PUBLIC NOTICE
For Permit Application

Issue Date: August 21, 2015
Expiration Date: September 21, 2015
US Army Corps of Engineers No: NWP-2015-322
Oregon Department of State Lands No: 07-0733

30-Day Notice

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers (Corps) number shown above and reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
Regulatory Branch
Ms. Kinsey Friesen, kinsey.m.friesen@usace.army.mil
P.O. 2946
Portland, Oregon 97208-2946

Applicant: Paul Burns
Riverbend Landfill Company
13469 SW Hwy 18
McMinnville, Oregon 97128

Location: Riverbend Landfill, 13469 SW Hwy 18. McMinnville, Oregon 97128

Waterway: Unnamed tributary of the South Yamhill River, river mile approximately 21.3.

Project Description: The project proposes to expand Riverbend Landfill Module 11, which will consist of a 29-acre expansion west of and contiguous with the existing landfill to increase the size of its existing municipal solid waste. The land is currently owned by the Riverbend Landfill and the expansion will maximize disposal volumes within the various constraints imposed by land use rules. The landfill expansion requires expanding the existing landfill laterally. The project has been modified to limit impacts to wetland and waterways by reducing the width of the proposed new culvert stream crossing. The new culvert crossing spans 200 linear feet and will allow for the removal of two existing downstream culvert crossings, which will daylight approximately 100 linear feet of stream. The culvert proposed for the new stream crossing has been oversized to completely span the active channel to ensure fish passage and floodplain functions are maintained and improved over the existing conditions. The crossing will be located south of Module 11 and cross the unnamed tributary
of the South Yamhill River. The crossing will include retention and enhancement of existing vegetation and planting of additional vegetation as practicable. The crossing is needed to provide internal landfill traffic, to maintain traffic safety and to allow private access to an ear south of Module 11 reserved for a Green Technology facility.

Module 11 will be constructed in multiple phases and will include retention and enhancement of existing, well-developed vegetation along Highway 18. Additional vegetation will be developed by planting trees on the face of the newly constructed landfill berm facing Highway 18. When disposal capacity has been reached, Module 11 will be closed, capped with a liner system, soils, and planted with grasses and shrubs to blend with the natural landscape. The project also includes a reconfiguration of the existing berm on the south side of the landfill and some additional disposal above and to the north of the reconfigured berm. This area will also be closed when at capacity. No environmental issues are expected for this part of the expansion as it is within the footprint of the existing landfill. Construction will occur during summer months when the stream is dry and wetland soils are firmest. Total permanent fill proposed will include 0.89-acres (25,750 cubic yards) to wetlands and 0.06-acres (450 cubic yards) to waters for road fill, landfill and native soil placement.

**Mitigation:** The applicant has provided a proposed compensatory wetland mitigation plan for impacts into the 100-year floodplain and some impacts to wetlands adjacent to the unnamed tributary. Riverbend proposes to mitigate for both types of impacts by restoring the adjacent reach of the tributary and its floodplain, which has been highly degraded by farming practices during the last century; the tributary has been straightened and has become highly incised with little potential for floodplain access during less than a 2-year flood event. Wetlands and waters that are not directly impacted due to the new stream crossing will be enhanced via the proposed Southern Tributary Channel and Floodplain Enhancement project. Total permanent fill impacts associated with on-site mitigation will be 0.01-acres to wetlands and 0.32-acres (2,285 cubic yards) to waters to facilitate wetland/floodplain enhancement. Total permanent removal impacts associated with on-site mitigation will include 1.09-acres (3,457 cubic yards) to wetlands and 0.17-acres (390 cubic yards) to waters.

If a permit is issued, the Corps will determine what appropriate and practicable compensatory mitigation is. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

**Purpose:** The propose of the Riverbend Landfill Module 11 Expansion is to increase the size of its existing municipal solid waste landfill on land owned by the landfill to maximize disposal volumes with the various constraints imposed by land use rules.

**Drawing(s):** Eighteen (18) drawings are attached and labeled Corps No. NWP-2015-322

**Additional Information:** Additional information may be obtained from Ms. Kinsey Friesen, Project Manager, U.S. Army Corps of Engineers at (503) 808-4378, or E-mail kinsey.m.friesen@usace.army.mil.

**Authority:** This permit will be issued or denied under the following:
Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

**Water Quality Certification:** A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state’s notice advertising the request for certification.

**Section 404(b)(1) Evaluation:** The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

**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 public hearings shall state with particularity the reasons for holding a public hearing.

**Endangered Species:** Preliminary determinations indicate that the described activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

**Cultural Resources:** An initial evaluation of the proposed project area indicates to the best of our knowledge, the described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. At this time the Corps is unaware of any cultural resource surveys of the project area.

This notice has been provided to the State Historic Preservation Office (SHPO), interested Native American Indian Tribes, and other interested parties. If you have information pertaining to cultural resources within the permit area, please provide this information to the Corps’ project manager (identified on page 1 of this notice) to assist in a complete evaluation of potential effects.

**Evaluation:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described 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 described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity 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, consideration of property ownership and, in general, the needs and welfare of the people.

The 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 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.

**Additional Requirements:** State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority previously indicated may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.
PUBLIC NOTICE
Oregon Department of Environmental Quality (DEQ)
Water Quality 401 Certification

Corps of Engineers No: NWP-2015-322 Notice Issued: August 21, 2015
Oregon Dept. of State Lands No: 07-0733 Written Comments Due: September 21, 2015

WHO IS THE APPLICANT: Riverbend Landfill Company

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice.

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project.

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to waters of the state.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project.

WHERE TO FIND DOCUMENTS: Documents and materials related to water quality issues as a result of the proposal are available for examination and copying at Oregon Department of Environmental Quality, 401 Water Quality Certification Coordinator, Northwest Region, 2020 S.W. 4th Avenue, Suite 400, Portland, Oregon 97201-4953. Other project materials are available by contacting the Corps per the attached public notice.

While not required, scheduling an appointment will ensure that water quality documents are readily accessible during your visit. To schedule an appointment please call DEQ Water Quality at Northwest Region at (503) 229-5552.

Any questions on the water quality certification process may be addressed, call the section 401 Program Coordinator at: (503) 229-6030 or toll free within Oregon at (800) 452-4011. People with hearing impairments may call the Oregon Telecommunications Relay Service at 1-800-735-2900.
PUBLIC PARTICIPATION:

Public Hearing: Oregon Administrative Rule (OAR) 340-48-0032 (2) states that “The Corps provides public notice of and opportunity to comment on the applications, including the application for certification, provided that the department (DEQ), in its discretion, may provide additional opportunity for public comment, including public hearing.”

Written comments: Written comments on project elements related to water quality must be received at the Oregon Department of Environmental Quality by 5 p.m. on the date specified in the upper right section on page one of this notice. Written comments may be emailed, mailed or faxed as described below:

Email - 401publiccomments@deq.state.or.us

Mail - Oregon Department of Environmental Quality, Northwest Region
700 NE Multnomah St.,
Suite 600
Portland, Oregon 97232
Attn: 401 Water Quality Certification Coordinator

Fax - (503) 229-6957

People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format. Otherwise, due to conversion difficulties, DEQ recommends that comments be mailed in hard copy.

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, certification of the proposal may be issued as proposed, issued with conditions, or denied. You will be notified of DEQ's final decision if you submit comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Office of Communications and Outreach at (503) 229-5317 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling the Oregon Telecommunications Relay Service at 1-800-735-2900.
Riverbend Landfill
13469 OR-18
McMinnville, OR 97128
Open today 6:00 am - 4:30 pm

(503) 472-8788

Map data ©2015 Google
RIVERBEND LANDFILL SOUTH TRIBUTARY
CHANNEL AND FLOODPLAIN ENHANCEMENT
60% DESIGN SUBMITTAL

PROJECT DESCRIPTION

The proposed project will expand existing floodplains and road crossings, allowing for increased discharge and improved water flow conditions. The project will consist of widening and deepening the existing channel and road crossings.

SECTION AND DETAIL CONVENTION

- Refer to the detailed section of the project plan for detailed information.
- All construction details are subject to change and are subject to final approval.

ABBREVIATIONS

- A - Approach
- A - Approach
- P - Project
- R - Roadway
- D - Drainage
- S - Survey
- W - Water
- H - Height
- L - Length
- W - Width
- E - Elevation
- T - Time
- Y - Year

GENERAL NOTES

1. Survey work was performed by Ludlow Engineering Associates, LLC at survey control.
2. Elevations are shown in feet and are subject to change.
3. All construction details are subject to change and are subject to final approval.

PRELIMINARY
NOT FOR CONSTRUCTION
PREPARED AT THE REQUEST OF
RIVERBEND LANDFILL
COMPANY

COVER SHEET
C1
### TABLE 1 PLANTING LIST

**AREA A: ASH FORESTED WETLAND**

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Spacing (ft on center)</th>
<th>Propagation Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physocarpus opulifolius</td>
<td>Pacific Hackberry</td>
<td>4</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Cornus alternifolia</td>
<td>Red-osier Dogwood</td>
<td>4</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Syringa vulgaris</td>
<td>Hinoki</td>
<td>4</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Prunus latifolia</td>
<td>Japanese Cherry</td>
<td>9</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Sideroxylon virginianum</td>
<td>American Basswood</td>
<td>4</td>
<td>Bare Root</td>
</tr>
</tbody>
</table>

**AREA B: SCRUB / SHRUB WETLAND**

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Spacing (ft on center)</th>
<th>Propagation Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salix humilis</td>
<td>Sedge Willow</td>
<td>4</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Cornus alternifolia</td>
<td>Red-osier Dogwood</td>
<td>4</td>
<td>Strakes</td>
</tr>
<tr>
<td>Opulus divaricatus</td>
<td>Dogwood</td>
<td>4</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Salix nigra</td>
<td>Black Willow</td>
<td>9</td>
<td>Strakes</td>
</tr>
<tr>
<td>Salix sericea</td>
<td>Red Willow</td>
<td>9</td>
<td>Strakes</td>
</tr>
</tbody>
</table>

**AREA C: RIPARIAN FOREST**

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Spacing (ft on center)</th>
<th>Propagation Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cornus alternifolia</td>
<td>Red-osier Dogwood</td>
<td>4</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Salix humilis</td>
<td>Sedge Willow</td>
<td>4</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Syringa vulgaris</td>
<td>Hinoki</td>
<td>4</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Syringa japonica</td>
<td>Japanese Akebono</td>
<td>4</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Ribes spectabile</td>
<td>Sacramento Grape</td>
<td>4</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Alnus incana</td>
<td>Smooth Alder</td>
<td>4</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Acer griseum</td>
<td>Gray Alder</td>
<td>4</td>
<td>Bare Root</td>
</tr>
<tr>
<td>Pseudolarix amabilis</td>
<td>Douglas fir</td>
<td>4</td>
<td>Bare Root</td>
</tr>
</tbody>
</table>

### TABLE 2 SEEDING LIST

**AREA A**

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>% by Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Populus euramericana</td>
<td>American Elm</td>
<td>20%</td>
</tr>
<tr>
<td>Corylus americana</td>
<td>American Hazel</td>
<td>20%</td>
</tr>
<tr>
<td>Forsythia suspensa</td>
<td>Mimosa</td>
<td>20%</td>
</tr>
<tr>
<td>Alnus rubra</td>
<td>Red Alder</td>
<td>10%</td>
</tr>
<tr>
<td>Quercus dumosa</td>
<td>Coast Live Oak</td>
<td>5%</td>
</tr>
<tr>
<td>Populus euramericana</td>
<td>American Elm</td>
<td>20%</td>
</tr>
<tr>
<td>Pseudolarix amabilis</td>
<td>Douglas fir</td>
<td>10%</td>
</tr>
</tbody>
</table>

**AREA B & AREA C**

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>% by Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Populus euramericana</td>
<td>American Elm</td>
<td>40%</td>
</tr>
<tr>
<td>Acer saccharinum</td>
<td>Sugar Maple</td>
<td>30%</td>
</tr>
<tr>
<td>Forsythia suspensa</td>
<td>Mimosa</td>
<td>20%</td>
</tr>
<tr>
<td>Fraxinus americana</td>
<td>Pignut Hickory</td>
<td>10%</td>
</tr>
<tr>
<td>Pseudolarix amabilis</td>
<td>Douglas fir</td>
<td>10%</td>
</tr>
<tr>
<td>Acer saccharinum</td>
<td>Sugar Maple</td>
<td>20%</td>
</tr>
</tbody>
</table>

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*Note: Bare root planting on slopes is situated 500 ft from the road to minimize disturbance to the area.*

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*Note: Bare root planting is situated 500 ft from the road to minimize disturbance to the area.*