



US Army Corps
of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: SWL-2014-00093

Date: November 26, 2014

Comments Due: December 22, 2014

TO WHOM IT MAY CONCERN: **Comments are invited on the work described below. Please see the Public Involvement section for details on submitting comments.**

Point of Contact. If additional information is desired, please contact the project manager, Lisa Boyle, telephone number: (501) 324-5295, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: Lisa.A.Boyle@usace.army.mil

Project Information. Pursuant to Section 404 of the Clean Water Act (33 U.S. Code 1344), notice is hereby given that

**Mr. Ryan Mosser
Collett Properties
1111 Metropolitan Avenue #700
Charlotte, North Carolina 28204**

**Mr. Michael Allan
Wal-Mart Real Estate Business Trust
2001 SE 10th Street
Bentonville, Arkansas 72716**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with construction of a Sam's Club and an approximately 400,000-square-foot retail center known as Lewis Crossing. The proposed project is located in an unnamed tributary of Lake Conway and associated tributaries and wetlands, in the SW 1/4 of section 20 and the NW 1/4 of section 17, T. 5 N., R. 13 W., Conway, Faulkner County, Arkansas.

The basic purpose of the project is commercial development. The overall purpose of the project is to construct a Sam's Club and other retail development in Conway. The project is not water dependent.

The project would include a 136,455-square-foot Sam's Club, 546 parking spaces, and an approximately 400,000-square-foot retail center. A stormwater detention basin of approximately 9.16 acres would be constructed. Impacts to waters of the United States would include the fill of approximately 1.36 acres of wetlands, 0.09 acres of open water, and 922 linear feet of stream. In addition, approximately 2.24 acres of wetlands, 0.51 acres of open water, and 1,590 linear feet of stream would be impacted by dredging activities to construct a stormwater detention system.

The watershed is in an area of high growth, with a heavily-traveled road directly to the north, secondary roads to the east and west, and Interstate 30 isSWL also to the west. One portion of the site was recently used as a livestock auction house. Fill material of unknown origin, including concrete and rebar, is present in the immediate vicinity of the wetlands and open water. A total of 2,018 linear feet of stream, 0.62 acres of open water, and 3.91 acres of wetlands have been identified as jurisdictional waters of the United States on the subject property.

The applicants propose to mitigate entirely off site at a stream and wetland mitigation bank. Minimization of impacts to waters of the United States on the site have been accomplished by designing the facility such that most of the relatively undisturbed portions of the site are to be incorporated into the stormwater detention basin rather than be paved. The City of Conway requires the partial paving of the tributary along Thomas G. Wilson Drive to the east as part of the development.

The location and general plan for the proposed work are shown on the enclosed sheets.

Water Quality Certification. By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality (ADEQ) in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the comment period and a public hearing, if held, a determination relative to water quality certification will be made. Evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit.

Cultural Resources. A Corps staff archeologist will review topographic maps, the National Register of Historic Places, and other data on reported sites in the area. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area.

Endangered Species. Our preliminary determination is that the proposed activity will not affect listed Endangered Species or their critical habitat. A copy of this notice is being furnished to the U.S. Fish and Wildlife Service and appropriate state agencies and constitutes a request to those agencies for information on whether any listed or proposed-to-be-listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

Floodplain. We are providing copies of this notice to appropriate floodplain officials in accordance with 44 CFR Part 60 (Floodplain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Floodplain Management.

Section 404(b)(1) Guidelines. The evaluation of activities to be authorized under this permit which involves the discharge of dredged or fill material will include application of guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. These guidelines are contained in 40 Code of Federal Regulations (CFR) 230.

Public Involvement. Any interested party is invited to submit to the above-listed POC written comments or objections relative to the proposed work on or before **December 22, 2014**. Substantive comments, both favorable and unfavorable, will be accepted and made a part of the record and will receive full consideration in determining whether this work would be in the public interest. 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, 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, 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 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.

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 District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please advise us so that your name can be removed from the mailing list.

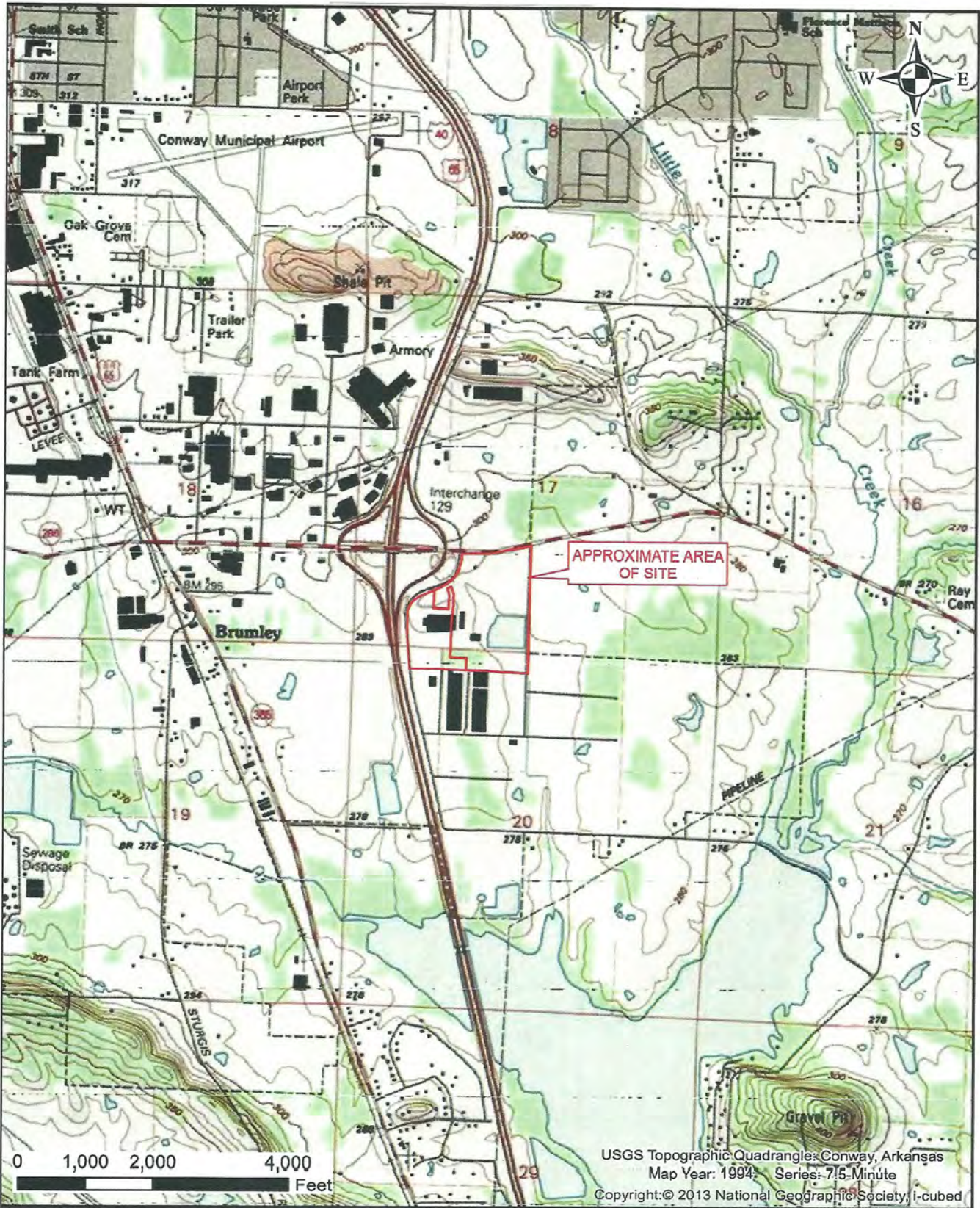
Enclosures

Approximate Coordinates of Project Center

Latitude: **35.064°N** Longitude: **-92.413°W**

UTM Zone: **15** North: **3880320** East: **553537**

Conway, Arkansas



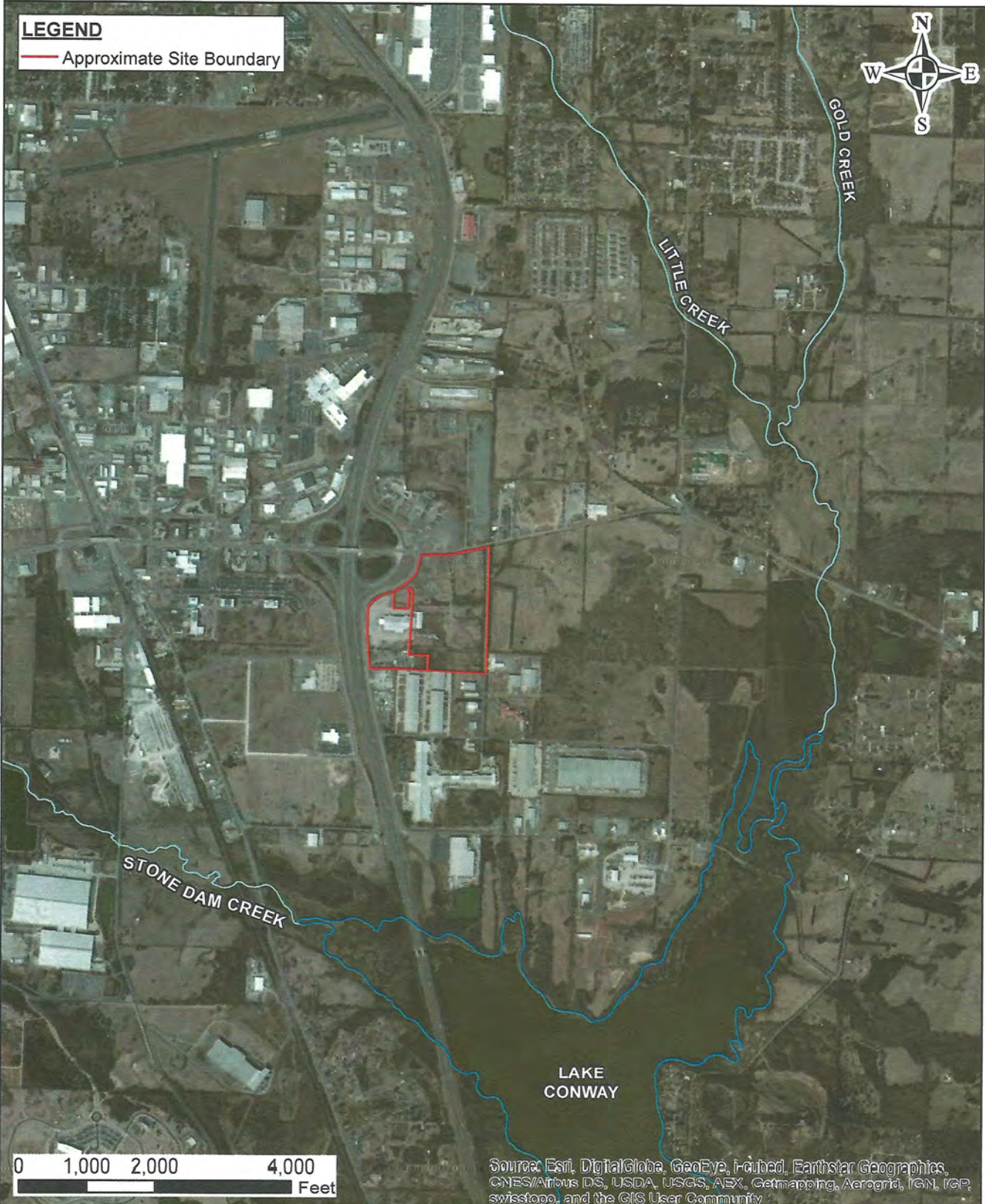
Project Mng:	JWC	Project No:	523-001-35147031
Drawn By:	JSB	Scale:	1"=2000'
Checked By:	JWC	File No.:	001
Approved By:	JWC	Date:	09/29/2014

Terracon
 Consulting Engineers and Scientists

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 PH. (501) 847-9292 FAX. (501) 847-9210

ACTION NO. 2014-00093
 Collett Properties/Wal-Mart
 Lewis Crossing/Sam's Club
 Sec 17, 20, T. 5 N., R. 13 W.
 November 2014 Sheet 1 of 5

LEGEND
 — Approximate Site Boundary



N:\Natural Resources\Lauren\DRAWING\ARKANSAS\35147170 Conway-Collett\MXD\35147170_WUS.mxd

Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Project Mgr:	KMH
Drawn By:	LEB
Checked By:	KMH
Project No:	35147170
Date:	07/29/2014

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LEGEND

- Approximate Site Boundary
- Sample Location
- ▲ Sample Location
- - - Tributary
- - - Drainage Ditch
- Pond
- Wetland



N:\Natural Resources\Lauren\DRAWING\AR\KANSAS\35147170 Conway-Collett\MXD\35147170_WUS.mxd

Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Project Mgr:	KMH
Drawn By:	LEB
Checked By:	KMH
Project No:	35147170
Date:	07/03/2014

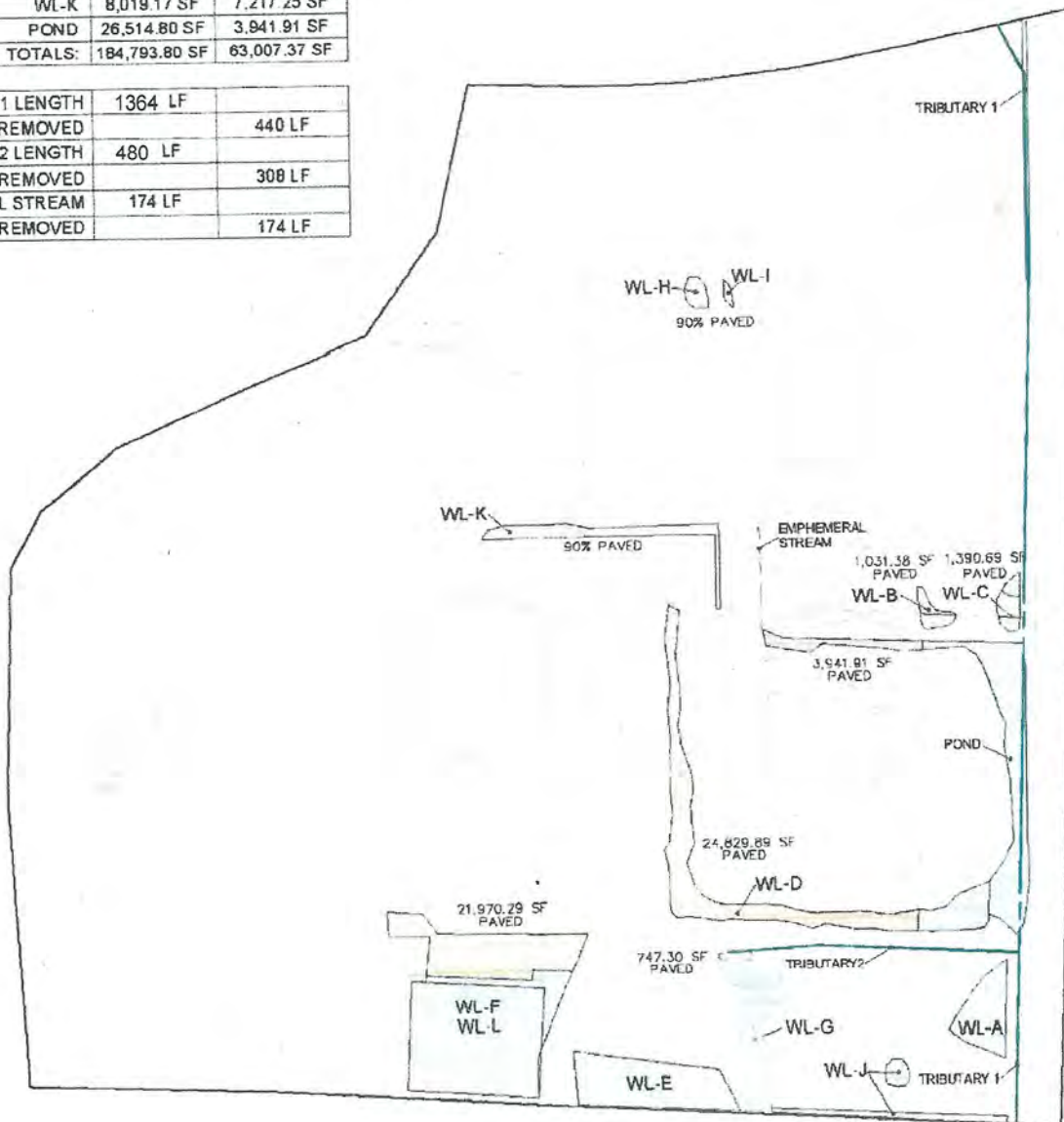
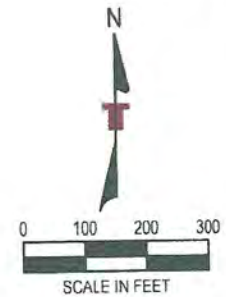
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Areas to be dredged
 Areas to be paved/filled

SITE	DELINEATED	PAVED
WL-A	9,230.04 SF	0 SF
WL-B	2,129.10 SF	1,031.38 SF
WL-C	2,831.63 SF	1,390.69 SF
WL-D	31,037.18 SF	24,829.89 SF
WL-E	18,471.87 SF	0 SF
WL-F, WL-L	66,862.65 SF	21,970.29 SF
WL-G	12,105.32 SF	747.30 SF
WL-H	1,841.40 SF	1,477.26 SF
WL-I	446.00 SF	401.40 SF
WL-J	5,504.64 SF	0 SF
WL-K	8,019.17 SF	7,217.25 SF
POND	26,514.80 SF	3,941.91 SF
TOTALS:	184,793.80 SF	63,007.37 SF

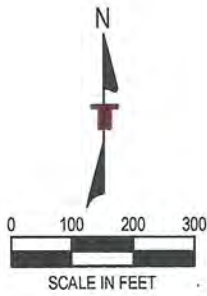
TRIBUTARY 1 LENGTH	1364 LF	
TRIBUTARY 1 REMOVED		440 LF
TRIBUTARY 2 LENGTH	480 LF	
TRIBUTARY 2 REMOVED		308 LF
EPHEMERAL STREAM	174 LF	
EPHEMERAL REMOVED		174 LF



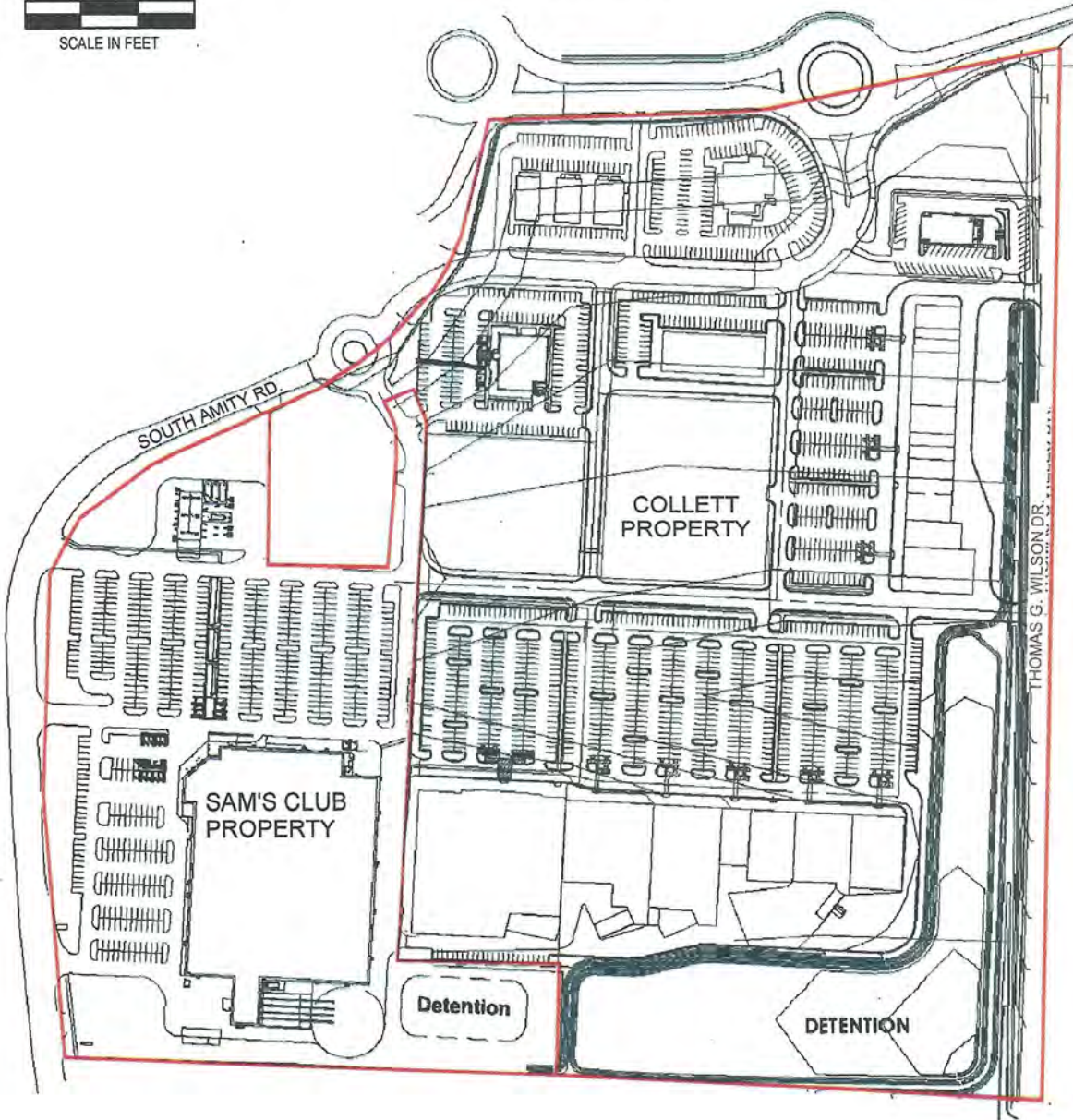
Project Mgr	KMH	Project No	523-001-35147170
Drawn By	JDW	Scale	1"=300'
Checked By	KMH	File No.	003
Approved By	KMH	Date	09-25-14

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DAVE WARD DR.



Project Mgr:	KMH	Project No.	469-001-35147170
Drawn By:	JDW	Scale:	1"=300'
Checked By:	KMH	File No.	004
Approved By:	KMH	Date:	10-31-14
		 Consulting Engineers and Scientists	
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