



REPLY TO
ATTENTION OF:

**DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE
CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001**

**CESAM-RD-I
PUBLIC NOTICE NO.
SAM-2006-1390-MNS**

14 June 2006

**JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS AND
STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED FILLING OF WETLANDS AND STREAMS IN CONJUNCTION
WITH A COMMERCIAL DEVELOPMENT (WAL-MART), WINFIELD
MARION COUNTY, ALABAMA**

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). Please communicate this information to interested parties.

APPLICANT: Wal-Mart Stores East, LP
Attention: Mr. John Clarke
2001 South East 10th Street
Bentonville, Arkansas 72716-0550

AGENT: Gonzalez – Strength & Associates, Inc.
Attention: Mr. Mike Eddington
2176 Parkway Lake Drive
Hoover, Alabama 35124

LOCATION: The project will impact unnamed tributaries to Luxapilla Creek (Upper Tombigbee Basin), Section 7, Township 13 South, Range 12 West, Intersection of US Highway 43 and County Road 69, Winfield, Marion County, Alabama.

WORK: The applicant proposes to fill approximately 0.2 acre of wetlands and fill/pipe approximately 925 linear feet of unnamed intermittent streams in conjunction with the construction of a Wal-Mart Store. The project will entail construction of new retail facilities with adjacent parking. Approximately 253 cubic yards (CY) of material (cobble, gravel and fine material) will be removed from the site. Also, clean commercially obtained fill material will be used. Approximately 852 CY of fill will be discharged in wetlands other waters. To mitigate for the unavoidable impacts, the applicant proposed to preserve onsite waters of the U S and the remainder of the required mitigation will be accomplished through the purchase of mitigation credits from an approved mitigation bank. All work will be accomplished in accordance with the enclosed drawings provided by the applicant.

The applicant has applied for state certification in accordance with Section 401(a)(1) of the Clean Water Act, and upon completion of the required advertising and public comment review, a determination relative to certification will be made by the Alabama Department of Environmental Management.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers 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 Corps 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 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.

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. Copies of

notice are being sent to the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposed activity will not affect listed endangered or threatened species, or their critical habitat. The National Marine Fisheries Service requires the evaluation of impacts to Essential Fish Habitat of estuarine species.

Correspondence concerning this Public Notice should refer to Public Notice Number SAM-2006-1390-SAM and should be directed to:

District Engineer
U.S. Army Engineer District, Mobile
Post Office Box 2288, Mobile, Alabama 36628-000
Attention: Regulatory Division

with a copy to the:

Alabama Department of Environmental Management
1751 Cong. W. L. Dickinson Drive
Montgomery, Alabama 36130

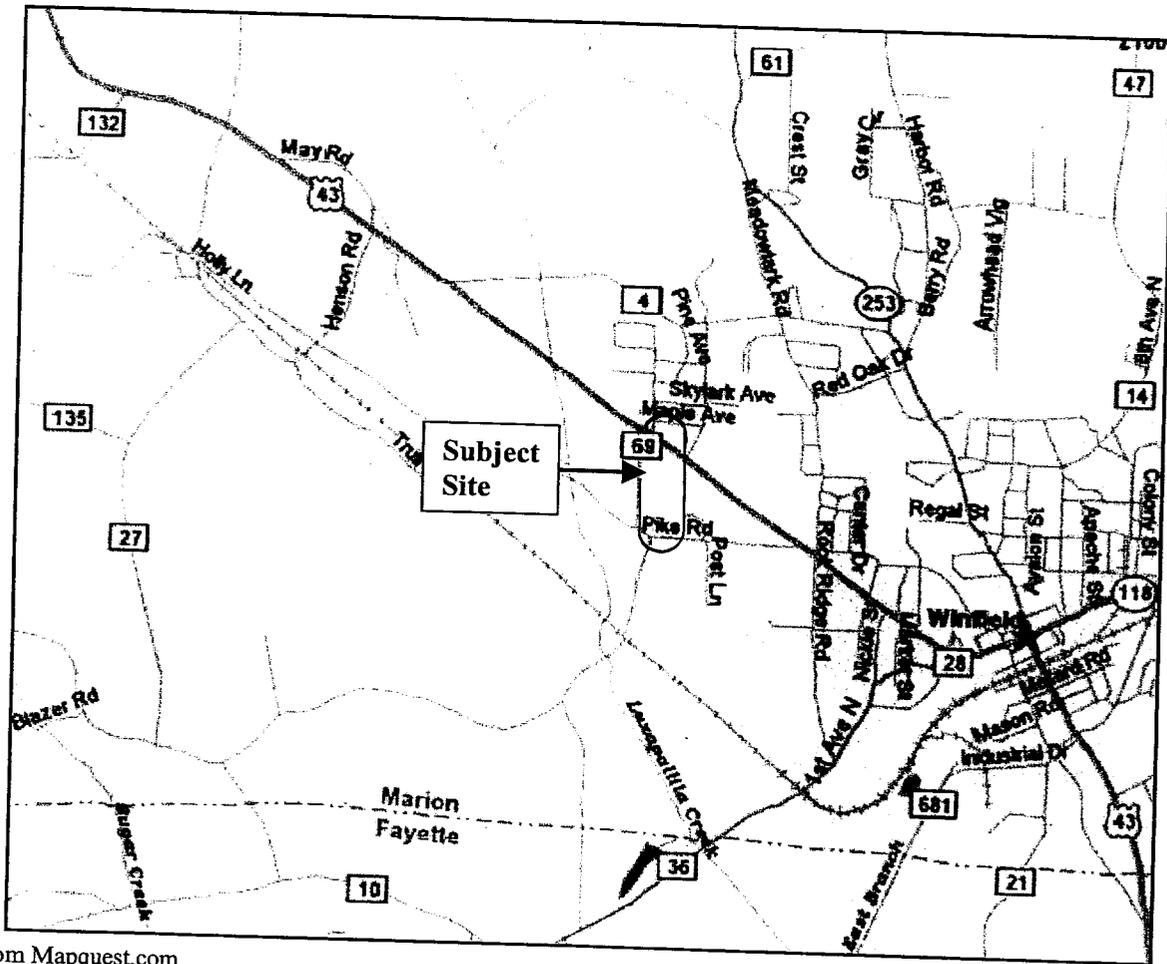
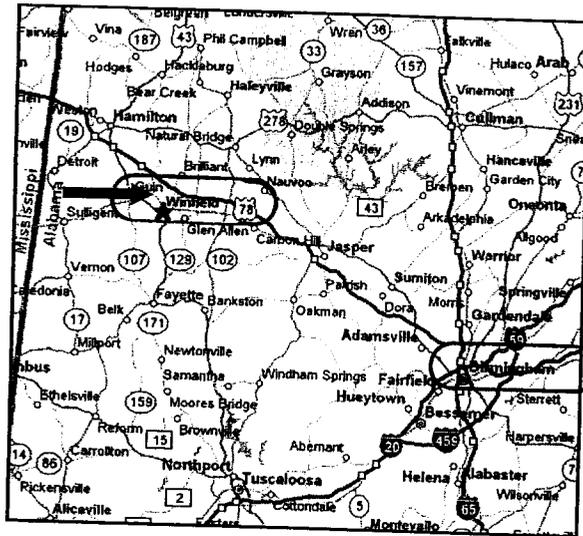
All comments must be sent in time to be received not later than 14 July 2006.

If you have any questions concerning this publication, you may contact Munther Sahawneh at telephone number (251) 694-3782. Please refer to Public Notice number **SAM-2006-1390-MNS**.

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

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosure



Taken from Mapquest.com
Not to Scale

1	4/20/06		CMS
NO.	DATE	REVISION NOTE	BY

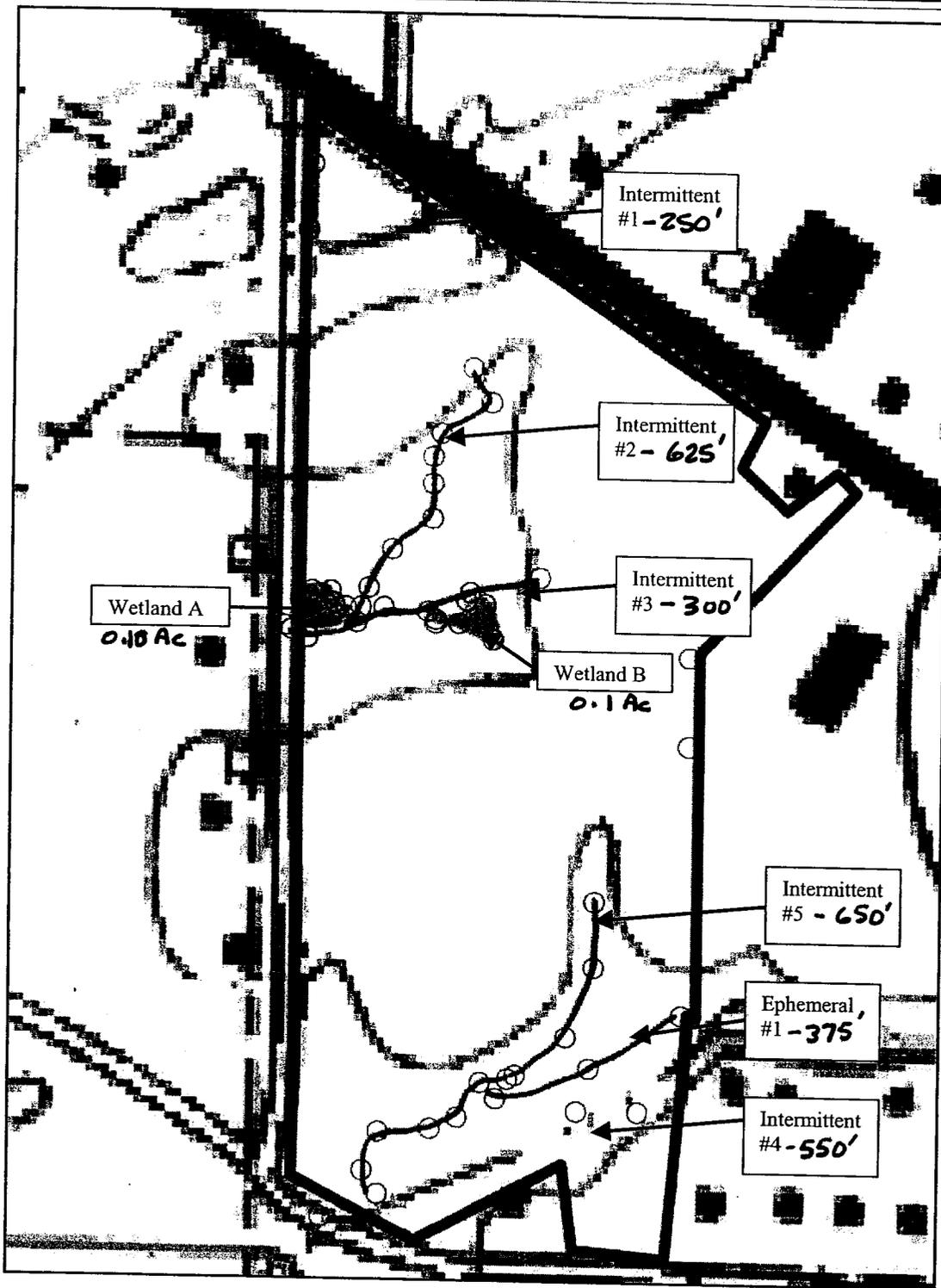
Drawn By: CMS	Project #: 1391-033
Checked By: CS	Date: 2/17/05
Proj. Mgr.:	File Name:

SPECTRUM

700 SOUTHGATE DR.
SUITE A
PELHAM, AL 35104
FAX (205) 664-2142
PHONE (205) 664-2000



TITLE
Figure 1391033-1
Site Locator Map
Undeveloped Property
US Highway 43
Winfield, Marion County, AL



Taken from Maptech, Inc. 1999 USGS Winfield Quad
 Scale: 1" = 250'

NO.	DATE	REVISION NOTE	BY

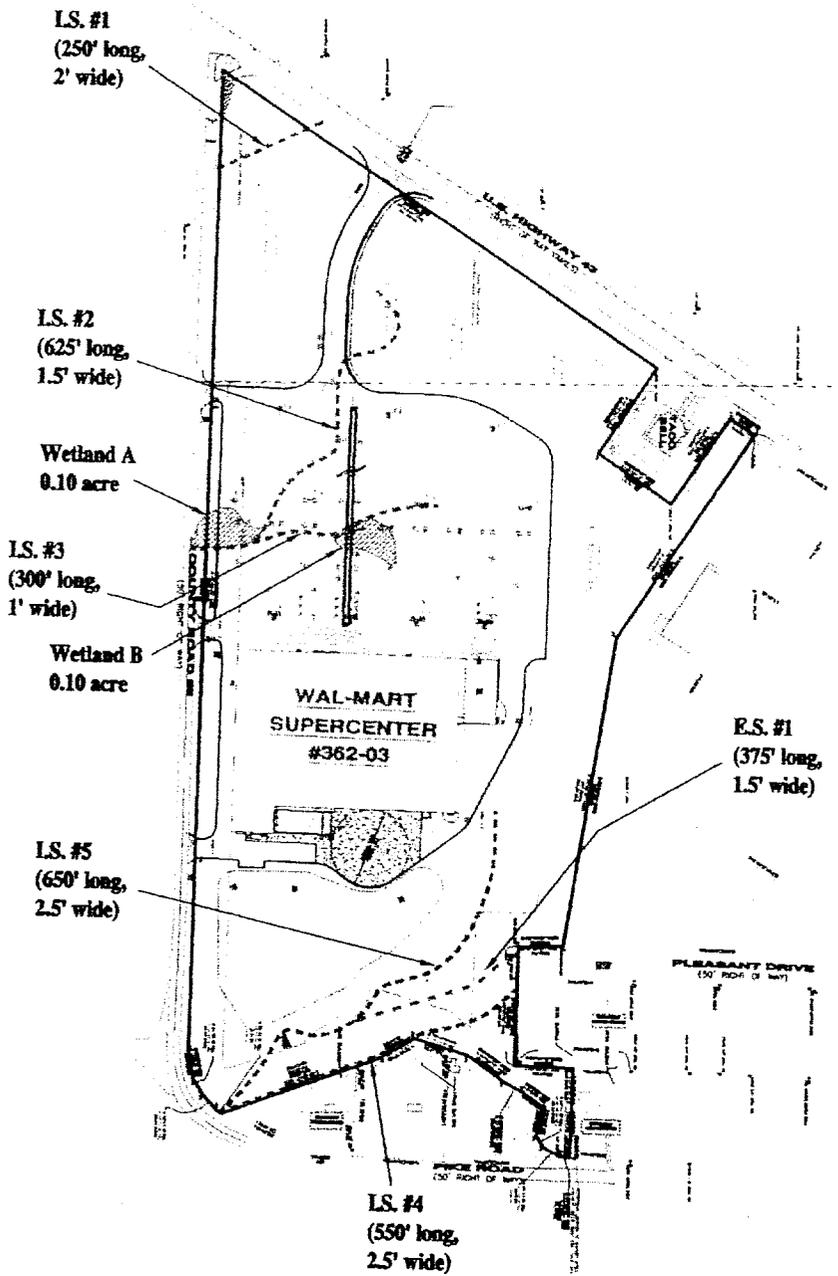
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Checked By: CS	Date: 2/22/06
Proj. Mgr.:	File Name:

SPECTRUM

 700 SOUTHGATE DR. SUITE A
 PELHAM, AL 35124
 FAX (205) 664-2142
 PHONE (205) 664-2000

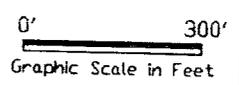


TITLE
Figure 1391033-2 Jurisdictional Determination Map Undeveloped Property Highway 43 Winfield, Marion County, AL



Legend

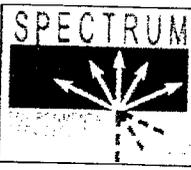
- Wetlands
- Intermittent Stream (I.S.)
- Ephemeral Stream (E.S.)



Site Layout Plan courtesy of Gonzalez-Strength & Associates, Inc.

NO.	DATE	REVISION	NOTE	BY

Drawn By: TGH
 Project #: 1391-033
 Checked By: CMS
 Date: 4/25/06
 Project Manager:
 File Name: 1391033-3



TITLE
Figure 1391033-3
Proposed Site Layout
 Wal-Mart
 Winfield, Marion County, Alabama

LS. #1
Avoided

LS. #2
565 L.F.
of fill

Wetland
Impact
0.10 acre

LS. #3
360 L.F.
of culvert

Wetland
Impact
0.10 acre

LS. #5
Avoided

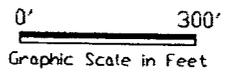
ES. #1
Avoided

WAL-MART
SUPERCENTER
#362-03

LS. #4

Legend

-  Wetlands
-  Intermittent Stream (I.S.)
-  Ephemeral Stream (E.S.)
-  Intermittent Stream Fill
-  Intermittent Stream Culvert
-  Wetland Fill
- L.F. Linear Feet



Grading Plan courtesy of Gonzalez-Strength & Associates, Inc.

NO.	DATE	REVISION	NOTE	BY

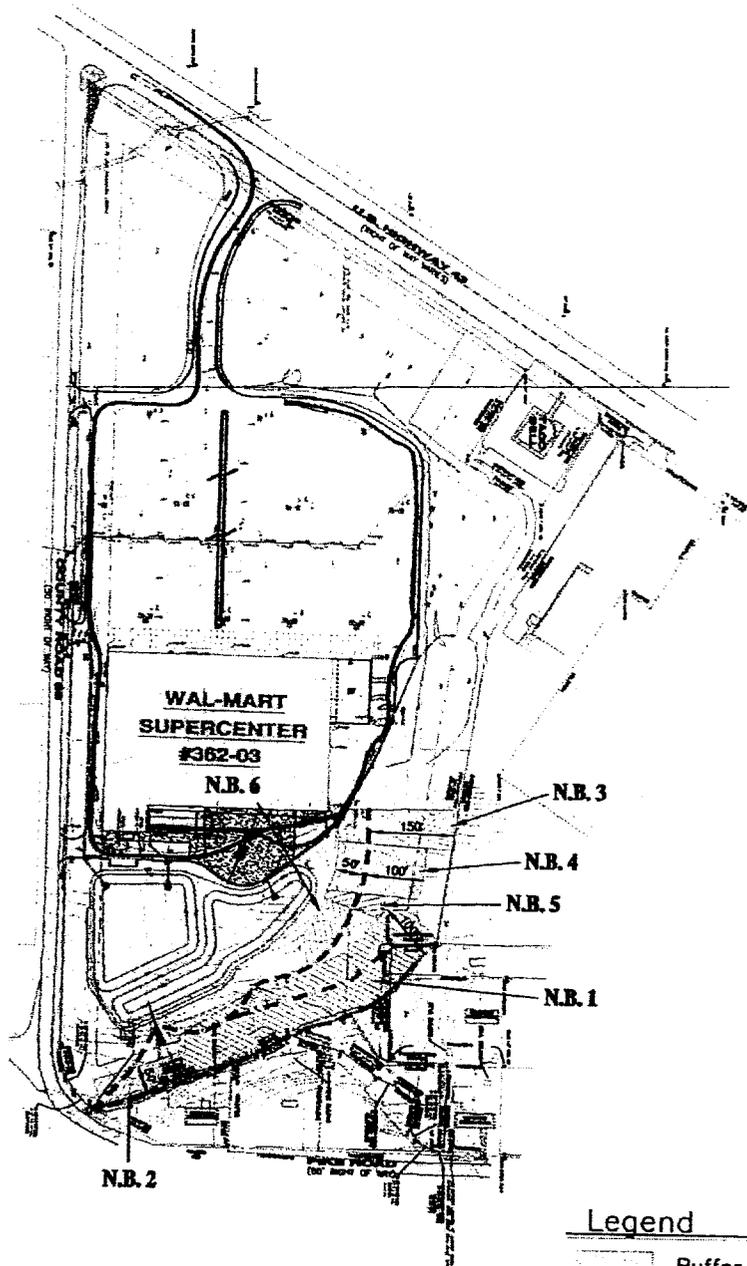
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Checked By: CMS
Project Manager: CMS

Project #: 1391-033
Date: 4/25/06
File Name: 1391033-4



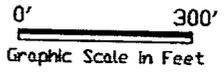
TITLE

Figure 1391033-4
Grading Plan & Proposed Impacts Map
Wal-Mart
Winfield, Marion County, Alabama



Legend

-  Buffer
-  Intermittent Stream
-  Ephemeral Stream
- N.B. Net Benefit



Grading Plan courtesy of Gonzalez-Strength & Associates, Inc.

NO.	DATE	REVISION NOTE	BY

Drawn By: TGH	Project #: 1391-033
Checked By: CMS	Date: 4/25/06
Project Manager: CMS	File Name: 1391033-4

SPECTRUM

 ENVIRONMENTAL SERVICES, INC.
 1000 W. STATE ST. SUITE 4
 WILMINGTON, AL 37154
 FAX: 601-964-2142
 PHONE: 601-964-2000

TITLE
Figure 1391033-6 Onsite Mitigation Map Wal-Mart Winfield, Marion County, Alabama

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE
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MOBILE, ALABAMA 36628-0001
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