



**US Army Corps  
of Engineers.**  
Nashville District

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# Public Notice

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Public Notice No. 08-50

Date: August 11, 2008

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Application No. 5246500

Expires: September 10, 2008

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Please address all comments to:

Nashville District Corps of Engineers, Regulatory Branch  
3701 Bell Road  
Nashville, TN 37214-2660

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**SUBJECT:** Structural Berm to Support Construction of Cell 6A at the Existing Landfill Operation in Johnson City, Tennessee

**TO ALL CONCERNED:** The application described below has been submitted for a Department of the Army (DA) Permit pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C 1344). Certification must be provided by the State of Tennessee, Department of Environmental Conservation (TDEC), pursuant to Section 401(a)(1) of the CWA that applicable water quality standards would not be violated before a Section 404 permit can be issued. The applicant has submitted an application to the TDEC for the required certification.

**APPLICANT:** City of Johnson City  
Mr. Denis Peterson, City Manager  
601 Main Street  
Johnson City, Tennessee 37605

**AGENT:** MACTEC Engineering and Consulting, Inc.  
Mr. Cole Reagan  
2525 Perimeter Place Drive, Suite 126  
Nashville, Tennessee 37214

**LOCATION:** The project is in the Iris Glen Environmental Center located north of East Main Street and south of Brush Creek in Johnson City, Washington County, Tennessee. It is located on the Johnson City 7.5' quadrangle map at approximately Latitude 36.333450°, Longitude 82.329517°. The wetlands are along a tributary to Brush Creek in the Watauga Watershed (HUC 08010103).

**DESCRIPTION:** The applicant proposes to discharge fill material into 0.3 acre of wetlands. The fill would be associated with the construction of a structural berm to support Cell 6A. The applicant proposes to mitigate for the wetland impacts at an approved wetland mitigation bank.

Plans of the work are attached. If you wish to view additional plans, please contact this office or visit our web site at: <http://www.lrn.usace.army.mil/cof/notices.htm>.

The permit decision will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. The 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 work, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore 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. In addition, the evaluation of the impact on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A DA permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The U.S. Army Corps of Engineers (Corps) 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 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 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. An EA will be prepared prior to a final decision concerning issuance or denial of the requested DA Permit.

The Regulatory Branch Archaeologist conducted a file search at the Tennessee Division of Archaeology (TDOA). No sites were located within or adjacent to the project area. Based on the file search conducted at the TDOA and the limited potential for intact cultural materials to be located within the disturbed context of an existing landfill, the Corps has determined that the project as proposed has no potential to affect historic properties eligible for listing in the National Register of Historic Places. This

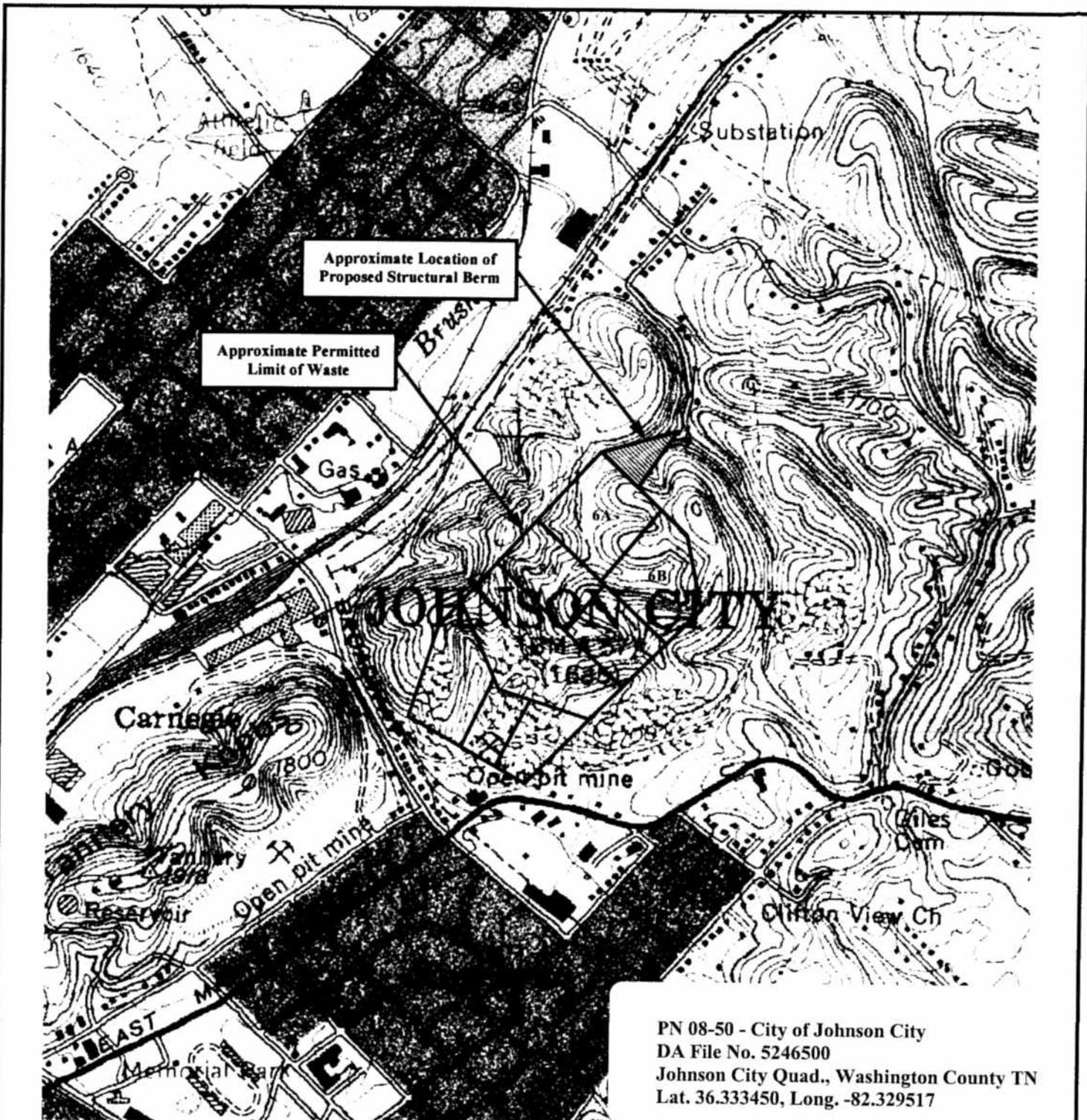
review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Initial telecommunications with the U.S. Fish and Wildlife Service (USFWS) and review of their list of threatened and endangered species did not reveal any threatened and endangered species records within a 5 mile radius of the project. The Corps has determined that the project would have no effect on any listed species or their designated critical habitat. The review constitutes the full extent of threatened and endangered species investigations unless comment to this notice is received documenting the potential to effect federally listed threatened and endangered species. A copy of this notice is being furnished to the USFWS for their review. Initiation of formal consultation procedures with the USFWS is not planned at this time.

Other federal, state, and local approvals required for the proposed work include a Section 401(a)(1) of the CWA Water Quality Certification from the TDEC. TDEC issued a public notice for their permit application (NRS 08.143) on July 15, 2008. TDEC also plans to hold a public hearing on Thursday, August 21, 2008 at 6:00 p.m. at the Johnson City Power Board Auditorium located at 2600 Boones Creek Road in Johnson City.

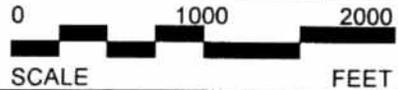
Any person may request, in writing, within the comment period specified, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received by September 10, 2008, will become a part of the record and considered in the determination. Any response should be directed to the Regulatory Branch, Attention: Mr. Marty Tyree, at the above address or at (615) 369-7514.



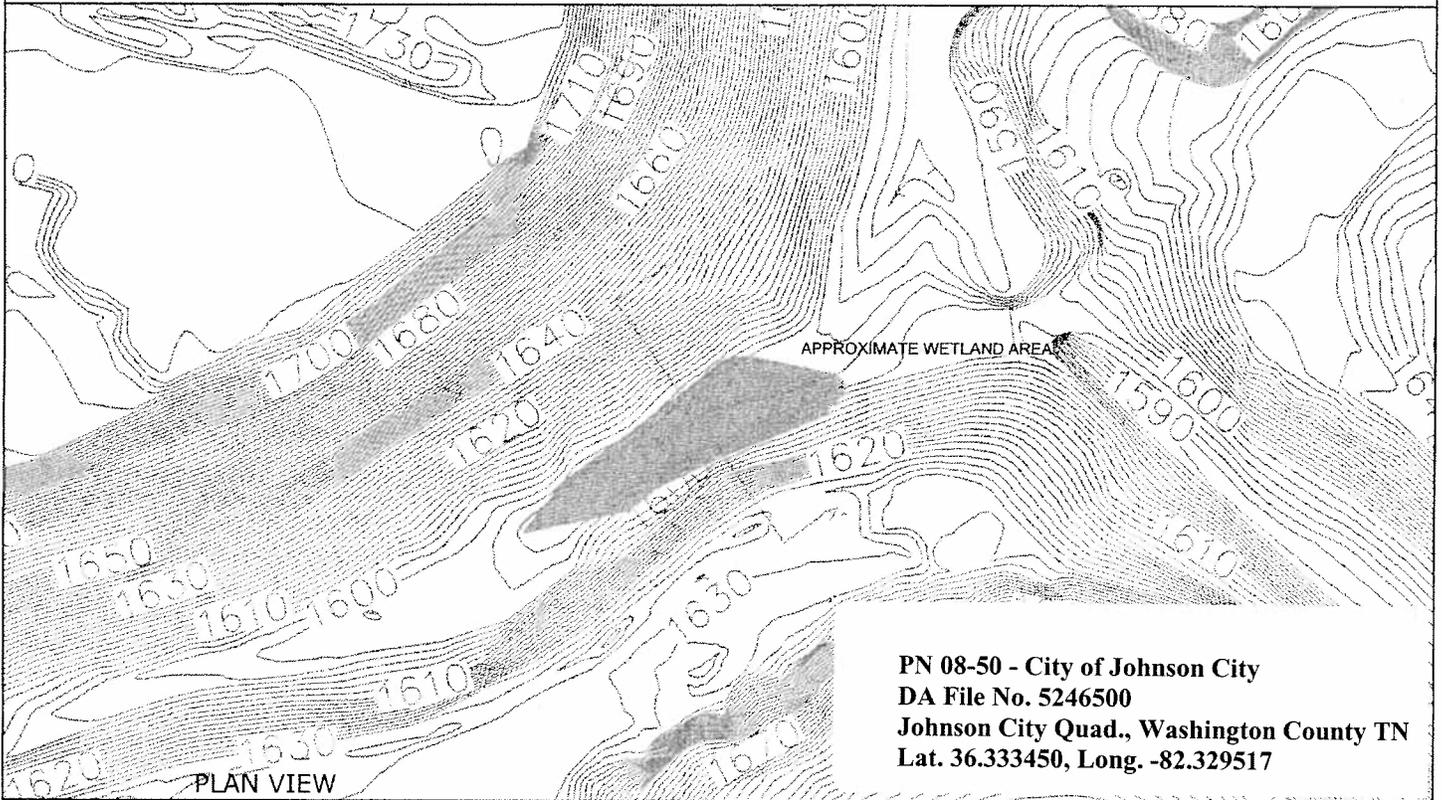
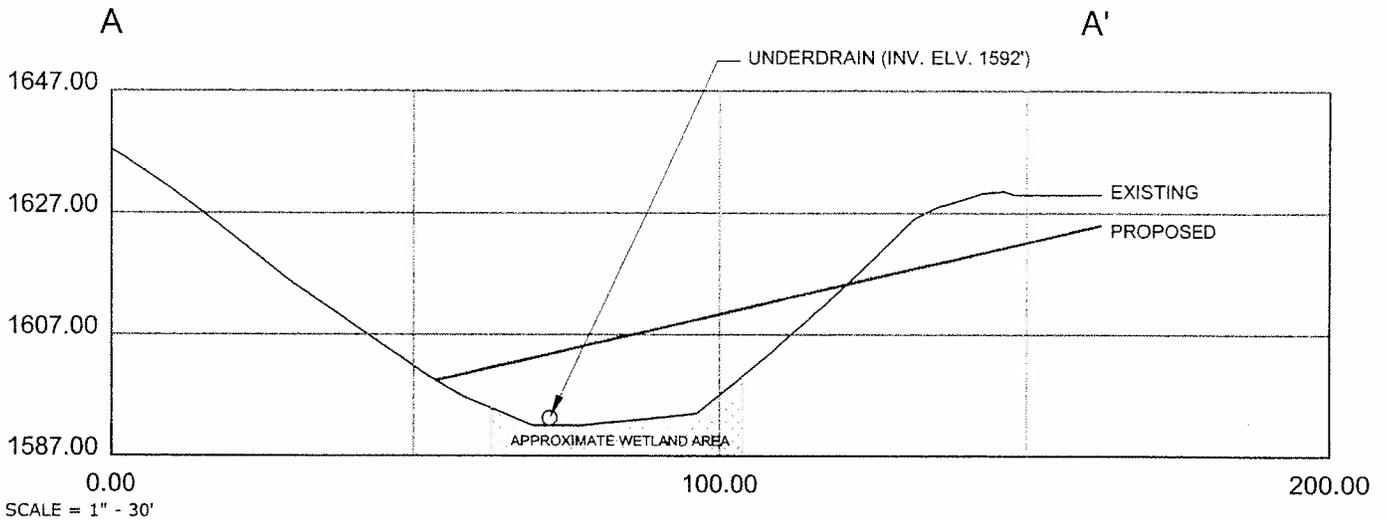
PN 08-50 - City of Johnson City  
 DA File No. 5246500  
 Johnson City Quad., Washington County TN  
 Lat. 36.333450, Long. -82.329517

### APPROXIMATE SITE LAYOUT



SOURCE: U.S. Geological Survey, 7.5-Minute Topographic Map,  
 Johnson City (198SE), Tennessee quadrangle

 2525 Perimeter Place Drive Suite 136 Nashville, Tennessee 37214 Phone: (615) 832-0513	Iris Glen Environmental Center Cell 6A  Johnson City, Washington Co., Tennessee		Drawn By/Date: <i>JR 6/5/08</i>	Checked By/Date: <i>SAR 6/5/08</i>
	Prepared For: Waste Management, Inc. of Tennessee Nashville, Tennessee		Project No. <b>3079-08-0002</b>	
			Figure <b>2</b>	

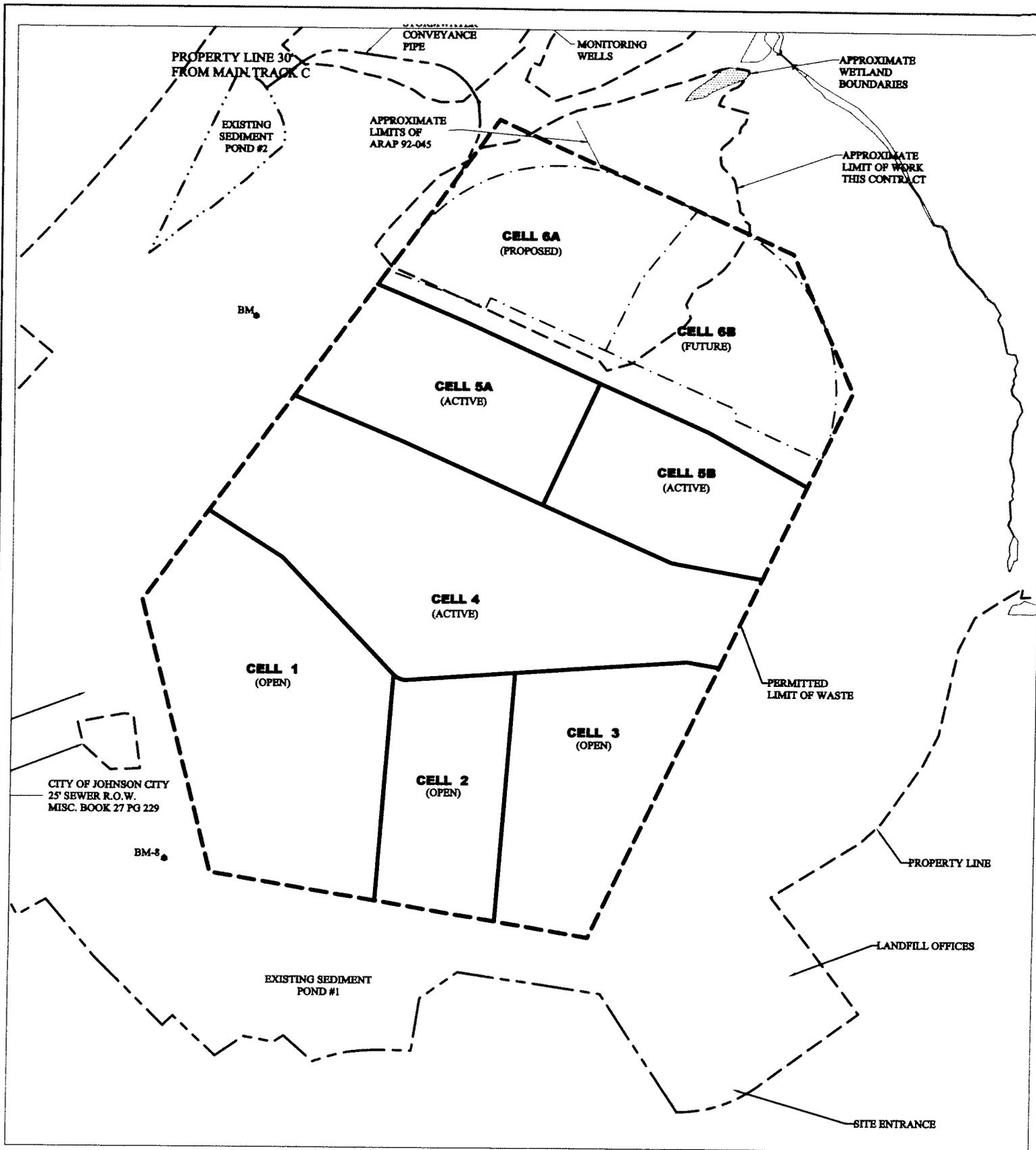


2525 PERIMETER PLACE DRIVE  
 SUITE 136  
 NASHVILLE, TENNESSEE 37214  
 OFFICE: (615) 832-0513  
 FACSIMILE: (615) 832-0983

A - A' Cross Section  
 Iris Glen Environmental Center  
 Cell 6A

CLIENT NAME: Waste Management, Inc. of Tennessee  
 CLIENT ADDRESS: Johnson City, Washington County, Tennessee

SOURCE:  
 STS Consultants, LTD. and  
 MACTEC Engineering and Consulting, Inc.  
 DRAWN BY: [Signature] CHECKED BY: [Signature]  
 PROJECT NUMBER:  
 3079-08-0002  
 DATE: June 26, 2008 FIGURE NO: 7  
 PLAN VIEW SCALE: 1" = 100'



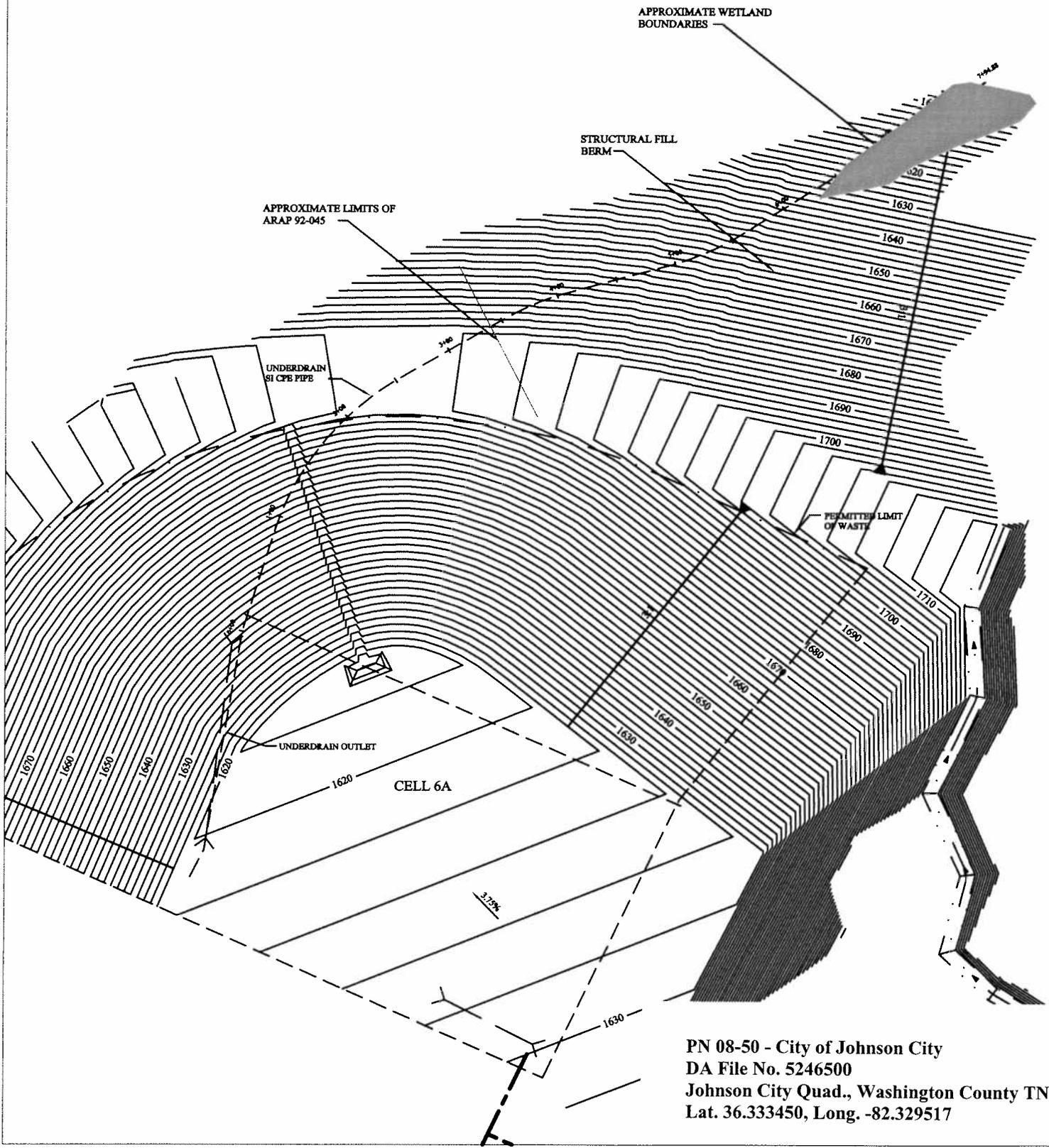
2525 PERIMETER PLACE DRIVE  
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## Cell Layout Iris Glen Environmental Center Cell 6A

CLIENT NAME: Waste Management, Inc. of Tennessee  
 CLIENT ADDRESS: Johnson City, Washington County, Tennessee

SOURCE:  
 STS Consultants, LTD. and  
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## Structural Berm Details Iris Glen Environmental Center Cell 6A

CLIENT NAME: Waste Management, Inc. of Tennessee  
 CLIENT ADDRESS: Johnson City, Washington County, Tennessee

SOURCE: STS Consultants, LTD. and MACTEC Engineering and Consulting, Inc.  
 DRAWN BY: *OCB 6/5/08* CHECKED BY: *SAR 6/5/08*  
 PROJECT NUMBER: 3079-08-0002  
 DATE: June 5, 2008 FIGURE NO: 5  
 SCALE: NOT TO SCALE