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# Public Notice

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**US Army Corps  
of Engineers**  
Louisville District ®

Public Notice No.  
LRL-2019-657-JMG

Open Date:  
25 Dec 2020

Close Date:  
24 Jan 2021

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Please address all comments and inquiries to:  
U.S. Army Corps of Engineers, Louisville District  
ATTN: Mr. Justin Garrett, CELRL-RDS  
6855 State Road 66  
Newburgh, Indiana 47630

Phone: (812) 853-7632

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This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act (CWA).

**APPLICANT:** Effingham Crossroads Landfill, LLC  
1713 S. Willow Street  
Effingham, IL 62401

**LOCATION:** Tributaries, wetlands and open waters in the Brush Creek - Salt  
Creek Watershed in Effingham County, Illinois.  
12 Digit HUC 051201140203.

Latitude: 39.102565° North  
Longitude: -88.519156° West  
7.5 Minute Quad: Effingham South Quadrangle

**PURPOSE:** To construct a solid waste disposal site and ancillary facilities for  
Effingham County and the surrounding area.

**DESCRIPTION OF WORK:** Effingham Crossroads Landfill, LLC (ECL), proposes to construct a new landfill for waste disposal in Effingham County, IL. The proposed landfill would be operated by ECL, an affiliated company of Landfill 33 which has owned and operated the existing Landfill 33 since 1981 on the property adjacent to the proposed landfill. In anticipation of the closure of Landfill 33 in 2024 (estimated date), the development of the new landfill is proposed in order to continue solid waste disposal for Effingham County and the surrounding area.

There are two intermittent streams, totaling 4,711 linear feet located within the project boundary. Four wetlands were identified with a total cumulative wetland area of 7.36 acres. One open water pond was found onsite for a total of 0.2 acres.

The proposed facility would have a total area of approximately 120 acres, with surface impacts on approximately 78 acres of the property; of which approximately 37.9 acres would be used for waste disposal. The proposed operation would directly impact a 1,035 linear feet section of jurisdictional intermittent stream to be relocated to the far west of the project and straightened.

The proposed landfill would provide an approximate 2 million airspace cubic yards of waste disposal capacity (approximately 3.1 million tons), which is estimated to provide capacity in Effingham County through 2053. The proposed landfill design meets or exceeds all solid waste

regulatory design requirements, which are codified in 35 Illinois Administrative Code (IAC) Part 811.

A scale house, haul road, two stormwater detention basins, a recycling center, office and other miscellaneous facilities would be constructed as part of the facility development. A leachate storage tank and load out facility would be constructed on the eastern portion of the facility. Landfill gas facilities would be created as appropriate once supported by landfill gas generation rates.

**AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES:** The applicant has considered impacts to jurisdictional waters of the U.S. in the development of this project. The following totals reflect the features the project proponent was able to avoid and minimize and still be able to create a viable operation: 1,744-ft intermittent stream avoidance, 1,932-ft intermittent stream minimization, avoidance of all 7.36 acres of wetland. Intermittent stream impacts will be mitigated offsite, with in and out-of-kind mitigation strategies.

The proposed offsite mitigation for the 1,035 linear feet of intermittent stream impact includes 787-ft of Priority 1 Restoration offsite and in-kind, 139-ft would be In-Stream Restoration offsite and in-kind, 121-ft would be In-Stream Enhancement offsite and in-kind; which totals 1,016-ft. The remaining 19-ft would be offset by providing 2.9-acres of forested buffer preservation. Also, a riparian buffer would be planted at an average of 100-ft each side of intermittent stream mitigation, distributed to utilize the entirety of the offsite location.

It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

**REVIEW PROCEDURES:** A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied. A DA permit, if otherwise warranted, will not be issued until a State of Illinois Water Quality Certification or waiver is on file at this office. In order to comply with Section 401 of the Clean Water Act, the applicant, by this notice, hereby applies for State certification from the Illinois Environmental Protection Agency (ILEPA).

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places (NHRP) has been examined, and it has been determined that there are likely no properties eligible for listing on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, pre- historical, or historical

sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits 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; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency (USEPA), under authority of Section 404(b) of the CWA.

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. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. 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.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory/Public-Notices/>. All comments regarding this proposal should be addressed to Mr. Justin Garrett, CELRL-RDS at the address noted above and should refer to the Public Notice Number LRL-2019-657-JMG.

If you desire to submit your comments by email, you must comply with the following:

- a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2019-657-JMG.

Example:

Subject: LRL-2019-657-JMG

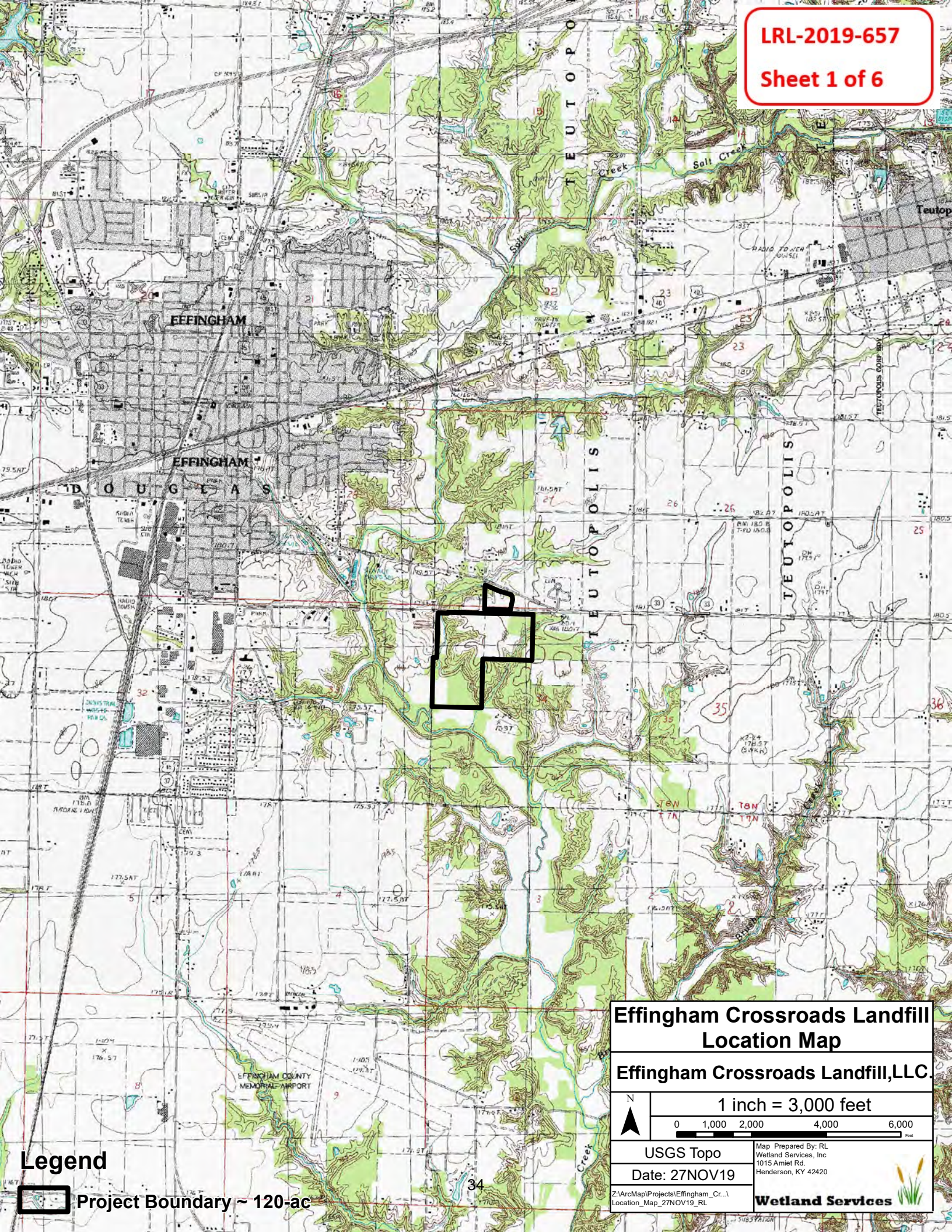
Regulatory Division

South Branch

Public Notice No. LRL-2019-657-JMG

- b) Provide your physical mailing address and telephone number.
- c) Send your email to: [lrl.regulatorypubliccomment@usace.army.mil](mailto:lrl.regulatorypubliccomment@usace.army.mil)
- d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.



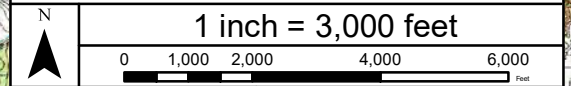



**Legend**

 Project Boundary ~ 120-ac

**Effingham Crossroads Landfill  
Location Map**

**Effingham Crossroads Landfill, LLC**

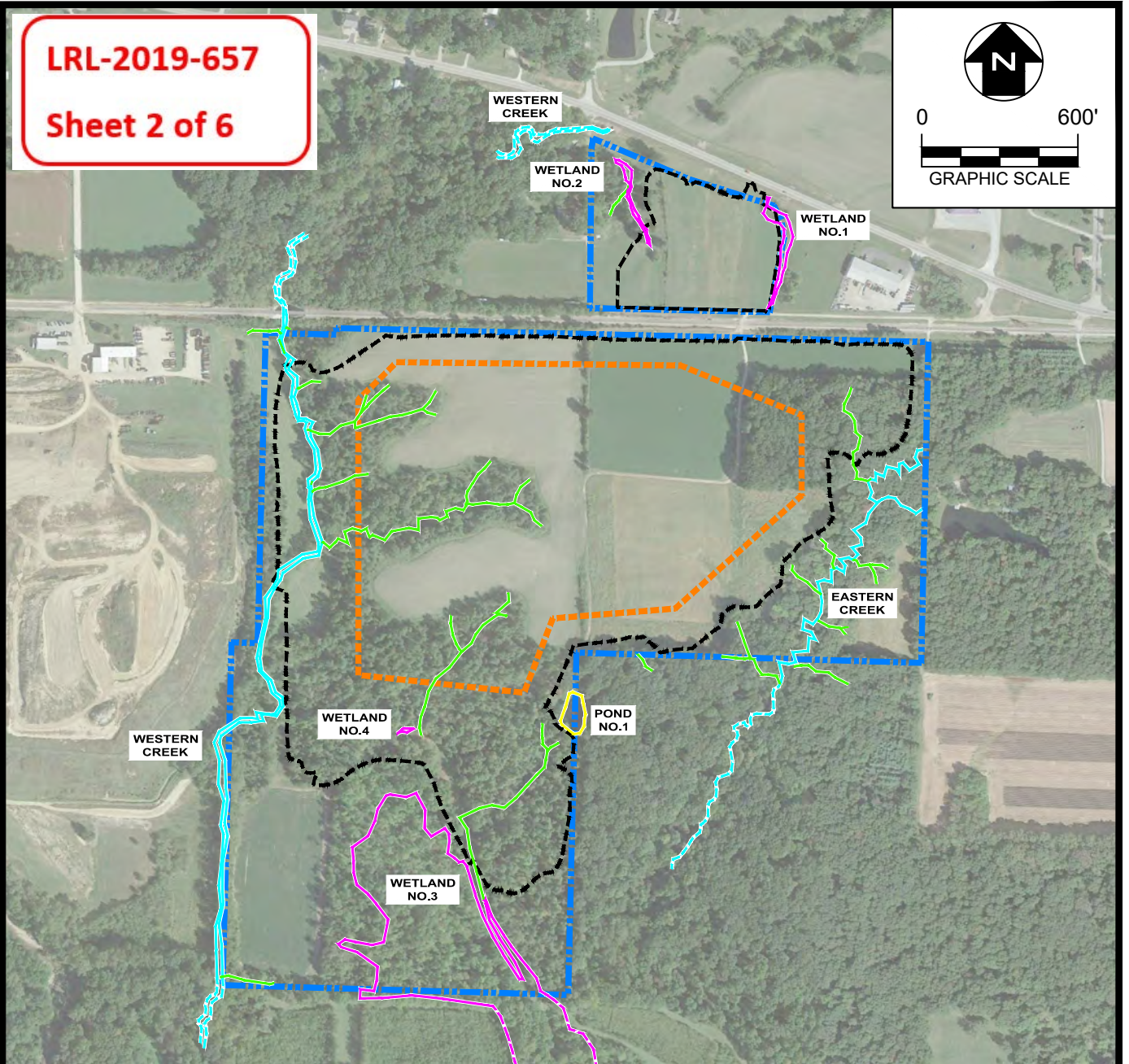


USGS Topo	Map Prepared By: RL Wetland Services, Inc 1015 Amiet Rd. Henderson, KY 42420
Date: 27NOV19	
Z:\ArcMap\Projects\Effingham_Cr...\ Location_Map_27NOV19_RL	



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**LEGEND**

-  APPROXIMATE FACILITY BOUNDARY
-  APPROXIMATE WASTE BOUNDARY
-  EASTERN/WESTERN CREEK
-  APPROXIMATE EASTERN/WESTERN CREEK
-  WETLAND BOUNDARY
-  APPROXIMATE WETLAND BOUNDARY
-  POND BOUNDARY
-  DRAINAGEWAY BOUNDARY
-  APPROXIMATE LAND DISTURBANCE BOUNDARY

**NOTES**

1. AERIAL IMAGERY OBTAINED FROM ESRI'S ARCGIS BASE MAP SUITE.
2. CREEK, WETLAND, AND POND DELINEATIONS COMPLETED BY HAMPTON, LENZINI, AND RENWICK, INC.



**APTIM Environmental & Infrastructure, LLC**

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**EFFINGHAM CROSSROADS LANDFILL**

**FIGURE 1  
WETLAND AND DRAINAGEWAY IMPACTS  
AERIAL LAYOUT**

APPROVED BY: MNF    PROJ. NO.: 631236514    DATE: AUGUST 2019



# Effingham Crossroads Landfill JD Map

**LRL-2019-657**  
**Sheet 3 of 6**

Effingham Crossroads Landfill, LLC.

1 inch = 450 feet  
0 125 250 500 750 1,000 Feet

Esri World Imagery

Map Prepared By: KM  
Wetland Services, Inc  
1015 Amiel Rd.  
Henderson, KY 42420

Date: 11NOV19

**Wetland Services**

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JD\_Map\_11NOV19\_KM









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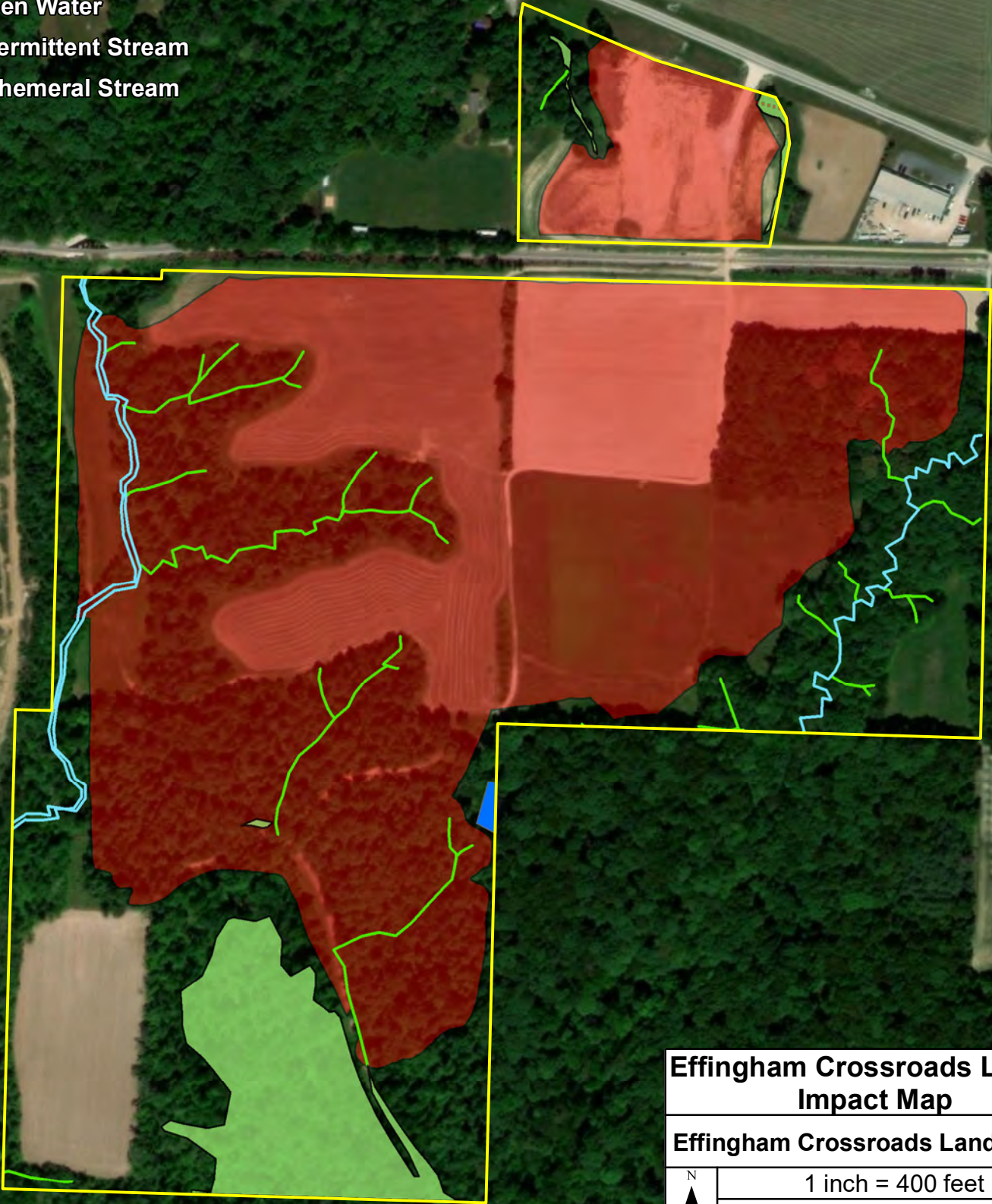
- Waypoints
- Ephemeral
- Intermittent
- Surface Connection
- Open Water
- Wetland
- JD Boundary



# Legend

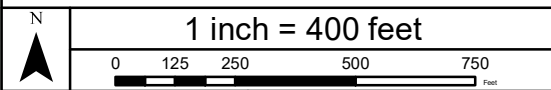
-  Project Boundary ~ 120-ac
-  Impact Boundary ~ 78-ac
-  Wetland
-  Open Water
-  Intermittent Stream
-  Ephemeral Stream

**LRL-2019-657**  
**Sheet 4 of 6**



## Effingham Crossroads Landfill Impact Map

Effingham Crossroads Landfill, LLC.



ESRI World Imagery

Date: 16MAR20














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Impact\_Map\_27NOV19\_RL

Map Prepared By: RL  
Wetland Services, Inc  
1015 Amiel Rd.  
Henderson, KY 42420

**Wetland Services** 



# Legend

-  Project Boundary ~120-ac
-  Impact Boundary ~ 78-ac
-  Restrictive Covenant Boundary ~ 6.7-ac
-  Existing Forested Buffer Preservation ~ 2.9-ac
-  Riparian Buffer ~ 3.23-ac
-  Landfill Ditch Contours
-  S1 Priority 1 Restoration ~ 787-ft
-  S1 Top of Bank Lines
-  Intermittent Preservation ~ 291-ft
-  Intermittent Enhancement ~ 121-ft
-  S1-1 In-stream Restoration ~ 139-ft
-  Connecting Riffle ~ 50-ft
-  Riffles

## Effingham Crossroads Landfill Mitigation Map

Effingham Crossroads Landfill, Inc.

N ▲	1 inch = 250 feet		
	0	125	250
Feet			

ESRI World Imagery	Map Prepared By: RL Wetland Services, Inc 1015 Amlet Rd. Henderson, KY 42420
Date: 28SEP20	
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









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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

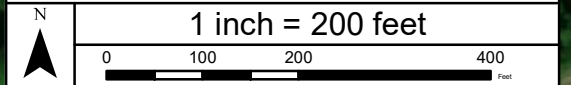



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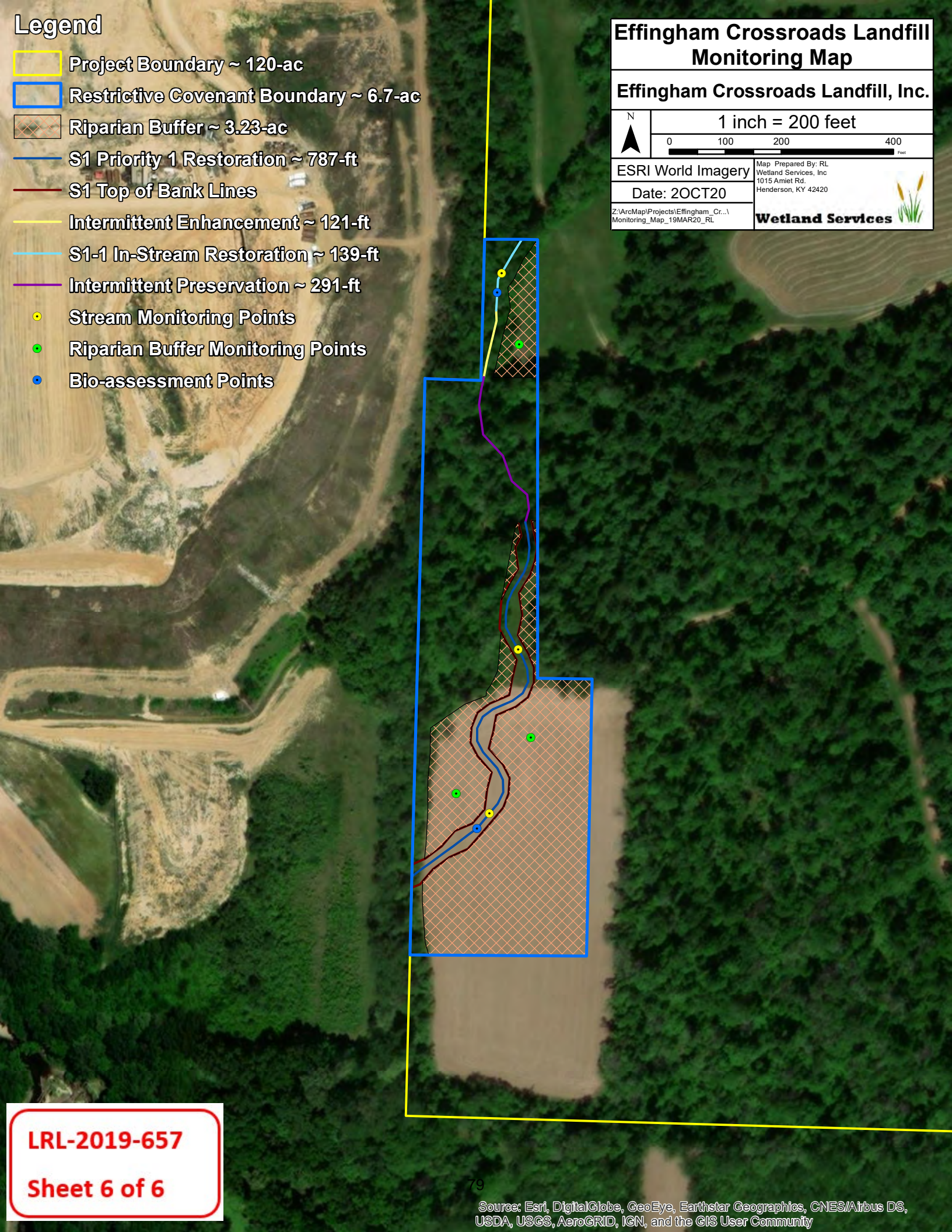
-  Project Boundary ~ 120-ac
-  Restrictive Covenant Boundary ~ 6.7-ac
-  Riparian Buffer ~ 3.23-ac
-  S1 Priority 1 Restoration ~ 787-ft
-  S1 Top of Bank Lines
-  Intermittent Enhancement ~ 121-ft
-  S1-1 In-Stream Restoration ~ 139-ft
-  Intermittent Preservation ~ 291-ft
-  Stream Monitoring Points
-  Riparian Buffer Monitoring Points
-  Bio-assessment Points

## Effingham Crossroads Landfill Monitoring Map

Effingham Crossroads Landfill, Inc.



ESRI World Imagery	Map Prepared By: RL Wetland Services, Inc 1015 Amiet Rd. Henderson, KY 42420
Date: 2OCT20	
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**LRL-2019-657**  
**Sheet 6 of 6**