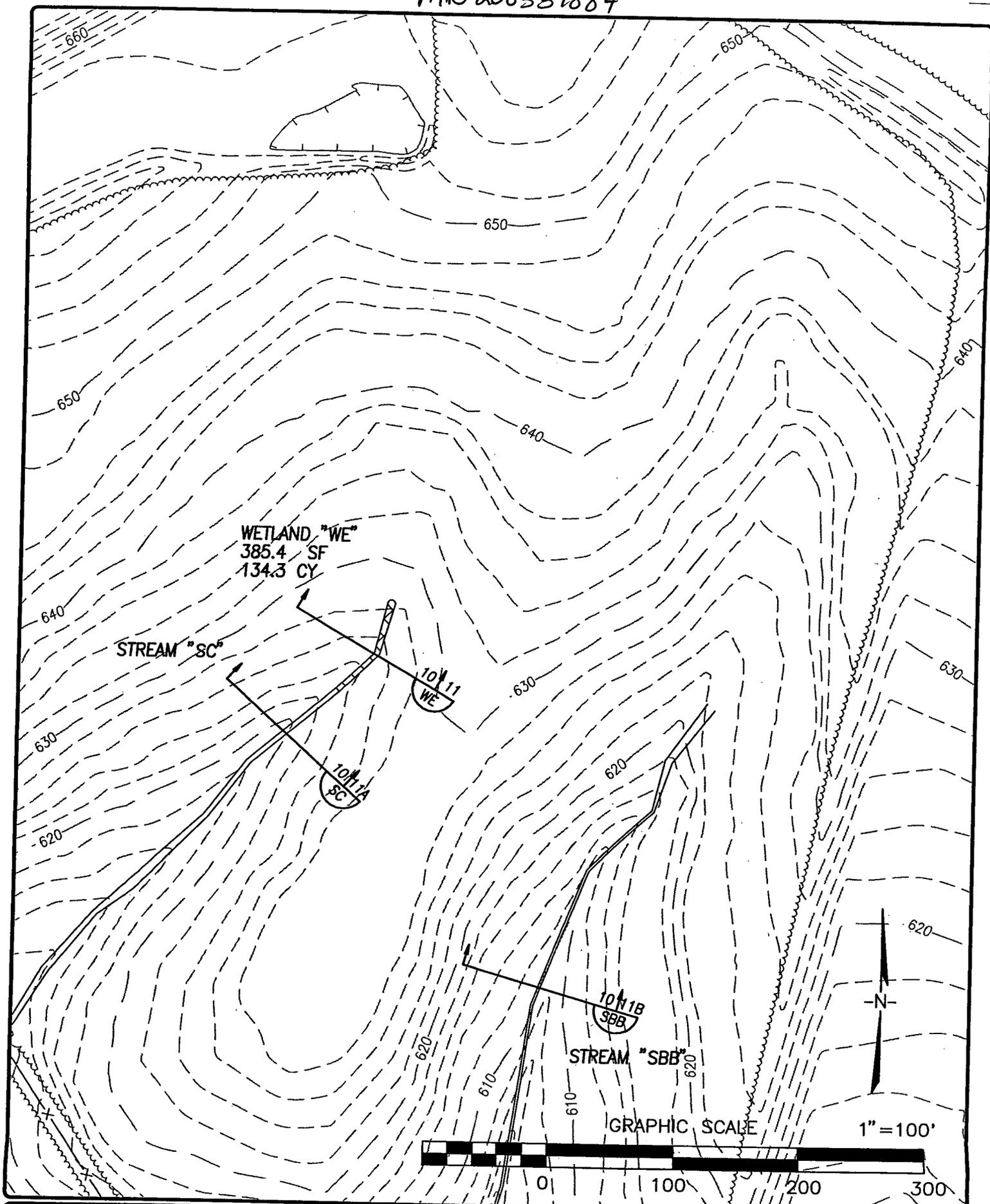


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 WETLAND "A"

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FIGURE NO.
8
JOB NO.
202129.05



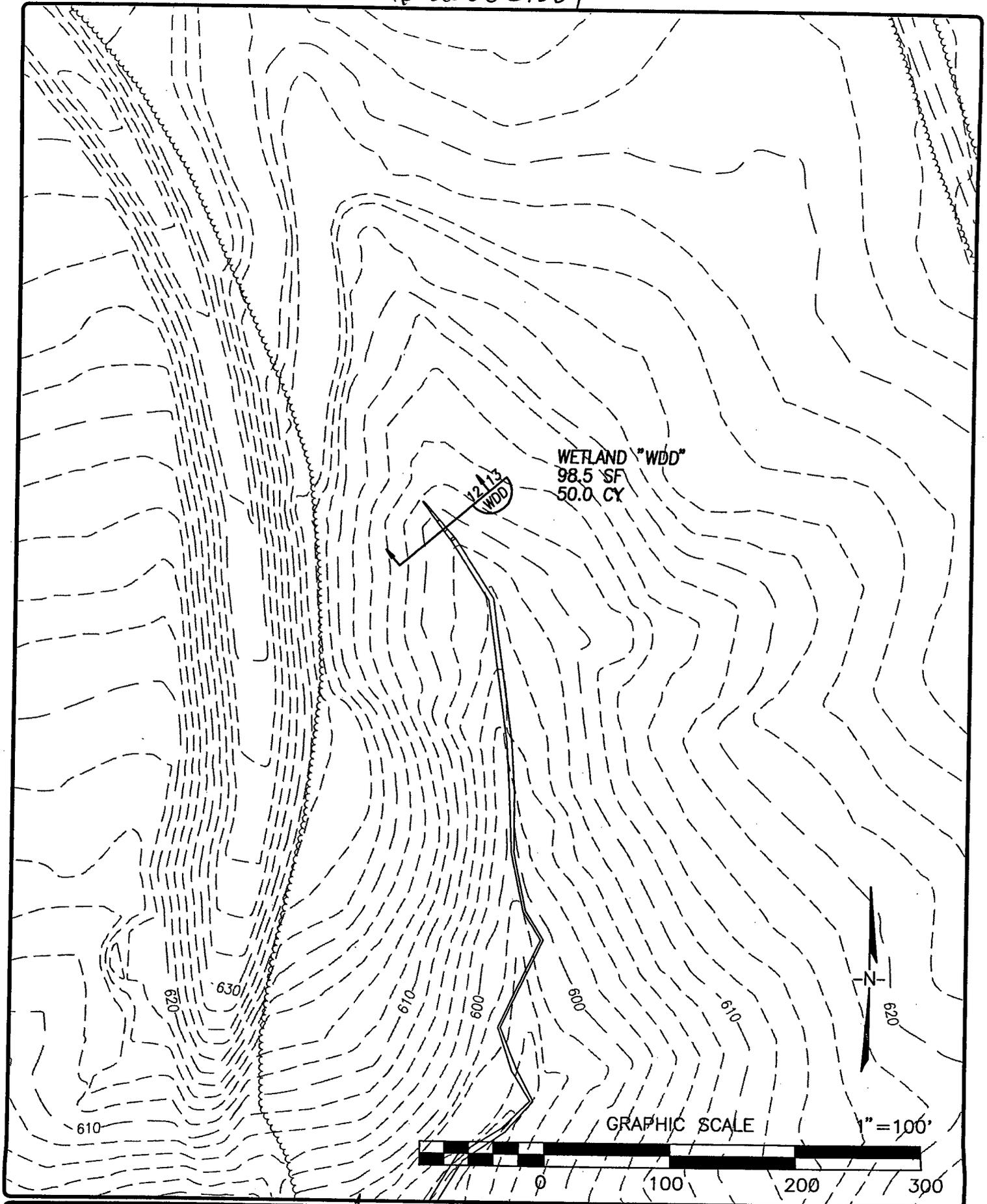
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U.S. 521 LANDFILL
WETLAND "WE"

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SB	3/28/05

FIGURE NO.
10
JOB NO:
202129.05

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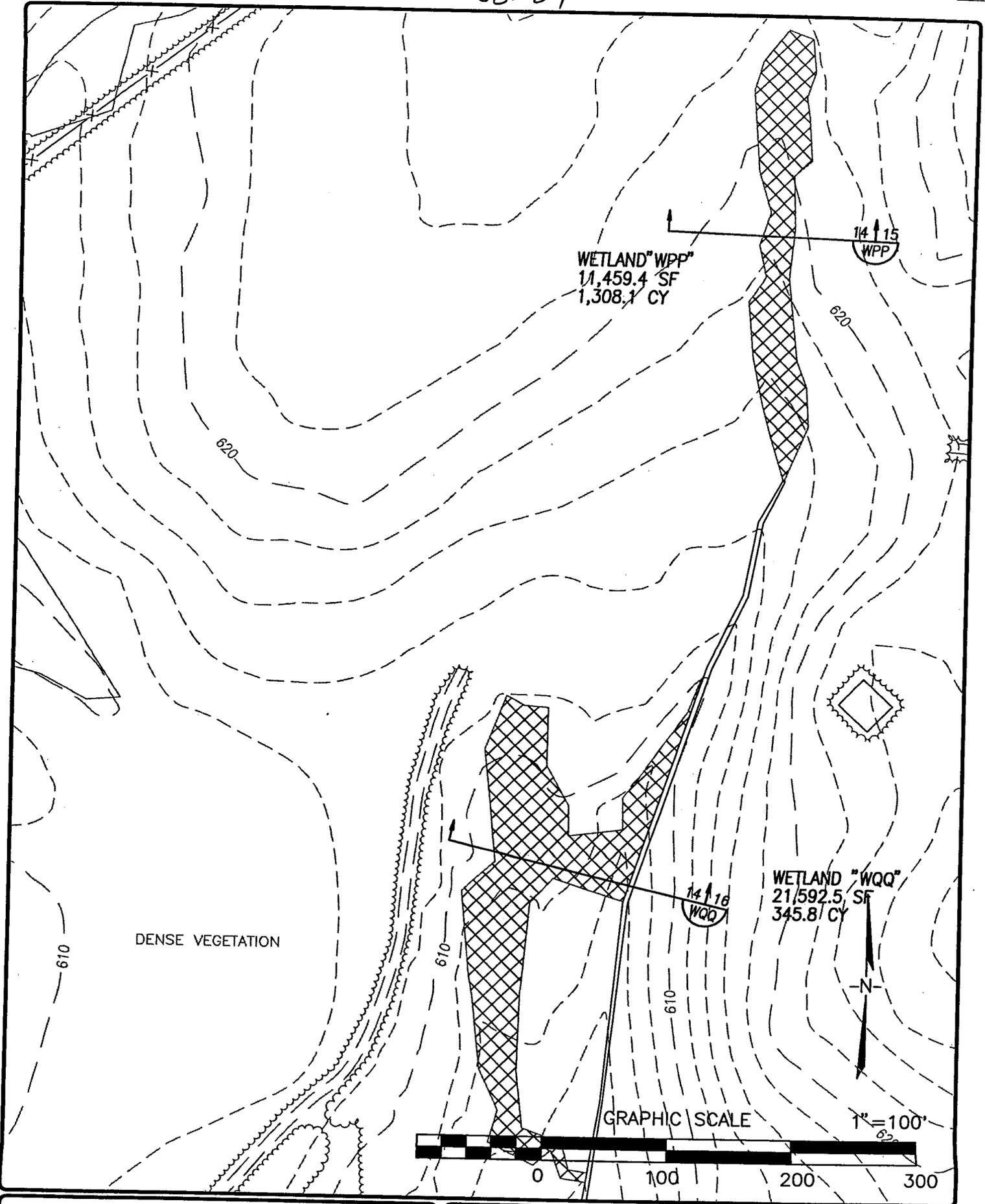
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WETLAND "WDD"

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FIGURE NO.
12
JOB NO.
202129.05

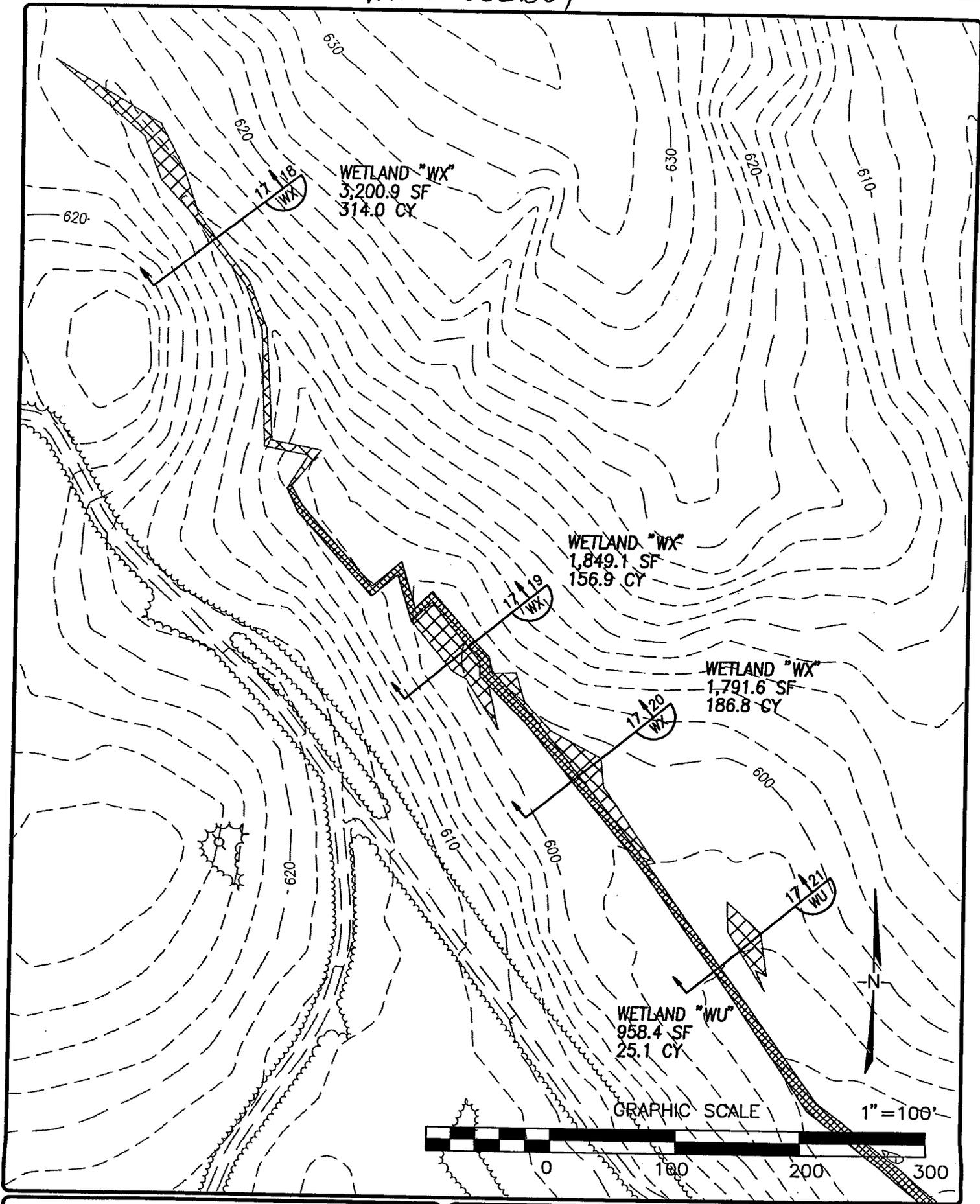


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WETLAND "WPP" & "WQQ"

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FIGURE NO.
14
JOB NO.
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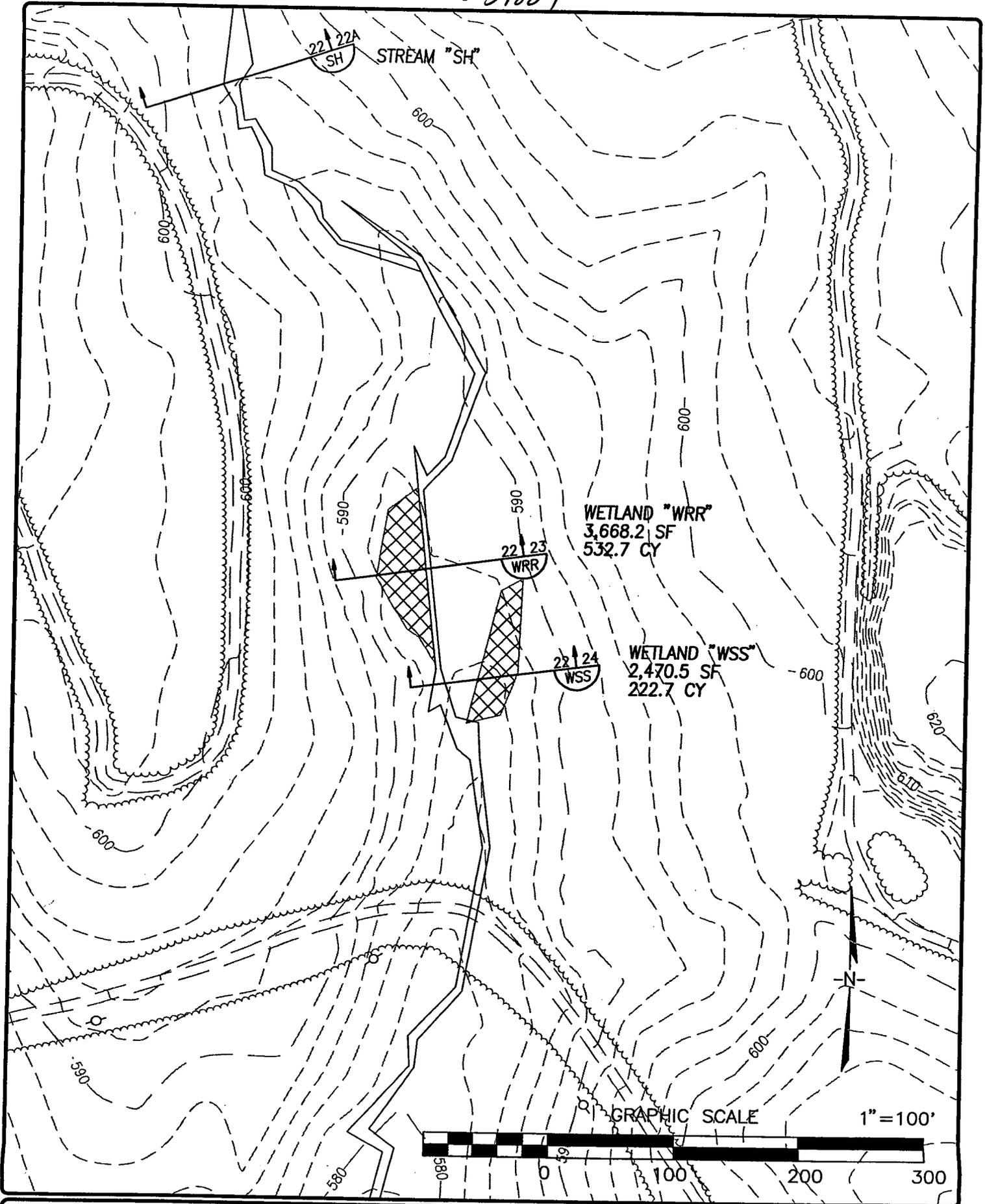
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WETLAND "WX"

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FIGURE NO.
17
JOB NO.
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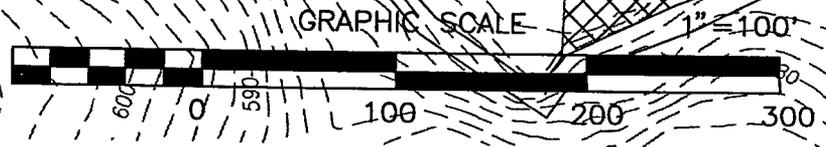
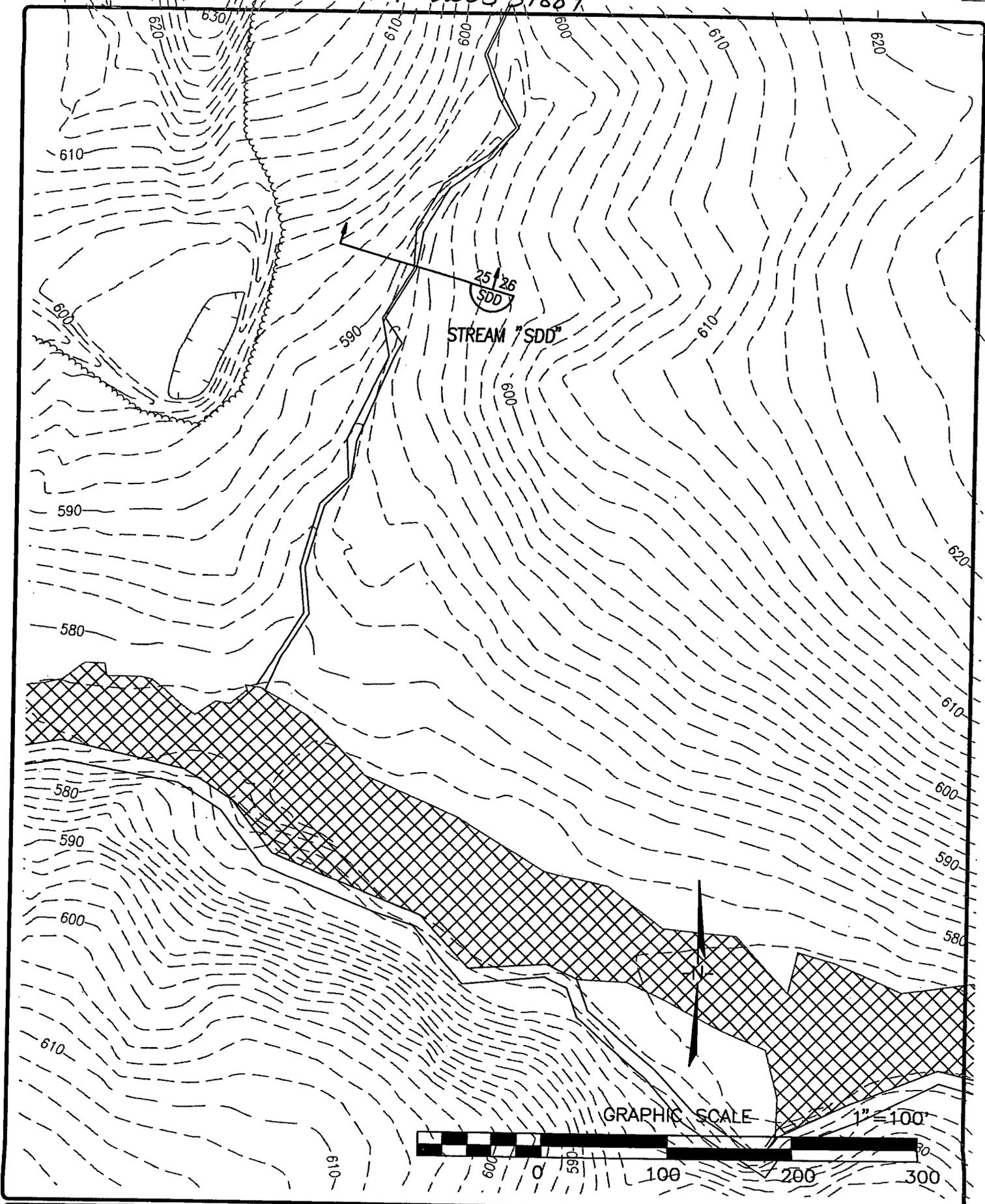
U.S. 521 LANDFILL

WETLAND "WRR" & "WSS"

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FIGURE NO.
22
JOB NO.
202129.05

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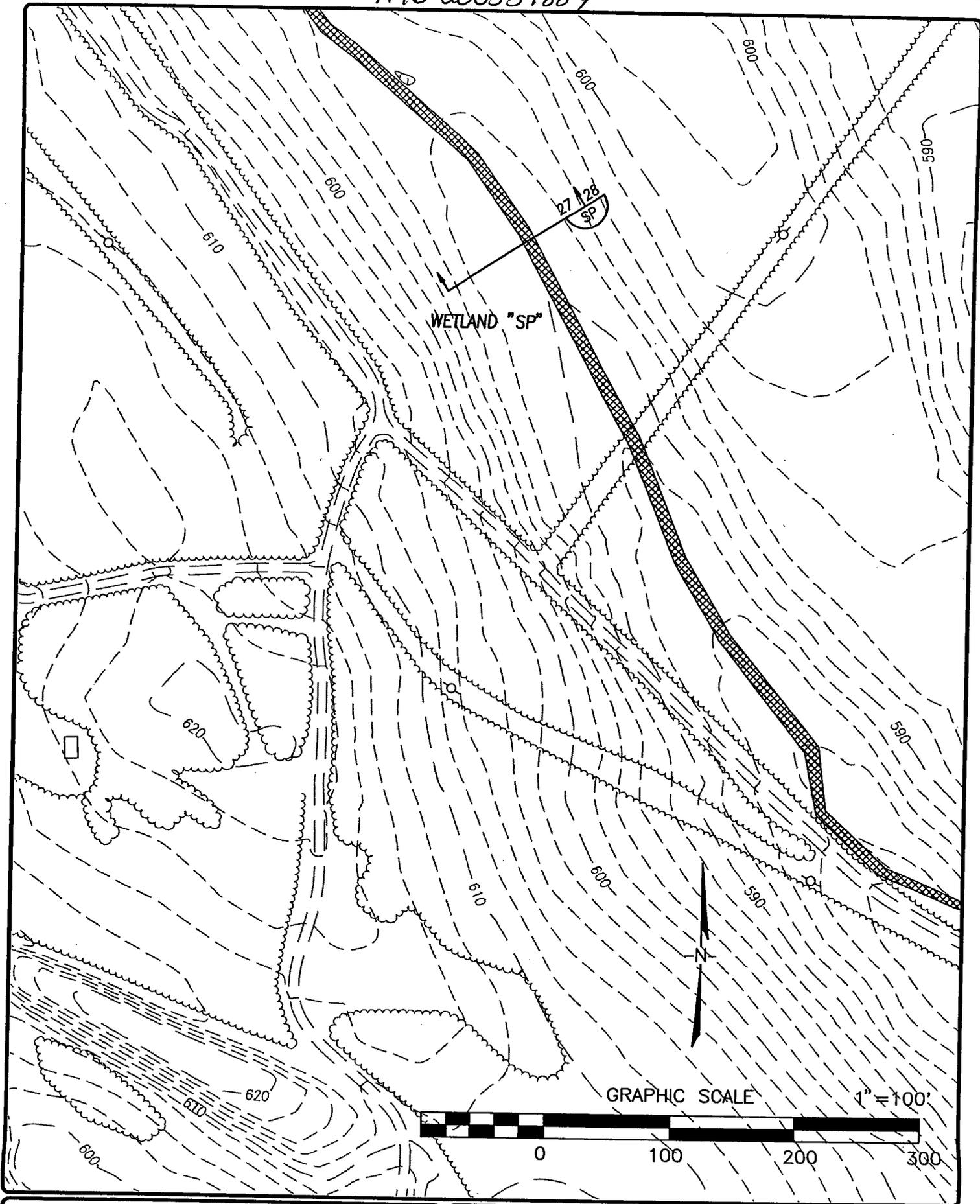
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STREAM "SDD" SECTION

DRAWN BY:	SCALE
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SB	3/28/05

FIGURE NO.
25
JOB NO.
202129.05

A10 20053 1884



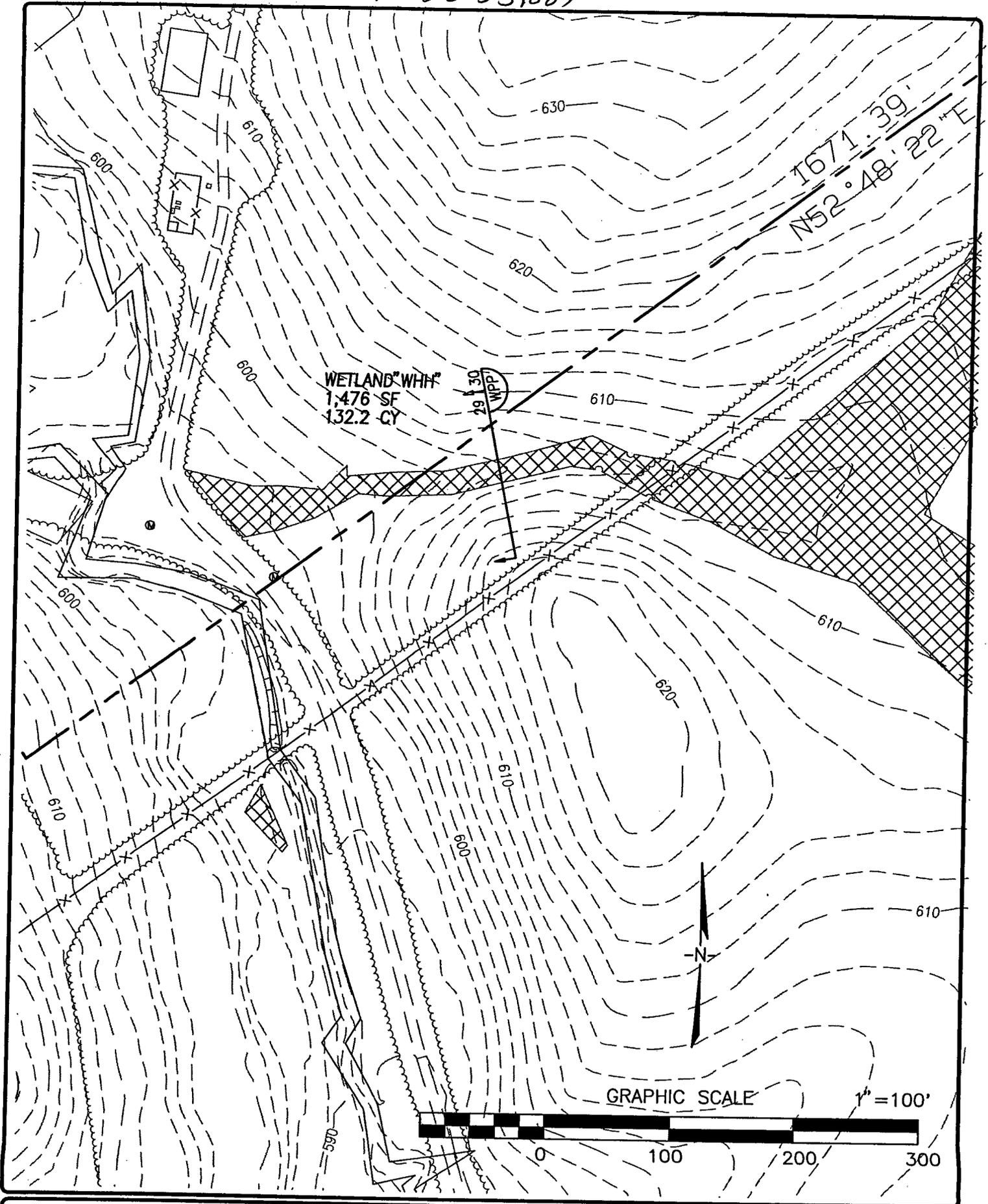
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U.S. 521 LANDFILL
WETLAND "SP" SECTION

DRAWN BY:	SCALE
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SB	3/28/05

FIGURE NO.
27
JOB NO.
202129.05

A10 200531884



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U.S. 521 LANDFILL
WETLAND "WHH"

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SB	3/28/05

FIGURE NO.
29
JOB NO.
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U.S. 521 LANDFILL
STREAM CROSSING
LOCATION MAP

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SB	12/15/04

FIGURE NO.
31
JOB NO.
202129.05