



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-2007-419-WCO
Issue Date: January 24, 2008
Expiration Date: February 25, 2008

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: International Paper
Ticonderoga Mill
568 Shore Airport Road
Ticonderoga, New York 12883

ACTIVITY: Discharge fill material into 0.547 acres of waters of the United States, including wetlands and 986 linear feet of streams, with mitigation, to expand an existing industrial waste facility

WATERWAY: unnamed tributary to Five Mile Creek (Lake Champlain Watershed)

LOCATION: Town of Ticonderoga, Essex 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 MR. JOHN CONNELL AT THE ABOVE ADDRESS, OR SENT VIA ELECTRONIC MAIL TO john.r.connell@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.

CENAN-OP-RW
PUBLIC NOTICE NO. NAN-2007-419-WCO

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.

The Indiana bat (*Myotis sodalis*), a Federally-listed endangered species, is known to occur in the vicinity of the project site. By letter dated December 9, 2004, the U.S. Fish and Wildlife Service (FWS) indicated that in order to minimize potential impacts to the Indiana bat, the applicant had agreed not to conduct any proposed tree clearing activities on the project site between April 1 and September 30 of any calendar year. Therefore, with the incorporation of this seasonal restriction, the FWS indicated that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer will continue to consult with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

By letter dated January 10, 2007, the New York State Office of Parks, Recreation and Historic Preservation (SHPO) indicated that the undertaking will have no impact on sites listed or eligible for listing in the National Register of Historic Places. This office will continue to consult with the SHPO, as necessary, to ensure the requirements of Section 106 of the National Historic Preservation Act are met.

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, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

Freshwater Wetlands Permit from the Adirondack Park Agency

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 this office at (518) 266-6350 and ask for John Connell.

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

For 
Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, International Paper (IP) is requesting authorization to discharge fill material into 0.547 acres of waters of the United States, including wetlands and 986 linear feet of streams, with mitigation, to expand an existing industrial waste facility in the Town of Ticonderoga, Essex County, New York. The proposed work within waters of the United States would involve fill and grading activities for the construction of a new sludge disposal cell at the existing facility, and to facilitate the implementation of the compensatory mitigation plan. The proposed construction of the new landfill cell would involve filling 0.35 acres of wetlands and 986 linear feet of streams.

Currently, there are three closed landfill areas (Area I, Area II and Area III) and two active landfill areas (Area IV and Area V) at the facility. The applicant was previously authorized by this office to fill 0.66 acres of wetlands in order to construct a disposal cell at Area IV. The proposed work would allow the construction of a cell at Area VI. The applicant also will construct a cell at Area VII, however this work will not involve any activities in jurisdictional areas.

As mitigation for the proposed and existing impacts to aquatic resources, the applicant has proposed the establishment of 1.2 acres of wetlands from uplands adjacent to the project site. The proposed mitigation would involve filling 0.069 acres of wetlands to construct a berm, and grading impacts to an additional 0.128 acres of existing wetlands within the establishment areas.

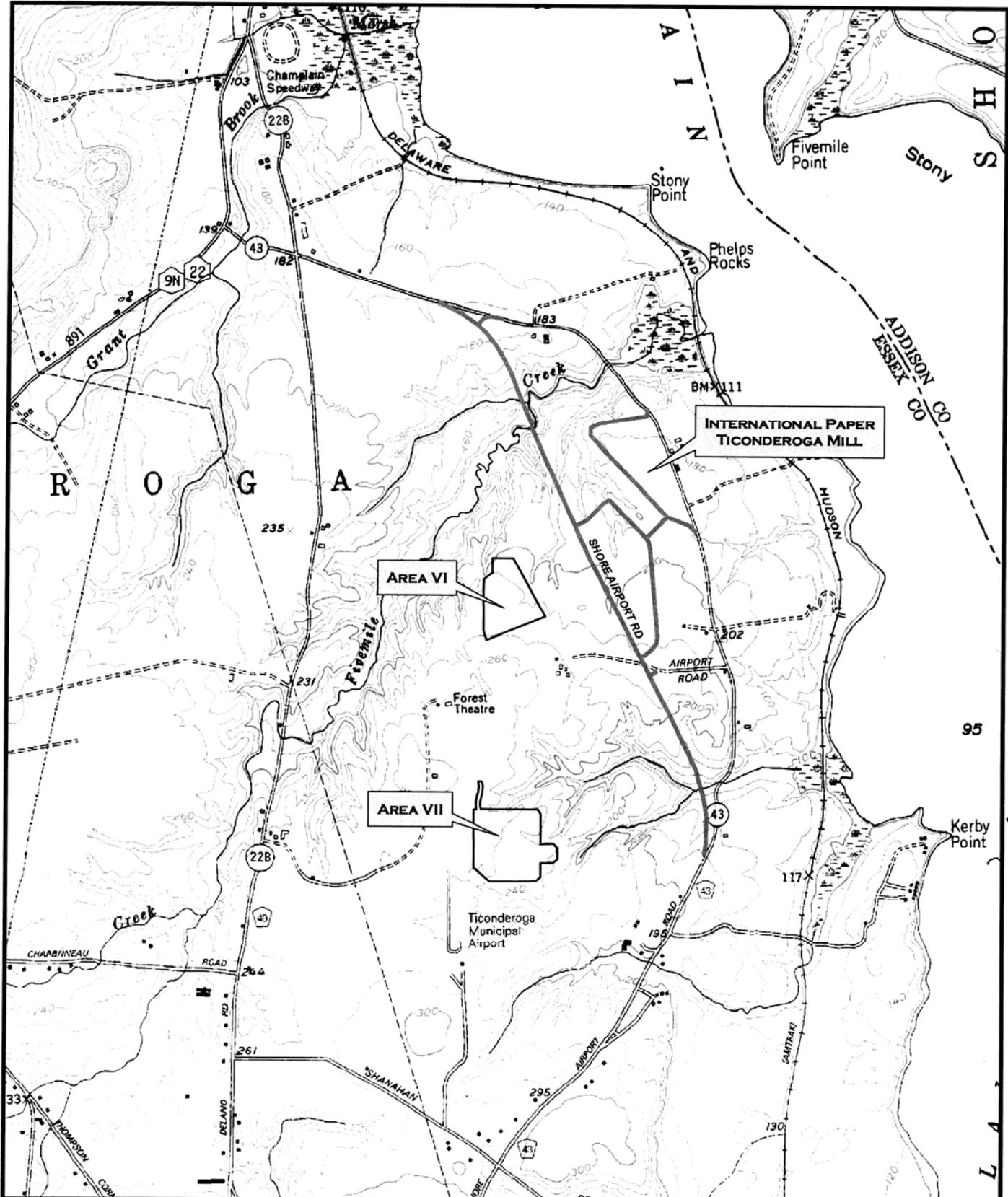


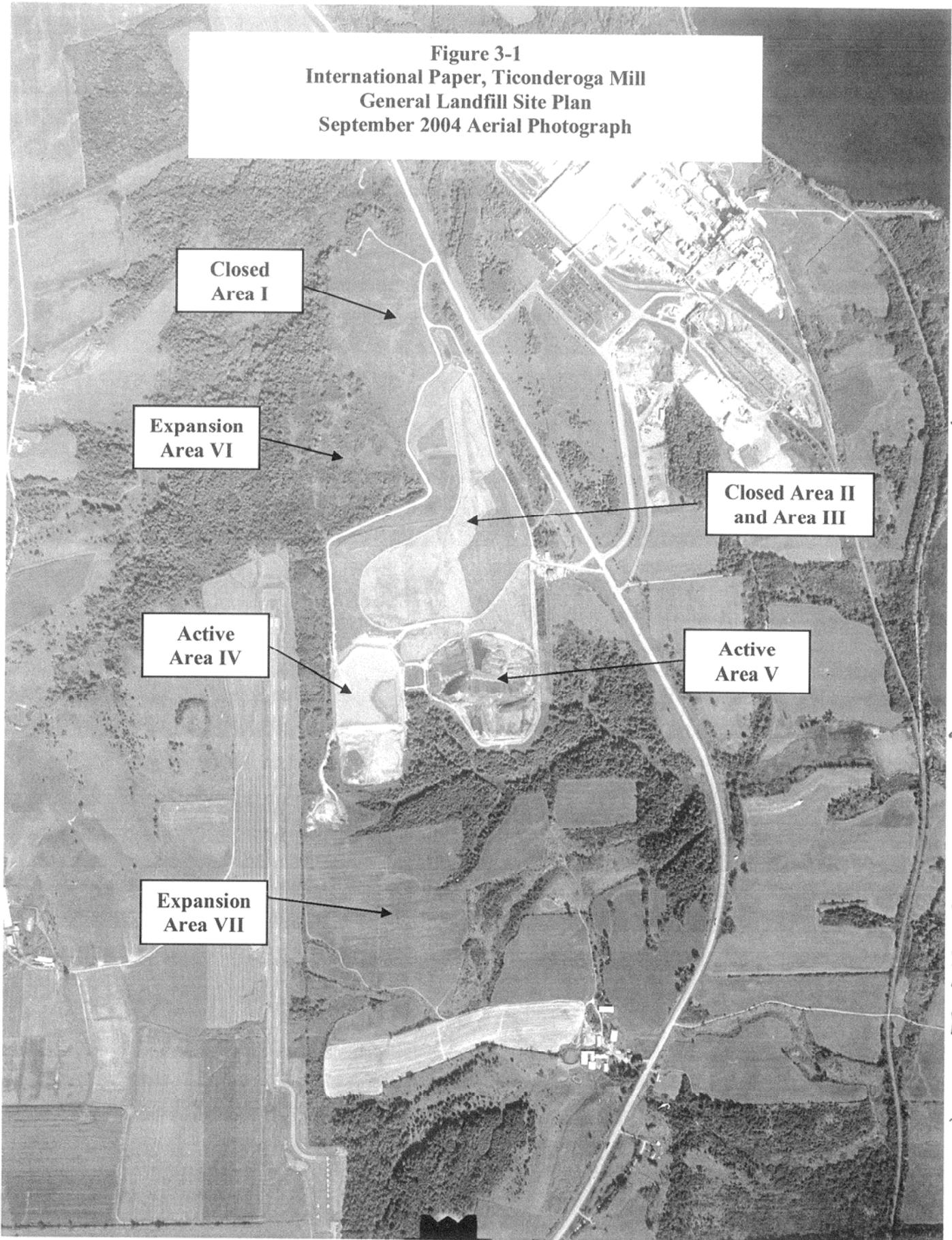
FIGURE 1-1 LOCATION MAP
INTERNATIONAL PAPER TICONDEROGA LANDFILL
EXPANSION AREAS VI & VII

N

2,000 1,000 0 2,000
Feet

Prepared by Delaware Engineering, P.C. December 2006
Source: NYS DOT 1:24000 Quad Maps, Crown Point 1969
and Ticonderoga 1992 Quads

Figure 3-1
International Paper, Ticonderoga Mill
General Landfill Site Plan
September 2004 Aerial Photograph



Appl. No. 2007-419 by International Paper

SHEET 2 OF 9

NOTE:
Wetland A continues beyond
Jurisdictional Extent and
discharges via an unnamed
tributary to Five Mile Creek

JURISDICTIONAL
EXTENT
29.47 ACRES

NOTE:
Wetland B continues beyond
Jurisdictional Extent and
discharges via an unnamed
tributary to Five Mile Creek

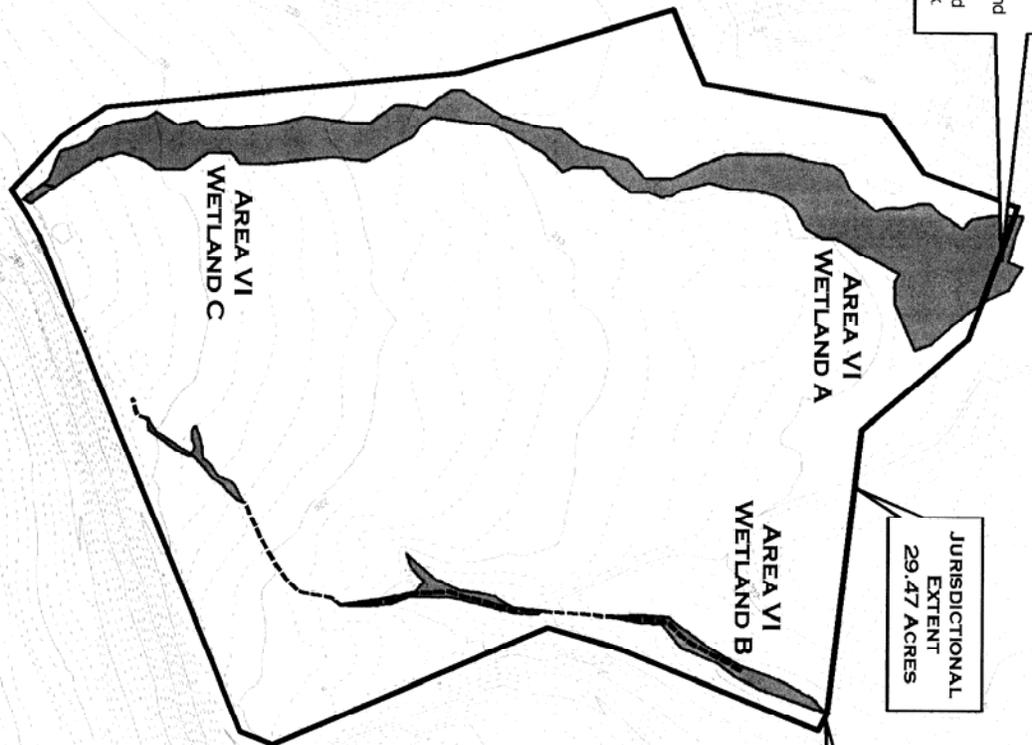


FIGURE 1-2
INTERNATIONAL PAPER
TICONDEROGA MILL LANDFILL

ORTHOPHOTOGRAPH
EXISTING CONDITIONS AREA VI PROJECT AREA
AND WETLAND LOCATIONS

LEGEND

- JURISDICTIONAL EXTENT
- WETLAND
- DRAINAGE CHANNEL

Jurisdictional Extent = 29.47 Acres
Wetland A/C = 2.59 Acres
Wetland B = 0.33 Acres
Linear Ephemeral/Intermittent Stream = 986.29 Feet (Wetland B)

300 150 0 300
Feet

Prepared by: Delaware Engineering, P.C. November 2006
Revised: March 2007, Nov 2007
Sources: NYS Digital Ortho Imagery, Spring 2003
Air Survey Topographic Survey, September 2004

NOTE:
Wetland A continues beyond Jurisdictional Extent and discharges via an unnamed tributary to Five Mile Creek

Water Control Structure
Permanent Fill Wetland
0.069 acres

JURISDICTIONAL
EXTENT
29.47 ACRES

NOTE:
Wetland B continues beyond Jurisdictional Extent and discharges via an unnamed tributary to Five Mile Creek

Wetland Mitigation Area
Created Wetlands

EXISTING
AREA VI
WETLAND A

EXISTING
AREA VI
WETLAND B

Permanent Fill
Wetlands
0.16 Acres

Permanent Fill
Ephemeral/
Intermittent Stream
986.29 Linear feet

Permanent Fill
Wetlands
0.12 Acres

Permanent Fill
Wetlands
0.055 Acres

Permanent Fill
Wetlands
0.015 Acres

EXISTING
AREA VI
WETLAND C

FIGURE 4.1
INTERNATIONAL PAPER
TICONDEROGA MILL LANDFILL
**IMPACTS TO WATERS OF THE UNITED STATES/
ADIRONDACK PARK AGENCY**

EXISTING SITE CONDITIONS:
Jurisdictional Extent = 29.47 Acres
Wetland A/C = 2.59 Acres
Wetland B = 0.33 Acres
Linear Ephemeral/Intermittent Stream = 986.29 Feet (Wetland B)

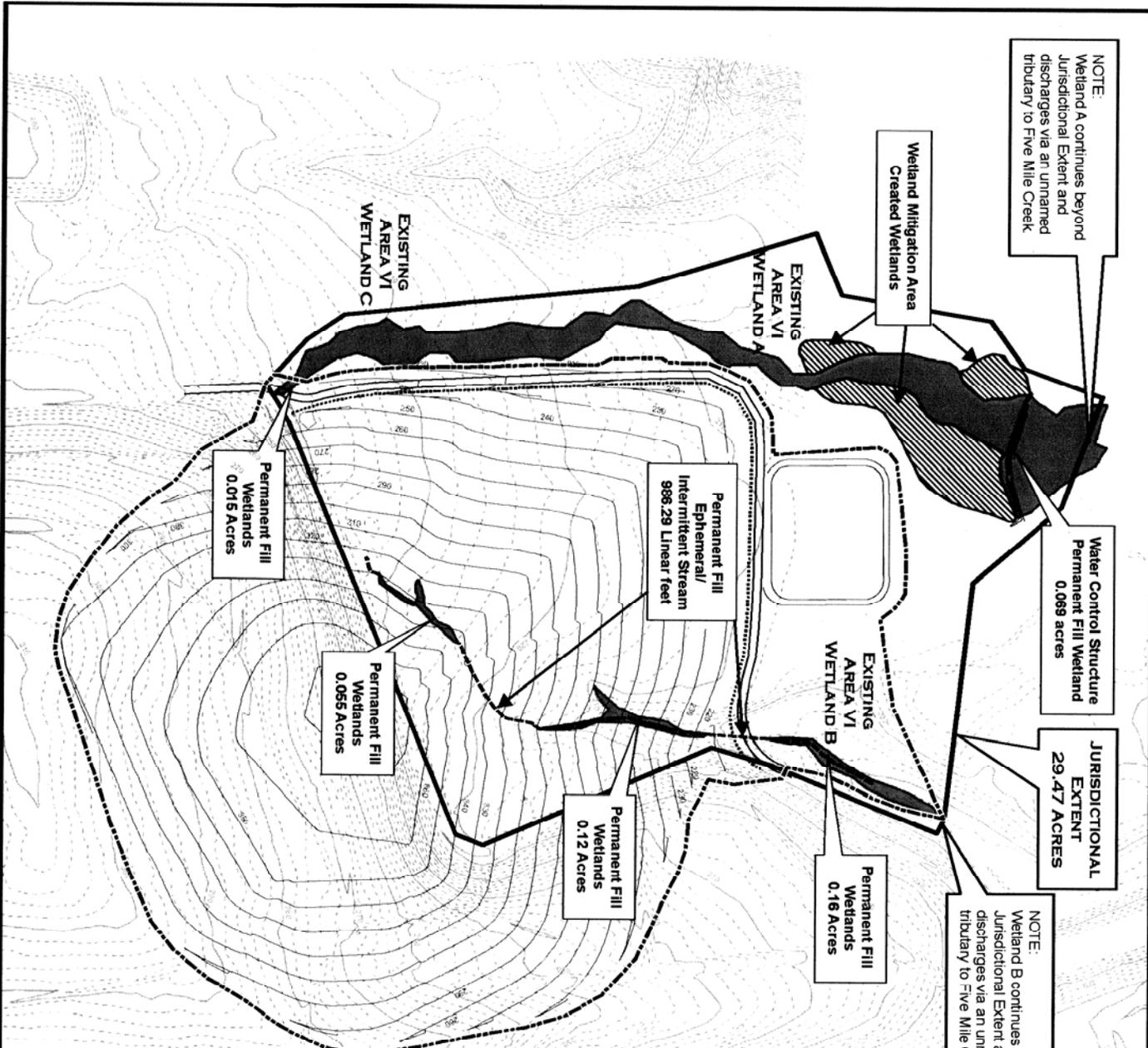
PERMANENT IMPACTS TO WATERS OF THE UNITED STATES:
Wetlands - 1.079 Acres (0.419 Proposed 0.66 historical)
Linear Ephemeral/Intermittent Stream - 986.29 Feet

TEMPORARY IMPACTS TO WATERS OF THE UNITED STATES:
Wetlands - 0.128 Acres

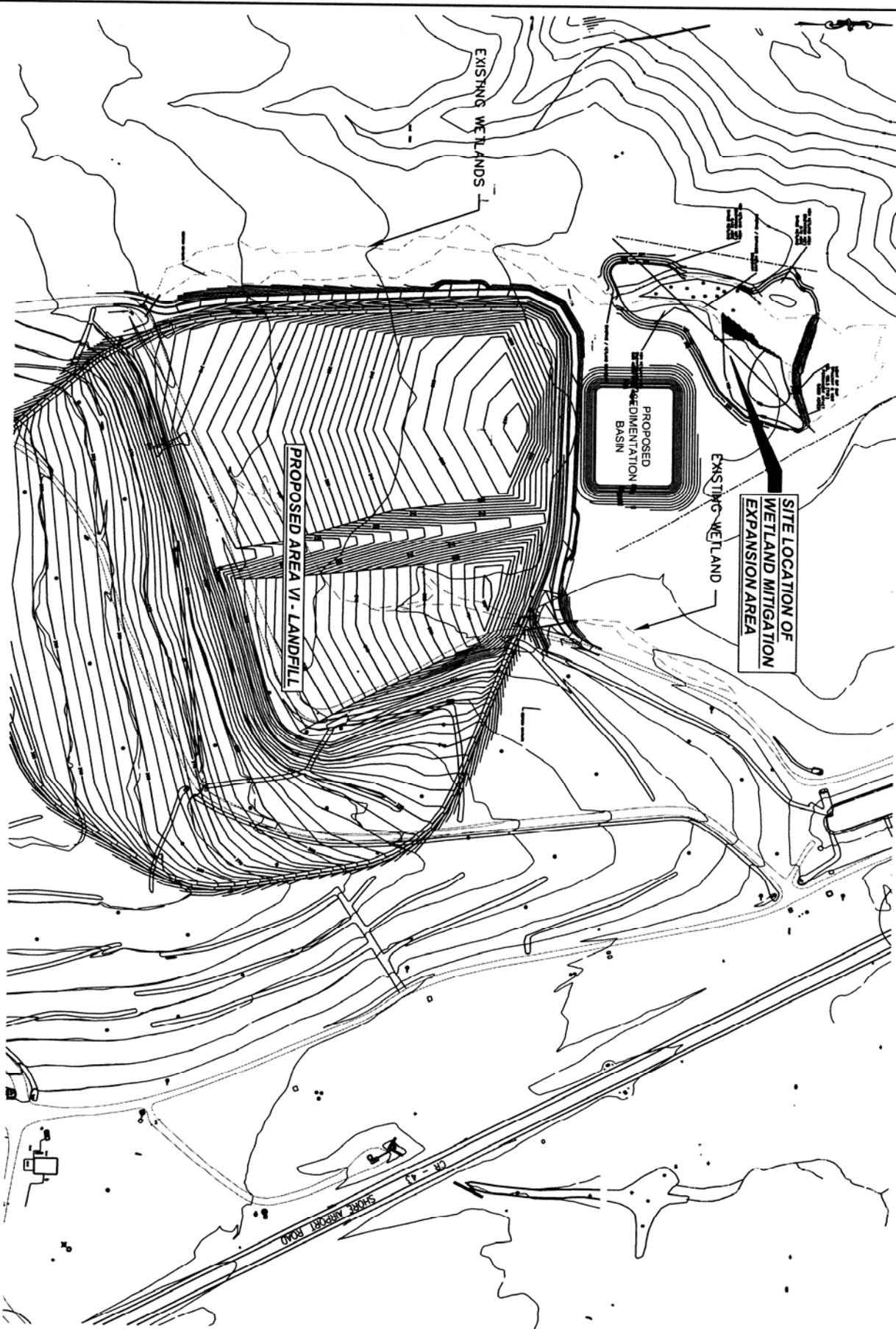
- LEGEND**
- JURISDICTIONAL EXTENT
 - LIMITS OF DISTURBANCE
 - EXISTING WETLAND
 - DRAINAGE CHANNEL
 - PROPOSED FINAL CAP 10' CONTOURS
 - DITCH
 - ROAD
 - CREATED WETLANDS



Prepared by: Delaware Engineering P.C. November 2006
Revised: March 2007, Nov 2007
Sources: NYS Digital Ortho Imagery, Spring 2003
Air Survey Topographic Survey, September 2004



Appl. No. 2007-419 by International Paper
 Sheet 5 of 9



SITE LOCATION MAP

0' 200'

FIGURE 7-1

**SITE LOCATION MAP
 WETLAND MITIGATION
 EXPANSION AREA PLAN**

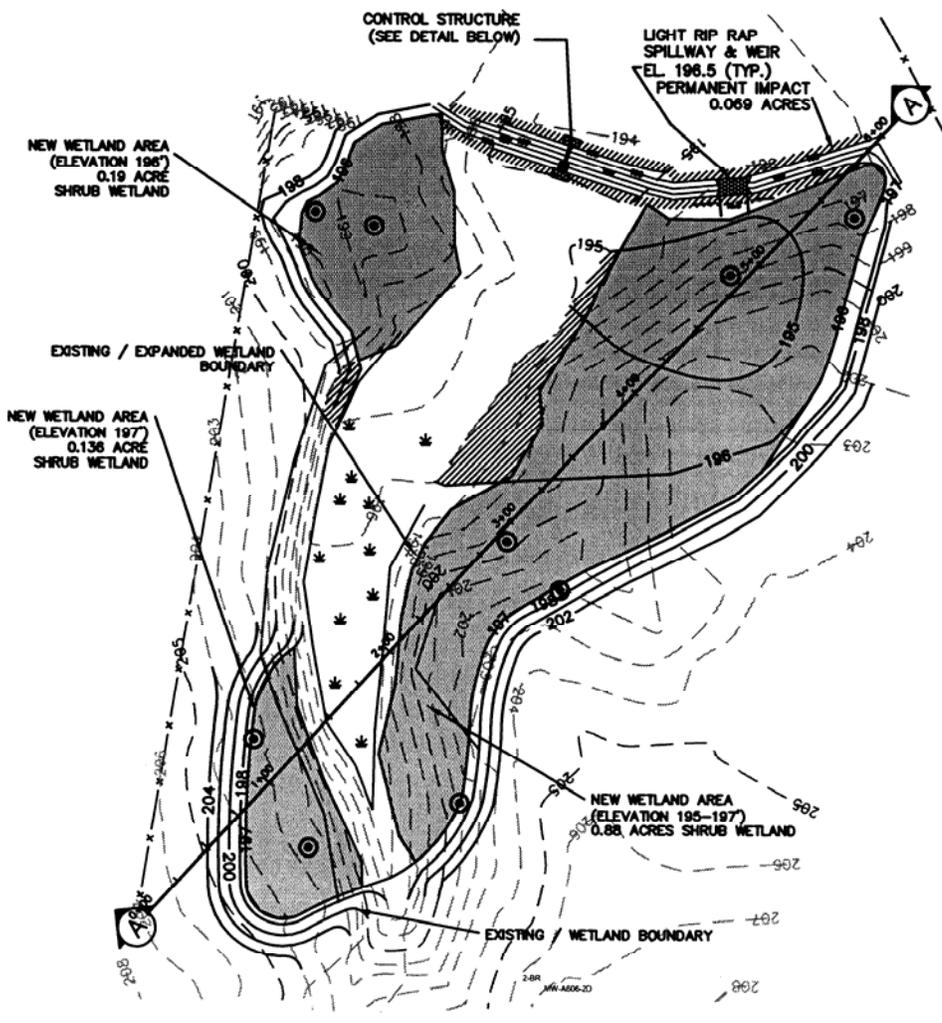
AREA VI
 LANDFILL EXPANSION PROJECT
 INTERNATIONAL PAPER
 TICONDEROGA MILL
 TICONDEROGA, NEW YORK

REVISIONS	
NO.	DESCRIPTION

DELAWARE ENGINEERING, P.C.
 CIVIL AND ENVIRONMENTAL ENGINEERING

8-12 DIETZ STREET, SUITE 303, ONONDAGA, NY 13620 - 807-432-8073
 28 MADISON AVENUE EXTENSION, ALBANY, NY 12203 - 518-462-1290
 6 TOWNSEND STREET, WALTON, NY 13856 - 807-865-9236A

DATE: 5-8-06
 DRAWN BY: KL
 SCALE: AS SHOWN
 REVIEWED BY: EF
 PROJECT NO.:
 FILE:



LEGEND

- 200 --- EXISTING CONTOURS
- + 200.49 EXISTING SPOT ELEVATIONS
- 200 — PROPOSED CONTOURS
- ⊙ WETLAND MONITORING WELL
- [Stippled Box] NEW SHRUB WETLAND
- [Hatched Box] TEMPORARY IMPACT OF WETLANDS - 0.128 ACRES

WETLAND MITIGATION EXPANSION AREA PLAN

FIGURE 7-2A

WETLAND MITIGATION EXPANSION AREA PLAN

AREA VI - LANDFILL EXPANSION PROJECT
INTERNATIONAL PAPER
TICONDEROGA, NEW YORK

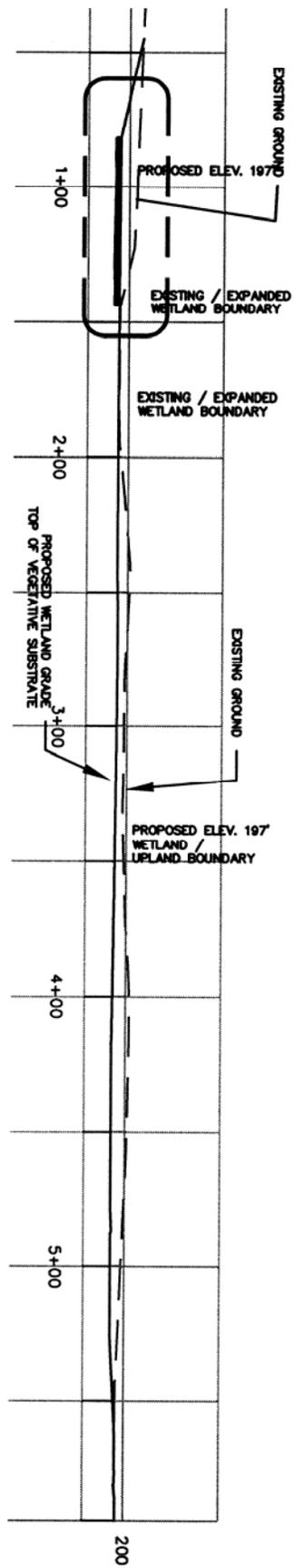
DATE: 05-25-07
DRAWN BY: KJ
SCALE: NOT TO SCALE
REVIEWED BY: EF
PROJECT NO.:
FILE:

DELAWARE ENGINEERING, P.C.
CIVIL AND ENVIRONMENTAL

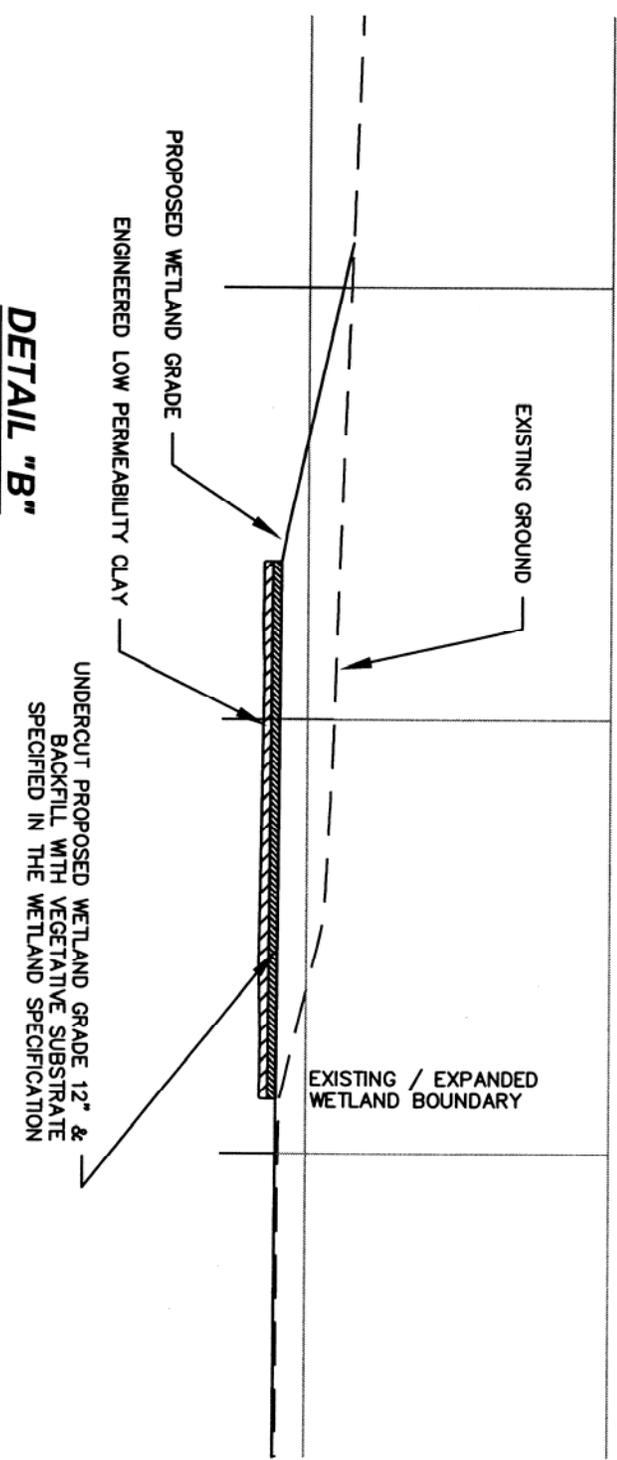


ALBANY ENGINEERING
28 Madison Avenue Extension - Albany, NY 12203
Phone: (518) 452-1290 - Fax: (518) 452-1335
ONEONTA:
8-12 Dietz Street, Suite 303 - Oneonta, NY 13820
Phone: (607) 432-8073 - Fax: (607) 432-0432

SEE DETAIL "B"



SECTION "A-A"



DETAIL "B"

FIGURE 7-2B

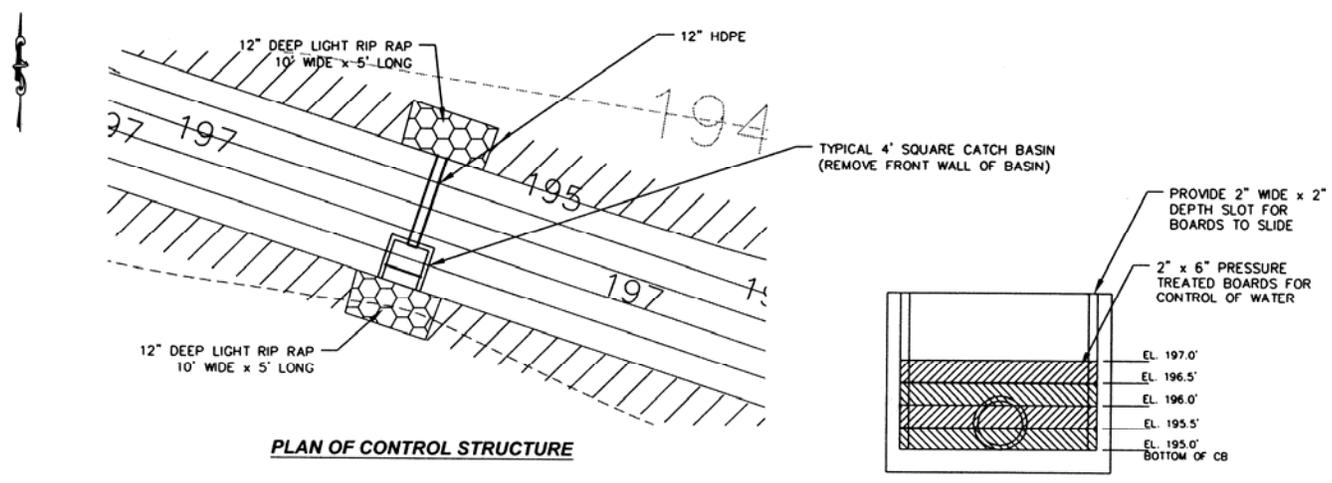
**WETLAND MITIGATION
EXPANSION AREA PLAN**

AREA VI - LANDFILL EXPANSION PROJECT
INTERNATIONAL PAPER
TICONDEROGA, NEW YORK

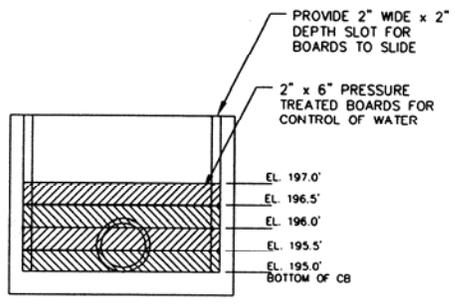
DATE: 05-25-07
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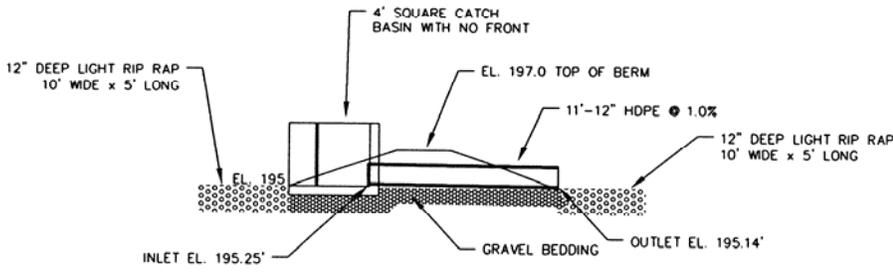
Appl. No. 2007-419 by International Paper
 SHEET 8 OF 9



PLAN OF CONTROL STRUCTURE



FRONT OF CATCH BASIN



SECTION THRU CONTROL STRUCTURE

Notes
 See Wetland Specification for Additional Details
 Wetland Elevations: Topography in mitigation area will slope from existing elevation at edge of existing wetland/existing wetland/planted boundary (-195 to 197 feet amsl) to elevation 197 feet amsl at wetland/planted edge of expanded wetland boundary.
 Vegetative substrate: The vegetative substrate layer will be twelve inches thick. The substrate layer in the planting areas will be placed such that the top of the layer is at the final elevation grading elevations (-195-197 feet amsl). Grading tolerances within the planting areas will be 0.1 feet.
 Clay substrate: Engineered permeability of 1x10⁻⁶. Top Elevation (-194 to 196) feet amsl bottom of vegetative substrate layer.
 Plant Spacing: Slits randomly planted 18 8' centers
 Slits around base all slits.

PLANTS	TYPE	QUANTITY	SIZE	AREA* (1.2 Acres)
Shrub Wetland				
Cornus amomum	BB,BK or container	250	12-24 inches	
Cornus stolonifera	BB,BK or container	250	12-24 inches	

Seed source: expansion area with following herbaceous seed mixture 15 lbs/acre

Percent by No. of seeds (wet weight)	Common Name	Scientific Name
63.0%	Creeping Brome	<i>Agrostis stolonifera</i>
17.0%	Smooth Brome	<i>Poa trivialis</i>
11.0%	Meadow Foxtail	<i>Allopecurus arvensis</i>
7.5%	Annual Ryegrass	<i>Lolium multiflorum</i>
4.5%	Doorngrass	<i>Panicum clandestinum</i>

- Planting Seasons
1. Spring/Summer Planting: Planting will be performed as early as possible in late spring/early summer when there is no standing water in the planting area. However, unless specified by the Engineer, planting will be performed prior to June 1.
 2. Fall Planting: September 1 to November 15.
 3. Summer Season: June 1 to August 31. Planting shall be considered unreasonable and requires approval by ENGINEER.

FIGURE 7-2C

**WETLAND MITIGATION
 EXPANSION AREA PLAN**
 AREA VI - LANDFILL EXPANSION PROJECT
 INTERNATIONAL PAPER
 TICONDEROGA, NEW YORK

DATE: 05-25-07
 DRAWN BY: KJ
 SCALE: NOT TO SCALE
 REVIEWED BY: EF
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App'l. No. 2007-419 by International Paper

Notes

See Wetland Specification for Additional Details

Wetland Elevations: Topography in mitigation area will slope from existing elevation at edge of existing emergent wetland/existing wetland/upland boundary (-195 to 197 feet amsl) to elevation 197 feet amsl at wetland/upland edge of expanded wetland boundary.

Vegetative substrate: The vegetative substrate layer will be twelve inches thick. The substrate layer in the planting zones will be placed such that the top of the layer is at the final elevation grading elevation (~195-197 feet amsl). Grading tolerances within the planting zones will be 0.1 feet.

Clay substrate: Engineered permeability of 1×10^{-6} . Top Elevation (-194 to 196) feet amsl) bottom of vegetative substrate layer

Plant Spacing Shrubs randomly planted 10 ft. centers
Mulch around base all shrubs

PLANTS	TYPE	QUANTITY	SIZE	AREA* (1.2 Acres)
Shrub Wetland				
Cornus amomum	BB, BR or container	250	12-24 inches	
Cornus stolonifera	BB, BR or container	250	12-24 inches	

Seed entire expansion area with following herbaceous seed mixture 15 lbs/acre

Percent by No. of seeds (not weight)	Common Name	Scientific Name
63.0%	Creeping Bentgrass	Agrostis stolonifera
17.0%	Rough Bluegrass	Poa trivialis
11.0%	Meadow Foxtail	Alopecurus arundinaceus
3.5%	Annual Ryegrass	Lolium multiflorum
4.5%	Deertongue	Panicum clandestinum

Planting Seasons

1. Spring/Summer Planting. Planting will be performed as early as possible in late spring early summer when there is no standing water in the planting area. However, unless specified by the Engineer, planting will be performed prior to June 1.
2. Fall Planting: September 1 to November 15.
3. Summer Season: June 1 to August 31. Planting shall be considered unseasonable and requires approval by ENGINEER.

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