



US ARMY Corps
Of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: 2004-19526-1

Date: September 25, 2013

Comments Due: October 21, 2013

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, Mr. Rocky Presley, telephone number: (501) 340-1390, mailing address: Little Rock District Corps of Engineers, Branson Regulatory Field Office, 4600 Hwy 165, Branson, Missouri 65616, email address: rocky.l.presley@usace.army.mil.

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

**Wal-Mart Stores, Incorporated
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 Wal-Mart retail facility. The project site is in the NE 1/4 of section 4, T. 19 N., R. 31 W., Centerton, Benton County, Arkansas.

The basic purpose of the project is to construct a commercial retail facility. The overall purpose of the project is to construct a Wal-Mart Supercenter with attendant features including a parking lot, access road, and four outparcels, in this area of Benton County. The proposed project is not water dependent. A Department of the Army permit was previously issued for the proposed retail center in June 2006, but the project was not started and the permit authorization subsequently expired. The currently proposed site plan involves basically the same project with a few variations. A new wetland delineation has been completed along with an updated jurisdictional determination resulting in a minor increase of 0.1 acre of wetlands identified on the property. Further, the original proposal included on-site wetland creation for compensatory mitigation that is now being proposed at an off-site mitigation bank.

The project would involve filling and relocating approximately 1,160 linear feet of McKisic Creek through the property and filling an existing 0.1-acre pond formed by the creek. The stream would be rerouted along the northern property boundary through a proposed stream mitigation area. Approximately 500 linear feet of the existing stream would be avoided and preserved for mitigation. The site development also includes filling approximately 0.7 acre of wetlands within riparian floodplain areas along McKisic Creek. Approximately 0.1 acre of existing wetlands bordering the creek would be avoided and preserved within the on-site mitigation area. A triple 10-foot by 4-foot box culvert would be installed in the relocated McKisic Creek channel to provide access to the retail facility and outparcels.

The project site is an abandoned farmstead previously used for hay production and cattle. The majority of the property includes open pastureland with upland herbaceous species dominated by fescue. McKisic Creek is a spring-fed, perennial stream flowing eastward across the northern half of the property. Small areas of woody vegetation exist on the site mainly adjacent to the creek. The dominant woody vegetation includes silver maple, osage-orange, common persimmon, and black willow. The property contains 0.8 acre of depressional wetlands supporting several species of herbaceous vegetation.

The applicant has proposed on-site stream mitigation for the proposed impacts to McKisic Creek. Mitigation activities would include stream restoration and enhancement activities within the relocated creek and creation of a riparian buffer along both sides of the stream through the property. Approximately 500 linear feet of the original stream (at the downstream end of the site) would be avoided and preserved for mitigation. The abandoned channel in this area upstream of the relocated creek confluence would be expected to support wetland vegetation in the future due to hydrology from directed stormwater runoff and backwater flows from the relocated creek. The on-site mitigation areas would include the planting of various tree, shrub, and herbaceous species. The applicant proposes to provide mitigation for the 0.7 acre of wetland impacts through a wetlands mitigation bank within an applicable service area in Northwest Arkansas.

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. This public notice initiates consultation under Section 106 of the National Historic Preservation Act with any Tribe that has information or concerns with historic properties in the proposed permit 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.

Flood Plain. We are providing copies of this notice to appropriate flood plain officials in accordance with 44 CFR Part 60 (Flood Plain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Flood Plain 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 **October 21, 2013**. 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.

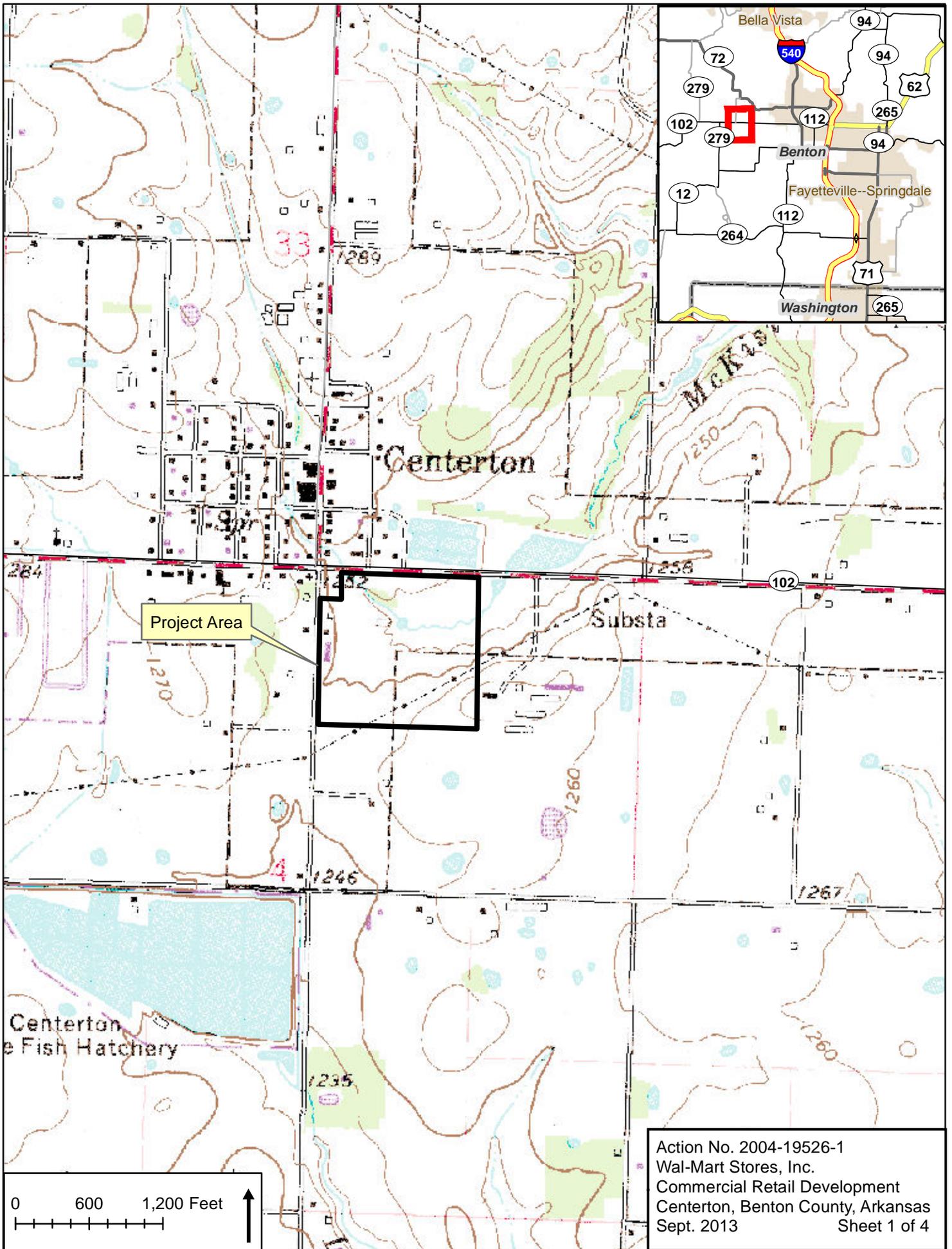
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices,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

Enclosures

Approximate Coordinates of Project Center

Latitude: 36.35709 Longitude: -94.28171

UTM Zone: **15** North: 4024318 East: 385002



Project Area

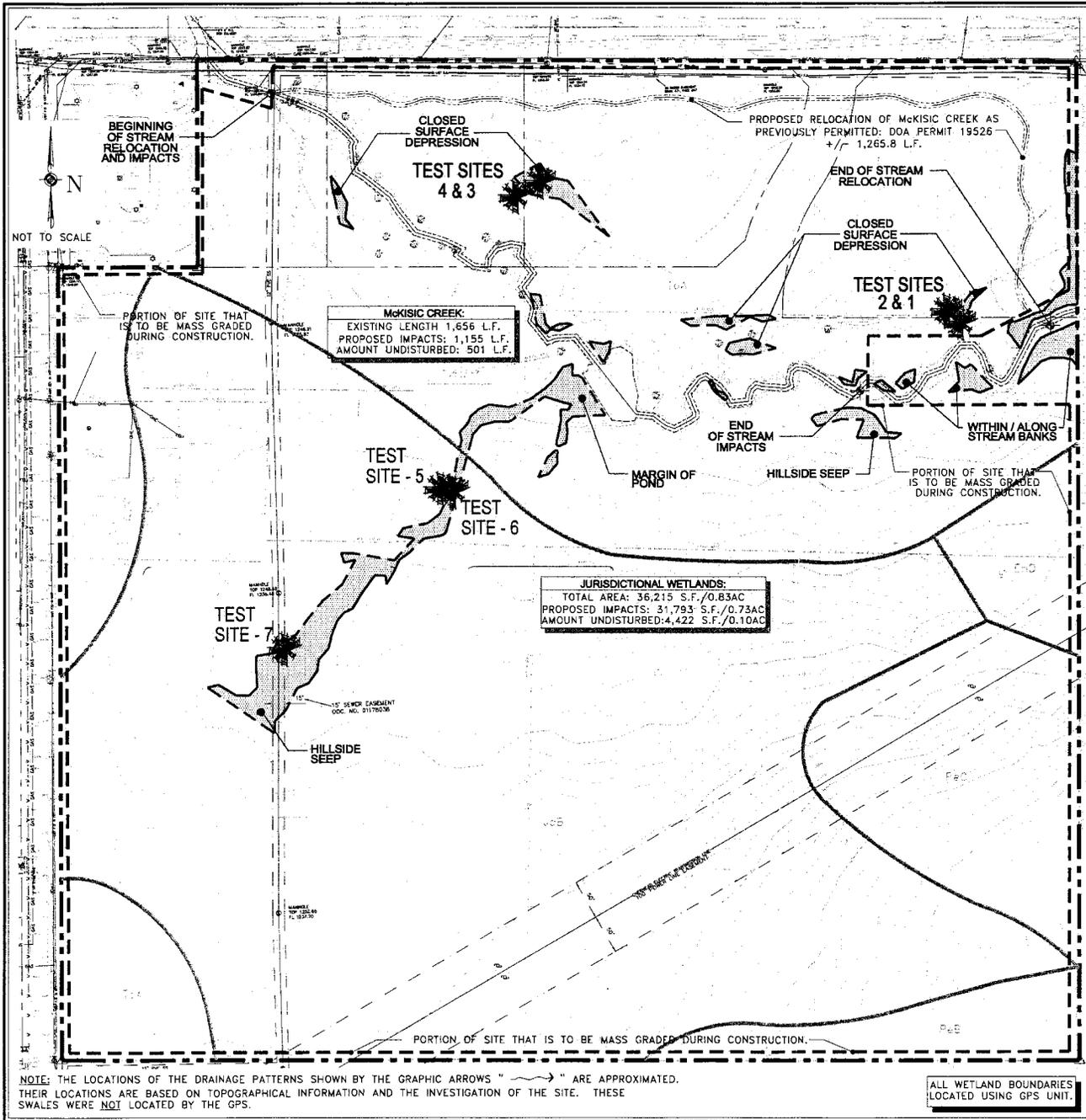
Centerton

Substa

Centerton
e Fish Hatchery

Action No. 2004-19526-1
Wal-Mart Stores, Inc.
Commercial Retail Development
Centerton, Benton County, Arkansas
Sept. 2013
Sheet 1 of 4

0 600 1,200 Feet



NOTE: THE LOCATIONS OF THE DRAINAGE PATTERNS SHOWN BY THE GRAPHIC ARROWS "→" ARE APPROXIMATED. THEIR LOCATIONS ARE BASED ON TOPOGRAPHICAL INFORMATION AND THE INVESTIGATION OF THE SITE. THESE SWALES WERE NOT LOCATED BY THE GPS.

ALL WETLAND BOUNDARIES LOCATED USING GPS UNIT.

SOIL TYPE DESCRIPTIONS:

SYMBOL	NAME	SLOPE	RATING
EnD	ENDERS VERY GRAVELLY LOAM	3% - 12%	NON-HYDRIC
JoB	JAY SILT LOAM	1% - 3%	HYDRIC INCLUSIONS
PeB	PERIDGE SILT LOAM	1% - 3%	NON-HYDRIC
PeC	PERIDGE SILT LOAM	3% - 8%	NON-HYDRIC
ToA	TALOKA SILT LOAM	0% - 1%	HYDRIC INCLUSIONS
TsC	TONTI GRAVELLY SILT LOAM	3% - 8%	NON-HYDRIC

- HYDRIC - DESIGNATED AS PC
- HYDRIC INCLUSIONS - DESIGNATED AS NW/PC
- NON-HYDRIC

DEFINED CHANNELS:

CHANNEL A: SECOND ORDER REACH OF MCKISIC CREEK:

ROSSIGN CLASSIFICATION	C4
ONSITE LENGTH	+/- 1,656 LF
WIDTH/DEPTH RATIO	+/- 27.14
SINUOSITY (MODERATE)	+/- 1.44
WATER SURFACE SLOPE	+/- 0.0066 FT/FT

SHOWN ON USGS MAP AS BLUE-LINE STREAM

TEST SITE DESCRIPTIONS:

TEST SITE-1
 HYDROPHYTIC VEGETATION: INDICATORS ARE PRESENT
 WETLAND HYDROLOGY: INDICATORS ARE PRESENT
 HYDRIC SOILS: INDICATORS ARE PRESENT
 TEST SITE-1 IS A WETLAND

TEST SITE-2
 HYDROPHYTIC VEGETATION: INDICATORS NOT PRESENT
 WETLAND HYDROLOGY: INDICATORS NOT PRESENT
 HYDRIC SOILS: INDICATORS NOT TESTED
 TEST SITE-2 IS NOT A WETLAND

TEST SITE-3
 HYDROPHYTIC VEGETATION: INDICATORS ARE PRESENT
 WETLAND HYDROLOGY: INDICATORS ARE PRESENT
 HYDRIC SOILS: INDICATORS ARE PRESENT
 TEST SITE-3 IS A WETLAND

TEST SITE-4
 HYDROPHYTIC VEGETATION: INDICATORS ARE PRESENT
 WETLAND HYDROLOGY: INDICATORS NOT PRESENT
 HYDRIC SOILS: INDICATORS NOT TESTED
 TEST SITE-4 IS NOT A WETLAND

TEST SITE-5
 HYDROPHYTIC VEGETATION: INDICATORS ARE PRESENT
 WETLAND HYDROLOGY: INDICATORS NOT PRESENT
 HYDRIC SOILS: INDICATORS NOT PRESENT
 TEST SITE-5 IS NOT A WETLAND

TEST SITE-6
 HYDROPHYTIC VEGETATION: INDICATORS ARE PRESENT
 WETLAND HYDROLOGY: INDICATORS ARE PRESENT
 HYDRIC SOILS: INDICATORS ARE PRESENT
 TEST SITE-6 IS A WETLAND

TEST SITE-7
 HYDROPHYTIC VEGETATION: INDICATORS ARE PRESENT
 WETLAND HYDROLOGY: INDICATORS ARE PRESENT
 HYDRIC SOILS: INDICATORS ARE PRESENT
 TEST SITE-7 IS A WETLAND

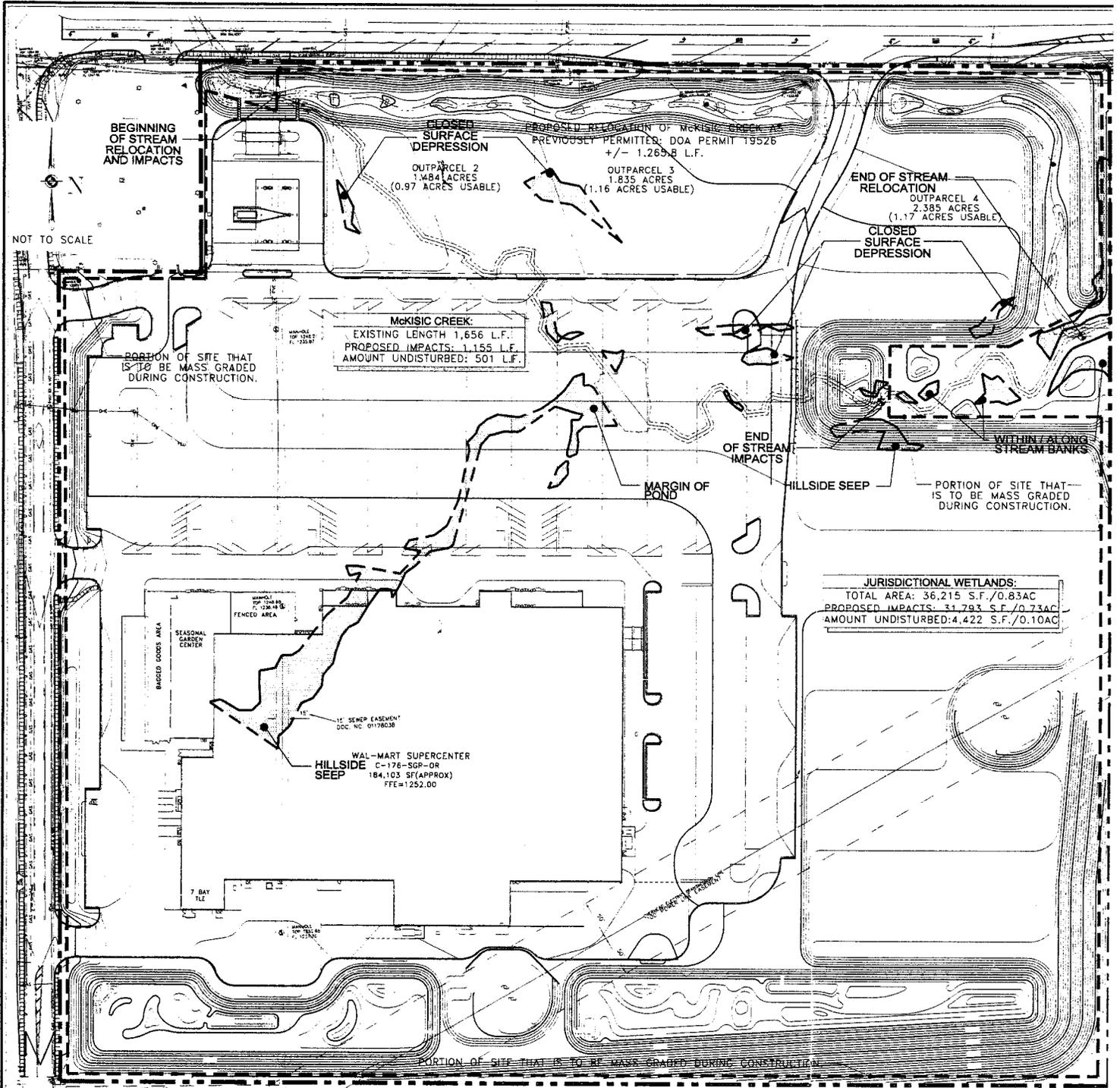
WETLAND AREAS:

RIPARIAN WETLANDS	+/- 6,622 SF
SURFACE DEPRESSION WETLANDS	+/- 10,366 SF
HILLSIDE SEEP WETLANDS	+/- 19,227 SF
TOTAL AREA DELINEATED AS WETLANDS:	+/- 36,215 SF
	+/- 0.83 AC
TOTAL AREA UNDER THE AUTHORITY OF THE USACE:	+/- 36,215 SF
	+/- 0.83 AC

ENVIRONMENTAL RECONNAISSANCE
 PROJECT
 PROPOSED RETAIL COMMERCIAL CENTER
 HIGHWAY 102 & BRYSTA DRIVE
 CENTERTON, ARKANSAS

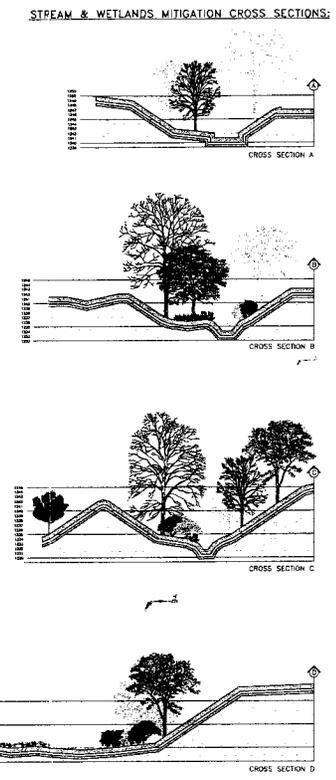
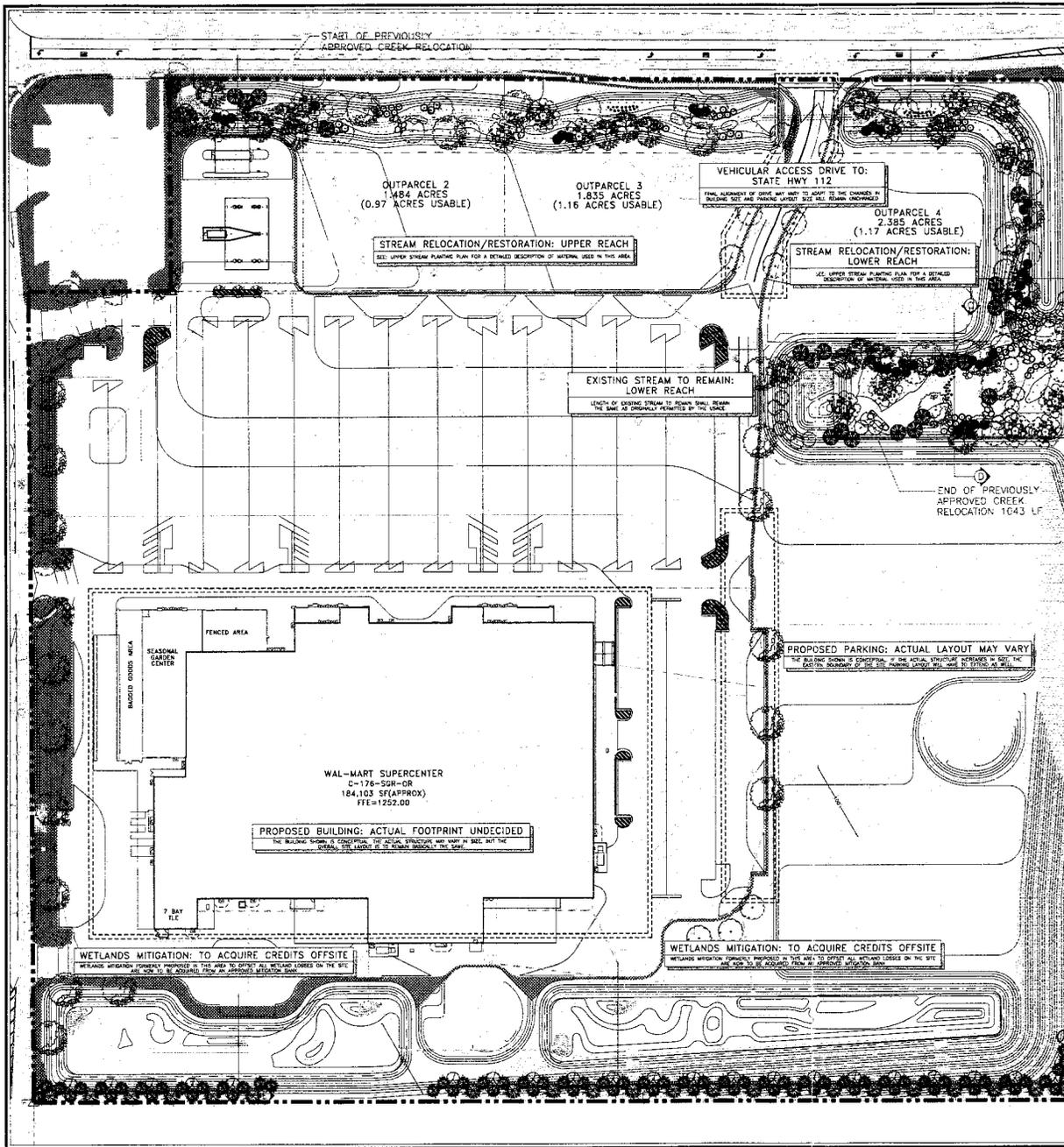
CONSULTING ENGINEERS, INC.
 2005 LITTLE ROCK BOULEVARD
 FORT MITCHELL, ARKANSAS 72110-1010

DATE: MARCH 04, 2012
 SCALE: NOT TO SCALE
 SHEET: 01



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ALL WETLAND BOUNDARIES LOCATED USING GPS UNIT.



PROPOSED SITE & STREAM RELOCATION MITIGATION PLAN

WAL-MART SUPERCENTER #424B-00
CENTERTON, ARKANSAS

Walmart
Save money. Live better.

CARLSON CONSULTING ENGINEERS, INC.
1000 WEST 10TH STREET, SUITE 200
CENTERTON, ARKANSAS 72016-0000
PH: 501-251-1000 FAX: 501-251-1001

DATE: NOVEMBER 12, 2004
SCALE: AS NOTED
SHEET 18 OF 22

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Commercial Retail Development
Centerton, Benton County, Arkansas
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