



PUBLIC NOTICE

US Army Corps
of Engineers
New York District, CENAN-OP-R
Upstate Regulatory Field Office
1 Buffington Street, Bldg. 10, 3rd Floor
Watervliet, New York 12189-4000

In replying refer to:

Public Notice Number: NAN-2015-00363-UDA
Issue Date: March 30, 2016
Expiration Date: April 29, 2016

To Whom It May Concern:

The New York District, Corps of Engineers 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).

APPLICANT: Town of Colonie
Department of Public Works, Bureau of Engineering
Colonie Town Hall
534 Loudon Road
Newtonville, New York 12128

ACTIVITY: Discharge of Fill Material

WATERWAY: Wetlands (Mohawk River Watershed)

LOCATION: Town of Colonie, Albany County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

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 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, 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, 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 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.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO THE ATTENTION OF ANDREW DANGLER AT THE ABOVE ADDRESS, OR SENT VIA ELECTRONIC MAIL TO andrew.c.dangler@usace.army.mil, TO REACH THIS OFFICE BY THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity. Comments provided will become a part of the public record for this action.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to adversely affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

Based upon a review of the GIS resources map on the N.Y.S. Office of Parks, Recreation and Historic Preservation (SHPO) website, the project site is located within areas identified by the SHPO as "Archeo Sensitive Areas". Further consultation with SHPO regarding these "Archeo Sensitive Areas" is being conducted and will be concluded prior to the final decision.

Reviews of activities pursuant to Section 404 of the Clean Water Act will 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 the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

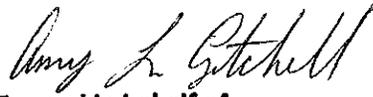
- Part 360 Solid Waste, Air Title V & Article 24 Permits from the New York State Department of Environmental Conservation.
- Local Permit Approvals

In order for us to better serve you, please complete our Customer Service Survey located at:

<http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact Andrew Dangler of this office at (518) 266-6356.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>

A handwritten signature in black ink, appearing to read "Amy L. Gitchell". The signature is written in a cursive style with a large initial "A".

For and in behalf of

Stephan A. Ryba
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, the Town of Colonie, has requested a Department of the Army permit for the discharge of fill material into waters of the United States to facilitate the expansion of its municipal landfill. The project site is located within the Mohawk River watershed, along the east side of Loudon Road and along the west side of Cohoes-Crescent Road, in the Town of Colonie, Albany County, New York.

The work would involve the discharge of fill material into a maximum of 0.55-acre of palustine emergent wetland and 0.88-acre of palustrine forested wetland to facilitate the expansion of Area 7 of the landfill. As currently proposed, the area for liner construction would be 58 acres in size with an additional 16 acres of vertical landfill development over existing Areas 5 and 6. Approximately 25 acres will be a new waste footprint, and the remainder of the new liner would be constructed over the waste footprint for areas 1-4. The development of Area 7 would provide for solid waste disposal at the site until 2040.

The applicant has stated that they have avoided and minimized the projects proposed impacts to the maximum extent practicable by: redesigning the project to reduce the proposed wetland impacts from 2.93 acres to 1.43 acres, avoiding higher value on-site wetlands, and minimizing clearing within the upland buffers. To mitigate for the proposed impacts to waters of the United States, the applicant proposes to purchase 3.2 acres of credits from the Wetland Trust's Susquehanna Basin Headwaters and Adjacent Basins In-Lieu Fee Program.

The stated purpose of this project is to provide continued operation of the Town of Colonie landfill for use by the Town of Colonie and the surrounding communities.



Town of Colonie Landfill

National Geographic, Esri, DeLorme, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, Increment P Corp.



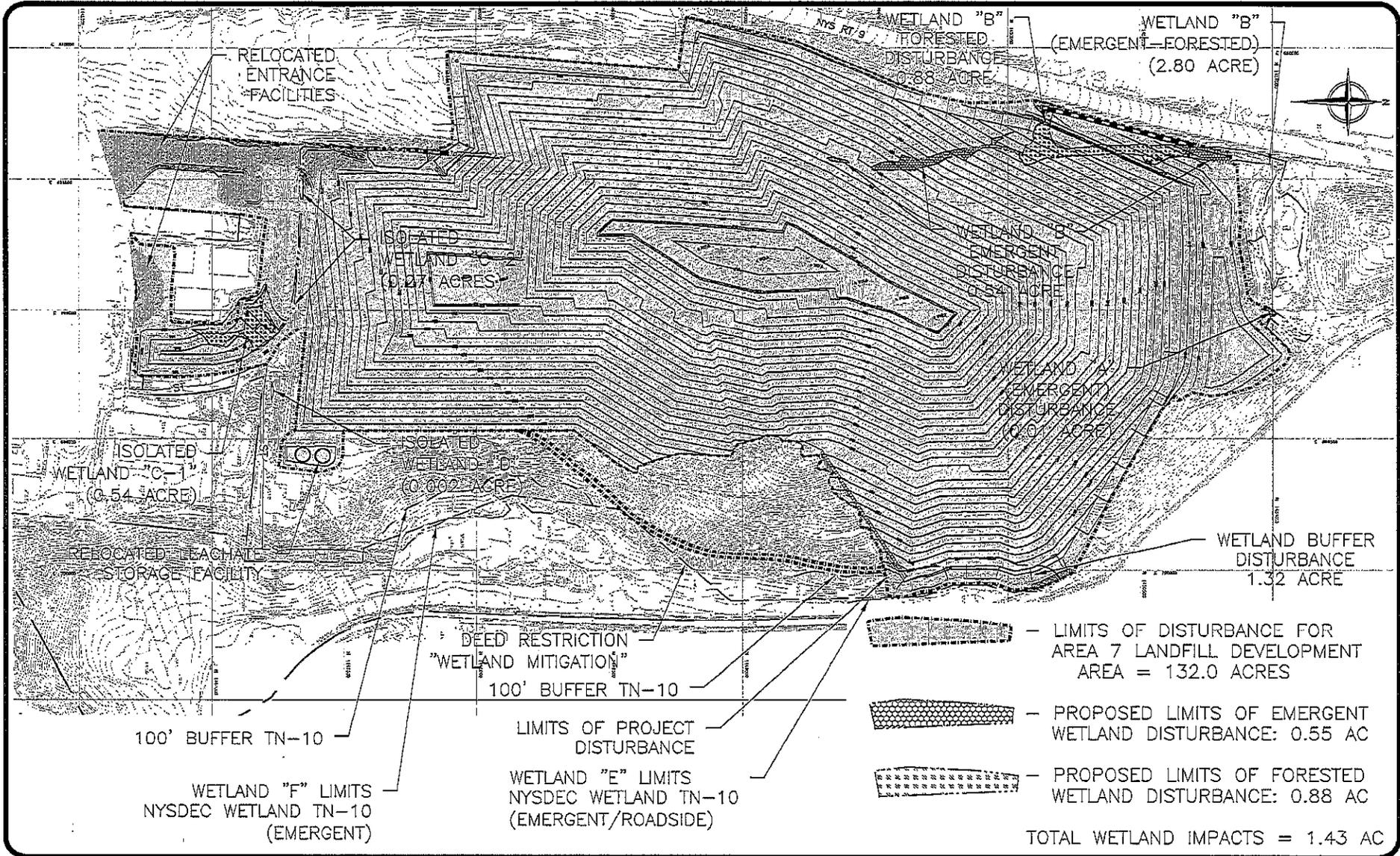
BAGDON Environmental
 25 Delaware Avenue
 Delmar, New York 12054
 (518) 439-8588

0 0.25 0.5 Miles



Figure 1. Site Location Map
 Town of Colonie Landfill and Mitigation Area
 Town of Colonie, Albany County NY





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cornerstone
environmental

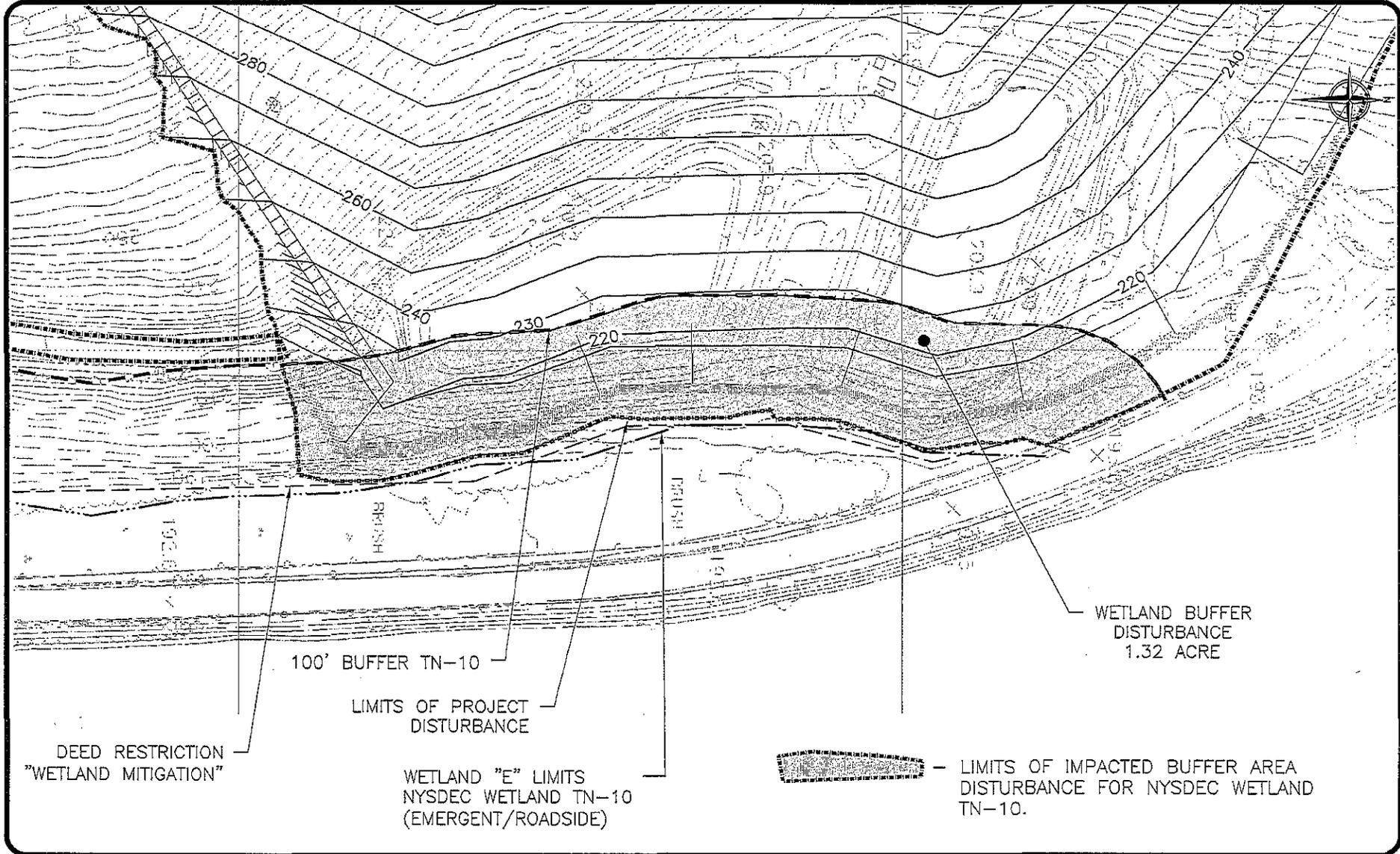
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CAPITAL REGION LANDFILLS, INC

**LIMITS OF DISTURBANCE AND GRADING
LANDFILL SITE**

FIGURE NO.
3B
PROJECT NO.
150027



DEED RESTRICTION
"WETLAND MITIGATION"

100' BUFFER TN-10

LIMITS OF PROJECT
DISTURBANCE

WETLAND "E" LIMITS
NYSDEC WETLAND TN-10
(EMERGENT/ROADSIDE)

WETLAND BUFFER
DISTURBANCE
1.32 ACRE

— LIMITS OF IMPACTED BUFFER AREA
DISTURBANCE FOR NYSDEC WETLAND
TN-10.

0 100 200

SCALE IN FEET



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CAPITAL REGION LANDFILLS, INC

**NYSDEC WETLAND TN-10 LIMITS OF
DISTURBANCE AND GRADING**

FIGURE NO.

3C

PROJECT NO.

150027