
Public Notice

**U.S. Army Corps
of Engineers**
Pittsburgh District

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. 2002-187 AMD 1

Date: December 5, 2008

Public Notice No. 08-57

Closing Date: December 22, 2008

1. TO ALL WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344).
2. APPLICANT: Veolia ES Greentree Landfill, LLC
635 Toby Road
Kersey, Pennsylvania 15846
(814) 265-8745
3. LOCATION: The Greentree Landfill site is located in Fox Township, Elk County, Pennsylvania.
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to construct the Phase II Landfill Expansion Project. The existing municipal landfill facility will be expanded to include an adjacent 104.3 acres. This expansion project will add approximately 28.2 million cubic yards of disposal capacity to the facility and extend the operations at the facility for approximately 10 years. The project will result in direct adverse impacts to 1,465 feet of stream channel in 2 unnamed tributary systems to Little Toby Creek and 1.6 acres of wetlands. The initially proposed development plan would have impacted 4,225 feet of the 5,504 feet of stream channel located on the site and 3.4 acres of the sites 4.5 acres of wetlands. The current proposal represents an aquatic resource avoidance rate of approximately 66%. Proposed compensatory mitigation for the unavoidable aquatic impacts include constructing 3.3 acres of replacement PEM/PSS wetlands on site and 5,196 feet of stream channel in the Bear Run watershed, located on the southern border of the project area. Bear Run is a naturally reproducing trout stream. Drawings of the proposed project are attached.
5. PENNSYLVANIA WATER QUALITY CERTIFICATION: The applicant is required to obtain an encroachment permit which includes State 401 Water quality Certification from the:

Pennsylvania Department of Environmental Protection
Northwest Regional Office
230 Chestnut Street
Meadville, Pennsylvania
(814) 332-6117

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered 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).

7. IMPACT ON 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 which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

8. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

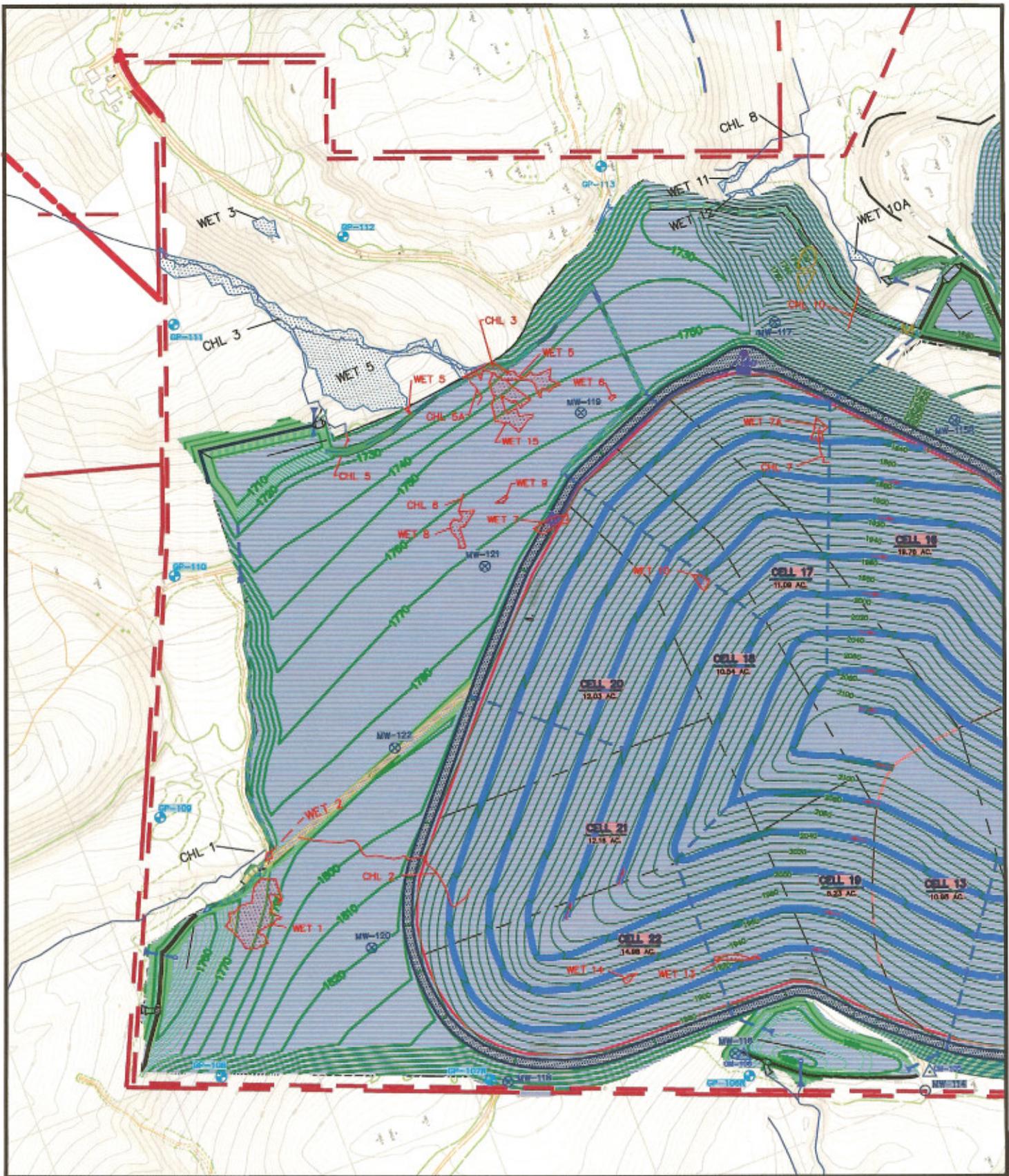
9. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals 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, 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; 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 overall public interest of the proposed activity. 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 (40 CFR Part 230).

10. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn Marcia H. Haberman, at the above address, by telephoning (412) 395-7361, or by e-mail at Marcia.H.Haberman@usace.army.mil. Please refer to CELRP-OP-F 2002-187 in all responses.

FOR THE DISTRICT ENGINEER:

/signed/
Scott A. Hans
Chief, Regulatory Branch



LEGEND

- IMPACTED CHANNELS
- IMPACTED WETLANDS
- UNIMPACTED CHANNELS
- UNIMPACTED WETLANDS

REVISIONS

NO.	DATE	DESCRIPTION



VEOLIA ES GREENTREE LANDFILL, LLC
**VEOLIA ES GREENTREE LANDFILL
 AREA 2 EXPANSION**

FOX TOWNSHIP ELK COUNTY PENNSYLVANIA

**REVISED WETLANDS/WATERCOURSE
 IMPACTS MAP**

09/10/05

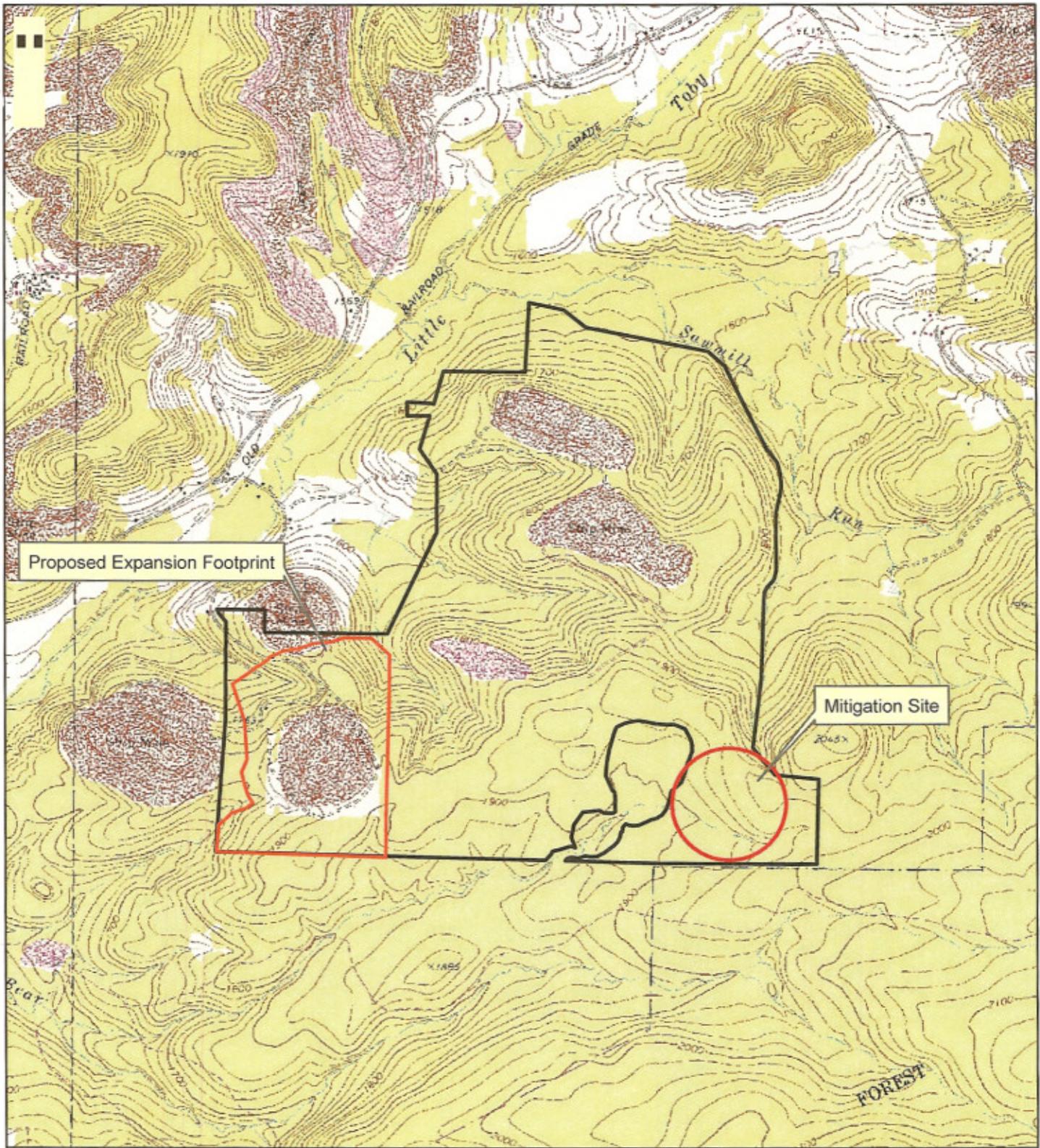
DRAWN BY: SWH

CHECKED: KMC

BAI DRAWING NO: ONYX-102F017 R1

SHEET NO. 1 OF 1

PNO8-57 2002-187 5/5



MAP REDUCED FROM 7.5 MIN USGS PA QUADRANGLE: BRANDY CAMP *LAT 41° 17' 25.5" / LONG 78° 40' 15.9"* 1 inch equals 2,000 feet

VEOLIA E S GREENTREE LANDFILL, LLC.

PROJECT LOCATION

PN 08-57

FOX TOWNSHIP

ELK COUNTY *2002-187*

PENNSYLVANIA

Wetlands Habitat Management, Inc.

FIGURE 1

2525 Green Tech Drive; State College, PA 16803 Tele: 814.689.1650 Fax: 814.689.1557



4/5