



DEPARTMENT OF THE ARMY  
MOBILE DISTRICT, CORPS OF ENGINEERS  
BIRMINGHAM FIELD OFFICE  
218 SUMMIT PARKWAY, SUITE 222  
HOMEWOOD, ALABAMA 35209

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PUBLIC NOTICE NO. SAM-2015-01118-JMT

October 14, 2015

JOINT PUBLIC NOTICE  
U.S. ARMY CORPS OF ENGINEERS AND  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF POLLUTION CONTROL

**PROPOSED DISCHARGE OF FILL MATERIAL IN WETLANDS IN ASSOCIATION  
WITH A PROPOSED COMMERCIAL DEVELOPMENT  
OKTIBBEHA COUNTY, MISSISSIPPI**

TO WHOM IT MAY CONCERN: This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (USACE) can be based. Please communicate this information to interested parties.

**APPLICANT:** Wal-Mart Stores East, L.P.  
2001 SE 10<sup>th</sup> Street  
Bentonville, Arkansas 72716

**AGENT:** Carlson Consulting Engineers  
7068 Ledgestone Commons  
Bartlett, Tennessee 38133

**LOCATION:** The proposed project is located on approximately 10 acres in Starkville, Oktibbeha County, Mississippi (33.479781, -88.792978) within the SE ¼ of the SE ¼ of Section 26, Township 19 North, Range 14 East. The project is located within the Black Warrior-Tombigbee watershed (HUC 03160104).

**PROJECT PURPOSE:** The basic project purpose is commercial development.

**WORK:** The applicant is seeking authorization for the discharge of fill material into waters of the United States for purposes of constructing a Wal-Mart Neighborhood Market. These activities would impact 1.32 acres of moderate quality mixed forested and emergent wetlands. The proposed development would include 41,952 square foot facility, a fueling station, a parking lot and a roadway, and a stormwater detention area.

**AVOIDANCE & MINIMIZATION:** The applicant considered three off-site alternatives during the project planning stages. Once the preferred site was selected, design plans were prepared and revised to minimize impacts to aquatic resources on the preferred site. According to the applicant, the final proposed plan avoids impacts to 1.61 acres of mixed forested and emergent wetlands. The USACE has not verified the adequacy of the applicant's avoidance and minimization at this time.

**MITIGATION:** The applicant proposes to mitigate for unavoidable wetland impacts through the purchase of wetland credits from an USACE approved mitigation bank. The USACE has not verified the adequacy of the applicant's compensatory mitigation plan at this time.

**WATER QUALITY:** The applicant has applied for certification from the State of Mississippi in accordance with Section 401(a)(1) of the Clean Water Act, and has certified that the proposed activity complies with and will be conducted in a manner that is consistent with the State Coastal Zone Management Program. Upon completion of the required advertising and public comment review, a determination relative to consistency will be made by the Mississippi Department of Water Quality.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the USACE can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. 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 use 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 production, and in general, the needs and welfare of the people.

The USACE 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 USACE 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.

Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

**HISTORIC AND CULTURAL RESOURCES:** In accordance with Section 106 of the National Historic Preservation Act and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to affect cultural and historic properties within the permit area. The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. A Cultural Resource Survey has not been performed at the site. Copies of this public notice are being sent to the Mississippi Department of Archives and History for review and comment.

**ENDANGERED/THREATENED SPECIES:** Preliminary review of this application, and the U.S. Department of the Interior List of Endangered and Threatened Species indicates that the proposed activity will not affect any listed endangered or threatened species or their critical habitat. Copies of this public notice are being sent to the U.S. Fish and Wildlife Service for review and comment.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2015-01118-JMT and should be directed to:

U.S. Army Corps of Engineers Mobile District  
Birmingham Field Office  
Attention: Mr. Joe Tanko  
218 Summit Parkway, Suite 222  
Homewood, Alabama 35209

with a copy to the:

Mississippi Department of Environmental Quality  
Office of Pollution Control  
Post Office Box 2261  
Jackson, Mississippi 39225

Comments should be received no later than **30 days** from the date of this Public notice.

If you have any questions concerning this publication, you may contact the project manager, Mr. Joe Tanko, via e-mail at **Joseph.M.Tanko@usace.army.mil** or telephone number **(205) 290-9096**. Please refer to the above Public Notice number.

For additional information about our Regulatory Program, please visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>, and please take a moment to complete our customer satisfaction survey while you are there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures

**AERIAL IMAGERY:**



|                            |  |                              |
|----------------------------|--|------------------------------|
| <b>AERIAL IMAGE</b>        |  | <b>Proposed Project Site</b> |
| <b>LATITUDE: 33.479781</b> | <b>LONGITUDE: -88.792978</b>   |                              |
| <b>HWY 12</b>              |  |                              |
| <b>STARKVILLE, MS</b>      |  | <b>Source: GOOGLE EARTH</b>  |