

US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: September 21, 2006
Comment Deadline: October 21, 2006
Corps Action ID #: SAW-2006-20191-292

The Wilmington District, Corps of Engineers (Corps) has received an application from the Wake County Department of Environmental Services - Solid Waste Division, seeking Department of the Army authorization to impact 6.73-acres of jurisdictional wetlands, 0.15-acre of non-jurisdictional isolated wetlands, 2.561 linear feet of streams having important aquatic functions, and 937 linear feet of streams evaluated as lacking important aquatic functions associated with the construction of the South Wake Municipal Solid Waste Landfill in Holly Springs, Wake County, North Carolina.

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: Wake County Department of Environmental Services -
Solid Waste Division
Attn: Mr. James Reynolds
Solid Waste Director
Post Office Box 550
Raleigh, North Carolina 27602

Authority

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

Location

The proposed location for the South Wake Municipal Solid Waste Landfill is 471-acres of contiguous land, of which the landfill will encompass approximately 189-acres. The site is bounded to the north by the closed Wake County Feltonville Landfill, to the east by Highway 55 Bypass, to the south by Little Branch Creek and undeveloped property owned by CP&L, and to the west by developed and undeveloped property owned by Wake County. A portion of the site falls within the limits of Holly Springs, Wake

County, North Carolina. The site contains unnamed stream channels and adjacent wetlands which drain to Little Branch, a tributary to the Cape Fear River (Latitude and Longitude in Decidegrees: 35.6834 N; 78.8433 W).

Existing Site Conditions

The existing site conditions for the proposed landfill consist of 5.98-acres of jurisdictional, non-riparian herbaceous seep wetlands; 0.15-acre of isolated, non-jurisdictional herbaceous seep wetlands; 0.72-acre of jurisdictional, headwater riparian forested wetlands; and intermittent and perennial streams.

The wetland seeps are comprised of wool-grass (*Scirpus cyperinus*), soft rush (*Juncus effusus*), groundsel-tree (*Baccharis halimifolia*), blackberry (*Rubus* sp.), black willow (*Salix nigra*), loblolly pine (*Pinus taeda*), and other small saplings. The forested headwater wetlands contain a majority of loblolly pine, willow oak (*Quercus phellos*), tulip poplar (*Liriodendron tulipifera*), green ash (*Fraxinus pennsylvanica*), sphagnum moss (*Sphagnum* sp.), and Christmas fern (*Polystichum acrostichoides*). A portion of the uplands contain a majority of pine and hardwood mix tree species including loblolly pine, slash pine (*P. elliotii*), and longleaf pine (*P. palustris*), White Oak (*Quercus alba*), southern red oak (*Q. alcate*), post oak (*Q. stella*), sweetgum (*Liquidambar styraciflua*), and tulip poplar. The remaining upland area is composed of early successional species resulting from recent timbering operations.

A U.S. Army Corps of Engineers (Corps) jurisdictional determination has been completed for the proposed site and has verified the aquatic features listed above.

Applicant's Stated Purpose

The project is to serve Wake County residents and businesses by providing disposal of municipal solid waste. Municipalities that may utilize this proposed landfill include Apex, Cary, Fuquay-Varina, Garner, Holly Springs, Knightdale, Morrisville, Raleigh, Rolesville, Wake Forest, Wendell, Zebulon, as well as, the unincorporated portion of Wake County.

Project Description

Since 1990, Wake County has planned to propose the development of this landfill facility. The site selection process was completed in 1992 to comply with state and federal regulations to assure that candidate sites were analyzed for economical and environmental suitability. In October, 1993, a Corps 404 Nationwide Permit 26 was verified for the landfill and some stormwater features were constructed. However, the project was put on hold for further review, and the permit expired.

A series of siting criteria, established in the North Carolina Solid Waste Regulations, was utilized by the County in the site selection process. A report demonstrating that the siting criteria were met, as well as, demonstrating that a disposal facility that complies with

design, construction, and operational regulations could be developed on the South Wake site was submitted to the North Carolina Department of Environment and Natural Resources (NCDENR) Solid Waste Section. The report was approved by NCDENR in March 1995.

The facility is subject to review and permitting by the North Carolina Division of Environment and Natural Resource, Solid Waste Section, as well as, the Land Quality Section. An Application For Permit To Construct was submitted to the Solid Waste Section in December 1996. The Permit To Construct was granted on February 18, 1999.

In 2003 an Interlocal Agreement, agreed to by every local government within Wake County, was designed to review and evaluate viable disposal options (including disposal in Wake County and at other disposal facilities in North Carolina and in neighboring states) and collectively decide the best course of action to provide long-term disposal of the community's municipal solid waste. Analysis of this review indicated that the proposed South Wake Landfill would provide the lowest cost disposal option.

Public comments have been heard on this proposal at a NCDENR public hearing on May 16, 1998, and within a public comment period during a scheduled Wake County Board of Commissioners meeting on May 1, 2006.

The proposed landfill would be developed in phases as required by North Carolina Solid Waste regulations. The initial phase of the proposed construction involves a 47-acre landfill, entrance facility, access roads, leachate storage facilities, and surface water/erosion control structures. Further phases of the landfill would expand the footprint, until reaching the permit limit.

The landfill consists of the following elements: structural fill for base grading and landfill suitability; a liner system composed of natural and synthetic liners to provide a long term barrier; a leachate collection system used to remove leachate and pump it to the local wastewater treatment plant in Holly Springs; operational cover soil; refuse; final cover consisting of a natural soil barrier overlain by a geomembrane; and finally a surface water and erosion management system designed to manage sediment and erosion control.

The applicant is currently developing a compensatory mitigation package containing possible on-site preservation of a third-order stream and associated buffers on the northwestern portion of the property. Included within the stream buffers are isolated bottomland hardwood forest wetlands, and wooded floodplain areas. In addition, the applicant has proposed to utilize the North Carolina Ecosystem Enhancement Program (NCEEP) to mitigate for unavoidable impacts to aquatic resources.

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 by October 13, 2006.

Essential Fish Habitat

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

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 has determined pursuant to the Endangered Species Act of 1973, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat.

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

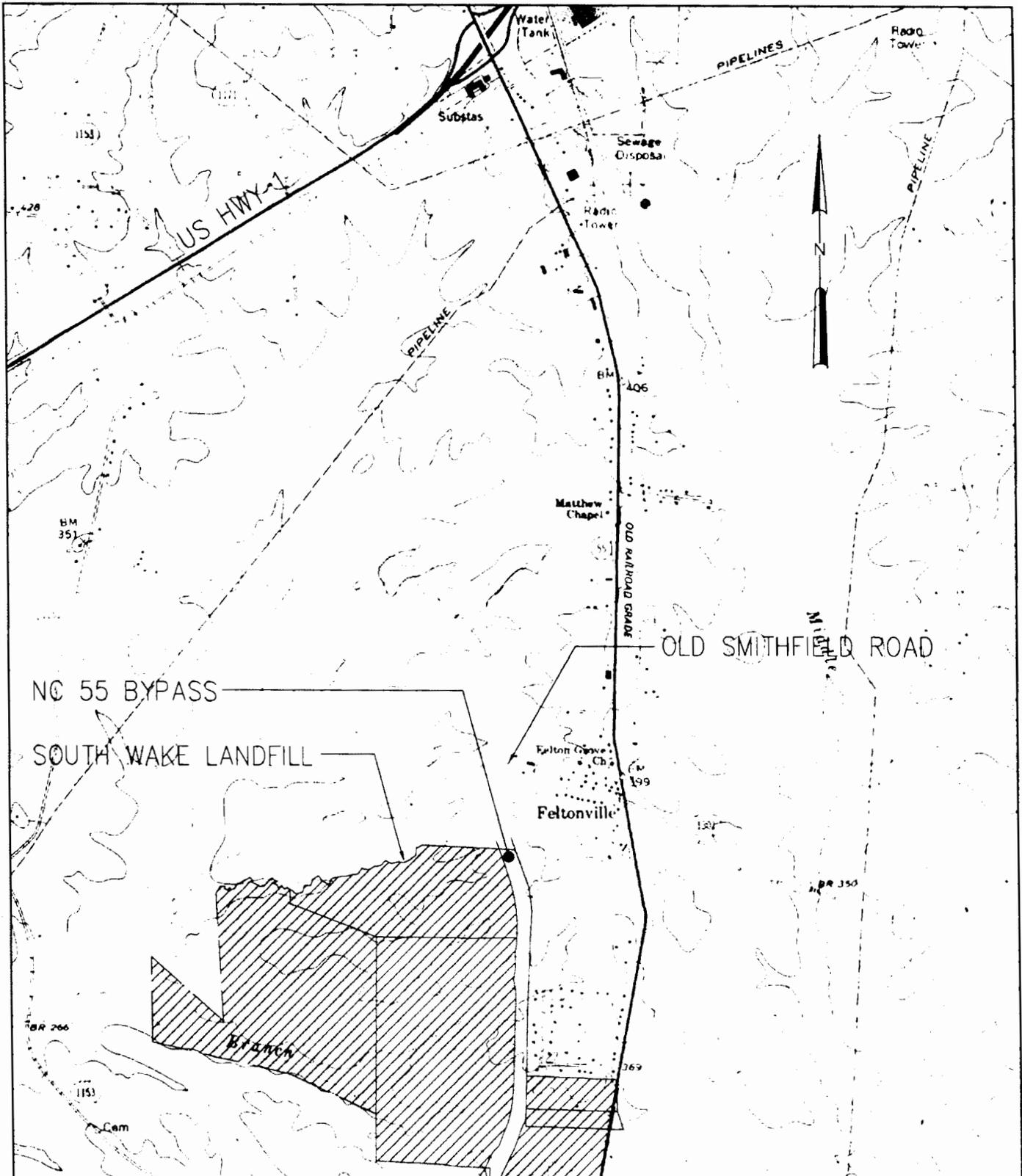
which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive 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 of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidated State Viewpoint or written position of the Governor; 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 (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.

In addition, any person may request, in writing, within the comment period specified in this notice, that an additional 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, October 21, 2006. Comments should be submitted to Mr. Monte Matthews, Raleigh Regulatory Field Office, 6508 Falls of Neuse Road, Suite 120, Raleigh, North Carolina, 27615.



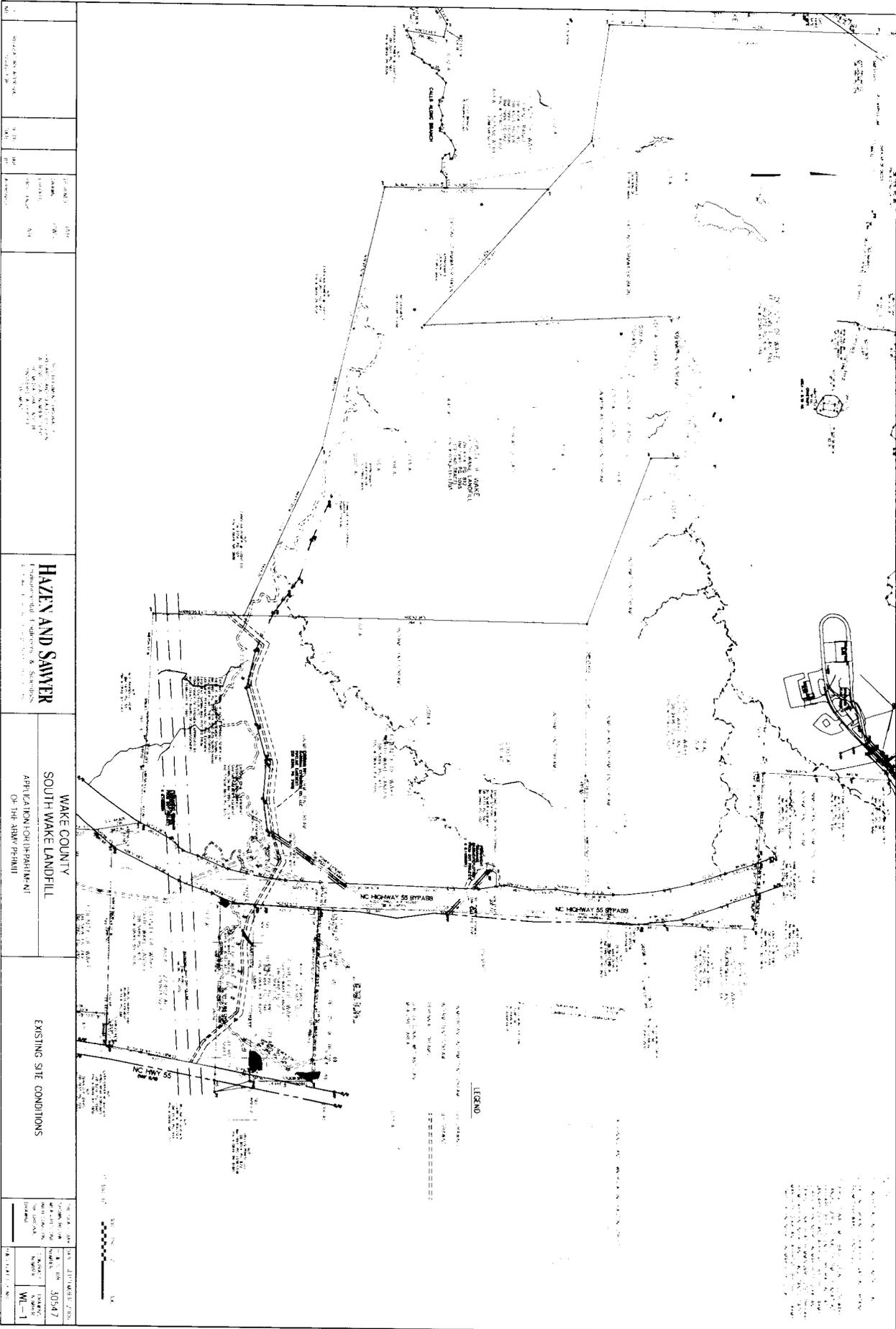
VICINITY MAP

1" = 2000'

HAZEN AND SAWYER
 Environmental Engineers & Scientists

WAKE COUNTY
 SOUTH WAKE LANDFILL

VICINITY MAP



DATE	1/11/06
SCALE	AS SHOWN
PROJECT	HAZEN AND SAWYER
CLIENT	HAZEN AND SAWYER
NO.	1

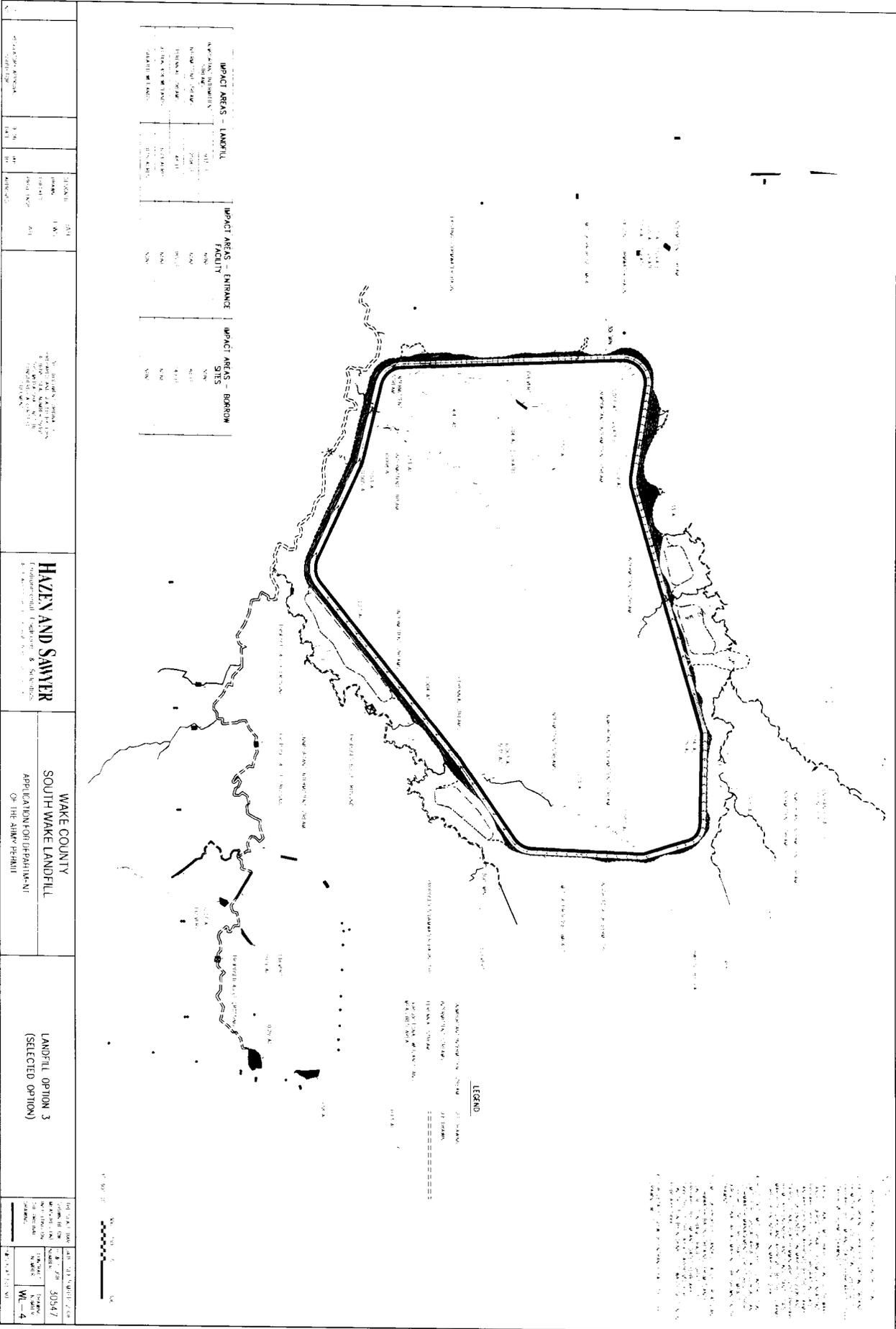
HAZEN AND SAWYER
 ENGINEERS, ARCHITECTS, PLANNERS
 1000 EAST 17TH AVENUE, SUITE 100
 DENVER, COLORADO 80202

WAKE COUNTY
SOUTH WAKE LANDFILL
 APPLICATION FOR THE PARTIAL
 OF THE NEWSPRINT

EXISTING SITE CONDITIONS

PROJECT NO.	03047
DATE	1/11/06
SCALE	AS SHOWN
NO.	1

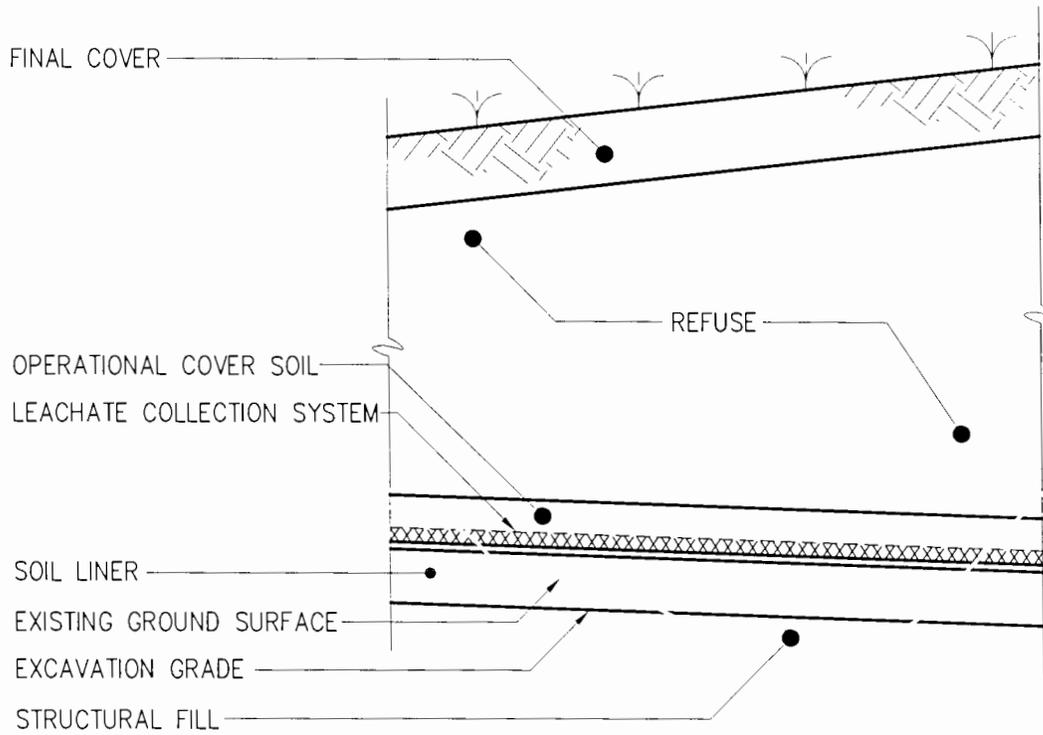
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IMPACT AREAS - LANDFILL		IMPACT AREAS - ENTRANCE FACILITY		IMPACT AREAS - BORROW SITES	
IMPACT AREA	AREA (AC)	IMPACT AREA	AREA (AC)	IMPACT AREA	AREA (AC)
LANDFILL OPTION 1	100.0	ENTRANCE FACILITY	10.0	BORROW SITE 1	5.0
LANDFILL OPTION 2	100.0	ENTRANCE FACILITY	10.0	BORROW SITE 2	5.0
LANDFILL OPTION 3	100.0	ENTRANCE FACILITY	10.0	BORROW SITE 3	5.0
TOTAL	300.0	TOTAL	30.0	TOTAL	15.0

PROJECT NUMBER	101	SECTION	1	THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF HAZEN AND SAWYER ENGINEERS AND ARCHITECTS, P.C. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITH- OUT THE WRITTEN PERMISSION OF HAZEN AND SAWYER ENGINEERS AND ARCHITECTS, P.C.
DATE	10/1/01	SCALE	AS SHOWN	
PROJECT NAME	WAKE COUNTY SOUTH WAKE LANDFILL	DESIGNED BY	HAZEN AND SAWYER ENGINEERS AND ARCHITECTS, P.C.	
PROJECT LOCATION	WAKE COUNTY SOUTH WAKE LANDFILL	APPROVED BY	HAZEN AND SAWYER ENGINEERS AND ARCHITECTS, P.C.	
PROJECT NUMBER	101	SECTION	1	
DATE	10/1/01	SCALE	AS SHOWN	
DESIGNED BY	HAZEN AND SAWYER ENGINEERS AND ARCHITECTS, P.C.	APPROVED BY	HAZEN AND SAWYER ENGINEERS AND ARCHITECTS, P.C.	
APPROVED BY	HAZEN AND SAWYER ENGINEERS AND ARCHITECTS, P.C.	DATE	10/1/01	

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SECTION

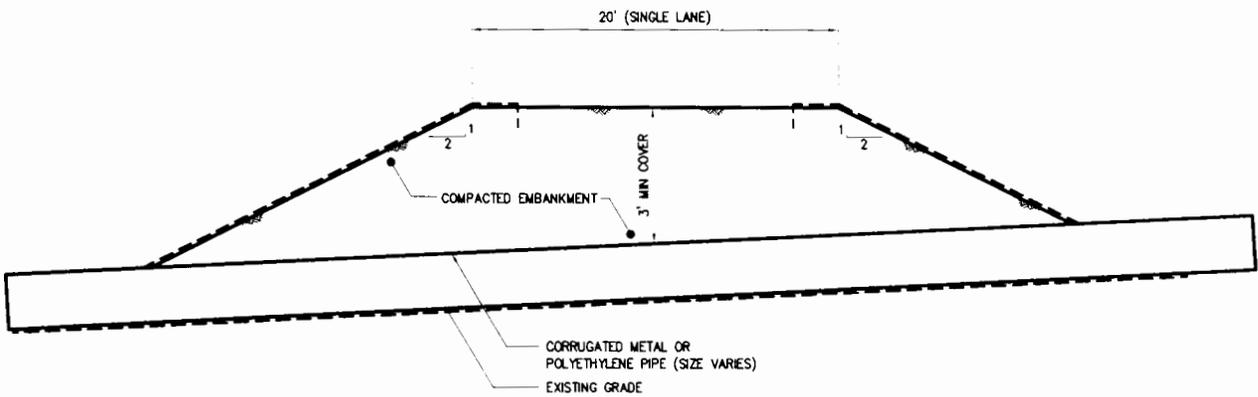
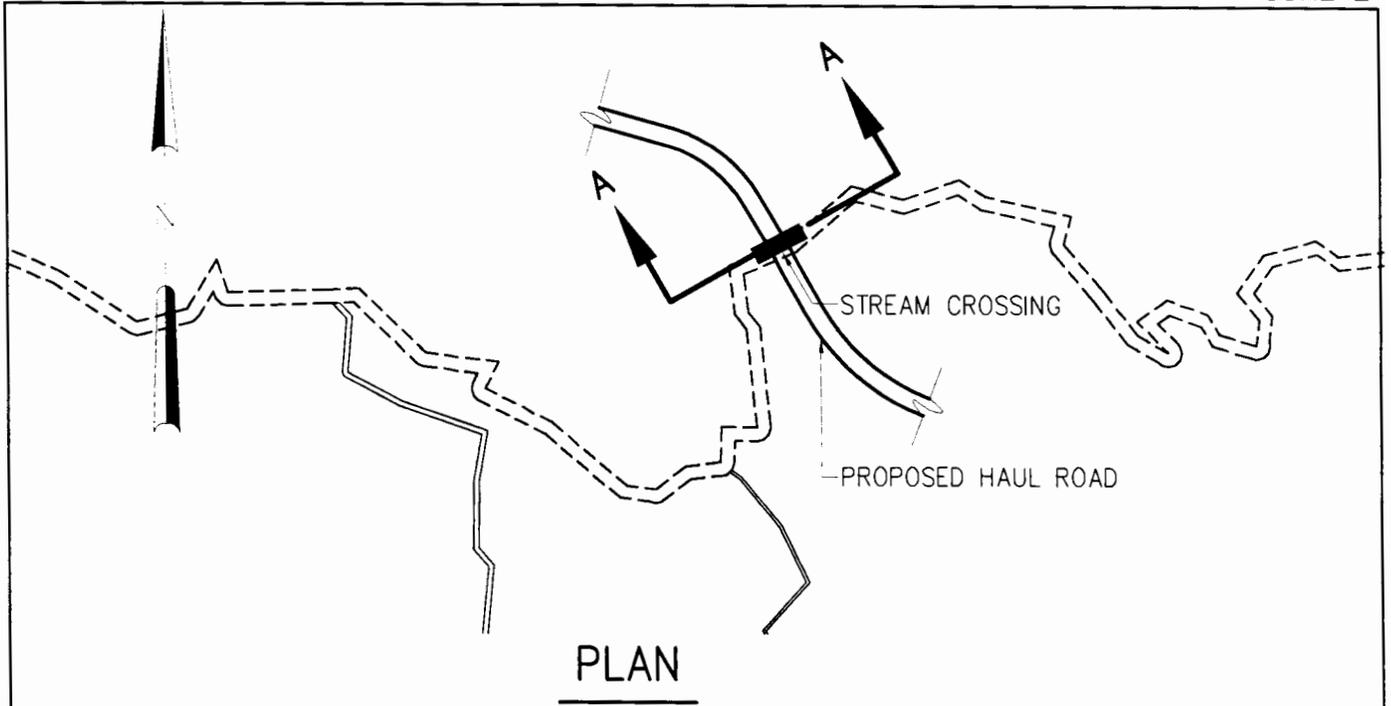
NTS

WAKE COUNTY
SOUTH WAKE LANDFILL

GENERAL MSW
LANDFILL
CROSS SECTION

HAZEN AND SAWYER
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SECTION A-A

WAKE COUNTY SOUTH WAKE LANDFILL
TYPICAL STREAM CROSSING PLAN AND SECTION

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