



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2017-085 (JME)

NOTICE DATE:
June 1, 2017

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
June 30, 2017

Public Notice U.S. Army Corps of Engineers

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT:

Mr. Andrew Densing
Team Waste, LLC
14339 Hudson Krohn Road
Biloxi, Mississippi 39532

AGENT:

Mr. Michael E. Hohm
Allen Engineering and Science, Inc.
6360 I-55 North, Suite 330
Jackson, Mississippi 39211
Ph: (601) 714-8182

PURPOSE: The purpose of the project is to expand an existing landfill (Quad County Landfill Site) to provide additional landfill capacity to meet the surrounding region's future needs.

LOCATION: The project site is located on a 171-acre parcel of property east of Quinn Road and north of Wingo Road in Marshall County, Mississippi, at coordinates of N34.9924° / W-89.65387°, as shown on Figure 1.

DESCRIPTION OF WORK: The applicant's proposed work consists of an approximate 120-acre landfill expansion that would include clearing, excavation, and earthwork within the applicant's property totaling 171 acres. There is an existing 38-acre Class I rubbish disposal area in operation on the property. Of this existing 38 acres, approximately 16 acres would remain as a Class 1 rubbish disposal area and approximately 22 acres of the existing rubbish landfill would be upgraded to an industrial/commercial nonhazardous landfill. The remaining 82 acres out of the 120 acres is currently undeveloped and would be constructed into an industrial/commercial nonhazardous landfill. The proposed property boundary is shown on Figure 2. The applicant's stated intent is to construct the proposed landfill to conform with all local laws and regulation ordinances in Marshall County, MS, and is included in the Marshall County Solid Waste Management Plan.

The deposition of fill material into waters of the United States, including streams and wetlands, requires authorization from the Corps of Engineers. At this time, it is our preliminary jurisdictional determination (PJD) that there is approximately 1,912 linear feet of stream on the project site that may be considered other waters of the United States. There are two sections of channel on the property that would be considered non-jurisdictional based on our PJD. As part of the proposed landfill expansion, the applicant is proposing to relocate approximately 850 linear feet of the 1,912 linear foot section of jurisdictional stream into a new channel approximately 900 linear feet in length. The location of the existing and proposed relocated channel is shown on Figure 3. Detailed plan-view and cross-sections of the proposed relocated channel are shown on Figures 4A-4B and Figure 5.

WATER QUALITY CERTIFICATION: By copy of this public notice, the applicant is requesting water quality certification from the Mississippi Department of Environmental Quality, Office of Pollution Control, that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341 (a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. Commentors are requested to also furnish a copy of their comments to the Mississippi Department of Environmental Quality, Office of Pollution Control, P.O. Box 2261, Jackson, Mississippi, 39225. The Department will consider all relative comments in

the decision to grant or deny water quality certification for the proposed activity. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404 (b) of the Clean Water Act.

AVOIDANCE/MINIMIZATION: According to the applicant, alternative on-site configurations that would further avoid/minimize stream impacts due to construction constraints with regards to the existing facility are not feasible. No other alternative locations have been considered for this application. The applicant states best management practices will be implemented and maintained during the construction sequence to control erosion and sedimentation to minimize potential impacts to downstream waters.

MITIGATION: The applicant is proposing to mitigate the loss of 850 linear feet of stream with the restoration of 900 linear feet of stream channel on the project site. The applicant submitted a detailed mitigation plan which includes goals and objectives, site selection rationale, baseline information including existing plant communities, soils and hydrology, and a mitigation work plan for the 900 linear feet of relocated stream channel. The proposed mitigation work plan includes a maintenance plan, stream performance standards, long-term and adaptive management plan.

ENDANGERED SPECIES: The applicant provided information that the proposed project was reviewed by the United States Fish and Wildlife Service (USFWS) and comments were provided in a letter, dated January 24, 2017. USFWS stated in their comment letter that the Indiana bat (*Myotis sodalis*) could be found in the project area. The agency recommends that all tree removal activities in areas supporting Indiana bat habitat take place during the non-maternity season (September 1 – May 14). Based on coordination between the applicant and USFWS including the mitigative measure limiting tree clearing to the Indiana bat's non-maternity season, it is our determination that the proposed project "may affect, but is not likely to adversely affect" the Indiana bat. If trees could not be removed during this time-period, additional consultation with USFWS would be required. Any additional comments USFWS may have regarding endangered or threatened wildlife or plants or their critical habitat in response to this public notice will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a survey of the project area. We are soliciting input from federally recognized Tribes who have stated an interest in the area in which the project is located.

FLOODPLAIN: In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain administrators should review the proposed public notice and notify this office of any floodplain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project 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, 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.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; federally recognized 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.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision. If a public hearing is held, it will be for the purpose of obtaining additional information that we could not otherwise obtain through a public notice process; not to inform the public about the specific details of the project in greater detail than what is found in this notice. This is not a Corps of Engineers project. We are not a proponent nor are we an opponent of the project. We are merely the permitting authority of Section 404 and Section 10 permits required by our office.

COMMENTS: To request additional information or provide comments on this notice, please contact Mr. James M. Elcan using the information below:

U.S. Army Engineer District – Memphis
ATTN: James Elcan
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: james.m.elcan@usace.army.mil
Phone: (901) 544-0737
Fax: (901) 544-0211

Florance Watson
Water Quality Certification Branch
Environmental Permits Division
Mississippi Department of Environmental Quality
Post Office Box 2261
Jackson, Mississippi 39225
E-mail: florance_watson@deq.state.ms.us

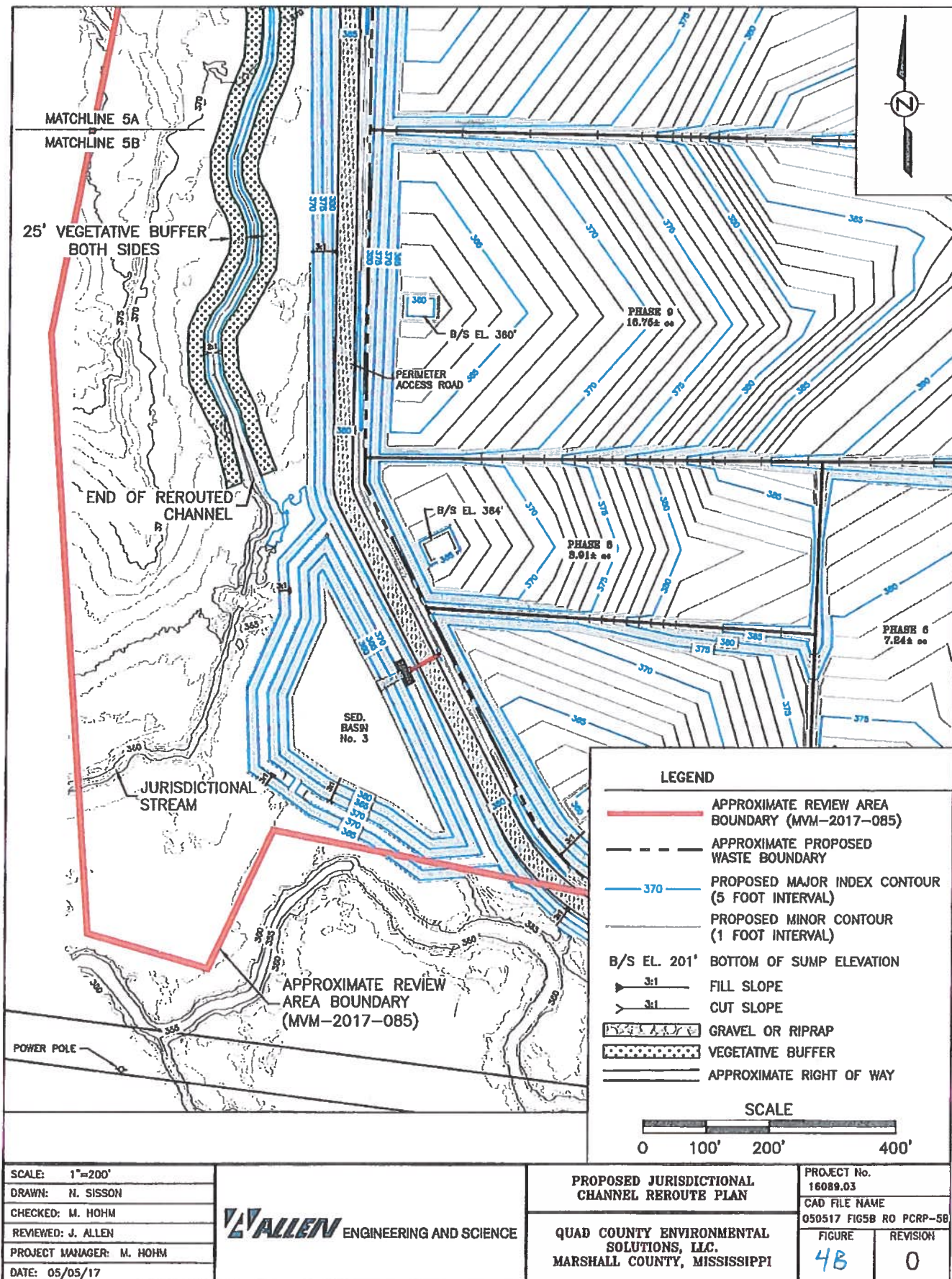
Comments may be sent via mail or e-mail. The Corps of Engineers may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

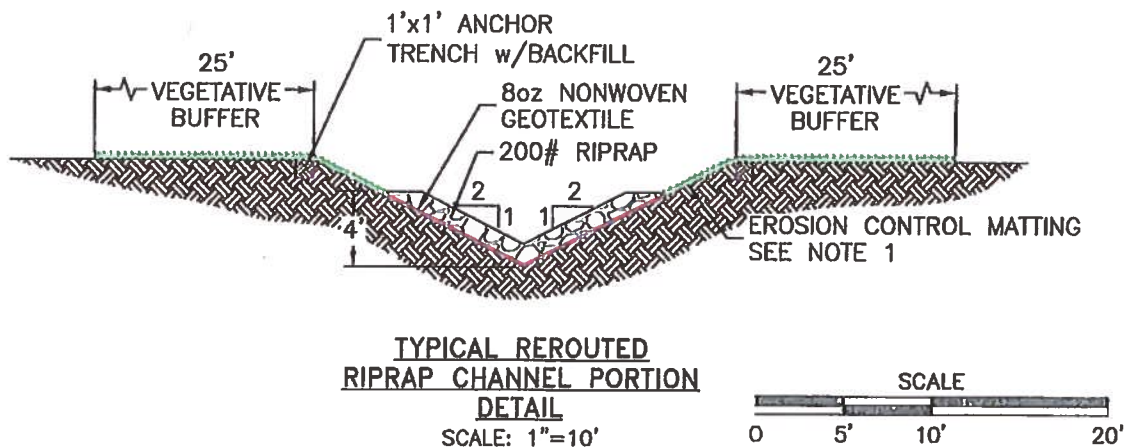
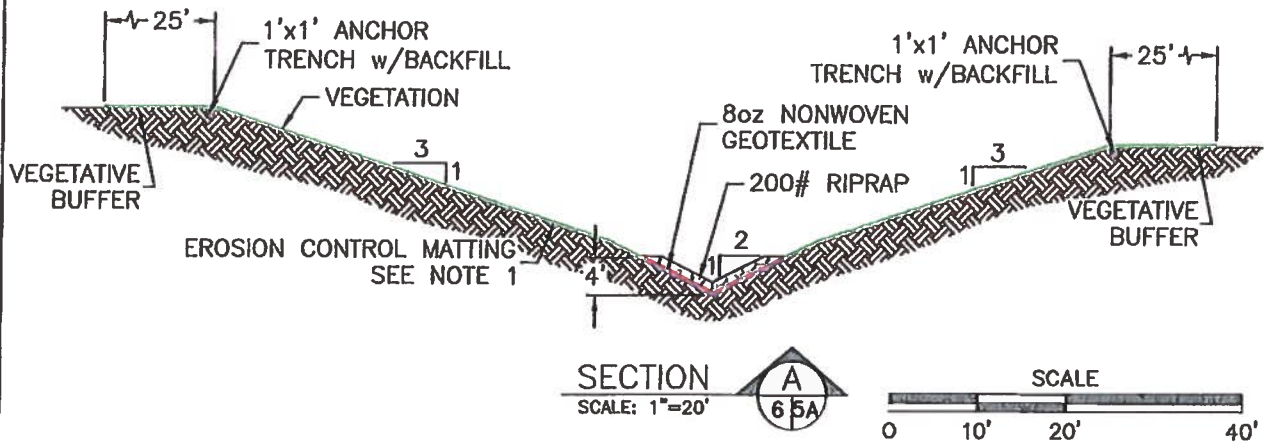
For Final Individual Permits actions in the Memphis District, go to the following link: <http://geo.usace.army.mil/cgis/f?p=340:2:0::NO:RP>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending individual permits can be located by selecting the "Pending IP" tab above. All of the environmental documents and statements of findings supporting issuance or denial of the permit decisions are available upon written request and where applicable, upon the payment of administrative fees. They are also available at the Memphis District, Regulatory Branch office for examination.



Gregg Williams
Chief
Regulatory Branch

Attachments





LEGEND

	NATURAL SOIL
	200# RIPRAP
	ANCHOR TRENCH BACKFILL
	8oz NONWOVEN GEOTEXTILE
	EROSION CONTROL MATTING
	VEGETATION

NOTE:

1. EROSION CONTROL MATTING SHALL BE PERMANENT AND NON-BIODEGRADABLE.
2. THE SOUTHERN PORTION OF THE REROUTED CHANNEL, WHICH WILL NOT UTILIZE RIPRAP AS AN ARMORING, WILL INSTEAD UTILIZE EROSION CONTROL MATTING ACROSS THE ENTIRE SPAN OF THE CHANNEL.

SCALE: AS SHOWN		PROPOSED REROUTED CHANNEL CROSS-SECTIONS AND DETAILS		PROJECT No. 16089.03	
DRAWN: N. Sisson		QUAD COUNTY ENVIRONMENTAL SOLUTIONS, LLC. MARSHALL COUNTY, MISSISSIPPI		CAD FILE NAME 050517 FIG6 RO PRCCSAD	
CHECKED: M. HOHM				FIGURE 5	REVISION 0
REVIEWED: J. ALLEN					
PROJECT MANAGER: M. HOHM					
DATE: 05/05/17					