



**US Army Corps
of Engineers**
New England District

8 Carmichael Street, Suite 205
Essex Junction, Vermont 05452

PUBLIC NOTICE

Comment Period Begins: 6 Jul 2010

Comment Period Ends: 6 Aug 2010

File Number: NAE-2009-87

In Reply Refer To: Michael S. Adams

Phone: (802) 872-2893

E-mail: Michael.s.adams@usace.army.mil

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below.

APPLICANT: Moretown Landfill, Inc., ATTN: Robert Sochovka, 187 Palisades Park, Waterbury, Vermont 05676

ACTIVITY

Place and maintain fill in about 2.18 acres of waters of the U.S. in conjunction with the expansion of an existing landfill off U.S. Route 2 in Moretown, Vermont. About 0.66 acre of wetland and about 0.07 acre of unnamed streams will be filled to obtain borrow material to use as daily cover over the active landfill cell 3. A new landfill cell will be constructed atop the borrow area and existing landfill cells once cell 3 is filled. About 1.22 acre of wetland and about 0.19 acre of unnamed streams will be filled to construct cell 4. About 0.04 acre of forested wetland will be cleared in conjunction with the relocation of an existing transmission line across cell 4 to another transmission line right-of-way.

The applicant was previously authorized to place fill about 0.17 acre of wetland and about 0.77 acre of an unnamed stream in conjunction with the construction of cell 2. Cumulative wetland and waterway impacts for this landfill will be 3.12 acres.

To compensate for impacts of the proposed project the applicant proposes to preserve approximately 116 acres (66 ± acres of upland and 50 ± of wetlands/waterways) on the Town of Moretown and Moretown School District property off VT Route 100B in Moretown, Vermont. The wetlands on the property consist of emergent and forested wetlands. The site contains a perennial stream and several unmapped intermittent streams that originate on the site.

The basic project purpose is to meet present and future needs for the disposal of non-recyclable and non-hazardous waste in north-central Vermont.

The work is partially described on the enclosed plans, in nine sheets, entitled "PROPOSED MORETOWN LANDFILL EXPANSION", dated "JUNE 2010".

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in unnamed streams and adjacent wetlands off Kaiser Drive in Waterbury, Vermont. The proposed location on the USGS Middlesex, Vermont quadrangle sheet is at UTM coordinates 4908841.00 N and 682775.00 E.

AUTHORITY

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
- Section 404 of the Clean Water Act
- Section 103 of the Marine Protection, Research and Sanctuaries Act).

The decision whether to issue a permit will be based on an evaluation of the probable impact 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 may reasonably 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, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production 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 need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

Based on his initial review, the District Engineer has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the project site. It is our preliminary determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any Federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

CENAE-R
FILE NO. NAE-2009-87

The following authorizations have been applied for, or have been, or will be obtained:

- Permit, License or Assent from State.
- Permit from Local Wetland Agency or Conservation Commission.
- Water Quality Certification in accordance with Section 401 of the Clean Water Act.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Michael S. Adams at (802) 872-2893.

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 a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

In accordance with 33 CFR 325.2(a)(8), we publish monthly a list of permits issued or denied during the previous month at www.nae.usace.army.mil/reg, under the heading "Monthly General and Individual Permit Authorizations." Relevant environmental documents and the SOFs or RODs are available upon written request and, where applicable, upon the payment of administrative fees. Also visit www.nae.usace.army.mil for more information on the New England District Corps of Engineers programs.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.


Frank DelGiudice
Chief, Permits and Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____



LANDFILL PARCEL

PROPOSED MORETOWN LANDFILL EXPANSION
JUNE 2010

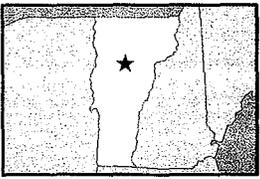
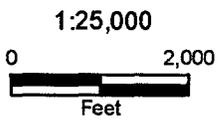
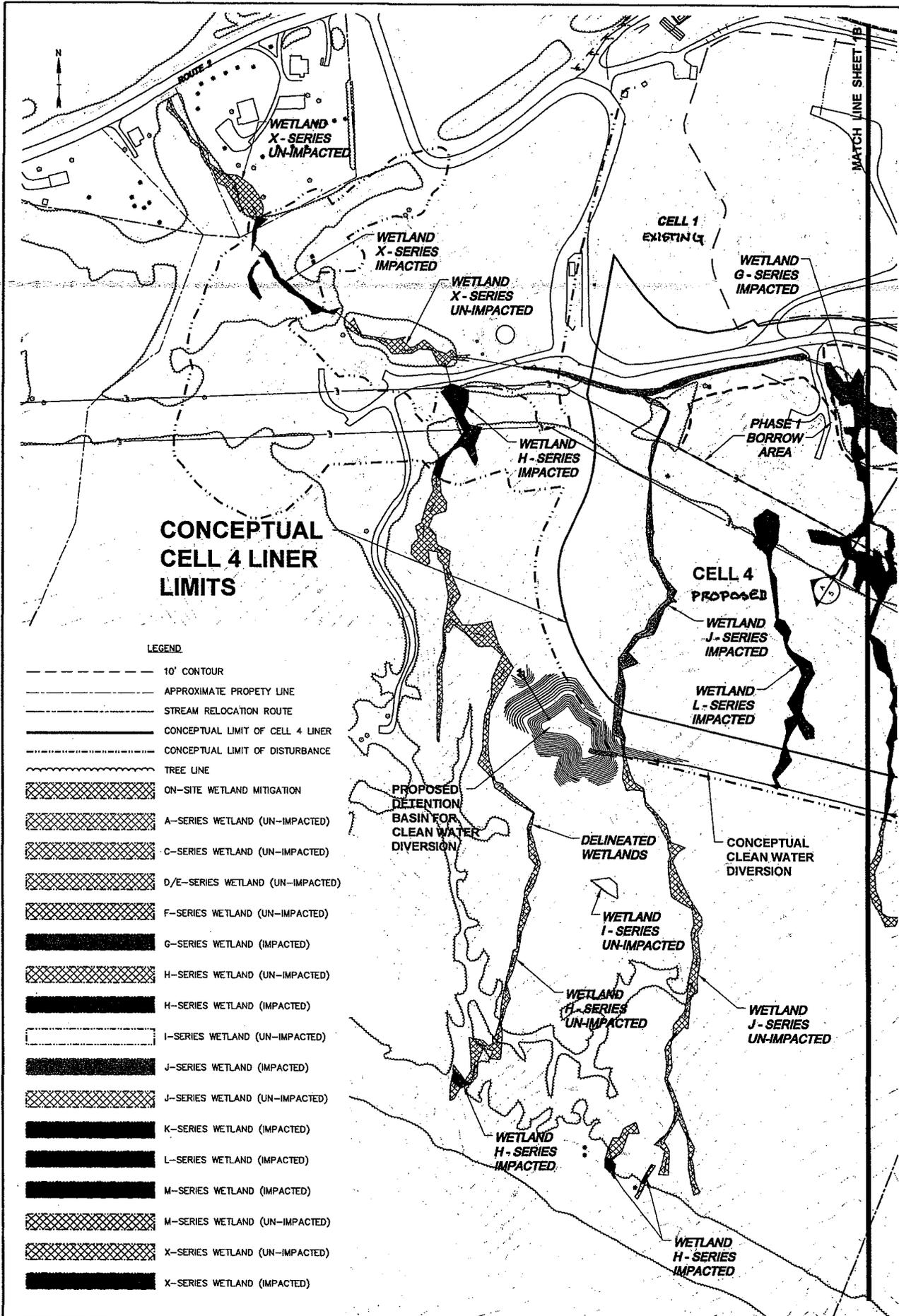


FIGURE 1
IMPACT AREA
SITE LOCUS MAP
WSI Moretown Landfill
Moretown, Vermont

Tighe&Bond

Based on USGS Topographic Map for Middlesex, VT Quadrangle. Revised 1976. 20-Foot Contour Interval.

Moretown
Landfill, Inc.

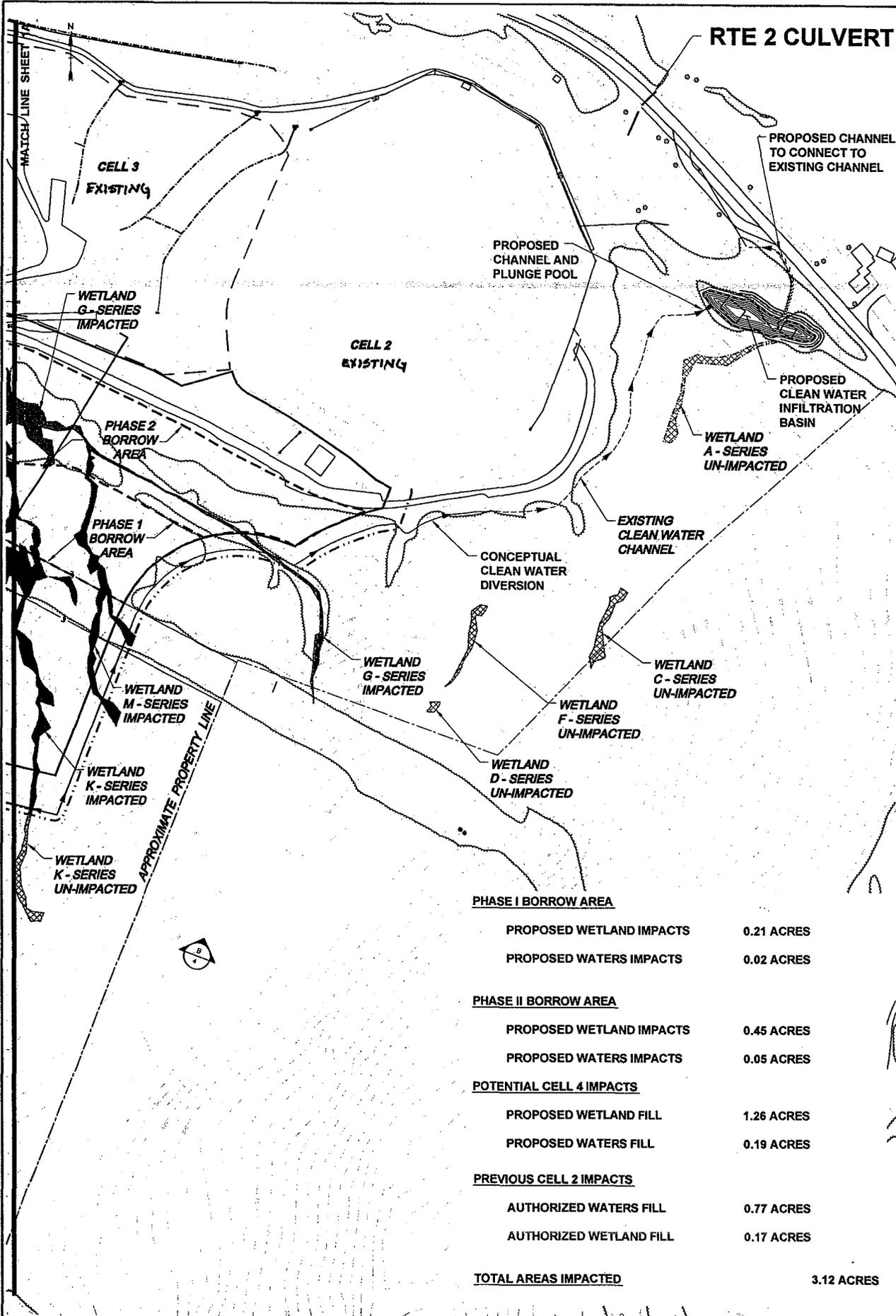


LEGEND

- 10' CONTOUR
- - - - - APPROXIMATE PROPERTY LINE
- - - - - STREAM RELOCATION ROUTE
- CONCEPTUAL LIMIT OF CELL 4 LINER
- - - - - CONCEPTUAL LIMIT OF DISTURBANCE
- ~~~~~ TREE LINE
- [Cross-hatch pattern] ON-SITE WETLAND MITIGATION
- [Diagonal hatch pattern] A-SERIES WETLAND (UN-IMPACTED)
- [Diagonal hatch pattern] C-SERIES WETLAND (UN-IMPACTED)
- [Diagonal hatch pattern] D/E-SERIES WETLAND (UN-IMPACTED)
- [Diagonal hatch pattern] F-SERIES WETLAND (UN-IMPACTED)
- [Solid black] G-SERIES WETLAND (IMPACTED)
- [Diagonal hatch pattern] H-SERIES WETLAND (UN-IMPACTED)
- [Solid black] H-SERIES WETLAND (IMPACTED)
- [Diagonal hatch pattern] I-SERIES WETLAND (UN-IMPACTED)
- [Solid black] J-SERIES WETLAND (IMPACTED)
- [Diagonal hatch pattern] J-SERIES WETLAND (UN-IMPACTED)
- [Solid black] K-SERIES WETLAND (IMPACTED)
- [Solid black] L-SERIES WETLAND (IMPACTED)
- [Solid black] M-SERIES WETLAND (IMPACTED)
- [Diagonal hatch pattern] M-SERIES WETLAND (UN-IMPACTED)
- [Diagonal hatch pattern] X-SERIES WETLAND (UN-IMPACTED)
- [Solid black] X-SERIES WETLAND (IMPACTED)

C	8/10	ACOE Comments
B	1/10/09	ACOE Comments
A	5/09	Final Issue
Mark	Date	Description
PROJECT NO.	M-317	
FILE	Cell 4 AND Cell 20 TO Cell 4 wetland	
DRAWN BY:	DJB	
CHECKED BY:	DJB, JLT	
APPROVED BY:	EAB	
CELL 4 CONCEPTUAL PLAN		
SCALE:	1" = 300'	
SHEET 1A OF 5		

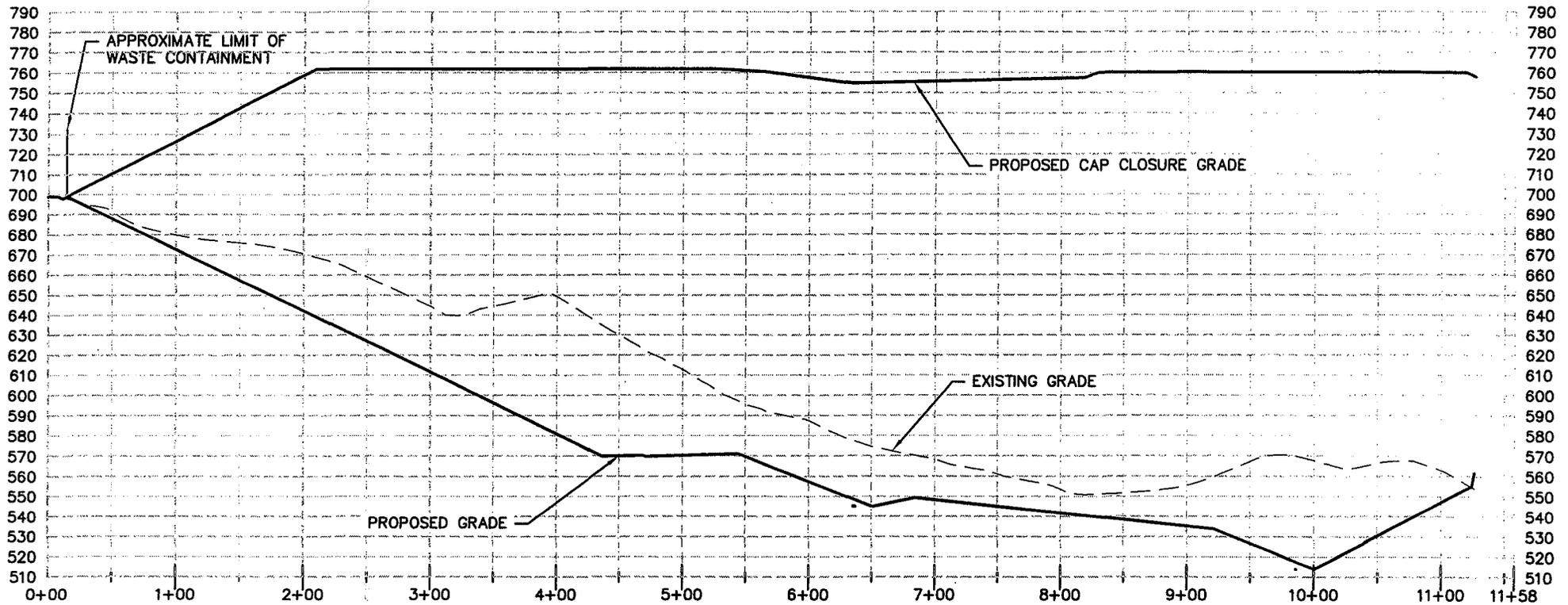
RTE 2 CULVERT



PHASE I BORROW AREA	
PROPOSED WETLAND IMPACTS	0.21 ACRES
PROPOSED WATERS IMPACTS	0.02 ACRES
PHASE II BORROW AREA	
PROPOSED WETLAND IMPACTS	0.45 ACRES
PROPOSED WATERS IMPACTS	0.05 ACRES
POTENTIAL CELL 4 IMPACTS	
PROPOSED WETLAND FILL	1.26 ACRES
PROPOSED WATERS FILL	0.19 ACRES
PREVIOUS CELL 2 IMPACTS	
AUTHORIZED WATERS FILL	0.77 ACRES
AUTHORIZED WETLAND FILL	0.17 ACRES
TOTAL AREAS IMPACTED	3.12 ACRES

Moretown Landfill, Inc.

C	6/10	ADD Comments
B	10/09	ADD Comments
A	8/02	Initial Issue
Mark	0/00	Interception
PROJECT NO:	M-317	
FILE:	C:\M\600E\June 2010\CM 4 wetland	
DRAWN BY:	DJB	
CHECKED BY:	DJB, JLT	
APPROVED BY:	F.J.H.	
CELL 4 CONCEPTUAL PLAN		
SCALE: 1" = 300'		
SHEET 1B OF 5		



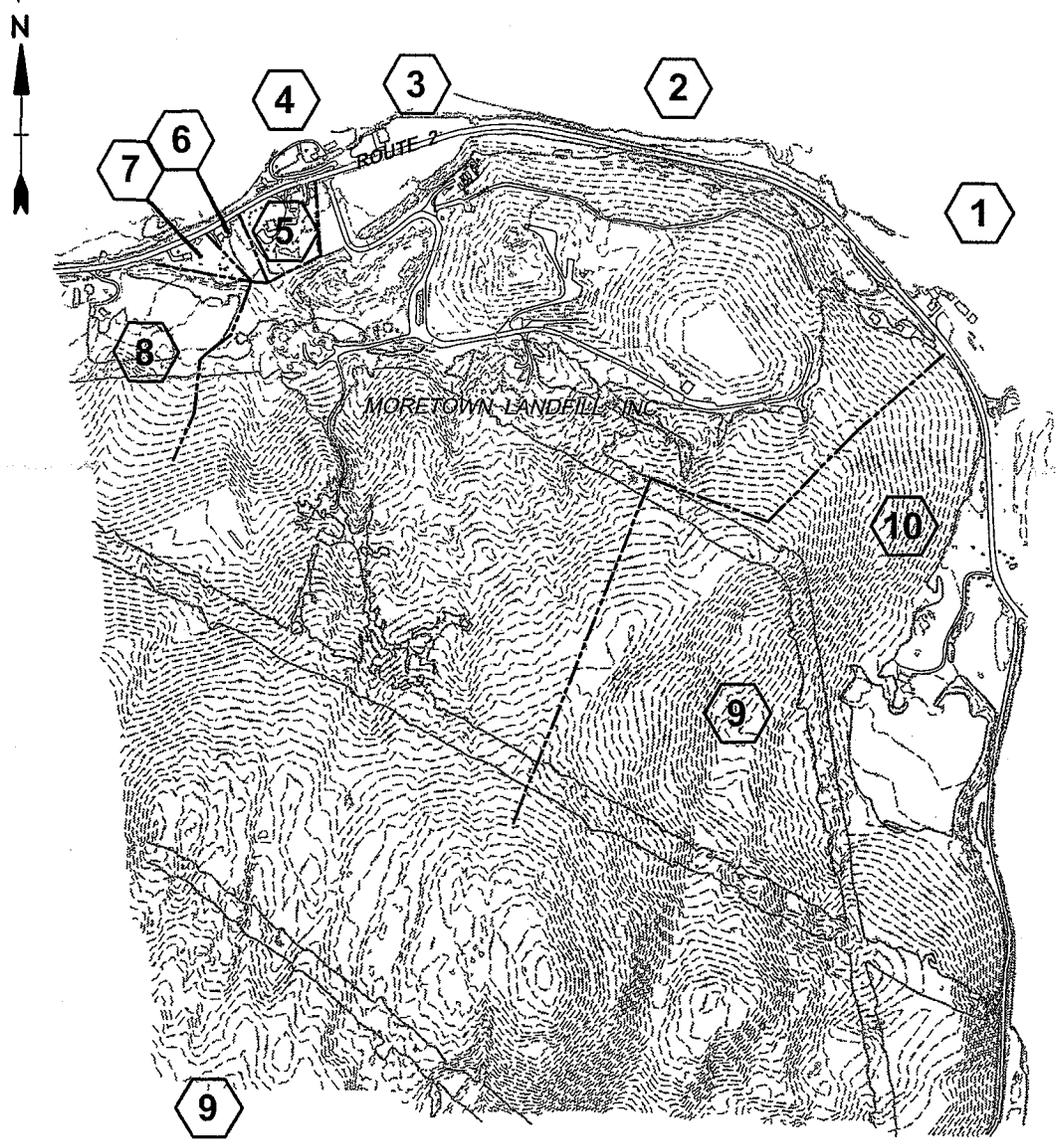
CONCEPTUAL CELL 4 LANDFILL AREA CROSS SECTION

PROVIDED BY SANBORN HEAD & ASSOCIATES, INC

PROPOSED MORETOWN LANDFILL EXPANSION
 JUNE 2010

SCALE: 1"=120'H; 1"=8'V

PROPOSED MORETOWN LANDFILL EXPANSION
 JUNE 2010



<u>PARCEL</u>	<u>OWNER</u>
1.	R. BROWN PROPERTIES, INC.
2.	MORETOWN LANDFILL, INC.
3.	JPR GLASSWORKS
4.	MORETOWN LANDFILL, INC.
5.	MORETOWN LANDFILL, INC.
6.	HENRY & DELINA BENWAY
7.	DONNA SANDRETTO
8.	LISA & SCOTT BAUGHMAN
9.	JONATHAN LARSEN
10.	DREW CARTER

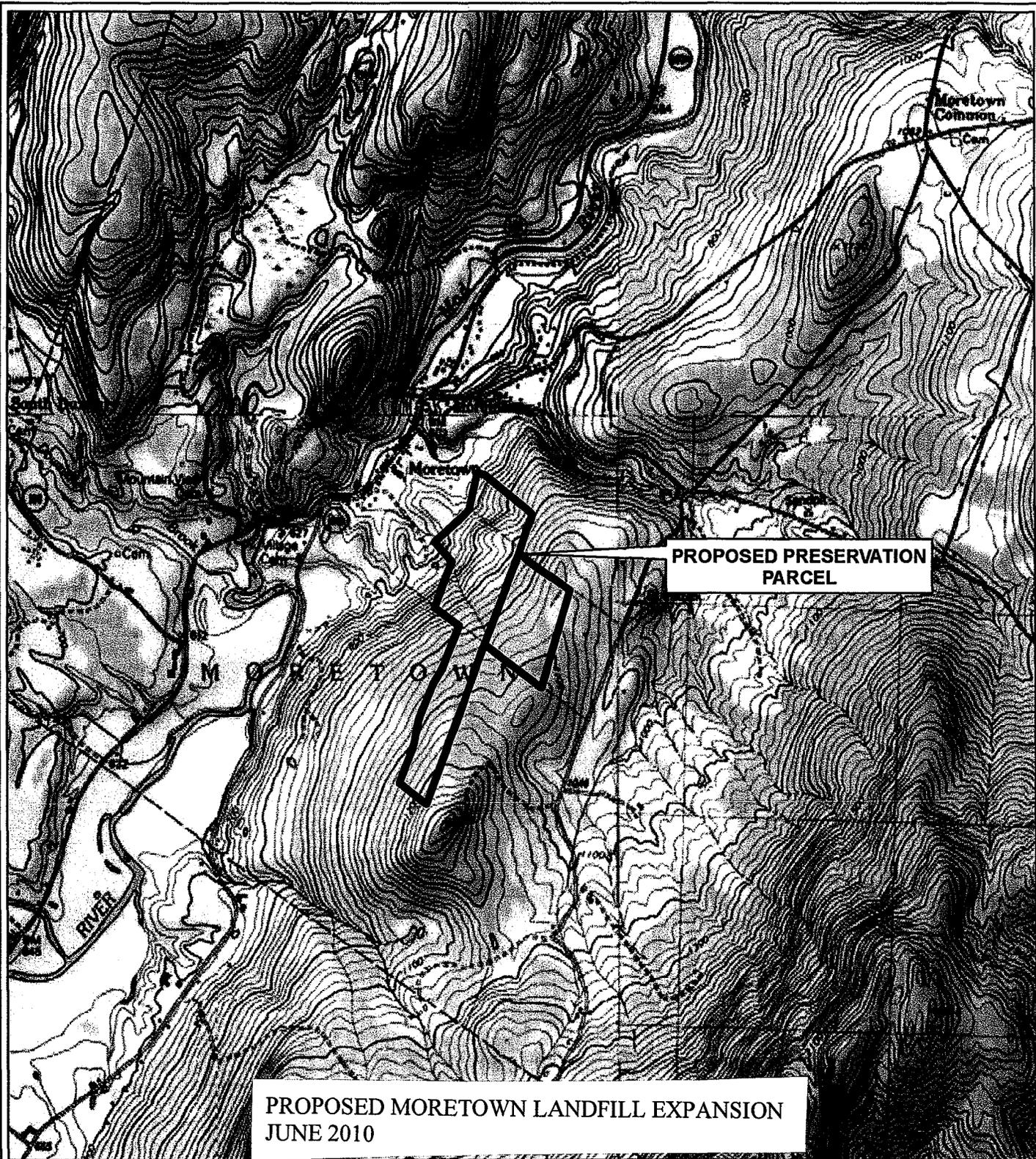
**Moretown
 Landfill, Inc**

Moretown, Vermont

B	10/09	ACOE Comments
A	8/09	Permit Set
Mark	Date	Description
PROJECT NO: M317		
FILE: Cell 4ACOE/Landfill Abutters		
DRAWN BY: DJB		
CHECKED: JPV, DPR		
APPROVED BY: FJH		

MORETOWN LANDFILL PARCEL
 ABUTTERS

SCALE: 1"=1000'



PROPOSED MORETOWN LANDFILL EXPANSION
 JUNE 2010

1:25,000

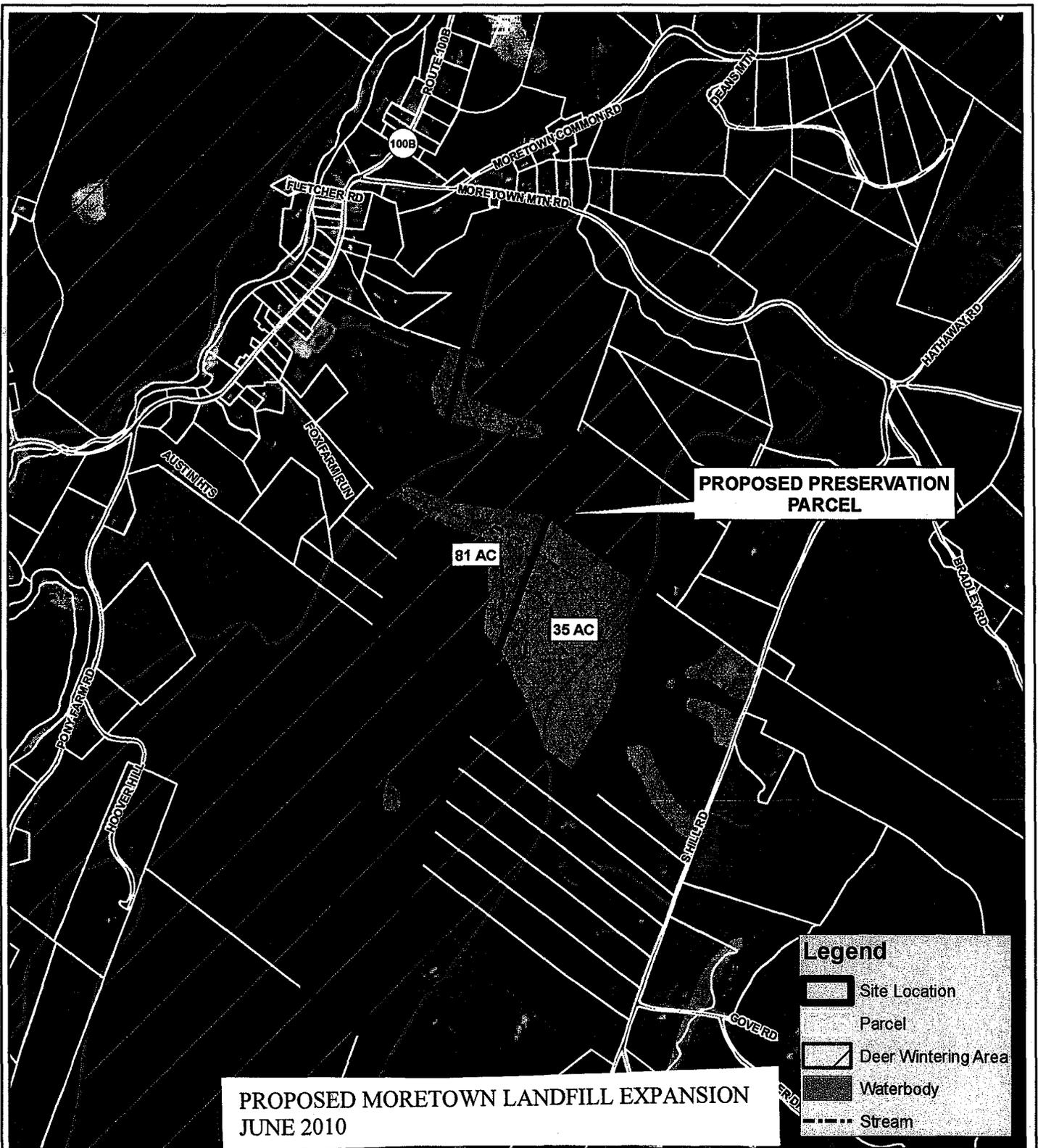
0 2,000
 Feet

Based on USGS Topographic Map for
 Waitsfield, VT Quadrangle.

FIGURE 3
PRESERVATION AREA SITE
PLAN LOCUS MAP

940 Route 100B
 Moretown, Vermont

Tighe&Bond



**PROPOSED MORETOWN LANDFILL EXPANSION
JUNE 2010**

Legend

- Site Location
- Parcel
- Deer Wintering Area
- Waterbody
- Stream

1:12,000

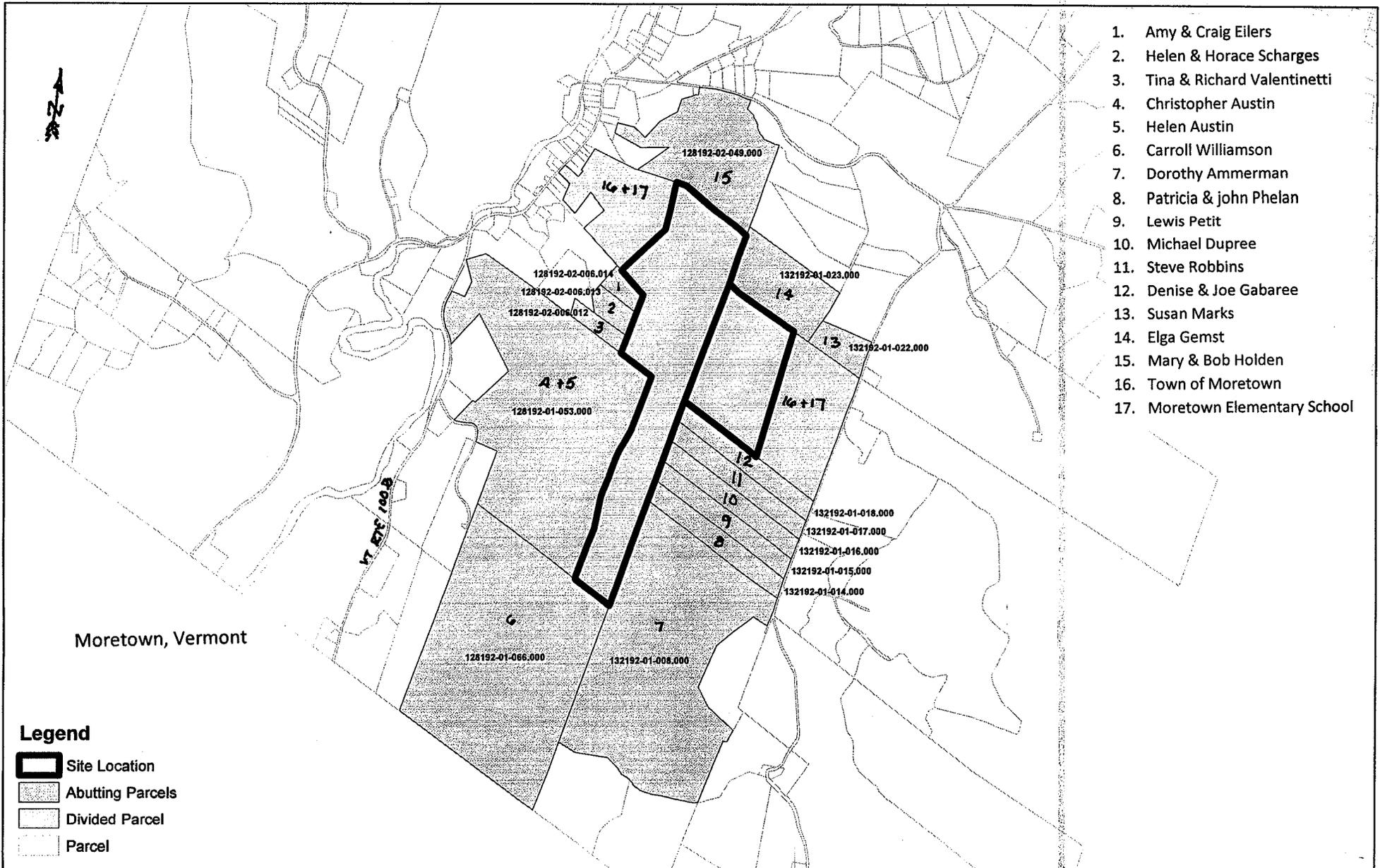
0 1,000
Feet

ESRI Imagery

**FIGURE 4
PRESERVATION AREA
SITE PLAN**

940 Route 100B
Moretown, Vermont

Tighe&Bond



PROPOSED MORETOWN LANDFILL EXPANSION
JUNE 2010
PRESERVATION SITE