



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

# Public Notice

**In Reply to Application Number**  
NAB-2013-61349 (Worcester County DPW/Central  
Landfill Expansion Cell 5)

PN 13-66

Comment Period: December 10, 2013 to December 31, 2013

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**THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.**

This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33. U.S.C. 1344) as described below:

**APPLICANT:** Worcester County DPW  
6113 Timmons Road  
Snow Hill, Maryland 21863

**LOCATION:** The work is located in jurisdictional wetlands that drain to Five Mile Branch at the Worcester County Central Landfill property located at 7091 Central Site Lane, Newark, Worcester County, Maryland.

**WORK:** To construct an additional cell within the existing landfill that would permanently impact approximately 18,659 square feet (0.43 acres) of forested nontidal wetlands and 43,460 square feet (1.0 acre) of emergent nontidal wetlands creating approximately 971,473 square feet (22.3 acres) of landfill property.

The applicant has submitted a conceptual plan to create approximately 2.26 acres of forested nontidal wetlands onsite to compensate for unavoidable, permanent nontidal wetland impacts. Avoidance and minimization measures were incorporated into the proposed project by minimizing the project's design to meet the project purpose. The proposed new cell would develop a former rubble landfill cell at this site, and would also encompass nontidal wetlands abutting the non-wetland rubble cell area. The rubble site is currently used as a scrap metal stockpile area that would be prepared to meet the requirements of Maryland regulations for municipal solid waste disposal facilities.

The purpose of the project is to provide additional municipal solid waste capacity at the Central Landfill Facility.

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). The project site does not lie in or adjacent to EFH as described under the MSFCMA.

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 reasonable 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, economic, aesthetics, general environmental concerns, wetlands, cultural values, 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, and consideration 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 provided will become part of the public record for this action.

Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period specified above.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Non-Tidal Wetlands Division, 1800 Washington Boulevard, Baltimore, Maryland 21230 within the comment period specified above to receive consideration. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect Federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the request permit.

The evaluation of the impact of this project on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

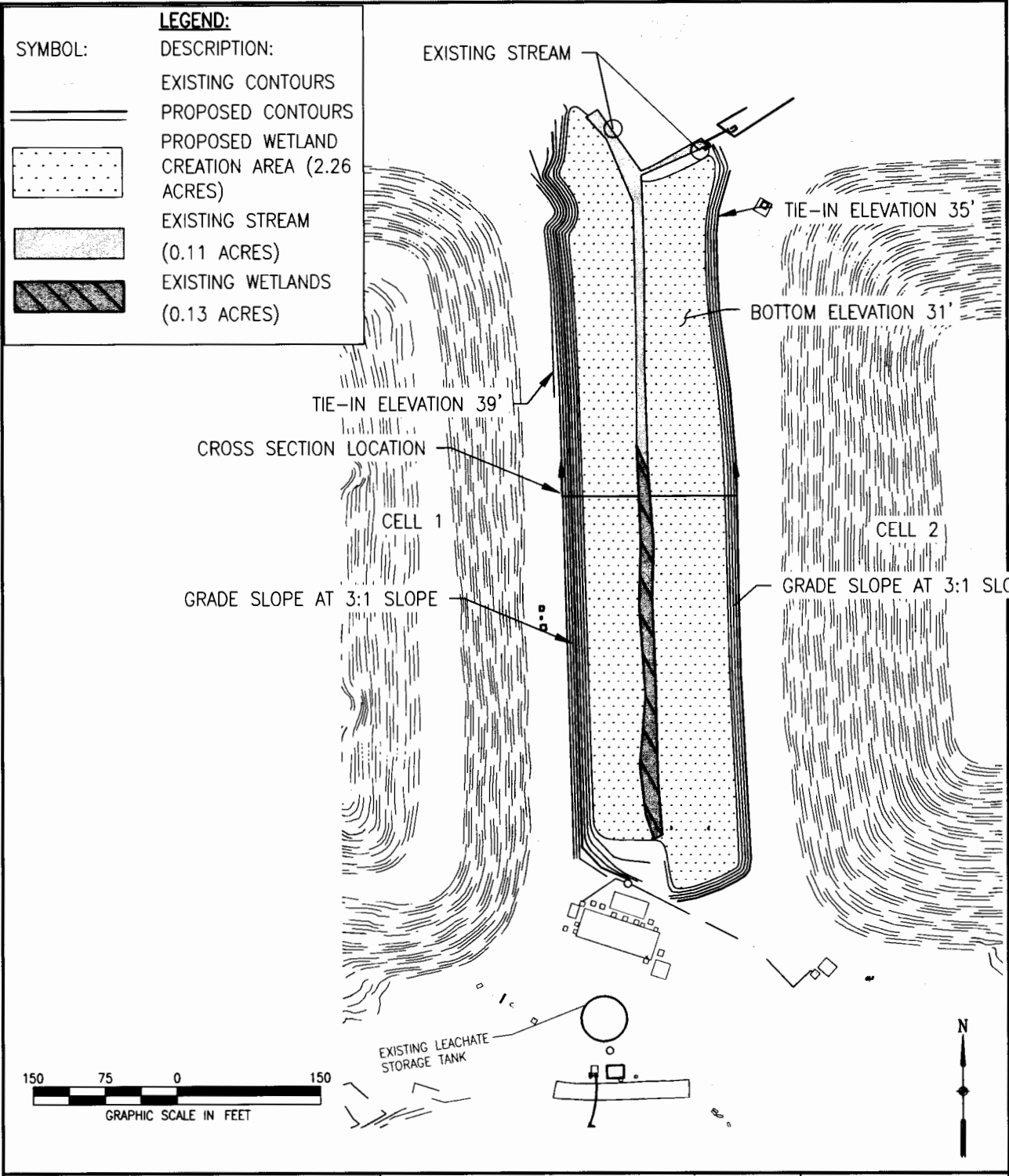
Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration. Also it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected.

It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

KATHY B. ANDERSON  
Chief, Maryland Section Southern

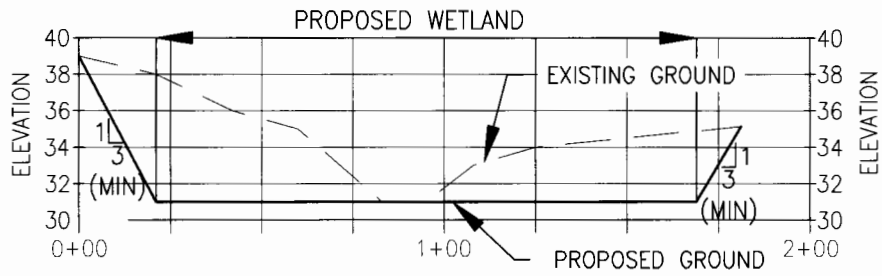
FILE PATH: 0:\PROJECTS\1060932- WORCESTER\0024 - IMPACT PLATES\CONCEPT MITIGATION.DWG [OVERVIEW] 9/17/13



	<b>WORCESTER COUNTY CENTRAL LANDFILL</b> CELL 5 WORCESTER COUNTY, MD	<b>PROPOSED MITIGATION</b> <b>WETLAND CONCEPT</b>
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PROJECT MGR DK	DESIGNED BY JM	DRAWN BY JM	CHECKED BY CL	SCALE 1"=150'	DATE SEPT. 2013	PROJECT NO 1060932	FIGURE 1
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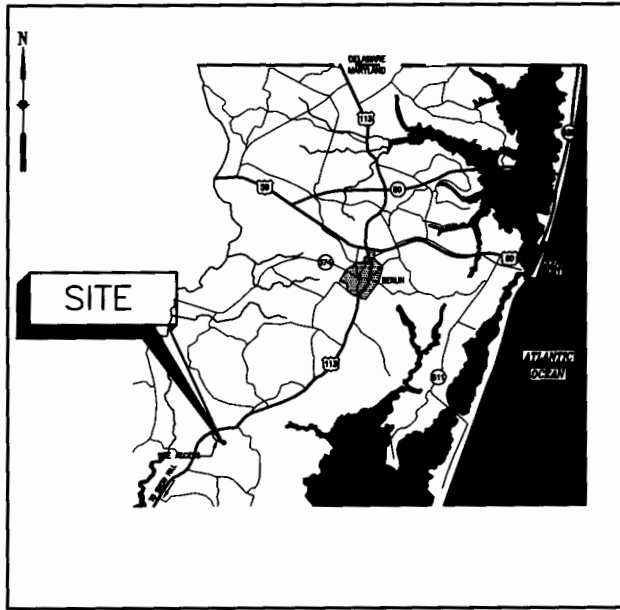
WORCESTER COUNTY CENTRAL LANDFILL  
CELL 5  
WORCESTER COUNTY, MD

PROPOSED  
CROSS SECTION

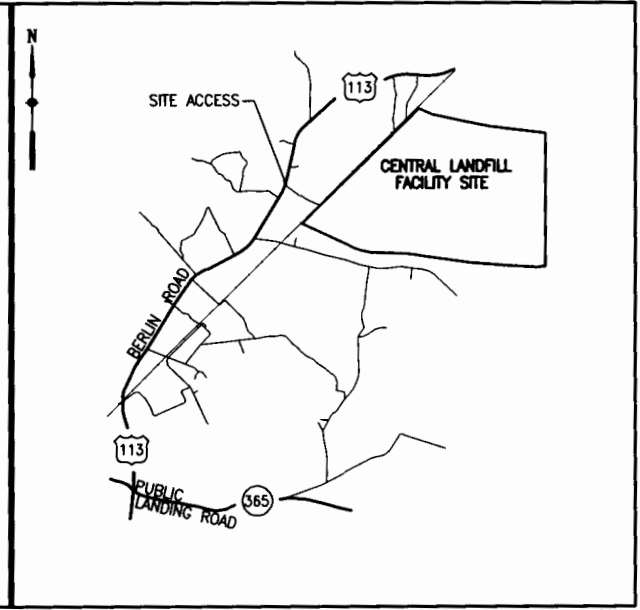
PROJECT MGR DK	DESIGNED BY JM	DRAWN BY JM	CHECKED BY CL	SCALE AS NOTED	DATE SEPT. 2013	PROJECT NO 1060932	FIGURE 2
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**Central Landfill, Cell 5 Expansion  
Conceptual Wetland Mitigation Site Proposed Planting List**

Scientific Name	Common Name	Hydrophytic Status <sup>(a)</sup>
<b>Tree and Shrub Species</b>		
<i>Acer rubrum</i>	Red maple	FAC
<i>Photinia pyrifolia</i>	Red chokeberry	FACW
<i>Betula nigra</i>	River birch	FACW
<i>Cornus amomum</i>	Silky dogwood	FACW
<i>Morella cerifera</i>	Southern bayberry	FAC
<i>Platanus occidentalis</i>	Eastern sycamore	FACW
<i>Quercus palustris</i>	Pin oak	FACW
<i>Salix nigra</i>	Black willow	OBL
<b>Herbaceous Species</b>		
<i>Hibiscus moscheutos</i>	Swamp rose mallow	OBL
<i>Juncus effusus</i>	Soft rush	OBL
<i>Ludwigia alternifolia</i>	Seedbox	OBL
<i>Scirpus atrovirens</i>	Green bulrush	OBL
<i>Scirpus cyperinus</i>	Woolgrass	OBL



VICINITY MAP



LOCATION MAP

### SUMMARY OF WETLAND IMPACTS

	FORESTED WETLAND	EMERGENT WETLAND	25' WETLAND BUFFER
PERMANENT IMPACTS	18,659 SF / 0.43 AC	43,460 SF / 1.00 AC	26,812 SF / 0.62 AC
TEMPORARY IMPACTS	-	-	-

AUTHORIZATION NUMBER: \_\_\_\_\_



WORCESTER COUNTY CENTRAL LANDFILL  
CELL 5 EXPANSION  
WORCESTER COUNTY, MD

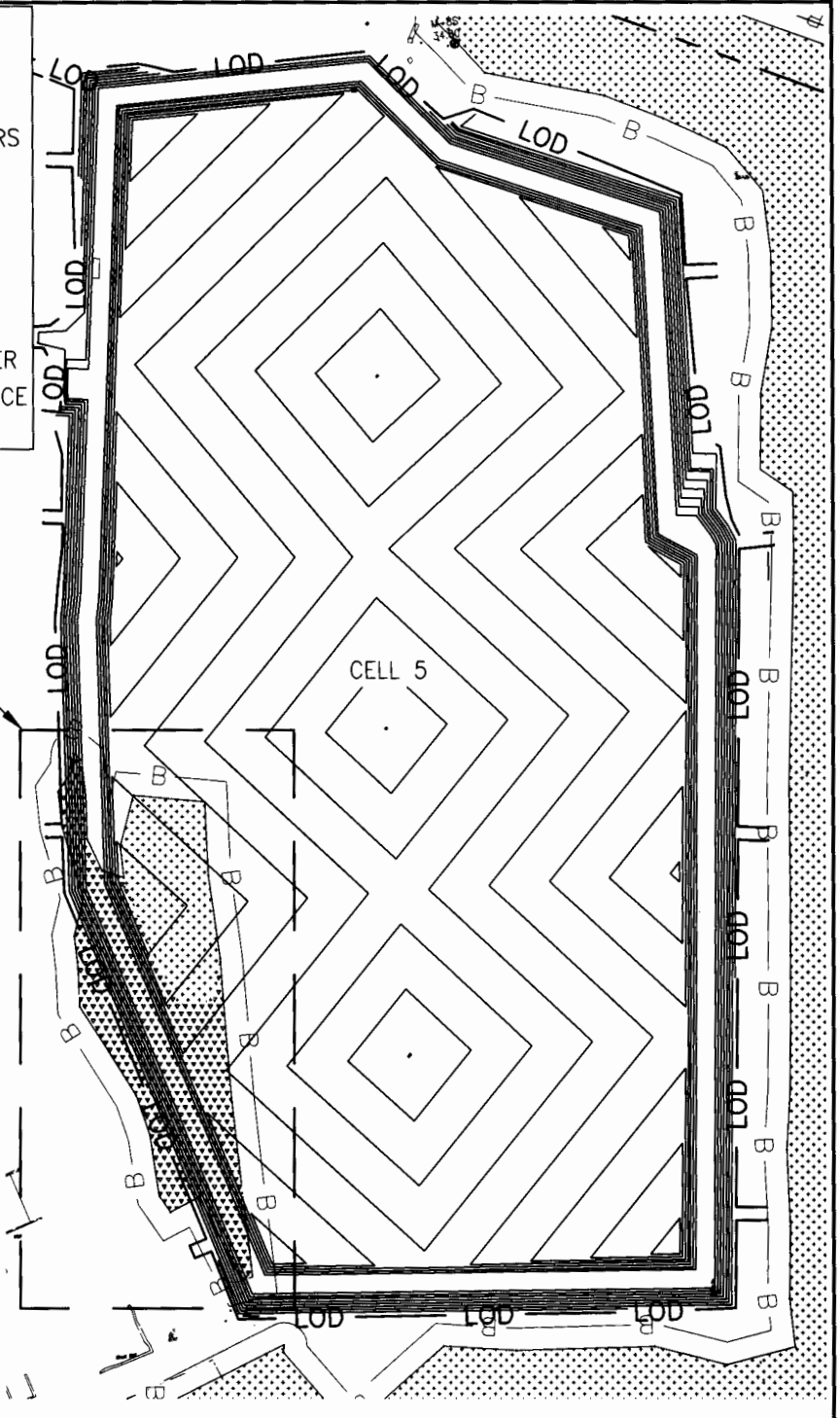
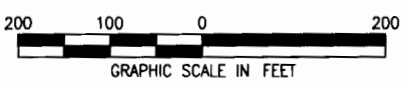
VICINITY MAP

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PROJECT MGR DK	DESIGNED BY JM	DRAWN BY JM	CHECKED BY CL	SCALE AS NOTED	DATE 03/19/13	PROJECT NO 1060932	FIGURE 1
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SYMBOL:	DESCRIPTION:
	EXISTING CONTOURS
	PROPOSED CONTOURS
	EXISTING EMERGENT WETLANDS
	EXISTING FORESTED WETLANDS
	25' WETLAND BUFFER
	LIMIT OF DISTURBANCE

GRID 1 - WETLAND IMPACT AREA



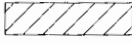
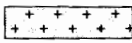
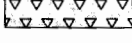
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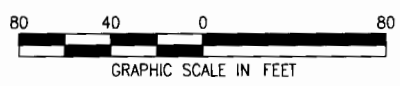
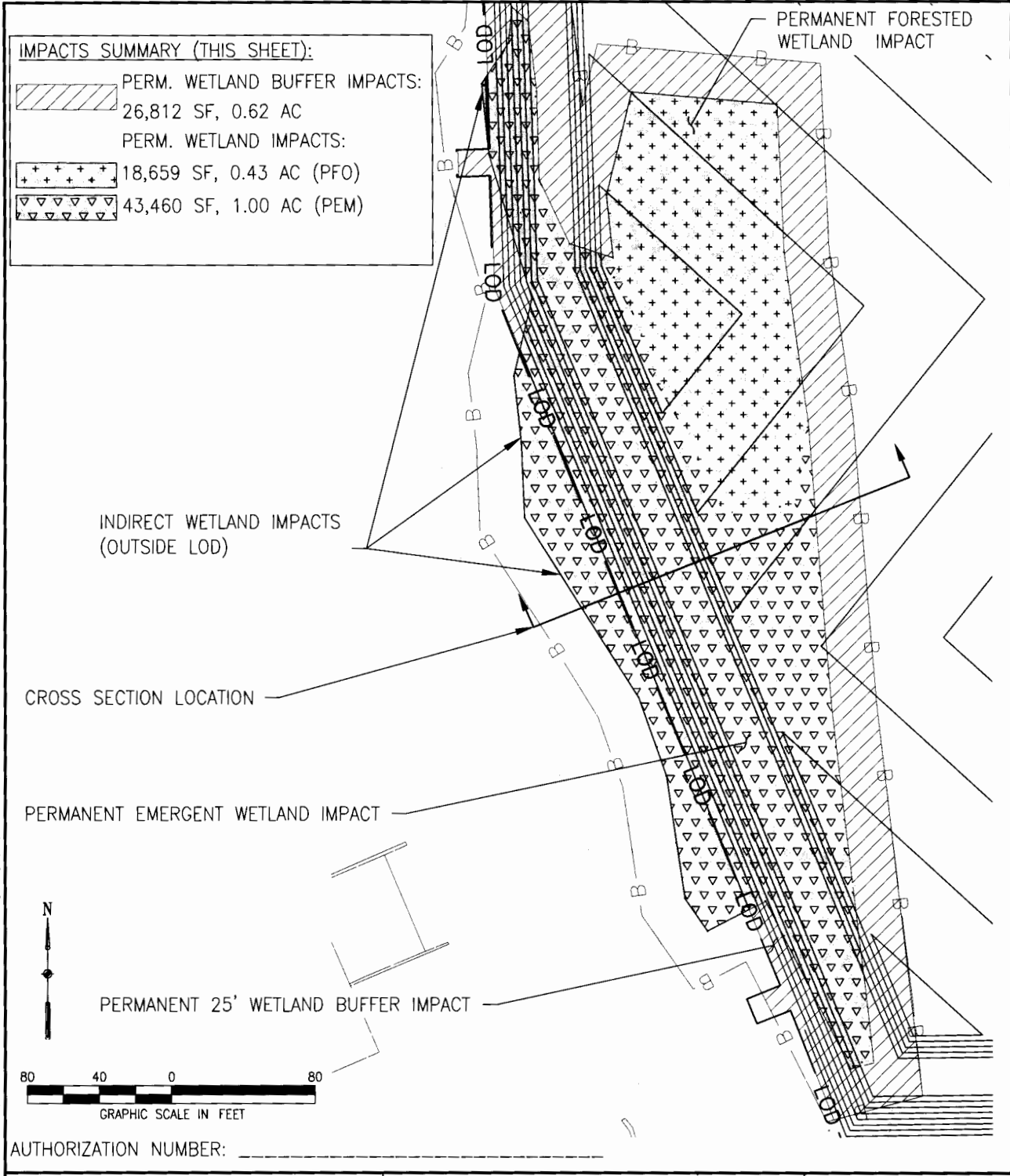
AUTHORIZATION NUMBER: \_\_\_\_\_

EA ENGINEERING, SCIENCE, AND TECHNOLOGY		WORCESTER COUNTY CENTRAL LANDFILL CELL 5 EXPANSION WORCESTER COUNTY, MD			KEY SHEET		
PROJECT MGR DK	DESIGNED BY JM	DRAWN BY JM	CHECKED BY CL	SCALE 1"=200'	DATE 03/19/2013	PROJECT NO 1060932	FIGURE 2



**IMPACTS SUMMARY (THIS SHEET):**

	PERM. WETLAND BUFFER IMPACTS: 26,812 SF, 0.62 AC
	PERM. WETLAND IMPACTS: 18,659 SF, 0.43 AC (PFO)
	43,460 SF, 1.00 AC (PEM)



AUTHORIZATION NUMBER: \_\_\_\_\_

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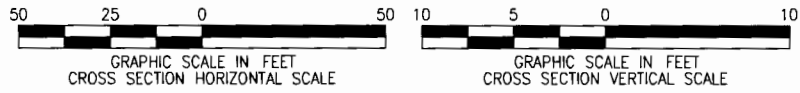
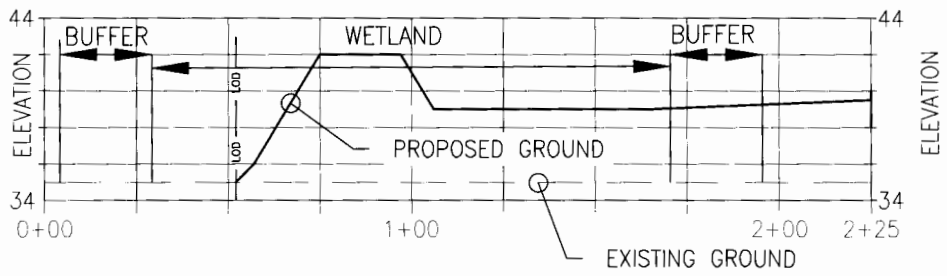


WORCESTER COUNTY CENTRAL LANDFILL  
CELL 5 EXPANSION  
WORCESTER COUNTY, MD

GRID 1

PROJECT MGR DK	DESIGNED BY JM	DRAWN BY JM	CHECKED BY CL	SCALE 1" = 80'	DATE 03/19/13	PROJECT NO 1060932	FIGURE 3
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