



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 199000250

Date: December 23, 2002

Comments Due: January 23, 2003

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under the authority of Section 404 of the Clean Water Act to discharge dredged or fill material into approximately 4.8 acres of waters of the United States, including wetlands, (waters) for the proposed Kiefer Landfill Expansion project, as shown in the attached drawings.

APPLICANT: David A. Pelsler, PE, Director, Public Works Agency, County of Sacramento, 9850 Goethe Road, Sacramento, California 95827-3561

LOCATION: The 1,084-acre site is located approximately 15 miles southeast of the City of Sacramento, south of the intersection of Grant Line Road and Kiefer Boulevard, in Sections 22, 23, 27, 27, 34, and 35, Township 8 North, Range 7 East, MDB&M, in Sacramento County, California. See attached Figures 1 & 2.

PROJECT DESCRIPTION: The Kiefer Landfill is owned by the County of Sacramento (County) and operated by the County of Sacramento Public Works Agency. The proposed project would directly affect approximately 4.8 acres of waters, including 1.4 acres of vernal pools, 2.2 acres of ponds or reservoirs, and 1.2 acres of drainages.

The original plan for landfill expansion was to use all the undeveloped County-owned land between the active landfill and Grant Line Road. After 1989, the County revised the landfill expansion design to reduce impacts on wetlands and biological resources. See attached drawings depicting the currently proposed project.

The applicant has stated that the current active portion of the Kiefer Landfill would reach capacity in 2006. The proposed expansion would extend the landfill life to approximately 2035. The proposed project would add 428 acres to the existing 232-acre disposal footprint, for a total of 660 acres. The height limit for the expanded area would be 325 feet above Mean Sea Level (MSL), resulting in a maximum waste thickness of approximately 175 feet. The existing topography of the expansion site ranges from about 110 to 220 feet above MSL. The County's Preliminary Closure and Post Closure Maintenance Plan (Plan) for the expansion includes the following; removal of landfill structures, decommissioning of environmental control systems, site security upon closure, and final grading and cover material. The area would be capped with a minimum of four feet of cover soil and one foot of vegetative topsoil would be planted with native shallow-rooted plant species over the low-permeability soil layer. The proposed post closure end use of the site is proposed is non-irrigated open space, consistent with surrounding land uses and zoning. The applicant does not plan to construct any facilities or to plant deep-rooted vegetation on filled areas.

Three sediment basins would be constructed. The existing sedimentation basin would be relocated to a nearby location south of the proposed expansion. Two new sedimentation basins would be constructed at the southeast end and west side of the expansion site. These basins would collect all landfill runoff and would be designed to retain the 100-year, 24-hour storm run-off from the landfill footprint. The relocated basin and new basin southeast of the landfill would be located in the 100-year floodplain of Deer Creek. These structures would be protected from washout due to on-site runoff or backwater flooding of the Cosumnes River and Deer Creek, by means of rip-rapped slopes and flood protection berms. The final grading plan and clay berming would be designed to minimize floodwater contact with the landfill surface. Trapped sediment would be removed each year prior to the start of the rainy season.

A new perimeter drainage channel would collect and convey on-site drainage (landfill runoff) to the sedimentation basins by means of on-site drainage ditches and overside drains. This water would be stored until summer and used for dust suppression or other approved uses. Controlled releases would be made to Deer Creek subsequent to storms and with the approval of the Regional Water Quality Control Board (RWQCB). Under the current proposal, no landfill runoff would be discharged into the wetland mitigation area.

A base liner constructed of 60-mil high-density polyethylene over a geosynthetic clay liner is proposed for the expansion area. A leachate collection and removal system would be installed as part of the liner system.

The applicant has stated the existing groundwater monitoring and source control program would be expanded to include installation of new groundwater and unsaturated zone monitoring devices for the expansion area. The new facilities would be incorporated into the existing groundwater monitoring and source control program.

The applicant proposes to compensate for losses of wetlands and habitat for threatened and endangered vernal pool invertebrates by implementing a wetland mitigation and monitoring plan. A 218-acre open space mitigation site (Kiefer Wetland Preservation Area) would be located on the northwest portion of the property, adjacent to Grant Line Road. Within the preservation area, the County proposes to create approximately 5.73 acres of vernal pools and 1.70 acres of ponds. The County would also preserve 15.4 acres of existing vernal pools and other waters. The preserve is proposed to be protected during project construction and monitored until performance criteria are achieved. The wetland mitigation plan was incorporated into the EIR as Appendix D.

AREA DESCRIPTION: Except for the existing landfill facilities, the 1,084-acre project site consists primarily of gently rolling upland habitat dominated by non-native annual grassland interspersed with smaller areas of seasonal wetlands, including ephemeral drainages, vernal pools, and ponds or reservoirs. The landfill expansion parcels contain 19.62 acres of waters of the United States (16.35 acres of wetlands and 3.27 acres of other waters). Most of the property not used for solid waste disposal activities is leased for cattle grazing.

The site is adjacent to Deer Creek and approximately 1 mile north of the Cosumnes River. Riparian habitat along the Cosumnes River and Deer Creek provide a corridors, nesting, cover, and foraging habitat for many types of wildlife. Lower Deer Creek and the Cosumnes River are designated as important wildlife corridors in the Open Space Element of the Sacramento County's General Plan and they provide regionally important riparian and fisheries habitat.

ADDITIONAL INFORMATION: Endangered or Threatened Species The applicant has stated that of the 4.8 acres of waters of the United States that would be affected by the proposed

project, 3.6 acres are potential habitat for the threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and the endangered vernal pool tadpole shrimp (*Lepidurus packardi*). This site is also partially within recently proposed Vernal Pool Critical Habitat. Invertebrate surveys of vernal pools on the project site found both species and all vernal pools on the project site are presumed to be habitat for these two species. The applicant's proposed mitigation for impacts to habitat for these two species is implementation of the wetland mitigation and monitoring plan. Sacramento orcutt grass (*Orcuttia viscida*), state listed and federally listed as endangered, has been observed in 14 vernal pools on the project site. Boggs Lake hedge-hyssop (*Gratiola heterosepala*), state listed as endangered, has been found in 10 vernal pools on the site. All of these pools are located outside the project footprint and would not be affected by the proposed project. The Corps will initiate consultation under the Endangered Species Act, as appropriate with the U.S. Fish and Wildlife Service.

Cultural Resources The applicant's February 26, 1992, cultural resources survey of the project site concludes that no prehistoric or historic archeological resources were identified on the site, but that cultural deposits may exist that were not visible on the surface, or obscured by dense vegetation. The applicant has stated that if cultural materials are encountered during grading or construction, work may cease until a qualified archeologist can inspect them.

The District Engineer has made these determinations based on information provided by the applicant and on the Corps' preliminary investigation.

Other federal, state, and local permits The project will require a Clean Water Act Section 401 water quality certification from the California Regional Water Quality Control Board. The landfill is currently designated as a Class III facility under provisions of Waste Discharge Requirements Order No. R5-2002-0187 issued by the Regional Water Quality Control Board (RWQCB) and Solid Waste Facilities Permit No. 34-AA-001, issued by the California Integrated Waste Management Board.

Related Document A November 1997, Draft Supplemental Environmental Impact Report (Volumes I & II), Kiefer Landfill Expansion Project (SCN 92052096) was circulated for public review in November 1997, approved on November 10, 1998, and recorded on November 13, 1998.

Interested parties are invited to submit written comments on or before **January 23, 2003**. Personal information in comment letters is subject to release to the public through the Freedom of Information Act. 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.

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, 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, 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 are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This public notice may also be obtained through our web-site at <http://www.spk.usace.army.mil/cespk-co/regulatory>. If additional information is required, please contact the applicant, David Pelser or Eric Vanderbilt, at (916) 423-1224, or Justin Cutler, at the letterhead address, e-mail: Justin.Cutler@usace.army.mil, or telephone (916) 557-5258.

Michael J. Conrad, Jr.
Colonel, Corps of Engineers
District Engineer

Attachments: 11 Drawings